WEDNESDAY, JUNE 3, 2026 11:43 A.M.

ACTING SPEAKER HUNTER: The House will come to order.

Good morning, colleagues.

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 members in the Pledge of Allegiance.

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

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

Mr. Fall.

MR. FALL: Madam Speaker, I move to dispense with the further reading of the Journal of Tuesday, June 2nd and that the same stand approved.

ACTING SPEAKER HUNTER: Without objection, so ordered.

MR. FALL: Madam Speaker, we have a quote today that comes from a Swahili proverb, and the proverb says: "A boat doesn't go forward if each one is rowing their own way", end quote.

Madam Speaker, members have on their desks a main Calendar. Before any housekeeping and/or introductions we will be calling for the following Committees to meet: Ways and Means and Rules. These committees will produce an A- and B-Calendar which we will take up today. We will begin our floor work today by taking up on consent Rules Report No. 385 by Ms. Pheffer Amato. We will then take up the following bills on debate: Rules Report No. 353 by Mr. Magnarelli, and Rules Report No. 357 by Mr. Taylor. I will announce any further floor activity as we proceed.

So with that as a general outline, Madam Speaker, let us begin by calling the Ways and Means Committee to meet in the Speaker's Conference Room.

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

We have no housekeeping this morning, but a few

introductions.

We will start with Ms. Buttenschon for the purpose of an introduction.

MS. BUTTENSCHON: Thank you, Madam Speaker. I'm honored today to be with members of my family that have come to visit the Assembly and see where Nonnie works. With me today is my son -- grandson Alexandra -- Alexander, I'm sorry. I have Ally (phonetic), my granddaughter; my grandson William; my husband Don; my son Matt; and my daughter Lindsey. So, clearly, each one of them I'm so proud of. They're excited to be here and look forward to spending the day with us in Albany to bring smiles, hopefully, as we have a couple more long days.

So thank you, Madam Speaker.

ACTING SPEAKER HUNTER: On behalf of Ms. Buttenschon, the Speaker and all members, we welcome the Buttenschon family to the Assembly Chamber, extending to you the privileges of the floor. Hoping you enjoy our proceedings today. It is all wonderful to see Don and the rest of the family here today. Enjoy it. We are going to miss Marianne very much here in the Assembly, so it's been a pleasure to be able to work with her and see the family when you have come to visit. So thank you all so very much for joining us today.

(Applause)

Mr. Kim for the purpose of an introduction.

MR. KIM: Thank you, Madam Speaker. I have a

very special guest I want to introduce today. Despite her small stature and beautiful smile, don't let her fool you. This young girl can put you in an arm bar 30 seconds or less and submit you in a triangle. She is a good friend of mine hailing out of Bronxville, New York represented by Ms. Paulin, joined by her family, her mother Mitchell and Justin, and her son Jackson. She fights out of Igor Gracie Academy. Parker Melia has won 13 Jiu-Jitsu tournaments in a little over a year, including tournaments in New York, New Jersey, Boston and Charlotte. She ended 2025 as the number two-ranked girl in the world at her belt and weight. I believe she's ranked number one this year. She recently traveled to Dublin, Ireland for the IBJJF European Championship where she fought amazing competitors from all around the world and won gold. She's travels to Brazil next week to compete in the Brazilian National Championship.

Madam Speaker, please extend the cordialities of the floor and wish her good luck as she represents New York and the best of New Yorkers.

ACTING SPEAKER HUNTER: Of course. On behalf of Mr. Kim, Ms. Paulin, the Speaker and all members, we welcome our distinguished guest to the Assembly Chamber, extending to you the privileges of the floor. And wish you, ma'am, the very, very best of luck and continued success. You already are a champion. We see your medal that you are wearing. But you will absolutely make New York proud when you travel next week. So very good luck to you. Continued best wishes. Thank you so much for joining us

today.

(Applause)

Mr. Manktelow for the purpose of an introduction.

MR. MANKTELOW: Thank you, Madam Speaker. I don't want to cry -- oh, my goodness. Anyways. I'm so happy today, Madam Speaker, to have the chance to introduce to all of you my mom -- go ahead, stand up, Mom -- and my wife Crystal, bringing them here to our Chambers. They hear a lot about down here. My mom has never been here, now I'm gonna to take her around and show her a few things. And I just wanted to let her see how all of you affect myself and my life here and when I come home.

So if you could give -- oh, my goodness, what is wrong with me.

(Laughter)

If you, Madam Speaker, could give them the cordialities of the House and an introduction, I would very much appreciate it.

ACTING SPEAKER HUNTER: Of course. On behalf of Mr. Manktelow, the Speaker and all members, we welcome our distinguished guests to the Assembly Chamber, extending to you the privileges of the floor. Always special to see moms on the floor. Always brings emotion to us, so that's wonderful. And Crystal, welcome to you as well. Brian has been a wonderful Army colleague and a member as well. We will miss seeing him here as well, too. So we're proud and glad that you were able to see him here in the

Assembly Chamber. So thank you both very much for joining us today.

(Applause)

Page 14, Rules Report No. 385, the Clerk will read.

THE CLERK: Assembly No. A11534, Rules Report No. 385, Committee on Rules (Pheffer Amato). An act to amend the Civil Service Law and the State Finance Law, in relation to compensation and other terms and conditions of employment of certain State officers and employees, to authorize funding of joint labor-management committees, to implement agreements between the State and an employee organization; to amend Chapter 333 of the Laws of 1969 amending the Civil Service Law and other laws relating to salary increases for certain State officers and employees, in relation to rates of pay for certain State employees; to repeal certain provisions of the Civil Service Law relating thereto; and making an appropriation for the purpose of effectuating certain provisions thereof (Part A); and to amend the Civil Service Law and the Correction Law, in relation to salaries of certain State officers and employees excluded from collective negotiating units; to repeal certain provisions of the Civil Service Law and the Correction Law relating thereto; and making an appropriation for the purpose of effectuating certain provisions thereof (Part B).

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.

We're on debate, colleagues.

Page 13, Rules Report No. 353, the Clerk will read.

THE CLERK: Assembly No. A09561, Rules Report No. 353, Magnarelli, Glick, Levenberg, Reyes. An act to amend the Transportation Law, in relation to imposing certain requirements for the distribution of road salt.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Magnarelli.

MR. MAGNARELLI: Yes, Madam Speaker. This bill would prohibit the DOT, municipalities, public authorities from spreading road salt at a rate higher than 300 pounds per lane mile on average during each snow and ice management season.

ACTING SPEAKER HUNTER: Mr. Miller.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. MILLER: Thank you, Mr. Chairman. Chairman, back in August 2025 you hosted a four-hour road salt roundtable in the Legis -- Legislative Office Building. That discussion included representatives from State DOT, DEC, town highway superintendents and advocates from the Adirondack Region. It is important to note that the State DOT and highway superintendents are responsible for plowing and maintaining more than 85 percent of New York State roads. The legislation before us would prohibit the State and its municipalities from spreading road salt at a rate higher than 300 pounds per lane mile on average during each snow and ice management season. Can you provide the analysis behind the 300-pound limit, including who conducted the study and what agency, organization or expert determined that this number is appropriate Statewide? To be clear, I would like to see the report or data showing every region of New York State can meet this limit without jeopardizing the safety of its traveling public. The reason I ask is because both the State DOT and the town highway superintendents have repeatedly asked the Adirondack advocacy groups for the analysis behind the proposed limits, and they have not been provided with data supporting it. We all agree that reducing unnecessary salt use is an important goal, but that goal must be balanced with public safety.

MR. MAGNARELLI: There's a question there, right?

MR. MILLER: Yes, there is.

MR. MAGNARELLI: Okay.

MR. MILLER: How'd you come up with the number? I'll make it simple.

MR. MAGNARELLI: Well, as far as I know there was no specific study done after that hearing -- roundtable that we had. However, we did talk to everybody, everybody; the towns, the DOT, the Adirondack people. Everyone. They gave us input. And what we tried to do is set some parameters so that we can start talking about this. And I want to reiterate one thing that you said. The number one thing that I kept saying around that table, that roundtable, was the safety of the public is paramount. We know that. We're gonna continue to make sure that the safety of the public is paramount.

Now, how did we get to this 300 pounds per lane mile? That happened by taking kind of a look at everything around us, having the Adirondack people give us information. And what we came up with is 300 as the limit. Like, no more than this. And we've basically found out that no one is really even hitting that. So it's kind of a top, top line on everything. And I can give you examples of things that we've looked at. For example, the State of Wisconsin has a limit of 100 pounds. New Hampshire, 250 to 300 pounds. Minnesota, 100 to 400 pounds. The Federal Highway Administration, 250 pounds. So what we're saying here is not out of line with anything else, and it's an average. So if you have an event that calls for more,

you're going to be able to tackle that. We talked to the DOT. They were concerned about being able to do that, and they can. So I think we're well within the parameters. What we want to do is start people talking about limiting salt, spreading salt, and getting it out of our water.

MR. MILLER: Okay. I just want to stay on the how we came up with it. So how can one Statewide number apply equally to the Tug Hill Region, which experiences some of the heaviest snowfall in the country, and Long Island, which sees lower snowfall -- snowfall totals but faces frequent icing conditions and much higher traffic volumes. How does this legislation account for those differences? I know you're -- you're trying to explain that we've taken different State recommendations, but New York State's very unique from other places in the country. We have these snowmakers called the Great Lakes; Lake Erie and Lake Ontario.

MR. MAGNARELLI: I live in Syracuse.

MR. MILLER: You're very, very familiar with that, and so am I so. But we have a vast difference in climate across this State which really asked for much, much different road salt applications than a lot of places in the nation.

MR. MAGNARELLI: Correct. I don't disagree with anything you just said. It's true. But what we're doing is putting a cap, a ceiling on it which we feel everything is going to be right now should be below it no matter which region it is. I don't see -- I hope not -- that Long Island is going to be putting down 300 pounds per

road mile. It's gonna be much less in those areas. On the other hand, in the Tug Hill it may get to almost 300 pounds per lane mile. But right now it doesn't, and we feel we're just capping it and then starting a conversation of where it really should be, and what you're alluding to; getting the data that we need to make decisions on just how much should be spread at any given point in time, and in any given region.

MR. MILLER: Well, let's talk about the data. You know, the Legislature is also considering A11105, which I believe is legislation introduced by you. It's the Safe Roadways, Clean Water Road Salt Right to Know Act. It's legislation here that -- which relates to winter road maintenance data collection and monitoring -- that would establish a Statewide system to collect and monitor winter road maintenance data. If we do not currently have standardized Statewide data, how can we responsibly impose a Statewide cap before collecting the information needed to determine what application rights are actually appropriate? Aren't we putting the cart before the horse on this one?

MR. MAGNARELLI: Well, sometimes that's the way we do it around here. But the idea is to get all of those bills passed to have a -- a plan to attack the problems we have with putting down salt on our roads. So I agree with you that this is an issue. I agree that we need to start collecting data. We are going to be doing that. And we do collect some. For example, in '24, '25 snow and ice season, New York State average application rate for granular salt was 172 pounds per year. So we know that -- we're -- we're setting some

parameters. We know that we have to collect the data, I agree with you. And that's why I have a bill that would do that. Hopefully that'll pass this Session as well.

MR. MILLER: Thank you, Mr. Chairman. I appreciate your answers and your time.

MR. MAGNARELLI: You're welcome.

MR. MILLER: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. MILLER: Let me be clear. Protecting our environment and reducing unnecessary road salt use are worthwhile goals for many reasons and must be balanced with public safety. However, this bill puts the cart before the horse. I believe it would -- it would be more prudent to collect several years of standardized Statewide data through calibrated equipment across the various regions of New York and adjust those based on varying conditions to identify actual over-application trends before imposing statutory limits that may not reflect real-world conditions or that may impact -- or that may impact safety. The legislation establishes a Statewide cap on road salt application rates, yet there is no clear evidence demonstrating how the specific limit of 300 pounds per lane mile was determined, and there is not significant data showing why this number is appropriate for every region of New York State.

The proposal recognizes that many highway professionals already know we need accurate, comprehensive data before impose -- imposing Statewide mandates. Without that

information, this bill amounts to a one-size-fits-all approach to a problem that varies dramatically across New York. The winter conditions faced by communities in the North Country, Tug Hill, Central New York and the Southern Tier are very different from those experienced elsewhere in the State.

I am also concerned that this legislation may have little practical impact. Available data indicates that Statewide average application rate during the '24-'25 winter season was approximately, as the sponsor said, 172 pounds per lane mile; well below the 300-pound cap established in this bill. If that is the case, it raises an important question: What meaning -- what meaningful reduction in salt usage will actually be achieved? At the same time, local highway departments must retain the flexibility to respond to severe winter weather and keep roads safe for motorists, school buses, emergency responders and commerce. Those decisions are best made by trained professionals on the ground, not through arbitrary limits established in statute. Before imposing mandates we should first gather the data, evaluate the results, and develop policies based on sound science, operational realities, and input from the entities responsible for maintaining more than 85 percent of the State's roads, who do not -- who do not support legislation as written because New York's weather, traffic, geography and road conditions vary dramatically across the region.

The people responsible for plowing our roads are telling us this legislation lacks the data, flexibility and regional

understanding necessary to protect the public safety. Before advancing this bill, the sponsor should provide the analysis provide -- proving that the 300-pound limit is safe, workable and appropriate for every region in New York State. For those reasons, I respectfully vote in the negative.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Ms. Bailey.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. BAILEY: Thank you, Chair. Just a quick question. In your roundtable it indicated that it was necessary for all equipment to be properly maintained and calibrated, and I see the wording in this legislation indicates that all road salt equipment shall be metered and calibrated. Did we -- did you get information out of that roundtable to identify how many vehicles may be out there that are not calibrated currently that would need to change?

MR. MAGNARELLI: No, I don't think we -- we got an exact number. I know there are some. I think that some of the things that affect that are costs in changing equipment. But there are ways of getting grants to municipalities so that they can get their

equipment brought up-to-date. Again, this is kind of a first step in a plan to really take ahold of this salt problem that's going to affect us all; whether you're living in the Adirondacks or you're living in New York City, this is going to affect our water. So we have to do something about it. This is a beginning. And so, yeah. We know that there are some places that don't have the -- the right equipment. We want them get the right equipment. There's funds through the DEC that are available to do that.

MS. BAILEY: Okay. So my question is the timeline on this effective date, am I correct that it's effective immediately? So are we giving municipalities that may have to update equipment, who may not have the financial resources -- obviously, we know attempting to, you know, to go out to get grants takes time. Is there any leeway there for our local municipalities if they have to update equipment to be able to meet the -- the section in the law that indicates that they have to be metered and calibrated?

MR. MAGNARELLI: I don't think there's any timeline per se. But on the other hand, I think if you're going forward with doing it and making an attempt to get your equipment up to speed, so-to-speak, I think that would be fine.

MS. BAILEY: Who would it be enforcing that -- that portion of the legislation?

(Conferring)

MR. MAGNARELLI: Yeah, I would think it's the DOT. It might be the DEC. Both were around that roundtable, by the

way --

MS. BAILEY: Okay.

MR. MAGNARELLI: -- but I can't give you a definite between the two.

MS. BAILEY: So if I understand correctly, you're saying that -- that if municipalities are in good faith making the -- the measures to update their equipment to -- to meet that part, then --

MR. MAGNARELLI: I would say so, yes.

MS. BAILEY: You would say that they're in compliance? Okay.

My next question, and it kind of goes back to -- to that piece. The financial implication it says to be determined. What are we determining there, or what in your scope when -- when this was put together were we looking at that may have a financial implication in -- in this? Is it back to the municipalities? Is it to our State DOT? Is it to the DOT and the Department to maintain this data on the website? You know, what are we looking at from the financial end of things?

MR. MAGNARELLI: Well, I would think getting the equipment -- what we were just talking about, getting the equipment up to snuff, that's cost -- there's a cost there. But on the other side of this what we're seeing is is that as they spread less salt, they're spending less money. And in the end -- I don't know this for sure -- but it could be somewhat of a wash in terms of the money that municipalities are going to be able to save versus how much they have

to put in to calibrate and meter the equipment that they have.

MS. BAILEY: Okay. I was just trying to understand when -- when you said to be determined where you might be thinking that that financial implication would be.

Do we -- do we foresee it costing anything for the New York State DOT to have to maintain this data that we're now requesting for them to have on their website?

MR. MAGNARELLI: I would assume it costs something. I mean, somebody has to input it and put it into some kind of a form so a report can come out.

MS. BAILEY: Okay.

MR. MAGNARELLI: I don't know exactly what that is, but I think it's more than worth it, whatever it is.

MS. BAILEY: No, thank you very much.

MR. MAGNARELLI: You're welcome.

MS. BAILEY: Thank you, Chair. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Bendett.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. BENDETT: Thank you, Chairman. What is road brine?

MR. MAGNARELLI: I think it's salt. It's a liquid salt.

MR. BENDETT: It's a liquid salt solution, right?

MR. MAGNARELLI: Yes.

MR. BENDETT: And that has a reduced amount of salt in it?

MR. MAGNARELLI: Correct.

MR. BENDETT: Do you know how much salt it has in it?

MR. MAGNARELLI: No, I don't.

MR. BENDETT: It has 23 percent salt and 77 percent water.

MR. MAGNARELLI: Okay. That's good.

MR. BENDETT: And that's a good mitigation tool?

MR. MAGNARELLI: Yes.

MR. BENDETT: Do you anticipate that salt being included in this cap? So in other words, if an -- an agency -- a transportation agency used road brine, would the amount of salt be calculated towards that 300 pounds?

MR. MAGNARELLI: I would think so, yes.

MR. BENDETT: Okay. Thank you very much. I appreciate that.

MR. MAGNARELLI: You're welcome.

ACTING SPEAKER HUNTER: Thank you.

Mr. Tague.

MR. TAGUE: Thank you, Madam Speaker. Would the Chairman yield for a couple of questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, sir.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. MAGNARELLI: Yes, ma'am. Excuse me.

MR. TAGUE: As you know, Chairman, I worked in the heavy highway construction industry for 25 years, dealt with a lot of highway departments, with the DOT actually in three different states. What is the purpose of what we're doing here?

MR. MAGNARELLI: Okay. I can tell you exactly how it was brought to me the first time. People from the Adirondacks came into my office. They gave me information and literature about wells being fouled by salt, affecting not only people but their livestock, et cetera. So that was the first thing I heard. And just out of the blue about three months later, the New York City Commissioner on Water came to my office and laid out a whole scenario where our reservoirs that hold the water for New York City -- now, that's 8 million people, okay -- they -- they, too, can be fouled in the coming decades if we continue using the amounts of salt we're using now.

MR. TAGUE: Well, I have plenty -- I have lots of reservoirs that feed New York City, actually, in my Assembly District

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MR. MAGNARELLI: Sure.

MR. TAGUE: -- and right in my home county, and I get that. And they have very -- New York City has very strict rules on the roadways around NYPA, around the reservoirs that are in Delaware and Schoharie County, and I believe also Ulster and Sullivan County they have very, very strict rules and I can understand that. And I also -- with the Adirondacks I can understand maybe having some strict -- strict rules around those roadways because those roadways aren't usually frequented by regular vehicles. They're usually vehicles that are providing services to the reservoir areas or so on and so forth. My concern here is is, number one, we are now telling our highway professionals -- and in some cases people that have been doing this for 30, 40 years -- we're telling them how much product they can use in what they do when we have a storm. And I will tell you this -- and you and I have both lived in the snowbelt of Upstate New York -- there is no winter like a -- like a Northeast Upstate winter. It can be 70 degrees one day, and the next 30 below zero, and one day you might get one with three inches of ice. Unfortunately, even in those conditions we have people that have to travel these roads, and I, myself, think that it's just common sense; another word that isn't used very often around here. But to me it's common sense to let our professionals that do this day in and day out determine the application that's needed to make sure that a roadway is safe. And if it's 350 pounds per square mile or it's 600 pounds per

square mile to make sure that it's safe, and most importantly, so our fire and EMS and our law enforcement can travel in case of an emergency. And you and I both know, knowing where we come from, accidents happen in those situations. We have fires that happen, and sometimes we have to get emergency equipment and emergency personnel to and from different scenes. And usually the first person they call when there's bad weather is the DPW Commissioner to tell them, *We need a vehicle out there right away to salt the roads so we can get our emergency equipment in and out*. My question is, do you agree with me?

MR. MAGNARELLI: I do. I agree with you on basically everything you said. But what I want to reiterate is that we're setting a cap and it's flexible. It's an average over a whole season. So yes, when we get those storms that hit my area, like they hit yours, they will -- or I'm not saying they will, because I think this cap is -- is enough. But if they had to, if it was that kind of an emergency, they can. So there's nothing in here I think that's really going to put the public's safety at risk.

MR. TAGUE: Well, I -- I myself, Chairman and I -- and I would hope that -- you know, I'm gonna be gone after this Session, but I -- you and I have had a great relationship. But I would hope that maybe you would consider, depending on what happens with this bill today or not, that maybe we take some of the environmental-sensitive areas within the State and maybe put the cap in those areas. But the rest of the State, let's leave it where it's at the

discretion of our highway superintendent professionals. I can understand in the Adirondack Region people being very concerned. I can understand in some of the areas in my district around the reservoir where people are concerned. When I was in the heavy highway construction industry back in the old days, you used to clean the equipment with diesel fuel. You know, the asphalt equipment. That is not allowed on a -- on a New York State DEP project. You can't even use it. As a matter of fact, twice since I have -- was in -- doing asphalt paving, they've changed what you can even use to clean the equipment at least two or three times over the years because they found something that is more environmentally-safe.

MR. MAGNARELLI: Right.

MR. TAGUE: And my guess is, Mr. Chairman, is that as we continue, as technology gets better, as people get smarter, we may come up with some different applications that does the same thing as salt that we could use in these environmentally-friendly areas.

MR. MAGNARELLI: Beets.

MR. TAGUE: Beets? I'm gonna to start --

MR. MAGNARELLI: I've heard of it. I mean, I haven't seen it yet, but --

MR. TAGUE: I'm gonna start growing some.

MR. MAGNARELLI: There you go.

MR. TAGUE: But Madam -- Madam Speaker, first of all, I want to thank the Chairman for the spirited and respectful debate. I -- I am gonna be opposed to this bill. You know, I think that

this has to be left up to the professionals that -- that do the work in and out. These folks, many have been doing these jobs for 20 or 30 years. Right now, especially in the area that we work, the application that they use with a mixture of sand and salt in many areas are what allows us to use our roadways during bad weather.

So I will be opposed to this. Hopefully the Chairman and the Committee will take into consideration some of the things I brought up. So I will be a no vote, and thank you very much.

ACTING SPEAKER HUNTER: Thank you.

Mr. Gandolfo.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. GANDOLFO: Thank you. And I was listening to the debate, but going over some papers over here so I'm a little redundant on some of these. I do apologize.

Now, this report, it was specific to the Adirondack watersheds?

MR. MAGNARELLI: Report? What report?

MR. GANDOLFO: I think in the memo this -- there was a report that this bill was in response to about the salt pollution in the Adirondacks; is that correct? Is that was this is?

MR. MAGNARELLI: It could have been the Adirondacks, it could have been the pollution of the reservoirs for New York City as well.

MR. GANDOLFO: Okay. And is DOT unable to enact something like this via regulation and maybe take a more regional approach?

(Conferring)

MR. MAGNARELLI: Well, DOT might be able to do it, but DOT can't tell the municipalities and the authorities the same thing. So this bill covers everybody.

MR. GANDOLFO: Okay. And how is the 300-pound limit determined?

MR. MAGNARELLI: Okay. That was covered before, and I'll tell you again. We have -- we have basically just listened to the various parties involved, taking that information. There was no scientific study done, so I want to put that to rest. We looked at other states; Wisconsin uses 100-pound per lane mile. New Hampshire, 250 to 300. Minnesota, 100 to 400. Federal Highway Administration, 250 pounds per lane mile. And we set a top level, okay, under which we want everybody to be.

MR. GANDOLFO: Okay. Thank you.

MR. MAGNARELLI: You're welcome.

MR. GANDOLFO: I appreciate that clarification. And my colleague earlier brought up the case of using a saltwater brine.

MR. MAGNARELLI: Yup.

MR. GANDOLFO: Is there a certain formula that would have to be used in that case on how it would be calculated to the overall poundage limit?

MR. MAGNARELLI: No. But, I mean, the salt you use to make the brine or whatever the brine contains would be part of that 300-pound per lane mile.

MR. GANDOLFO: But the reporting on this is based on the calibrated machinery now? The calibrated vehicles?

MR. MAGNARELLI: Or the brine machinery that they use to put it down.

MR. GANDOLFO: Okay. So in the -- in the case of -- would they be measuring, then, the overall weight of the brine being applied or the -- would they have to run a calculation of the salt content of the brine?

MR. MAGNARELLI: Salt content of the brine. I think one of your colleagues mentioned it's about 25 percent of the brine solution. So you can easily contemplate how much salt is going down.

MR. GANDOLFO: Okay. Is -- is there any distinction on how regular road salt might intrude into watersheds versus how brine might runoff and impact the watershed?

MR. MAGNARELLI: I think salt is salt. I mean, as it gets watered down and filters down it gets into our water.

MR. GANDOLFO: Okay. And is -- are there

metering devices available to measure brine currently? Do those exist?

MR. MAGNARELLI: I believe there is.

MR. GANDOLFO: Okay. So they -- they are currently available?

MR. MAGNARELLI: I believe they are.

MR. GANDOLFO: Okay. And would those be different types of, I guess, apparatuses versus what measures just pure road salt?

MR. MAGNARELLI: I -- I would assume they are different -- different machines, equipment.

MR. GANDOLFO: And I heard my colleague mention this before. If there is a financial cost associated, that would be borne by the municipality to retrofit their machines?

MR. MAGNARELLI: Yes. But there are funds available through DEC that can help offset some of this.

MR. GANDOLFO: Okay. Do you know the amount of funds available and how much each municipality would be eligible for?

MR. MAGNARELLI: I don't know exactly how much is available right now, but in 2025 over $2 million for 12 different projects was given out by DEC.

MR. GANDOLFO: Okay. And for this purpose specifically to --

MR. MAGNARELLI: Yes.

MR. GANDOLFO: Okay. And I did see some opposition come in -- oh, I guess, alleging that the 300-pound limit is too high and that the Statewide average was a little -- was significantly lower. What -- so the -- for the 300 pounds, you're just setting an easier bar for municipalities to clear?

MR. MAGNARELLI: We're kind of starting the conversation, the education that this is important and we have to look at it. And we're asking not only the State, but all of our municipalities to do the same.

MR. GANDOLFO: Okay. And is there an exception to emergencies, blizzards, lake effect snow? Is that --

MR. MAGNARELLI: Yeah. As I just discussed with one of your colleagues, the -- the idea that this is inflexible is not correct. It's very flexible. First of all, it's kind of a high bar, okay? And second of all, it's seasonal. So it's an average. So if you have a snow event, an ice event that takes a little bit more and it's absolutely necessary to keep people safe, of course you're gonna do it.

MR. GANDOLFO: Okay. So you'd be -- I guess that make sense. You'd be more (indiscernible) that's stretched over a 12-month calendar year --

MR. MAGNARELLI: Correct.

MR. GANDOLFO: -- that it would help bring the average down. Is then there any concern that this bill isn't doing enough to --

MR. MAGNARELLI: Yes, there is.

MR. GANDOLFO: Okay.

MR. MAGNARELLI: And I would hope that over next year or two we refine the plan that we're trying to put together for salt on our roads and we do a much more specific job. Another bill that was mentioned before that I have is to collect the data from the DOT and all of these municipalities to find out exactly how much goes down and in what conditions, what regions, et cetera.

MR. GANDOLFO: Okay. I appreciate the sponsor taking the time to answer my questions.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Fall.

MR. FALL: Madam Speaker, can you please call on the Rules Committee to meet in the Speaker's Conference Room?

ACTING SPEAKER HUNTER: Rules Committee members, please make your way to the Speaker's Conference Room. Rules Committee members, Speaker's Conference Room.

Mr. Simpson.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. SIMPSON: Thank you. And I'm -- I'm gonna

pick up where my colleague had left off. He had asked about, you know, the cap and how that would relate and concerns that have been expressed to you. I share those same concerns that 300 is too high of a number. I've seen in municipalities that I represent in Lake George where they've been able to -- through advanced technologies and going to brine and the different applications of products, that they've been able to reduce their overall usage by 50 percent or even more; saved the communities a lot of money. Do you think that this 300 pound --

MR. MAGNARELLI: Yeah.

MR. SIMPSON: -- or 300-ton [sic] cap could lead to an increase in certain areas of the State?

MR. MAGNARELLI: I do not. I think what I heard around the table, this roundtable that we had this past year, is a concern by not only DOT and DEC and New York City, but every municipality and organization that was represented there, including Lake George, including the Adirondacks. I think people are becoming very aware of what the problem is with trying to set a cap. I don't think people are going to willy-nilly go over it at all. I think it's an education process that has to begin.

MR. SIMPSON: I would agree with you. It is education. But I've also seen where, you know, the plow operate -- the amount of salt usage was tracked, tracked by tons. Tracked the amount of tons that were applied through a season. And the amounts actually increased by the State DOT used, applied even though there's

been many opportunities for education, you know, and -- and making people aware, people that are actually applying it. There's a huge amount of error between, you know, a bill that establishes a maximum amount or a target or a goal and what actually happens in the field.

MR. MAGNARELLI: Right.

MR. SIMPSON: And so as I started in this my concern is that this will lead to more. We need to look at the -- we need to have data that we can say you cannot. This is -- and give them the tools to be able to deal with that.

MR. MAGNARELLI: Mm-hmm.

MR. SIMPSON: And I don't think this is gonna to lead to that. I -- I --

MR. MAGNARELLI: I think it's a beginning. I disagree with your assessment. I think that going forward people will be more aware of what they have to do. And by the way, there are other bills that are coming up, I hope, that will deal with training people, educating people who are running the machines and the equipment, and taking the data that is necessary to make the proper adjustments to this rule as we go forward.

MR. SIMPSON: All right. Well, thank you. That's all my questions.

ACTING SPEAKER HUNTER: Thank you.

Mr. Palmesano.

MR. PALMESANO: Yes. Thank you, Madam Speaker. Would the Chairman yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Chair [sic].

ACTING SPEAKER HUNTER: The sponsor yields.

MR. PALMESANO: Thank you. And, Mr. Magnarelli, I apologize if -- if I repeat some questions. I was in the Ways and Means Committee. So I did want to ask you a quick question. You -- you would agree that different regions have different experiences when it comes to weather, like the North Country, Buffalo, Long Island, New York City. These are different regions, right?

MR. MAGNARELLI: And Syracuse. Yes.

MR. PALMESANO: Okay. And then along with that, different geograph -- geography, weather, things of that -- infrastructure conditions, et cetera, correct?

MR. MAGNARELLI: Yes.

MR. PALMESANO: So -- and you would agree that our highway superintendents, they use the road salt to make sure traveling conditions are safe for the residents that travel on that road, the tourists that are traveling on the road, correct?

MR. MAGNARELLI: Correct.

MR. PALMESANO: So right now there is no weight limit, correct?

MR. MAGNARELLI: Correct.

MR. PALMESANO: How did this weight limit

number come about? Where did this come from?

MR. MAGNARELLI: Well, as I said to your colleague before, it was a couple of -- couple of groups that I took in my office who told me about what was happening in the Adirondacks and -- and the wells that were being fouled. And then a few weeks after that, New York City, its Water Commissioner coming up and basically laying out the facts about what was happening to their reservoirs in the Catskills. So it's a -- it's a Statewide problem of water foul -- excuse me, salt fouling our water supply, and it became very obvious to me that this is something we had to address as quickly as possible.

MR. PALMESANO: Okay. And so this number came from that group, from that task force --

MR. MAGNARELLI: No numbers. No numbers, just action requested.

MR. PALMESANO: Okay. And have you discussed this with local highway superintendents and how they would adhere to this and address this?

MR. MAGNARELLI: We -- we've talked to everybody. Again, we had a roundtable. I -- I think someone said it was in August of this past year. We had everybody sitting around the table. Everyone from professors to the Adirondacks to DOT, DEC, New York City, Upstate high -- Upstate highway superintendents. Everybody was there, so we tried to pull in information from everyone. And what we're trying to do here is simply get the ball

rolling on a plan that will be changed as we go along, okay, but a plan that is going to address this problem now. We have to start now.

MR. PALMESANO: And who measures it? How is it calibrated? Who's -- who's in charge with dealing with that, measuring that and enforcing that?

MR. MAGNARELLI: The -- the people putting it down.

MR. PALMESANO: Okay. And what if the highway superintendents, you know, someone from the North Country or someone from Buffalo where they get, you know, much worse weather, much more snow, much worse conditions, ice? What if they determine when they get this number that they -- they need to exceed that to make sure the interest of -- the safety of the public is -- is addressed? What happens?

MR. MAGNARELLI: I doubt if it's gonna happen. It's a top number. It's kind of like, *We don't want to see you go above this*. But New York State DOT hasn't even come close. It's 172 for '24-'25. It's already been brought out in this discussion. So I think there's a lot of leeway. And it's also an average. It's an average for the whole season. So if you get an event in a certain area, like Syracuse gets lake effect for three days and we've got to take care of that, they'll be able to do so.

MR. PALMESANO: Okay. Mr. Magnarelli, thank you for your time. I appreciate it, you waiting around so I could talk to you a little bit about this bill.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. PALMESANO: I certainly appreciate the sponsor and what he's trying to do with this legislation. I think my concerns on this are it seems like it's almost like a one-size-fits-all approach. We recognize that each community has different varying conditions. It's a large state, the -- many variables. You know, the geography, lane miles, road miles, weather, current infrastructure conditions. They all play a part in this. And I think there's certainly concern about possible liability this type of legislation might create for our local governments and our local highway superintendents. Obviously, I think this is something we need to have, engage our local highway superintendents more on this discussion. It seems like, you know, they could work to address best practices. And I think we all have to recognize we wanna try to reduce that salt content, road salt on the roads. But we wanna make sure at the end of the day these highway superintendents are putting the road salt down to make sure the traveling public, make sure tourists are safe on those roads. Because the last thing we wanna have is accidents because there's a limitation on the amount of salt -- road salt they could put down. I'm kind of questioning where there's goes from an enforcement perspective. What happens -- I know the sponsor said it wouldn't exceed it, but what happens if they do? What happens if the weather changes and they need to exceed that? And I just think from that perspective I just get very, very concerned about this approach and

how it was put together. And I think at the end of the day, really, I mean, there's going to be costs, I think, associated with these measuring and things for our local governments. There's gonna be costs. And I didn't ask the question, I'm sure it was brought up. But at a time when our local roads, bridges and culverts are at serious deficits and deficient ratings, some of the worst in the country, we need to be providing more assistance to our local governments, to our local property taxpayers for those local roads, those local bridges, those local culverts. We've -- we've advocated time and time again -- and I know the Chairman has, too -- but our side of the aisle has advocated time and time again for increased CHIPS funding. This year the final budget has an additional 50-; 50- is better than zero. But it's woefully inadequate from our perspective, because all you have to do is look at the Federal Highway Cost Index. Those inflationary numbers have increased over 70 percent over the past three years. So any little bit we're giving to our local municipalities to fix their roads, bridges and culverts is being eaten away by these inflationary cost increase that they need to deal with.

So I think it would be a better use of our time to look -- to provide -- provide them more resources so they can make sure our roads are in good condition, our bridges and culverts are in good condition so when the traveling public is coming through, and even in the -- the wintertime or bad weather, it's a much safer condition. So some of these things are gonna have to be -- are -- are probably being neglected because the funding stream is not adequate enough in the

context of quarter -- more than a quarter-of-a trillion-dollar budget it seems like we could do better than $50 million for our local highway departments.

But given all of this and some the concerns, I just wish there was more discussion. I certainly -- again, I appreciate what the sponsor is trying to do with this legislation. I think it's something we could work at more collaboratively, but I think to make that work we'd need our local superintendents at the table, and always make sure the -- the priority is -- is number one, is make sure they have what they need, the resources, the tools, and not put more costly regulations and restrictions upon them, which hurts or might make their ability to make our roads, bridges and culverts safer for our local property taxpayers, for our local residents, for the traveling public much better.

So based on those reasons, Madam Speaker, my colleagues, I'm gonna be voting in the negative on this piece of legislation. Thank you very much.

ACTING SPEAKER HUNTER: Thank you.

Mr. Angelino.

MR. ANGELINO: Thank you, Madam Speaker. I'd like to speak on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. ANGELINO: On the bill, A9561. It's good that we're planning now, well ahead of time, for the reduction of road salt and we're starting to learn about the brine and the beet juice and everything else that we can put down. Because we all recognize the

damage that road salt use is doing to Upstate New York and everywhere. You know, there's water contamination, the runoff. It's also ruining soil content. We've seen the infrastructure damage to bridges. And I think everybody in Upstate New York knows about the -- the value of a used car when the rot starts showing through the -- the paint. So planning now is a good idea.

Right now we use so much road salt that the motoring public has grown accustomed to almost a bare road policy. You know, it might be wet but you can still see pavement. And of course we all know the speed limit is 55 or 65 miles per hour, and the motoring public expects that 24 hours a day, 365 days a year. They -- they expect when they get up every day that their road is not going to be snow covered or be icy. So what we should also be doing concurrently with planning for the reduction in road salt use is we need to start planning to protect our State DOT, our municipalities from the liability exposure. We need to start educating the public, and also changing some of the liability laws. If somebody does have a crash with their car, they are going to be looking for somebody other than themselves to be responsible. We must have a committee here someplace that -- in this Assembly, in this Body, that can help reduce the liability and the -- the civil lawsuits that are sure to come because of so many years that we've expected our roads to be snow -- snow-free and also covered from ice.

So this bill needs to have a concurrent plan going on on how to protect municipalities from the expected lawsuits that will

come from this. Thank you very much, 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's been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will be in the negative on this piece of legislation. But if there are exceptions, members may cast their vote in the affirmative at their desks now.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Fall.

MR. FALL: Thank you, Madam Speaker. The Majority Conference will be in favor of this bill. For those that would like to vote differently, they can do so here in the Chamber.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.)

(The Clerk recorded the vote.)

Mr. Tague to explain his vote.

MR. TAGUE: Thank you, Madam Speaker. Again, like I said during the debate, common sense is not frequently used in this Chamber. But I will say we could alleviate this whole bill. Every single one of our DPW agencies across the State, village, city, town,

county, the State, feds, they all keep track of how much salt that they use. They know how many miles. They know the weather patterns. So to me, this bill is just a -- a waste of our time. You know, we're sitting here towards the end of Session during a long, hard, grueling budget process, and as my colleague had mentioned, we were only able to come up with $50 million more for CHIPS funding. And it doesn't seem that priorities or infrastructure or the safety of our roads and bridges are top of order on people's mind, which is a real shame. But to me, this is really a waste of time. We are worrying about how much salt we're using during emergency weather times when the information is already there. We had a hearing. Did anybody ask those DPW commissioners or anybody else how much salt they've used in the last ten years and how many miles of road that they cover? I mean, it's simple. You could probably come up with the answer in about 15 or 20 minutes. All this information is already in the system.

So I'm gonna be against this bill because, again, I came here to help the people of the State of New York figure out the affordability problem that has been created here in Albany and to help them. We need to worry about the safety of our roads and bridges, but we need to let the professional that do it every day come up with it, not some pie-in-the-sky idea out of this Chamber. So I will be opposed to this bill and I hope my colleagues will be the same.

ACTING SPEAKER HUNTER: Thank you.

Mr. Tague in the negative.

Mr. Cashman to explain his vote.

MR. CASHMAN: Madam Speaker, to explain my vote. First and foremost, I want to thank the sponsor for moving this legislation forward.

As a member that represents part of the Adirondacks and speaking with our communities, there certainly is a deep acknowledgement that there is a salt -- salt contamination for waters. And I would agree with my colleagues across the aisle that we need to invest more in our infrastructure. But we also know water is life. We need to protect the very essence of what our communities are dealing with on a daily basis. New York State has a moral and ethical responsibility to invest more in our infrastructure overall, as well as protect it. This is a methodology to make sure that we are protecting our communities, especially around the realm of water. There is more work that we should be doing within the regional capacity; I would agree with that 100 percent. But having the high level of this provides us a methodology to move forward. And I would also say this: It does not prevent -- one of the questions that was on the floor was what about some of the municipalities that are managing some of this stuff? I know that the men and women that are our highway superintendents and the crews that they run are very conscious of their budgets. They're very conscious about the material that they lay down. Many of them have been leading with programs with the Cornell Cooperative Highway School and a number of other things. So I know collectively we are moving forward in the right direction, and like everything, recalibration should be the word that we focus on.

So with that, I vote in the affirmative.

ACTING SPEAKER HUNTER: Mr. Cashman in the affirmative.

Ms. Bailey to explain her vote.

MS. BAILEY: Thank you, Madam Speaker, to explain my vote. As was discussed in -- in my line of questioning to -- to the Chair and sponsor of this bill, I have concerns at the end of the day when it comes to the financial implications that this may bring about. I understand -- you know, when we're looking at 300 pounds per -- per road mile down, folks that you talk to say that that is on the high end of things. But the language in the bill that indicates that all municipalities, that their vehicles need to be metered and calibrated, understanding what scope that is and what that means to our municipalities. And I hope that there's some additional funding, you know, if it's -- we didn't see it this year necessarily in the budget, but hopefully there's some additional funding that isn't necessarily through a grant that our municipalities have to -- to apply for. But the funding is there for many of these mandates that come down that add additional costs to them each and every day. And as my colleague across the aisle just indicated, they're very conscious of their budgets. And that is what I hear is, you know, how do we rob Peter to pay Paul men -- mentality sometimes when -- when some of these unfunded mandates come down? And that's really where my concern comes into play, is not understanding a scope of how many vehicles we are going to be investing in based on the metering and calibrating, and

then how is that going to be enforced.

So for those reasons I will be in the negative. Thank you.

ACTING SPEAKER HUNTER: Ms. Bailey in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 14, Rules Report No. 357, the Clerk will read.

THE CLERK: Assembly No. A10182-A, Rules Report No. 357, Taylor, Steck, Shimsky, Kelles, Seawright, Simon, Santabarbara, Levenberg, Sayegh, Glick, McMahon, Hooks. An act to amend the Civil Practice Law and Rules, the New York City Civil Court Act, the Judiciary Law, the Uniform City Court Act, the Uniform District Court Act and the Uniform Justice Court Act, in relation to redefining "consumer credit transaction" to "consumer debt."

ACTING SPEAKER HUNTER: On a motion by Mr. Taylor, the Senate bill is before the House. The Senate bill is advanced. An explanation is requested.

Mr. Taylor.

MR. TAYLOR: Good morning, Madam Speaker. The purpose of this bill is to simplify consumer debt litigation by providing consistency across the law for all types of consumer debts.

ACTING SPEAKER HUNTER: Mr. Tannousis.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. TAYLOR: Yes, absolutely.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. TANNOUSIS: Thank you, Mr. Taylor. So I just wanted to ask just a few questions. Our understanding is that this bill would replace the term "consumer credit transaction" with "consumer debt", correct?

MR. TAYLOR: Correct.

MR. TANNOUSIS: Okay. And can you just explain to us why that change is needed?

MR. TAYLOR: Certainly. Under the current law different types of debt receive different judicial consideration. Under this bill, all consumer debt would be afforded additional notices of the lawsuits, venue and the country -- county in which the defendant resides; uniform three-way statute of limitations attached in the contract or other written instruments; establishing the debt that's allegedly owed; additional pleading requirements; additional time to move for dismissal based on the lack of personal jurisdiction; additional notice to pro se defendants in motions for summary judgment; additionally clarified default judgment requirements, uniform and court fees, uniform service of pleads, uniform restrictions on (indiscernible). That's some of the things.

MR. TANNOUSIS: Thank you. And it's also -- is it correct that this bill would basically be put in line with the Fair -- Federal Fair Debt Collection Practices Act in the U.S. Bankruptcy Code?

MR. TAYLOR: That is correct.

MR. TANNOUSIS: Okay. And is there anything else that this bill would do?

MR. TAYLOR: Well, it doesn't do windows.

(Laughter)

MR. TANNOUSIS: I'm sorry?

MR. TAYLOR: That's pretty much all of it.

MR. TANNOUSIS: All right. Thank you. Thanks.

Just -- there was an opinion from the New York State Creditors Bar Association which stated that the bill would quietly overrule precedence and saddle original credit goods and service providers with additional court fees and complaint paperwork. For example, they're saying that small independent-owned service business will bear the brunt of this pursuing nonpaying clients in court. They will now need to pay the additional $95 fee surcharge, and it will take a $45 fee to $130 fee in filing suit, which is a 189 percent increase. What would your response to that be?

(Conferring)

MR. TAYLOR: So, it's uniformity, and there will be some fees, but across the board.

MR. TANNOUSIS: Okay. Thank you very much.

No further questions.

MR. TAYLOR: You're welcome. Thank you.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: A Party vote's been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will not be supporting this legislation. But if there are exceptions, members may record their yes votes at their desks now.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Fall.

MR. FALL: Thank you, Madam Speaker. The Majority Conference will support this bill. For those that would like to be an exception, they could voice their opinion here at their desk.

ACTING SPEAKER HUNTER: Thank you.

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, members have on their desks the A- and B-Calendar. I now move to advance the A-Calendar -- the A- and B-Calendar.

ACTING SPEAKER HUNTER: On Mr. Fall's motion, the A- and B-Calendar are advanced.

Mr. Fall.

MR. FALL: Can we now begin to consent the A-Calendar, Madam Speaker?

ACTING SPEAKER HUNTER: Yes.

On consent on the A-Calendar, page 3, Rules Report No. 386, the Clerk will read.

THE CLERK: Assembly No. A01607-B, Rules Report No. 386, Rosenthal, Kelles, Cruz, Glick, Seawright, Reyes, Davila, Lucas, Simon, Shimsky, Levenberg, Tapia, Simone, Raga, Burdick, Weprin, Lavine, González-Rojas, Paulin, Meeks, Hevesi, Burroughs, Gallagher, Otis, Forrest, Gibbs, Solages, Valdez. An act to amend the Correction Law, in relation to providing breast pumps to certain incarcerated nursing birth parents.

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

THE CLERK: Assembly No. A01625-A, Rules Report No. 387, Solages, Shrestha, Dinowitz, Simon, Reyes, Rosenthal, Taylor, Simone, Hyndman, Blankenbush, Burdick, Griffin,

Steck, Stern, Colton, R. Carroll, Raga, Dais, Chandler-Waterman, Levenberg, McMahon, Gallahan. An act to amend the Real Property Law, in relation to establishing the Homeowner Protection Program.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03556-A, Rules Report No. 388, Santabarbara, Shimsky, Manktelow, Hevesi, DeStefano, Sayegh. An act to amend the Mental Hygiene Law, in relation to requiring the Office for People with Developmental Disabilities to issue a residential request list and placement report to the Governor and the Legislature.

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.)

Mr. Sempolinski to explain his vote.

MR. SEMPOLINSKI: Thank you, Madam Speaker. I rise to support this bill. I think this is fantastic. This is something that's come up in budget hearings, and we had -- the People on Disabilities [sic] Committee had a wonderful hearing last fall on residence placements for those with developmental disabilities. And there's always been a question is how many placements are there? Where is the list? Is there a list? And so making it clear, you know, what we're dealing with as far as a housing issue for those with developmental disabilities provides clarity and transparency to those individuals, their parents, their family members, those that care about them. And I think this is just a good example of how the legislative process is supposed to work, where we having a hearing, we get people together. We talk about the issue, we listen to those that are impacted, and then -- and then we legislate on it.

So I'm very happy to vote in the affirmative on this piece of legislation.

ACTING SPEAKER HUNTER: Mr. Sempolinski in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker. I -- I agree with the previous speaker. I will be supporting this bill. But I think the only thing that could have made it better -- because we're

always looking for ways to improve, aren't we -- is that the -- this report is going to be issued to the Governor, the Speaker of the Assembly and the Temporary President of the Senate, with all the -- all this great information that we want everybody to have access to because we all represent individuals in our districts who have family members who are going to be either going on this list or trying to move up on the list. It's information that we could all benefit from. And so I would ask again that when drafting these pieces of legislation, please, please don't forget us because all of us on the Minority side represent individuals with disabilities, too. But I will be voting for it because I think it's an important report to happen.

So thank you very much, Madam Speaker.

ACTING SPEAKER HUNTER: You're welcome.

Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04105-A, Rules Report No. 389, Cunningham, Santabarbara. An act to amend the Public Service Law, in relation to establishing minimum standards for payment plans for eligible customers.

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

THE CLERK: Assembly No. A05213-A, Rules

Report No. 390, Buttenschon, Santabarbara, Sayegh, Anderson, O'Pharrow, Cashman, Jackson, Septimo, Berger, Hooks, Romero, Gallagher, Clark, Kassay, P. Carroll, R. Carroll, Hevesi, Wright, Zinerman, Lunsford, Steck. An act in relation to establishing a Developmental Disability, Mental Health and Behavioral Condition Community Stakeholder Committee; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker. So again, this is a very good commission that's gonna be formed, and I think it's gonna create a lot of really great information. This bill interestingly says that appointments will be made all by members of the Majority. There are no direct Minority appointments to this committee. But interestingly, it does say that the appointments are to be made in consultation with the Minority Leaders of the Senate and the Assembly. So I guess that's better than nothing. I don't know exactly what consultation is gonna mean in that case, but I do hope it's meaningful and I hope that it results in choosing members to serve on

this commission that will be representative of all of the people that you and I represent all around the State.

Thank you very much. I'll be in the affirmative.

ACTING SPEAKER HUNTER: Thank you.

Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05548-A, Rules Report No. 391, Pheffer Amato, Hyndman. An act to amend the Retirement and Social Security Law, in relation to service retirement benefits for uniformed correction members of the New York City Employees' Retirement System.

ACTING SPEAKER HUNTER: On a motion by Ms. Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

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

THE CLERK: Assembly No. A05567-B, Rules Report No. 392, Simon, Zinerman, Kelles, Shimsky, Maher, Simpson, Kay, McDonald, McMahon, Conrad. An act to amend the Criminal Procedure Law and the Mental Hygiene Law, in relation to determining the capacity of a defendant to stand trial.

ACTING SPEAKER HUNTER: This bill is laid aside.

THE CLERK: Assembly No. A05641, Rules Report No. 393, Hunter, Otis. An act to amend the General Municipal Law, in relation to authorizing certain municipalities to establish an emergency repair pilot program; and providing for the repeal of such provisions upon expiration thereof.

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

Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker. So, this bill creates an emergency repair pilot program to allow cities to repair immediately hazardous code violations, and the municipality can then

bill the owner of the building for the repair costs. The Secretary of State will be required to prepare a model local law for municipalities to adopt to satisfy the requirements of the pilot program. It doesn't apply to residential dwellings that are owner-occupied or that is the primary residence of a homeowner. I have liked this bill. I will support it, I will be voting in favor of it. I do want to note for some of my colleagues that previously in 2023 we had a vote that was 114 yes, 26 no, and then there was a subsequent veto from the Governor. So I just wanted to alert my colleagues that if you were -- if you were around in 2023 you may have been a no vote and you may want to check your vote.

But I will be in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06084-A, Rules Report No. 394, Hunter, Jacobson, Colton, Slater. An act to amend the Labor Law, in relation to requiring the Department of Labor to create and maintain a list of available careers and job listings in the State for veterans.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act --

ACTING SPEAKER HUNTER: Oh, on a motion by Ms. Hunter, the Senate bill is before the House. The Senate bill is advanced.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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 for the purpose of an introduction.

MR. FALL: Thank you, Madam Speaker. On behalf of our colleague from Queens County, Mr. Raga, he has a few guests here today from his district in Albany celebrating Polish Heritage Day. It's a celebration of the remarkable contributions that the Polish Americans have made to the fabric of New York and our labor movement, our civic institutions, our arts and our cultural life. And -- and the folks that are here today are six individuals that include the Consul General, Mateusz Sakowicz; Saratoga County historian Laura Roberts; Executive Director of Campaign for Saratoga 250, William Teator; Kiersten Marcil of the Schenectady County Historical Society; Andrzej Cierkosz of the Dobra Polska Szhola; and Marie Glowacki of the Polish Community Center of Albany.

If you could be so kind to welcome them to the

People's House and extend the cordialities of the floor, Madam Speaker.

ACTING SPEAKER HUNTER: Of course. On behalf of Mr. Fall, Mr. Raga, the Speaker and all members, we welcome our very distinguished guests to the Assembly Chamber, our People's House, extending to you the privileges of the floor. To the Consul General of Poland and others here today, welcome as you celebrate Polish Heritage Day, the celebration of all of the wonderful contributions the Polish have made in our community. We hope you enjoy our proceedings today. Thank you all so very much for joining us here today. Thank you.

(Applause)

On consent, page 4, Rules Report No. 395, the Clerk will read.

THE CLERK: Assembly No. A06577-B, Rules Report No. 395, Barrett, P. Carroll, Shrestha. An act to amend the Public Authorities Law, in relation to establishing a floating solar incentive and education program.

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

THE CLERK: Assembly No. A07172-B, Rules Report No. 396, Bichotte Hermelyn, Tapia. An act to amend the Executive Law, in relation to the regulation of the use of artificial intelligence and facial recognition technology in criminal

investigations.

ACTING SPEAKER HUNTER: This bill is laid aside.

THE CLERK: Assembly No. A07300-A, Rules Report No. 397, Bichotte Hermelyn, Lunsford, Meeks. An act to amend the Executive Law, the State Finance Law and the Public Authorities Law, in relation to establishing expanded construction mentorship opportunities for small business enterprises.

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.

THE CLERK: Assembly No. A07332-A, Rules Report No. 398, Wright. An act to amend the Public Health Law, in relation to including doula awareness in the Department of Health's education and outreach program.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07849-C, Rules Report No. 399, Anderson, Rozic, Hyndman, Braunstein, Pheffer Amato, Berger, Hevesi, Hooks, Weprin, Cook, DeStefano. An act to amend the Highway Law, in relation to designating a portion of the State highway system to Port Authority Police Officer Arthur M. Ansert, Jr.

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.

THE CLERK: Assembly No. A08031-A, Rules Report No. 400, Barrett, McDonald, Tapia, Glick, Lunsford, Davila, Simon. An act to amend the Labor Law, in relation to requiring the

Commissioner of Labor to develop instructional tools and materials for occupations at high risk of tick exposures.

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.

THE CLERK: Assembly No. A08181-C, Rules Report No. 441, McDonough. An act to amend the Highway Law, in relation to dedicating a portion of the State highway system to Police Officer Frederick G. Maley.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08375, Rules Report No. 402, Rosenthal, Gallagher, Reyes. An act to amend the Social Services Law, in relation to establishing a Statewide co-shelter toolkit.

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

Read the last section.

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

THE CLERK: Assembly No. A08477, Rules Report No. 403, Hunter, Griffin, Lupardo, Santabarbara. An act to amend the Veterans' Services Law, in relation to establishing a women veteran's peer-to-peer program.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker. I'd like to thank you, as the sponsor of this legislation, and I just wanted to shine a light for a minute on some really wonderful programs in my district for women veterans. We have the Guardian House, which was established a number of years ago. It -- it's pretty much right down the street from my home. It's a home that was converted into different rooms and open spaces for women veterans that require housing and connection to different services. And then right behind it, very recently they build a home that they're calling Foreverly House, and that's specifically for women veterans who have children, and so they need a little bit of a different setup than -- than the women that stay in Guardian House. But my point is, I just think that this bill is very important because I think that establishing those peer-to-peer connections with our women veterans is so important.

So I'm very grateful that this -- that this bill was brought forward and I'm very, very happy to support it. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08634-B, Rules Report No. 404, Lee, Lasher, McDonald, Shrestha, Rosenthal, Reyes,

Colton, Gallagher, Bendett, Levenberg, Rajkumar, Schiavoni, Bores, Seawright, Bronson, Moreno, Shimsky, Wright, Magnarelli, Dilan, K. Brown, Burdick, Zinerman, P. Carroll, Simone, Griffin. An act to amend the Public Health Law, in relation to establishing maximum contaminant levels and a hazard index in drinking water for certain per- and polyfluoroalkyl substances (PFAS).

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

Read the last section.

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

THE CLERK: Assembly No. A08664, Rules Report No. 405, McDonald, Woerner, Levenberg, Otis. An act to amend the Education Law, in relation to the administration of reversible progestin-only contraceptive injections.

ACTING SPEAKER HUNTER: This bill is laid aside.

THE CLERK: Assembly No. A08757, Rules Report No. 406, Forrest, Simon, Valdez, González-Rojas, Gallagher,

Santabarbara, Burroughs, Seawright, Shimsky, Lucas, R. Carroll, McMahon. An act to amend the Social Services Law, in relation to providing information on the Supplemental Nutrition Assistance Program to students at institutions of higher education.

ACTING SPEAKER HUNTER: This bill is laid aside.

THE CLERK: Assembly No. A08816-A, Rules Report No. 407, Eichenstein. An act to amend the Real Property Law, in relation to providing tenants with the option to execute leases electronically.

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.

THE CLERK: Assembly No. A09156-B, Rules Report No. 408, Steck, Walsh, Griffin, Hevesi, Buttenschon, Simon, Glick, Hyndman, Ra, McDonald, Novakhov, Simpson, Brook-Krasny, Durso. An act to amend the General Business Law, in relation to prohibiting the sale of 7-Hydroxymitragynine products.

ACTING SPEAKER HUNTER: On a motion by Mr.

Steck, the Senate bill is before the House. The Senate bill is advanced.

This bill is laid aside.

THE CLERK: Assembly No. A09245-A, Rules Report No. 409, Rosenthal, Lunsford, Steck, Shimsky, Burdick. An act to amend the Public Health Law, in relation to requiring epinephrine devices for anaphylaxis and staff trained to use then at child day care centers.

ACTING SPEAKER HUNTER: 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.)

Ms. Rosenthal to explain her vote.

MS. ROSENTHAL: Thank you, to explain my vote. We are passing this bill today in memory of Elijah-Alavi Silvera who passed away at just three years old from an allergic reaction he experienced while at day care. Despite having a known allergy, he was provided a grilled cheese sandwich and when he suffered an allergic reaction to it, the staff was not prepared to respond and administer the EpiPen his parents had provided. Over the years, I've worked closely with his father, Thomas Silvera and his team at the Elijah-Alavi Foundation.

We have passed laws to make childcare facilities safer for kids with food allergies in recent years, but this bill will ensure that every facility has the devices they need to keep kids safe.

And I vote in the affirmative.

ACTING SPEAKER HUNTER: Ms. Rosenthal in the affirmative.

Mr. Taylor to explain his vote.

MR. TAYLOR: Thank you, Madam Speaker. I rise to thank the sponsor of this legislation. Elijah was, as she said, three years old and the incident took place in my district where he ended up with food that he should not have received, but I've worked alongside his parents on legislation. In fact, my first bill passed into law was Elijah's Law.

So again, I want to thank the sponsor so that this not -- this does not happen in other places and it's so preventable. And I applaud her and thank the Speaker for bringing this through as well.

I vote in the affirmative.

ACTING SPEAKER HUNTER: Mr. Taylor in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker. I just really want to thank the sponsor for bringing this forward. You know, two of my step-kids had -- have -- or kind of getting over parts of it, but very, very severe peanut allergies and nut allergies when they were kids and it was scary to send them into any setting where we weren't

right there to really monitor exactly what they could get and what they didn't have. And -- and kids being kids, mistakes really can happen despite all the best efforts, so I was so happy to see this bill.

I was a little bit surprised that we didn't already have this in place and I'm so glad that it will be in place and I think that it will -- get -- bring some peace of mind to parents who are very -- rightfully very anxious when they have children with this particular problem. So I think this is really an important bill and I'm glad to see it passed.

Thank you. I'll be in the affirmative.

ACTING SPEAKER HUNTER: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09411, Rules Report No. 410, Kay. An act to amend the General Municipal Law and the Tax Law, in relation to including Sullivan County as a designated community for purposes of community preservation funds.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09581-B, Rules Report No. 411, Bronson, Jacobson, Colton, Ramos, Griffin. An act to amend the Labor Law, in relation to requiring covered businesses to submit annual reports on the impact of artifical intelligence on hiring and the nature of artifical intelligence use.

ACTING SPEAKER HUNTER: This bill is laid aside.

THE CLERK: Assembly No. A09609, Rules Report No. 412, Paulin, Jacobson. An act to amend the Workers' Compensation Law and Environmental Conservation Law, in relation to approving notice and proof of disability from an attending nurse practitioner.

ACTING SPEAKER HUNTER: Read the last section.

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

THE CLERK: Assembly No. A10052, Rules Report No. 413, Shrestha. An act to amend Chapter 443 of the Laws of 2006, amending the Tax Law relating to authorizing the Town of Red Hook to impose a real estate transfer tax with revenues therefrom to be deposited in said community preservation fund, in relation to the effectiveness thereof.

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.

THE CLERK: Assembly No. A10390-A, Rules Report No. 414, Jacobson. An act to amend the Vehicle and Traffic Law and the Public Officers Law, in relation to establishing a School Speed Zone Camera Demonstration Program in the City of Poughkeepsie; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER HUNTER: Home Rule Message is at the desk.

Read the last section.

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

THE CLERK: Assembly No. A10391, Rules Report No. 415, Jacobson. An act to amend the Vehicle and Traffic Law, in relation to adjudications and owner liability for a violation of traffic-control signal indications in the City of Poughkeepsie; to amend the Public Officers Law, in relation to accessing records; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER HUNTER: Home Rule Message is at the desk.

Read the last section.

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

THE CLERK: Assembly No. A10523-A, Rules Report No. 416, Burdick. An act to amend the Highway Law, in relation to dedicating a portion of the state highway system in the Town of Lewisboro, County of Westchester, to Nathaniel Reynolds.

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.

THE CLERK: Assembly No. A10576, Rules Report No. 417, Lucas, Rosenthal, McDonald, Manktelow, Lupardo, Ramos, Simon, Lunsford, Stirpe. An act to amend the Social Services Law, in relation to providing parity to durable medical equipment providers by requiring Medicaid managed care organization to reimburse such providers at no less than one hundred percent of the medical assistance durable medical equipment fee schedule for the same service or item.

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.

THE CLERK: Assembly No. A10579, Rules Report No. 418, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to the eligibility of certain participants in the New York City Employees' Retirement System to opt into the twenty-five year retirement program for EMT members.

ACTING SPEAKER HUNTER: On a motion by Ms. Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10673, Rules Report No. 419, Woerner. An act to amend the Education Law and the General Municipal Law, in relation to certain lease terms for BOCES

properties.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10749, Rules Report No. 420, Meeks. An act to amend the Alcoholic Beverage Control Law, in relation to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10833, Rules Report No. 421, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to disability benefits for certain individuals employed by the Nassau County Police Department.

ACTING SPEAKER HUNTER: Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10957-A, Rules Report No. 422, Romero. An act to amend the Public Health Law, in relation to establishing a Narcolepsy and Sleep Disorder Education and Awareness Program.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will

record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10982-A, Rules Report No. 423, Chludzinski. An act to amend the Tax Law, in relation to authorizing an occupancy tax in the Town of Lancaster; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER HUNTER: On a motion by Mr. Chludzinski, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11028, Rules Report No. 424, Pheffer Amato. An act to amend the General Municipal Law, in relation to disabilities of deputy sheriffs in certain cities.

ACTING SPEAKER HUNTER: On a motion by Ms.

Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11031, Rules Report No. 425, Pheffer Amato. An act to amend the General Municipal Law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities.

ACTING SPEAKER HUNTER: On a motion by Ms. Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11057, Rules Report No. 426, Benedetto, Otis. An act to amend the Education Law, in relation to the development and distribution of Type 1 Diabetes informational materials for parents and guardians of students.

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.

THE CLERK: Assembly No. A11154, Rules Report No. 427, Pheffer Amato, Griffin. An act to amend the Retirement and Social Security Law, in relation to the definition of overtime ceiling.

ACTING SPEAKER HUNTER: Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11180-B, Rules Report No. 428, Paulin. An act to amend the Vehicle and Traffic Law and the Public Officers Law, in relation to establishing a School Speed Zone Camera Demonstration Program in the Village of Pelham; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER HUNTER: Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11341, Rules Report No. 429, Committee on Rules (Angelino). An act to amend the General Municipal Law, in relation to permitting the Chenango Forks Central School District to create an insurance reserve fund.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11349, Rules Report No. 430, Committee on Rules (P. Carroll). An act to amend the Town Law, in relation to authorizing the Town of Clarkstown to establish community preservation funds; to amend the Tax Law, in relation to authorizing the Town of Clarkstown to impose a real estate transfer tax; and providing for the repeal of certain provisions upon expiration thereof.

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.

THE CLERK: Assembly No. A11387, Rules Report No. 431, Committee on Rules (Pheffer Amato). An act to amend the Retirement and Social Security Law, in relation to eligibility for

retirement benefits for certain members of the Unified Court System.

ACTING SPEAKER HUNTER: On a motion by Ms. Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Fall for the purpose of an introduction.

MR. FALL: Thank you, Madam Speaker. On behalf of our colleague from Suffolk County, Mr. Ramos, he has a special guest here, Milagros Escarone (phonetic) Sepúlveda, who is the Director of the Supreme Court of the Dominican Republic and the wife of former member -- Assemblymember, now Senator, Sepúlveda.

If you could be so kind to welcome her and the Senator to the People's House, please.

ACTING SPEAKER HUNTER: On behalf of Mr. Fall, Mr. Ramos, the Speaker and all members, we welcome our very distinguished guest to the Assembly Chamber, extending to you the privileges of the floor. An honor very much for you to be here today, Director of the Supreme Court in the Dominican Republic, so thank

you so very much for joining us with our Senator Sepúlveda. We hope you enjoy our proceedings today. Thank you so very much for joining us.

(Applause)

On consent, page 11, Rules Report No. 432, the Clerk will read.

THE CLERK: Assembly No. A11412, Rules Report No. 432, Committee on Rules (Bronson). An act to amend the Tax Law, in relation to requiring an annual brownfields redevelopment tax credit report.

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.

THE CLERK: Assembly No. A11437, Rules Report No. 433, Committee on Rules (Stirpe). An act to amend the Alcoholic Beverage Control Law, in relation to license fees required to be paid by wholesale beer licensees to sell cider.

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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11464, Rules Report No. 434, Committee on Rules (Romero). An act to amend Chapter 141 of the Laws of 2014 amending the Environmental Conservation Law relating to authorizing the hunting of big game in the County of Albany with rifles, in relation to the effectiveness thereof.

ACTING SPEAKER BUTTENSCHON: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11466, Rules Report No. 435, Committee on Rules (Kelles). An act to amend the Tax Law, in relation to the allocation and use of revenues raised from the

imposition of hotel and motel taxes in Cortland County

ACTING SPEAKER BUTTENSCHON: On a motion by Ms. Kelles, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11467, Rules Report No. 436, Committee on Rules (Moreno). An act to amend the Family Court Act, in relation to protection of the confidentiality rights of youth over the age of 18 in foster care with respect to permanency hearings.

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

Lay aside.

THE CLERK: Assembly No. A11481, Rules Report No. 437, Committee on Rules (Kelles). An act to -- an act to amend Chapter 152 of the Laws of 2020 amending the Environmental Conservation Law relating to authorizing hunting big game by rifle in

the County of Tompkins, in relation to extending the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11531, Rules Report No. 438, Committee on Rules (Fall). An act to amend the Retirement and Social Security Law and the Workers' Compensation Law, in relation to extending the deadline for submission of a notice that a member of a retirement system participated in World Trade Center rescue, recovering or cleanup operations.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk

will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11532, Rules Report No. 439, Committee on Rules (Schiavoni). An act to amend Chapter 704 of the Laws of 2023 amending the Environmental Conservation Law relating to a Long Island Deer Management Pilot Program, in relation to the effectiveness thereof.

ACTING SPEAKER BUTTENSCHON: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11550, Rules Report No. 440 is high.

Assembly No. A11557, Rules Report No. 441 is high.

ACTING SPEAKER BUTTENSCHON: Mr. Fall.

MR. FALL: Madam Speaker, can we now consent the B-Calendar?

ACTING SPEAKER BUTTENSCHON: On consent, page 3, Rules Report No. 442.

THE CLERK: Assembly No. A00675-D, Rules Report No. 442 is high.

Assembly No. A02121-A, Rules Report No. 443 is high.

Assembly No. A03954-B, Rules Report No. 444 is high.

Assembly No. A05404-C, Rules Report No. 445 is high.

Assembly No. A05843-A, Rules Report No. 446, Pheffer Amato. An act to amend the social -- the Retirement and Social Security Law, in relation to service retirement benefits for uniformed sanitation members of the New York City Employees' Retirement System.

ACTING SPEAKER BUTTENSCHON: On a motion by Ms. Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

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

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05846-B, Rules Report No. 447 is high.

Assembly No. A08178-B, Rules Report No. 448, Fall. An act to amend the Administrative Code of the City of New York and the Retirement and Social Security Law, in relation to increasing the mandatory retirement age for uniform members of the New York City Police Department.

ACTING SPEAKER BUTTENSCHON: On a motion by Mr. Fall, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09162-A, Rules Report No. 449, Pheffer Amato, Solages, Burke, Santabarbara, P. Carroll, Steck, Kassay, Kay, Barrett, Clark, McMahon, Griffin, Colton, Stern, Eachus, Schiavoni, Durso, DeStefano, McDonald, Bronson, Romero, Shimsky, Otis, Levenberg. An act to amend the

Retirement and Social Security Law, in relation to the retirement of State, county and municipal 911 operators and dispatchers.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10050-A, Rules Report No. 450, is high.

Assembly No. A10241, Rules Report No. 451, Pheffer Amato. An act to amend the Administrative Code of the City of New York and the Retirement and Social Security Law, in relation to permitting certain New York City correction and sanitation members to borrow from their accumulated member contributions; and to repeal certain provisions of the Retirement and Social Security Law relating thereto.

ACTING SPEAKER BUTTENSCHON: On a motion by Ms. Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10276, Rules Report No. 452, McDonough. An act authorizing the Merrick Hook & Ladder Co. 1 receive retroactive real property tax-exempt statues.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10278, Rules Report No. 543, Miller. An act to incorporate the New Hartford Volunteer Exempt Firefighters' Benevolent Association and providing for its powers and duties.

ACTING SPEAKER BUTTENSCHON: On a

motion by Mr. Miller, the Senate bill is before the House. The Senate bill is advanced.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10489, Rules Report No. 454, Maher. An act to amend the Village Law and the Public Officers Law, in relation to the residency of certain officers of the Village of Washingtonville, Orange County.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11379, Rules Report No. 455, Committee on Rules (Wright). An act to amend the Alcoholic Beverage Control Law, in relation to an exemption for certain property from the prohibition of alcohol sales within a certain distance from a church.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11526, Report No. 456 is on by error.

Assembly No. A11530, Rules Report No. 457, Committee on Rules (Shimsky). An act to amend the Election Law, in relation to prohibiting members of the military or armed government presence from interfering with elections.

ACTING SPEAKER BUTTENSCHON: The bill is laid aside.

THE CLERK: Assembly No. A11538, Rules Report

No. 458, the bill is high.

Assembly No. A11539, Rules Report No. 459 is high.

Assembly No. A11540, Rules Report No. 460 is high.

Assembly No. A11546, Rules Report No. 461, Committee on Rules (Valdez). An act to amend Part D of Chapter 58 of the Laws of 2011 amending the Education Law relating to capital facilities in support of the State University and community colleges, procurement and the State University health care facilities, in relation to the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BUTTENSCHON: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A11547, Rules Report No. 462, the bill is high.

Assembly No. A11553-A, Rules Report No. 463, Committee on Rules (Heastie). Concurrent Resolution of the Senate and Assembly proposing an amendment to Sections 4 and 5-b of

Article III of the Constitution, in relation to the Independent Redistricting Commission.

ACTING SPEAKER BUTTENSCHON: The bill is laid aside.

THE CLERK: Assembly No. A11555, Rules Report No. 464, the bill is high.

Assembly No. A11556, Rules Report No. 465, the bill is high.

Assembly No. A11558, Rules Report No. 466, the bill is high.

Assembly No. A11559, Rules Report No. 467, the bill is high.

Assembly No. A11560, Report No. 468, the bill is high.

Assembly No. A11561, Rules Report No. 469, the bill is high.

ACTING SPEAKER BUTTENSCHON: Mr. Fall.

MR. FALL: Thank you, Madam Speaker. If we could take now a few bills on debate, starting with Rules Report No. 349 on page 13 by Ms. Torres, followed by Rules Report No. 373 on page 14 by Ms. Reyes.

ACTING SPEAKER BUTTENSCHON: Page -- on the main Calendar, page 13, Rules Report No. 349, the Clerk will read.

THE CLERK: Assembly No. A09026-A, Rules

Report No. 349, Torres, Lee. An act to amend the Agriculture and Markets Law, in relation to requiring the testing of baby food and infant formula for toxic heavy metals and the disclosure of such test results.

ACTING SPEAKER BUTTENSCHON: An explanation has been requested.

Ms. Torres.

MS. TORRES: Thank you, Madam Speaker. This bill protects infants and young children from exposure to toxic heavy metals in baby food and infant formula by requiring regular testing, prohibiting the sale of contaminated products, mandating public disclosure, clear labeling and establishing consumer reporting and enforcement mechanisms.

ACTING SPEAKER BUTTENSCHON: Mr. Durso.

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

ACTING SPEAKER BUTTENSCHON: Will the sponsor yield?

MS. TORRES: Yes.

ACTING SPEAKER BUTTENSCHON: The sponsor yields.

MR. DURSO: Thank you, Ms. Torres. Just to go through this. So can you explain to me what this bill would enact? In other words, talking about the testing, the labeling. Can you walk me through what the process is that's being set in this bill?

MS. TORRES: Sure, absolutely. So first and foremost, it establishes testing. So it would require, in conjunction with the Department of Ag -- of Agriculture and the Department of Health, to establish a testing regime, if you will, that will be required to do. It would also prohibit the sale of baby food that has these toxic metals in them. So, for example, lead, arsenic, et cetera. It would require the manufacturers to test the samples in aggregate; so not one sample at a time, but in the aggregate, once a month. And it would require public disclosure. So labeling -- a QR code as well as a label, and also, it would be required to be on -- on a public website.

MR. DURSO: Okay. So just to break down a couple of those things. So when you talk about the labeling --

MS. TORRES: Mm-hmm.

MR. DURSO: -- what would the labeling have to say? In other words, if that particular baby formula is being tested, where it's tested or what it's been tested for, or is the labeling gonna say that this baby formula has toxic chemicals in it?

MS. TORRES: Mm-hmm. So, taking a little bit of a step back.

MR. DURSO: Sure.

MS. TORRES: So, the Department of Agriculture, in conjunction with the Department of Health, would determine sort of an action level. Because right now, for example, the - the -- federal department -- the FDA does not have a legal statutory requirement for toxic heavy metals. So there is no established level that is considered

dangerous. So first they would establish that level. And the label would include a statement stating for information on toxic heavy metals testing on this product you could scan the code, and there will be a QR code providing direct access to the web page -- manufacturer's website.

MR. DURSO: Okay. So the -- the label essentially would say that it's being tested for toxic heavy metals, other items in it, and then next to the label there would be a QR code that you could scan which will bring you to a publicly -- publicly-accessible --

MS. TORRES: Which would be the manufacturer's website.

MR. DURSO: Okay. So really, the label's not telling you anything other than, *This is being tested*.

MS. TORRES: It's been tested. Mm-hmm.

MR. DURSO: Now, when it comes to being tested for those toxins, you said it has to be in the aggregate, correct?

MS. TORRES: Mm-hmm.

MR. DURSO: So meaning what? It's -- it's gotta be the whole entire lot of that particular formula for the month? Because you're saying it has to be tested monthly.

MS. TORRES: Potentially. It -- what -- what we mean it -- it doesn't have to be, like, a sample of each. So not every sort of small batch that you're selling individually has to be tested, it can be tested in the aggregate. So a larger sample.

MR. DURSO: And -- and each individual type of

formula, correct?

MS. TORRES: No. So not -- you know, not, for example, like, one tub of formula. That tub of formula --

MR. DURSO: (Indiscernible). I -- I apologize.

MS. TORRES: Type. Yes, type.

MR. DURSO: So -- so if a manufacturer -- again, like I said yesterday, I have children, so we went through a whole host of different formulas, trying to figure out what works for them. But the -- I don't wanna use names, but this type of formula that this company makes, also the three other types, they all have to be tested separately, correct?

MS. TORRES: Yes.

MR. DURSO: Along with the ready-to-feed options, the powders and the liquids have to be tested separately also.

MS. TORRES: If they're distinctive, yes, they have to be tested separately. Yes.

MR. DURSO: Okay. Now, who is deciding on the laboratories that these will be tested at?

MS. TORRES: Mm-hmm. That would be the Department of Health, in conjunction with the Department of Agriculture for the State of New York.

MR. DURSO: So now they would be telling those manufacturers who will be testing baby formulas, right, that are approved by the New York State Department of Agriculture and the Health Department, in -- in connection with each other. And then the

formula producer would be sending out those samples to those laboratories, or are the laboratories or the Department of Health getting the samples from the manufacturer?

MS. TORRES: The manufacturer would be testing the -- the samples alongside the laboratories. Yes.

MR. DURSO: Okay. That's where I'm confused.

MS. TORRES: They would be sending it.

MR. DURSO: They would be send --

MS. TORRES: They would be sending it -- I'm sorry, my apologies. They would be sending it to the laboratory and the laboratory would be testing it.

MR. DURSO: Okay. So that's part of my confusion, and maybe you could help me work through this. Because I also want children to be healthy and not have these toxins in baby formula at all.

MS. TORRES: Mm-hmm.

MR. DURSO: But not all of these companies are in New York State, correct? So they're not here. They -- they may deliver products here, right, but they're not based out of New York State. There's a couple -- I -- I noticed three right off the bat that pop up. But some of the bigger ones are not based out of New York. So how is it that the Department of Health and the Department of Agriculture are going to make sure that those companies are sending the proper samples to the approved laboratories? I mean, the Department of Health cannot go -- New York State Department of Health or Agriculture cannot go into a facility in Pennsylvania or

California or Florida and see anything at the manufacturer level. So they're actually trusting the laboratories and the manufacturer of sending in the proper sample. How can we do that? I wanna say -- I wanna trust them, and I hope that they do. But do you think that there's a danger in saying a company that's based out of California or Florida or Texas or Alabama or Louisiana is sending the proper samples to a Department of Agriculture and/or Health Department-approved laboratory, which I'm assuming is gonna be in New York State or in their state? They have to send that sample there, and then how are we, as New York State because we want to make sure everybody is safe, going to check to make sure that that's the same batch that they sent? It -- it almost seems like we're -- we're -- we have a great idea, but we have zero way of checking on if it's actually real.

MS. TORRES: Mm-hmm. So, I mean, I would say, you know, thanks for sharing --

MR. DURSO: Please.

MS. TORRES: -- your concern. There are several rules and regulations and processes that the Department of Ag and the Department of Health are -- are -- will be putting together to ensure that's the case. For example, the manufacturer has to send the sample -- you have to send the results, and the Department of Ag and the Department of Health together have to determine did they actually do it. They can send inspectors. They can -- they're going to figure out ways to ensure that it's enforced.

MR. DURSO: That -- well, that's my question. How is the Department of Agriculture of New York State or the Health Department of New York State going to send inspectors to a different state? This seems like -- and what I'm saying is, this seems like a job for the federal government, the FDA who already does this. And that's why they do it is because they could go anywhere. We can't. And -- and please, don't -- don't -- don't take my questions as I disagree with the premise of this, because I do not in any way, shape, or form. But how is the New York State Department of Agriculture or Department of Health gonna say to California or Florida or anywhere else, *We're coming into your facility*. They can't. We now have to -- we're actually trusting the facility that's making these formulas that they're sending the proper samples to an approved laboratory and then taking in their products and selling them here, which is fine because that's what we do now. I almost feel like we're giving, like, a false promise to consumers by saying New York State -- and we're gonna make, you know, stricter regulations for these companies, which I'm all in favor of, but have zero way of enforcing it.

MS. TORRES: So I'll -- I'll say that in -- in order to sell baby formula in the State of New York, they are going to have -- any baby formula manufacturer is gonna have to abide by the law.

MR. DURSO: Yes.

MS. TORRES: They're gonna have to abide by the law, and it's gonna have to be enforced by the Department of Health and the Department of -- of Agriculture. They -- they'll have to

investigate any issue with the test results, for example. And one thing I wanna say about the FDA and the reason why we're introducing this bill, is because the FDA does not have any legal requirement for testing toxic heavy metals. They do not. They do not.

MR. DURSO: Understood.

MS. TORRES: So there is no standard for that. So this would be a new standard that we are setting for the State of New York to protect babies, to protect infants on the baby formula side and the baby food side.

MR. DURSO: And I -- and as I said, I can't reiterate it enough, I agree with you. And I think we should impose heavier standards. My question is, and -- and -- how? How can the -- the -- the Department of Health and the Commissioner of Health cannot say to a company in another state, *Hey, we're coming into your facility to check*. What we're doing with this legislation is basically getting in bed with -- with the laboratory and saying they're an approved lab. And we're gonna to trust this company, which we're already trusting with our infants already, and saying that they're sending in the proper sample to get tested. Then we're gonna trust the results. These aren't -- are these -- do these have to be New York State laboratories?

MS. TORRES: Well, let me -- let me go back to your -- your first point in the question --

MR. DURSO: Sure.

MS. TORRES: -- in that if a -- a baby formula manufacturer does not abide by the law they cannot sell in the State of

New York. So if -- if let's say an investigator from either Department wants -- well, let's say they want to go and they're not allowed. Then fine, you can't sell here.

MR. DURSO: That was -- that was gonna be my question to you. So if -- if -- if the Department of Health or Agriculture wanted to do a site visit to a -- a company that sells products here and they -- they deny them access or -- I mean, you can walk in, but you can't just walk in and say, *I'm the Commissioner of Health in New York State. I'm coming to test your formula*. That doesn't work. So my question is, the laboratories that are gonna be approved by the Department of Health and the Department of Agriculture, do they have to be New York State laboratories?

MS. TORRES: That, I'm not -- I don't think it has a restriction. I don't think there's a restriction that they have to or they don't have to. I don't -- I don't think there's a restriction on that. Consumers can report potential violations or suspicions or what have you. But I would hope that if a manufacturer wants to sell in the State of New York, they would comply. Not that we'd trust them, but that they would work with the Department of Health and the Department of Agriculture to figure out the testing and to make sure that everything is -- is clean on the testing.

MR. DURSO: Okay. And now just -- so we have a label, we have a QR code. The QR code is -- can be scanned by whoever is buying the formula, and that's gonna take you to what?

MS. TORRES: That takes you to the manufacturer's

website.

MR. DURSO: Which they have to post the results of the testing of each individual formula, correct?

MS. TORRES: Correct.

MR. DURSO: Okay. I just want to make sure I don't have any other questions.

(Pause)

Oh, and Ms. Torres, is -- is that the publicly-accessible website?

MS. TORRES: Yes.

MR. DURSO: Okay. And it also has to have a link to the FDA guidance, correct?

MS. TORRES: Yes.

MR. DURSO: FDA guidance of what? Of that particular formula, the -- the ingredients in it, the testing?

MS. TORRES: Of the health effects of the potential toxic heavy metals.

MR. DURSO: So if we're not trusting the FDA, why are we giving a link to their website?

(Conferring)

MS. TORRES: So while, unfortunately, the FDA does not test on these toxic heavy metals, they do provide guidance on it.

MR. DURSO: Okay.

MS. TORRES: So that's why we're -- we're prepared

to share that.

MR. DURSO: And then the results that New York State gets from these individual manufacturers, are we sending that information to the FDA?

MS. TORRES: No. We're not required.

MR. DURSO: Where is this information -- so we're not gonna share the information that we get on toxic heavy metals with the FDA?

MS. TORRES: Not in this bill.

MR. DURSO: What are -- what are we doing with the information?

MS. TORRES: We're -- we're compiling it, we're studying it, we're collecting it to ensure that babies and infants don't have exposure to these toxic heavy metals.

MR. DURSO: Okay. And if any of these toxic chemicals are found in these formulas, does New York State instantly, due to finding these chemicals, have the right to ban the sale of that instantly?

MS. TORRES: Yes.

MR. DURSO: Without the Legislature, correct?

MS. TORRES: Yes.

MR. DURSO: The Department of Health and the Department of Agriculture could ban those instantly?

MS. TORRES: Yes, it's in this bill.

MR. DURSO: Okay. Ms. Torres, thank you for

answering my questions.

MS. TORRES: Thank you.

MR. DURSO: I appreciate it. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Norber.

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

MS. TORRES: Sure.

ACTING SPEAKER HUNTER: Ms. Torres, will you yield?

MS. TORRES: Yes.

ACTING SPEAKER HUNTER: Ms. Torres yields.

MR. NORBER: First of all, I like the bill. It's a nice idea. Of course we all care about the health of the infants who are receiving formula on a daily basis. But I just want to understand a little bit better the genesis of this. Have there been children or toddlers who have been poisoned in New York State?

MS. TORRES: Yeah. In 2023 there was a case of heavy metals in cinnamon applesauce in 2023 in the State of New York. Hundreds of cases, around 650 cases of babies, individuals, children that were exposed to it, many that were sick. There were also two cases of recalls in 2025 and 2026 on infant formula, not in the State of New York, but nationwide.

MR. NORBER: Okay. So in New York State there

was -- there were 650 cases --

MS. TORRES: Mm-hmm.

MR. NORBER: -- in 2023?

MS. TORRES: Yes.

MR. NORBER: And do we check this on an ongoing basis? Did we -- what about year after year? Six hundred and fifty --

MS. TORRES: Well, that was reported.

MR. NORBER: -- I'd presume that we would keep on --

MS. TORRES: That was reported, and that was the inspiration of this bill.

MR. NORBER: Okay. And was this a specific company or was this a few companies?

MS. TORRES: I'm not familiar with -- I imagine it was. I'm not familiar with the name of the company. I could get it to you.

MR. NORBER: It was what?

MS. TORRES: I'm not familiar with the exact name of the company, but I can get that to you.

MR. NORBER: But it was one company?

MS. TORRES: I believe so, that produced it, yeah; that produced this particular cinnamon applesauce.

MR. NORBER: Okay. How many companies do we have who are wholesalers in New York State, in general?

MS. TORRES: That, I am not aware of.

MR. NORBER: But there's probably a few dozen or 100 or something like that?

MS. TORRES: Potentially.

MR. NORBER: Okay. Are there any other states in the United States who have introduced similar legislation such as this?

MS. TORRES: Yes, Maryland, Virginia and California.

MR. NORBER: All right. So -- so we're -- we're going specifically on formula and baby food products.

MS. TORRES: Mm-hmm.

MR. NORBER: Why not expand this to anything else? Let's say that specific company -- if there was one company that did that with -- with 650 poison occurrences, why not specifically look at other products that this company has?

MS. TORRES: I mean, it's a good idea.

MR. NORBER: Like, go after the company instead of going after the industry. That's my question.

MS. TORRES: Yeah, I mean, I think -- I think that's a good idea. The inspiration of this bill, though, was for babies and toddlers and to -- to provide it at scale so that we're not isolating a particular company, but making sure everyone is protected. Because this could happen at one company, it could happen at another company like the -- the incidents of the baby formula recalls in 2025 and 2026. Those are two different labels, two different brands.

MR. NORBER: Okay.

MS. TORRES: So it could happen potentially anywhere.

MR. NORBER: Because here -- I would believe that the Attorney General would have a better job at finding out what happened with this specific company and then just going after them with violations or even completely banning them from New York State or whatnot. But the entire industry, to penalize them in such a way or to make it harder for them to do business within New York State which would cause -- we would have less wholesalers here which would cause prices to rise for these products. So I'm just trying to look at a way that this might impact the affordability of baby products for -- for families.

MS. TORRES: Well, I'm -- I'm not sure it would stifle business. I think this is also a consumer protection bill. It's a baby protection bill --

MR. NORBER: Right.

MS. TORRES: -- a toddler food protection bill. So I don't -- I don't think it will stifle business. I think it could -- it would promote business because we'd be one of the -- the few states that actually check on this for our babies and our infants. So I -- I would trust more of the products that are coming and tested in the State of New York than perhaps elsewhere.

MR. NORBER: All right. That's it. Thank you.

MS. TORRES: Thank you.

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.)

Ms. Torres to explain her vote.

MS. TORRES: Thank you, Madam Speaker. I want to thank my colleagues for the debate and the questions.

Look, I think this bill is really important to protect babies and infants across the State of New York from heavy toxic metals. We don't want any of these in our baby food or in our infant formula. And I think New York has been a leader in consumer protection for -- for a long time and we should continue to lead. And so I'm really happy to see this bill come across the finish line.

Thank you.

ACTING SPEAKER HUNTER: Ms. Torres in the affirmative.

Mr. Durso to explain his vote.

MR. DURSO: Thank you, Madam Speaker, to explain my vote. I want to thank the sponsor for taking my questions. Again, I will be supporting this bill because I think any testing we could do and the more information, the more knowledge we have of the things that we're putting into our children as food, any of the contaminants that could be in it, would be great. I do have concerns about this bill lulling us into a false sense of security with what the

Department of Agriculture can and can't do, the Department of Health can and can't do on products that are made in other states. We're actually putting a little bit too much trust, in my opinion, into those companies sending in the proper samples. But again, I think it's maybe just another layer of protection for our children, which I do think is important.

But again, I actually don't think the bill goes far enough. But I will be supporting it in hopes that we can do more in the future to protect our children. So I thank the sponsor.

ACTING SPEAKER HUNTER: Mr. Durso in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Fall for the purpose of an introduction.

MR. FALL: Thank you, Madam Speaker. On behalf of our colleague from Kings County, Ms. Lucas, she has a number of students, educators and the leadership at -- from Be'er Hagolah, which is an educational institution in her district that serves families and so many individuals. And they are in Albany to understand the work that we do here, and if you could be so kind to recognize the guests of Ms. Lucas and extend to them the cordialities of the floor, it would be greatly appreciated, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you. On behalf of Mr. Fall, Ms. Lucas, the Speaker and all members, we

welcome our young leaders here to the Assembly Chamber, extending to you the privileges of the floor. Always wonderful to see the Rabbis here today, as well as our young future leaders, participating and viewing and watching our proceedings. So we hope you enjoy the proceedings today. Make good use of your time while you're here today. Thank you so very much for joining us.

(Applause)

Page 14, Rules Report No. 373, the Clerk will read.

THE CLERK: Assembly No. A11199-A, Rules Report No. 373, Reyes. An act to amend the Executive Law, in relation to enacting the "Police Radio Transparency Act."

ACTING SPEAKER HUNTER: An explanation has been requested.

Ms. Reyes.

MS. REYES: This bill amends the Executive Law to ensure that emergency service organizations and members of the press maintain real access to law enforcement radio communications.

ACTING SPEAKER HUNTER: Mr. Beephan.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. REYES: Gladly.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. BEEPHAN: Thank you, Ms. Reyes. So last

year we kind of went through this and -- and I understand that you amended the bill in this current version. Can you kind of go through those amendments?

MS. REYES: Sure. There are several amendments. We added newscasters as a separate eligible category and created a more detailed credentialing framework. In the previous bill it relied largely on the Civil Rights Law for the definition of professional journalism. We, in this new iteration, created a detailed definition of news-gathering organization and require such organizations to carry libel insurance.

We expanded the exemptions to include undercover -- well, previously it only covered fair trial concerns, confidential sources, and investigations and investigative techniques, and we expanded those exemptions to cover undercover operations and their personnel, and non-public movements of government officials.

In the first version it would cover any agency employing police officers, and now it limits it to agencies that employ at least 25 officers or more.

In the first version the Department of State had to establish a process application review that needed to be completed within five business days. This version removes the five-day mandate, and instead directs the Department of State and the State Police -- that was a change as well, we now involve the State Police -- to promulgate regulations and determine eligibility.

This one expressedly [sic] states that nothing in the

bill prevents New York City from acting pursuant to Local Law 46 of 2026, and the first version created a broad standalone definition including fire, medical, rescue, housing, food and other relief organizations; instead, references the existing definition in Executive Law 20.

MR. BEEPHAN: Understood. Thank you. I understand from the Governor's veto message, she did mention carveouts for local municipalities that may not have access to this type of equipment or there's a financial burden. How did you come to that number of 25 employees or more?

(Conferring)

MS. REYES: The Broadcaster's Association recommended that number.

MR. BEEPHAN: I understand. So I understand you also made a number of changes to the definitions of who's considered a journalist. Do you find that the new definitions to be a bit more restrictive on who has access now?

MS. REYES: I'm sorry, can you repeat the question?

MR. BEEPHAN: Do you -- do you find your new definition of journalist to be a bit more restrictive than the initial bill?

MS. REYES: I believe so. I think it's much narrower.

MR. BEEPHAN: Okay. I'll come back to that point in a little bit.

So since we last discussed this bill, I understand that

New York City passed their own version of this?

MS. REYES: Correct.

MR. BEEPHAN: Has -- does this bill in any way conflict with New York City's local law?

MS. REYES: No. I actually said that as far part of the veto. It referenced -- expressedly [sic] states that nothing in this bill prevents New York City from enacting -- from acting pursuant to their Local Law 46.

MR. BEEPHAN: Understood. So the credentialing process is still with the Department of the State. So once the journalist applies and is approved by the Department of State for their credential, how do they gain access to that frequency?

(Conferring)

MS. REYES: That would be determined by the regulations that the Department of State and the Division of State Police promulgate.

MR. BEEPHAN: Okay. So there's no framework as yet on how the journalists actually accesses that frequency, passwords and anything else?

MS. REYES: Not explicitly in the language. We direct the Department of State and the Division of State Police to determine that.

MR. BEEPHAN: Is there any inclination in the bill whether or not the Department of State may keep a database of those passwords or frequencies?

MS. REYES: It doesn't speak to that, the bill.

MR. BEEPHAN: Understood. Is that a possibility of them keeping that information to distribute to journalists instead of relying on the local law enforcement agency?

MS. REYES: This bill doesn't speak to that as well.

MR. BEEPHAN: Understood. So, some municipalities use specialized radio equipment that's not commonly accessible to non-emergency personnel. It could also be quite expensive to obtain some of this infrastructure and equipment. Who's responsible for providing the journalists with this type of equipment?

MS. REYES: The bill doesn't speak to that, but --

(Conferring)

We assume the news agency that is interested in having access would have to purchase the equipment.

MR. BEEPHAN: So at no point in time would a law enforcement agency have to change any of their existing equipment to accommodate this request, essentially?

MS. REYES: No.

MR. BEEPHAN: Okay. So in some instances of high-stress situations, like for instance, an active shooter situation or a traffic stop gone bad, there's sometimes that law enforcement officers may not be able to change their frequency or it may not be time-sensitive enough to switch their frequency to relay sensitive information. What's stopping journalists from having access to partially accurate or live, detailed information that would otherwise be

exempt under this bill?

(Conferring)

MS. REYES: I mean, that -- unfortunately, that burden falls on the police organization that is transmitting to --

MR. BEEPHAN: So there's no provisions that if, for whatever reason, information is accidentally shared on a non-encrypted -- or encrypted channel that they have access to, there's no provision saying that, *Well, you probably shouldn't share this information publicly?*

MS. REYES: No. I mean, that -- I think that is -- should be part of law enforcement training, to know what information you're sharing. And we've been -- you know, we listened to the concerns and we were proactive in narrowing who has access to the radio, to the frequency, and -- and the credentialing process to ensure it's bona fide news agencies and news -- news organizations. But in terms of the broadcasting of certain sensitive information, we should be relying on law enforcement and their training to make those --

MR. BEEPHAN: Understood.

MS. REYES: -- moment -- you know, momentary decisions.

MR. BEEPHAN: Sometimes, especially when adrenaline is in the mix it's not that simple. So say for instance a journalist gets credentialed through the Department of State, they then gain access to those frequencies. Are they, themselves, responsible for the safekeeping of those passwords or the -- the frequency data to

access those channels?

(Conferring)

MS. REYES: Again, we don't speak to that in the language of the bill. That would be in the rules that would be promulgated by --

MR. BEEPHAN: So what I'm getting at is what happens if they decide to share that publicly or with someone that's not credentialed? What's the recourse here?

MS. REYES: That would be -- that would be antithetical to what we're putting here forward. The -- the point is we're -- we're trying to delineate who can have access to the frequency.

MR. BEEPHAN: No, I understand that.

MS. REYES: And now you're saying that the very organization that is promulgating the regulations is gonna share that information to entities that they haven't cleared?

MR. BEEPHAN: No, no. Not the Department of State. I'm talking what if a journalist decides to share that information with a colleague that's not vetted, or even publicly for some reason?

(Conferring)

MS. REYES: I mean --

(Conferring)

In -- in the rules that are promulgated by DOS, they can determine the consequences of that sharing of information. But that is not the intent of --

MR. BEEPHAN: Of course it's not the intent, but you have to prepare for things like this. So there's -- so do you think there will be an avenue, say, if a law enforcement agency deemed someone taking advantage of the system, essentially, to have their access revoked?

MS. REYES: Yes.

MR. BEEPHAN: Okay. And that would be through the Department of State?

MS. REYES: Correct.

MR. BEEPHAN: Is there any -- are you aware of any issues with New York City's current system since they've implemented it? Has it gone live as yet?

MS. REYES: I -- I don't have that information, no.

(Conferring)

It's not active yet.

MR. BEEPHAN: It's not active as yet. Understood. Okay. And say if for some reason a local municipality's system is not compatible with the technology owned by a news agency or a journalist, we are not required by any statute or provision to change what our current system is?

MS. REYES: Correct.

MR. BEEPHAN: All right. Understood. And again, so just to get a little bit deeper into who is exempt from this. So is it including any undercover work? What about for specific task forces, like a drug task force, any task forces involving federal agencies?

Would they all be exempt from this?

(Conferring)

MS. REYES: If they are undercover personnel or -- read the language here. Got it. Revealing criminal investigation techniques or procedures or undercover personnel, they would be exempt.

MR. BEEPHAN: Understood. And does anywhere in this legislation specify what information is considered sensitive?

MS. REYES: Yes.

MR. BEEPHAN: Where is that?

MS. REYES: It's actually line 13. It says sensitive information shall mean any portion of a radio communication that if disclosed would deprive a person of a right to a fair trial or impartial adjudication; identify a confidential source or disclose confidential information relating to a criminal investigation; reveal criminal invest -- investigative techniques or procedures except routine techniques and procedures; reveal the location, activity or identity of undercover operations or undercover personnel or reveal the location and movement of government officials that are not otherwise made public.

MR. BEEPHAN: Can an agency make an argument that almost all the information transmitted on these radio calls, aside from the initial dispatch, can be detrimental to one's case?

(Conferring)

MS. REYES: I mean, they can try to do that.

MR. BEEPHAN: And what would be the recourse if

they did?

(Conferring)

MS. REYES: It would be determined by the regulations.

MR. BEEPHAN: Okay, which are, again, not set as yet.

MS. REYES: Correct.

MR. BEEPHAN: All right. Well, thank you, Ms. Reyes, for your time.

MS. REYES: You're welcome.

MR. BEEPHAN: Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Reilly.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. REILLY: Thank you, Ms. Reyes. So here we are again, talking about this bill. I heard earlier that there were some amendments. Were there -- as we spoke about last time, before this bill was vetoed, is there a buffer time included in the amendments?

(Conferring)

MS. REYES: We didn't -- there aren't -- there isn't a

buffer time explicitly in the amendments, but there is a possibility that in the promulgation of rules the Department of State might wish to add a buffer time.

MR. REILLY: So how would -- how would the -- how would creating the rules -- so the State Department -- the State Department would create the rules?

MS. REYES: Correct. With the -- with the Division of State Police. In conjunction with the Division of State Police and the Department of State they will promulgate the rules.

MR. REILLY: All right. So in this bill we delineate specific requirements for -- for credentialing journalists, correct?

MS. REYES: Yes.

MR. REILLY: So those details are included in the bill, correct?

MS. REYES: The credentialing details, yes.

MR. REILLY: Yes. So we're -- in this legislation we're dictating to the State Department and the Division of State Police who is a bona fide journ -- journalist, correct?

MS. REYES: Correct.

MR. REILLY: So why wouldn't we -- why is it that we're excluding the requirement for a buffer time on transmissions?

MS. REYES: You're asking why isn't it -- why we didn't put that in the bill language?

MR. REILLY: Yes.

MS. REYES: We didn't have it in the previous bill

language.

MR. REILLY: But after the Governor vetoed the last bill language, this new bill includes clarification language on bona fide news journalist. So why would there not be a delineation that would include language of a buffer -- buffer time?

MS. REYES: That -- that wasn't a concern that was raised in the veto message. So we tried to address the concerns in the veto message.

MR. REILLY: Okay. So, specifically, every -- everything that was addressed in this new revised bill is all from the veto message?

MS. REYES: Some, yes.

MR. REILLY: So what else --

MS. REYES: And one of the -- one of the reasons why we also included the Division of State Police is so that they can provide some guidance and some input. We heard from our law enforcement colleagues about some of your concerns, so DO -- the Department of State can, and -- and the Department [sic] of State Police can promulgate those rules. So some of those concerns may kind of be played out in the -- in the rules.

MR. REILLY: Okay. So, just -- just now in -- in your -- your answer to the question, you said some of the amendments were due to the veto message. So which ones weren't due to the veto message? Is that the State Police that you were just mentioning?

MS. REYES: That wasn't specifically in the veto

message, but --

MR. REILLY: That wasn't in the veto message?

MS. REYES: No.

MR. REILLY: Okay.

MS. REYES: That was one that wasn't in the veto message that we added.

MR. REILLY: The one about the State Police?

MS. REYES: Yeah.

MR. REILLY: Okay. Can you give me an example of an amendment in this legislation, the change in this legislation that wasn't in the veto message?

(Conferring)

MS. REYES: She didn't say anything about the -- the five-day application of review. It didn't say anything about Local Law 46.

MR. REILLY: Say that again? I'm sorry.

MS. REYES: It didn't -- it didn't say anything about Local Law 46 for New York City.

MR. REILLY: Okay.

MS. REYES: It didn't say anything about non-public movement of government officials. Those are all things that we have added that weren't necessarily in the veto message.

MR. REILLY: All right. Thank you.

Madam -- Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. REILLY: So, one thing that I continue to advocate for is that buffer time to allow journalists to hear the transmissions. Now, there's a reason -- I explained that last year when we discussed this bill, and I'm gonna try and lay it out quickly this time. Oftentimes there's stuff that's transmitted over police radio transmissions that give pertinent information about active crime scenes. Now, if journalists can be reporting on that in realtime, it can jeopardize response times and getting more additional emergency service personnel to the location. One example can be an active shooter at a school, whether it's confirmed or not confirmed. When officers are putting that information out over the radio, the idea of keeping the area clear is paramount so that emergency vehicles can have access. If that information is going out in realtime to journalists who are putting it out on social media, on other news broadcasts, it may cause undue panic and parents and other community members may rush to the scene. And, yes, we know that parents are going to be very concerned about their loved ones. Being a parent, I understand that. But when we come to the point of causing a bottleneck of getting emergency vehicles to that scene, lives are at stake. That's why having a buffer time is essential. Because allowing emergency responders to get to the scene without having that bottleneck is really paramount.

So I hope that the additional things in this bill, allowing the State Police to have input and to -- and to put together the actual way this will roll out, I hope that they include necessary

buffer time so that we can ensure emergency responders will be able to get to those scenes.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Durso.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. DURSO: Thank you, Ms. Reyes. I appreciate it. So -- and I apologize -- you were talking about certain law enforcement and when you -- when you talked about movement of elected officials? Is that what you had said? I could barely here some of the debate, so I apologize.

MS. REYES: It said -- I'm sorry. Expands the exceptions to include undercover operations and personnel and non-public movements of government officials.

MR. DURSO: Non-public movement of government officials. So what does that mean? I don't want to sound silly. I'm -- I'm -- non-public movement.

MS. REYES: Some government officials have public calendars so the public knows where they will be at certain times of the day. Some of that movement is non-public and may be

transmitted through radio frequencies with law enforcement. So that's exempt.

MR. DURSO: So if it's a public calendar, right, for the Governor or anybody else, those radio transmissions have to be allowed to go through the channels to where a credentialed journalist can hear it, correct? If they're public.

MS. REYES: Correct.

MR. DURSO: Okay. Non-public, I mean, if they're going home, if they have a detail, anything like that.

MS. REYES: Correct.

MR. DURSO: Is that for all public officials including district attorneys?

MS. REYES: It's government officials.

MR. DURSO: Okay. Is that only for -- and so when you say government officials, it's something that I -- I asked the last time. Is that for all public officials, not just our State? So if we have federal officials coming to our State, people from other countries, they have certain details that the State Police works with, how are those going to work? So -- and -- and I'll ask it in this way. If we are -- if our State Police are working with the federal government, let's say, on a presidential detail or a debate detail -- whether it's for Governor, congressional, anything like that -- are those public dates that are set, like a debate, right, and during that debate, are all transmissions done by State Police, local -- working with local law enforcement and federal law enforcement subject to this work has to be on a public

channel?

MS. REYES: They would be -- it's -- it's not -- we're not saying what information has to be on a public channel. We're saying what information we're excluding from the public channel. And there's still a lot of broad discretion for law enforcement to change channels. I think this was part of the debate last time and some of the questions that were asked today where law enforcement, I would hope, is trained to kind of determine when, you know, *This is sensitive and I can switch.* But because there was some concern around sensitive circumstances, we added some explicit language. So to the beginning of your question, because I think --

MR. DURSO: Sorry, it was a long question. I apologize.

MS. REYES: The term "government officials" is broad and will capture those scenarios that you posed.

MR. DURSO: Okay. So but in a -- in a case when there's an interagency -- two agencies, three agencies, maybe five, depending on the official, if we have a diplomat, there -- there's multiple levels of radio communication with local, State, federal police. Are those transmissions, do they -- are they allowed to be known, or in this case, by those journalists that have credentials, do they have to stay on those certain channels?

(Conferring)

What I'm saying is a lot of those movements, a lot of those times --

MS. REYES: I get -- I get what -- I get the question that you're trying to ask.

MR. DURSO: Yes. And I'm not asking it correctly, so I apologize.

MS. REYES: The journalists that are gonna be credentialed will have access to what's on the public aspect of the radio. If law enforcement decides that they need to change the channel for whatever reason because they believe it's a sensitive circumstance, then they can do that and the credentialed journalists won't have access to it.

MR. DURSO: Got it.

MS. REYES: So that question is not a journalist question, it's a law enforcement question.

MR. DURSO: Right. So with that being said, as my colleague asked, as far as promulgating those rules, that's gonna be done by the Department of State after the passage of the bill, correct?

MS. REYES: With the consultation of the State Police.

MR. DURSO: Okay. How long after the passage of this bill, if it's signed into law, will this become law? Does it -- will it not become law until those rules are made, or will it become law and then those rules are made after?

(Conferring)

MS. REYES: It -- it takes effect in 180 days. They can start on the regulations as soon as the bill is signed.

MR. DURSO: So within those 180 days they have to have --

MS. REYES: They should be promulgating the rules.

MR. DURSO: Okay. Thank you. Let me just see if I have any other questions. My colleague asked the other one about the buffer time. No, Ms. Reyes, that's all the questions I have. Thank you very much.

MS. REYES: Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Angelino.

MR. ANGELINO: Thank you, Madam Speaker. Would you ask the sponsor to yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. ANGELINO: So I came in late. I probably missed the first couple of people who were debating.

MS. REYES: And now I have to pay for it.

MR. ANGELINO: So if I ask something that you've already asked and answered, just say asked and answered. I -- I won't be offended, and we'll just move on more quickly. And I appreciate your time here.

I see this is still realtime radio broadcast; is that correct?

MS. REYES: Correct.

MR. ANGELINO: Okay. And it's very -- these radios are very, very expensive, digitally-encrypted. So when we're dealing with this there's gonna be costs incurred for other people to listen to this. Short of a police agency giving a radio to one of your credentialed journalists, how do -- I don't know how to do this. You know, I don't -- how -- how is this gonna happen and who pays for it?

MS. REYES: Well, the -- the definition of who would be credentialed to listen because we narrowed it, it seems like it's going to be news agencies and they would have to be responsible for the cost of having the equipment.

MR. ANGELINO: So they would have to buy their own --

MS. REYES: Correct.

MR. ANGELINO: -- monitors, scanners, whatever. Because they're very pricey.

MS. REYES: Correct. You can take that up with them, too, the cost.

MR. ANGELINO: The -- a lot of encrypted radios use something called channel hopping frequencies, and it changes daily. Or it changes however it's prescribed to change. And there's a thing called an encryption key. Is that -- is that something that the police have to daily tell the journalists that, *This is today's encryption key*?

MS. REYES: So, we don't go into those details.

MR. ANGELINO: Okay.

MS. REYES: But we allow for, again, the Department of State, in -- in collaboration with the State Police, to promulgate those rules. So whatever the mechanism is, they will have to figure out.

MR. ANGELINO: Okay. You -- you just brought up something three cards ahead. Who gives the State Police and the Department of State authority over every police department in New York State? How can they dictate to every police department how this is going to happen? I know you're creating the law, but I don't know how the State Police can dictate.

MS. REYES: The Department of State has experience credentialing journalists, and the Department of State Police [sic] is a law enforcement entity.

MR. ANGELINO: Right.

MS. REYES: That's why in conjunction they have to be the ones promulgating the rules.

MR. ANGELINO: Yeah, they can promulgate the rules, but there's hundreds of police departments across New York State that don't take orders from the State Police or the Department of State. They -- they work autonomously under their local unit of government unless you create a law that says they have to do this. This doesn't say that.

MS. REYES: This -- this would be the law.

MR. ANGELINO: This would be the law, but the

law says the State Police and the Department of State are going to dictate this.

MS. REYES: Well, they're promulgating rules.

MR. ANGELINO: Right. And --

MS. REYES: The law is what dictates.

MR. ANGELINO: Yeah. And as a police chief I can say, *I'm not doing that. It's too expensive*. Or, *I don't wanna do it.*

MS. REYES: As a police chief you would not follow the laws of New York?

MR. ANGELINO: The law says the State Police are gonna promulgate rules. We're starting to get into collective bargaining agreements and all kinds of complications, because each police department is independent.

MS. REYES: I know, but in practice we can't have every individual police department help promulgate rules. So you use the Division of State Police, which is the highest kind of --

MR. ANGELINO: You -- you may think that they're the highest, but --

MS. REYES: I -- I don't mean to be offensive.

MR. ANGELINO: No, it's not -- the -- the New York State Police is a State agency. They have 4,000 people. New York City has 36,000 people. So it just --

MS. REYES: Well, this isn't about the size of their personnel. It's kind of like the hierarchy of --

MR. ANGELINO: Yeah. That -- that --

MS. REYES: -- government. But again, we -- we can't in practice ask every local law enforcement department to participate in the promulgation of these rules. So that's why we use the Department of State, which are the ones that oversee the credentialing of journalists, and the Department [sic] of State Police to help us with the details of this.

MR. ANGELINO: In the definitions you have "sensitive and restricted information", and the journalists can hear that and then we trust them not to do it, or is that being redacted somehow?

MS. REYES: They're not getting access to that information.

MR. ANGELINO: Okay.

MS. REYES: That -- those are the exemptions.

MR. ANGELINO: So the reason we're doing this is because -- when I said "we" -- the reason the police are doing this is because everything they transmit is potentially sensitive, with ages involved, we have things that happen. And even one of the most routine things, pull somebody over, *I don't have my driver's license with me. It's okay, I'll just go to my radio. What's your name and date of birth.* And they transmit over the radio, last name, first name, middle initial, date of birth. How does that get redacted in realtime? Is a dispatcher someplace trying to stop that?

MS. REYES: This isn't -- this isn't about redacting in realtime. That would be public information. If -- if the law

enforcement officer broadcasts it on that radio where he knows that not just law enforcement, but certain journalists have access to it. And -- and on a regular -- on a regular police scanner you can hear that information. But this was kind of asked earlier, and I would -- I would hope that law enforcement can make -- has the discretion to determine when things probably shouldn't be said.

MR. ANGELINO: That would have been the perfect time to say asked and answered. Thank you.

The realtime is what I have a problem with because, you know, just that -- even here, I think we're on a 30-second delay in case there's some sort of outburst. But police radio traffic that goes back and forth is so sensitive at times. A lot of times it's boring stuff that no one even cares about. But --

MS. REYES: I -- I would say -- you know, I remember -- the more I -- we have this conversation the more I start to recall the debate from the first bill. And, you know, we talked about how important it is for certain information to get out to the public in realtime. And I -- and I understand our colleague's concerns about bottlenecks and ensuring that there is a delay for a litany of reasons. But again, we -- we -- we really narrowed this bill to include bona fide news agencies. And there are some information that has to get out to the public in realtime for their safety. And if there is a concern with buffers, that -- that still can -- is something that can be addressed when the rules are -- are promulgated.

MR. ANGELINO: The -- and when we're talking

about journalists, you know, just about anybody with a camera and a microphone --

MS. REYES: I'm glad you asked that question.

MR. ANGELINO: Was that asked and answered?

MS. REYES: There is a definition in the bill.

MR. ANGELINO: I -- I saw that. But, you know, we saw it with --

MS. REYES: Do you want me to read it for you?

MR. ANGELINO: No, I -- I've read it.

MS. REYES: Oh, okay.

MR. ANGELINO: But that -- I could almost be -- fit under that criteria as a journalist if I'm reporting something to the internet. And I guess the -- the hard thing would be for me to get libel insurance.

MS. REYES: And that's a requirement.

MR. ANGELINO: Yes, I saw that.

MS. REYES: Yes.

MR. ANGELINO: But I --

MS. REYES: To be a news-gathering organization and be required to carry libel insurance.

MR. ANGELINO: So depending on the answer to this one, I may be done. So are you telling me there's no costs incurred to the police departments or agencies? It's all on the journalists to figure out how to listen to this if it's encrypted?

MS. REYES: Correct.

MR. ANGELINO: Okay. Well, thank you very much. I appreciate it.

MS. REYES: You're welcome.

MR. ANGELINO: Thank you, Madam Sponsor.

MS. REYES: You're welcome.

ACTING SPEAKER HUNTER: Thank you.

Mr. Novakhov.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. NOVAKHOV: Thank you. So, reading the bill I'm trying to -- I see what sensitive information is, but what I don't see is who will decide which information is sensitive and which is not.

MS. REYES: Law enforcement determines that in realtime.

MR. NOVAKHOV: Is there any current law that defines that which information is sensitive and which is not, and if -- and if this law is gonna change anything about it?

MS. REYES: We define it in the bill to determine what information the journalists won't have access to, but not in existing law that doesn't -- there's nothing that delineates that. It's -- in realtime law enforcement decides what is sensitive, what they deem to

be sensitive and which they have to change the channel for.

MR. NOVAKHOV: So do they currently have to decide which information is sensitive and which is not, working with the media or journalists? Like -- like, which information do they share with the media?

MS. REYES: They don't -- they -- it's not that they share information with the media, it's that the frequency is available to the media. This is about the frequency. The content on the frequency oftentimes gets determined by law enforcement. They're the ones creating the content.

MR. NOVAKHOV: I'm just trying to understand. How is it -- is it going to happen in real life? You know, let's say the bill was passed and signed and it goes into law and --

MS. REYES: How it happened before. There was -- there's police radios -- individuals can get access to police radios and listen in to the frequency of police communications and interactions. And oftentimes it's, you know, local volunteer fire departments that would do that or, you know, emergency services that would listen to police frequencies to figure out when they can show up for certain emergencies. You have, you know, voluntary journalists that currently that's what happens in some places. So this is -- we are narrowing some of that because a lot of the radio frequencies started to become encrypted and these services weren't getting access to it.

MR. NOVAKHOV: All right. Thank you very much.

MS. REYES: You're welcome.

MR. NOVAKHOV: Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: A Party vote's been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will not be supporting this legislation, but if there are exceptions they may be noted right now at members' seats.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Lunsford.

MS. LUNSFORD: Thank you, Madam Speaker. The Majority Conference will generally be in the affirmative on this vote. If anybody would like to vote no, they may do so from their seats.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Beephan.

MR. BEEPHAN: Thank you, Madam Speaker. I understand the concerns and the intent of the sponsor here, but there is

a process already in place to access police frequency when it comes to journalists reporting on a situation, and that's through FOIL. There's a reason why law enforcement agencies use encrypted channels, especially for the more sensitive type of work that they conduct each and every single day. But even more so -- and respectfully, I cannot vote for legislation that frankly doesn't lay out the entire process in which the credentialing was gonna occur or what law enforcement agencies are gonna have to follow. Or even what the repercussions are gonna be for bad actors here.

So with that, Madam Speaker, I vote no on this bill and I urge the Governor to again veto this bill to have this discussion next year. Thank you.

ACTING SPEAKER HUNTER: Mr. Beephan in the negative.

Mr. Yeger to explain his vote.

MR. YEGER: Thank you, Madam Speaker. I spoke last year on this bill, and I'm not going to repeat everything I said. But suffice it to say that not enough has changed that would change my position on it. I still believe, as many of the members who spoke today indicated, this is bad and dangerous public policy. I don't think enough has changed in this bill to make it anything other than bad and dangerous public policy. And I think that the new information that we've seen over the last couple of months is that in New York City the Mayor's office has been willy-nilly distributing press passes, media passes, to anybody who wants one, who -- whose entirety of their

writing may consist of nothing more than their own web page; a blog, if you will. And so I'm not really sure what constitutes journalism today, but if -- if this is restricted to bona fide members of the media as they're identified by the Mayor's office in New York, that's probably certainly not consistent with good public safety and good public policy.

So I respectfully vote no. Thank you.

ACTING SPEAKER HUNTER: Mr. Yeger in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Lunsford.

MS. LUNSFORD: Thank you, Madam Speaker. We're going to continue our floor work from the A-Calendar with Calendar [sic] No. 411 by Mr. Bronson.

ACTING SPEAKER HUNTER: Thank you.

On the A-Calendar, page 7, Rules Report No. 411, the Clerk will read.

THE CLERK: Assembly No. A09581-B, Rules Report No. 411, Bronson, Jacobson, Colton, Ramos, Griffin. An act to amend the Labor Law, in relation to requiring covered businesses to submit annual reports on the impact of artificial intelligence on hiring and the nature of artificial intelligence use.

ACTING SPEAKER HUNTER: An explanation has

been requested.

Mr. Bronson.

MR. BRONSON: Yes, Madam Speaker. This bill is a result of a public hearing that the Committee on Technology [sic] and the Labor Committee had last year in connection with the impact of artificial intelligence on the workforce. That's the genesis of the bill. And the purpose of the bill is to require employers to submit annual impact assessments to the Department of Labor regarding how artificial intelligence is used, and to require the Department then to report on such data and assessments. That report would be submitted to the Governor, the Assembly Speaker, Assembly Minority Leader, Senate Temporary President and Senate Minority Leader, and would also be available publicly on the DOL website.

ACTING SPEAKER HUNTER: Ms. Walsh.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. BRONSON: Yes, I will, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. WALSH: Thank you very much. So, a few questions on this. I guess first of all, in looking at the bill text it -- I saw that the report from the employers will be -- the covered businesses will be due on or before March 1st of each year, correct?

MR. BRONSON: Yes.

MS. WALSH: So, I mean, assuming that the bill is signed into law this year, then it would be -- the first due date would be March 1st -- on or before March 1st of 2027.

MR. BRONSON: Yes.

MS. WALSH: Okay. Now, I noticed that when we went from the A- to the B-print, the -- the threshold for employees for covered businesses changed. Could you address that?

MR. BRONSON: I sure can. So, we -- we moved it from 100 employees down to 50 employees, and that is because there was a recognition that a lot of businesses that would typically use AI, whether they're doing data analysis, whether they're doing financial analysis and things of that nature, that they oftentimes are a bit smaller. That's one of the reasons. The other reason is because there is a companion bill to this, which we refer to as the Artificial Intelligence WARN Act, which would mean that if AI resulted in a significant reduction of the number of employees that we would follow what we have currently under the WARN Act, a notice would have to be sent to the State, a notice to the locality, and notices to the employees with then some responsibility to help with transition. And that's what traditionally is the WARN Act level. So we wanted to mirror both the traditional WARN Act, the AI WARN Act, with the AI Reporting Act.

MS. WALSH: And it's a bit of a blur, as you can imagine, especially at the end of Session with so many bills that we've -- we've seen or some that we've taken up. But where -- where do we

currently stand with the WARN -- the AI WARN Act?

MR. BRONSON: Yeah, that's still in the process.

MS. WALSH: Okay.

MR. BRONSON: It has not come to the floor for a vote.

MS. WALSH: Okay. So given where we are this week and when Session's expected to end, is it fair to say that we may not see the AI WARN Act actually make it to the floor before the close of Session this year?

MR. BRONSON: That's a fair assessment.

MS. WALSH: Okay. So then if this bill passes, or when it passes here, it will be alone as a requirement, as we said, starting the beginning of next year.

MR. BRONSON: That's correct.

MS. WALSH: For covered employers -- or covered businesses, I mean to say, and that would be businesses that have over 50 employees or 50-plus employees in the State of New York.

MR. BRONSON: Or that are publicly traded.

MS. WALSH: Or that are publicly traded. Thank you for noting that as well. Okay.

Now, the second point I'd like to talk about is I didn't see any definition of AI contained in the bill, and I didn't see it in the -- in that section of the Labor Law, either.

MR. BRONSON: That is correct. There is already a definition that the Department of Labor uses. It can be found on its

website. And so they would continue to use their definition of artificial intelligence. In addition to that, we do have some other statutes that have a definition in it. But for the purposes of this, the agency itself has a definition of artificial intelligence.

MS. WALSH: And how will these covered businesses be aware of this new law and understand exactly how they're supposed to comply with it?

MR. BRONSON: So as you well know, I have -- I was in business for close to 25 years before we sold it a couple years ago, and I actually have experienced the advancements and the enhancements of -- of Department of Labor's notification to employers. And so in laws like this and other reporting requirements that businesses already have, oftentimes you will get a -- now it's by e-mail -- you get notices of what requirements are. And I would suspect that once this is passed into law that the Department of Labor would be sending out notices to employers of what their obligations are. You know, I signed up for those -- those notices, and I would expect other businesses to do the same.

MS. WALSH: Well, they certainly will be acting at their peril if they don't know, because the bill does contain penalties for failing to file this and meet this mandate and this reporting requirement of $500 a day for every day of not having met the obligation.

MR. BRONSON: Well, that sounds very alarming.

MS. WALSH: It does.

MR. BRONSON: But let's not be alarmed. Because this is very balanced. They also have a 90-day to cure. So if they do not file on time, then the Department of Labor will let them know, *You now have 90 days to get this report in*. If they get the report in in 90 days, then the Department of Labor has the ability not to charge that $500 a day.

MS. WALSH: Okay. I -- I hear what you're saying on the penalties. I do hear what you're saying about the penalties. Actually, you know, when I looked at the opposition to the bill that we have, what I'm seeing most of all, what I'm -- what I'm really reading here is more of a concern that they understand the -- the policy objective, but they don't understand how they're gonna possibly meet it. Because they're saying that the list of -- I'm quoting from the Tech: New York City -- NYC Memorandum of Opposition.

MR. BRONSON: Right.

MS. WALSH: It says, *The list of broad information called for and the lack of clarity around the types of artificial intelligence systems captured would make executing the annual reports both costly and administratively burdensome on captured businesses, particularly for smaller businesses and emerging start-ups who just meet the employment threshold outlined in the legislation*. And it goes on. But that's -- they -- they say that. And then also, Morgan Stanley also is opposed to this, and they say, *AI activity is ill-defined. Not sure what to report.*

MR. BRONSON: I -- I would respond to both of

them. First of all, AI is defined. It's on the Department of Labor's website. That's the definition they will lose -- use. Second of all, these are technical companies that understand what AI is. And then lastly on the burdensome piece of it, when you're instituting AI in your business, you are making that decision to, I would presume, to improve the productivity of the business and you will be analyzing that productivity result. And so they're already doing this analysis and indicating -- so say we say, *I want to institute in a -- in a -- in a retail shop a point-of-sale mechanism where instead of having people at the counter we're gonna have people order their food, order whatever through a -- a technology system that will then convert that into delivering the -- the -- whatever the service is.* They're going to know how many people are no longer at that counter as a result of implementing that AI system. So --

MS. WALSH: And that's an -- and that's an extremely -- that would be a very clear example that you could give of a -- of a -- a human being displaced by a -- a -- a completely automated kiosk or something that's -- that's in a place of business.

But I'd like to share with you that again from that Tech: NYC Memorandum of Opposition, they say: The different types of artifical intelligence systems used in day-to-day business operations vary drastically in both scale and purpose, businesses use artifical intelligence systems for market analysis, customer service interactions, which you just talked about, e-mail filters, data organization and management, internal cloud servers and many other

purposes. So it is -- and I think that we have experienced that in our daily lives that AI has begun to sort of bleed into our lives and our business lives gradually and they're certainly picking up the pace. How is a business supposed to figure out because this is the requirement that is stated in the bill; to report -- the report shall include employment data including an estimate of the number of employees displaced, or whose hours have been reduced, "due in full or in part to use of artifical intelligence." I mean, that's an extraordinary -- wouldn't you agree that that's an extraordinarily broad statement?

MR. BRONSON: No, I would not.

MS. WALSH: You would not?

MR. BRONSON: I -- I would not because -- I -- look, I -- I was in business for close to 25 hours -- or 25 years. We oftentimes analyzed the number of hours our employees worked, what -- what did they cover, what did they do, what was the productivity. All of that is going to be -- continue to be analyzed. So if you then impose an AI system on your operations, you are going to be analyzing what is the impact of that. You're going to do that because of your profit motive. You're going to do that because you want to make sure that your business is operating at the most efficient level possible. You're doing that analysis. This is just requiring you to take what you're going to do to make your business successful when you're employing AI to then transfer that into a report that would be, you know, developed by the Department of Labor and you report that on

an annual base -- on an annual basis. I will share with you there is a federal piece of legislation that would require employers to do it on a quarterly basis. We're just saying on an annual basis.

So I -- I -- you know, look, whenever you make a requirement on businesses, you get people complaining that it's going to be too burdensome, and -- and I understand that. I used to have to do reports. I used to be, you know, we would be inspected by the County Department of Health and the State Department of Health and you know, over and over again.

So in this scenario, though, because the reason that businesses want to employ AI is to make their operations more efficient. They're going to be analyzing whether or not it's truly doing that, and this is just asking them to report on that and the impact on the workforce as a result.

MS. WALSH: I think -- I think the difference of opinion that I have with you and what you just presented is that if you're an employer, I'm gonna say a small employer because I consider a -- an employer that has 51 employees as being a -- a small employer, you might not be sitting around a table saying, you know, *what is some global use of AI that we can put into place?* It -- it may be far less intentional than you're suggesting. It might be there. You might actually use it, you might find some efficiencies in utilizing AI. But how could you then require an employer to say, and it has displaced specific hours of these employees and/or it has specifically because of AI resulted in me letting go three people in a given year.

How can you possibly quantify it like that?

MR. BRONSON: I -- I guess we're gonna have to disagree about this --

MS. WALSH: Okay.

MR. BRONSON: -- but if -- look, if I'm in the business of financial analysis and financial data and analyzing that, right, and I have -- let's just -- let's just throw out I have ten employees that are going to be analyzing financial data connected to X, right, and prior to instituting AI, that analysis, they -- it takes them a week-and-a-half, two weeks, whatever, those ten employees to get me that report on that analysis. But I employ AI and now I get that analysis in two days. Do the math. How many hours is that? How many hours did they work prior to the AI? How many hours did they work after we implemented the AI on that data analysis? That's the kind of -- that's an example of the operational stuff that employers are always looking at to make their businesses more efficient so that their businesses are more profitable. And -- and since you're already doing that analysis, I don't think it's asking a lot for you then to report that, you know, that analysis to the Department of Labor on an annual basis.

MS. WALSH: I just, you know, when I think about -- I think about -- like in my family, we had a -- a -- have -- we had a start-up robotics company. We started with one employee, then two employees, then we -- at the time that I started to no longer work within the business we had passed that 50 employee threshold. We would definitely of had to have complied with this and we were

worrying, frankly, about how we were going to -- and I've spoken about this on the floor before, how we were going to -- hold on one second.

(Pause)

We were worrying about how we were gonna, you know, pay for health insurance for our employees. We were worried about attracting the next sale of the -- the robots in our -- in our company. We were worried about an awful lot of things. Having to generate this kind of paperwork, I mean, these -- these day-to-day decisions that are being made that are gonna be forced to have been -- be quantified in this way in the reported [sic], I -- I'm not comforted by the fact that you're saying that the federal government or -- or the, you know, the feds might be requiring it quarterly. Is -- and by the way, did that inspire this bill? Is that kind of where this bill came from but you said I'll just make it annual?

MR. BRONSON: What inspired this bill was the -- the public hearing we had last year --

MS. WALSH: The public.

MR. BRONSON: -- and hearing from folks and -- and just really researching what's happening with AI is -- it's exploding here and we have to get a handle on that when it comes to our workforce and -- and we can't get a handle on it unless we have more information. And actually, the RAND Corporation recently concluded after summarizing and analyzing many studies about AI, they -- their conclusion was and I'm quoting, "We need more data

collection as necessary to understand the impact of AI on labor markets."

This is a -- this is being asked for, and what better way than -- and I'm -- I'm, you know, a lot of people see me as a workers' rights guy, but I think I'm pretty balanced since I used to also be an employer, but I -- I really believe that many of our decisions and our policies have to be industry-driven and this is making it industry-driven just like we want our workforce development programs to be industry-driven. We can't have it industry-driven if we're not getting the information from them. So that's the impetus here and I -- and I -- I do think -- I mean, you mentioned start-ups and -- and that was also in the tech -- New York City Tech [sic] memo in opposition and they're talking about emerging start-ups. I don't know. I don't know that many emerging start-ups that have 50 or more employees.

MS. WALSH: Well not right away. I mean -- I mean like I said, my family's business is a great example. It -- it was an absolute start-up, started in an incubator program through RPI and one at a time, at a time, you know, employees were added, but within -- within a few years, we had -- we had enough employees that would have definitely triggered this and would've required the reporting. So I'm -- I'm thinking back to those days --

MR. BRONSON: Sure.

MS. WALSH: -- and that time and how difficult it -- it was and we always talk about how hard it is in New York.

Let me ask you this, I'm just curious about your

opinion on this. I mean, do you feel that -- that AI is just, you know, inherently bad for employers --

MR. BRONSON: Ab --

MS. WALSH: -- or employees?

MR. BRONSON: Ab -- ab -- absolutely not. Sorry for --

MS. WALSH: Okay.

MR. BRONSON: -- interrupting but absolutely not, and if you look at the language of the statute it talks about AI increasing the workforce or improving the workforce. It's not all negative, it asks for both sets of that equation. It's not just, is AI replacing workers? It specifically and expressly states about AI enhancing the workforce.

MS. WALSH: It absolutely could and I think that even when AI is utilized, there can still be significant human review and there will --

MR. BRONSON: Sure.

MS. WALSH: -- always need to be human review on -- in many, many, you know, areas of business. So if it's -- if it's going to be used in a responsible manner.

MR. BRONSON: So I -- so you asked my opinion and I -- I --

MS. WALSH: Yes.

MR. BRONSON: -- I would like to articulate that.

MS. WALSH: Sure.

MR. BRONSON: I actually think AI can be a wonderful thing. I think AI, if used appropriately, can be a tool to help us in delivering whatever service making, whatever product we're making, things of that nature. I -- I think there's a balance here, however. And like you -- you mentioned, I -- I'm not sure if you said the word human oversight, but, you know, there has to be a human connection here --

MS. WALSH: Yeah.

MR. BRONSON: -- and you know, certainly if, you know, there's applications out there now where AI is used to help the medical profession make diagnosis, review X-rays and do things of that nature. That's fine, use it as a tool. However, you need that human oversight and you know, there may be emerging workforces that will be that human oversight.

So this isn't about AI being negative, this is about having a handle on the impact of AI in our work forces to make sure that we're using it appropriately.

MS. WALSH: Well, thank you very much. I appreciate your opinion on that. I -- I happen to agree with you. I think that -- I would additionally say that I think that AI can be -- can really promote efficiency and by promoting efficiency you can improve an employer's bottom line and that's not a bad thing. If it -- if -- if -- especially in -- in this terrible business climate that we have in New York State, if we can help employers do better and improve efficiency and make more money and more profit, good. That's gonna

be great for the employees that are working with them. That -- you know.

So anyway, I appreciate you -- your thoughts on this and answering all of my questions.

And at this point, Madam Speaker, I'll just go on the bill.

MR. BRONSON: Thank you.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: Thank you. Yeah, so I -- I think that my primary concern with the bill is that it -- the definition of AI is not contained in the bill language itself and the sponsor is saying, *well, it's going to be on the Department of Labor website*. Well -- then I asked, well, how are these particularly small employers, but how are any of these employers gonna really know about this new requirement because it does take effect immediately and we anticipate that early March, you know, of next year would be the first time that -- that this data is gonna have to start being reported and it's going to be done on an annual basis. Every year they're gonna have to be reporting this.

And I just want to put into the record and share what this information is. "It includes an estimate of the number of employees displaced or whose hours have been reduced due in full or in part to use of artificial intelligence, an estimate of the number of employees hired, or whose hours have been increased due in full or in part to the use of artificial intelligence, and an estimate of the number of positions previously filled that the covered business has decided not

to fill due and full -- in full or in part to use of artificial intelligence, and information on the nature of artificial intelligence usage including but not limited to..." and it goes on and on.

I -- I'm afraid that especially for a smaller business that's just trying to stay afloat honestly in New York State or in any state that you're going to spend so much time doing paperwork and not really running your business that, you know, I -- I just think that it's just one more -- one more thing that we're putting on the backs of our smaller businesses and our publicly traded businesses. I think that we always think, you know, I -- I studied political science and -- and I was always taught that, you know, when you look at any kind of survey or reporting the issue is, you know, if it's garbage in, it's garbage out in terms of if you don't adequately, completely and clearly define what it is that you're trying to collect, your data is going to be imperfect and you're really not gonna be able to meet your policy objectives. I think that that is the concern raised by some of the opposition to the bill and that would also be my concern.

I think that it's -- it's subjective to ask a company to say, *well, you know, do I have to report that this person -- I don't know if I really -- I didn't really let this person go because of AI. I did have some efficiencies as a result of using AI.* Let's face it, I mean if it's something like McDonald's, right, I mean if it's something like McDonald's and they're saying like, *we're -- we're gonna just be replacing people at the counter by the use of these automated kiosks*, well, that becomes pretty obvious, right? But there's a lot of nuanced

-- nuanced information and decisions that are made and if the report is not filed, the penalty is stiff I would say; $500 a day. I mean, I'm glad that there is a -- a -- a cure period within 90 days if they didn't file, but 500 bucks a day for a company that's on the smaller side for failing to file a report makes you wonder if -- if they do file the report how good the information is going to be and how much time they're gonna spend trying to compile this information and report this information.

So listen, we know that AI is an increasingly large part of our lives, our work lives and the -- the lives of businesses that are trying to make a go of it here in our State. But how much of a burden do we want to put on our businesses to have to try to compile and generate and try to figure out what it is that they're supposed to report and like I said, if they don't do it right, they do it at their peril. They're gonna get penalized.

I -- I think that while I appreciate the goal that's been expressed by the sponsor, I don't think that this is legislation that I'm gonna be able to support in its current form because of the problems I identified but -- so I'll be in the negative. I would encourage my colleagues to think hard about it and I appreciate you, Madam Sponsor [sic].

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Norber.

MR. NORBER: Thank you, Madam Speaker.

Would the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. BRONSON: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. NORBER: Thank you very much. I'm just gonna ask a few questions, basically what's going on here in terms of how this will affect mainly small businesses in the State. What are covered businesses? Can you explain that a little bit more to me?

MR. BRONSON: I'm sorry, say that again.

MR. NORBER: What are the covered businesses that would be going under this?

MR. BRONSON: It's any business entity with 50 or more employees or is publicly traded.

MR. NORBER: Fifty or more employees or -- okay. Is there going to be some type of distinguishment between small -- a small business which generates a certain amount of revenue and a larger business that generates let's say millions of dollars a year?

MR. BRONSON: The statute's very -- or the legislation's very clear, a covered business is any business with 50 or more employees or publicly traded.

MR. NORBER: So if let's say I have a -- a -- I'm a roofing company and I have some workers and I work in the State and I have 55 employees. Let's say the -- the -- the business itself is owned by a minority whose English is not its first language, it might have some issue reporting this. Will they be under -- will they have

some kind of an exemption in any way?

MR. BRONSON: No. Any business with 50 or more employees.

MR. NORBER: Okay. All right. And how would the reporting work?

MR. BRONSON: I'm sorry, what?

MR. NORBER: How does the reporting -- let's say they want to be involved with this and they wouldn't want to miss anything.

MR. BRONSON: They -- the -- the Department of Labor would set up a process for reporting as it has in other reporting requirements that currently exist. They would -- I would presume they would set up a form and that form would be either questions, I -- I could also envision that that form would also have the definition of AI on it. That would be one that's already existing on their web page and that the employer would -- would track that form just like we do other forms and submit it to the Department of Labor by the deadline.

MR. NORBER: And this form would be sent out yearly, monthly, quarterly?

MR. BRONSON: This is a process at the agency. We -- we do -- in statute we put in broad requirements and we rely on our State agencies to do the implementation.

MR. NORBER: Okay. Understood. So he would -- the -- the businessowner would receive some kind of a form let's just say similar to the -- I know Labor Statistics usually sends out some

kind of census or asking businesses about their business. That wouldn't be similar to that?

MR. BRONSON: It could be, yes.

MR. NORBER: Okay. And is there -- for that form, for the Labor Statistics, is there some type of penalty if let's say -- the -- the employer does not respond in a timely manner?

MR. BRONSON: I don't believe so, but I don't know for sure.

MR. NORBER: So why is there a penalty on this but not on that?

MR. BRONSON: Because we think that it's important that we encourage employers to follow this because of the importance of gathering this data, gathering this information. But, at the same time, that's also why we put in a cure peer -- period. So if you do not report in a timely basis and the Department of Labor puts you on notice that you have not, you have 90 days to submit your report.

MR. NORBER: Okay.

MR. BRONSON: And if you do then the penalties do not have to be put onto the employer.

MR. NORBER: Is there any type of similar reporting that a lay -- a business has to do in New York State which is similar which would have -- would that have -- would it that have that type of violation? Because the violation is very steep. Five hundred dollars a day for a person who wouldn't know what this is even referring to,

wouldn't even know sometimes what AI is and how that reflects his business. I mean, is there anything similar to that because I just want to know what -- why would we jump the gun and already give out that type of violation? In my opinion it's just very high, that's all.

MR. BRONSON: I -- I -- I can't recall of one --

MR. NORBER: Okay.

MR. BRONSON: -- as I stand here today.

MR. NORBER: All right.

Now why are we putting this specifically on the businesses? Why is this the responsibilities of a business itself to -- to give that data? I mean, we're talking about a lot of people. I'm -- I'm all -- I'm trying to reflect on the troubles and the issues that a lot of these mom-and-pop shops have if they have a roofing company like I said, if they're -- if they clean shoes, whatever it might be. Why is it their responsibility when AI is such a new concept to so many of these businesses? Why are we putting it on them and not putting it within the Labor Department? Why -- why -- why is it their responsibility?

MR. BRONSON: Because they are the entity that has the information. They are the entity that knows the impact on their employees, they are the impact [sic] that knows what I -- AI they've purchased and implemented. They are the entity that, as I indicated in prior questioning, that are doing the analysis. I mean, you don't just say, *oh, I'm gonna put AI in my business.* You -- you say, *I am going to, you know, put this application of my business, I'm gonna do something else in my business*, all with the purpose of making sure

you have the most efficient operation possible. And if you're a good businessowner, you're analyzing; am I achieving that efficiency that I am seeking? Where do it -- where does it stand? And you know, I could anticipate a report where they say, we were using this application and -- last year and the report is saying we're no longer using that application --

MR. NORBER: Right.

MR. BRONSON: -- because there's no efficiency. So it's not -- you know, I -- I get it. You know, I understand we don't want to overburden our businesses. As a small businessowner, I certainly appreciate that. However, however, there is not -- this -- yes, you're gonna be -- have -- have to do a report. However, it's reporting on information as a businessowner you should already be analyzing and interpreting.

MR. NORBER: Okay. Understood. All right.

So if let's say -- so the efficiency that you're speaking about is -- has to do with cutting back on labor, correct? Or cutting back on employees if let's say --

MR. BRONSON: Not necessarily.

MR. NORBER: Okay. So could --

MR. BRONSON: Not necessarily and that's --

MR. NORBER: -- could there be a --

MR. BRONSON: -- in the -- in the earlier questioning, I -- I acknowledged there could be a scenario where you have implemented AI in your operations and it's resulted in, you

know, more efficiency, more productivity.

MR. NORBER: Right.

MR. BRONSON: So, so another piece of that operation you may have had to hire additional employees.

MR. NORBER: Right, because that could happen. I just want to say that many of these companies are -- are using AI for their marketing which actually -- let's say for roofing as another example, are gonna actually generate more employees for the actually roofing -- for the actual roofing itself.

MR. BRONSON: Mm-hmm.

MR. NORBER: So -- so I guess in the form it would say, I was using AI, but now I'm -- my business has doubled because -- but my labor usage is doubled, also.

MR. BRONSON: If -- if -- so it's -- I think that's a really good example. I am now using an artificial intelligence marketing mechanism and my marketing last year was at this level. I have seen a -- a 20% increase which resulted in -- in order to have, you know, to, you know, to serve those customers I brought in through that AI marketing, I had to hire five additional employees.

MR. NORBER: Okay.

MR. BRONSON: That could -- that would -- that's part of this report.

MR. NORBER: Okay. Thank you very much for the questions.

On the bill.

MR. BRONSON: Thank you.

ACTING SPEAKER HUNTER: On the bill.

MR. NORBER: I understand a little bit better the intention behind this bill and why we're doing what we need to do because we want to understand better how AI is gonna affect random industries in New York State. But again, like we've speak -- like -- comes up a lot when -- in terms of small businesses is that we're looking for ways to overburden them and this is another way. It's a small way, it's a reporting issue. There is a very steep violation fee in the case where the person doesn't abide to these laws and policies that we're bringing up here. So, we should not overburden these small businesses, we should look for ways to just leave them alone in some way. That's what I'm always gonna say on this floor, but -- but I understand what [sic] you're coming from but I'll be voting also negative on this bill.

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's been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will not be supporting this legislation, but if there are exceptions, members can vote differently at their seats.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Lunsford.

MS. LUNSFORD: Thank you, Madam Speaker. The Majority Conference will generally be in the affirmative on this legislation. If you would like to vote in the negative, you may do so from your seats.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Durso to explain his vote.

MR. DURSO: Thank you, Madam Speaker, to explain my vote. This bill obviously came through Labor Committee and some of us had some questions which our floor leader brought up. I will be supporting this bill because of the reasons that AI kind of needs to be kept under control. We have to make sure that we're not losing physical jobs because of it and we do need information on it.

I do appreciate the sponsor putting in that the report will be also issued to the Minority, which I think is very helpful and I appreciate him doing that. The one thing I would say about this, though, is the -- once again, we -- we are putting onus on small businessowners to do the reporting and I understand that there's many things that need to be reported to the Department of Labor from small businesses, this is just another. But the point I want to make is this: Once again is that the Department of Labor seems to have an issue

doing their job and it's not the job of small businesses and businessowners throughout New York State to do the Department of Labor's job. They should be going out, checking with small businesses and depart -- and businesses throughout the State to see how AI is affecting businesses in New York State.

I -- once again, I appreciate the bill. I appreciate the intent of it to make sure that jobs are not being lost to AI and what we can do to prevent that. But once again, the Department of Labor needs to step it up and do their job, but I will be supporting this bill.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Durso in the affirmative.

Mr. Bronson to explain his vote.

MR. BRONSON: Yes, Madam Speaker. I abstain for the purposes of explaining my vote. I am really glad that we're bringing this to the floor. It's a result of a public hearing we held last year, and given the rapid pace of AI development and adoption, it's critical that New York investigate the questions of the impact of AI on our workforce whether it be a positive impact or a negative impact.

This bill would require the collection of that data from larger employers. These are employers with 50 or more employees because they're the entities that have the data. They're the entity that knows what the impact is on their own operations and we're having them share that with the Department of Labor that will then analyze and submit a report to the State so that we can then make the

best policy decisions we possibly can about the adoption of AI and its impact on our State and our families.

With that, Madam Speaker, I withdraw my request and vote in the affirmative.

Thank you.

ACTING SPEAKER HUNTER: Mr. Bronson in the affirmative.

Mr. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Madam Speaker, to explain my vote. First I want to commend the sponsor for this very important bill. Our constituents are rightfully freaking out about the very real possibility of losing their job to AI. So we want to craft a solution but before we can craft a solution, we need the data. That's why this bill is so important and that's why I'm voting in the affirmative.

Thank you.

ACTING SPEAKER HUNTER: Mr. Jacobson in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Lunsford.

MS. LUNSFORD: Thank you, Madam Speaker. If members could turn their attention to the B- Calendar. We are going to take up Rules Report No. 463 on page 7.

ACTING SPEAKER HUNTER: Thank you.

On the B- Calendar, page 7, Rules Report No. 463, the Clerk will read.

THE CLERK: Assembly No. A11553-A, Rules Report No. 463, Committee on Rules (Heastie). Concurrent Resolution of the Senate and Assembly proposing an amendment to Sections 4 and 5-b of Article 3 of the Constitution, in relation to the Independent Redistricting Commission.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Lavine.

MR. LAVINE: Thank you, Madam Speaker. This proposed constitutional amendment will revise the State's redistricting process for state legislative and congressional districts. The proposed constitutional amendment will, number one, enable the Legislature to make changes to existing congressional districts subject to the requirements of the federal Constitution and federal statutes. Number two, it will revise the decennial census-based redistricting process in 2032 and beyond by A, maintaining the current IRC, Independent Redistricting Commission process for holding hearings around the State of New York; B, sending redistricting plans and the findings of the IRC's hearings to the Legislature and C, it will remove the requirement that the IRC must send a second set of maps if the first maps are not enacted, at which point the Legislature will be required to draw the maps for state legislatures -- state legislative and

congressional districts. Number three, this constitutional amendment will align the enactment of redistricting legislation with the voting requirements pertaining to nearly all other legislation in the State of New York by removing the varying vote thresholds which as currently written are not only based on the party leadership of each House, but also based on whose IRC appointees voted for which redistricting plan.

This proposed constitutional amendment will also revise the State's constitutional criteria for redistricting for 2032 and beyond in an effort to provide better clarity as well as necessary flexibility to center or focus the people of the State of New York into our redistricting considerations rather than what are often too, too often arbitrary distinctions that are relied upon.

Finally, this proposed constitutional amendment provides that if a court finds any violations with any enacted maps it is the Legislature that has the duty and the obligation to first remedy such violations before any court should order court-drawn maps to be implemented.

And that in summary is what this is all about.

ACTING SPEAKER HUNTER: Thank you, Mr. Lavine.

Mr. Slater.

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

ACTING SPEAKER HUNTER: Mr. Lavine, will

you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. SLATER: Thank you, Mr. Lavine. Good evening. I hope you had something to eat, I think you're gonna be standing for a while.

MR. LAVINE: Mr. Slater, thanks for your concern.

(Laughter)

MR. SLATER: I also see a little 5v1 going on. I know how Jalen Brunson's gonna feel in a -- in a little bit, too, when tip off starts so...

MR. LAVINE: Go Knicks.

MR. SLATER: That's right, go Knicks.

Mr. Lavine, I appreciate the explanation. I just want to start walking through the proposal that we're looking at here tonight. So if approved by voters, this proposal revises and reforms the functionality of the Independent Redistricting Commission amongst the other things that you described; is that correct?

MR. LAVINE: To a large extent.

MR. SLATER: And this -- this is the Commission that was originally approved by voters through a Statewide referendum in 2014?

MR. LAVINE: That's the constitutional amendment.

MR. SLATER: And that constitutional amendment is what established the IRC, correct?

MR. LAVINE: And that's the constitutional process.

MR. SLATER: Thank you. This isn't the first time that this Body has looked at the -- looked to the voters to make changes to the IRC; is that an accurate statement?

MR. LAVINE: Well, we looked to the voters for constitutional approval and that's the American system, that's the New York system, that's --

MR. SLATER: And previously --

MR. LAVINE: -- the system of democracy with a small "d".

MR. SLATER: And then previously we did go back to the voters? This Body voted to send another referendum back to the voters?

MR. LAVINE: And you're -- which -- which proposal are you discussing?

MR. SLATER: I'm referring to the proposal in 2021.

MR. LAVINE: That's -- that's not what's at issue here. --

MR. SLATER: (Indiscernible)

MR. LAVINE: And certainly, Mr. Slater, we live in a constitutional democracy. We do not make changes to our constitution for good reason and that's the American system without going to the people to support it or not support it.

MR. SLATER: I appreciate that, Mr. Lavine. So in 2021, we did go back to the voters and they rejected changes that were

proposed to this very process that we're examining here and I bring up 2021 because I do see some similar proposals that were made then that we're seeing today. And I wanted to just talk quickly about some of those proposals specifically related to the approval of the Commission's plans because it now takes away the super majority in this proposal as it did in 2021 and it replaces it with the simple majority vote; is that an accurate statement?

MR. LAVINE: That's one way of looking at it.

MR. SLATER: Thank you. If the IRC's proposal is rejected by either the Governor, the Senate or the Assembly, this proposal would eliminate the IRC's right to create a second set of maps for us to consider under this proposal; am I interpreting that correctly?

MR. LAVINE: Well, I'm a -- I'm a big fan of -- of rights and I'm not so sure that it's a -- a fair description of the IR -- IRC's responsibility to phrase it or describe it as a right.

MR. SLATER: But from a process standpoint, the change that we're making in this particular provision of the proposal, if any of those entities, the Governor, the Senate or the Assembly reject the maps, currently it would go back to the IRC for a second round, but we're changing that in this instance?

MR. LAVINE: The answer to that is yes.

MR. SLATER: Thank you.

I want to look at if we could, page 3, lines 7 and 8. It states, *each House shall prepare a redistricting plan in the case where*

the IRC's only map, only map is rejected. Are these maps submitted individually by each House like we do with one-House budgets?

(Conferring)

MR. LAVINE: What -- I'm not sure I -- I follow what you mean by only one -- only one map.

MR. SLATER: I'm just reading -- again, I want to make sure the interpretation is correct. So if --

MR. LAVINE: Well, let me -- let me --

MR. SLATER: -- *each House -- each House shall prepare a redistricting plan in the case where the IRC's only map is rejected.* So my question is, is each House drafting their own maps, or is it gonna be concurrent where they're presenting them together one set of maps?

(Conferring)

MR. LAVINE: Our constitution provides that the IRC can -- can send more than -- more than one map. That's constitutional. There's nothing that restricts them and I wouldn't want people to misconceive the option --

MR. SLATER: All right, but that's not my question, sir. My question here --

MR. LAVINE: Well, I'm -- I'm -- but I do appreciate you permitting me to answer what I take to be your question. That after all, Mr. Slater, that's what debate is all about. And --

MR. SLATER: I'm looking forward to a lengthy one, yes, sir.

MR. LAVINE: -- and so, there is no restricted number of maps that the IRC can -- can send.

MR. SLATER: I -- and I appreciate that, but that's not my question. My question remains, the text clearly states, *each House shall* - and then we've inserted this new line - *prepare a redistricting plan and introduce*. So my question remains, is each House then charged with drawing their own maps to submit in case the IRC fails, or is it going to be done collectively? That's all I'm asking.

(Conferring)

MR. LAVINE: Well, the basic con -- basic concept is whether there's a difference in approach to making the maps or drawing the maps or not. The Legislature, that's the Senate and the Assembly, must come to a consensus.

MR. SLATER: It -- it -- and I understand that. Again, I'm -- I'm just trying to understand if we are looking at this like we do with the State budget where each House proposes its own one-House budget resolution. And so are we copying that model based on the insertion of this language that then would have each House produce its own maps for then after that stage, consensus to be made? Or does that consensus get made beforehand? Again, it's just a new insertion in this piece of legislation that we're going to be sending to the voters. So I just want to make sure I'm clear.

MR. LAVINE: We are essentially not changing the process.

MR. SLATER: Well, I would disagree with that but --

MR. LAVINE: Oh! In addition to which, we're not basing this on our -- on our tradition or our constitutional responsibility of both the Senate and the Assembly presenting their own budgetary proposals. It's not based on that. It's not modeled on that at all.

MR. SLATER: Okay. So -- so then it's -- it's -- it's your interpretation that there will be one set of maps in this instance since it can't go back to the IRC, one set of maps that will be put forward by both Houses based on this language?

(Conferring)

MR. LAVINE: If the IRC is not able to send us its consensus maps and we know how problematic that can be, then the process we will employ is -- is the same as the process that we would have employed under the original constitutional provision. We will work out the maps. That's democracy.

MR. SLATER: Okay.

MR. LAVINE: It's certainly not impossible as we have seen.

MR. SLATER: Thank you very much. What entity within the Legislature is gonna be tasked with drawing and submitting these maps?

(Conferring)

MR. LAVINE: This -- this bill does not speak to

that.

MR. SLATER: I understand but we are changing based on the insertion of this one particular clause, we're changing the process because you're also changing the IRC's ability to submit a second set. So is it -- is it -- so it -- again, I want to understand. So if it -- the legislature's gonna be submitting maps, who or what entity within the Legislature is gonna be charged with that?

(Conferring)

MR. LAVINE: So have -- we have LATFOR that -- and that's the legislative reapportionment task force, and we are not contemplating binding the hands of any future Legislature when it comes to the contingency or the possibility that you have described.

MR. SLATER: Understood.

Since -- similar to the 2021 referendum that, again, voters disapproved, this proposal also removes the requirement that a supermajority approve a plan when one party holds control of the Assembly and Senate; is that correct?

MR. LAVINE: That's correct.

MR. SLATER: That's correct. So in practicality with the current makeup of the Legislature under this proposal, it would only need a simple majority of the Senate and Assembly to approve the legislature's own map?

MR. LAVINE: Which -- which, Mr. Slater, is consistent with almost every other constitutional provision when it comes to determining who wins and who doesn't win.

MR. SLATER: Except in this case --

MR. LAVINE: It's a majority.

MR. SLATER: -- because it -- it really doesn't since the voters added to the constitution a supermajority vote, a 60% vote which was approved in 2014.

MR. LAVINE: And -- and we are -- we are proposing that the voters recognize how unwieldy a process that is and how problematic a process that is and we are asking the voters to streamline the process for the purpose of efficiency because after all, Mr. Slater, if we improve the process, we improve the product. Do you not agree with me?

MR. SLATER: Well, I dis -- I would not interpret it the same way you just did and I don't think many voters are either since they approved it in 2014, the supermajority rejected the removal of the supermajority in 2021, but yet we're telling them that they're wrong again in -- in 2026 but we -- we can move on.

MR. LAVINE: Mr. -- Mr. -- Mr. Slater, I don't presume to speak for all the voters and the voters are going -- the people of the State of New York are gonna have the opportunity to evaluate this and I'm sure you will do a very good job of letting them know how you feel and you may rest assured I will do the same.

MR. SLATER: I know you will. I have full confidence in that.

So in practicality with the -- I'm sorry. So the process you are proposing remove -- really by removing this 60% requirement,

you're really removing the need for bipartisanship in this process.

(Conferring)

MR. LAVINE: I don't agree with your assessment there. I have great faith in the people of the State of New York to make the correct decision and I have great faith in all of us on either side of the aisle to do what is necessary to best protect the interests of the people of the State of New York. So I don't --

MR. SLATER: Based on --

MR. LAVINE: -- I don't -- I don't -- I don't agree that this becomes a -- a challenge to bipartisanship.

MR. SLATER: I -- I disagree with that entirely.

I'll move onto Section C. Section C provides direction for the drawing of the districts. Are these principles applied to Congress as well the State legislative districts?

MR. LAVINE: The answer to that is yes.

MR. SLATER: So currently under the law, when any legislative district or congressional district deviates from having an equally number of inhabitants the IRC must provide a public explanation, correct?

MR. LAVINE: That has been the case.

MR. SLATER: And this proposal, it eliminates that requirement, so moving forward this level of public accountability is no longer required under the statute; is that accurate?

MR. LAVINE: Ab -- ab -- absolutely not because --

MR. SLATER: Can you --

MR. LAVINE: -- the IRC -- yes, and I -- and I will if you permit me to respond --

MR. SLATER: I apologize.

MR. LAVINE: -- to your question, Mr. Slater.

MR. SLATER: I apologize.

MR. LAVINE: I -- I do my best not to talk over people --

MR. SLATER: I apologize, sir.

MR. LAVINE: -- I -- I -- when people talk over others, that a rhetorical sign.

So, the IRC has to have hearings and has to listen to the public and has to communicate with the public. I, for one, and I'm sure you do as well have great faith in the wisdom of the public.

MR. SLATER: Another principle that's been removed is compactness of districts. Why are we proposing to remove this provision in this amendment?

MR. LAVINE: So let me -- let me respond first in case any non-legislative people are watching this, and even if legislative people are watching -- watching this, I want to describe what compactness is. Compactness is the principle that constituents ought to live as close to each other as possible; that's a matter of -- of community.

Now, in New York State, Downstate people live much closer together than they do in the Upstate rural areas and I -- I'm sure -- I don't know if you know, but I grew up in those very rural,

remote areas. So compactness doesn't mean the same for areas where there are a lot of people as it does for areas where there are not that many people. So many of the districts that are drawn in New York State are huge. They're hundreds and hundreds of miles and it's tough to say that those are actually compact. We -- what we do pro -- propose is that there continue to be a continuity of community interests in all the districts.

MR. SLATER: Has the IRC or even the special master, have they flagged the challenges of compactness as one of the defining principles when drawing these maps?

MR. LAVINE: That I -- that I don't know.

MR. SLATER: So when we're saying, though, that compactness proves to be a challenge, where are we seeing that challenge? Who is identifying or who has identified that challenge?

MR. LAVINE: It's just a matter of common sense.

MR. SLATER: Except that we're working right now and serving within districts that meet the cry -- the criteria for compactness.

MR. LAVINE: And those communities of interest will continue to be bound together, that's the American system. That's the heart and the soul of what democracy is all about.

MR. SLATER: But it's just not required anymore under the law, not only the law, but the constitution that we keep these community -- that we -- that we use a principle of compactness when drawing maps moving forward?

MR. LAVINE: The -- the word "compactness" will no long be part of this constitutional approach. But the rationale that communities of interests must be protected, maintained and served remains the essence of this constitutional approach.

MR. SLATER: One of the other principles that are cited in this current constitutional requirement is that maps are not drawn and I quote, "favoring or disfavoring incumbents or other particular candidates or political parties." So would you agree this is the provision that prohibits political or partisan gerrymandering in New York from occurring?

(Conferring)

MR. LAVINE: The purpose of this constitutional amendment is to restore power to the people, not power to those of us who are privileged enough to have been elected.

MR. SLATER: Except you're removing that clause.

MR. LAVINE: Precisely.

MR. SLATER: But you're removing a clause that prohibits political and partisan gerrymandering?

(Conferring)

MR. LAVINE: As well as incumbency protection. Surely none of us have a problem with that, do we? As elected representatives of all the people of the State of New York?

MR. SLATER: I -- I disagree completely with your interpretation because right now it specifically states that you cannot -- you cannot draw a district based on an incumbent, and now we're

doing the complete opposite; we're removing that protection. So you are in fact allowing incumbents to draw their own districts because you are now removing this principle from the constitution of the new -- of New York State.

MR. LAVINE: So let me, Mr. Slater, respond by stating that as the State Constitution is currently drafted, there has been confusion, great confusion, as to whether every single principle set forth, which I'm not even sure would be possible to attain. In fact in all likelihood it would be impossible to attain, as well as whether some of these principles can or should be prioritized over others.

So yes, you -- I -- I think you realize what we're trying to do here on behalf of the people of the State of New York.

MR. SLATER: I -- I would disagree with that interpretation, but I'm happy to move -- to move on.

Turning our attention to Section 6-e, which is on page line -- page 5. It currently speaks to using courts as a remedy, correct?

MR. LAVINE: I'm sorry, I -- where are you? On page --

MR. SLATER: Page -- page 5, line -- I believe it's line 2 talks about --

MR. LAVINE: Yes, I see it.

MR. SLATER: -- courts as a remedy, correct?

MR. LAVINE: Yes.

MR. SLATER: Have we had to use the courts in the last five years?

MR. LAVINE: You said used not abused?

MR. SLATER: Used.

MR. LAVINE: Used.

MR. SLATER: Have the courts -- have the courts have had to -- have the courts in the last five years had to remedy a redistricting dispute whether it's in congressional districts or state legislative districts?

MR. LAVINE: There have certainly been lawsuits not just in New York but certainly in all parts of New York.

MR. SLATER: And my recollection is specifically in regards to 2022, the State said ingressional -- in congressional maps were declared unconstitutional by the courts and they were drawn by a special master. Am I -- am I accurate in that?

MR. LAVINE: I think that that's a pretty good relation of -- of, you know, description of history.

MR. SLATER: And -- and similarly in 2022, the -- our own Assembly maps were declared invalid as well.

(Conferring)

MR. LAVINE: And -- and those of course were not special master drawn.

MR. SLATER: I understand, but the courts still had to interject them -- they were brought in to interject themselves. After the election in -- in 2023, the courts directed new Assembly congressional maps be drawn by the IRC; is that correct?

MR. LAVINE: In essence.

MR. SLATER: So the courts have had to step in to play referee, but under this new proposal, if it is deemed there has been a violation of the law, as we have seen happen in the last few years, would the maps return to the Legislature or to the IRC under this new proposal?

MR. LAVINE: That's why we have courts and that's why we have a constitution and that's why we have a Legislature.

MR. SLATER: Except in -- in this proposal, Mr. Lavine, my question was is it going back to the Legislature or is it going back to the IRC because it speaks directly to this in the proposal?

MR. LAVINE: It's explicit in that it goes back to the Legislature.

MR. SLATER: Back -- thank you. Back -- back to the Legislature, which I find kind of peculiar because the legislature's gonna be the doctor -- is gonna be the doctor applying the remedy to its own errors essentially; is that fair?

MR. LAVINE: You and I and everybody else in this room who's elected is accountable to the public. That -- that's the way it should be.

MR. SLATER: But you're -- we're still empowering the Legislature by making this particular change. We are no longer bringing an independent Body to fix a problem that's potentially caused by the Legislature. Instead we're saying, *Legislature, you have -- you get a redo.*

MR. LAVINE: Mr. Slater, the IRC is still going to continue to function and this will all be up to the public and the State of New York if it passes in this Legislature this year and passes again next year and then goes to the voters for a constitutional referendum.

MR. SLATER: I'm looking forward to the referendum vote.

Who -- there's a -- there's a phrase in here about this particular process of sending it back to the Legislature.

MR. LAVINE: Yes.

MR. SLATER: And it talks about -- it -- it -- it tries to establish a full and reasonable standard. Who determines that -- if the Legislature has had a full and reasonable attempt or ability to remedy its potentially erroneous or unconstitutional or illegal maps?

(Conferring)

MR. LAVINE: If we read Section V of Article III of our Constitution, that's the system.

MR. SLATER: Have we seen this back and forth between the Legislature, the IRC and the courts before? Ping-ponging maps back and forth?

MR. LAVINE: It's the -- the only time the IRC has operated is recently and we haven't seen any sort of ping-ponging, is that the word you used?

MR. SLATER: It is.

MR. LAVINE: If that's the verb.

MR. SLATER: It is.

MR. LAVINE: We haven't seen that ping-ponging before.

MR. SLATER: Really?

MR. LAVINE: Mm-hmm. And -- and -- and it -- and we couldn't have seen it unless we were beyond clairvoyant because the IRC didn't exist before.

MR. SLATER: This provision --

I would like to move on if we could and take a look at 5-c which is on page 8. This is the provision of the bill that essentially gives the Legislature the ability to -- to undertake mid-decade redistricting during this current election cycle; is that correct?

MR. LAVINE: No. That would be subject to the public's vote and a constitutional referendum.

MR. SLATER: Assuming the pub -- you are putting this forward so that the public may vote on it. And so if the public votes and approves this, then it will allow for mid-decade redistricting.

MR. LAVINE: The earliest there could be any mid-decade redistricting if indeed there would be, would be 2028.

MR. SLATER: Will the 2020 census data be used when -- when drawing the maps in 2028?

MR. LAVINE: Of course.

MR. SLATER: And it's just -- aren't we projected to lose seats in the next federal census?

MR. LAVINE: Again, I'm -- I'm certainly not clairvoyant so I -- I do not know.

MR. SLATER: Well, my concern is we could be drawing maps in 2028 not only -- not only to have them dismantled, but if the projections are right, we'll be losing two seats in 2032. So does the bill anticipate that type of challenge? The proposal that we're giving to the members of the public, the voters?

MR. LAVINE: I don't -- I don't know that it's a challenge and I don't know that the bill is drawn or drafted to address your fear.

MR. SLATER: I'm also concerned because there doesn't seem to be a trigger that allows the Legislature to make changes to any of the existing congressional districts within a timeframe this bill allows. Can you point to a trigger, is there something that has to happen to allow or to initiate a mid-decade redistricting?

MR. LAVINE: I am aware of no trigger.

MR. SLATER: Okay.

Well, thank you very much. With my remaining time, Mr. Lavine, I'm gonna go on the bill. I do appreciate our conversation.

ACTING SPEAKER HUNTER: On the bill.

MR. LAVINE: Thank you -- thank you, Mr. Slater and we'll disagree to continue to agree.

MR. SLATER: Sounds like a plan.

Madam Speaker, more than 140 years ago, a young Assemblyman named Theodore Roosevelt came to Albany and confronted political machines that used government power to protect themselves rather than serve the People. He understood a simple truth; self-government only works when political power remains accountable to the public. Today, we are facing a modern version of the same problem. Not corruption in the traditional sense, but a political power grab; an effort to weaken the constitutional safeguards that stand between politicians and the ability to draw districts for their own benefit.

You know, in Roosevelt's day, political bosses sought to choose the politicians who would serve them. Today, partisan gerrymandering seeks to choose the voters who will serve the politicians. That is precisely why the people of New York acted. In 2014, voters approved constitutional reforms creating an Independent Redistricting process. And when asked again, they reaffirmed their desire for safeguards against partisan map drawing. They understood a principle that should transcend party. People should choose their elected officials, not elected officials choosing their voters. Yet, this proposal that's being sent to the voters moves us in the opposite direction. It removes the bipartisan approval requirement that voters demanded and replaces it with a simple majority vote. That's not reform, that's not modern -- modernization, that's a -- that's a political power grab. It takes authority away from a process designed to require consensus and places it in the hands of whichever party

happens to control the Legislature at any given moment and we know exactly where that road leads us.

We just lived through a budget process where one party control meant the Majority could ultimately advance whatever it wanted. Now we are being asked to apply that same model, that same model to federal and state redistricting, the process that determines how New Yorkers are represented here in Albany and in Washington.

Theodore Roosevelt fought political machines; this amendment empowers them. And let's be honest about what this debate is really about. If politicians can simply rewrite the rules whenever the political winds shift, then why ask the voters in the first place? Why have a constitutional amendment, a process at all? Why pretend this is about democracy if the answer can be changed whenever those in power dislike the result?

The people of New York have already spoken on this matter. They voted for independent redistricting, they voted for bipartisan safeguards, they voted for a process that makes it harder, not easier, for politicians to manipulate district lines for partisan advantage. If Theodore Roosevelt were standing here in this Chamber today, I don't believe he would view this proposal as reform. He would recognize it for what it is; a political power grab dressed up as a constitutional amendment. This debate comes down to a simple question; do we trust the voters, or do we trust the politicians? I trust the voters. People should choose their elected officials, not elected officials choosing their voters.

For that reason, Madam Speaker, I respectfully urge all of my colleagues to vote no on this matter.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Sempolinski.

MR. SEMPOLINSKI: Thank you, Madam Speaker. Would the Chairman of the Judiciary Committee yield for a few questions?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of -- of course. Thank you.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. SEMPOLINSKI: Thank you, Mr. Lavine. And I -- I know my colleague, we all just spent a half hour being very comprehensive so if I go over similar territory I apologize. But I do have several things that I wanted to sort of go over and clarify.

MR. LAVINE: Don't worry, that's what we're here for.

MR. SEMPOLINSKI: Fair enough.

So you mentioned quite frequently in your dialogue with Mr. Slater about democracy. Yes or no, do you feel this bill protects democracy?

MR. LAVINE: I -- I think by asking that question you know my answer, Mr. Sempolinski.

MR. SEMPOLINSKI: I -- I would -- I would like to

hear it. Do you think you're protecting democracy?

MR. LAVINE: Of course.

MR. SEMPOLINSKI: Okay. All right. Well, I did -- I do have some concerns. I -- I feel that this is -- obviously is not protecting democracy and I have sort of a disturbing pattern that I sort of noticed.

But first thing I wanted to discuss was some of the changes to how the IRC reports maps and how they are handled. Am I correct that currently under circumstances similar to the current configuration of the Legislature, we have supermajoritarian rules for approval of IRC maps currently?

MR. LAVINE: It's -- it's either a supermajority or two-thirds.

MR. SEMPOLINSKI: Right. Beyond 50%, right?

MR. LAVINE: Oh, of course.

MR. SEMPOLINSKI: Yeah. And this amendment would remove that, correct?

MR. LAVINE: Correct.

MR. SEMPOLINSKI: And you had indicated to the previous speaker that you felt that there was a concern regarding efficiency and that's why you removed the supermajoritarian --

MR. LAVINE: That's -- I mean, you -- you may characterize it that way but --

MR. SEMPOLINSKI: Well, that was -- that's what you said, efficiency. That was your word.

MR. LAVINE: There's a lot more involved than that simple concept.

MR. SEMPOLINSKI: So then what -- what -- why did you remove the supermajoritarian protections?

MR. LAVINE: I'm sorry, did you say why did -- why does this remove --

MR. SEMPOLINSKI: Why are the supermajoritarian protections when we have one party control removed? You said efficiency, didn't sum it up completely.

MR. LAVINE: Those voting thresholds that we established, I'm trying to remember when that was. Ten years ago or so --

MR. SEMPOLINSKI: I believe -- 2014, I believe.

MR. LAVINE: -- were -- were not consist and are inconsistent with every other voting provision, every other meaningful voting provision of the United States Constitution.

MR. SEMPOLINSKI: All right. Well, I would say this is particularly important --

MR. LAVINE: I'm sorry, of the New York State Constitution.

MR. SEMPOLINSKI: Understood. And if the IRC fails in this case, it almost immediately moves to the Legislature. What I'm saying is under currently [sic] the constitution, they get -- they send the maps twice, now they would send the maps once and the Legislature immediately steps in; is that correct?

MR. LAVINE: Well, they -- they can -- they can certainly send the maps more than once as long as they do it within the time constraint that's established.

MR. SEMPOLINSKI: In the time -- the time -- the dates are moved earlier, correct?

MR. LAVINE: It's a January 15th deadline.

MR. SEMPOLINSKI: Right. But there -- there's no subsequent deadlines now. That is the only deadline currently that remains? That's the only deadline that remains because the mandate for a second map has been removed?

MR. LAVINE: Correct.

MR. SEMPOLINSKI: All right.

And Mr. Slater went over the gerrymandering provisions by that favoring or disfavoring incumbents or other political candidates or political parties. Just for the clarity of the record, that is deleted from the constitution here?

MR. LAVINE: I -- I think the use of that phrase carries a -- a -- a connotation that's --

MR. SEMPOLINSKI: Intentional, but --

MR. LAVINE: -- demeaning. No, I know it's intentional.

MR. SEMPOLINSKI: So it is deleted? Just for the record? The protections against favoring and disfavoring incumbents or political parties are being deleted in this amendment?

MR. LAVINE: Or specific candidates.

MR. SEMPOLINSKI: Okay. And they are being deleted not only for the maps that we draw for federal candidates, but they are being deleted for the maps that we draw for State legislative candidates as well, this provision covers all the maps.

MR. LAVINE: Yes, and that's what the current United States Supreme Court says goes.

MR. SEMPOLINSKI: Okay. So -- if -- because I know there have been a lot of concerns and there's been a lot of talk in the media about what's happening in other states being maybe why people want to do this. We're getting rid of gerrymandering restrictions for the State Legislature, not just for the Federal Legislature?

MR. LAVINE: Mr. Sempolinski, in my idle time as constrained as it is, I don't check out too much media. I try my best just to watch something that's objective and that's sports.

MR. SEMPOLINSKI: Well, fair -- I enjoy sports, too. That's nice.

Next section. So the way that this would work is it gave -- once we, if we're talking about a decennial census, the IRC reports, at that point the Legislature has freedom to act, it also provides freedom, unfettered freedom for midcycle redistricting. Is that correct about the Legislature?

MR. LAVINE: I would not characterize the legislative responsibility as being unfettered. We, after all, have a federal constitution. We have federal statutes and rules and we have a

State Constitution. So --

MR. SEMPOLINSKI: Well, let me rephrase it --

(Crosstalk)

MR. LAVINE: -- un -- un --

MR. SEMPOLINSKI: -- not unfettered in what they can do, but unfettered in their ability to do it. They would have the ability to draw midcycle redistricting and if the IRC reports a map, they can discard it and draw their own map within -- within the bounds of the Federal Constitution and federal statute.

MR. LAVINE: Mr. Sempolinski, in -- in this Legislature, we make a lot of decisions, but I never imagine that we make those decisions unfettered.

MR. SEMPOLINSKI: Okay. And there is as -- just to clarify as Mr. Slater said, there is no trigger? Because I know there was a proposal by Mr. Lasher that was introduced last year that only would trigger if another state had engaged in midcycle redistricting. There is no such trigger in this particular proposal?

MR. LAVINE: I'm -- I'm pretty sure that's what I said.

MR. SEMPOLINSKI: Okay. And there's no limit. So in theory, just -- I'm asking if this is correct, that the State could redistrict after a referendum in '27, in 2028 they could redistrict in 2030, they could do their normal one at '32, they could do another one at '34, '36. You can go on forever any time you want doing redistricting under this.

MR. LAVINE: In theory --

MR. SEMPOLINSKI: Okay.

MR. LAVINE: -- that may be right.

MR. SEMPOLINSKI: And -- and again, just for the record, I know you did discuss it so I apologize. In 2021, there was a constitutional amendment proposed that proposed changes, not these exact changes, but proposed changes to the IRC and that was soundly rejected by the people; is that correct?

MR. LAVINE: If my recollection serves me correctly at my advanced age, Mr. Sempolinski, I -- I think that -- I think that you've got that.

MR. SEMPOLINSKI: Okay. I just want to make sure it's clear.

So my feeling that what we now have IRC changes that remove bipartisan and supermajoritarian constraints. We have anti-gerrymandering language, wholesale deleted. We have the ability to change lines multiple times forever and despite the fact that the people spoke five years ago on this, we're doing it anyway, to me you add that all up and as a -- in fairness, I don't view this as protecting democracy, quite the contrary. I view it as a democratic party power grab.

And with that, I will go on the bill.

So one of the things that I found extraordinarily frustrating and -- and -- and the Chairman indicates that he hasn't been following the media on this. I have, and we have seen a lot of

commentary from the Governor, from leadership in the Legislature, from, you know, democratic party leadership about how somehow this is necessary because of what is happening in other states and it's almost like there's some sort of Orwellian memory hole that all the things this Legislature has done over the last five years have been forgotten. 2021, an amendment to gut the IRC. Current president wasn't the president in 2021, Joe Biden was the president in 2021. We had a gerrymander, despite the fact that the people rejected that amendment, a gerrymander was drawn, it was rejected. And so that was thrown out. So there was an attempt to gerrymander by this Legislature, by the people who are so concerned about democracy now. Current president wasn't the president in 2022, Joe Biden was the president. And in fact, this Legislature didn't like where the lawsuit was filed in Steuben County, my home county and then restricted where lawsuits could be filed going forward. And what's been totally forgotten apparently by the media is this very Legislature did a midcycle redistricting of Congress in 2024 and the democratic party picked up four seats in the last election before Texas, before Florida. That's the first shot that was fired in any sort of redistricting war as far as midcycle redistricting. It was fired here. So if people are looking for folks that started it, there's some people in this particular government that need to look in the mirror. And we have the very arsonists calling the fire brigade.

ACTING SPEAKER HUNTER: Mr. Sempolinski, I just want to interject for a moment, sir --

MR. SEMPOLINSKI: Yes.

ACTING SPEAKER HUNTER: -- that we need to remind their colleagues that impugning the motives of other members is not permitted in this debate. The accusations of partisanship and related characterizations, please, are not appropriate and references to what other states are doing is not part of this debate.

You have four additional minutes, sir.

MR. SEMPOLINSKI: Okay. So my concern is that we put all of this together and it is an attempt for all time -- for some one party, I won't say who, to control the government. And I think it's a very sad day.

But I will end where I started and I started by asking the Chairman about protecting democracy. And I very much feel that this particular amendment is a gross attack on democracy, a gross attack on the people to be able to choose their representatives. We currently have under what remains after the 2024 redistricting of the special masters map, we have -- we have some fairly competitive congressional districts. Before the 2024 redistricting we had the most competitive congressional districts in the country and people able to choose who they want.

But the good thing - and I'll end on a positive note - is that we heard a lot through the budget process where we are. We are at the beginning of the end, the end of the beginning, the beginning of middle? This particular debate is the beginning of the beginning because we're going to have a vote today, presumably after an

intervening election we're gonna have another vote next Session where we can have maybe the same debate over again, I don't know. And then and most importantly, this will be given to the people of the State of New York and we're gonna have a conversation over the next year-and-a-half as to what is appropriate being in the constitution and the people five years ago I feel made the correct decision. The people 12 years ago when they put the ICR in place I feel made the correct decision. And I'm extraordinarily confident that the sovereign people of the State of New York, Republican and Democrat and Independent will make the correct decision if this goes forward in November of 2027 and they will protect the democratic process, they will reject this amendment and they will say, *stop messing with the State Constitution.*

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Gandolfo.

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

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: I will certainly yield.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. GANDOLFO: Thank you, sir. So, recently Governor Hochul was quoted as saying this is a national effort in regards to redistricting and that New York did not start this fight, but

we are prepared to end it. Is that what we're doing here today?

MR. LAVINE: I don't follow everything that -- that any governor says, so...

MR. GANDOLFO: Any governor?

MR. LAVINE: Any governor.

MR. GANDOLFO: Not even our Governor? You're not interested in what she has to say?

MR. LAVINE: You are apparently much more interested than I.

MR. GANDOLFO: Oh, I am. I am. I thought you'd be more interested. She is the leader of your Party here in New York. But I digress.

So if that's not what we're doing here today, why are we taking this amendment up now?

MR. LAVINE: Mr. Gandolfo, you know, we have two political parties in the United States of America, and one of them is highly organized and highly hierarchical. I'm a member of the other Party.

MR. GANDOLFO: Okay. So anyway, why are we doing this amendment today in the last week of Session?

MR. LAVINE: We are doing this amendment today to streamline the process, make it more fair, and leave it to the people of the State of New York to determine how this system should work.

MR. GANDOLFO: Can you explain how removing the language that each district shall be as compact in form as

practicable makes the redistricting process more fair?

(Conferring)

MR. LAVINE: The concept you're describing, the concept of compactness, is inherent in any good faith effort to -- to draw districts.

MR. GANDOLFO: Okay. Are you aware that the last time -- back in 2021 when the Legislature drew maps, they drew a proposed New York 3 Congressional District that spanned from Suffolk County through Nassau County, through Queens, through the Bronx, through Westchester, all the way to the Connecticut border?

MR. LAVINE: That is certainly not relevant to the debate on this particular bill. But if you care to speak about it, be my guest.

MR. GANDOLFO: Okay. Well, that was the last time -- well, one of the last times while I was here and you were a member here as well, that the Legislature drew maps after the IRC failed, which we will have to do again if the IRC fails in this instance. That would probably be in violation of, quote, "each district shall be as compact in form as practicable." So is that why we're removing this language so we can draw districts like that?

MR. LAVINE: The answer to that is no.

MR. GANDOLFO: Then why are we removing that language? I don't see how that makes it more fair.

(Conferring)

MR. LAVINE: This has next to nothing to do with

the removal of that particular word, given everything else that is included in terms of considerations for the IRC and considerations for the districting process.

MR. GANDOLFO: I think that has a lot to do with the way you draw districts, especially -- I heard you reference before how down on Long Island where we are, drawing compact districts isn't very difficult. But in some Upstate communities it might be a little more difficult. But the language here says as compact in form as practicable, so there's some wiggle room there to do a fair map even over large geographic areas. So I do think this is a very relevant point of discussion here that we are deleting this language from the Constitution, which would open up even Long Island to have long, snake-lake districts like we saw the last time the Legislature drew the map. Would that be an appropriate district on Long Island to go through --

MR. LAVINE: You know, I -- I'm not good at reading crystal balls, so I don't -- I don't know. But I -- I do know this: That even though this amendment will remove the word "compactness" from the list of principles that must -- again, must be used in redistricting, nothing precludes consideration of compactness as -- as it is still part of the traditional redistricting criteria that may be considered.

MR. GANDOLFO: Well, I'm certain --

MR. LAVINE: I venture no prognostication about Long Island or any other geographical areas with respect to how

districts will in the future be drawn.

MR. GANDOLFO: Okay. Now, there's other language deleted, as we've been discussed. The next line down from what I was just reading, quote, "districts shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents." How does removing that language make the redistricting process more fair?

MR. LAVINE: So, Mr. Gandolfo, let me respond by saying that in removing considerations for incumbency, political parties and particular candidates from the principles that must be relied upon and used in redistricting, we keep communities of interest as a goal, and we will ensure that the people are at the center of the State's considerations in redistricting.

MR. GANDOLFO: So if this constitutional amendment passes, the IRC or the Legislature would be permitted to draw a district specifically to protect an incumbent?

MR. LAVINE: That's not -- that's not gonna be a consideration. No. That all -- that all depends, sir.

MR. GANDOLFO: Would they be permitted?

MR. LAVINE: They would be permitted to operate within constitutional -- Federal and State constitutional guidelines.

MR. GANDOLFO: Every other check box is met, and they specifically are able to draw a district that purposefully protects an incumbent while satisfying all other requirements. That would be permitted under this new constitutional amendment?

MR. LAVINE: Even though the Supreme Court as presently constituted sanctions that, it is my sincere hope that legislators in this Body in years to come will have better sense than that.

MR. GANDOLFO: Then why not keep that language in the Constitution so we're not relying on reading crystal balls into legislatures of the future?

MR. LAVINE: We are prioritizing the people of the State of New York, pure and simple.

MR. GANDOLFO: Okay. So allowing incumbents to draw their own State legislative maps that protect themselves and their own political party is good for the people of New York?

MR. LAVINE: That's sort of a cynical description of the democratic process, Mr. Gandolfo. But if that's what you believe, that's what you believe.

MR. GANDOLFO: Do you think removing this language is good for a healthy, I think as you put it before, constitutional democracy, allowing incumbent protection?

MR. LAVINE: Allowing legis -- legislatures to operate in good faith is entirely consistent with democracy. Perhaps you have a -- a problem with the Supreme Court as it is presently constituted.

MR. GANDOLFO: I don't think the Supreme Court is germane to this discussion on this bill. We're not amending the State Constitution. We are not doing anything with the United States

Supreme Court, I know as much as some in here may wish.

MR. LAVINE: I -- I, for one, having grown up in the courts of the State of New York and the federal courts in New York and elsewhere, always abide by the United States Supreme Court. And I suggest each of us ought to do that, whether we grew up in those environments or not.

MR. GANDOLFO: Now, you mentioned keeping communities of interest together. What is a community of interest?

(Conferring)

MR. LAVINE: I think it's self-defining, and I think we all know it. It can be -- it's geographical locations. It can be school districts. It can be communities. It can be counties. And I -- I'm not even close to exhausting the list --

MR. GANDOLFO: Okay.

MR. LAVINE: -- of what we know to be a community of -- of interest.

MR. GANDOLFO: Okay. Now, under this constitutional amendment, if it's approved by the voters, are keeping intact racial or ethnic demographics still permitted when drawing the maps in New York State?

MR. LAVINE: Let me respond by actually looking at the proposal itself. And if you --

MR. GANDOLFO: You didn't do it before we started?

MR. LAVINE: If you give me a moment and if you

can to page 3 down towards the bottom, districts shall -- shall not be drawn to have the purpose of the denial or abridgement of racial or language minority voting rights. That, to me, is inherently American, and I would be surprised if anyone would disagree with that.

MR. GANDOLFO: Okay. So when drawing maps the IRC or the Legislature could look to keep racial demographics contained in one district?

MR. LAVINE: We will -- it is -- it is a factor.

MR. GANDOLFO: It is a factor. Okay.

MR. LAVINE: And has been a factor, and hopefully will continue to be a factor.

MR. GANDOLFO: Okay. I appreciate that. Thank you for answering my questions, Mr. Lavine.

Madam Speaker, I'll go on the bill briefly.

ACTING SPEAKER HUNTER: On the bill.

MR. GANDOLFO: Madam Speaker, I don't know in what world removing the gerrymandering -- anti-gerrymandering provisions of the New York State Constitution is good for the people of New York or is good for a functioning democracy. We hear all the time in this Chamber a lot of statements from a lot of elected officials that say protecting democracy is one of their utmost priorities. And I think most people, when we take the oath of office and we assume this office, we do want to promote a healthy, functioning democracy; however, when we remove the language from the State Constitution that prohibits drawing whacky spaghetti-shaped districts or drawing

districts that are discouraging competition, for the purpose of favoring or disfavoring incumbents or other particular candidates or political parties, that applies to the State maps as well. Forget about the federal level. The State maps, if the IRC fails to draw a map that is suitable to the Legislature, the Legislature takes over the process and they can draw their own lines that protect their own incumbents and their own incumbent political parties. With the deletion of this language from the State Constitution, that will be totally legal in New York State. And we're supposed to pretend that that is protecting democracy? I don't think so, Madam Speaker.

I'll be voting no. I think anyone who actually wants to promote healthy debate, healthy democracy, competitive legislative districts that benefit everybody should vote no on this bill. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Ms. Hooks.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MS. HOOKS: Thank you, Mr. Lavine. I see that there are two areas where mid -- where mid dec -- where mid-decade redistricting is allowed. Does this impact redistricting for Assembly

districts?

MR. LAVINE: No.

MS. HOOKS: Does it impact redistricting for Senate districts?

MR. LAVINE: No.

MS. HOOKS: Thank you, Mr. Lavine.

Madam Speaker, I yield my time.

ACTING SPEAKER HUNTER: Thank you.

Mr. Ari Brown.

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

ACTING SPEAKER HUNTER: Will Mr. Lavine yield?

MR. LAVINE: Of course, Mr. Brown.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. A. BROWN: Thank you, Mr. Lavine. I'll keep it very simple.

MR. LAVINE: Mr. Brown, you don't have to keep it simple.

MR. A. BROWN: I'm just a carpenter. I swing a hammer for a living. I'm not a lawyer.

Mr. Lavine --

MR. LAVINE: Mr. Brown, I was a truck driver, so --

MR. A. BROWN: That's why we get along so well.

MR. LAVINE: I'm sure.

MR. A. BROWN: Thank you, Mr. Lavine. So, if the IRC maps were not that terribly bad -- I think you'll probably agree with that -- why is it necessary for the legislators to substitute its own judgment for that of the Commission, unless you feel differently that it was that bad?

MR. LAVINE: Nothing requires that.

MR. A. BROWN: I'm sorry?

MR. LAVINE: Nothing requires what you just said.

MR. A. BROWN: I apologize. I'm not understanding your response. Were they -- were the IRC maps bad at all that we need to change it in any way?

MR. LAVINE: Which maps are you talking about?

MR. A. BROWN: The redistricting maps we're talking about.

MR. LAVINE: Currently?

MR. A. BROWN: Mr. Lavine, we're debating a bill right now about redoing the congressional maps; are we not?

MR. LAVINE: We're just trying to figure out what -- what you -- what you mean.

MR. A. BROWN: I don't know how to say it in a more simpler way. I'm -- let me -- let me do it a different way. In 2024, one of our legislators said the maps that were proposed by the IRC were not terribly bad. I'm just trying to see if you agree with that statement.

MR. LAVINE: I -- I have no interest in -- in

characterizing what somebody else said.

MR. A. BROWN: I -- I'm not --

MR. LAVINE: Nor is it -- nor is it in the least bit relevant to the discussion that we are having today.

MR. A. BROWN: I'm just characterizing actually what you had said on February 28, 2024 to Spectrum News, and try to have a better understanding why we're here today if the discussion wasn't that bad at the time. But we can go on.

So, if politicians drawing maps was a threat to democracy when the Commission was created in 2014, why is it good government today to do so?

MR. LAVINE: We are not getting rid of that. We are streamlining and modernizing the process for the benefit of the people of the State of New York.

MR. A. BROWN: Okay.

MR. LAVINE: And thank you for researching what I may have said years ago.

MR. A. BROWN: I'm just quoting what Spectrum News had said.

So my next question. When voters approved the Independent Redistricting Commission, did they vote for more legislative control or less legislative control? Because at this point it's all legislative control.

MR. LAVINE: Mr. Brown, you're asking me to determine what was in the minds of the -- of the voters, and that's not

always easy to do.

(Indiscernible/crosstalk)

But if you -- if you have a good sense of what that's all about, perhaps you can tell us.

MR. A. BROWN: Thank you. We can go on.

Is the goal of this amendment fair maps or favorable maps? A very simple question.

MR. LAVINE: The -- the goal of this is democracy.

MR. A. BROWN: Thank you. So if -- would you -- would the sponsor support this exact amendment if perhaps Republicans controlled the Assembly, Senate and Governor's office today? The exact one that's being proposed today.

MR. LAVINE: Mr. Brown, I try to concentrate on reality.

MR. A. BROWN: So the answer is no. The objection --

(Indiscernible/crosstalk)

MR. LAVINE: Please, Mr. Brown, don't try to characterize or paint what I say as being different from what I said.

MR. A. BROWN: Not at all. I'm actually reading the quotes from you from Spectrum News --

ACTING SPEAKER HUNTER: Colleagues, I'm going to offer a second reminder that we need to make sure we are not interjecting commentary that is not relevant to the bill in front of us, impugning motives of what other members are thinking.

MR. A. BROWN: Or previously said. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you, Mr. Brown.

MR. A. BROWN: Thank you. I'll go on to my next question. What is the emergency requiring this amendment? The census has not changed. The Constitution, for the moment, has not changed. And certainly as we've heard many times throughout the budget process, even though we feel differently, the population has not changed.

MR. LAVINE: I'm sorry, you asked what is the emergency?

MR. A. BROWN: Yes. We're doing it at the 12th hour when we're about to leave office.

MR. LAVINE: That's democracy. And that, Mr. Brown, is our constitutional system.

MR. A. BROWN: Okay. Isn't the simplest explanation the correct explanation? The current rules may not produce the congressional districts the Majority party wants at this moment, so the Majority party wants at this moment perhaps different rules?

MR. LAVINE: That -- that is an utterly cynical exploitation.

MR. A. BROWN: I'm a simple guy. I swing a hammer.

MR. LAVINE: And, Mr. Brown, I don't talk over you. And as we discussed before, in a rhetoric, those who talk over other people are sending a sign. So I would urge you to allow me to speak, because I want to hear what you have to say.

MR. A. BROWN: Are you finished, Mr. Lavine? I don't want to talk over you.

MR. LAVINE: I think you know the answer to that question as well.

MR. A. BROWN: Okay. Can the sponsor identify a single new protection given to voters by this amendment that they do not have already today? How does this benefit the voters, in a more simplistic way of presenting my question?

(Conferring)

MR. LAVINE: The clarification on the principles to be relied upon suggest that we must all, and the IRC and those of -- those of us who operate in good faith have to consider a whole lot of factors. And that's the way it should be. That's the American system. That's democracy. That's our constitutional system.

MR. A. BROWN: Okay. I was listening -- thank you, Mr. Lavine. I was listening to the discussions back and forth. So isn't the fundamental contradiction of this bill that was sold, at least from what I heard, as protecting voters from politicians? We're trying to improve it in some manner, yet today it actually gives politicians more power over the process than what actually the Commission would do?

MR. LAVINE: Is that a dissertation on your part?

MR. A. BROWN: It was a question. That's why I started off with "isn't the fundamental contradiction."

MR. LAVINE: No. The answer is no.

MR. A. BROWN: Thank you, Mr. Lavine.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. A. BROWN: Thank you so much. Bear with me one second.

This debate is not really about redistricting, it's about credibility. In 2014, New York voters approved a constitutional amendment creating the Independent Redistricting Commission. They were told that politicians should not be redrawing their own districts. They were told that an independent bipartisan process would be fairer, more transparent and less political than allowing legislators to control the process themselves. Today we're being asked to move in the opposite direction. If the Independent Redistricting Commission was the answer in 2014, why is it no longer the answer today? If politicians drawing maps was a problem in 2014, why is it suddenly acceptable in 2026? The census hasn't changed, the Constitution hasn't changed, the principle hasn't changed. Well, only the political circumstances have changed. For years New Yorkers were told that politicians should not choose their voters, now those same politicians are asking voters to trust them with more authority over Congressional district lines.

The people of New York deserve consistency. They deserve honesty. More importantly, they deserve a system where the voters choose their representatives, not one where representatives choose their voters.

The question before us is simple. Were we right in 2014 when we created an Independent Redistricting Commission, or are we right today when we seek to move authority back to the Legislature? In fact, Madam Speaker, you know, both can't be true.

Madam Speaker, the people should choose their politicians. Politicians should not choose their voters. And for that reason, I will be voting in the negative on this bill. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Ms. Romero.

MS. ROMERO: Thank you. Does the sponsor yield?

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

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MS. ROMERO: Wonderful. Mr. Lavine, I see that the language says that the courts should only order a redraw of maps as a last resort. What exactly does "last resort" mean?

MR. LAVINE: It means that if the Legislature cannot or is unable to agree to maps that are able to be passed in both Houses and signed by the Governor by whatever date we would need

them to be in effect for the purpose of federal elections deadlines and overseas and military voters, then court-ordered maps may be implemented.

MS. ROMERO: No further questions. Thank you.

MR. LAVINE: Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Tannousis.

MR. TANNOUSIS: Thank you. Will the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of -- of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. TANNOUSIS: Thank you, Mr. Lavine. Mr. Lavine, you mentioned to one of my colleagues that you believe this bill will bring, and I quote, "power to the people." Is that what you said?

MR. LAVINE: You know, I -- I don't remember using those words, but I do like that -- that expression and I remember that expression from a long time ago, too.

MR. TANNOUSIS: Well, you said it, so I'm assuming you agree with that?

MR. LAVINE: If I said it. I don't keep a going record of -- I -- I trust -- I trust what you say.

MR. TANNOUSIS: Okay, good. Then can you

please then expand on what you meant by that statement?

MR. LAVINE: Well, I think it's fairly, Mr. Tannousis, fairly self-explanatory.

MR. TANNOUSIS: Well, I'm asking you to expand on it, if you can. You said that this bill would bring power to the people.

MR. LAVINE: Yes.

MR. TANNOUSIS: Can you please explain what you meant by that statement?

MR. LAVINE: Well, it's the people who are gonna decide whether we're gonna implement this system or not. And to me, that means that's power to the -- to the people.

MR. TANNOUSIS: So do you think that the changes in this bill are necessary for some reason?

MR. LAVINE: Thank you very much, but I'm pretty sure I've answered that several times. But the answer again remains the same; yes.

MR. TANNOUSIS: So do you believe that the current congressional maps are in -- are inaccurate or incorrect?

MR. LAVINE: I'm not -- I'm not venturing any opinion with respect to current congressional maps.

MR. TANNOUSIS: Well, if you believe that this law is necessary, then I would imagine that you would agree with the notion that there's something wrong with the current congressional maps, correct?

MR. LAVINE: I will only venture to say that there are some people who believe that the current congressional maps were a little bit rushed. And if my recollection is correct, they may have something to go on.

MR. TANNOUSIS: And how did these current congressional maps come about?

MR. LAVINE: Through implementation of the constitutional provisions.

MR. TANNOUSIS: And did this Body vote on those congressional maps at any point?

MR. LAVINE: Yes.

MR. TANNOUSIS: Thank you. How did you get involved with this law, with this bill today?

MR. LAVINE: Well, to be begin with, I have certainly been a fighter for human rights and legal rights for, I would venture to say long before you were born. But I was assigned the task of discussing this -- this matter.

MR. TANNOUSIS: Were you in conversation with the Governor's office about this bill?

MR. LAVINE: Mr. Tannousis, Mr. Tannousis, is this a cross-examination?

MR. TANNOUSIS: Well, no. It's simply questions and I'm asking questions in regard to this bill.

MR. LAVINE: I'm not gonna engage in being cross-examined. You are certainly free to ask me any questions.

MR. TANNOUSIS: I just asked you a question, Mr. Lavine. Were you in conversations --

MR. LAVINE: Mr. Tannousis, I will not speak over you, because those who do speak over others are indicating a lack of confidence in their positions. But the answer to your question is, I've had nothing to do with the Governor's office with respect to this particular provision.

MR. TANNOUSIS: Okay. Is it true that there was a recent meeting between the Governor and a member of the congressional delegation where this bill was discussed?

MR. LAVINE: That is completely irrelevant to the provisions that we are discussing.

MR. TANNOUSIS: Okay.

MR. LAVINE: But you can continue to ask me irrelevant questions.

MR. TANNOUSIS: No problem. It's the second-to-last day of Session, would you agree, Mr. Lavine?

MR. LAVINE: Am I going to agree that this is the second-to-the last day? I'm gonna agree that it's Wednesday, and I believe we're supposed to finish on Friday.

MR. TANNOUSIS: Okay. Do you see a sense of urgence -- an urgency in regards to this bill, which is why we're voting on it today?

MR. LAVINE: Yes.

MR. TANNOUSIS: Okay. What is that sense of

urgency that you see?

MR. LAVINE: Democracy and justice. They are urgencies.

MR. TANNOUSIS: So you believe that this bill is necessary for both democracy and justice, correct?

MR. LAVINE: I couldn't have said it better myself, Mr. Tannousis.

MR. TANNOUSIS: Is there something happening out there that leads you to believe that this bill is necessary for democracy and for justice?

MR. LAVINE: Yes. And the -- what's happening is that for this -- for this to be implemented we'd have to pass it today or tomorrow or Friday, and then pass it again a year from now. But that will be eventually up to the people of the State of New York to decide. And Mr. Tannousis, I'm sure you have as much faith in the people of the State of New York as I do.

MR. TANNOUSIS: Oh, the people of the State of New York I have much faith in. It's some others that I potentially may not.

Mr. Lavine, just to be clear, is this bill in response to any type of current events happening right now?

MR. LAVINE: No.

MR. TANNOUSIS: Nothing?

MR. LAVINE: You can say it any -- any other way you wish, but my answer remains the same, Mr. Tannousis.

MR. TANNOUSIS: Okay. You would agree, Mr. Lavine --

MR. LAVINE: Oh, and -- and -- I'm sorry, because I don't want to speak over you.

MR. TANNOUSIS: No, no. Go ahead.

MR. LAVINE: You reminded me of something.

MR. TANNOUSIS: Go ahead, please.

MR. LAVINE: The Governor's got nothing to do with constitutional amendments, as you well know.

MR. TANNOUSIS: That's not the question I asked you. My question was whether you had any communications with the Governor's office in regard to this bill.

MR. LAVINE: But I appreciate you giving me the opportunity to just state what the law is.

MR. TANNOUSIS: Now, Mr. Lavine, back in 2014 the voters approved an Independent Redistricting Commission, correct?

MR. LAVINE: That's my recollection.

MR. TANNOUSIS: And back in 2021, the Legislature attempted to make changes to redistricting; is that correct?

MR. LAVINE: I'm sorry, the -- the Legislature?

MR. TANNOUSIS: Yes.

MR. LAVINE: I'm sorry, can you clarify? I'm -- I'm a little confused.

MR. TANNOUSIS: Were there changes that

attempted to be made to redistricting back in 2021?

MR. LAVINE: In -- in the form of a referendum. I -- I follow what you mean.

MR. TANNOUSIS: And the voters rejected that as well, correct?

MR. LAVINE: I think that's the recollection of me and you and everybody else.

MR. TANNOUSIS: Okay. But yet we are sitting here because this, in your words, will give power to the people.

MR. LAVINE: I -- I should hope so.

MR. TANNOUSIS: Thank you very much, Mr. Lavine.

On the bill, Madam Speaker.

ACTING SPEAKER HUNTER: On the bill.

MR. TANNOUSIS: Madam Speaker, in 2014 the voters themselves -- the taxpayers, the residents of the State, our bosses, so-to-speak -- approved the Independent Redistricting Commission. The Legislature in 2021 attempted to weaken the IRC in a manner to attempt to take more power. The voters rejected it. It is very clear, and history has shown that time and time again the voters would like an independent process when it comes to drawing congressional maps or any other types of maps. This is nothing more than an attempted power grab. And as many colleagues have stated before, the people have the power to choose their elected officials. The elected officials should not be the ones to have the power to pick

who they represent.

I vote no. Thank you.

ACTING SPEAKER HUNTER: Thank you.

I just want to make another reminder to my colleagues that we will limit our comments to the bill in front of us right now, not references to what other states are doing and that we will not be impugning motives of other colleagues.

With that stated, Mr. Simone.

MR. SIMONE: Madam Speaker, will the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. SIMONE: Mr. Lavine, would it be fair to say that one of the overarching goals of this proposal is to simplify and streamline the process of redistricting between the IRC and the Legislature; is that right?

MR. LAVINE: Definitely.

MR. SIMONE: Does this get rid of the IRC?

MR. LAVINE: It does not.

MR. SIMONE: Does it change the responsibilities of the Independent Redistricting Commission?

MR. LAVINE: No.

MR. SIMONE: Does this change anything about the

composition of the IRC?

MR. LAVINE: No.

MR. SIMONE: Does it change the requirement for public hearings?

MR. LAVINE: No.

MR. SIMONE: Thank you, Mr. Lavine.

MR. LAVINE: Thank -- thank you, Mr. Simone.

ACTING SPEAKER HUNTER: Mr. Beephan.

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

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. BEEPHAN: So, I don't have any prepared questions or notes, so we'll just have a discussion, if that's all right.

MR. LAVINE: Which is fine, because I don't have any prepared answers for you.

MR. BEEPHAN: Perfect. Well, you have a team slightly larger than me. But so a couple questions on what this is gonna look like going forward. So obviously, today we're voting on this provision. Will this have to be voted again next year?

MR. LAVINE: Yes.

MR. BEEPHAN: Okay. Say it passes again next year. It will then go on the ballot in 2027?

MR. LAVINE: Yes.

MR. BEEPHAN: And who decides what that ballot question looks like?

MR. LAVINE: That is not part -- an interesting question, but that's not part of this debate. I -- that may be part of another legislative proposal.

MR. BEEPHAN: But in this current form, how the law sits, who generally decides that?

(Conferring)

MR. LAVINE: It -- it's the -- it's the Board of Elections. But it's really -- that has nothing -- with all due respect, as they say --

MR. BEEPHAN: Understood.

MR. LAVINE: -- but -- but you know I -- that I do respect you. But that has nothing to do with this particular measure.

MR. BEEPHAN: Understood. Okay. So say if this ballot initiative passes in 2027, this is now enacted immediately or does it take effect a certain period afterwards?

(Conferring)

MR. LAVINE: I don't know and we don't know if the next Legislature is going to want to pursue this. We don't.

MR. BEEPHAN: Okay. Understood. Understood. So say if this were to be implemented going forward, how does the Legislature or one call for this redistricting -- mid-decade redistricting to happen or occur?

MR. LAVINE: Mr. Beephan, I'm sorry, it was just a little difficult to hear --

MR. BEEPHAN: So, say --

MR. LAVINE: -- what you were saying. How does the -- how does the -- the next Legislature recall on this?

MR. BEEPHAN: No. How do they -- they call for a mid-decade redistricting if this passes in 2027?

(Conferring)

MR. LAVINE: I hope I'm answering this appropriately. But congressional lines are defined in the law. So there would have to be a change in the law describing the congressional district -- the lines of the congressional district.

MR. BEEPHAN: But what are the -- what are the requirements or what are the circumstances that would trigger that -- that mid-decade redistricting under this proposal?

MR. LAVINE: I'm -- I have nothing to do and no idea about what it means when you use the word "trigger." This will be up to the democratic process --

MR. BEEPHAN: Which is?

MR LAVINE: -- and that's the small-d democratic process.

MR. BEEPHAN: Okay. So we -- we don't know what would then trigger a mid-decade redistricting once this is passed and implemented?

MR. LAVINE: There's no trigger. There are no

triggers.

MR. BEEPHAN: Okay. So say if a mid-decade redistricting process were to occur, would it be based on the 2020 census?

MR. LAVINE: Yes, under Section 5(c) of this constitutional proposal.

MR. BEEPHAN: So since the last census, this Body has passed a number of provisions that would include migrants into consideration for redistricting purposes. Would that apply here?

MR. LAVINE: Whatever -- whatever the law is is what's going to apply.

MR. BEEPHAN: Okay. So that could potentially change and impact populations of current districts, then?

MR. LAVINE: The -- we rely on the federal census, the 2020 federal census, and that's not gonna change.

MR. BEEPHAN: I understand that. But now we passed a provision a while back -- and I know it's not this bill -- that -- that says -- states that we would include migrants into redistrict -- for redistricting purposes.

MR. LAVINE: Mr. Beephan, as -- as much as I might personally want to change federal statutes, we can't. That's -- that's not part and parcel of anything that we're doing here today or anything that we will do in the days to come.

MR. BEEPHAN: Okay. So, we are in the process of this mid-decade redistricting, and the IRC produces a map. Do they

have to have a certain vote on that IRC commission for us to receive the maps?

(Conferring)

MR. LAVINE: The IRC makes its decision on federal sentencing and what we're doing here is not gonna change in any way the process that the IRC uses to determine to send us maps.

MR. BEEPHAN: Yes. I moved on from that -- from that topic. So say the IRC then determined or they're called to redraw congressional maps. Do the -- has any changes occurred to the vote which must occur between the IRC members?

MR. LAVINE: If -- if I -- if I understand your question correctly, it -- you're asking are there any changes to the way the IRC votes or determines consensus, nothing here. No change.

MR. BEEPHAN: So say they are at an impasse or 50/50 or something like that? What then occurs in that situation?

(Conferring)

MR. LAVINE: That's -- when they have a 50/50 split they send both sets of maps.

MR. BEEPHAN: Okay. Understood. And then it's up to the Legislature to then redraw said maps or adopt one of those options?

MR. LAVINE: Under the present constitutional system we act on those maps.

MR. BEEPHAN: Okay. Do we have to pick one map or another or can we draw our own here?

(Conferring)

MR. LAVINE: We -- we have to act on what they send us, but if what they send us is not enacted, then there are other prerogatives that the Legislature has.

MR. BEEPHAN: Are we required under this new provision to go back to the IRC after that first -- no. So we can act on the first?

MR. LAVINE: Yes. But we don't have to -- we don't have to go back to the IRC.

MR. BEEPHAN: Understood.

MR. LAVINE: Under this -- the new proposed system.

MR. BEEPHAN: All right. And then, so once these maps are decided on, is it decided by the Assembly and the Senate individually or is it a -- is it a combined effort?

(Conferring)

MR. LAVINE: At some point there's got to be consensus between both Houses.

MR. BEEPHAN: So almost it would be like a budget process except instead of three men in a room it's two?

MR. LAVINE: I mean, you -- you might want to try to characterize it that way, but I don't think that that's the way it is.

MR. BEEPHAN: Okay. And so once there's consensus on those maps, it then comes to the Legislature. Is the vote required to be a supermajority or a simple majority? What are the

new rules gonna be?

MR. LAVINE: It will be a simple majority under the new system if adopted.

MR. BEEPHAN: And the old system would have been a supermajority?

MR. LAVINE: It -- it would depend -- depend on -- it would depend on whether the -- the head of the Senate and the head of the Assembly are part of the same political party or separate political parties so it could be 60 percent or a two-thirds majority, depending on those permutations.

(Conferring)

Oh, and of course how the IRC votes with respect to sending us maps.

MR. BEEPHAN: I -- and so speaking of those IRC votes, how do those vote differences matter?

MR. LAVINE: You mean if they can't come to some kind of a consensus?

MR. BEEPHAN: Yeah. So what's considered a consensus? Is it a simple majority for them or...

(Conferring)

(Pause)

MR. LAVINE: Okay.

MR. BEEPHAN: Okay.

MR. LAVINE: In the event that the Speaker of the Assembly and the Temporary President of the Senate are members of

the same political party, approval of a redistricting plan and implementing legislation by the commission for submission to the Legislature shall require the vote in support of its approval by at least seven members, including at least one member appointed by each of the legislative leaders.

Now, to answer your question, there's a lot more. In the event that the Speaker of the Assembly and the Temporary President of the Senate are members of different -- and it's two different -- political parties, approval of a redistricting plan by the commission for submission to the Legislature shall require the vote in support of its approval by at least seven members, including at least one member appointed by the Speaker of the Assembly and one member appointed by the Temporary President of the Senate. So it's very straightforward, isn't it?

MR. BEEPHAN: Are -- are those the current rules?

MR. LAVINE: Yes.

MR. BEEPHAN: And do those rules change under this new provision?

MR. LAVINE: No.

MR. BEEPHAN: Okay. So only the real change is that instead of having to go back to the IRC twice, you're only required to go back once now?

MR. LAVINE: Thank you for stopping me from reading several more --

MR. BEEPHAN: You're welcome.

MR. LAVINE: -- arcane paragraphs.

MR. BEEPHAN: I'm sure someone else will ask you to. But is that correct, though? Instead of having to go back twice, under the current provision now it's once.

MR. LAVINE: Yes.

MR. BEEPHAN: Okay. So the IRC vote fails and now it's up to the Legislature to come up with a new map. Is there a timeline for the Legislature to come up with a map?

(Conferring)

MR. LAVINE: It -- it's not specifically provided for presently or in this proposed bill, but it's got to be done in a timely fashion to be ready for -- for elections and petitioning.

MR. BEEPHAN: That's where I was going with this. Because we've seen in the past where, you know, candidates have circulated petitions and then the maps have changed and they have to recirculate new petitions. So is there anything in place where candidates are not gonna be circulating petitions in April or May for new maps?

MR. LAVINE: A good question. But a good answer is that everyone's gonna have to work more expeditiously in order to make sure that voters are provided with their right to vote.

MR. BEEPHAN: So, say if everyone works expeditiously and new maps are redrawn and voted and approved by, say, March, right? We start the whole petition process -- now he's shaking his head.

MR. LAVINE: No, I'm not shaking my head.

MR. BEEPHAN: No, no, not you. Your -- your team is shaking their heads.

MR. LAVINE: Oh. But, you know, sometimes they shake their heads and you'd think they mean no but they mean yes.

MR. BEEPHAN: Okay. So --

MR. LAVINE: All right? But --

MR. BEEPHAN: The maps are approved by March. Is there anything from stopping the Legislature from deciding to redraw maps again after that initial set was approved?

MR. LAVINE: Well, I -- I doubt very much that the public would view that terribly kindly.

MR. BEEPHAN: Well, I mean, we could say the same thing about this, but it depends on where you represent. So -- but there's nothing that stops the Legislature from going back and amending the maps again the same year?

MR. LAVINE: You're talking about Congress?

MR. BEEPHAN: Congressional maps, correct.

MR. LAVINE: So, we -- we wouldn't in any event be doing the maps before the end of -- of February, when petitioning starts.

MR. BEEPHAN: Oh, so they would be done before the end of February?

MR. LAVINE: I'm sorry, I had a tough time hearing.

MR. BEEPHAN: They would -- they would be done

before the end of February, you would think?

MR. LAVINE: Hopefully. I mean, that makes sense.

MR. BEEPHAN: Okay. Well, I -- I just didn't see anything in writing that it had to be completed by then.

MR. LAVINE: We don't include everything that involves commonsense in -- in writing. We -- we assume that -- that as legislators we're -- we're going to operate in -- in commonsense -- with commonsense in mind.

MR. BEEPHAN: I think that all the questions are fair, considering I think our members of Congress have run in a different district every year since we started this decade, essentially. So...

MR. LAVINE: This is the price we pay for democracy.

MR. BEEPHAN: Understood. Okay. So then once we approve those maps, that would be the end of this process. And if -- if the Legislature was so inclined, they could restart this process again the following election cycle if they so choose.

MR. LAVINE: I guess there's some sort of construct where someone could conceive of that. But I -- it's -- it's certainly not -- it's not realistic.

MR. BEEPHAN: It's not realistic. But it's an opportunity there that say for whatever reason in 2028 there was fault with that map. It could be re -- there could be a redistricting again in 2030?

MR. LAVINE: Possibly, yes.

MR. BEEPHAN: And again in 2032? So I'll take that as the same answer.

MR. LAVINE: By 2032 we're in a whole new census mode.

MR. BEEPHAN: Decade, yeah.

MR. LAVINE: Exactly.

MR. BEEPHAN: Understood. All right. Well, thank you for your time, Mr. Lavine.

MR. LAVINE: Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. González-Rojas.

MS. GONZÁLEZ-ROJAS: Thank you, Madam Speaker. May the sponsor yield for one question?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MS. GONZÁLEZ-ROJAS: Thank you. Out of curiosity, can you please explain these block on border requirements for, let's say, a Senate district?

MR. LAVINE: Okay. Thanks for the question with respect to the block on border requirements. So, the proposed constitutional amendment removes the block on border requirement for State Senate districts. That has been a concern historically for the

State Senate, has not been a concern for the Assembly. So that would align the rules for redistricting Senate lines with the rules for redistricting Assembly lines.

MS. GONZÁLEZ-ROJAS: Thank you very much.

MR. LAVINE: Thank you.

ACTING SPEAKER HUNTER: Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. I'll just go on the bill, please.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: Thank you. So at its core this debate isn't about maps or deadlines or administrative procedures. It's about a fundamental question: Who should choose our representatives? Should it be the voters or should it be the politicians?

More than a decade ago New Yorkers recognized a serious problem. They understood that allowing elected officials to draw the very districts that determine their political futures creates an inherent conflict of interest. That is why voters approved constitutional reforms, establishing an Independent Redistricting Commission. The purpose was simple; to reduce partisan influence and increase public confidence and the fairness of our elections. This bill moves us in the opposite direction. Supporters argue that this bill merely modernizes the process and addresses practical challenges. But when we look beyond the procedural language, the result is clear. It expands the legislature's role in congressional redistricting, and it weakens safeguards designed to keep political self interests out of map

drawing.

The question that we should ask is straightforward: If the goal is truly independent redistricting, why are we giving more authority back to the politicians? We often hear that the commission has experienced deadlocks and delays, but disagreements within an independent commission are not evidence that the independence has failed; in fact, they are evidence that different viewpoints are being represented. Independence is sometimes messy. Democracy is sometimes messy. The solution to disagreement is not to neuter the IRC and return power to the very people that the system was designed to restrain.

This proposal also raises serious concerns about public trust. At a time when confidence in government institutions is already incredibly fragile, we should be strengthening safeguards against political manipulation, not weakening them. New Yorkers deserve to know that district lines are drawn because they reflect communities, not because they benefit a particular party, incumbent or political agenda.

Even if supporters of this bill have the best intentions today, constitutional amendments are not written for today's majority, they are written for every future majority. That is why we must ask our colleagues, would you support this exact proposal if the opposite party controlled the Legislature? Would you be comfortable giving the same authority to political leaders whose policies you strongly oppose? If the answer is no, then we should not support this now.

The Constitution exists to establish rules that remain fair, regardless of who holds power. We shouldn't rewrite those rules based on which party happens to be in charge at a particular moment in history.

There is also the issue of voter intent. The people of New York already spoke on this subject in 2014 and in 2021. They approved reforms specifically intended to create a more independent redistricting process. Whether one believes those reforms have worked perfectly is beside the point. The question before us is whether we should honor the principle that the voters endorsed -- 2 to 1, I believe -- reducing political control over electoral maps. This bill asks us to move away from that principle.

Supporters may say that additional transparency requirements and public hearings are included in the legislation. Transparency is important and public participation is valuable. But transparency alone doesn't eliminate conflicts of interest. A process can be transparent and still be political. Public hearings do not change the reality that elected officials would gain influence -- greater influence over the boundaries that determine their own elections.

At the end of the day, redistricting should never be about protecting politicians. It should be about protecting voters' ability to choose their representatives in fair and competitive elections. The strongest democracy is one in which voters select their leaders, not the reverse. Not one in which leaders gain greater authority to shape the electorate that will judge them. For those reasons, because this proposal weakens the independence voters

sought to create, because it increases legislative influence over redistricting, because it risks further eroding public confidence and the fairness of our electoral process, and because constitutional safeguards should not be weakened for short-term political convenience, I will vote no on this bill. And I thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Dais.

MR. DAIS: Thank you. Will the sponsor yield?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. DAIS: Thank you, Chair. Thank you, Madam Speaker. Under current -- under current federal law, intentional disenfranchisement of minority voters is prohibited. Is it fair to say that this law reaffirms those principles and protects against disenfranchisement?

MR. LAVINE: Yes.

MR. DAIS: Thank you. To make it clear, this resolution has to pass this House this year, correct?

MR. LAVINE: If it's gonna be acted on next year, yes.

MR. DAIS: It has to be -- and then next year it has to go again?

MR. LAVINE: Yes.

MR. DAIS: One thing -- one person's missing here. The Governor doesn't decide to vote yes or no on this, correct? It's just the People's House and the Senate, correct?

MR. LAVINE: Yes.

MR. DAIS: So, therefore, it would then -- after that it would go to the ballot for the people to decide?

MR. LAVINE: Yes.

MR. DAIS: So in clearing it up, you have -- both Houses to have to clear it in 2027, both Houses in 2028. Then the people of New York will make the final decision on this situation?

MR. LAVINE: Exactly.

MR. DAIS: So isn't this giving it back to the people to make the decision so they have the right to choose for what they want?

MR. LAVINE: That, my friend, is our constitutional system, and the answer to that is a resounding yes.

MR. DAIS: Isn't that the very backbone of democracy?

MR. LAVINE: Our constitution is one of the very backbones of our democracy.

MR. DAIS: Thank you.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. DAIS: We've made it clear, there's a process. In 2027, 2028, it has to go through two legislative Sessions. This is

not the Governor deciding it. There's no veto. It's a resolution that then goes to the people of New York. As it has been eloquently said, in 2014 the people said no. Again in 2021 people had another decision. We are leaving this up to the people of New York. And at the end, it's our job to trust that New Yorkers will make the decision that they feel which is best for them. If we are able to get this onto the ballot and it's my time to vote, every single one of us will not just vote for this here in this Chamber, we'll also for vote for it in the voting booth. And there, like every other New Yorker, we will be the same; making a decision about the future of the New York State Constitution. That is the very basis of what democracy is, and again, New York is trying to lead the way.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Molitor.

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

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. MOLITOR: Thank you, Mr. Lavine. I was looking through the bill text, and I just want to be clear. The name for the redistricting commission is still the Independent Redistricting Commission, right? It hasn't changed?

MR. LAVINE: I've read the bill many times. I -- I don't think it changes.

MR. MOLITOR: Thank you.

I'll go on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. MOLITOR: So, I want to share some words from the 2022 Court of Appeals, which I think are very relevant here. This is from the case *Harkenrider v. Hochul*. Quote, "In 2014, people of the State of New York amended the State Constitution to adopt historic reforms of the redistricting process. By requiring in a carefully structured process, the creation of electoral maps by an Independent Redistricting Commission, and by declaring unconstitutional certain undemocratic practices such as partisan and racial gerrymandering", end quote. When the IRC was at a stalemate, quote, "The Legislature responded by creating and enacting maps in a nontransparent manner controlled exclusively by the dominant political party. As a result of the IRC's disagreements, the IRC submitted as a first set of maps two proposed redistricting plans to the Legislature. Maps from each party delegation --

ACTING SPEAKER HUNTER: Mr. Molitor, please limit your comments to this bill this year, not prior bills, please. Thank you.

MR. MOLITOR: Well, Madam Speaker, we are talking about amending the constitution, and this -- what I'm referencing is the changes that were -- that the changes that this bill is

going to make to the constitution. I think this is extremely relevant.

"As is constitutionally permitted, if a single consensus map fails to garner sufficient votes. The Legislature voted on this first set of plans without amendment as required by the constitution, and rejected both plans. The Legislature notified the IRC of that rejection, triggering the IRC's obligation to compose within 15 days a second redistricting plan for the legislature's review", end quote. The day before that 15-day deadline expired, quote, "The IRC announced that it was deadlocked, and as a result would not present a second plan to the Legislature. Within a week, the Democrats in the Legislature in control of both the Senate and the Assembly composed and enacted new Congressional, Senate and Assembly redistricting maps, undisputedly without any consultation or participation --

ACTING SPEAKER HUNTER: Mr. Molitor --

MR. MOLITOR: -- by the Minority Republicans --

ACTING SPEAKER HUNTER: Mr. Molitor, I need you to keep your comments relative to this proposal, not prior court decisions, prior redistricting. What the proposal is in front of us today, sir.

MR. MOLITOR: This -- this is about -- Madam Speaker, we are talking about changing the constitution. What -- what the constitution currently is -- says is relevant, and court interpretations of what that says is relevant.

MS. WALSH: Madam Speaker, I completely agree with Mr. Molitor. We have to -- we're -- we're talking about a change

to the constitution. He's describing the current state of affairs that -- that are -- that is being proposed to be changed. It's all -- it's all part and parcel. It's all part of the same thing. I would ask you to -- to allow him to continue to speak.

MR. MOLITOR: This is our -- this is our State's history.

ACTING SPEAKER HUNTER: One moment, sir.

MRS. PEOPLES-STOKES: Madam Speaker, unless you --

ACTING SPEAKER HUNTER: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, unless you're willing to rethink your assessment of the comments that are on the floor right now, I think it's only respectful that we honor your statement that it is inappropriate and that the gentleman should refrain from using that language.

MR. MOLITOR: Madam Speaker, may I say one more thing?

ACTING SPEAKER HUNTER: Give me one moment, please, Mr. Molitor.

MR. MOLITOR: Thank you.

(Pause)

ACTING SPEAKER HUNTER: Mr. Molitor, do you want to appeal the ruling of the Chair relative to germaneness?

MR. MOLITOR: Yes, I do. And I'm ready to

explain.

MS. WALSH: Yes. We would like -- we would like to put it before the House as to whether the current constitution that's seeking to be changed here by this bill is relevant in the discussion and debate of this bill. Yes, I'd like to put that to a -- to a vote of the House. Because if we can't even talk about what the current constitutional framework is that's being changed by this bill, then I don't know what -- I don't know how you could possibly say that this is not germane. It's absolutely -- it is -- it's all the same.

MR. TAGUE: Trying to silence democracy again! Silence democracy --

(Indiscernible/members yelling)

ACTING SPEAKER HUNTER: Mr. Tague and colleagues in this Chamber, we will not be having decorum -- inappropriate decorum --

MR. TAGUE: (Indiscernible)

ACTING SPEAKER HUNTER: I'm speaking, Mr. Tague. I am speaking. You can take your seat or you can go outside. I am speaking. I am waiting to get a ruling relative to what Ms. Walsh said, and we will wait until I speak.

Mr. Jackson.

(Pause)

Ms. -- Ms. Walsh, I never gave a ruling. I was giving a reminder. So there hasn't been a ruling by the Chair. And if Mr. Molitor wants to continue speaking in order, recognizing the

reminder, we can resume doing that.

MS. WALSH: Thank you very much, Madam Speaker. I would just remind colleagues, maybe it would be helpful to hear that in our Rules, if any members in speaking fails to maintain decorum, deviates from the subject matter of the question before the House, or otherwise transgresses the Rules of the House, then the Speaker may call -- may tell you to cut it out. But if you're staying within the subject matter of the question before the House, I believe that comments are well-taken. And I appreciate what you're saying. You had not made a ruling, and if -- if we can allow Mr. Molitor to -- and he was maintaining decorum -- you have five minutes and 14 seconds left on the clock because unfortunately, we lost some time, unless it could be restored to Mr. Molitor because it was through no fault of his own. If he could have four minutes back, that would be fantastic, because that's about when things started to go off the rails, Madam Speaker.

(Pause)

He should -- he should not be penalized because of a failure to maintain decorum by -- by another member.

(Pause)

MRS. PEOPLES-STOKES: Madam Speaker, while we are comfortable with your decision, I would remind all of my colleagues that are in the Chambers, you are sitting at the head of this House at this moment, and your decision should prevail. And I hope that people will honor that and respect it. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Molitor, please proceed.

MR. MOLITOR: Thank you, Madam Speaker. In -- in rejecting the State's argument, the court stated, quote, "Indeed, the State respondents -- respondents studiously ignored events that gave rise to the 2014 amendments. While the 2012 Legislature did agree on Senate and Assembly maps, the proposed maps were widely criticized as a product of partisan gerrymandering, prompting the then-Governor to veto the plans absent a concrete legislative commitment to redistricting reform. In urging this court to adopt their view that the IRC may abandon its constitutional mandate with no impact on the ultimate result, and by contending that the Legislature may seize upon such action to bypass the IRC process and compose its own redistricting maps with impunity, the State respondents ask us to effectively nullify the 2014 amendments. This we will not do. Indeed, such an approach would encourage partisans involved in the IRC process to avoid consensus, thereby permitting --

(Member sneezes)

God bless you -- the Legislature to step in and create new maps merely by engineering a stalemate at any stage of the IRC process, or even by failing to appointment members or withholding funding from the IRC", end quote.

Now, these aren't my words. These are the words of our Court of Appeals from 2022. And I find it very interesting that this amendment to the constitution is being proposed to us today. It's

almost like the Court of Appeals could have predicted this result. Because what we're doing here today is we are effectively nullifying the IRC. The IRC is going to have every incentive to never, ever, ever come up with a map. Why? Because it's split 6-6 between each party. They're never gonna agree. And they'll know -- certainly from the Majority side -- they'll know that if they don't agree what will happen. It will come to this Body for a new map to be made. That is what is going to happen, without doubt. It's a rigged process.

So what I suggest, so that we can make sure we have an open and transparent bill, I suggest we amend this bill to rename the Independent Redistricting Commission the Irrelevant Redistricting Commission. I vote no. I'll encourage all my colleagues to vote no.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Palmesano.

MR. PALMESANO: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. PALMESANO: I think my colleagues covered a lot of the questions, mostly, so I'm just gonna speak on the bill.

Let me be frank. I love this institution. I treasure being a part of this institution. But let me be very clear: This is a very, very sad day in this institution. For years I've heard my colleagues and friends on the other side say -- on the other of the aisle say this is about protecting democracy. We trust the voters. I listened

to my friend and colleague during this debate, he used words like "this bill make things more fair for the voters because we're asking our voters to streamline the process to make it more efficient." He said that this is returning power to the people. He said that the Legislature is acting in good faith. This is about protecting the people of New York. I do not see how this does that when we're going against the very thing that New Yorkers did when they voted in the Independent Redistricting Commission. I don't see how this is trusting the voters when we're not listening to the voters and we're voting against their interests. I don't see how we're acting in good faith when we're acting in this way. I mean this IRC is basically set up to fail so you can draw the maps, and the voters don't want you drawing the maps. They want an Independent Redistricting Commission to draw the maps.

To put it in perspective, how did we get here, this is a constitutional amendment. What did the voters say in 2014 when -- which is -- this bill is changing in front of us? They -- the voters said they wanted independent redistricting, correct? They said that each district shall be as compact in form as practicable. They also said -- what did they want -- districts shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or other political candidate -- particular candidates or political parties. They said they want the IRC to provide two maps, and they wanted it to be two-thirds of a majority if one party controls the House. So what is this Chamber doing, even though we constantly say we trust the voters? When the voters spoke, you're saying *we know better*. We

know what you voted for, but we're gonna do it our way. This has real-world consequences, ladies and gentlemen. These lang -- the language I -- I mentioned here in this bill is what got us here. In the constitution, which we -- the voters put in, in 2020 you tried to change it back then, even before the IRC met. Before they presented a map. Again, you told the voters, *You are wrong. We know better.* And you put another map before the voters asking them to approve what you wanted. What did they say? They said no. They said, *We already spoke on this. We don't wanna change that*. You added other provisions, other things that -- that are -- it doesn't matter, but it just shows things that the voters say, you continue to try to erode through your actions. In 2022 what happened? In this constitutional amendment, part of this redistricting process which we're talking about, you didn't let the IRC do your -- their job. You acted before they finished. You did your own thing. What happened? A lawsuit was filed on the redistricting amendment, the constitution, which we're talking about here today. The *Harkenrider* case, which my -- which my colleague mentioned. What did they say? *You violated the constitution. You violated the process, and you basically politically gerrymandered districts*. And after that, the Court of Appeals, which my colleague talked -- talked about, upheld that decision. That forced a special master to be created to deal with the constitution that we have here before us, that you're trying to change here tonight with the language you're putting before us. So a special master drew the seats in 2022. You know, we know later the chief judge left and they had to

put new people on the judge -- on the court, even though the Court of Appeals upheld that decision. Let me be clear. So new people were put on the bench, and then what did you do? You tried to change it again, the constitution, which is part of this discussion. Because what was the argument? The special master should be temporary. So you went to the court and they said okay, which I'm kind of having a hard time understanding because you remember in 2012 there was a special master that appointed -- was appointed that drew the maps for the congressional districts and that lasted 12 years. That's not temporary. So what happened? They said it was temporary, they ordered the IRC back to do their job to deal with the constitution, which they were constitutionally obligated to do, which we're talking about changing here today. In 2024 the IRC delivered maps to this Legislature, like the voters voted for when they adopted the constitutional amendment in 2014. What did you do when the maps came? You rejected them. And then not a week later, two days later, you vote in your own maps. You didn't even, like, make it look good. 2-26-24, the maps were reject -- presented, and then rejected on 2-28. Two days later you voted and passed your own maps. How is that trusting the voters? How -- tell me, how is that trusting what the voters passed in 2014 with that constitutional amendment? No one can answer that question. Basically what you're saying is we know better than the voters. It just really speaks to hypocrisy and, unfortunately, arrogance.

This will be -- if this goes through, in 2028 this will

be the fourth map in this decade. The fourth map if this goes through and you do this in 2028. I don't understand. And I'll remind you, you also took action to try to -- through the courts to -- you know, recently in 2025 to try to address a congressional map. The courts didn't deal with it and they said no, and rightfully so. And in this process when you deal with the constitution, now if they're constitutional challenges because you didn't like the court it went to, now you can only go to one of four courts: New York City, Westchester, Albany County or Erie County. How convenient. And on top of that, we're gonna be debating a bill probably tomorrow that's gonna tell the Legislature -- which is germane to this because -- how the wording can be used on the constitutional amendment, breaking decades of cooperation and bipartisanship with the Board of Elections. You want the ability to put on the ballot what that language is gonna be so you can say what it is. I'm sure that -- that language isn't gonna include protecting democracy. Give me a break. I don't understand. And I've heard you say we trust the voters. I don't understand how you could say that. It's like you want every part of this process to work for you, not the voters. The problem is you say you trust the voters. The problem is, ladies and gentlemen, the voters don't trust us. And until we realize that, it's gonna be a problem. So you can control this process, you can pass this bill, you can pass the other bills to enforce that. You can do that. And it's -- unfortunately, it's shameful. But remember, as much as you say this started because of federal issues, this House started the redistricting, the gerrymandering back in 2021. We started it and have

done it along the way, every part of that process that I just laid out. You've done it since 2021. I think -- I believe this undermines the voters because we've done it -- you've done it multiple times. It's like you say you know best and not the voters. But at the end of the day, the voters are gonna have the final say. And I hope they do what they've done in the past, and deliver a very sound, clear and decisive, convincing message. I hope they do, and I think they will. But even when they do, there's no doubt in my mind and probably many of my colleagues, you're gonna have to -- you're gonna try to find another way. Continue to look for others ways to make this system work for you and not for the people you represent. You're going to make it work for your own political power.

Like I said, I love this institution. I love the people in this institution. I'm proud to be a part of this institution. But today, again, is a very, very sad day in this Chamber. My colleagues, we owe the people of this State much, much better. This bill we have before us doesn't do that. The actions you're taking here today is why the voters of this State have such a terribly low opinion of elected officials like us in this room and across the State. And who can blame them? After they have given us a clear message time and time again. First was the passage of the independent redistricting constitutional amendment in 2014 with very clear language which we are now deleting that language tonight. And it seems like you continue to thumb your nose at the people who give us the power. You're not listening, and that's sad. And at the end of the day, remember; it's the

people that have the power. And for the people out there listening, you will have an opportunity to once again deliver a very clear, decisive, compelling message to this Legislature saying, *We told you so before. We told you so again.*

Madam Speaker, for that -- this reason and many others, I emphatically vote no on this very, very terrible piece of legislation, and I'm very sad to be a part of this Legislature on this very day. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Miller.

MR. MILLER: Thank you, Madam Speaker. As I sat here tonight -- on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. MILLER: As I sat here tonight and I had questions for the sponsor and most of my questions were -- were answered by my colleague -- were asked by my colleague in -- and answered by the sponsor over there. And we all could agree that no maps are perfect. And the sponsor said, continuity of community to define the district is absolutely correct. Compactness, absolutely correct. IRC maps need -- Independent Redistrict -- Redistricting Commission needs to draw maps, correct. A history lesson. I lived with what the Legislature did with gerrymandering.

As we all remember the 101st District that was put in place in 2012, it was a district that went from New Hartford and I'm gonna explain how it -- how I saw it, from New Hartford, New York

to Central New York to Kingdom Come, it was 204 linear miles long, seven counties, 25 towns, okay? One town at a time. And this is a map drawn by the Legislature and this could happen again with the Legislature redistricting maps right here. You couldn't drive through every one of those towns. You had to go out of district to come around a town to get into another one to drive from top to bottom.

When we talk about continuity of community, there was no continuity of community in that district if we drew districts the way that we preached the way they need to be drawn. It started in the Mohawk Valley and went down through Herkimer County, Otsego County, through the Northern Catskills, down into the Hudson Valley and all the way down in Orange Country where -- where it was the farthest point you can live and still work for the City of New York.

All of you, think about trying to make decisions that represent that district. If we don't -- if we modify our constitution to modify how we draw districts and their timelines, this will happen again and again and again and again.

Thank you, Madam Speaker. I vote no on this. I lived it. I can explain to you -- everyone how this is and it -- and it's -- it's unbelievable and we can't let this happen here in New York or any place else.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Durso.

MR. DURSO: Thank you, Madam Speaker. Would

the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. DURSO: Thank you, Mr. Lavine. So, just to circle back and I'll probably ask some of the similar questions that were asked hours ago, so I do apologize.

MR. LAVINE: Not to worry.

MR. DURSO: Currently, what is wrong, in your opinion, that we're doing this bill with the way the Independent Redistricting Commission is currently set up?

MR. LAVINE: We need a more streamlined process.

MR. DURSO: So you're saying that, as -- as you said before, this is streamlining the IRC?

MR. LAVINE: We have seen problems with the IRC process in the past and we want to make sure that we are able to have a process that actually works.

MR. DURSO: Okay. So now, if we are looking for a process that actually works, as my colleagues asked you earlier, some of the language that has now been -- I think the word used before was "deleted", I'll just use the word "missing", from the current bill that's before us now, one of them being, essentially, not allowed to partisan, gerrymand [sic] districts. Is that part of the streamlining process? Why would we take that language out, is really my question.

MR. LAVINE: We're simply -- we're simply clarifying -- I'm sorry -- I'm sorry, Michael --

MR. DURSO: I apologize.

MR. LAVINE: I didn't mean to speak over you. We are simply clarifying the considerations that ought to be relied upon.

MR. DURSO: So, Mr. Lavine, you're saying that we should consider having gerrymandered districts?

MR. LAVINE: So, Mr. -- Mr. Durso --

MR. DURSO: Yes, sir.

MR. LAVINE: -- as the State constitution currently exists, and as it is currently drafted, there has been confusion as to whether every single principle that's described has to be met. Impossible. Impossible.

MR. DURSO: Okay.

MR. LAVINE: As well as whether some of these principles can or should be prioritized to help make the proper determinations. This proposed revision is intended to make clear that all of these principles must be, should be considered and accounted for while acknowledging some of the principles must be more strictly adhered to than others. It's -- it's a relatively straightforward approach. It's a more straightforward approach.

MR. DURSO: Understood. So the original principles, you're saying, that were in the original IRC provisions that the people voted on and we have used in this House, of those original principles, you said, are -- are tough to be met -- all of them be met.

MR. LAVINE: Well, it -- it -- and there's something to be said for that. However, in removing considerations for incumbency, political parties and particular candidates from the principles that have to be used in redistricting while keeping communities of interest together will ensure that the people are at the center of the State's considerations when it comes to redistricting.

MR. DURSO: And I'll agree with that, but my -- my question is, in the original principles it said about partisan gerrymandering. We've now taken that out. So what principles are left?

(Conferring)

MR. LAVINE: Communities of interest --

MR. DURSO: Right.

MR. LAVINE: -- and not disenfranchising people.

MR. DURSO: Understood. So those -- and those are very important principles and I would agree with you, sir. But partisan gerrymandering, which we weren't allowed to do prior, right, because that specifically was stated, is now taken out. So, technically, you can partisan gerrymander, correct?

(Conferring)

MR. LAVINE: Notwithstanding the language of the Constitution, the Supreme Court of the United States has, for whatever reason, said, *that's cool.* I don't like it. But I think that legislators who operate in good faith will not do that.

MR. DURSO: Understood. But since we are setting

parameters here with this bill and this constitutional amendment and we are changing the way the IRC is set up and their principles and we would hope that legislators would not do that, why not leave that language in? We can hope all we want.

MR. LAVINE: We're simply trying to streamline a process so that the people benefit. And we're trying -- trying to do this consistently with Supreme Court jurisdiction and federal jurisdiction as well.

MR. DURSO: Understood. But -- so are you saying that we are following the Supreme Court's ruling to a T with all our principles that we are putting in this legislation?

MR. LAVINE: Mr. Durso, I should hope that we are holding ourselves to higher standards.

MR. DURSO: I agree, but unfortunately, sir, we don't. And that's why we're doing this bill now.

MR. LAVINE: Mr. Durso --

MR. DURSO: Yes, sir.

MR. LAVINE: -- I'm -- and I don't want to speak --

MR. DURSO: No, no. Please.

MR. LAVINE: -- but as they say, with all due respect --

MR. DURSO: Yeah.

MR. LAVINE: -- that's how you're calling it. I'm calling it differently.

MR. DURSO: And understood. And that's -- I guess

that would be a matter of opinion, correct, sir? But the fact remains that we are changing the language from its current state to this new state. And we are taking out the piece of language that says, you are not allowed to partisan, gerryman -- gerrymander districts. So, therefore, we're okay with partisan gerrymandering. That's the way I would take it.

MR. LAVINE: We have to act consistently with the Supreme Court whether we like its decisions or we don't like its decisions.

MR. DURSO: I'll -- I'll hold you to that for future bills, sir. I hope you'll follow what the Supreme Court says at all times and New York State won't do their own thing.

MR. LAVINE: Thank you, Mr. Durso.

MR. DURSO: Sure.

So another question is, is you had stated earlier -- oh, I'm sorry, sir. I --

MR. LAVINE: Don't be sorry.

MR. DURSO: I apologize. I wasn't done.

MR. LAVINE: I -- I don't accept your apology.

MR. DURSO: Oh, thank you, sir.

(Laughter)

You had said earlier in talking with one of my colleagues, this is about democracy and justice.

MR. LAVINE: Yes.

MR. DURSO: Can you explain what you meant at

that moment to me? Meaning, this bill is about democracy and justice --

MR. LAVINE: Yes.

MR. DURSO: -- that's what you were saying and the will of the people, correct? We have said that numerous times today --

MR. LAVINE: Agreed. Agreed.

MR. DURSO: So we gave this to the voters a number of years ago and they overwhelmingly voted a certain way and now we're telling them they're wrong.

MR. LAVINE: I wouldn't say -- no, I wouldn't --

MR. DURSO: Okay.

MR. LAVINE: -- go so far -- I -- I know where you're going, Mr. Durso --

MR. DURSO: Okay.

MR. LAVINE: -- but I wouldn't say they were wrong, I --

MR. DURSO: I wouldn't either.

MR. LAVINE: -- I would -- I appreciate -- I appreciate that, my friend. But I would say the people have the right to change the laws. They have the right to change the Constitution. And if -- if they agree with the positions that have been advanced by some on your side of the aisle, then they will not accept this. They will not vote for it. And if they agree with the opinions of some of us on this side, they will. That is their call.

MR. DURSO: I agree with you, sir. And -- and as I'm sure you do, I also hope that the voters vote the way that they feel and they feel is the right thing to do. I'm sure you feel the same way.

Now you also stated before when one of our colleagues asked, does this get rid of the Independent Redistricting Commission? I believe your answer was no.

MR. LAVINE: It does not.

MR. DURSO: But it does substantially change how the Independent Redistricting Commission works.

MR. LAVINE: It -- it really doesn't change how it works. What it does do is streamline the process of what's to occur when they can't come to a decision, which we've seen happen, or when they come to a decision and send maps that are not tenable.

MR. DURSO: Understood. So in the discussion, because I'm not an expert on this, it did say it allows for mid-decade congressional redistricting, correct?

MR. LAVINE: Yes.

MR. DURSO: Okay. But it does not allow for mid-decade redistricting of the legislative maps, both the Senate and Assembly, correct?

MR. LAVINE: Yes.

MR. DURSO: Why is that?

(Conferring)

MR. LAVINE: The impact of the developments in redistricting decisions seems to impact congressional districts more

than state legislative districts and we have seen profound changes in federal interpretations of voting rights and constitutional rights over the course of the last several years. The constitutionally permissible population deviation for congressional districts is, essentially, it's equal populations plus or minus a few -- a few people which inherently restricts application of other redistricting principles.

In other words, we -- we -- we have been -- we have been able to handle state issues in terms of redistricting. Federal is a different story.

MR. DURSO: But don't -- but here in the State we create the congressional maps, correct? I mean, I voted on them before. You voted on them before.

MR. LAVINE: Yes. Yes, we do.

MR. DURSO: So why would we do a constitutional amendment that allows us to change -- and -- and -- and maybe you said and I don't understand, so I apologize -- congressional maps only mid-decade, but not the Senate and the Assembly? So if -- if it's a census issue, if it's any -- our districts may be smaller, right, but the process is the same. So if the process is bad creating congressional maps, wouldn't the process then be bad creating the legislative maps? I'm just looking for consistency since we're trying to streamline this for the voters. I don't want them to be confused.

MR. LAVINE: So it's very foreseeable that changes to the overall rules governing redistricting will continue as we see more and more decisions issued by federal -- by federal courts and the

United States Supreme Court will continue. So the thought here is to enable our Legislature to make mid-decade changes to congressional districts because we need the flexibility in order to do that.

MR. DURSO: Flexibility for what? If we -- if we are the ones -- we still create the maps. So why would -- if we change the map in 2020, just so we can go for even, why is that map different in 2025?

MR. LAVINE: We're not the Supreme Court of the United States, but we are constrained to live within how the Supreme Court of the United States defines issues such as districting and redistricting. We need the flexibility. We need to be nimble in order to do this.

MR. DURSO: So you're saying that the Supreme Court has, essentially, told us we have to change the maps?

MR. LAVINE: As odd as some of their determinations are, they haven't gone into that realm of oddness. But we have the responsibility of protecting the people of the State of New York by making sure that their congressional districts are consistent with what the law is.

MR. DURSO: Okay. But if they haven't made that ruling and as you said before, you don't have a crystal ball so you don't know what's gonna happen, why are we doing this now? If we don't have a crystal ball and we don't know what's gonna happen in the future, why do this ahead of time?

MR. LAVINE: So I seem to remember when kids

were Cub Scouts or Boy Scouts, the motto was "Be Prepared". And we need to be prepared in order to protect the people of the State of New York.

MR. DURSO: So why, Mr. Lavine, with the 40 seconds I have left, why wouldn't we prepare if we had a similar issue when it came to our legislative maps?

MR. LAVINE: You mean our State legislative maps?

MR. DURSO: Yes, sir. Yes, sir.

(Conferring)

MR. LAVINE: So -- and I don't want to make this too arcane or too technical, but federal decisions are coming a lot. A lot more than any of us anticipated, going into areas a lot of us never anticipated federal courts would go to and federal courts are in charge of federal -- federal districts. In other words, these are federal issues. And we have a system where the federal government's got power. The State government's got power as well.

MR. DURSO: So you --

MR. LAVINE: And we -- we need -- we -- we need to have the flexibility and the insight in order to protect our citizens --

ACTING SPEAKER HUNTER: Thank you.

Mr. Jensen.

MR. DURSO: Thanks.

MR. JENSEN: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. JENSEN: I rise this evening in -- in opposition to the amendment being presented to us. And as I make comments on the resolution, I do want to make something clear. My comments are not about one party versus another, they're not comments about which party may or may not benefit from a particular set of redistricting lines. It's not comments about who started the latest round in what has become an endless national redistricting war. What we're talking about tonight is about whether we, as public servants, are willing to acknowledge that something can be wrong when our side does it just as much as when the other side does. Because the truth is, this national redistricting war that has prompt this amendment and has consumed American -- American politics for 12 month is a pox on all our Houses. It is bad when the Republicans do it and it's bad when the Democrats do it. It's bad when politicians view district lines as weapons to be sharpened rather than rules to be respected. And fundamentally, it's bad for democracy.

For years the New Yorkers we represent have heard promises about creating a more independent and more predictable redistricting process. And after decades of complaints about politicians drawing their own maps to choose their voters, we did amend our constitution with voter approval to establish a process intended to provide greater transparency, greater public confidence and greater stability. Is it perfect? No. But really no process designed by man ever is. But at least that imperfect process

represented an agreement that the rules would be known in advance and that those rules would not change every time political wins in our State or in the nation shifted. That certainty matters. That stability matters and the public confidence that it gives matters.

And I believe that this amendment tonight moves us in that opposite direction. This constitutional amendment will create a mechanism from which New York can reopen our congressional redistricting outside the normal timeline. And we've heard throughout this evening's debate that it will be the voters who have the ultimate say. And, yes, under this proposal as a constitutional amendment, it needs to be approved by two separate legislatures and then be approved by the voters of the State. But that fundamentally misses the larger point. The question before us is not really merely whether this process will exist, the question is that whether reopening -- re -- redistricting mid-decade should become an accepted tool in our political arsenal. And I, for one, believe that answer should be no.

What is happening around the country right now should concern everyone of us regardless of what side of the room we sit on. We watch every day states engage in an escalating cycle of retaliation. One state draws maps for partisan advantage and then another state responds, then another and another. And the justification is always the same; *well, we have to do it because they did. We have to respond. We can't unilaterally disarm. We have to fight fire with fire.* But eventually if everyone is fighting fire with fire, all we're left with is ashes. And that's where this lead -- road will lead. And the

most troubling part of fighting fire with fire is that every side believes they're acting defensively. Every side believes it's merely responding to someone else's aggressions. Every side believes its own exception is justified. Meanwhile, the public we represent and their confidence in the fairness of elections will continue to erode.

In the town of Ogden that I represent, there's a -- an old farmer who lived down the street from where a good friend of mine grew up and every spring he sold vegetables from a small stand near the road. In one year a farmer just near his became convinced that somebody had been taking his produce from his stand without paying and he rightfully got mad. So, in response, he started taking vegetables from another stand down the road because he figured, well, somebody else is doing it. He figured somebody else is doing it because they're doing it to him. And a few weeks later the farmer that he took produce from started taking produce from somebody else and before long, half the vegetable and produce stands in the entire town were short on vegetables and fruit and nobody knew who had started what. And finally, the original farmer shook his head and said, *well, fellows, I guess stealing from each other hasn't fixed or found a singe one of my missing tomatoes.*

That is the problem with the politics of retaliation. When everybody starts justifying their actions based on what somebody else did first, eventually nobody will remember what the original rule was supposed to be. Two wrongs don't make a right, they just make more wrongs. If another state manipulates its maps for

partisan gain, that suddenly doesn't make the manipulation virtuous. And that lesson applies just as much to redistricting as it does to the farmers missing tomatoes. If Republicans do -- if Republicans somewhere do something wrong, Democrats doing the same thing doesn't make it right. And if Democrats somewhere do something wrong, Republicans copying them doesn't make it right either. Two wrongs still will not make a right and they certainly don't make good constitutional policy.

Constitutions are supposed to establish enduring principles. They're supposed to be the guardrails that remain in place regardless of what -- of who happens to hold power at any given moment in time. They should not become instruments designed to gain temporary political advantage in the latest partisan conflict. It is true whether the beneficiaries are Democrats or Republicans, Conservatives, Liberals or any other partisan viewpoint. The danger we have here is not simply what happens today, it's the danger in these -- in the precedent we establish for tomorrow and imagine the message we send if we embrace the idea that congressional maps should be reopened whenever political circumstances appear favorable.

Do we really believe the principle will only be used by one side? Do we really believe that future legislatures will exercise restraint once the door has been opened? Of course not. History has taught us time and time again exactly the opposite. Every new political weapon eventually gets used by everyone. Every escalation

eventually invites another escalation and every exception eventually becomes the new rule.

That is why I find myself increasingly uncomfortable with the direction our politics is heading. Not because I lack conviction and not because I don't care about policy outcomes, it's because I care deeply about institutions that make our self-government possible. Healthy democracies require losing sides to believe that the rules are legitimate. They require citizens to believe that elections are meaningful. And they require confidence that the game is not being rewritten in the middle of play. When people begin to view every election as a struggle to control the rules themselves rather than a competition within established rules, that trust will disappear. And I remember when I was a kid my father told me time and time again, that trust, once lost, is extraordinarily difficult to rebuild.

And I understand the arguments that are being made in favor of the amendment. And I understand the frustrations that have emerged from the redistricting battles from around our country. And I understand the temptation to respond in kind, but I would submit that somebody has to be willing to say, *enough.* Somebody has to be willing to say that the answer to an unhealthy cycle is not accelerating it. Somebody has to be willing to say that uncons -- that constitutional governance requires restraint and somebody has to be willing to say that what is legally permissible is not always wise.

I believe that New Yorkers deserve a redistricting process that is stable. I believe they deserve rules that are predictable.

And I believe that they deserve confidence that constitutional provisions are being written for the long-term health of democracy rather than any short-term advantage of a certain political party. And I believe that the escalating national redistricting war is damaging public trust regardless of who is winning this particular round. That war is a pox on all our Houses. It is making our politics more cynical, it is making our institutions weaker and it is making Americans increasingly doubtful that the system treats everyone fairly. We should not bring that mentality further into our constitution.

For those reasons, Madam Speaker, I will be voting in the negative.

Thank you --

ACTING SPEAKER HUNTER: Thank you.

Just a reminder to my colleagues, that remarks offered should be relating to the proposed change in law and the impacts of that change. Redistricting changes outside of New York are not related to the proposal currently before the House nor national politics related to this proposal.

Mr. Keith Brown.

MR. K. BROWN: Thank you, Madam Speaker. Will the Chairman of the Judiciary Committee yield for some questions?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. K. BROWN: Thank you, Mr. Lavine. And before we get started, I just want to say, as a practitioner of 32 years, it's been an honor and a privilege to serve on the Judiciary Committee.

I have some questions for you related to the sponsor memo, in particular. Under the justification -- first off, did you help prepare the sponsor memo for this piece of legislation?

(Conferring)

MR. LAVINE: Mr. Brown, your presence on the committee has been appreciated as -- as well. But I -- I'm not the sponsor, so I didn't -- I -- I didn't prepare nor do I know who prepared the sponsor's memorandum.

MR. K. BROWN: Fair enough. Did you review the sponsor memo, though, in preparing for the debate today?

MR. LAVINE: No. I reviewed the language of the -- of the proposed bill.

MR. K. BROWN: Well, perhaps, if a member of your team there might have a copy of it, I'm going to be referring to it for the first couple of questions.

MR. LAVINE: I'm -- I'm gonna just suggest that you go in whatever direction --

MR. K. BROWN: Sure.

MR. LAVINE: -- you're going into.

MR. K. BROWN: Sure. So the first paragraph talks about the redistricting issues and the State Constitution arise out of misalignment with federal jurisprudence. Can you tell me what

federal jurisprudence that's referring to?

(Conferring)

MR. LAVINE: I'm sorry. You're -- you're talking about the first paragraph of the sponsor's memo?

MR. K. BROWN: In the justification section. Yes.

MR. LAVINE: Oh. In the justification system -- section? I -- I didn't read it. I -- I don't know and I'm not -- I'm not prepared to comment on the justification section.

MR. K. BROWN: Well, certainly, you've been keeping abreast of what's been happening, what was the genesis of this particular piece of legislation --

MR. LAVINE: Mr. -- Mr. Brown -- oh, I'm sorry. I didn't mean to interrupt --

MR. K. BROWN: Yup. Sorry. But --

(Crosstalk)

-- the question is very simple --

MR. LAVINE: -- but, as you know -- as you know, I -- I do know a little bit about cross-examination. And -- and what may I ask, my friend, is your point?

MR. K. BROWN: The question I was about to utter was, do you know what federal jurisprudence it's referring to since you're no doubt a learned practitioner in the field of constitutional law and in particular, the redistricting bill that we're referring to?

MR. LAVINE: Mr. Brown, I think we've been discussing that precise subject over the course of the last several

hours.

MR. K. BROWN: Sure. And that's why I just tried to clarify what federal jurisprudence we're talking about that are -- that caused this bill to be written.

(Conferring)

MR. LAVINE: Let me just be clear that whatever federal decisions have been issued, they are not the cause of the need for the State of New York to have flexibility to -- to make sure that our people are protected.

MR. K. BROWN: Right. So the next paragraph talks about one of the justifications being the fact that the IRC process resulted in a convoluted process that ultimately resulted inher -- inherently drawn lines. Not my words, the justification words.

MR. LAVINE: Well, I -- I -- I agree with what you said and what you just read.

MR. K. BROWN: Right. So -- but wasn't the problem with the IRC the first time, it was temporary maps that were generated because there was not enough time before that it was Election Day. So they used temporary maps and then after that there was a two-year process to generate new maps; was there not?

MR. LAVINE: Mr. Brown, I'm not -- I'm not sure that that's -- that that's correct. But, certainly, the -- the process needs some assistance and I would agree that there have been problems with the IRC in the past.

MR. K. BROWN: Well --

MR. LAVINE: And we all know that.

MR. K. BROWN: I would submit to you, Mr. Lavine, that I recall being here debating with the gentleman from Rockland County, who is no longer in this Body, about this particular issue and we talked about the fact that, I asked him flat out, wasn't the problem with the IRC and the process that we didn't go back to the IRC for the second round, and because of that those maps were thrown out.

So let me ask the question a different way. Is two years, in your estimation, enough time to generate new maps for our congressional districts in the State of New York?

MR. LAVINE: It certainly could be. I don't know. It could be.

MR. K. BROWN: And that, further on, it says that, this bill will revise the process for legislators' consideration of IRC redistricting plans to ensure adequate time to evaluate and vote on such plans. And if necessary, the next redistricting legislation should an IRC plan not be adopted.

MR. LAVINE: And the question is, do I agree with what you just said? I'm --

MR. K. BROWN: No. The question is --

MR. LAVINE: -- I'm not sure I know what you just said.

MR. K. BROWN: -- was the first time -- we know that the process didn't work because we had two rounds. And at this

time you've eliminated the -- the two rounds; is that correct?

MR. LAVINE: Under -- under the proposal. You are correct.

MR. K. BROWN: Okay.

It goes on to ask -- state that we're removing certain redistricting criteria. Can you tell us what criteria that is specifically?

MR. LAVINE: Those are precisely what we've been discussing for the last two-and-a-half hours, Mr. Brown.

MR. K. BROWN: Okay. And then it goes on, while it leaves in place critical criteria that prioritizes voter enfranchisement and voter choice. So I'm -- I'm asking, what the difference between -- it's in the same sentence and it talks about certain criteria and then it goes on to talk about the critical criteria. So what was that certain criteria that was so problematic?

(Conferring)

MR. LAVINE: Mr. Brown, I'm sorry. I just had a tough time hearing that entire question. Do you think you could repeat it or --

MR. K. BROWN: Let me rephrase it is.

MR. LAVINE: Thank you.

MR. K. BROWN: In the justification paragraph it talks about the proposed changes in this legislation were to remove certain redistrict -- redistricting criteria and I'm simply asking what it is that was problematic in -- that we're referring to as that certain criteria?

MR. LAVINE: Mr. Brown, that's precisely what we've been discussing for the last --

(Conferring)

MR. K. BROWN: Okay.

MR. LAVINE: -- just about three hours.

MR. K. BROWN: And now it also says, it has been this way for the last -- since 2014. It talks about a future need for revisions be -- to arise. And if we have a need for that, could you tell us, in your estimation, what some of those future needs of revisions might be so we all know?

MR. LAVINE: Mr. Brown, I have a tough enough time figuring out what happens -- what's happened in the past. And I'm in no position to prognosticate on what's gonna happen in the future.

MR. K. BROWN: So there's no examples of what a triggering event might possibly be?

MR. LAVINE: There -- there is no triggering event.

MR. K. BROWN: Right. But this bill contemplates that the maps could be redrawn one time or multiple times within a decade, right? And there's gotta be some type of triggering event. So you're telling us right now that we have no idea what's -- what that trigger event might be, yet we're -- we're making a constitutional amendment on it?

MR. LAVINE: So I'm going to answer this way, I don't know, but I do know in the words of Bob Dylan that "the times

they are a changin'."

MR. K. BROWN: So it could be anything, then, within the -- the ten-year span from one census to another, instead of having what we've been used to, which is the redrawing of one map for a decade, we could have multiple maps throughout the decade in the future?

MR. LAVINE: I -- I think that anything is possible. I have no -- I have no idea. And I don't know how to answer that question.

MR. K. BROWN: Right. So we're -- we're building in --

MR. LAVINE: If it's a question.

MR. K. BROWN: -- we're -- we're building a strong model here when we're changing a constitutional amendment.

Mr. Lavine, could you tell me, what is the New York Democracy Project?

MR. LAVINE: If I tell you I don't know, what are you gonna do?

MR. K. BROWN: That is not an answer to the question, Mr. Lavine. I'm asking you simply, do you know what the New York Democracy Project is?

MR. LAVINE: I don't know what it is and now what have you got to say about that?

MR. K. BROWN: Yeah. So I -- I'm not the one trying to justify the bill, Mr. Lavine, you are. But there was a meeting

on May 5th with Congressman Joe Morelle here at the State Capitol; is that correct?

MR. LAVINE: You know, Joe Morelle is an old and a dear friend and I do believe that he was in this neighborhood at -- at some point recently.

MR. K. BROWN: Were you -- were you present at that meeting, sir?

MR. LAVINE: Was -- was I -- was I now --

ACTING SPEAKER BUTTENSCHON: Ms. Cruz, why do you rise?

MS. CRUZ: Point of order. This question is not germane to the legislation, a press conference outside of what we're doing here.

(Pause)

MR. K. BROWN: May I defend --

ACTING SPEAKER BUTTENSCHON: The point of order has been raised. We will pause for a moment until the Chairman makes a ruling.

MR. K. BROWN: May I defend the point of order?

ACTING SPEAKER BUTTENSCHON: One moment, please.

MR. K. BROWN: I -- I do believe I get a say. The point of order was --

ACTING SPEAKER BUTTENSCHON: Just one moment, please.

(Pause)

Mr. Brown, please continue in order.

MR. K. BROWN: I believe there was a question on the floor. It asked, were you present at the meeting, simply, Mr. Lavine?

MR. LAVINE: So was I now or was I ever present at a -- at that meeting? The answer is no.

MR. K. BROWN: At the May 5th --

(Crosstalk)

-- at the May 5th meeting, sir. You know which meeting I was talking to [sic].

MR. LAVINE: No. But I'm a little upset I wasn't invited.

MR. K. BROWN: Okay.

(Pause)

So we just redrew the maps, the congressional maps, in 2024, correct?

MR. LAVINE: That is accurate.

MR. K. BROWN: Could you tell me what was wrong with them?

(Conferring)

MR. LAVINE: As I recall, a court had ordered production of -- of maps and we couldn't get them, as I recall, from the IRC.

(Conferring)

Oh. We did not enact the maps that the IRC had forwarded.

MR. K. BROWN: Do you recall how much we allocated for the IRC in this past budget that we just passed last week, Mr. Lavine?

MR. LAVINE: You got me on that one. The answer is no.

MR. K. BROWN: 1.2 million.

Let me ask you this: Why do we have an IRC?

MR. LAVINE: We established an IRC at a time when we were attempting to protect the drawing of -- of lines.

MR. K. BROWN: Okay.

I'm moving on to -- the Attorney General made an opinion on June 2nd of this year. It states that the amendment, "will have no further effect upon the provisions of the constitution." Do you agree with that conclusion?

MR. LAVINE: The Attorney General was correct.

MR. K. BROWN: Okay. Would New York be able to complete redistricting after the next census if this amendment were to be rejected, Mr. Lavine?

MR. LAVINE: We've got to comply with the United States Constitution. So, of course.

MR. K. BROWN: And is there a particular constitutional defect in the maps?

MR. LAVINE: Not -- none has been identified by

any court that I -- that I'm aware of.

MR. K. BROWN: Or is there some type of federal constitutional requirement that's not contained in the maps?

MR. LAVINE: Is there some kind of federal constitutional requirement that's not contained in the maps?

MR. K. BROWN: Yes.

MR. LAVINE: I -- I -- I'm -- I don't understand.

MR. K. BROWN: So the big question, Mr. Lavine, with the time that remains, what is the compelling reason for amending the New York State Constitution at this time?

MR. LAVINE: To give the State the flexibility and nimbleness that it needs as laws are changing on the federal level.

MR. K. BROWN: Thank you, Madam Speaker. I have no further questions.

ACTING SPEAKER HUNTER: Mr. Bologna.

MR. BOLOGNA: Thank you, Madam Speaker.

On the bill, please.

ACTING SPEAKER HUNTER: On the bill.

MR. BOLOGNA: I -- I want to begin somewhere just a little bit different. I don't want to start with Republicans. I don't want to start with Democrats. I don't want to start with presidents. And I don't want to start with Texas, Florida, California or pick your state. I want to start with the people that we represent.

Now we've talked about people, the people, in the abstract tonight. But the fact of the matter is, is that most people don't

spend their nights thinking about redistricting. They don't know what the Independent Redistricting Commission is. They don't know what Article III of the New York State Constitution says and they don't sit around debating congressional maps. They're raising their children. Honestly, I'm thinking about mine a lot these past couple of weeks. They're paying their mortgages, they're working overtime, they're running small businesses, coaching Little League. They're volunteering at their local fire department and they're trying to build a good life. And every few years they take a little bit of time out of their day to do something I consider sacred; they vote. Not because they expect to win every election, not because they expect everyone to agree with them. They vote because they believe that their voice actually matters. They believe that their vote counts and they believe that the rules are the rules and that's what this debate is really about. It's not about maps. It's not about politics. It's trust. It's trust between people and their government.

And in 2014, the people of New York made a decision. Ultimately, not us, them. They looked at decades of partisan redistricting and they said, *enough.* They amended the constitution and they created an Independent Redistricting Commission and said, *politicians should not have the unchecked authority to draw their own districts* and they put safeguards in place. They prohibited districts from being drawn in favor of political parties. They prohibited districts from being drawn to protect incumbents, and they prohibited districts from being drawn to

discourage competition. It wasn't the legislature's decision, that was the people's decision, and today we are being asked to vote to undo that.

Now I have heard arguments. I've heard that other states are doing it. I've read the papers. I've heard that Texas is doing it. Florida's doing it. I've heard that we have to fight fire with fire --

ACTING SPEAKER HUNTER: Mr. Bologna, we're not talking about other states.

Thank you.

MR. BOLOGNA: Thank you, Madam Speaker. I've heard about fair play and respectfully, I don't believe that "they started it" has ever been the foundation of good public policy. "They started it" has never once appeared in a preamble of a Constitution and it shouldn't appear in ours. If we're being honest, that's what this entire argument is before us. It's not, this is good. Not this is fair. Not that it strengthens our democracy. But someone else did it first.

If political gerrymandering is wrong in Texas, it's wrong in New York. If it's wrong in Florida, it's wrong in New York. If it's wrong in California, it's wrong in New York. And the most dangerous thing about this bill is not that it draws unfair lines on a map, it's that it draws unfair lines between politicians who benefit from the system and the voters who are supposed to control it. Principles that only apply when your opponents are in power are not principles at all. They're excuses dressed up in language of democracy and constitutions are supposed to be built on those

principles, not preferences.

Now, I've actually hear the Governor reference the movie *Star Wars*. The Governor said, "the Empire State strikes back." And I -- I actually really do get what she was trying to say there. But when I heard that phrase, I couldn't help but think of another line from that movie. A line spoking [sic] at the moment the republic willingly surrendered the restraints that protected its liberty. "So this is how liberty dies, with thunderous applause." That line is endured because it captured something timeless.

The greatest threat to democratic institutions are rarely a single villain. It's people and frankly legislative bodies convincing themselves that extraordinary power is justified because the circumstances are extraordinary. That the rules must be bent because the stakes are just too high, that principles can wait because victory comes first. History teaches us that once power is taken, it is very rarely surrendered voluntarily. That's why our Constitution exists. That's why the guardrails exists. That's why people put those protections into place.

Now, this bill doesn't strengthen the IRC, it weakens it. This bill doesn't strengthen the airy -- the -- the anti-gerrymandering provisions of our Constitution, it quite literally removes them. This bill doesn't preserve competition, it eliminates language protecting competition. This bill does not maintain safeguards that voters have approved, and I think we should be honest enough to say that because, frankly, honesty matters here. The public

can read -- read the bill. They can see that the constitutional prohibition against favoring political parties has been removed. The public can see that the prohibition against discouraging competition has been removed. The public can see that the Legislature is being given a new authority to redrawing congressional districts between census. They can read the bill for themselves. But they deserve honesty from us, in here, in this building tonight.

I have heard some people say that this is about getting New York a seat at the table, but New York already has a seat at the table. The question is, who's getting the seat? Is it the voters or is it the politicians? Because there is a found -- profound difference between representation and power. Representation belongs to the people and they give the power to the government and every generation is tested on whether it is willing to place limits on that power. And that is our responsibility in this room tonight. That is the test before us; not whether Democrats win, not whether Republicans win, it's whether the institution wins, it is whether the Constitution wins, whether people who have entrusted us with their voices can still believe that the rules apply equally to everyone, even here in New York.

One of my favorite quotes is, "Leadership is not about being in charge. It is about taking care of those in our charge." And the people in our charge did not send us here to maximize a partisan advantage. They sent us here to protect the integrity of the system itself. Because when you lose faith in our institutions, the

public loses. The institution loses. And once trust is lost, as my good friend, Mr. Jensen said, it is damn near impossible to get back.

So there's a moment in every institution's history where the people inside of it must decide whether the rules apply to them or just to everyone else. Whether principles matter only when they are politically convenient. I believe that this is one of those moments. I know it's late. I know it's [sic] tired. I know we all probably want to go home. But this is one of those moments because democracy is not measured by whether your side wins. Democracy is measured whether the rules remain fair when your side might lose. That is the question before us tonight. That is the test before us tonight and I certainly hope that we are up to the challenge.

And Madam Speaker, that is why I cannot support this legislation.

Thank you very much.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MRS. PEOPLES-STOKES: Thank you. I -- I understand this is -- there's been 27 different amendments to our

Constitution that went in place in 1895. So this will make 28?

MR. LAVINE: I believe -- I believe so.

And -- and may I, point to personal order, say what an honor and privilege it has been to work with you, my friend.

MRS. PEOPLES-STOKES: Thank you.

(Applause)

Thank you, sir. I -- I -- I appreciate your comments.

I -- I'm listening intently to the debate and the concerns that my colleagues in the Chambers have on both sides of the aisle and it's okay. It's understandable. We all have opinions. Might not necessarily agree on what our opinions are, but we do have them. And this is the place where we're supposed to be able to state them, and we're supposed to be able to state them in a way that is not disrespectful to our colleagues and that honors the -- the principles of the building that we're in and what we're doing for our communities.

So I just want to go on bill for a minute --

ACTING SPEAKER HUNTER: On the bill.

MRS. PEOPLES-STOKES: -- Madam Speaker. I think that this is an opportunity to really talk about how do we make things more efficient. I mean, when we did the last amendment to add the IRC, there was -- some of us in this Chamber, I kind of remember having a conversation, that this is not a right -- a good thing to be doing. We're literally ceding our power to some people who hadn't been elected yet. And every [sic] since did that, we also seem to be in court again about something that came out of that process that should

have worked better if it had remained in the House as we're -- it was originally put in the Constitution. But he didn't -- it didn't happen that way. Here we are today and this is what we have. And I think this is an opportunity to, as the sponsor said, to provide a more efficient process and it does give the voters the right to speak.

Now I have to be honest, the voters probably have spoken more than once on a few things. I know they spoke more than once when they reelected me and so, sometimes they do repetitive things. And sometimes they do something that will be different and that will change the trajectory of where we're going here. I don't think that's gonna happen because I think once people understand what it is that -- what the process is that we're going through to make things more efficient --

(Phone alarm)

That's telling me to take my 9 o'clock medication. I apologize.

(Laughter)

You want your government to be -- function more effectively and efficiently. You shouldn't need to go to court multiple times after decisions have been made about redrawing lines and hopefully that process will not happen again.

So I do see this as streamlining and I think it's an opportunity for us to, you know, lose a little confusion about the whole process. It's real simple. One vote for every person who's eligible. No matter what district you lie -- you line them up in and

everybody gets their vote.

Now, I'm grateful to have the opportunity to vote on this piece of legislation today. I'm honored to do that. And the only sad part about it is, I won't be here next year to vote on it again. But if I was, I would. One place I will be, hopefully, is at the voting booth when it comes up so that I can vote on it as a voter and I will. And I think that that is our responsibility to share with the rest of our constituency to make sure that they are doing likewise.

So, again, it -- it's the -- you know, we're gonna be on different sides of this issue and we don't live in a perfect democracy. As a matter of fact, it's really kind of unhealthy and it's been unhealthy for a long time. Every [sic] since the sitting president was denied an opportunity to appoint a Supreme Court judge, it's been unhealthy. So, yes, we do still have a lot of work to do on it, but it's worth it because it's ours. It's our democracy. Our democracy in New York State and our democracy in the United States and we should want to keep working on that. I do.

So, again, I want to thank the sponsor of this legislation and I hope that my colleagues, despite of the fact that you're gonna agree to disagree, don't be angry with each other because you don't agree with what I say. There's no need to be upset. Stay calm, vote yes on -- on this bill.

Thank you.

And congratulations, Mr. Lavine, on doing a great job on the floor.

ACTING SPEAKER HUNTER: Thank you.

Ms. Cruz.

MS. CRUZ: Thank you, Madam Speaker. You know, we come to Albany to represent --

ACTING SPEAKER HUNTER: On the bill?

MS. CRUZ: Oh, I'm sorry, Madam Speaker. Yeah. It's late.

ACTING SPEAKER HUNTER: On the bill --

MS. CRUZ: On the bill. We come to Albany to represent members of the community -- our communities who elect us. We come to get them resources, to pass legislation to protect their rights, to pass legislation to give them new rights and we do so, you know, because they sent us here to be their voice. How do they choose us? There's a map and that map gets to tell people who -- where -- who they can vote for from where. And there is a process, currently, for how to create those maps. And they're drawn to ensure that those folks who go out are choosing people that they want. These are the job interviews they put us through and if they decide they like us, every two years they get to do the same thing. You know, this process of creating the maps is difficult and frankly, not democratic the way it is now.

I happen to represent an incredibly politically involved community and as involved as they are, I was actually really surprised to see how much attention they were paying to this. I received several e-mails asking me when we were going to do this.

We got calls in the office from people asking when we were going to do this. And we got complaints the last time we did this because people were paying attention, not just a couple of years ago, but in 2013 and in 2014. And people saw, frankly, that it was kind of messy, unnecessarily. And, you know, the process, the way that it played out, it was supposed to be an independent process but it actually was more of a bipartisan process. And it's a different thing. Those are not the same.

And I want to read specifically from a Brennan Center article from 2022 that kind of explains how voting and constitutional scholars, as well as many of our voters actually feel about this process. The latest round of redistricting in New York State was a mess, with courts throwing out the maps passed by the Legislature, followed by a rushed process to get court-drawn maps in place in a -- in time for a delayed primary. In the end, the maps adopted by the court are among the most competitive and politically balanced in the nation. But ultimately, most of the problems with how New York's redistricting played out lie in the design of the 2014 reforms. Despite being described in New York law as independent, the changes in reality resulted in a process that remains far more open to political manipulation and it is far less independent than those states that adopted more comprehensive reforms.

The IRC has generated at least three lawsuits because the process as it currently is written is confusing and disorganized and it's begging for clarity and that is what we're trying to do here today.

These changes provide clarity. These changes are about small-d democracy. The people elect their representatives and the reps, that's us, we come here and we align ourselves with a conference as we see fit for most of us and based on what our voters want that's how we make decisions because our community is telling us what they need.

And I want to thank our Speaker for bringing this bill and the bill sponsor for forward -- bringing it forward to ensure that we can truly provide a clear and frankly, a cleaner path for the creation of these maps so that the community's right to vote for who they want can be protected.

Sitting here today, I find myself one -- wondering, why is it that when we make those decisions in support of our constituents they're seen as two wrongs? And it's only because we are the ones making them. Ultimately, the decisions we make are ever seen as something that makes our voters unhappy, they have a chance every two years job during our job interviews to let us know and vote us out. For me, my voters are telling me that they're going -- that they've been wanting this change to protect our democracy and this is how we do it.

And I'll be voting in the affirmative later and I ask my colleges to do the same.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Tague.

MR. TAGUE: Thank you, Madam Speaker. Would

the sponsor yield, please?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Yes.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. TAGUE: This is probably our last go at it, Mr. Lavine. It was a long time ago that I actually did my first debate with you, and I just want to say it's been an honor and a pleasure serving with you, sir.

MR. LAVINE: Mr. Tague, as they say in Brooklyn, comin' right back at ya. One word.

MR. TAGUE: Thank you. Mr. Lavine, does this current constitutional amendment trump the constitutional amendment that's in place now?

MR. LAVINE: If -- if it -- if it's approved it will be the law. I'm not sure I know what do you mean by --

MR. TAGUE: That was a little bit --

MR. LAVINE: Maybe I shouldn't go there, by trumped.

MR. TAGUE: It was a little bit of a joke, just so you know. You and I always have one joke between the two of us when we debate.

MR. LAVINE: Chris, you know I wish you all the best.

MR. TAGUE: Thank you.

The other question I have, so if this bill -- if -- if this bill is passed and it ends up going to the Legislature to choose -- to choose the maps, who is gonna be responsible for holding the Legislature to be fair and honest with the drawing of those maps?

MR. LAVINE: Ah, you're touching on the heart and the soul and the essence of the American system of government, and it's the people we represent.

MR. TAGUE: Okay. One other thing that I have a concern on -- I'm gonna try to turn this into a question. But one of my concerns is that the way that this reads -- and correct me if I'm wrong -- is that this -- these provisions would end up being voted on by the public in 2027. And being that there are no Federal, State -- Federal or State elections in 2027, I mean, turnout's gonna be putrid. And, I mean, aren't we not giving as many folks as we possibly can the opportunity to vote? Why wouldn't we do it when we're gonna have a State and Federal election when we know that a majority of New York voters actually come out and vote?

MR. LAVINE: I'm just gonna argue with part of the logic in your -- in your question. I have no idea whether this is going to be passed next year or not.

MR. TAGUE: Well, I -- I thank you, as always, Mr. Lavine.

And Madam Speaker, on the bill please.

ACTING SPEAKER HUNTER: On the bill.

MR. TAGUE: I'm gonna be very brief. But it just --

it amazes me how we couldn't have a budget by April 1st. It took us until the end of this month to get a budget. But all of a sudden, almost the last night of Session at the end of the year, all of a sudden this bill pops up. No committee meetings -- I'm on the Election Law Committee. This has -- never went through Election Law. As a matter of fact, I don't even see the Chairwoman from Election Law here. And all of a sudden this bill just pops up in the last couple days and we got to do right away. But there was no urgency to get a budget passed. None whatsoever. That's part of my problem with this, is that it's just the same old political -- political stuff. No one's really thought this out. This is just a knee-jerk reaction. You know, this -- this country, this State, all we care about is politics. We don't really care about the real reason why we're supposed to be here, and that's the people that we represent. When we're going through an affordability crisis and so many other things, and we're here at ten after nine on one of the last nights of Session, worrying about redistricting, which we just did four years ago. I -- I don't know. It's -- to me, it's a wonder why the people out in the real world are so disgusted with political parties and with politicians.

I'll be voting no. I do appreciate Mr. Lavine and all the time he spent answering all the questions. He's -- he's a very respectful gentleman and I -- I want to say that. But I'm not buying this. When we talk about democracy, this isn't democracy. Democracy is allowing the people a seat at the table and doing what they want, not pushed by just a few politicians.

So, Madam Speaker, as I wind up my time here it's probably no surprise that I'll be voting no. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Gallagher.

MS. GALLAGHER: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. GALLAGHER: First and foremost, I rise to recognize my colleague who is the Chair of the Judiciary Committee. He has proven through his thoughtfulness, eloquence and responsiveness that he knows constitutional law deeply and cares about holding the documents that form the foundation of our State in high regard. And most of all, his sense of humor has kept the lights on here in this room, even as conversations have grown frequently dark this evening.

The wonderful thing about democracy is that it is always a work in progress. That means we take our time to consider and think about how we can improve and streamline the process. The processes we develop in a different era are rarely the right ones for our modern era. I think it's important to ground us in the document that this proposal seeks to change, the New York State Constitution.

The first New York Constitution [sic] was adopted by convention of the representatives of the State of New York on April 20, 1777. A second Constitution was adopted in 1821, a third in 1846, a fourth in 1894, and a fifth in 1938. Since 1938, that

Constitution has been amended many times. A cornerstone of this New York State Constitution is and has always been about making sure that small-d democracy can thrive, from town to town, city to city, to make sure that each community can collaborate in lawmaking via the representative that they elect, and that those elections are shaped by what communities make sense to vote together.

I'm proud to be a part of the Legislature that is looking into the future and thinking about how very much our representation counts; how we can adapt to changing conditions to give New Yorkers more power to choose their destiny.

I, indeed, do come from a community that thinks about redistricting and participates in conversations around it. I have several parts of my district that have fought to be represented together so that com -- committees of interest can stay together, and those communities that have long been working together can vote together so that they may be represented by someone who understands both what they have in common and what they do not. That's what small-d democracy is; power for the people of New York to choose their own destiny.

Elections matter, and voting is a form of public protection that everyone deserves access to. I believe this constitutional amendment brings us closer to that. It is our job to make sure that every community of interest has an opportunity to determine their representation through free and fair elections, and with a simplified and clear process. Ultimately, it's the people of New

York that will choose whether or not to approve this initiative. It is their choice, and I am proud to bring them that choice.

Thank you, Madam Speaker. I will be voting yes.

ACTING SPEAKER HUNTER: Thank you.

Mr. Blumencranz.

MR. BLUMENCRANZ: Thank you, Madam Speaker. Will the Chair yield for some questions?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Of course.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. BLUMENCRANZ: Mr. Lavine, I'm gonna ask you a question you've been asked a few times here tonight, but because I keep hearing different answers, I just want to hear it maybe again. What is the purpose of doing this right here, right now? Why -- why today? Why this Session? Why are we choosing to do this now?

MR. LAVINE: Well, I -- I think as -- as you said, you've heard this answered many times this evening, and is to give the people of the State of New York, who we represent, the ability to have a more flexible process of drawing district lines.

MR. BLUMENCRANZ: But I also heard when one of my colleagues was questioning why you were making some of these changes. You said it's because of Supreme Court decisions that allow you to do so; is that correct?

MR. LAVINE: Well, the -- it's -- it's pretty obvious, I think, to everyone that the law with respect to districting and voting rights has been dramatically altered over the last recent period of time. I'm sure you agree with that.

MR. BLUMENCRANZ: Which -- which case was it exactly? I know we're not allowed to talk about cases or -- or other states. But where did this happen -- what -- what was the case in question that you're referencing?

MR. LAVINE: Mr. Blumencranz, I don't think I need to describe to you what is the obvious, and I will not describe to you what is the obvious.

MR. BLUMENCRANZ: But we're not allowed to say what the obvious is.

MR. LAVINE: We -- we either --

MR. BLUMENCRANZ: I'd love if you could describe it.

MR. LAVINE: And -- and I don't speak over you. And again, I don't know if you were here, I doubt you were here earlier when we --

MR. BLUMENCRANZ: I was. I heard you.

MR. LAVINE: -- had (indiscernible). But any time you speak over somebody, you're indicating perhaps that you don't have the most cogent position. So I won't speak over you, and -- but if you wanna speak over me, you're welcome to do that.

MR. BLUMENCRANZ: Well, you also said you

wouldn't be cross-examined, but I'll move on.

So what exactly did the Independent Redistricting Commission do wrong that justifies stripping away its authority?

MR. LAVINE: The IRC is gonna have authority.

MR. BLUMENCRANZ: But a significantly smaller amount of authority than it currently has, correct?

MR. LAVINE: No. It's got the authority to perform its statutory function, and the Legislature would have the ability, when that function is malfunctioning, which we have certainly seen in the past, to remedy it and remedy that expeditiously.

MR. BLUMENCRANZ: So you told one of my colleagues who just asked a similar question when the map was not tenable. Tenable to who?

MR. LAVINE: I'm -- I'm sorry? When the map was not tenable?

MR. BLUMENCRANZ: You said to my -- to one of my colleagues, you know, when -- when the -- the creation of the maps from the independent commission were not tenable, then they would be changed. Tenable to who -- to whom?

MR. LAVINE: I'm -- I'm -- I'm not sure I comprehend what you mean.

MR. BLUMENCRANZ: I wasn't, either, when you -- when you gave that answer, which is why I was asking for clarity.

MR. LAVINE: Point -- point of order. This is not an exercise in personal harassment.

MR. BLUMENCRANZ: I apologize if you feel harassed by my questions, Mr. Lavine. May I continue, please?

ACTING SPEAKER HUNTER: Mr. Lavine, what rule do you think has been violated with your point of order?

MR. LAVINE: With all due respect, Madam Speaker, at this point I'm much more content to hear what the next question may be.

Oh, and I withdraw.

MR. BLUMENCRANZ: All right.

ACTING SPEAKER HUNTER: Point's not sustained.

Mr. Blumencranz, please proceed.

MR. BLUMENCRANZ: Mr. Lavine, is it true that under this proposal, if passed, the Independent Re -- Redistricting Commission that produces a map that the Majority of this Body and the Senate dislike, the Legislature can simply take over and draw its own maps?

(Conferring)

MR. LAVINE: We already have that ability. All we are doing here is trying to save time by eliminating the IRC submitting a second series of maps.

MR. BLUMENCRANZ: So what you're saying is the current commission is already only independent until it's inconvenient twice. Now it just needs to be inconvenient once, right?

MR. LAVINE: Well, that's -- that's your editorial

opinion.

MR. BLUMENCRANZ: Okay. Mr. Lavine, if the Commission submits a -- a map that the Majority party doesn't currently like, why shouldn't -- why should the Democrats -- or the Majority party at the time be allowed to simply throw that map away and draw their own more expediently?

MR. LAVINE: I don't think that that's an accurate characterization. But I do think that we all know, and I do think that the people who vote know that time constraints are certainly important, and we want to make sure that we have the ability to be able to continue the democratic process in a timely fashion so that people can go get their petitions. So that people can vote in primaries. So that elections can occur with some measure of reliability and regularity.

MR. BLUMENCRANZ: So for expediency for elected officials. That is what this piece of legislation intends to do, is just make it simpler and easier for elected officials to be able to go about their way after they'd like to politically gerrymander a map.

MR. LAVINE: Mr. Blumencranz, I'm gonna --

MR. BLUMENCRANZ: I'm asking (indiscernible/ crosstalk) --

MR. LAVINE: I'm gonna make -- yeah, I know you're -- I know you're asking -- I know you're posing questions, but that's -- that's just not right.

MR. BLUMENCRANZ: Okay. So you've talked

previously about certain guardrails that are being removed from our Constitution that the voters had agreed to put in the Constitution previously. One of those guardrails is compactness. You talked about compactness, and I -- I bring your attention to page 4, lines 7 through 8 where each district shall have compact -- each district shall be compact in form as practical -- practicable. That's being removed from the Constitution. I want to make this specific to an area that you and I both serve in, the 3rd District. During previous iterations of the map with the current commission, a district was drawn that would go all the way basically from SUNY Purchase to -- and slither down through Northern Long Island all the way to what is Stony Brook University, making a sort of noncontiguous district. Even the former Congressman called it a district where someone would need a boat to get around. It was this framework in the Constitution that the courts felt was not being abided by. Do you think that removing provisions like this would hurt communities like ours that would then have a representative who is serving individuals in the Bronx, in Westchester, in Suffolk and Nassau and Queens?

MR. LAVINE: We are maintaining communities of continuity.

MR. BLUMENCRANZ: But you're -- you're -- communities of continuity, but not compact communities of continuity.

MR. LAVINE: Pardon me. I miss -- I misspoke. I know that might be very difficult for you to believe. But these were

communities of interest, and I said communities of continuity. I made a mistake.

MR. BLUMENCRANZ: So the communities don't need to be contiguous, essentially, under the guidelines of the Constitution?

MR. LAVINE: They, of course, need to be contiguous, and that's specifically set forth. It's there.

MR. BLUMENCRANZ: They just don't need to be -- they don't need to be compact?

MR. LAVINE: It's there in English. Pardon me?

MR. BLUMENCRANZ: They don't need to be compact. I'm sorry. You misspoke, so I'm trying to get the clarity that -- that I'm -- that I'm hoping for in your questioning.

MR. LAVINE: And I'm -- I'm with you on that.

ACTING SPEAKER HUNTER: Colleagues, just a reminder to my colleagues that we need to maintain standards of order and decorum, including observance of being respectful, having a respectful tone, manner of speaking. We have about 30 minutes left. Let us conclude our debate tonight with this in mind, all of us.

Thank you.

MR. BLUMENCRANZ: Thank you, Madam Speaker.

MR. LAVINE: Mea culpa.

MR. BLUMENCRANZ: Chair, what is -- is there a legitimate public policy objective in advanced -- that's being advanced

by this that makes it easier to draw less compact maps? Like, what is -- what is the political objective of removing that component? Why remove this provision?

MR. LAVINE: Are you talking about political or a public policy objective?

MR. BLUMENCRANZ: I'm asking what's --

(Indiscernible/crosstalk)

MR. LAVINE: I'm not -- I'm not here --

MR. BLUMENCRANZ: -- policy objective? Apologies --

MR. LAVINE: Thank you.

MR. BLUMENCRANZ: -- of your, again, interruption.

MR. LAVINE: To -- to streamline the process and to make sure that we're preparing maps in a timely fashion. And, Mr. Blumencranz, whether I like it or whether you like it, is a whole lot less important than whether the public likes it. And the public's gonna have -- assuming this passes this evening and assuming it passes a year from -- in the next -- in the next Session -- it will be up to the public to make that determination. And, Mr. Blumencranz, I put great faith in the wisdom of the public.

MR. BLUMENCRANZ: Yes. We did, too, and they passed the -- the current system in place that we're removing today as an elected Body.

My next question, I'd like to draw your attention to

page 8, line 5 through 13. New Section 5(c) says the Legislature may, by law, make changes to one or more Congressional districts in the State. Mr. Lavine, on page 8 your bill authorizes the Legislature to redraw Congressional districts on its own initiative. What is the limiting principle here? How many times can they redraw? When can they withdraw?

MR. LAVINE: The limiting principle is the Constitution of the -- of the State of New York and principles of good governance.

MR. BLUMENCRANZ: The principles of good governance. So they can draw it as many times as they'd like, every year when an election changes the results?

(Conferring)

MR. LAVINE: I don't think that any Legislature is gonna engage in continuing redistricting. And I think it's not realistic to assume or fear that possibility.

MR. BLUMENCRANZ: So you're saying just because it hasn't been, it's wrong to assume because we're allowing it to happen that it won't happen? Just for clarity.

MR. LAVINE: I -- I think there's always a danger in -- in assuming things.

MR. BLUMENCRANZ: Yeah, well, to your point earlier where we're leaning on good faith now that we're moving guardrails. It seems like a lot of assumptions as to what good faith in the Constitution may look like, which is what leads me to -- my next

question is, why should we -- why should the voters have any confidence that this power won't simply be exercised whenever one party believes it can gain seats, since it's now allowable?

MR. LAVINE: The voters I know are intelligent people, and they take the time to determine the quality of their representation, and they take the time to determine for whom and for what they should vote. I have great faith in New York voters and American voters.

MR. BLUMENCRANZ: They took that time when they voted on an amendment to have the independent commission and remove the process from politicians. Do you feel like now is the time to ask them the question again, or you don't believe that their answer the first time was -- was informed?

MR. LAVINE: So, inherent in your question is the proposition that when people voted for the 2014 provisions that they gave up all right to vote in the future to change that proposition. That's not democracy.

MR. BLUMENCRANZ: That is not my proposition. It is your -- I digress. I do have more questions, though.

How many times do you believe Congressional lines should be allowed to change during a decade?

MR. LAVINE: Whenever necessary, and as seldom as is possible.

MR. BLUMENCRANZ: Whenever necessary?

MR. LAVINE: And that's the answer, and you can

repeat it as often as you wish. But I don't believe that any Legislature -- no New York Legislature, let me put it that way -- no New York Legislature will engage in that sort of conduct.

MR. BLUMENCRANZ: Yet they open the door to allow themselves to. For generations, redistricting has followed the census. Why should politicians now be able to redraw Congressional maps whenever they think they'd like?

(Buzzer sounds)

ACTING SPEAKER HUNTER: Thank you, Mr. Blumencranz.

Ms. Simon.

MS. SIMON: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. SIMON: I rise to thank the sponsor for this bill. I do remember the redistricting, most recent redistricting and how long it took for the IRC to come up with some maps, two maps, in fact, that were clearly not something that we could vote on. And -- and then that changed and it caused a great deal of delay. And so what we're doing here is improving this redistricting process and streamlining it and making it more democratic. When you have a Body that is five and five on different sides of the aisle and you require seven votes, it makes it almost impossible to come to a decision. And that doesn't serve the voters of the State of New York, whatever side you may be on. And so as has been reflected in the past

and this conversation, there has been an evolution in juris prudence. And I remind my colleagues that the Supreme Court has always deferred to state legislatures to draw lines. So the doing of that and retaining that power should the IRC not come up with maps that are acceptable is, in fact, something that has long been part of the U.S. Constitution, as well as the concept of communities of interest. And in my own district there was a great deal of question about that. And some of these communities of interest in my district, for example, have been around for over 200 years, and we are right to respect those communities of interest and have those people have their -- their fair say.

So this proposal is flexible to respond to changes going on, and basically is about not taking anything from the constituents. We still have an Independent Redistricting Commission. It will just be able to function more -- in a more streamlined and more productive way, and more efficiently to better serve the people of the State of New York. And I will be voting in the affirmative, and I thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Pirozzolo.

MR. PIROZZOLO: Thank you, Madam Speaker. How are you this evening?

ACTING SPEAKER HUNTER: Wonderful. You, sir?

MR. PIROZZOLO: I'm doing good. I think you're

doing a good job up there. I hope you don't have to interrupt me.

ACTING SPEAKER HUNTER: We'll see what happens.

(Laughter)

MR. PIROZZOLO: Would the sponsor please yield?

ACTING SPEAKER HUNTER: Mr. Lavine, will you yield?

MR. LAVINE: Yes.

ACTING SPEAKER HUNTER: Mr. Lavine yields.

MR. PIROZZOLO: How are you, Mr. Lavine?

MR. LAVINE: I'm -- I'm doing quite well, thank you, Mr. Pirozzolo. But I'm actually not the sponsor.

MR. PIROZZOLO: Okay. That might explain the reason why you weren't able to answer some of the questions this evening.

MR. LAVINE: I'm -- I'm sorry. I -- I couldn't hear -- I couldn't hear what you said. You put your head down and kind of muffled your voice.

MR. PIROZZOLO: I'll say it much more clearly, that may be the reason why you were not able to answer some of our questions this evening, you're not un -- you're not familiar with the bill, maybe.

MR. LAVINE: Well, Mr. Pirozzolo, I'm certainly looking forward to answering your questions.

(Laughter)

MR. PIROZZOLO: All right. Well, listen, I'm gonna beg your forgiveness before we start. I kind of twisted my leg the other day, and this is really my first day that I'm here. I've been in -- in my room listening back and forth, and I've been coming back and forth today. And, you know, as you take the elevators or walk through the halls, sometimes you don't get the reception on your phone or your headset as you normally do. So I'm going to ask you some questions that I know that maybe some of my colleagues may have answered, and it's not because I'm trying to annoy you or ask them again, it's because I didn't either catch the question or the answer. So please forgive me.

MR. LAVINE: Mr. Pirozzolo, I -- I understand. And I sincerely regret you couldn't make your way over here for the earlier part of the debate.

MR. PIROZZOLO: Yeah. Well, as I said, it's not that I didn't hear it.

But, so a couple of things I just want to touch on. You know, a few different questions. Some of the things you had said is that, you know, we want to pass this legislation so like a Boy Scout we can be prepared. And I believe that my colleague Mr. Tannousis had asked if there was anything that was going on that we need to be prepared for, but I think you skillfully did not answer his question. So I'm going to ask the question. What do we have to be prepared for, and is there something going on in this outside world that we need to prepare for that is going on right now that we have to take this action?

MR. LAVINE: Well, we're gonna have to redistrict in a few years anyway, and this gives us the opportunity to make sure that we are prepared to protect the rights of our citizens in the meantime.

MR. PIROZZOLO: I get it, but that wasn't the question I asked. The question I asked was, is there anything occurring right now, according to the words you used before and had in conversation with one of my colleagues, is there some outside influence in terms of occurrence that's happening right now that we have to take this step at the end of Session?

MR. LAVINE: Mr. Pirozzolo, it may have not been the question you asked, but I'm pretty sure it was the question I answered.

MR. PIROZZOLO: No, because then I wouldn't be asking it again. What I asked is, is there something happening outside that we have to do this? So it's --

MR. LAVINE: Yes.

MR. PIROZZOLO: -- either a yes or a no or --

MR. LAVINE: As -- as I referenced before, even though this may be a reference to someone from before your time, but as Bob Dylan used to sing, "The times they are a changin'."

MR. PIROZZOLO: What times are changing? Where's this change that precipitates that we have to do this in this manner at the end of this Session? What's the impetus?

MR. LAVINE: Mr. Pirozzolo, I think that it's

patently obvious how things are changing in terms of voter rights and -- and the voters' rights to be able to cast ballots of their choice.

MR. PIROZZOLO: Well, so it may be painfully obvious to you, but talk to me like I'm an 8th grader, which is the, you know, the standard I think we're using for some of this language here. Please explain -- explain to me in at least 8th grade language to what you just said. Because I have no idea what you're talking about. You might know what you're talking about; you might be the smartest person in the room, I might not be. But please tell me what you mean by what you just said, because I don't get it.

MR. LAVINE: I'm -- I'm not even gonna answer that.

MR. PIROZZOLO: Well, then I'm gonna ask it again, because you said the times are a changing. What times are a changing? What -- where's the change?

MR. LAVINE: And I'm not gonna answer that, either.

MR. PIROZZOLO: Madam Speaker, point of order. I'm asking a direct question based on the comments made by the sponsor, and he's refusing to answer the question.

ACTING SPEAKER HUNTER: Mr. -- respectfully, Mr. Pirozzolo, he has answered your question. I know you don't like the answer. You can't demand he answer.

MR. PIROZZOLO: I get it. But so then for the record I'm gonna have to say that he said times are changing.

ACTING SPEAKER HUNTER: Point not sustained. Please move on.

MR. PIROZZOLO: I'm asking what times, and he refuses to answer.

So, we also talk about trust the people, right? You said many times you trust the people, I trust the people. I do trust the people of New York. As a matter of fact, the last time we asked them this question they said no. What I don't trust is actually this Body right here. Because if you throw stuff at the wall long -- sooner or later something's gonna stick. So I know that we talked about that.

But I want to get into the IRC. I'm just gonna ask you -- you know, so maybe I'll answer my own question, I don't know, if you don't wanna answer it. But what is the purpose of the IRC again?

MR. LAVINE: And how do you answer that, Mr. Pirozzolo?

MR. PIROZZOLO: By asking you, sir.

MR. LAVINE: The purpose of the IRC is to help us draw election lines.

MR. PIROZZOLO: Okay. So with this change, or even though it's existed in the past, if the IRC draws a map one time and we don't like it, we can immediately -- because we talk about expediency and saving time -- we can immediately go into drawing a new map on our own.

MR. LAVINE: That's the -- that's what the proposal involves.

MR. PIROZZOLO: Okay. So is there any sort of a ratio that you could maybe give me of what is the likelihood that we're going to accept the map from the IRC?

MR. LAVINE: I went to law school because I wasn't that good at mathematics, and I'm still not good at mathematics.

MR. PIROZZOLO: I could give you a calculator if you want. But how about an educated opinion as a Legislature -- legislator?

MR. LAVINE: I have -- I have -- I have no idea.

MR. PIROZZOLO: Okay. So if we can't specifically say that the map coming out of the IRC is not going to be good, why are we taking steps to eliminate it or to just override it without giving them a second shot, since IRC kind of stands for independence. So why are we overriding that second shot?

MR. LAVINE: We're doing what we can to protect the people of the State of New York by doing our best to ensure that there will be viable maps, and viable maps in time for elections. And we have all lived through problems with the IRC in the not-too-distant past.

MR. PIROZZOLO: Okay. So again, you said the term -- and I'm gonna re-ask the question because you said protect the people of New York. What are we protecting the people of New York from that's happening right now that we need to do this?

(Conferring)

MR. LAVINE: We've had election dates moved.

We've had people inconvenienced. We've had voters who don't have the security in knowing that they will be able to participate in elections when they want to participate. And -- and as some people say, that's history.

MR. PIROZZOLO: Okay. So you say it, I don't know it. Can you give me an example? When was the -- when was someone inconvenienced because an election was moved?

(Conferring)

MR. LAVINE: There were at least two different primaries no more than just a couple of years ago.

MR. PIROZZOLO: I'm sorry, I can't hear you.

MR. LAVINE: There -- there were at least two primaries during the same election cycle two years ago, that was -- I'm sorry, 2022. It was four years ago. I said, you know, I wasn't that good at math.

MR. PIROZZOLO: Yeah, I get it. It get it. I'm not that good at math, either, and something just isn't adding up in this entire process. So basically, this whole thing is happening because of two primaries within the last couple of years? That's the best reason we have as to why we're gonna uproot the New York State Constitution and ask the voters for I don't know what how many times that we need to change the maps because as a legislator -- Legislature we're not happy with the outcome? Two elections? Primaries, even, not even generals.

MR. LAVINE: The -- the folks who are gonna

answer that question are the folks who may end up voting on this constitutional measure. And they are in a better position to make that determination, certainly, my friend, than either you or I.

MR. PIROZZOLO: All right.

So I had asked, you know, the purpose of the IRC and I don't know if I got the answer to my question so I'm gonna kind of go back to it. If the IRC -- or maybe lead into another question -- if we don't like the outcome of the IRC and we're going to be able to instantly override or change it, why don't we just get rid of them? Why do we hide behind the "I" of the IRC, of independence?

MR. LAVINE: Mr. Pirozzolo, in the event that you wanna offer that amendment, we'll all take a look at it and evaluate it.

MR. PIROZZOLO: All right. So then can we, you know, withdraw this amendment so we can do that?

(Conferring)

MR. LAVINE: You're suggesting this amendment -- what we're doing now should be withdrawn?

MR. PIROZZOLO: No. You suggested that maybe I make a suggestion of adding an amendment, and we can't really make an amendment if we're passing this one, right? If you wanna change it like you said, we kind of need to withdraw it and then change it and then bring it back.

MR. LAVINE: Mr. Pirozzolo, the public will decide. You'll have your position, I'll have my position. We'll see what happens. It's up to the public.

MR. PIROZZOLO: I get it, but we've already seen what happens. Like I said, I'm just tired of -- you know, this is like the ball game -- you know, when we talked about the budget, a ball game with no outs, right? How many swings are you guys gonna take at the ball here?

MR. LAVINE: Well, I'm -- I'm looking for a lead-off homer, my friend.

MR. PIROZZOLO: I'm sorry? I didn't hear you again.

MR. LAVINE: I'll withdraw what I just said.

MR. PIROZZOLO: Oh, rats. All right. Okay.

So is there going to be a limit as to how many times lines can be withdrawn within a specific timeframe?

MR. LAVINE: It's not set forth in this.

MR. PIROZZOLO: So within a ten-year period of time, or even a two-year period, whatever, if an election happens and maybe we do or do not like the outcome, we can change those lines again. And in changing those lines we would possibly be changing the outcome of the election we just had.

MR. LAVINE: We don't change elections.

MR. PIROZZOLO: No, we change lines. Lines change elections.

MR. LAVINE: Perhaps to a certain extent. But that -- again, what you fear will be left to the public to make a determination.

MR. PIROZZOLO: Sir, it's not my bill, it's yours.

MR. LAVINE: And I trust the public. I'm sorry -- I --

MR. PIROZZOLO: I thought you were done.

MR. LAVINE: I don't like to speak over you.

Mr. PIROZZOLO: I thought you were done. I don't need the lecture. I'm sorry. Are you finished?

MR. LAVINE: I'm waiting for other questions from you, Mr. Pirozzolo. After all --

MR. PIROZZOLO: So it's -- it's not my fear. I'm gonna have to say it's your fear, because we're taking another swing at the ball here. I don't know how many times we have. So the fear is not on my part.

You know, we -- we spoke about democracy, and I looked up the word "democracy" for a definition. Do you happen to know what, I guess, the official, if you wanna call it, definition of democracy is?

MR. LAVINE: Well, let me put it to you this way. To echo what's been said by people much more intelligent than me, I know it when I see it.

MR. PIROZZOLO: Okay. That was certainly not a answer to my question. It was do you have any idea what the official definition of democracy is? Or maybe what it might say here on my phone. Because if you can see my phone, I'll bring it over so you can see it and then you can read it.

MR. LAVINE: As Yogi Berra used to say, Mr. Pirozzolo, you can look that up.

MR. PIROZZOLO: I did, and I'm gonna read it to you.

MR. LAVINE: Thank you.

MR. PIROZZOLO: There we go, okay. "Democracy is a system of government where the ultimate power and authority rests with the citizens" -- I've heard that here before, right -- "who exercise either directly or through elected representatives." That is what I see. It is derived from the Greek word "demokratia", okay, which means ruled by the people. And it's built on principles like political equity. What is political equity?

MR. LAVINE: Like Yogi Berra used to say, Mr. Pirozzolo, you can look that up. And you've got a dictionary handy. Why don't you tell us? Why don't you educate us?

MR. PIROZZOLO: I'm -- I'm not here to educate you. I'm here for you to educate me on your bill, right? So, political equity. I mean, I don't know. It sounds to me where things are the same, things are equal. If we look up the word "equity" it's probably gonna say things are equal. Can we agree on that?

MR. LAVINE: Political equity does not refer to Democrats and Republicans. It refers to people's political rights.

MR. PIROZZOLO: So wouldn't you say the people have a right to have representation that is half of one side and half of the other side so they can equally come together and put out

something that is equally good for everyone, instead of having just one-party rule where you basically have 80 percent of the people making decisions? That doesn't sound politically equitable to me.

MR. LAVINE: We don't have a system that mandates that the public is forced to have half-a-loaf here and half-a-loaf there. Individuals, Mr. Pirozzolo, have got the right to vote for whom they believe will best represent their interests. They can vote for Democrats, they can vote for Republicans. They can vote for people who have no political affiliation. I'm sure you would agree with that, wouldn't you?

MR. PIROZZOLO: I do. But you misunderstood my question.

MR. LAVINE: Of course.

MR. PIROZZOLO: As a legislative Body, we create this law that is supposed to bring those very people you're so concerned about political equity. So wouldn't we be justified or, therefore, bound by moral conscience to say that this Body should consist of half of one and half of the other, this way people are represented? Shouldn't we change these lines to make sure that half and half for our society is fairly and equally represented? Isn't that what you want?

MR. LAVINE: Mr. Pirozzolo, I'm pretty good with my moral conscience, and you should be as well.

MR. PIROZZOLO: Yeah, but that didn't answer my question. Isn't that what you want as far as political equity? Having

our constituents have an opportunity to choose from one or the other instead of just one? And that's what rules this Body, just one.

MR. LAVINE: No. The answer's no.

MR. PIROZZOLO: So you don't believe in political equity for our constituents?.

MR. LAVINE: You -- you can editorialize, Mr. Pirozzolo, as much as you want. But I'd suggest you take a look at the language in this eight-page bill --

ACTING SPEAKER HUNTER: Thank you.

MR. LAVINE: -- and ask me questions about the language.

ACTING SPEAKER HUNTER: We have come to almost our four hours.

Ms. Walker, you have five minutes and then we close our four-hour debate.

Ms. Walker.

MS. WALKER: Thank you, Madam Speaker. So, I think that we could see what's happening around the country as it relates to the security of democracy within our country. Equity has nothing to do with equality. Equity involves meeting people and delivering to them the special and specific needs in order for them to be lifted to the point where people who are already receiving an advantageous result for whatever the institutional political operations may exist at that particular time. And so, no, equity is not necessarily what is important in this situation.

We have seen in the 2002 enactment of our Congressional maps where the IRC was deadlocked. And based on that deadlock, the Court of Appeals struck down those particular maps. What was the result of that deadlock? Congressional maps that were not allowed to be drawn in a timely enough fashion in order for people to -- to -- to -- to advocate for and to campaign in a district that was required so that people could have one person, one voice in a particular dynamic. In addition to that, there was very costly litigation that resulted that required people to fight for constitutional and voting rights in order for people to have the adequate notice, hearings and their concerns to be addressed prior to those maps being finalized. So yes, timeliness was a serious significant situation that election officials had to adhere to so that we could have the certainty of our elections, as well as being able to have the -- the respect as well as the deliberation of democracy in our country. It is important for our Legislature to ensure that we have clear lines, that we reduce procedural disputes, and that people are delivered to them a timely map that they can vote in that does not allow for unnecessary delays that are caused by the -- the deadlock and the commission of deadlocks that prevented have the maps that we desired.

Right now what we're doing is clarifying procedures for submitting, amending and approving maps. Quite frankly, one of the most important and core details is to ensure that there is a map that will allow for everyone to be able to elect someone that shares their values, shares their intentions, and shares their -- their particular

dynamics within their districts that -- that will allow for someone to be able to vote for someone that they choose.

One of the things that is important to recognize is that we've seen the Constitution change the result of a discriminatory map. And instead of looking at the result to look at intent, it is very difficult in order to be able to base what is -- what is -- how does someone intend to racially-gerrymander a map? Who knows what that means? As we've heard from our sponsor indicate, that they only know it when they see it. But the results of unnecessary maps is one of the things that we know that we have to -- we have to be able to defend against.

I 100 percent support, as the Election Law Chair -- since I understand that folk were looking for the Election Law Chair -- to be able to say that we need a partisan lens as well as a bipartisan lens in order for us to answer the fundamental questions before us: Whether or not maps are fair and effective and also allow for the representation of the people of the State of New York. Public confidence is the supreme democratic process by which we ensure that transparency, inclusivity, and accountability is ensured within our State. As long as we have a New York State John Lewis [sic] Voting Rights Act, I am confident that the voting rights of people of color across the State of New York will be adhered to. But we must ensure that the access and equal access to the ballot is important and can be translated in the maps that we have here. We have to ensure that they will not be manipulated, as well as the fact of ensuring that our votes

are not diluted, and our voting strength is protected no matter what.

So I do support this particular map, and I encourage my colleagues to do the same so that we can make sure that voters can represent and elect representatives of their choice --

ACTING SPEAKER HUNTER: Thank you, Ms. Walker.

MS. WALKER: -- whether or not the democracy is under --

(Microphone turned off)

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A slow roll call has been requested.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Steck.

MR. STECK: Thank you, Madam Chair. There are State redistricting for Congressional elections is actually derived from the 14th and 15th Amendments, which were enacted after a bloody civil war in which 50,000 New Yorkers died. The language says that Congress shall have the power to enforce these amendments with appropriate legislation. Congress did that when it enacted the Voting

Rights Act, which governs State redistricting processes. The Constitution does not say the Supreme Court shall have the power to determine whether there is a need for congressional action. Indeed, nowhere in the Constitution does it even say that the Supreme Court has the power to declare acts of Congress unconstitutional. That is an inferred power which must be exercised sparingly. Whether there is a need for implementation of the 14th and 15th Amendments is a classic legislative judgment. The Supreme Court overstepped its bounds in repealing the Voting Rights Act by fiat to undermine fair redistricting processes in this nation. Unfortunately, the Supreme Court has not shown any willingness to engage in the type of restraint so eloquently urged by my colleague from Monroe County. Therefore, we must act in defense of democracy as defined in the 14th and 15th Amendments, which was well explained by the Chair of the Elections Committee [sic].

I vote in the affirmative.

ACTING SPEAKER HUNTER: Mr. Steck in the affirmative.

Mr. Morinello to explain his vote.

Mr. Smullen to explain his vote.

MR. SMULLEN: Thank you, Madam Speaker. I rise to explain my vote. This debate is simple: Who should choose our representatives, the people or the party in power?

New Yorkers voted overwhelmingly in 2014 to create the Independent Redistricting Commission for one clear reason: To

safeguard against the exact kind of partisan gerrymandering that Democrats are attempting now. They wanted to end the era of Democrats drawing districts for political advantage. Yet this amendment moves us in the exact opposite direction. Instead of strengthening independence, it weakens the Independent Redistricting Commission and hands more power back to the very legislators who benefit from the maps they draw, at any time that they choose.

The Independent Redistricting Commission was designed to bring power to the people, not to Albany politicians, when it comes to choosing their representatives. This bill does the reverse. The goal was to restore public confidence in our elections. At a time when trust in government is low, we should be reinforcing that confidence, not undermining it with a pure partisan political power grab. And let us be clear. Its purpose is to disenfranchise Republicans in New York State.

For these reasons, I will be voting no on this bill.

ACTING SPEAKER HUNTER: Mr. Smullen in the negative.

Mr. Reilly to explain his vote.

MR. REILLY: Madam Speaker, to explain my vote. Imagine an NFL playoff game, the score is tied at the end of regulation and the game goes into overtime. But instead of both teams playing under the same established rules, one team gets to rewrite the overtime rules after seeing how the game is unfolding. They decide who gets the ball first, they decide how long overtime lasts, they

decide what counts as a touchdown. No fan would accept that; we would call it rigged.

Or imagine a Major League baseball game that goes into extra innings. The home team suddenly decides that from now on they get four outs per inning while the visiting team only gets three. The game would no longer be fair because one side is changing the rules to benefit itself.

Or consider the NBA Finals. Imagine game seven is tied with two minutes remaining and one team is suddenly allowed to move the three-point line closer to the basket while the other team still shoots from the original distance. Or imagine one team gets to appoint the referees for the final two minutes of the game. No player, coach or fan would accept that outcome because the rules and the court itself would be tilted in favor of one side.

Now some may not like sports. You may be into cooking. Imagine you're in a cook-off and now you get to choose the recipes that everyone gets to use, but you decide to slip in some hidden, secret recipes. Would that be fair? We do not think so.

Well, this is exactly why independent redistricting matters. And this is why common New Yorkers need to understand that the game is fixed.

I will be no.

ACTING SPEAKER HUNTER: Mr. Reilly in the negative.

Mr. Novakhov to explain his vote.

MR. NOVAKHOV: Thank you so much, Madam Speaker, for the opportunity to explain my vote. The Majority claims that bill -- this bill is about protecting democracy. I believe it is about protecting political power. The reason New York is losing Congressional seats, it's -- it is not because of Texas. It is because too many New Yorkers are leaving the State. The answer is not to redraw the map, the answer is to make New York a place where people want to stay, work, raise families and build businesses. Until we address that reality, changing district lines is simply avoiding the real problem.

And for that reason, Madam Speaker, I vote no.

Thank you.

ACTING SPEAKER HUNTER: Mr. Novakhov in the negative.

Mr. Keith Brown to explain his vote.

MR. K. BROWN: Thank you, Madam Speaker. The New York Constitution is our State's foundational governing document. Constitutional amendments should be reserved for circumstances where there is a clear constitutional problem to solve, a constitutional right to protect, or a constitutional duty that cannot be otherwise fulfilled.

One of my central concerns with this proposal is necessity. The Attorney General in the opinion issued June 2, 2026 concluded that the proposed amendment will have no further effect upon our constitutional provisions. If that's the case, then the legislator [sic] should ask a basic question: What constitutional

problem are we solving? Before we ask the voters of New York to amend their Constitution, we owe them a clear explanation of why such a change is required and what political benefit it provides.

A certain -- a second concern is timing. This amendment comes in the immediate aftermath of the United States Supreme Court decision. The legal landscape governing -- redistricting continues to evolve. Before altering our Constitution, we should carefully examine whether additional guidance from the courts is necessary or whether unintended consequences could arise from making constitutional changes before the implications of the decision are fully understood.

Third, we should consider the institutional integrity. New Yorkers adopted constitutional reforms to create the IRC because they wanted greater public confidence in their redistricting process.

Fourth is an issue of voter clarity. When the constitutional amendments are preserved through the voters, they should be straightforward and easy to answer.

And finally, the principle of constitutional restraint. The Constitution should not be amended simply because a different process may be preferred at a particular moment in time. Constitutional amendments should be justified by clear necessity, broad consensus and demonstrate a public benefit.

For these reasons, I believe this bill warrants careful scrutiny and I encourage members to -- to reconsider it. This is a sham. Exactly the type of partisan politics that our Founding Fathers

were abhor [sic] of.

In 2014, voters made it clear when it comes to redistricting and gerrymandering, the -- they made it perfectly clear --

ACTING SPEAKER HUNTER: Mr. Brown, how do you vote?

MR. K. BROWN: I vote in the negative. Thank you.

ACTING SPEAKER HUNTER: Mr. Brown in the negative.

Mr. Sempolinski to explain his vote.

MR. SEMPOLINSKI: Thank you, Madam Speaker. So there's a couple -- one wonderful thing about our State Constitution is when we do these constitutional amendments they have both an indirect and a direct role. And so now, the -- the people's roles are gonna start because the indirect portion is the intervening election where we all will have to answer for this vote, and the direct part would be if it passes again in 2027 there'll be a referendum. So I would remind the people of the State of New York that this is not the first time we've been down this road. 2021, 2022, 2024 and 2026. This is the fourth time that the Majority has either changed the Constitution, attempted to, or drawn maps for partisan control. This happened long before the current administration was in Washington. It is simply a pattern of partisan power grabs over the course of the last five years.

So I will be voting no. I certainly hope that the people will vote no because this amendment simply takes a blowtorch

to representative government in the State of New York.

ACTING SPEAKER HUNTER: Mr. Sempolinski in the negative.

Mr. Angelino to explain his vote.

MR. ANGELINO: Thank you, Madam Speaker. I rise to explain my vote. We invest over $1 million in the Independent Redistricting Commission and just once in my voting lifetime I would like to cast a vote on a map that was drawn by this Commission.

I'll be voting in the negative tonight.

Thank you.

ACTING SPEAKER HUNTER: Mr. Angelino in the negative.

Mr. Gandolfo to explain his vote.

MR. GANDOLFO: Thank you, Madam Speaker. There was a lot of healthy debate tonight and one of the points that kept coming up was that we needed to streamline our redistricting process and that it was confusing. I don't think there was much confusing about prohibiting drawing legislative districts to favor or disfavor incumbents to target certain individuals of political parties. The only reason the process got messy was because the Majority violated it so egregiously that the maps got thrown out and threw the process into chaos.

When the special master was appointed to draw the fair maps, it turned out that the representation in Congress closely mirrored what the gubernatorial election results were, which is fair

and which is good for the people of New York. Then the makeup of the court was changed. The court, as many of us on our side said was rigged and those maps were thrown out and put our -- and our new maps were put in place.

So deleting these provisions from the State Constitution, the provisions that prohibit drawing wacky shaped districts from protecting incumbents from targeting certain candidates or political parties, that is not in the best interest of the people of the State, it's not in the best interest of democracy, as we've heard so many times tonight and it certainly isn't in the interest of fairness.

So, for that reason, Madam Speaker, I'll be voting in the negative.

Thank you.

ACTING SPEAKER HUNTER: Mr. Gandolfo in the negative.

Mr. Palmesano to explain his vote.

MR. PALMESANO: Thank you, Madam Speaker. As I said earlier, this is a sad day for this Chamber. I got to tell ya, I'm so tired of hearing some of my friends and colleagues on the other side saying this is about protecting democracy. They have faith in the voters, they trust the voters, when your actions directly contradict this statement. This amendment does nothing to support that statement. If you have faith in our voters, if you trust our voters, then you listen to them. You respect their wishes. You respect their vote. Not undo them at every turn, every opportunity like you've done multiple times,

like you're doing here tonight because you don't like what they've had to say and you think you know best.

I've heard during this debate that this is about being more fair, streamlining for efficiency, restore power to the people, protecting the people, great faith in the voters. Please, this does none of this. This is a train wreck. This is a political hit job delined -- designed simply to ensure political power. This is a pure political power grab. But I will remind you, at the end of the day, the voters will have the final say in this and I hope they clearly remind and reenforce to you what they've already said in the past and they reject this amendment as I'm rejecting this amendment as we vote on the floor.

I vote negative.

ACTING SPEAKER HUNTER: Mr. Palmesano in the negative.

Ms. Hyndman to explain her vote.

MS. HYNDMAN: Thank you, Madam Speaker, for allowing me to explain my vote. I have been asked by reverends, constituents and state legislators from other states, what is New York going to do? And so tonight we're showing exactly what New York is going to do.

I never thought in this House we'd have to codify *Roe v. Wade*, but we did. I never thought in this House we'd have to talk about the John Lewis Vote -- Voters -- Voting Rights Act, but we have. So this immigrant votes yes.

Thank you.

ACTING SPEAKER HUNTER: Ms. Hyndman in the affirmative.

Mr. Bologna to explain this vote.

MR. BOLOGNA: Thank you, Madam Speaker. The Constitution was never meant to protect us from our opponents; it was meant to protect us from ourselves. The people of New York created these protections because they didn't trust politicians with that power. Tonight, we're proving them right. Democracies don't disappear when people stop voting, they disappear when people stop believing that their vote actually matters.

Absolutely not.

ACTING SPEAKER HUNTER: Mr. Bologna in the negative.

Ms. Lunsford to explain her vote.

MS. LUNSFORD: To quote Reinhold Niebuhr, "Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary."

I vote today for the people of New York. I vote today for democracy. I vote today against injustice. I vote today for a New York and a country that I can keep voting for into the future. I vote to put this vote to the people of New York because I believe democracy works when we trust the people.

I vote yes.

ACTING SPEAKER HUNTER: Ms. Lunsford in the

affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker, to explain my vote. It's been a long day, right? We've heard a lot of debate tonight. We've heard a lot of things. We clearly are very, very much not in agreement here, so I'm just gonna keep it short.

You know, I just think that this is -- this is incredibly unfair as a proposal. It's unfair. It is really shameless. It is all about power and staying in power and keeping power. It doesn't have a damn thing -- darn thing to do with democracy. It's all about power and keeping power. It's a power grab and I will not support it. And it's -- and I'm not -- I am not proud of what's going down here tonight. And I hope the people wise up. I hope the people wise up when they get a chance to vote on this and see it.

We're all talking about transparency all the time? This is pretty transparent, folks. And I -- I really -- I'm gonna do -- I'm gonna work as hard as I can to make sure that the voters see this for the real sham that it is.

And I vote no.

ACTING SPEAKER HUNTER: Ms. Walsh in the negative.

Mr. Chang to explain his vote.

MR. CHANG: Thank you, Madam Speaker, for an opportunity for me to explain my vote. I'm a plain-spoken guy, blue-collar guy and in the -- in simplistic way, the Constitution for me

is the bedrock of our laws. It should be sacred. It has to be from the ground people to tell us that we need to change something.

Now, I've been in -- in this business for three-and-a-half years. I heard not once hear my constituents pound on the door, say, *we need redistricting.* Not one. More so that, *hey. I need to be taken care of my -- my DMV or -- or sanitation.* All those. Those are real things that are -- or passing a budget, those are real things.

You know, we could scrap the $1 million before the IRC, Independent Review Commission. You know, I -- I will probably suggest, let's hire a team of monkeys. Let them draw the line. I'll vote for that.

I will vote no for this -- for this bill.

Thank you very much.

ACTING SPEAKER HUNTER: Mr. Chang in the negative.

Ms. Walker to explain her vote.

MS. WALKER: I need clarification of hiring a team of monkeys. However, the Constitution does require us -- in -- to -- in order to up -- to defeat our opponents, to protect our democracy. And that opponent was the monarchy.

One of the things that we recognized as well as the IRC was deadlocked. The Legislature was required to draw those maps. The deadlock was in January. The Legislature adopted maps in February. The Court of Appeals invalidated those -- those maps in

April. There was a election to be held in June. The special master drew those maps in May. Those maps were finalized May 20th to 21st of 2022 and the district and the election had to be recalled and postponed until August 23rd of 2022. It -- it -- it ultimately resulted in voter confusion and to not do anything does not reflect democracy and will result in legislative malfeasance. Democracy demands this particular piece of legislation.

And I vote in the affirmative, Madam Speaker.

ACTING SPEAKER HUNTER: Ms. Walker in the affirmative.

Mr. Cashman to explain his vote.

MR. CASHMAN: Madam Speaker, I rise to explain my vote. This is the legislator [sic] placing a proposed change before the people. The legislator [sic] can make an offer but only the voters, the voters, the voters can make the decision whether or not this becomes part of the Constitution. I have the confidence in the people of New York State that they will examine this proposal carefully and determine for themselves whether it deserves their approval.

And as we approach the 250th anniversary of this great nation, it is important to remember the greatest experiment has always been our democracy. We moved from a revolution into evolution. Or as my grandfather would have said, a Korean War era veteran, that change is the only thing that is consistent in the world, but the bedrock of our democracy is "We the People" and it is the people of New York State that will decide. And as I watched this

process unfold, I know that he was right then and he is right now.

And I vote in the affirmative.

Thank you.

ACTING SPEAKER HUNTER: Mr. Cashman in the affirmative.

Mr. Lemondes to explain his vote.

MR. LEMONDES: Thank you, Madam Speaker, I rise to explain my vote. Having spent the bulk of my adult life in this nation's most respected institution, the military, it is very apparent why institutions that we are in here is our -- the least respected.

What took place here tonight is a travesty. It's standard professional conduct to use independent agencies for everything. There's a check and balance to every aspect of our society, but here we eliminated that check and balance.

The real acid test is the number of Congressional seats. In 1850 we had 33. We got 26 today. You tell me why people are leaving.

I vote no.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Mr. Lemondes in the negative.

Mr. Fitzpatrick to explain his vote.

MR. FITZPATRICK: Thank you, Madam Speaker, to explain my vote. You know, a lot of my colleagues are outraged and angry tonight. But I'm not. What I witnessed tonight was just the

raw exercise of political power and attempt to increase hegemony over the Minority Party in the State of New York. I have to say, the Speaker's appointed advocate for the bill tonight treated us to a master class in the art of forensic rope-a-dope. Very clever, very shrewd, very well done.

But what we're doing tonight with this bill, we are not amending the Constitution, we are disemboweling it.

I vote no.

ACTING SPEAKER HUNTER: Mr. Fitzpatrick in the negative.

Mr. Durso to explain his vote.

MR. DURSO: Thank you, Madam Speaker, to explain my vote. I'm not gonna -- I can't agree with all the comments that Mr. Fitzpatrick just said because some of them I didn't understand.

(Laughter)

But I will say this, I -- I -- I -- I do thank the sponsor. I do think, though, obviously, there's no need for this bill. I do think that, obviously, this is a political power grab, but I do trust the voters and we all should. And the fact of the matter is, the voters in 2022 voted no overwhelming. So maybe everybody in this Body should start trusting the voters and stop saying that they were wrong by putting this on the ballot again. They already spoke.

So for everybody to sit here and say, *we believe in the voters. We trust the voters.* I think we do. The problem is the

Majority doesn't.

So I'll be voting no.

ACTING SPEAKER HUNTER: Mr. Durso in the negative.

Mr. Slater to explain his vote.

MR. SLATER: Thank you, Madam Speaker, just to explain my vote. Look, this Body and this State always likes to say that we do things first. We lead from the front. We do things before everyone else. And we should. And I think that's a great thing about this State, about this Body. But here, we are removing principles from the Constitution that every state should have. We are taking a step back, not a step forward. Most notably, the principle that ensures maps are not drawn favoring or disfavoring incumbents or other particular candidates or political parties.

This is wrong, period. It is a political power grab that is wrong and should be rejected, which is why I vote no. Thank you.

ACTING SPEAKER HUNTER: Mr. Slater in the negative.

Mr. Lavine to explain his vote.

MR. LAVINE: Thank you, Madam Speaker. The beginning of my political life was in March of 1965 when on a little TV I watched what had unfolded in Selma, Alabama. I am still outraged by what I saw. And one of my heroes became John Lewis. And I can't help but believe that somewhere, some way, somehow if John Lewis is looking down on what we are doing here, he's got a

smile on his face.

I vote in the affirmative.

(Applause)

Mr. Lavine in the affirmative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you. I know it's inappropriate, but I will say ditto to that last comment regarding John Lewis. I would also say this, Madam Speaker. It's a -- it's a great opportunity to have -- to make a -- a positive vote on this one, even though I know some people don't necessarily understand it. But it's real clear to me as an African-American that we have to do things to try to protect our right to vote, and I think that this is a critical moment to do that. I don't wanna say what other states are doing; that's their issue. But I do know that there only 11 states in this nation of 50 that have I -- IRCs managing their redistricting process. And why that there are only 11? Because the people who are elected feel like they can do it. And I think this Body can come up with a redistricting plan that's fair to everybody, both bipartisan as well as people of color across the State of New York. And so I look forward to the day when that can be reconnected.

I do also want to agree with another one of my colleagues who mentioned perhaps we should be just removing the IRC. Perhaps we should. But that's not what we're doing today. What we're doing is making it a more efficient system so whatever they come up with doesn't keep us tied up in court for months, which

actually costs a lot of resources that could be used on delivering service to our constituents throughout the State.

So I will end my comments by saying I am absolutely voting yes. And, Madam Speaker, if you could please call on our colleagues that are on Zoom to cast their votes.

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

The Clerk will call on the Zoom attendees for their votes.

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

MR. BURKE: Patrick Burke. I vote yes.

THE CLERK: Mr. Burke in the affirmative.

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

MR. DIPIETRO: David DiPietro, on this shameless, corrupt, communist bill I vote no.

THE CLERK: Mr. DiPietro in the negative.

Ms. Forrest, for the record, please state your name and how you wish to vote.

(Pause)

Ms. Forrest?

(Pause)

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

MR. MIKULIN: John Mikulin, I vote no.

THE CLERK: Mr. Mikulin in the negative.

Ms. Rozic, for the record, please state your name and how you wish to vote.

MS. ROZIC: Nily Rozic, I vote yes.

THE CLERK: Ms. Rozic in the affirmative.

Ms. Torres, for the record, please state your name and how you wish to vote.

MS. TORRES: Emérita Torres, I vote yes.

THE CLERK: Ms. Torres in the affirmative.

(Pause)

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

(The Clerk announced the results.)

The bill is passed.

On the main Calendar, Resolutions, page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 1573, Rules at the request of Ms. Romero.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2026, as Myasthenia Gravis Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1574, Rules at the request of Ms. Chandler-Waterman.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2026, as Gun Violence Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1575, Rules at the request of Mr. Cunningham.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 6, 2026, as Jamaican Flag Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1576, Rules at the request of Ms. Griffin.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 26, 2026, as Law Enforcement Suicide Awareness Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1577, Rules

at the request of Mr. Smullen.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 26, 2026, as Hunting and Fishing Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1578, Rules at the request of Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 5, 2026, as Meningitis Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1579, Rules at the request of Ms. Buttenschon.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 26, 2026, as the Day of the Deployed in the -- in the State of New York.

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

THE CLERK: Assembly Resolution No. 1580, Rules at the request of Mr. Bronson.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 2026, as Breast Cancer Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1581, Rules at the request of Mr. McDonald.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 2026, Rett Syndrome Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1582, Rules at the request of Mr. Cashman.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 8, 2026, as First-Generation College Graduate Day in the State of New York.

ACTING SPEAKER HUNTER: Mr. Cashman on the resolution.

Quiet, please.

MR. CASHMAN: Thank you, Madam Speaker. First-Generation College Day [sic] is celebrated annually on November 8th to commemorate the signing of the Higher Education

Act of 1965 by then-President Lyndon B. Johnson. This act created federal financial aid programs to fund students' education and make key investments in colleges and universities across the nation. Many of the Higher Education Act programs, particularly the Federal TRIO programs, promote post-secondary access, retention and completion for today limited-income, first-generation college students. I, myself, am a first-generation college student. It was over 26 years ago that I started my studies at Plattsburgh University. It was the TRIO program student support services that provided critical support services to my peers and I to achieve both academic and collegiate success. The SUNY system serves a large population of first-generation students, with nearly half of the undergraduates at many of its campuses being first-gen. I am proud to represent a district that has my alma mater, SUNY Plattsburgh, along with Clinton Community College, North Country Community College, and Paul Smith's. These institutions, that are both public and private higher education, all have first-gen-ed students. Each will become our teachers, our police officers, medical providers, small businessowners, and, yes, even Assemblymembers of this esteemed Body.

Today we celebrate access, resiliency and the empowerment that comes with higher education. Thank you.

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

THE CLERK: Assembly Resolution No. 1583, Rules

at the request of Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 11, 2026, as Lung Cancer Screening Awareness Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1584, Rules at the request of Mr. Stern.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 1-7, 2026, as Veterans Awareness Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 1585, Rules at the request of Mr. DeStefano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 15-21, 2026, as Hunger and Homelessness Awareness Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 1586, Rules at the request of Mr. McDonald.

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

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

THE CLERK: Assembly Resolution No. 1587, Rules at the request of Mr. Santabarbara.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 2026, as Alpha-1 Awareness Month in the State of New York.

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

Mrs. Peoples-Stokes.

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

ACTING SPEAKER HUNTER: We have no housekeeping.

A resolution by Mr. O'Pharrow, the Clerk will read.

THE CLERK: Assembly Resolution No. 1588, Mr. O'Pharrow.

Legislative Resolution mourning the untimely death of Edeedson Cine, Jr., beloved son, brother, grandson, and member of his community.

ACTING SPEAKER HUNTER: Mr. O'Pharrow on the resolution.

MR. O'PHARROW: Good evening, Madam Speaker and colleagues. Again, I rise with great respect and sincerity as we recognize and honor the life and times of Eddy Joshy Cine, Jr. This Assembly resolution is not just a formal acknowledgement, it is a reflection of life that carried meaning and impact, but value to those who knew this young man. Edeedson Joshy Cine, Jr. is remembered for his character, his presence, and the imprint he left on his family, friends and our communities. His life serves as a reminder that every individual, no matter the length of time they share with us, has the power to influence others in their lasting and meaningful ways. Unfortunately, while working at CVS in my district on Christmas Day, Joshy was filling in for a coworker when tragedy struck. A male entered the store, approached the counter, and demanded money. But when Joshy refused, he was brutally stabbed in the chest multiple times. He was rushed to Good Samaritan Hospital, where he succumbed to his injuries. Joshy was only 23 years of age.

To the Cine family, who could not be here with us today, your kindless -- your kindness and love, just know that behind every life celebrated is a story of support, sacrifice and deep connection. Today we honor you, Joshy, in the People's House. We also affirm that a larger truth that we have the responsibility to uplift and remember those who helped shape our communities, whether through quiet acts of kindness, leadership or love.

While we can truly never fully capture life in its totality, I hope that this resolution serves as a lasting tribute to Edeedson Joshy Cine, Jr. and the memory he leaves behind. As long as I live and breathe, his legacy will continue to live in the hearts of all who knew him best, and may his memory continue to be a blessing.

Thank you to the Cine family. Thank you to the Lindenhurst community, the Town of Babylon, which I represent, and to my FIG, my Friend in Government, the Honorable Mike Durso.

Thank you for your time.

ACTING SPEAKER HUNTER: Thank you.

Mr. Durso on the resolution.

MR. DURSO: Thank you, Madam Speaker, on the resolution. First I want to thank Assemblyman and my friend Kwani O'Pharrow for not only presenting this resolution, but also keeping Joshy's memory alive. As Assemblyman O'Pharrow stated, we share a district. And this life that was taken far too early left a profound impact not only on us, but on the community where we represent, which was very evident by the amount of people that came out for a candlelight vigil in Joshy's honor that we both attended. And it really shows what community means. But it also showed the lasting legacy and the life that Joshy lived, and the effect that he had on so many. And I could say this on behalf of both of us, myself and Assemblyman O'Pharrow, that his memory, because of his actions and because of the way he lived his life, will be remembered throughout the community forever.

I also want to thank Assemblyman O'Pharrow for putting forth legislation in Joshy's honor and his name to make sure that no other family will have to suffer with the unknown about getting the justice for their family, for those loved ones that were taken from them too early. I'm a proud cosponsor of that legislation. I want to thank the Cine family for allowing us to honor their son, their family member, their brother, and I want to thank the Assemblyman for allowing me to be a part of it.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

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

We have a number of additional 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. 1589-1624 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, I now move that the Assembly stand adjourned and that we reconvene tomorrow, Thursday, June the 4th at 10:30 a.m., tomorrow being a Session day.

ACTING SPEAKER HUNTER: 10:30 a.m.

tomorrow. On Mrs. Peoples-Stokes' motion, the House stands adjourned.

(Whereupon, at 10:38 p.m., the House stood adjourned until Thursday, June 4th at 10:30 a.m., that being a Session day.)