

**MONDAY, MARCH 28, 2022**

**2:27 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

The Reverend Donna Elia will offer a prayer.

REVEREND DONNA ELIA: Let us pray. Holy and majestic God for this day that You have given us, we give You thanks. Receive our prayers and our fervent hopes. Thank You for calling this Assembly and each member to public service. Remind each one of the aspirational goal of excellence for the betterment of our communities and our State. Empower them as they work toward voting upon the budget. In this and other matters, give them care and conviction in listening and in speaking. Bridge that which divides them and help them find common ground. Bless all staff people, as well as families and communities who inspire and undergo their work.

Do not let any of us grow weary in well-doing, but empower all of us to be people of peace and justice. Help those who suffer, grant safety to refugees, hasten the day when violence will be no more and You who make peace in high places, grant us peace. In Your Holy Name we pray, Amen.

MEMBERS: Amen.

ACTING SPEAKER AUBRY: Visitors are invited to join the members in the Pledge of Allegiance.

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

A quorum being present, the Clerk will read the Journal of Sunday, March 27th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Sunday, March the 27th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, colleagues and guests that are in the Chambers, Happy Monday. We're moving right through the month of March, headed towards April and soon we'll be able to say Happy Spring for real. Today I'd like to share a quote from the late Ruth Bader Ginsburg, who we all know was an American lawyer, a Jurist who served as the

Associate Supreme Court -- on the Supreme Court from 1993 until 2020. And the words that she shared with us today is, *Fight for things that you care about, but do it in a way that will lead others to join you*. Those words I think are pretty much what we try and do here on a regular basis, Mr. Speaker, so members should be mindful of that, as well as be mindful of the fact that there's a main Calendar on their desks with 16 new bills on it. Members also have a debate list and we also have a five-bill A-Calendar. Mr. Speaker, I will now move to advance that A-Calendar.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker and my colleagues, today we're going to begin the process of passing the State Budget, beginning with the Debt Service Bill - don't applaud all at once, don't get too excited.

(Laughter)

On the A-Calendar is where the bill is located at. I ask members for their patience and cooperation as we have very busy and important work ahead of us.

Mr. Speaker, after you have completed any housekeeping, we will take up resolutions on page 3. Our principal work for today will be taking up the bills on the A-Calendar first on consent and then on debate. We will also take up Rules Report No. 66 which is the Debt Service Bill. I will announce if there's going to be a

need for further floor activity as we proceed, Mr. Speaker, but that's the general outline where we're going today and if there's housekeeping, now would be a great time. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, Mrs. Peoples-Stokes. And first we have an introduction by Ms. Reyes.

Ms. Reyes for the purposes of an introduction.

MS. REYES: Thank you, Mr. Speaker, for allowing me the privileges of welcoming some of our special guests to the New York State Assembly today. As you know, last week we commemorated the 51st anniversary of the independence of Bangladesh. Today we are joined by Dr. Mohammad Monirul Islam, the Consul General of Bangladesh; Nazmul Hasan, Deputy Consul General; as well as the American Bangladeshi Welfare Organization and its leadership, Abdul Shahid, the President; Jamal Hussein, the Secretary; Mohammed Nasir Uddin, the Senior Vice President. The American Bangladeshi Welfare Association is a cultural and social welfare organization that is dedicated to serving Bangladeshi American immigrants that are in the Bronx. This group was formed in 2017 and has been serving Bronxites, especially during the COVID-19 crisis. And we are also joined by members of the Centennial Mujibur Celebration Committee, a ceremonial organization that is dedicated to celebrating the life and legacy of the former President and Prime Minister of Bangladesh, Sheikh Mujibur Rahman. He is widely regarded as the founding father of the country for his work leading the independence movement. Mr. Speaker, would you please help me in

welcoming our special guests to the Assembly Chamber today.

ACTING SPEAKER AUBRY: Thank you. On behalf of Ms. Reyes, Mr. Weprin, the Speaker and all the members, we welcome you here, Consul General, to the New York State Assembly. We extend to you the privileges of the floor. We are so happy that you have been able to join us, along with all of these excellent organizations that you've gathered with you today. We hope your trip here is beneficial. Know that you are always welcome here and that you will always have friends here in the New York State Assembly. Thank you so very much for joining us.

(Applause)

Mrs. Peoples-Stokes, we do have some housekeeping.

On a motion by Ms. Paulin, page 44, Calendar No. 485, Bill No. 9276, the amendments are received and adopted.

We will go to resolutions on the main Calendar. Page 3, the Clerk will read, 697.

THE CLERK: Assembly Resolution No. 697, Mr. Sayegh.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 1, 2022 as National Horse Protection Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 698, Mr.

Tague.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 25-31, 2022 as Farmworker Awareness Week in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker. This is probably the best resolution and the best bill that we're going to pass today, sir.

(Laughter)

ACTING SPEAKER AUBRY: Don't be a pessimist, Mr. Tague.

(Laughter)

MR. TAGUE: Mr. Speaker and my colleagues, it's an honor to join you all today in recognizing the week of March 25th to March 31st as Farmworker Awareness Week. As we look to highlight the hardworking professionals who work tirelessly through weather of all kinds to ensure our grocery market shelves are stocked and that we can manage to put nutritious, affordable foods on our families tables. Their readiness to work hard to earn as much money as possible to better their lives and the lives of their families, at times traveling from other states and even other countries in pursuit of opportunity is a sign to me that the American Dream is still alive and well for all willing to chase it.

To speak of recent times, I want to emphasize the fact

that for our farm workers there was no substantial break or pause in their work. As we stayed home fearing a novel virus we knew little about, farm workers remained in the fields making sure food made it out of the ground and into our homes, even as the world as we know it was turned upside down. You can't tend to crops over a Zoom call. So we can't overlook the contribution our farm workers made toward the fight to end this COVID-19 pandemic by helping to prevent widespread food shortages many feared would have occurred at the time. In honoring our farm workers this week, let us seek to continue empowering them to pursue their dreams while also honoring as they do to nourish our State and our nation. When it is said that food is farm to table, we must never forget about the hands that get the food out of our fields and onto our plates.

So my colleagues, let's take this week to show our appreciation for the hardworking laborers who keep food in our bellies. Thank you to the farm worker, and God bless. Thank you, Mr. Speaker.

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

THE CLERK: Assembly Resolution No. 699, Ms. Walsh.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 26, 2022 as Purple Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Walsh on the resolution.

MS. WALSH: Thank you very much, Mr. Speaker. Good afternoon to all my colleagues, and especially a big thanks to everybody who decided to wear purple today, because I'm pleased to present this important resolution that memorializes Governor Kathy Hochul to proclaim this past Saturday, March 26, 2022 as Purple Day in the State of New York. Epilepsy Awareness Day, which is also known as Purple Day, was created to increase the public's understanding of this brain disorder, and to eliminate the fear and stigma surrounding it. With over 3.5 million people diagnosed with epilepsy in the United States, and over 50 million worldwide, it is likely that you know somebody living with the day-to-day challenges that epilepsy brings.

Epilepsy is caused by electrical disturbances in the brain resulting in seizures of various types. It is the fourth most common neurological disorder after migraines, strokes, and Alzheimer's. It is estimated that 1 in 26 Americans will develop epilepsy at some point in their lives. The good news is that epilepsy may sometimes be easily managed if diagnosed and treated correctly, so research, awareness, and organizations like the Epilepsy Foundation are incredibly important.

Throughout my time in Albany, I have worked with and supported Jeannine Garab and her team at the Epilepsy Foundation of Northeastern New York, which also at least within the



last few years included my brother, Bob Bain, and my sister-in-law, Debbie Bain, who both worked at the Epilepsy Foundation, which really came from their own advocacy from my nephew, Christopher, who is now a 40-something who is doing very, very well and very controlled with his epilepsy that -- that kind of started when he was in grade school. This weekend they'll be hosting their 35th Annual Confections and Chocolate Gala this Saturday, so we'll -- we'll see; hopefully we can finish up the budget and I can get to that, I hope I can.

So why are we wearing purple today? Cassidy Megan from Nova Scotia, Canada, founded Epilepsy Awareness Day with the first event held on March 26th, 2008. She decided to use the color purple because lavender is recognized as the International Flower of epilepsy. She was motivated by her own diagnosis and struggles of living with epilepsy, and she realized that -- the importance of everyone understanding this common neurological disorder. Following Cassidy's lead, the Anita Kaufmann Foundation partnered with the Epilepsy Association of Nova Scotia, which led to the creation of Purple Day in 2009. In that same year, over 100,000 students, 95 workplaces and 116 elected officials participated in Purple Day.

Much like autism, epilepsy is not one-size-fits-all. It's very complicated and there are very difficult cases of epilepsy that cause a great deal of pain and suffering for the patient and the family. Despite all of the current treatments and therapies, there's much more

in the way of research and treatment that's needed. But I'm honored to be here today to bring this resolution forward and to thank all of you for joining me in wearing purple to raise awareness for epilepsy here in the State of New York. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Walsh.

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

Page 3, Rules Report -- Calendar A, page 3, Rules Report No. 63, the Clerk will read.

THE CLERK: Assembly No. A06938-B, Rules Report No. 63, Epstein, Seawright, Steck, Burdick, Dinowitz, Clark, Magnarelli, González-Rojas, Gottfried, Kelles, Simon, Zinerman, Colton, Ramos, Fernandez, Jacobson. An act to amend the Education Law, in relation to prohibiting certain practices in the collection of student debt.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07976-A, Calendar No -- Rules Report No. 64, Seawright, McDonald, Griffin, Jacobson, Sayegh, Davila, Gottfried, Gunther, O'Donnell, Simon, J. M. Giglio, Montesano, Stirpe, Glick. An act to amend the Public Health Law and the Social Services Law, in relation to assuring more equitable access to specialized cancer care; and providing for the repeal of such provisions upon the expiration thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08562, Rules Report No. 65, Fernandez, J. Rivera. An act to amend Chapter 465 of the Laws of 1994, amending Chapter 285 of the Laws of 1891 relating to charging a fee for admission to the New York Botanical Garden, in relation to extending certain provisions authorizing the imposition of a required fee; and to repeal Section 2 of such chapter.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8562. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my colleague Mr. Montesano in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Montesano in the negative, so recorded. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09002, Rules Report No. 66, Budget Bill. An act making appropriations for the legal requirements of the State Debt Service and lease purchase payments and other special contractual obligations.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09275, Rules Report No. 67, Vanel. An act in relation to establishing the New York State Cryptocurrency and Blockchain Study Task Force; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9275. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Vanel to explain his vote.

MR. VANEL: Mr. Speaker, ever since I was elected to this Body, I have been working to make sure that New York State has a proper regulatory environment in the areas of Internet and technology. Blockchain technology and cryptocurrency is a new form of asset and technology that's only 13 years old. As a matter of fact, in a document published on October 31st, 2008, it was titled, *Bitcoin: A Peer-to-Peer Electronic Cash System*. That little known incident, that document, changed the world. Why is cryptocurrency worth anything? Why is blockchain technology so important? In that document that you can Google today, it describes how blockchain technology works. It describes how it creates digital (inaudible). It describes how anyone can participate in the process. It describes a

transparent, open process and it's a fair and open system that anyone, they can enter to the network as long as you have skin in the game. As long as you prove you worked, which is called proof of work.

In 2019 we passed a similar bill in law; unfortunately, due to the pandemic, it was thwarted. The task force will include appointee from the Minority and Majority from both Houses, and from the Executive. It will include indust -- it would include the industry, labor, relevant organizations, environmentalists, community, academia, and regulators. The task force will help us report on major issues including financial inclusion for the underrepresented communities, business opportunities for women and minorities, jobs and skill training across New York State, including Upstate. It will include the use of technology to protect our data and our critical infrastructure, taxes for the State and local governments, and ways to reduce environmental impact of this early and crude technology.

In an area that's ever changing and dynamic with so much potential, we must carefully regulate so that New York can be a place that serves an example for the world for proper regulations in this area. And with that, I vote in the affirmative. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Vanel in the affirmative.

Mr. Smullen to explain his vote.

MR. SMULLEN: Thank you, Mr. Speaker, to explain my vote. I think this is a very important issue for New York

as one of the leaders in the financial services technology and in the financial services sector for not only the United States, but the world, but to coalesce and bring together all of the intellectual firepower that we have to make sure that we get this issue right. As New York regulates, so goes the United States and so goes the world, and I think that we should do this in a holistic way, understanding the technology, understanding the innovation and understanding the possibilities this have to make our system of finance better not only in New York, but the United States and the world. So I'll be voting in favor of this legislation. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Smullen in the affirmative.

Mr. Lawler to explain his vote.

MR. LAWLER: Thank you, Mr. Speaker. I think this bill is critically important to ensure that this Body and this State government have all of the information at its disposal to make the right policy decisions with respect to this industry. Too often in State government and nationally we make policy decisions without all of the information. And there are other bills pending before this Body that would seek to limit or block or reduce this industry, and I think before that legislation or any of those pieces of legislation can be considered, I think this bill is necessary and I think the information gathered from it will be critically important to informing this Body of the path forward. We have, for too many years, lost industry, lost businesses to other state in large part because of the burdensome

regulations in this State. And so before we move forward and seek to limit another industry, we need the information.

And so I want to thank the sponsor for putting this bill forward and I hope that we're able to let this task force complete its work before considering any other legislation pertaining to this. Thank you.

ACTING SPEAKER AUBRY: Mr. Lawler in the affirmative.

Mr. Fitzpatrick to explain his vote.

MR. FITZPATRICK: Yeah, thank you, Mr. Speaker, just to explain my vote. I have no quarrel or complaint at all what the sponsor wants to achieve here, I happen to agree, I know how very hard he worked on this and how important it is to all of us in the State of New York. And because the potential importance to all residents of the State of New York, a bill like this should have representation by the Minority in each House. This bill does not have that and for that reason, I cannot support it.

ACTING SPEAKER AUBRY: Mr. Fitzpatrick in the negative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for the opportunity to explain my vote. I want to rise to both commend the sponsor and, you know, commend my colleagues who understand the value of doing this kind of legislation. Technology has been moving in our society for a number of years and sometimes

we've moved with it, and sometimes we haven't; in fact, we didn't move with it with Facebook and we didn't move with it with Instagram and we can see the impacts that it's having on our young people now all throughout society. It makes sense to get ahead of this as opposed to waiting for it to happen to us and then trying to figure out how to deal with it. So I am excited about this. The only thing I would encourage the sponsor and the members of the people who end up on this task force, is to work with some expediency. We really don't have time to delay this for a couple years. This technology is moving quickly and as the sponsor so noted, New York is the financial capital of the world, we need to be in front of this and not behind it. So again, Mr. Speaker, it's my pleasure to vote for this.

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

Mr. Byrne to explain his vote.

MR. BYRNE: Thank you, Mr. Speaker, to explain my vote. I want to echo the comments that was made previously by my colleague from Long Island. I do believe the Minority Conference deserves representation in this task force. I commend the sponsor for the goals that he's trying to reach, certainly this is much more preferable than any sort of proposal that will ban what we're looking to study with this task force. But the Minority Conference deserves to have an appointment. When I first got elected to this Chamber in 2017, you know, the Majority in the Chamber down the hall, the Senate, was governed by Republicans and I know a lot of those task



forces that we passed on back then did have Minority appointments. All of a sudden, it seems to be drastically reduced. I believe that they deserve to have representation, that we have a diversity of thought and ideas when we look at important matters such as these, and that's why I'll be voting no.

ACTING SPEAKER AUBRY: Mr. Byrne in the negative.

Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker, to explain my vote. For the same reasons as my colleagues before me, I will also be voting in the negative. I think it's a great idea and I commend the sponsor, but the fact that the Minority does not have representation when we represent a large majority of rural Upstate New York and areas where some of this mining is going on. So for those reasons, again, I support the concept but the fact that we don't have any representation with the study, I will be in the negative. Thank you, Mr. -- Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Tague in the negative.

Mr. Lemondes.

MR. LEMONDES: Thank you, Mr. Speaker. Very simply in solidarity with my colleagues, a representative government includes all factions and parties of that government, and I would think that if it were the other way around, the Majority would demand participation. So because the Minority is excluded, I cannot support

this. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Lemondes in the negative.

Mr. Goodell to explain his vote? No, to give us exceptions. Thank you, sir.

MR. GOODELL: Thank you -- thank you, Mr. Speaker. Please record my colleague Mr. DiPietro in the negative.

ACTING SPEAKER AUBRY: So noted. Thank you, sir.

MR. GOODELL: Thank you.

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

(The Clerk announced the results.)

The bill is passed.

Page 3, Rules Report No. 66, the Clerk will read.

THE CLERK: Assembly No. A09002, Rules Report No. 66, Budget Bill. An act making appropriations for the legal requirements of the State Debt Service and lease purchase payments and other special contractual obligations.

ACTING SPEAKER AUBRY: An explanation is requested? No? It is requested, okay. Don't want to do your work for you.

(Laughter)

Ms. Weinstein, an explanation is requested.

MS. WEINSTEIN: Thank you, Mr. Speaker. The

bill that is before us today provides for Debt Service payments of \$5.6 billion. The Debt Service payments in this bill are estimated to decrease from \$2.69 billion from the prior year and will remain in compliance with the limitations set forth by the Debt Reform Act of 2000. This bill is necessary for the State to make legally required Debt Service payments on outstanding bonds and New York State supported bond issuances, and as I think my colleagues know, debt service pays the State's general obligation bonds, lease purchase agreements, special contractual payments and revenue bond financing agreements, and Debt Service will remain under the debt cap for the State supported bond payments of principal, interest and other related expenses.

The Debt Service payments supports \$69.27 billion in outstanding debt, and State debt supports transportation and public protection infrastructure, SUNY, CUNY, and other educational facilities, economic development projects, as well as housing and parks initiatives. And with that, I'd be happy to answer specific questions.

ACTING SPEAKER AUBRY: Thank you, Ms. Weinstein.

Mr. Ra.

MR. RA: Thank you, Mr. Speaker. Will the Chair of Ways and Means yield for some questions?

MS. WEINSTEIN: Yes.

ACTING SPEAKER AUBRY: Ms. Weinstein

yields, but before we do that, members, we are on debate and the noise should be kept to a minimum if at all. And that means those of you who are behind the eave, because we can hear you from back there, too. Shh. Thank you.

Proceed.

MR. RA: Thank you, Mr. Speaker. So as you mentioned, Chair, you know, this is the first -- traditionally is the first Budget Bill that we take up, but it's certainly an important one in terms of the State paying our debt and -- and I would say, you know, provides some signs that the process is moving forward. And we're actually doing it a little earlier this year than we did last year which I would say is a positive thing.

So I -- I would start with a question about the overall financial plan, but it would be largely a rhetorical question at this point because I know we're not there yet, so I'm just going to ask questions about this bill in particular. But I just want to start with -- because you mentioned the \$5.6 billion in the Cash Debt Service payments, so I'm assuming that's based on the 30 day financial plan currently?

MS. WEINSTEIN: Yes, yes.

MR. RA: Okay. So that will be one to perhaps revisit as we get a final financial plan here. What -- so just the top line of this bill, what is the overall appropriation authority within the bill?

MS. WEINSTEIN: So the Debt Service

appropriation is \$15.706 billion.

MR. RA: Okay, thank you. And, you know, I would note this is a larger appropriation authority than we are used to seeing in the Debt Service Bill, and the Governor has proposed again this year a third round of short-term liquidity financing totaling \$5 billion and with tax receipts continually coming in higher than anticipated and the State receiving billions of dollars in Federal aid to address the pandemic and produce State surplus, is it still necessary to give the Governor the power to decide to issue this short-term debt?

MS. WEINSTEIN: First I would just say that this is actually less than last year. Last year it was \$16.411 billion, so it's actually \$704 million less than last year. And just about the timing issue, last year we were having this discussion at I think 11:09 on March 31st.

MR. RA: Yes, we were.

MS. WEINSTEIN: So we're definitely much -- much earlier this year and hopefully that's a good sign moving forward.

MR. RA: So just regarding --

MS. WEINSTEIN: And just the short term notes, you mentioned that --

MR. RA: Yes, correct.

MS. WEINSTEIN: -- that's still under negotiation as we move towards closing the -- coming to a final budget.

MR. RA: Okay. So you know, I know, right, none of -- as we conclude this fiscal year, that authority was not utilized

during this fiscal year, correct?

MS. WEINSTEIN: Yes, that's correct.

MR. RA: Okay. And you said it's still up for negotiation and discussion whether there will be short-term debt authorization.

MS. WEINSTEIN: Right, the authorization is -- is still being negotiated, yes.

MR. RA: So overall, how much room under the Debt Service Cap are we for this fiscal year?

MS. WEINSTEIN: So the -- for this fiscal year, the remaining capacity under the debt cap is projected to be 11.46- so these are revised upward because of the debt -- in the -- revised 30 day amendments because originally as it was submitted it was \$11.2 billion. So that's for this year. For 2024, it's projected to be \$7.36 billion, that's up from the \$7- that was originally submitted to us. In 2025, the remaining capacity, also up, is projected to be \$4.35 billion. In the outyears, it actually increases a bit more. It goes -- in 2026 it goes to \$2.9 billion and in 2027, \$673 million.

MR. RA: Okay. So 2026-'27, that's \$673 million will be the lowest capacity that we hit in the debt -- outstanding cap in the outyears, correct?

MS. WEINSTEIN: Yes, at this point.

MR. RA: Okay. What about the -- how much room under the Debt Service Cap for -- for Fiscal Year '23?

MS. WEINSTEIN: So the percent in the Debt

Service Cap for this fiscal year it -- it is \$6.33 billion.

MR. RA: Great, thank you. You know, as you know and my colleagues know, New York State relies primarily on personal income tax receipts and sales tax receipts to back our bonds. And one of the concerns that is often raised on our side of the aisle is population decline, and we're coming through a time with the pandemic, we've seen how easily the State's tax receipts can be disrupted. We saw them disrupted in a major, major way around this time two years ago. Thankfully they have rebounded, as we all know. But why is this concerning when you get into debt? Because these are things that back our debt issuances. So are we too reliant on, you know, our tax receipts being backed by personal income tax and sales tax receipts in light of that fact?

MS. WEINSTEIN: I would say no, especially since we are having that rebound in our personal income tax and as I just went through those numbers, as evidenced by the fact that in the 30 day amendments the -- our PIT receipts increased which resulted in increased capacity, increased debt capacity. So I think we are on solid -- solid ground. You're moving forward.

MR. RA: Okay. Thank you. So I did want to get into some of what the, you know, national economic situation, what impact it may have on us going to the future. As my colleagues may know, the Federal Reserve just made their first quarter percent rate increase since holding interest rates at 0 percent since the beginning of the pandemic. They're anticipating seven additional increases through

2022, and wondering as we're going through this process, have we looked at what impact that may have on the cost of issuing future debt in this budget?

MS. WEINSTEIN: I mean, I think, you know, what you're saying is certainly correct in that an increase in interest rates will have -- cause us to have an increase in the cost of debt.

MR. RA: And do we anticipate that there would also be a, you know, increase in our debt service, you know, when we're perhaps here having this discussion a year from now as a result of that?

MS. WEINSTEIN: We do believe that there will be enough funding in the Debt Service appropriation to cover any increase in interest rates.

MR. RA: Okay. Thank you. In this budget proposal, one of the issues that we've talked about is the Environmental Bond Act that would go to voters this November. It was put off by the pandemic. There was a proposal in the Executive to increase the amount of bonds to -- from \$3 billion to \$4 billion. The Majorities in both Houses in the one-House budgets proposed further increases. Has negotiations concluded with regard to that? Do we know what that number is going to look like for the final budget?

MS. WEINSTEIN: These numbers reflect the Governor's proposal of \$4 billion, so the discussion of the Environmental Bond Act, those negotiations and discussions are still happening so I can't give you what the final number will ultimately



will be, but this reflects and covers the \$4 billion proposed by the Governor.

MR. RA: Okay. If we were to base it on that \$4 billion and assuming it's approved by the voters, do we have any sense of what that will add in terms of future debt service payments?

MS. WEINSTEIN: You know, so it will go to the voters this November and we don't anticipate in this budget or even possibly the next budget having -- issuing that debt, and certainly not in the budget that we're discussing now.

MR. RA: Okay. And back in October of 2020, Moody's had downgraded our general obligation bond rating from Aa2 to Aa1. Has this credit rating changed since that downgrade?

MS. WEINSTEIN: The current rates, and I would say that the State maintains excellent credit ratings where -- the Standard & Poor's we're AA, Moody's is Aa2 for the PITs and also for our general obligation debt bonds. So you know, I would say that these favorable ratings are achieved by our on-time passage and consistent debt service payments, as well as the revenues that we see are pledged to support these payments.

MR. RA: Okay. And again, and I'm going to assume that we don't have an updated number here outside of, you know, the Executive, but have budget negotiations come to an agreement on how much the total outstanding debt is projected to be for Fiscal Year '23? I believe the Governor had projected \$69.3 billion?

MS. WEINSTEIN: We haven't changed -- we don't

have an agreement beyond the -- what the Governor's presented in the 30 day amendments which are reflected by the numbers I relayed to you.

MR. RA: Okay. One of the other issues that I did want to get into, you know, in these last few budgets we did have proposals or, really, enacted provisions that were pushed by the prior Governor that exempted debt from our debt cap. And I'm wondering if you have a number you can give us as to how much debt we have out there that has been exempted from our debt cap.

MS. WEINSTEIN: So the debt outstanding that's not subject to the cap is \$20.2 billion, which includes pandemic borrowing.

MR. RA: Okay. And so that -- that's total. Do you -- do we have a number from these past two budgets?

MS. WEINSTEIN: If you could hold on one moment.

MR. RA: Sure.

(Pause)

MS. WEINSTEIN: So for 2021 it was \$8.92- and for 2022, \$17.966-. So some of that was -- was repaid so that's why -- yeah.

MR. RA: So do you have a figure for what's outstanding that has not been repaid of that?

MS. WEINSTEIN: That was the number I gave you, it was \$20.205-.

MR. RA: Okay. Thank you. Well, we'll treat that as a going away present from our former Governor, I guess.

ACTING SPEAKER AUBRY: Mr. Ra, I'm informed that you will take your second 15. Please proceed.

MR. RA: Thank you, Mr. Speaker.

So just a few other issues I wanted to bring up. That's one piece that obviously, as I said, is outside of our debt cap, but one of the issues that, you know, we talked about a lot in the past with regard to debt is, you know, we have provisions for how debt is supposed to be issued and that we have what really the practice has been for the State. You know, I'm talking about that borrowing that goes on that's not voter approved as required. So do you know how much debt we have outstanding that is not voter approved debt?

MS. WEINSTEIN: So the -- I was anticipating Mr. Goodell asking this question. The amount of voter approved debt is \$2.575 billion.

MR. RA: That's -- that's the approved amount.

MS. WEINSTEIN: Right, that -- that's the approved that's outstanding.

MR. RA: So it -- I would say that obviously makes up a very, very small percentage of our -- of our total debt.

MS. WEINSTEIN: Correct.

MR. RA: Likewise, do you know a number on -- I know this is reported by, you know, entities within the State, how much debt has been issued by the authorities that is out there, overall

and then State Authorities?

MS. WEINSTEIN: So I guess the last current number I have, because we have some delayed information, is \$165.24 billion in outstanding debt by authorities as of 2018.

MR. RA: 2018, okay. And I know that even some of the reports I've looked at, some entities, you know, were slow to get any information in during the pandemic. I know -- I think I saw a more recent number, but it was I believe a year behind on the MTA's debt and some other authorities. So thank you for that. I just have one or two other, kind of, high level questions and then I will let you go. So with regard to this overall number, do you know percentage-wise of these Debt Service costs how much is principal and how much is interest?

MS. WEINSTEIN: If you can hold on a moment, they have to look for the chart.

MR. RA: Sure.

(Pause)

MS. WEINSTEIN: I think we will have to get back to you with the answer, and I think we'll have more time this week for you to hear that answer.

MR. RA: Sure, okay. Thank you. And then do you know what our State related Debt Service, what the growth has been on average from budget to budget?

MS. WEINSTEIN: So you're looking backwards?

MR. RA: Yes.

MS. WEINSTEIN: Okay. While I'm looking for backwards, do you want to know what going forward is?

MR. RA: Well, if we know what the growth will be in the future, absolutely; yeah.

MS. WEINSTEIN: So I could go through the projected, but from Fiscal Year '23 to '27 it -- we project a 27.24 percent increase, so that would be going from \$69.27 billion to \$88.14 billion.

MR. RA: Great, thank you.

MS. WEINSTEIN: We only have last year and the current year going forward from the Governor's office, so we would have to try and get you that information.

MR. RA: Okay, thank you. I think that's it in terms of questions, so thank you, Madam Chair.

MS. WEINSTEIN: Thank you, Mr. Ra.

MR. RA: I look forward to many more discussions with you, as -- and I hope they're all this week.

MS. WEINSTEIN: I agree. I couldn't agree more.

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

ACTING SPEAKER AUBRY: On the bill, sir.

MR. RA: Thank you. So you know, just quickly wanted to -- want to make a couple of points. As we just went through, you know, we're talking about obviously pretty large debt numbers and when you add in all of the authority debt, you look at our -- our outstanding debt as a State which was, you know, based on the

Executive Budget, \$69.3 billion. And I'm sorry to steal my colleague in front of me -- mine's thunder because I know he talks about this every year, but -- so \$69.3 billion, \$2.75 billion authorized by the taxpayers, actually that went through the process that is outlined that we're supposed to go through. So the percentage of just that debt and then certainly when you get into all the authority debt that is actually approved by our taxpayers is just miniscule relative to the overall debt that the authorities have incurred and certainly that authorities have issued on behalf of the State. So that is certainly a concern.

Our State outstanding debt was \$62.9 billion for Fiscal Year '22, it's projected to grow, like I said, to \$69.3 billion. That's an increase of \$6.4 billion or over 10 percent -- 10.2 percent. Our Comptroller has ranked New York State as the second most indebted state behind California and our State related debt is growing at a higher rate, 2.2 percent, than the growth of inflation, which is 1.9 percent, and personal income, which is 3.9 percent over the last ten years. And our debt per capita at \$3,461 per person was ranked the highest in the nation. That's projected to increase to \$4,423 per capita by Fiscal Year '27, which would be an annual increase of 3.2 percent. So this is something that taxpayers in New York State should be concerned with.

Now, this bill certainly is a signal to the financial markets that we're going to make debt payments, that's important. But certainly for many of my colleagues there's a concern with the fact that we aren't issuing the debt properly. There's a concern with the

overall amount of debt, and there's an annual concern that we all will have on this bill and, unfortunately, likely other bills that we will discuss, debate, and vote upon this week that we end up having to do them in a vacuum, you know, making some assumptions as to what the final product in this budget is going to look like, what the final financial plan looks like. We have, like I said, this Bond Act, we don't know what that total amount's going to be. So well, you know, this is certainly making the payments that are due now, they're going to be certainly things in this budget that are going to impact what these numbers look like into the future.

So I thank my colleague, Chair Weinstein, for answering my questions, but I look forward to more clarity in days to come as to how high a spending increase we're going to be seeing in this budget. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Lawler.

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

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

MS. WEINSTEIN: Yes.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. LAWLER: Thank you, Madam Chairwoman. To the extent that you know at this time, what -- what is our projected

budget surplus looking to be?

MS. WEINSTEIN: So I can tell you the number that the Governor projected, but -- which is \$27 billion, but we have not come to a final agreement yet so I can't tell you what the final number will be.

MR. LAWLER: So -- okay. So based on the Governor's projections, just so I heard you correctly, \$27 billion?

MS. WEINSTEIN: Yes.

MR. LAWLER: And what are we projecting to borrow in this year's budget?

MS. WEINSTEIN: \$9.3 billion and just to correct, the Governor's I rounded down, I guess the Governor's number is \$27.7 billion.

MR. LAWLER: Okay. Why if we're projecting a budget surplus, why -- why would we borrow money?

MS. WEINSTEIN: You know, the interest rates still, at the time of the budget, were low and borrowing is something that we -- we can -- we can do especially for, you know, if we're looking at capital money, it's spread over -- it's expenses that is spread over a period of time.

MR. LAWLER: Okay. So we have, as of Fiscal Year '22, \$62.9 billion in debt, and it is now going to be projected based on these numbers, it's projected to be \$69.3 billion. I noted you talked about our great fiscal outlook in New York and that tax receipts have been better than anticipated. So if tax receipts are better than



anticipated and we have a great fiscal outlook and obviously we're right now in the midst of dealing with nationwide inflation which potentially leads to economic recession, why would we not take this opportunity to kind of get our fiscal house in order and use the budget surplus to actually reduce our debt, our total debt, and bring down our borrowing levels?

MS. WEINSTEIN: So similar to what you were saying, we are going to be -- the budget provides over a five-year plan of \$6 billion pay -- pay as you go, pay go issuances, so that's why actually our debt, new debt issuances are reduced from \$50.2 billion to \$44.2 billion over the five-year plan. So it does reflect a 12 percent reduction in new debt issuances over this period of time, over the five-year plan.

MR. LAWLER: Over a five-year plan.

MS. WEINSTEIN: Right.

MR. LAWLER: But in Fiscal Year '23, our debt is -- our total debt is going up, is it not?

MS. WEINSTEIN: Slightly.

MR. LAWLER: So we're making an assumption for five years that we'll be able to reduce our debt. What happens if the economy turns downward, what are we going to do then?

MS. WEINSTEIN: Well, I mean that's -- that's what reserves are -- that's what some of the reserves are for. We will have enough reserves and this is something that year to year we can readjust.

MR. LAWLER: All right, when you --

MS. WEINSTEIN: Going forward we -- I mean, obviously, we're -- the debt we issue now will be there, but we can readjust going forward in terms of new debt.

MR. LAWLER: So you're talking about reserves, the Governor proposed a \$216 billion budget in her Executive Budget. Two weeks ago at your recommendation this House passed a budget resolution that would spend \$226 billion. How much did we reduce our reserves to get from \$216- to \$226-?

MS. WEINSTEIN: I believe we went down to \$4.5 billion and we used some of those -- some of those unanticipated funds that the Governor recommended go into reserves to be used for spending. And we, under the -- our one-House, we had \$5- -- well, we left \$4.5 billion in reserves.

MR. LAWLER: But you would agree our --

MS. WEINSTEIN: Of the new -- of the additional monies.

MR. LAWLER: You would agree our -- our one-House obviously spent more money which means there are less reserves. We've increased debt. And so when you say going forward if there is an economic downturn, we can rely on our reserves. We're actually depleting our reserves in the proposed Assembly Budget.

MS. WEINSTEIN: Well, obviously that -- we passed that budget and we're still having negotiations in terms of final budget. The Governor's numbers were what was presented to us in January.

They were reestimates of revenues of \$1.2 billion from the time she proposed that budget till when we were able to do our -- enact our -- well, pass our one-House budget and also the PIT and other tax receipts have -- have increased.

MR. LAWLER: Okay. Shifting over to short-term liquidity. This budget proposes a third round of short-term liquidity estimated at \$5 billion. I believe in the 2020-2021 Fiscal Term we used \$4.5 billion in short-term liquidity which was repaid before the end of the year. As I understand it in the current fiscal year and I guess there's a few days left, but in the current fiscal year we have not used any of the short-term liquidity that was allocated in this Debt Service Bill last year. Why -- if we did not need it last year and in part because of our rosy fiscal outlooks and the increased tax receipts, why would we need to include this at all going forward?

MS. WEINSTEIN: Well, it's merely an authorization statute. As you note, it was not used last year and last year we repaid \$4.5 billion in the PIT notes. So it's merely an authorization and there's still discussions happening now as to what a final budget will look like in terms of...

MR. LAWLER: Well, let me rephrase my question a little bit. If we didn't need to use it last year and according to your interpretation we have a positive fiscal outlook in New York. We have increased tax receipts. If we didn't use it last year, why do we need the authorization this year, what's the purpose?

MS. WEINSTEIN: Well, the -- the Governor

included that in the budget presented to us in January. We did not include that authorization in our one-House bill that we passed on the 14th. So that -- whether that authorization for the short-term PIT notes will be in the final budget is still something that we are in the process of negotiating.

MR. LAWLER: Do you think that authorization is necessary?

MS. WEINSTEIN: We -- we in the Assembly do not which is why we rejected and removed it from our one-House.

MR. LAWLER: Okay. Terrific, thank you.

I want to just circle back on what my colleague had talked about with the Public Authorities. So voter approved debt for the State is only 3.7 percent of State related debt.

MS. WEINSTEIN: Correct.

MR. LAWLER: It is approximately \$2.6 billion outstanding. So 96 percent of total debt for the State of New York is accumulated by Public Authorities without voter approval. Can you name the top few Public Authorities that accrue this debt?

MS. WEINSTEIN: I may -- let me see if I can actually get you the breakdown but, you know, some of the top ones are the MTA, the Dormitory Authority - DASNY - SUNY, CUNY. Those are some of the main -- main Authorities.

MR. LAWLER: Thank you for that. And by State statute, we've allowed -- we've granted them the authority to just borrow without voter approval, correct?

MS. WEINSTEIN: Yes.

MR. LAWLER: And why -- why do we allow that? Why -- why are we allowing these State agency authorities the ability to borrow billions of dollars of debt without merely any oversight?

MS. WEINSTEIN: You know, it's -- we approved these amounts in the -- in our -- in our budget so it's not voter approved, it's Legislature approved. And, you know, so then the Authorities issue the debts and we have the contractual -- we have the obligation to pay it. We couldn't -- it would really be extremely cumbersome to have to go to the voters for the long list of projects.

MR. LAWLER: Okay. Thank you, Madam Chair.  
On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. LAWLER: While I certainly appreciate that it may be cumbersome, I think when we're talking about \$291.7 billion worth of total debt as of 2020 with no end in sight, I think most voters would actually like to know what their children and their grandchildren are going to be paying for for the next 40 to 50 to 60 years. The fact is Tom DiNapoli, our State Comptroller, ranks New York State as the second most indebted state behind California. New York's debt per capita is projected to increase by Fiscal Year '27 to \$4,423. Our State is deeply in debt, and at a time where my colleagues are saying we have a great fiscal outlook and our tax receipts are better than anticipated, it sure doesn't seem that way when you look at what's happening all around us. With inflation through the

roof, with sky high gas prices, and a proposed budget from this Chamber that spends \$49 billion more than was enacted two years ago, we are headed for a fiscal cliff. My colleague talks about if we have an economic downturn, our reserves are there to help us. Well, the proposed budget helps deplete those reserves. And at a time when we should be getting our fiscal house in order and paying down the principal of our debt, we're only paying 51 percent of our Debt Service cost going towards principal, 49 percent of Debt Service costs are going towards the interest. We continue to accumulate more debt and more debt and more debt. And most of us will be long gone and our children and grandchildren are going to suffer the consequences of it.

This is an irresponsible Budget Bill and instead of doing what we should be doing, which is paying down the principal of our debt and reducing our borrowing, we're going in the opposite direction. I encourage all my colleagues to vote no on this Debt Service Bill.

ACTING SPEAKER AUBRY: Mr. Smullen.

MR. SMULLEN: Thank you, Mr. Speaker. Would the member from the 41st Assembly District yield for a few questions, please?

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

MS. WEINSTEIN: Yes.

ACTING SPEAKER AUBRY: Ms. Weinstein

yields.

MR. SMULLEN: Thank you very much, Chair. I've heard from my colleagues and I'll try not to cover some of the same ground, but there are a few points that I'd like to ask some questions of you on, regarding specifically in this -- in this bill that we're talking about today, could you explain in lay terms, you know, why there's a \$6.4 billion increase in -- in debt for New York State?

MS. WEINSTEIN: Yes. So there's an increase in transportation, in education, in economic development and housing, in -- in health and mental health. Those are the -- the primary increases. Really the first three; transportation, education and economic development and housing are the major increases; State facilities and equipment also is a slight increase.

MR. SMULLEN: Generally speaking, this is not for infrastructure, this is for various accounts to make up for pandemic expenses? I'm not quite sure where each of those -- those categories fall.

MS. WEINSTEIN: No, it -- it is infrastructure. It's all infrastructure, this isn't operating funds.

MR. SMULLEN: So if it's all infrastructure, that we're building things that will be with us for 100 years.

MS. WEINSTEIN: Yes, well, 100 years is a -- I don't know any contractor that will give us that guarantee, but yes, long-term.

MR. SMULLEN: One would hope at least it would

be there for a long time so --

MS. WEINSTEIN: Yes.

MR. SMULLEN: -- we're getting our money's worth out of this debt because it seems to me this is a 10 percent increase in debt in a year in which revenues, I think one of my colleagues asked you, you said \$27 billion is what our projected increase in revenue is this for this year?

MS. WEINSTEIN: The Governor is -- based on the budget presented, is estimating a balance of \$27 billion, yes.

MR. SMULLEN: So we would say that it's probably some time in the -- in the relative order of four times as much revenue is coming in, plus we're getting about \$6-plus billion of debt on top of that revenue that we're going to spend this year?

MS. WEINSTEIN: Yes. But, you know, because they are infrastructure and capital projects, they take some period of time and the -- the money is spent over years, it's not a one-year spending of dollars. So it is, in many instances, better to have spread out debt for these projects then to have cash going to it in a particular year.

MR. SMULLEN: Of course it's spread out over many years because we know it takes a long time to obligate this and to -- and to put this money out, but it also takes up to 30 years to pay the money off, as well. So you know, over time there's different effects that debt has on State's levels of spending and whatnot.

But I'd like to shift gears a little bit and make sure



that we cover in this -- this particular bill the level of Federal spending which New York has been obligated under the various stimulus packages. Could you give us a ballpark figure of how much money the Federal government has given New York in the past year for coronavirus relief for infrastructure, what we project it as in a general sense?

MS. WEINSTEIN: Are you talking just about the Capital Plan or are you talking about the total amount of Federal dollars?

MR. SMULLEN: Total amount of Federal dollars, roughly.

MS. WEINSTEIN: So the funding, that -- is \$47.613 billion.

MR. SMULLEN: \$47 billion?

MS. WEINSTEIN: Yes, \$47.5 billion.

MR. SMULLEN: Thank you for that. How much do we actually --

MS. WEINSTEIN: But, you know, that is for -- dedicated for pandemic relief, it's not available for other purposes.

MR. SMULLEN: Of course, but it's money that's been spent by New York State or will be spent for -- as part of this budget that's coming up.

MS. WEINSTEIN: Yes, yes.

MR. SMULLEN: Now, could you -- could you actually tell me whom else do we owe money to for the Federal

government for things such as unemployment insurance, how much do we owe the Feds for that funding?

MS. WEINSTEIN: The Unemployment Insurance Fund is a little over \$9 billion, though we are trying to have those negotiations that we -- that that will be waived by the Federal government, so I couldn't tell you what the absolute final answer will be on whether we have to actually pay that money.

MR. SMULLEN: But it's somewhere around \$9 billion that we --

MS. WEINSTEIN: Yes.

MR. SMULLEN: -- have given our citizens to help them that we actually owe the Federal -- the Federal government. Now, one of my colleagues had talked a little bit about inflation. How does inflation affect are ability to pay back debt that we're -- that we're incurring? We're going to -- we're going to take on additional \$6 billion, are we going to pay that off in inflated dollars going forward?

MS. WEINSTEIN: I can't tell you what the future does, that's the amount that we're going to owe. We're going to need to be paying --

MR. SMULLEN: But it's money we owe and money we're going to have to tax people for and we're going to have to go back to those creditors and give them that money back based on a schedule that we're -- that we're incurring.

MS. WEINSTEIN: Yeah; yes.

MR. SMULLEN: And is that also generally speaking

and for the conversation here, relating Federal spending to State spending, is that how the Federal government does it in a similar manner?

MS. WEINSTEIN: Well, you know, I think we all know that the -- I mean, I can't tell you exactly how the Federal government functions, but they get to print money, we don't.

MR. SMULLEN: Well, I guess I would beg to differ with you at the characterization that the taxpayers of the United States who actually back that debt with a full faith and credit of the United States government, aren't affected by the so-called printing of money and I don't want to get into a debate about monetary and fiscal policy.

MS. WEINSTEIN: Right, but I guess all I was saying is that we have -- we need to have a balanced budget and the Federal government does not, that's the...

MR. SMULLEN: They balance their budgets by other means is how I would describe it sort of thing. At this point, we think it's somewhere about \$28 trillion that the Federal government has under its obligational authority, somewhere around \$5 billion or so in most recent. And the largest that New York State has gotten from that, you know, we've gone over that number. So you know, shouldn't we think about using some of those revenue sources from the Federal government to go ahead and pay this debt down as opposed to incurring new debt?

MS. WEINSTEIN: Well, the Federal dollars that are pandemic dollars that we've gotten have to be spent on pandemic --

pandemic relief, so that -- it's not unlimited. The use of that money is not unlimited on our -- on the State's part.

MR. SMULLEN: Well, thank you very much, Chair; I appreciate it.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. SMULLEN: This is all related, the debt at the Federal level, the debt at the State level, how much we have spent, how much we have borrowed. It all adds up and it's all a burden on the taxpayers of this State whether they pay taxes to the Federal government, whether they pay taxes to the State government, or whether they pay taxes at the local level. And what it has added up to is the second highest at this time per capita debt burden in the United States of America when, in fact, we're borrowing money at the Federal level only to spend it at the State level and to not be fiscally responsible and put money away when our tax receipts are highest. We are indeed like a bunch of teenagers in a car about to head over a cliff, and it's evident to anybody who looks at inflation that this is why inflation is happening in the United States today because of irresponsibility at the Federal level and irresponsibility at the State level to control spending year in and year out to make sure that the system does not get out of balance. And I'm very worried about that balance.

You know, I can agree that the State should pay its debt obligations, but I object to more being accrued for no apparent

purpose than to spend, spend, and spend. We spend money in New York for things that we do not need and it's money that we do not have. And for that reason, I will be voting no on this bill and I urge all of my colleagues to think about the future of their children and their children's children how this is going to affect them. Thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Montesano.

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

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

MS. WEINSTEIN: Yes.

ACTING SPEAKER AUBRY: Ms. Weinstein yields, sir.

MR. MONTESANO: Thank you, Ms. Weinstein. I just wanted to ask, I heard a comment before, you answered one of my colleague's questions stating that the Legislature votes on the debt because he had asked you about do the people vote on it and you said no, the Legislature votes on it. Could you tell me where we vote on that? Is it provisions of the budget that contain this organization, or is it a separate bill?

MS. WEINSTEIN: Year by year when we vote for the Capital Appropriations Bill that lists the various capital projects that we are authorizing --

MR. MONTESANO: Right.

MS. WEINSTEIN: -- and then to the extent they -- and then the Debt Service Bill authorizes the payments for --

MR. MONTESANO: So let me ask you this: When we talk about the Capital Bill and we vote to approve those capital projects, at least for myself, I'll speak for myself, I've been under the assumption we're authorizing that money out of our current budget to be spent on those projects. So in essence are you saying that we're authorizing the State to go borrow that money to pay for those capital projects? Yes?

MS. WEINSTEIN: Basically yes. I mean, sometimes it can be actual dollars or it's most -- you know, most often it is bonded money.

MR. MONTESANO: Bonded, all right. So essentially, so this year when we look at the Capital Projects Bill in the budget, everybody should be aware this is money we don't have, this is money we're going to borrow or we're going to bond.

MS. WEINSTEIN: Correct, and the Debt Bill reflects that.

MR. MONTESANO: Okay. All right. Because it was confusing, I didn't understand where this authority for the vote came from because again, looking at these bills in the past, one would be under the impression that this was -- we spent -- we were authorizing the expenditure of money that we already had. Thank you.

On the bill, Mr. Speaker.

ACTING SPEAKER CUSICK: On the bill.

MR. MONTESANO: You know, every year we go through this with this Debt Service and every year I vote against it for the simple reason is a very, very small percentage of that money was voter approved, and now as the sponsor indicates, the money in the Capital Projects is really a loan. We're authorizing a loan unbeknownst to many of us thinking we were authorizing an expenditure out of our current budget, or the budget that was being adopted. So I will continue to vote no because as far as I was concerned, these are not expenses that were clearly authorized and, again, loans of that nature and bonding of that nature, the sizes that they are and the projects that they're covering should be voted on by the public. It's their money, it's their tax dollars. So I really think that the way this is done needs to be overhauled, there needs to be more transparency.

So again, I'll be voting no against the bill today and, you know, we're always told by the people that advise us that, you know, we have to pay the State's debt. Well, I'm willing to pay the State's debt that I've authorized to be incurred, not the ones that I haven't authorized to be incurred. You know, everybody borrows money in our name, the Dormitory Authority, the Thruway Authority, and every other public authority that exists borrows hundreds of millions of dollars at a clip. Many a times it's wasted, the MTA being the most notorious offender of them all, and the people don't get a

return on their dollar. So it's for that reason I'll be voting in the negative and I would ask my colleagues to consider doing the same.

Thank you.

ACTING SPEAKER CUSICK: Mr. Walczyk.

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

ACTING SPEAKER CUSICK: Will the sponsor yield?

MS. WEINSTEIN: Yes; yes, Mr. Speaker.

ACTING SPEAKER CUSICK: The sponsor yields.

MR. WALCZYK: Thank you, Madam Chair.

Through you, Mr. Speaker, who purchases the debt when New York State goes out and issues debt, who buys those bonds?

MS. WEINSTEIN: Mr. Lavine, you buy the debt, were you indicating?

(Laughter)

You know, it's institutional buyers buy it, sometimes it's banks that then break it up and -- into, you know, smaller amounts, and various investors can buy it.

MR. WALCZYK: Okay, the private sector mostly. Are foreign governments prohibited from buying municipal bonds?

MS. WEINSTEIN: I don't believe so.

MR. WALCZYK: How -- how much of a bond that New York State sends out to a foreign market, how -- how much of that bond can foreign markets purchase, is it 100 percent?



MS. WEINSTEIN: I really couldn't tell you the amount, I don't -- I don't know the answer to that question.

MR. WALCZYK: The -- so that's on the municipal bond side. On the Public Authorities, do they have a -- do they have a standard by which foreign investment...

MS. WEINSTEIN: I believe they just go to the open market, so I don't -- I'm not aware of restrictions.

MR. WALCZYK: Through you, Mr. Speaker, I know from time to time we bring up these, you know, divestment bills and sometimes this Legislature debates the value thereof. I'm wondering is there anything -- when we take on a bill like this that is the General Debt Service Fund for New York State, do we talk about how much of our debt, as New Yorkers, we're offering for the Chinese government or the Russian government or anybody else to purchase?

MS. WEINSTEIN: That I couldn't tell you. I do know that during Apartheid, there was a restriction that was put on being able to purchase New York State debt. I don't know that there are restrictions yet, and obviously this debt is not yet authorized so going forward I'm not sure what the -- whether or not there would be restrictions included.

MR. WALCZYK: Okay. Thank you, Madam Chair. Mr. Speaker, on the -- on the bill.

ACTING SPEAKER CUSICK: On the bill.

MR. WALCZYK: So this is the first in many budget bills that we're taking up. One thing that I'm encouraged about is that

this one actually had enough age to be viewed by the public, to allow us to ask questions like this. It's actually, and I would note for the record, Mr. Speaker, it is actually daylight outside right now. Most media is operating, people are awake while we're doing this bill. So I want to give a thumbs up for this part of the process. I hope that this isn't the last one. I hope that the rest of the bills throughout this process are issued before midnight tonight so they have enough age that the public can see them, so that they have enough age so that we can comment on them, digest them, have a healthy debate over the next few days in broad daylight so that the media, the fourth branch of government can report on these things and that the constituents of the great State of New York know exactly what budget they're getting. I have a feeling that's not how it's going to go down, but we'll see, I'll hold out for hope so good luck and I hope that you get all of the bills in before midnight tonight, Madam Chair.

I've got some specific concerns about this one and it's not just that New York seems to be committed to paying less than the minimum payment on its credit card bill. We take up this Debt Service Bill before we know what the spending plan is in New York State, which seems a little bit backwards to me. But then again, I didn't bring this one forward here today. If you saw, Mr. Speaker, some of my questions specifically are on who's buying this debt. My understanding is that municipal debt, municipal bonds when they go to market can have up to a 10 percent foreign investment. It sounds like maybe when New York State issues its debt it could be greater

than that. The Chair wasn't even certain whether it could be up to 100 percent of a foreign market that would actually own the debt of the State of New York. And when you consider some of the foreign players, well, they're not just unfriendly to the State of New York and the great causes that we have here, but they're unfriendly to the United States. And without clarity on those answers, without clarity on a budget or a spending plan, I can't in full faith support a Debt Service Bill like this one which pays less than the minimum on our giant credit card debt.

With that, Mr. Speaker, I will be voting no. Thanks for the time.

ACTING SPEAKER CUSICK: Mr. Goodell.

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

ACTING SPEAKER CUSICK: Will the sponsor yield?

MS. WEINSTEIN: Yes.

ACTING SPEAKER CUSICK: The sponsor yields.

MR. GOODELL: Of course, Ms. Weinstein, I appreciate your comments, and you were expecting me to ask you about Article VIII, Section -- Section 11 of the State Constitution, right?

MS. WEINSTEIN: Right, and the *Schulz* case, yes.

MR. GOODELL: Yeah, which says that no debt shall be contracted by or on behalf of the State unless approved by the

voters, right, by and on behalf, and you previously mentioned that the voter approved debt is \$2.75 billion and the non-voter approved debt is in excess of \$165 billion.

MS. WEINSTEIN: Correct.

MR. GOODELL: So am I correct then that that \$165 billion that was not voter approved is not debt that was incurred by or on behalf of the State?

MS. WEINSTEIN: According to the Court of Appeals decisions, we feel that this is -- that the debt we're talking about here through the Authorities is Constitutionally authorized.

MR. GOODELL: So in order for that to be Constitutional then it's not debt incurred by or on behalf of the State, correct?

MS. WEINSTEIN: It is on behalf of the State.

MR. GOODELL: Well, if it's on behalf of the State then that triggers the requirement that we have voter approval. Of course, there's a lot of debt that's not incurred by or on behalf of the State; in fact, it's probably about \$165 billion.

(Pause)

MS. WEINSTEIN: Some -- some of that dollar amount is debt that the Authorities issue on their own behalf, you know, based on the clients they have. So I think the number is closer to \$65 billion that the State is obligated to repay -- \$69 billion I believe.

MR. GOODELL: Now the \$69 billion that you

mentioned, that's for a wide variety of projects, right? Wouldn't that include, for example, conservation projects, environmental perhaps, tourism, recreation, perhaps transportation projects. A lot is with the Dormitory, you mentioned a lot is with MTA, correct? It's a wide variety of different projects, housing is often a big one; am I correct?

MS. WEINSTEIN: Yes, yes.

MR. GOODELL: But of course, debt that is incurred by or on behalf of the State of New York under the Constitution not only has to be authorized by the voters, but it must be, quote, "For some single work or purpose." And obviously this debt is not for a single work or purpose, it covers a very wide variety of projects from roads and bridges to apartment buildings to housing and everything else, right?

MS. WEINSTEIN: Well, the -- I'm giving you the cumulative numbers. When the debt is issued, it is for a specific purpose.

MR. GOODELL: Now, in the past when we've looked at borrowing authorization for these Authorities, it always said we're pledging our tax -- income taxes or our sales taxes to the extent appropriated by the Legislature, correct? We always put that exception, if you will, correct?

MS. WEINSTEIN: Yes.

MR. GOODELL: So am I correct then that if we did not pass this bill, we wouldn't be sued because in the original authorization we said the full faith and credit of the State is not behind

this; is that correct?

MS. WEINSTEIN: Well, this is our commitment that we've made to the bondholders, that we are -- the State is voluntarily accepting the responsibility to repay this debt that was incurred for improvements within our State.

MR. GOODELL: So we're voluntarily agreeing to pay \$5.2 billion in debt payments on behalf of the taxpayers?

MS. WEINSTEIN: Well, it's a contractual obligation that we have.

MR. GOODELL: But it's an unenforceable contractual obligation, right? I mean, because we state right up there that there's -- our full faith and credit doesn't back it, because if we didn't have that waiver, if you will, or that exception, then the Court of Appeals case would say, *Wait a minute, you got to go back and get voter approval*, correct? I mean, that was the technicality they hung their hat on in that decision, correct?

MS. WEINSTEIN: Well, that had to do with the purpose of electoral -- an electoral spending. So these are different kinds of debt that we are talking about.

MR. GOODELL: Now, 96 percent of our debt load and our debt payment, as you indicated earlier, relates to Authorities. Has any of that Authority debt separate and distinct from what we're doing here, has any of that been approved by the voters?

MS. WEINSTEIN: The public -- I think I mentioned earlier that the Public Authority debt is not approved by the voters, it

is -- General Obligation bonds are approved.

MR. GOODELL: And of course, as you know, just two years ago our total State Budget was about \$176 billion as I recall, and you indicated that the Authority debt back then was almost the same as the entire State Budget. Are those debts incurred by the Authority for particular projects approved by elected officials? I know we give a general authorization for the MTA to borrow billions, but do we actually sign off on any of their projects?

MS. WEINSTEIN: Well, some of it is, as with the discussion with Assemblyman Montesano, some of it is in the Capital is approved by us, by the Legislature in the Capital Budget Bill that we are -- we will adopt. Some of it is through the Public Authority's Control Board, and that the Legislature has, you know, that we in the Assembly have -- have -- have a vote on and the Senate, similarly.

MR. GOODELL: Now, as you know, our Constitution, Article VII, Section 8, subparagraph 3, has an exception for the requirement for voter approval on certain debt that relates specifically to industrial or manufacturing plants and equipment. I mean, it's set forth right in the Constitution. How much of this debt falls within that exception?

MS. WEINSTEIN: I don't know that I can give you those numbers at this point.

MR. GOODELL: I see. There are other exceptions, too, revenue anticipation notes, responding to forest fires, natural disasters. How much of that debt falls within any of those other

exceptions?

MS. WEINSTEIN: I think, Mr. Goodell, that we need to get back to you on the breakdowns of the number that you're asking for.

MR. GOODELL: Thank you. Do you know approximately what the interest rate New York State is currently paying on this debt? I mean, do we have a sense of what the average interest rate might be?

MS. WEINSTEIN: I think it's a hard number to come up with because this debt is issued at various points throughout the year. Each one has different kinds of structure, how that debt is structured so the interest rates can vary from one to the other. So I think it's difficult to come up with a single interest rate.

MR. GOODELL: And I understand there's different maturities and different interest rates. Can you give us an idea of what the average is?

MS. WEINSTEIN: Unfortunately, I don't have that information. I will say that at times we have paid -- paid down high interest -- some of our high interest bonds and reissued to get lower interest.

MR. GOODELL: Well, as you know, the treasury notes -- now, granted, the Federal government has a different credit rating than we do since they can print money, but the Federal notes have been below 1 percent for many years. Is it safe to assume that our interest rate is in that range?



MS. WEINSTEIN: I would think we're not below 1 percent.

MR. GOODELL: You think we're above 1 percent?

MS. WEINSTEIN: Yes, but I can't give you that answer right now.

MR. GOODELL: Okay. Well, as always, I appreciate your insights and thank you very much for the information you've provided.

On the bill, sir.

ACTING SPEAKER CUSICK: On the bill.

MR. GOODELL: As my -- as my colleague mentioned, we're seeing the Federal Reserve raise interest rates by a quarter percent, and many observers expect the interest rate to be raised more than once this year, each time by a quarter percent. And the interesting thing about interest rates is you can say, *Well, it's only going up by a quarter of a percent. That doesn't sound bad, does it?* But if your interest rate already is 1 percent, then a quarter percent increase means you're getting a 20 percent increase in your interest rate. And if the interest rate goes up three times this year, you're looking at a 60 percent increase in your interest, aren't you? Now, for most of us, you know, a quarter of a percent doesn't make much difference, but in State of New York we're paying over \$5 billion a year in just interest. So a 20 percent increase in interest rate translates into a lot of money.

Now, every year we have the debate about the

requirement that's in the State Constitution that all the debt incurred by or on behalf of the State must be approved by the voters. And so the way the State's gotten around that is they authorize unelected officials and authorities to go out and borrow money and then they say to the bondholders, *The State will make sure you get paid back but, by the way, subject to our decision to make sure that you get paid back.* They actually put it right in the language, *We are not guaranteeing the full faith and credit of the State.* And so they have this term that's called moral obligation. What a great phrase, isn't it. We have a moral obligation to circumvent the Constitution that we all swore to uphold. I'm not quite sure where that concept of morality came from, it's not one that I'm accustomed to from my district where my people come from.

So as was mentioned, we have voter approved debt and that interest payment is \$239 million, and then we have all this backdoor borrowing where we're paying \$5.2 billion. And the amount of that backdoor borrowing is about equal to our entire State Budget. So think about that. The taxpayers in the State of New York are on the hook for an amount that's about equivalent to our entire State Budget and not a single State legislator signed off on those individual projects, and not a single voter other than those members of the board voted on it. There's a reason why our State Constitution requires voter approval of any debt, and it comes out of the fact that our State in the past ran up a huge debt bill and it created horrific financial problems, which is why the voters put a restriction on what we could do when it

comes to debt.

And so I will be joining most of my colleagues in voting no. If this debt payment was limited to \$239 million, which is the amount of debt payment on the voter approved debt, then I would be all in. But without that, I'm opposed. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Salka.

MR. SALKA: Thank you, Mr. Speaker. Would the esteemed Chair of the Ways and Means Committee answer a few questions, please?

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

MS. WEINSTEIN: Yes.

ACTING SPEAKER AUBRY: Ms. Weinstein yields, sir.

MR. SALKA: Thank you, Madam, and thank you for your time. It's a grueling process to say the least, and it's only Monday.

MS. WEINSTEIN: I was going to say, it has only begun.

MR. SALKA: I have a question, and I apologize for the somewhat hypothetical nature of the question, but I think it's something that a lot of my constituents will want to know, and I feel committed to be able to tell them. As we can see, one of my colleagues stated that this budget's about \$49 billion more than just a

couple years ago. So I'm sure that budget two years ago was billions of dollars more than the budget two years before that and so forth and so on, so obviously there's a trend of increased budget -- or increased spending on behalf of the -- the State and the Legislature and the Governor's Office.

Again, I know you don't have a crystal ball but you have some very qualified people around you, is there any indication about how sustainable this spending is? In other words, we only have a fixed amount of -- well, a relatively fixed amount of revenue and that's the taxpayer, okay, and corporations. Now, New York State has lost hundreds of thousands of people in a very, very short amount of time and I imagine a lot of those are taxpayers. So given that shrinking pool of revenue, what that increasing exponentially, almost exponential increase in spending, what's our sustainability look like? What do we look like in 2027, 2028, 2030 when, you know, my 27-year-old son is going to be 30 or 32 by then and hopefully be a taxpayer in the State of New York.

MS. WEINSTEIN: Well, you know, I think I made mention that in regards to someone else's question that we are actually seeing, despite perhaps people leaving and we can argue we don't really know whether people have left or not, but the bottom line is that the personal income tax receipts in New York State are increasing, and just from January to when we started working on the budget just a few weeks ago -- well, in the month past and the Governor's 30 day amendments there was a \$1.2 billion increase in projected revenues

for this year. And we believe that that number is going -- is going to continue to increase so that we will have the funds available.

MR. SALKA: So even -- if I may, even with the rate of inflation and something that was supposed to be transitory, I think most people agree now probably won't be, it looks like it's here to stay for awhile. Let's all hope that the economy gets better as we get out of the -- get out of the -- the pandemic and malaise that we've been in, hopefully there'll be better spending. But it just seems to me that as we go along and our rate of spending goes almost beyond rationale, are we going to have that pool of revenue to be able to pay the bills in five years, in three years. Of course, we don't have a financial plan yet, but...

MS. WEINSTEIN: Well, even though the financial plan and we do -- the Governor does show her projections and we also show projected revenues going forward, year by year we always reevaluate the financial plan and if there is a downturn, you're right, I don't have a crystal ball so if there is a downturn next year, we don't think they'll be, but if we're wrong then when we work on next year's budget it will be reflect the fact that we believe there are less revenues.

MR. SALKA: So you can say with relative confidence that over the next three to five years, New York State, although it is increasing its rate of spending, should be -- should be financially solvent.

MS. WEINSTEIN: Yes. I mean, we project

increases, dramatic increases in personal income as the years go forward. So we will -- next year we'll see if we're right.

MR. SALKA: Thank you very much, and thank you for your -- thank you for your answers.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. SALKA: I think one of the things that most disturbs me, and I think would probably disturb most of my constituents is this -- this 3.7 percent voter input, if you will, on monumental amounts of debt. And I plan on bringing this back to my constituents and, as we should be as legislators, informing our residents, our citizens, our constituents, as to what's going on with their tax money, the tax money that they only have a 3.7 percent input on. And I think that's very disturbing. I think that there's an extreme lack of transparency in this budget process. We know what's going to happen at the end of the week is there'll be an all-night rally, an all-night vigilance, if you will, on trying to keep track of the billions and billions of dollars of spending, again, with only 3.7 percent of voter input.

So I don't quite share the -- the -- the -- the rosy picture or at least the optimism that the -- the -- the -- the Chair of the Ways and Means Committee. I think we're in trouble. I think that this State is in big trouble. I think we're spending ourselves into oblivion. And about three years ago when I was first elected, I said that we're spending like drunken sailors. Well, we're spending like inebriated

sailors now, and if we keep on spending like we are, if we don't start looking at every single penny, and I know out of \$226 billion that's a monumental task, but if we don't start looking at taxpayer's money and making sure that each and every cent is spent in the most productive manner, I'm afraid the State is going to be in big trouble in not too long for now. But thank you, thank you for your time.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly Bill 9002. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. The Republican Conference is generally opposed to this Budget Bill. Certainly those who wish to vote in favor of it can do so on the floor or by calling the Minority Leader's Office. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally in favor of this piece of legislation; however, there may be colleagues who would choose to be an exception. They should feel free to contact the Majority Leader's Office and we'll be happy to record their vote. Thank you,

sir.

ACTING SPEAKER AUBRY: Thank you, ma'am.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we can continue on our A-Calendar and go to Rules Report No. 63 by Mr. Epstein, that's Assembly No. 6938-B.

ACTING SPEAKER AUBRY: Thank you. The Clerk will read.

THE CLERK: Assembly No. A06938-B, Rules Report No. 63, Epstein, Seawright, Steck, Burdick, Dinowitz, Clark, Magnarelli, González-Rojas, Gottfried, Kelles, Simon, Zinerman, Colton, Ramos, Fernandez, Jacobson. An act to amend the Education Law, in relation to prohibiting certain practices in the collection of student debt.

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

Members will be aware that we are on debate and that such -- as so, conversations should be ended while we're on the floor. If you need to converse with someone, take it outside of the Chamber, please. Thank you.

Mr. Epstein.



MR. EPSTEIN: Thank you. This bill would prohibit institutions of higher education, post-secondary schools from withholding student's transcripts because they failed to pay tuition or other outstanding fees such as library fees, parking fees, or any other fees that the institution might claim the student owes.

ACTING SPEAKER AUBRY: Mr. Walczyk.

MR. WALCZYK: Thank you, Mr. Speaker. I wonder if the sponsor would yield for some questions?

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

MR. EPSTEIN: Of course I will, Mr. Speaker.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. WALCZYK: Thank you. Through you, Mr. Speaker, I'm looking at line 7 here in the bill language and I'm wondering if you can help me out with the -- the definition. We say no degree granting institution or licensed private career school; what's the definition of a *licensed private career school*?

MR. EPSTEIN: A school that's being licensed by the State of New York.

MR. WALCZYK: Every single school that is licensed by the State of New York?

MR. EPSTEIN: Most secondary schools, right.

MR. WALCZYK: Okay. So this -- this includes even your tractor trailer school to get a commercial driver's license,

for example.

MR. EPSTEIN: As long as they give a certificate leading to a career, yeah, it would include them.

MR. WALCZYK: Okay. Would this include trade schools, for example, that are licensed by the State of New York?

MR. EPSTEIN: So is it a trade that leads to a career? Of course, the same category.

MR. WALCZYK: Thank you, appreciate the clarification. And through you, Mr. Speaker, if the sponsor would continue to yield?

ACTING SPEAKER AUBRY: The sponsor yields.

MR. WALCZYK: When the -- when the bill says schools cannot provide less favorable treatment of a transcript request, what exactly does that mean?

MR. EPSTEIN: So the same amount of time, like some schools would say it takes you two weeks to get a transcript, we want to make sure it takes the same time frame for people who have outstanding alleged arrears versus people who don't. We want to treat people similarly situated.

MR. WALCZYK: Okay. So in the -- in the violations that I see that you've got here in the bill, there could be a \$500 penalty; is that correct?

MR. EPSTEIN: Yeah.

MR. WALCZYK: So that means if a transcript is delayed to a student that hasn't yet paid the tuition for this institution,

it's delayed because of some administrative or clerical things, the institution would be charged \$500 because that could be viewed as providing less favorable treatment of a transcript request?

MR. EPSTEIN: Are you saying this was intentionally withheld because they wanted to punish the student for withholding -- or not paying some fees?

MR. WALCZYK: Either -- yeah, sure, I mean, intentionally or by -- by bureaucratic processes in some schools.

MR. EPSTEIN: Well, those are two different things. Intentional is intentional and --

MR. WALCZYK: Okay.

MR. EPSTEIN: -- and, you know, de minimis because of bureaucratic mistakes are de minimis because of bureaucratic mistakes. If it's intentional, we're asking them not to do it and there's a punishment if they do. If it's just a clerical error, those are clerical errors.

MR. WALCZYK: So if it takes two weeks, it takes two weeks for every student whether they've paid their tuition or whether they've paid all of their parking fees or not?

MR. EPSTEIN: That's exactly right. We are treating people who have alleged arrears and people who don't the same.

MR. WALCZYK: Thanks. If you continue to yield through the Speaker, how many violations do you think that there are currently, how many violations out there in these private institutions?

MR. EPSTEIN: When you say violations, what do

you mean by violations?

MR. WALCZYK: Well, if we're talking about penalizing institutions \$500 for each violation, how many violations do you think there are currently?

MR. EPSTEIN: Well, we don't -- this law doesn't -- this isn't law yet so there aren't violations. Are you asking me how many people were having their transcripts withheld because of alleged arrears?

MR. WALCZYK: Sure.

MR. EPSTEIN: Well, I know the City of University of New York, CUNY, we were working with them and they, in October, reversed their policy to withhold student transcripts and from October to early March, they had released 6,000 transcripts that they otherwise would have withheld because of the reverse in policy.

MR. WALCZYK: So just in the City University of New York, there were 6,000 former students who have their transcripts withheld because they hadn't paid either parking fees or their tuition or a combination of these things?

MR. EPSTEIN: Or they missed a late book fee for \$10 bucks.

MR. WALCZYK: Right, but through the Speaker, this bill expands that scope to private institutions, correct?

MR. EPSTEIN: It expands it to all institutions in our State.

MR. WALCZYK: So I guess the same question

would be how many students do we think are in that situation in the private institutions they --

MR. EPSTEIN: I don't really know. I don't have a guess of how many people and institutions owe a \$10 late fee or have some arrears on tuition. What I do know that this disproportionately impacts lower-income students and disproportionately impacts Black and Latino students. This disproportionately impacts people who could be advanced if they were given their transcripts. People can't go to grad school, can't get the job that they want. This is prohibiting people from advancing in their careers and that's what why we're trying to move this forward.

MR. WALCZYK: How many?

MR. EPSTEIN: We know from October to March, 6,000 at CUNY.

MR. WALCZYK: Right.

MR. EPSTEIN: But we have no idea at SUNY how many that number is. SUNY just earlier this year reversed their position, and all the private institutions, you know, we have, you know, two -- roughly two million students in higher education institutions around the State, so I don't know how many people have with fees, but we can extrapolate that there's going to be thousands or tens of thousands of students.

MR. WALCZYK: Okay. And if there's tens of -- let's say you don't get a great level of compliance or you get many violations from private institutions that decide that the \$500 fee is not

-- not really too large of a mountain to climb when they've got, you know, tens of thousands of dollars sometimes in debt that are withstanding a student. If the colleges are charged these penalties, who ultimately is going to pay that bill?

MR. EPSTEIN: Who pays the penalty? The college.

MR. WALCZYK: Right.

MR. EPSTEIN: And if it's a non-profit institution, that might be added to their operating cost. If it's a for-profit institution, you know, for-profit institutions act in a certain way, as well. And in the end, if there's substantial noncompliance, that's going to have to be a conversation. Our expectation is schools are going to comply because most people comply with the law, and these are non-profit institutions that have staff whose job it will be to comply with the law.

MR. WALCZYK: In your conversations with these private institutions as you were crafting this legislation, how much staff additionally is going to be required in order to be compliant?

MR. EPSTEIN: Well, my conversations was that there wasn't going to be a requirement to staff. The question they had was can they have other tools in their tool belt to ensure that they can have conversations with students who may have some arrears.

MR. WALCZYK: And I note in the last provision here I'd just like to chat about for a second, through the Speaker, students who have their transcripts withheld under this law will be able to sue the institution; is that correct?

MR. EPSTEIN: Students who have their transcript withheld under this law, you're asking me if a student is -- seeks their transcript and they are being denied by the institution, what remedies they have available to them?

MR. WALCZYK: Yeah, specifically maybe you -- maybe you could just fill me in on this paragraph: "In addition to the right of action guaranteed to the Superintendent of Financial Services, pursuant to this section, any person who has been injured by reason or any violation of the section may bring an action in their own name to enjoin such unlawful act of practice. The court may, in its discretion, award reasonable attorneys' fees to the prevailing plaintiff."

MR. EPSTEIN: So your question is what recourse students have who are having their transcripts withheld?

MR. WALCZYK: Sure.

MR. EPSTEIN: Yeah, so as I mentioned, the first would be to request that they release the transcript. They can ask them to comply with -- if this passes in both Houses and the Governor signs it, ask them to comply with the law. If they fail to comply with the law, there's a penalty provision in the statute and if they have to then -- if they can't get compliance with the law, they can bring a proceeding to enforce the compliance and potentially, if they're a prevailing party, get attorneys' fees.

MR. WALCZYK: Okay. Yeah, I noticed the judge can award attorneys' fees, could the judge award attorneys' fees to the institution if the judge finds in the other way?

MR. EPSTEIN: You're saying if they're the plaintiff? If the institution's the plaintiff?

MR. WALCZYK: Right.

MR. EPSTEIN: Well, the institution is unlikely to be suing the student for withholding transcripts from the plaintiff.

MR. WALCZYK: No, I'm sorry, if the institution is being sued.

MR. EPSTEIN: So they're not the plaintiff in the action, so they're not going to be entitled to attorneys' fees.

MR. WALCZYK: Okay. So there's no scenario here where the -- where the school could be awarded attorneys' fees through the court?

MR. EPSTEIN: Not based on this statute as written.

MR. WALCZYK: Okay.

MR. EPSTEIN: The bill as written, sorry.

MR. WALCZYK: Does this -- you know, some critics might look at this piece of legislation and say, you know, students should be paying their tuition. If we give them their transcript or their diploma when they haven't paid that debt, this essentially cancels student debt; would you -- would quantify it that way?

MR. EPSTEIN: I absolutely do not think that's this at all. I think this is far from it. This is saying that a student allegedly owes some money, we don't know if it's \$10 or \$10,000, an institution seeks to collect it and they have all their rights and remedies under



law to collect that debt, whether they go to court, whether they have other means to collect that debt. That is still collectable, but in the interim that the student should be able to continue to get their transcript. This does not absolve the student from owing the money if they do owe the money. It does not say that they don't have to pay the money because if they owe it, they have to pay it. All this is saying is let that student continue to advance in their education and get the job that they need, get the grad school program they need to go to, maybe transfer if they need to. The transcript should not be the reason that the student gets held up. Let the transcript go forward and figure out the financial situation when you figure out the financial situation, either in negotiations, sometimes arbitration and sometimes litigation. Lots of tools still available for the colleges that they already have in their tool belt. This is not a necessary vehicle to stop a student from getting the advancement that they need.

MR. WALCZYK: Is there -- through you, Mr. Speaker, is there anything that prohibits a compassionate release from a private institution of a transcript or a diploma to the student even if they haven't paid all of their debt to the school or institution?

MR. EPSTEIN: Are you asking if under current law?

MR. WALCZYK: Under current law.

MR. EPSTEIN: Under current law, a school can provide a transcript any time they want, but they can also withhold transcripts any time they want. And we're saying here is you can't withhold those transcripts.

MR. WALCZYK: Why -- why give the transcript -- through the Speaker, why give the transcript directly to the student and not the perspective employer if they're seeking employment?

MR. EPSTEIN: Because the student took classes, had a degree, if they have a degree, and they need to use it to show to their employer, to transfer, the students worked for those grades, the student did a lot to get those grades that they -- they are entitled to be able to show that they did that. We don't want to be able to hold people up just because an institution thinks things are outstanding. And whether it's true or not, whether that is -- that \$10 library fee, and I keep saying that because when I graduated from college I was told I owed a \$10 library fee. You know, and so \$10 may not be a lot for some people, \$10 for other people is a tremendous amount. And so those are -- that student earned that, they should be entitled to get that transcript so they can proceed with their lives. And many places, grad school, careers required to prove the transcript to be able to get the job or get the higher education you need.

MR. WALCZYK: Thank you.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. WALCZYK: So in a time where student debt is on the rise and higher education institutions are fighting the tuition increases that continue to go up, enrollment is down, private institutions are still reeling in recovering from the shutdowns. I wouldn't say that this is the time to tell students that it's not okay to

pay your tuition bill, that you still get the same benefits that anyone who fully paid their tuition, many working their way through school to make sure that each one of those bills was paid on time. I don't think the right thing to communicate, especially when we consider about the -- the value of our education. We should focus on lowering the cost of education overall. What this actually does is it applies additional penalties, potentially, to institutions that are literally just saying, can you pay us for what you said had value. The idea was you're going to go to school, you're going to pay us for the education that has great value, that's what that piece of paper that we'll hand to you on the stage all rolled up, you'll put in a frame and probably pay extra after -- after graduation to get it in your institution's frame, because you know that that thing has value. It only has value because people pay for it. So if we tell people that they no longer have to pay for this thing, then what's the value of it? That's a rhetorical question.

Imagine if we said, and I understand the Catch 22, you need a transcript in order to get a good job. Well, the sponsor didn't bring a bill forward today that said we're going to force institutions at the request of an employer to send a transcript directly to that employer to show, all right, this student has actually met all the qualifications. No, this bill instead says we're going to give that benefit directly to the student, the student that had that contract, that went to that school for whatever period of time, said that they would pay these bills, didn't pay the bills, has not technically earned that transcript because they haven't lived up to their part of the bargain yet.

Imagine if we applied this to car payments. Well, you need a car in order to get to your job, right? Well, what happens when you stop paying the bank for the pleasure of driving that car? They repossess it. Now, this Body could put a bill forward that says but how can someone pay the car payment if they can't get to the job? I mean, I got it. Transportation to work, especially in rural areas like the one that I represent, a huge issue in the bridge out of poverty. But we don't put a bill on this floor that says if you don't pay your car payments anymore, we'll take of you, you just keep driving that car. Cars would have zero value. They would have no value. We would say, *Well, congratulations, cars are now free* because --

(Buzzer going off)

Well, Mr. Speaker, I think I made my point. I will vote no on this because I think the degree that we put on our wall has great value and should continue to have great value.

ACTING SPEAKER AUBRY: Thank you, sir.

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6938-B. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation for the reasons my colleagues mentioned; however, if you want to vote in favor of it, my colleagues are encouraged to vote yes on the floor of the Assembly or call the Minority Leader's Office and advise them. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, this is generally going to be a piece that the Majority would be in favor of; however, there may be a few colleagues that would choose to be an exception. They should feel free to contact the Majority Leader's Office, we'll be pleased to record their vote. Thank you, sir.

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

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Yes, thank you, sir. Everyone here wants to have students have the lowest tuition possible, and we want students to have a good experience in college and come out being better citizens and better adults. So when we say to a student, *You can ignore your contractual obligation and you don't have to pay the college, but you get all the benefits*, it does two things: It raises costs to every other student because the institution has to make up for the loss of revenue, and that's unfair to all the students and results in higher tuition, which is exactly what we don't want. And the second

problem is it sets a really bad example. It says, *You signed a contract, you broke the contract, now you can sue the institution even though you broke the contract.* And that's not really the right message I don't think. I think we want to say to all of our students, *When you sign a contract, it's a serious thing, we expect you to comply.*

And then at last I would mention, this bill says that just one of those quirky things that happens, you can't refuse a transcript because they haven't paid a bill, but you can bill them for the transcript. Does that mean you don't have to give them the transcript if they don't pay the bill for the transcript? And why is it you can bill them for the transcript but you can't bill them for the education as a condition of getting a transcript.

So I appreciate my colleague's desire, but I think it's important that we try to keep tuition as low as possible for all the students who are acting in a thoughtful and responsible manner, and treat everyone as fair as we can. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Mr. Lavine.

MR. LAVINE: Thanks, Mr. Speaker. I want to commend the sponsor. I think that this is a very, very good bill. I also want to commend the sponsor because last month the CUNY Board of Trustees decided that it would -- they would no longer withhold transcripts to students. After all, the transcripts are the student's transcripts. Now, I want to make just a couple of quick points before I

say that I'm voting in favor of this -- this bill. To begin with, NPR reports that there are over six million people in the United States who are having trouble or in danger of not receiving their transcripts because they are considered still in debt to their colleges and, of course, this also includes the proprietary colleges as I understand it. And it would just shock me to no end to know that certain proprietary colleges are refusing to release transcripts to students for any number of reasons, but that's really beside the point. It's over six million people. This inability for people to be able to get work for which they need their transcripts is a drag on our economy, our national and State economy and we don't need that at the present time. We don't need anything that's going to stunt our economic growth.

So to me, finally, and I don't know what the law is on this, but we had a discussion a few days ago about lawyer's files. Now, when I practiced law, almost every one of my clients owed me money in some way or another, but never once would it ever have crossed my mind not to give them their files, their records, if they owed me money, never once because that's their file. In many -- and it's very much the same true -- being true with medical records. Well, I don't see why students or former students should be prejudiced and denied the right to have jobs and denied the right and obligation to contribute to our economy. So I've said enough, apparently. I'm voting in the affirmative.

(Laughter)

ACTING SPEAKER AUBRY: Thank you. Mr.

Lavine in the affirmative.

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. I want to be clear, this has nothing to do with lost revenue. Institutions of higher education continue to collect their revenue. They will have tools in their tool belt. And I would hope that in this Body that we can see it like from someone else's perspective. Not everyone lives the way we live or grew up the way we grew up, and this is an opportunity to help someone who may be struggling a bit, you know, they maybe can't pay that last semester's whatever those dollars are, but that transcript will take them out of poverty, that transcript will help them move forward in their lives.

Now again, this is not about leasing a car because if you were leasing a car and you didn't pay your payment, you wouldn't be able to keep the car. If you have not paid your tuition, you couldn't go back to the school. So that's not a real relevant example. The reality here, you know, this is an economic and social justice issue for our lower-income New Yorkers. People want to pay, these are people who can't pay. These are people who, for whatever reason, couldn't do it. These are people who wanted to go to college, wanted to get their advancement, wanted to get their education and something got in their way. Life got in their way. And we want to help those folks be able to continue, continue with their education, get those degrees that they need and make their lives better because that's what we're here to do. We're here to help lift people up.



Thank you, Mr. Speaker, and thank you for our Speaker for allowing us to bring this bill to the floor, and I'll be voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. Epstein in the affirmative.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Please record my colleagues Mr. Byrne and Mr. Smith in the affirmative. Thank you, sir.

ACTING SPEAKER AUBRY: So noted, thank you. Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you could please record our colleague Ms. Pheffer Amato in the negative on this piece.

ACTING SPEAKER AUBRY: So noted, thank you. Are there any other votes? Announce the results. (The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could continue our work, we're going to go to our main Calendar and beginning on page 4, we're going to start with Calendar No. 495, which is Assembly Bill No. 1084 by Ms. Paulin, and we should go straight through to page 6 at Assembly Bill No. 9590, Calendar No. 510 by Mrs. Barrett. Thank you, sir.

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

Page 4, main Calendar, 495, the Clerk will read.

THE CLERK: Assembly No. A01084-A, Calendar No. 495, Paulin. An act to amend the Election Law, in relation to ballots submitted in envelopes that are sealed with tape, paste or any other binding agent or device and have no indication of tampering.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01430, Calendar No. 496, Dinowitz, Abinanti, Weprin, Colton, Seawright. An act to amend the Judiciary Law and the Labor Law, in relation to creating additional remedies for unlawful discharge, penalty or discrimination on account of the exercise of a juror's right to be absent from employment for jury duty.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02549, Calendar No. 497, Fahy, Dinowitz, Epstein, Abbate, L. Rosenthal. An act to amend the Social Services Law, in relation to home visiting services for applicants for, or recipients of, public assistance benefits who are exempt from certain work activities.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03308-B, Calendar No. 498, Epstein, Gallagher, Steck, Jackson, Forrest, Burdick, Clark, Magnarelli, Gottfried, Zinerman, Colton, Seawright, Mamdani, Fernandez, Fahy. An act to amend the Education Law, in relation to

requiring degree-granting institutions of higher education to make certain biennial disclosures.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05653-B, Calendar No. 499, L. Rosenthal, Barrett, Gottfried, Epstein, Weprin, González-Rojas, Simon, Jackson, Stern, Englebright, Tapia, Stirpe, Seawright, Dinowitz, Bronson, Kelles, Fahy, Sillitti, Griffin, Davila, Burke, Lavine, Santabarbara. An act to amend the General Business Law, in relation to prohibiting the sale of cosmetics tested on animals.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07754-C, Calendar No. 500, McDonald. An act to amend the Education Law, in relation to the practice of dental assisting.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7754-C. This is a fast roll call. Any member who wishes to be recorded as an -- in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A07994-A, Calendar

No. 501, Cusick. An act to amend the Transportation Law, in relation to the enforcement of provisions relating to certification of carriers of household goods by motor vehicle.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7994-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A08420, Calendar No. 502, Paulin, Fahy. An act to amend the Vehicle and Traffic Law, in relation to tire safety.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09118-A, Calendar No. 503, L. Rosenthal. An act to amend the Social Services Law, in relation to authorizing and directing county public welfare districts to accept paperwork electronically.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09133, Calendar No.

504, Abbate. An act to amend the Civil Service Law, in relation to the appointment and promotion of supervisors of the fire alarm dispatcher service.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9133. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A09478-A, Calendar No. 505, Lupardo. An act to amend the Education Law, in relation to dental hygiene practice and local infiltration anesthesia and nitrous oxide.

ACTING SPEAKER AUBRY: On a motion by Ms. Lupardo, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6694-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A09508, Calendar No. 506, Walker. An act to amend the Election Law, in relation to requiring the Board of Elections to mail notice of ensuing primary and general elections and registration information to active voters between the third Tuesday in April and the second Friday in May each year.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9508. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A09510, Calendar No. 507, Cusick. An act to amend Chapter 306 of the Laws of 2011, authorizing owners of residential real property in high risk brush fire areas in the Borough of Staten Island to cut and remove reeds from their property, in relation to extending the expiration and repeal date thereof for an additional year.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9510. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A09584, Calendar No. 508, Abbate. An act to amend the Civil Service Law, in relation to transfers of Civil Service Sections 55-b and 55-c employees.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9584. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A09589, Calendar No. 509, Griffin, Thiele. An act to amend Chapter 77 of the Laws of

2010, amending the Environmental Conservation Law and the Public Health Law relating to an environmental facility and cancer incidence map, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9589. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(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. A09590, Calendar No. 510, Barrett. An act to amend the Executive Law, in relation to directing the Division of Veterans' Services to develop a veterans memorial registry.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9590. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)



Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, do you have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: No housekeeping, but numerous resolutions. We will have a privileged resolution, 701. The Clerk will read.

THE CLERK: Assembly Resolution No. 701, Mr. Lawler.

Legislative Resolution mourning the death of Police Chief Kevin Arthur Nulty, committed law enforcement officer, family man, and devoted member of his community.

ACTING SPEAKER AUBRY: Mr. Lawler on the resolution.

MR. LAWLER: Thank you, Mr. Speaker. I'd like to take this moment to recognize Police Chief Kevin Arthur Nulty who served 43 years on the Orangetown Police Department, including 23 years as Chief until his retirement in 2019. I had the good fortune of knowing Chief Nulty for about 30 years as he and my dad coached us in Little League when I was -- when I was young. I went to school with one of his sons, and certainly in my time as Deputy Town Supervisor in Orangetown and my many years living in Rockland County, I got to see him in action as Police Chief. He was

instrumental in installing the many programs and initiatives in the department, as well as really focusing in on enhancing police-community relations, especially in the Village of Nyack.

And Chief Nulty was just a wonderful man who was well respected by his peers, by his colleagues, and by the community. His family, his wife, Ann, and his three children, Grace, Matt and Michael I know will miss him dearly, as will our community. And certainly appreciate the indulgence of my colleagues to recognize Chief Nulty for his service to our community and wish him Godspeed. Thank you.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, nay. The resolution is adopted.

Mrs. Peoples-Stokes, we have several other fine resolutions which will take up with one vote. On the resolutions, all those in favor signify by saying aye; opposed no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 700, 702-710 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until 1:00 p.m., Tuesday, March the 29th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 5:30 p.m., the Assembly stood adjourned until Tuesday, March 29th at 1:00 p.m., Tuesday being a Session day.)