

MONDAY, JUNE 7, 2021

4:05 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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

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

MS. HYNDMAN: Mr. Speaker --

ACTING SPEAKER AUBRY: A quorum being present, the Clerk will read the Journal of Sunday, June 6th.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, I move to dispense with the further reading of the Journal of Sunday, June 6th and ask that the same -- same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Ms. Hyndman.

MS. HYNDMAN: My quote for the day I'm sure my Star Wars fans will appreciate - particularly as this is our last week of Session - from the Mandalorian series, which is so appropriate for the Assembly. *This is the way.*

May I have the members' attention so that we can announce the schedule for the day. First, I would like to remind members that today is the first Session day of the 24th week of the 244th legislative Session. Members have on their desks the main Calendar, a debate list with an A-Calendar with 110 new bills, Mr. Speaker. I now move to advance the A-Calendar.

ACTING SPEAKER AUBRY: On Ms. Hyndman's motion, the A-Calendar is advanced.

Ms. Hyndman.

MS. HYNDMAN: After any housekeeping and introductions, we will begin by taking up resolutions on page 3. We will then begin consent of the A-Calendar. We will also work off of the debate list.

With that as a general outline, if there are any introductions or housekeeping, now would be the appropriate time.

ACTING SPEAKER AUBRY: We do have housekeeping.

On a motion by Ms. Rozic, page 22, Calendar No. 93, Bill No. 466, amendments are received and adopted.

Without objection, an undoing of a Senate sub by -- on a motion by Mr. Dilan to reconsider the substitution of Senate bill 4738 for Assembly bill 2039, said Senate bill is recommitted to the Committee on Labor and said Assembly bill is restored to its place on the order of Third Reading. On a motion by Mr. Dilan, the amendments are received and adopted.

We will begin on page 3, resolutions, Assembly No. 387, the Clerk will read.

THE CLERK: Assembly Resolution No. 387, Mr. J.D. Rivera.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim June 2021, as World Refugee Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 388, Ms. Richardson.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim June 2021, as African American Music Appreciation Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 389, Ms. Joyner.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim September 2021, as Essential Workers Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 390, Ms. Buttenschon.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim October 8, 2021, as First Responders 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. 391, Mr. DeStefano.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim October 13, 2021, as Emergency Nurses Day and October 12-18, 2021 as Emergency Nurses Week in the State of New York.

ACTING SPEAKER AUBRY: Mr. DeStefano on the resolution.

MR. DESTEFANO: Thank you, Mr. Speaker, for the opportunity to speak on this most important resolution. During this tough time as we've gone through the last 15 months, the emergency nurses are an essential part of our healthcare system and they truly save lives. They are on the front line of patient care in our emergency departments and their numbers, reputation and respect continue to grow. When the COVID crisis swept through our State, these dedicated professionals did not hesitate in answering the call when they were needed most. Pushed to their limits every day for numerous months, patient volume at an all time high, multiple patients dying at record paces and constant changing COVID protocols. Emergency nurses selfishly -- selflessly, I'm sorry, dedicate a large portion of their lives in caring for and comforting persons most in need. They are comforting, they are at the forefront of our health system, and they are the first face a patient comes across when they are entering an emergency room and often the last one they see when they're leaving. As many of you remember, this is really near and dear to me because my daughter is a -- is a nurse, a registered nurse in a hospital and she has been assigned to the COVID unit for the last 15 months and she's experienced this firsthand and seen many of her colleagues suffer these consequences.

By designating October 14th as Emergency Nurses Day in the State of New York and October 11-17th [sic] as Emergency

Nurses Week, we take a major step in recognizing and appreciating the role of these dedicated individuals. I fully support and salute my daughter and any other RNs that do all this work, and the fine nurses the State has that takes these opportunities and makes good out of something that can potentially be so wrong.

I encourage my colleagues to support this resolution, as I do, and may God bless every one of them and the need that they have in the State of New York. Thank you.

ACTING SPEAKER AUBRY: On the resolution, all those in favor say Happy Birthday; all those opposed say nay. The resolution is adopted.

THE CLERK: Assembly Resolution No. 392, Mr. Byrne.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim October 15, 2021, as Pregnancy and Infant Loss Remembrance 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. 393, Mr. McDonald.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim October 2021, as Spina Bifida Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all

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

THE CLERK: Assembly Resolution No. 394, Ms. Rosenthal.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim November 1, 2021, as Lung Cancer Screening Awareness Day in the State of New York.

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

We will now begin to consent the A-Calendar. Page 3, Rules Report No. 405, the Clerk will read.

THE CLERK: Assembly No. A00128, Rules Report No. 405, L. Rosenthal, Stirpe, Reilly. An act to amend the Mental Hygiene Law, in relation to requiring the Office of Addiction Services and Supports to maintain an online directory of distributors of opioid antagonists.

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

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6044. 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.)

First vote of the day, members.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00362-A, Rules Report No. 406, Zebrowski. An act to amend the Executive Law, in relation to penalties for code violations.

ACTING SPEAKER AUBRY: On a motion by Mr. Zebrowski, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A00431-C, Rules Report No. 407, Rozic, Seawright, Epstein, Otis, Simon, Jacobson, McDonald, Barron, Lupardo. An act to amend the General Business Law, in relation to establishing restrictions on the sale of over-the-counter diet pills and dietary supplements for weight loss or muscle building.

ACTING SPEAKER AUBRY: The bill is -- oh. On a motion by Ms. Rozic, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A00485-B, Rules Report No. 408, Magnarelli, Bronson, Jacobson, Thiele, Simon,

Lupardo, Reyes, Cook, Taylor, Griffin, Jean-Pierre, Barron, Dinowitz, Steck, Braunstein, Stirpe, Cymbrowitz, Glick, Carroll, Williams, Niou, Epstein, L. Rosenthal, Lavine, McMahon, Gottfried, Rodriguez, Cruz, Otis, Abinanti, Perry, Buttenschon, Seawright, Wallace, Fahy, Dickens, Hunter, Aubry, Davila, Rozic, Paulin, Galef, Barnwell, Sillitti, McDonald, Clark, Meeks, Barrett, Lunsford. An act to amend the Vehicle and Traffic Law and the General Municipal Law, in relation to certain notices of liability; to repeal certain provisions of the Vehicle and Traffic Law relating thereto; to amend the Vehicle and Traffic Law and the Public Officers Law, in relation to establishing a demonstration program implementing speed violation monitoring systems in work zones by means of photo devices; and providing for the repeal of such provisions upon expiration thereof.

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

THE CLERK: Assembly No. A00613-A, Rules Report No. 409, L. Rosenthal, Dinowitz, Stern, Simon, Griffin, Paulin, Otis, Jacobson, Seawright, Burdick, Sillitti, Galef, Zebrowski, Jean-Pierre, Thiele, Carroll, Perry, Epstein, Richardson, Zinerman. An act to amend the Penal Law, in relation to enacting the Jose Webster Untraceable Firearms Act.

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

THE CLERK: Assembly No. A00651-A, Rules Report No. 410, D. Rosenthal, Dickens, L. Rosenthal, Simon, Niou, McDonald. An act to amend the Insurance Law, in relation to electronic delivery of property-casualty insurance notices.

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

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 653-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. A00702, Rules Report No. 411, Jones, Abbate, Taylor, J. Rivera, Lupardo, J.M. Giglio, Palmesano, Gottfried, Cook, Walsh, Weprin, Friend, Walczyk, Byrnes, Gunther, Buttenschon, Bichotte Hermelyn, Galef, Simpson, Burdick. An act to amend the Correction Law, in relation to the prohibition of double-bunked housing in correctional facilities.

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

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 2211. 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 number 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. A01005-A, Rules Report No. 412, Paulin. An act to amend the Mental Hygiene Law, in relation to including certain information about extreme risk protection orders in written service plans for discharge and conditional release of patients to the community.

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 Senate -- Assembly print 1005-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. A01393, Rules Report No. 413, Cahill. An act to amend the Highway Law, in relation to designating a portion of the State highway system the "John 'Jody' Rossitz Memorial Bridge."

ACTING SPEAKER AUBRY: On a motion by -- read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 1393. 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. A01463, Rules Report No. 414, Dinowitz, Reyes, Sayegh, Gottfried, Galef, Stirpe, Simon, Steck, Cruz, Glick, Zebrowski, Weprin, Fernandez. An act to amend

the General Obligations Law, in relation to prohibiting agreements between employers that directly restrict the current or future employment of any employee.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01724, Rules Report No. 415, Pretlow. An act to amend the Local Finance Law, in relation to bonds and notes of the City of Yonkers.

ACTING SPEAKER AUBRY: On a motion by Mr. Pretlow, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Mr. Goodell.

MR. GOODELL: Thank you, sir. This will be a Party vote. The Republican Conference is generally opposed to private bond sales. I would note that Yonkers currently has an A2 bond rating.

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 Senate print 1033. This is a Party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Now Mr. Goodell.

MR. GOODELL: Thank you, sir. Instead of speaking on the bill I'll explain my vote. I will be voting against this

bill. It's another private bond sale. It goes back to 1984 when Yonkers first had financial difficulties. But I would point out that Yonkers' bond rating is currently an A2, which is reasonably good. And as we all know, the reason why we have competitive bidding is to avoid fraud, favoritism, collusion and to get the best price to the taxpayers. I don't understand why the City of Yonkers believes it shouldn't have to follow those commonsense restrictions. It is going forward without being laid aside because it's a local bill, but I'll be voting no and encourage my colleagues to also vote no.

Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Hyndman to give the Conference position.

(Pause)

Ms. Hyndman.

MS. HYNDMAN: I just want to remind the colleagues that this is a Party vote. The Majority members will be recorded in the affirmative. If there are any exceptions, I ask Majority members to contact the Majority Leader's Office at the number previously mentioned and they -- and those names will be announced accordingly.

Thank you.

ACTING SPEAKER AUBRY: Thank you, Ms. Hyndman.

(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. A01760, Rules Report No. 416, Jean-Pierre, Ramos. An act to amend the Real Property Law, in relation to increasing required training for real estate brokers and real estate salespeople to prevent discrimination.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 1760. 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. A01782, Rules Report No. 417, Jean-Pierre, Barrett, Stern, Buttenschon, Seawright, Griffin, Cusick, Wallace, DeStefano, Tague, McDonough, Morinello, B. Miller, Hawley, Montesano, Durso, Santabarbara. An act to amend the Executive Law, the Military Law and the Civil Rights Law, in relation to certificates of honorable separation from or service in the Armed Forces of the United States.

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 1782. 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. A02150-A, Rules Report No. 418, L. Rosenthal, Dinowitz, Gunther, Weprin, Fahy, Hevesi. An act in relation to establishing Brendan's Law; and to amend the Social Services Law, in relation to requiring cordless window coverings in child day care centers and certain other facilities.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 730th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2150-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. A02395, Rules Report No. 419, Aubry, Jackson, Davila. An act to amend the Civil Service Law, the Election Law, the Executive Law, the Public Officers Law, the State Finance Law, the Tax Law, the Workers' Compensation Law, the Labor Law, the Transportation Law, the Vehicle and Traffic Law, the Environmental Conservation Law, the Public Buildings Law, the Public Health Law, the General Municipal Law, the County Law, the Education Law, the Mental Hygiene Law, the Retirement and Social Security Law, the Social Services Law, the General Business Law, the Penal Law, the Correction Law, the Criminal Procedure Law, the Surrogate's Court Procedure Act, the New York City Criminal Court Act, the Court of Claims Act, the Civil Practice Law and Rules, the Civil Rights Law, Chapter 784 of the Laws of 1951, constituting the New York State Defense Emergency Act, the Administrative Code of the City of New York, and the New York City Charter, in relation to replacing all instances of the words "inmate" or "inmates" with the words "incarcerated individual" or "incarcerated individuals."

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 2395. 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. A02435, Rules Report No. 420, Niou, Englebright, Otis. An act to amend the Environmental Conservation Law, in relation to remedial program requirements.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect March 1st, 2022.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2435. 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. A02543, Rules Report No. 421, Weinstein. An act to amend the State Finance Law, in relation to the liability of a person who presents false claims for money or property to the State or a local government.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02658, Rules Report No. 422, Sayegh, Otis. An act to amend the County Law, in relation to authorizing Westchester County to waive certain fees for veterans' organizations.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02666-A, Rules Report No. 423, Lavine, Stern, Steck, Griffin, Paulin, Simon, Ramos, Dinowitz, Benedetto, Hevesi, Cymbrowitz, Galef, Nolan, Jacobson, Seawright, Burdick, Thiele, Sillitti, Gottfried, Englebright, Zebrowski, L. Rosenthal, Carroll, Jean-Pierre, Otis, Epstein, Perry, Fahy, Abinanti, Zinerman. An act to amend the Penal Law, in relation to enacting the "Scott J. Beigel Unfinished Receiver Act" in relation to unfinished frames or receivers.

ACTING SPEAKER AUBRY: On a motion by Mr. Lavine, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A03186, Rules --

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A02658, Rules Report No. 422, Sayegh, Otis. An act to amend the County Law, in relation to authorizing Westchester County to waive certain fees for veterans' organizations.

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 2658. 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. A03186, Rules Report No. 424, Hevesi, Englebright, Barron. An act to amend the Social Services Law and the Civil Practice Law and Rules, in relation to a civil cause of action for human trafficking.

ACTING SPEAKER AUBRY: On a motion by Mr. Hevesi, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A03241, Rules Report No. 425, McDonald. An act to amend the Real Property Actions and Proceedings Law, in relation to special proceedings by tenants of dwellings outside the City of New York and certain counties for judgment directing deposit of rents and the use thereof for the purpose of remedying conditions dangerous to life, health or safety.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03600-A, Rules Report No. 426, Paulin, Otis. An act to amend Chapter 154 of the Laws of 1921 relating to the Port Authority of New York and New

Jersey, in relation to Port Authority organization, appearance and notice.

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 3600. 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. A04080, Rules Report No. 427, Abbate, Colton. An act to amend the Civil Service Law, in relation to granting salary protection for provisional and temporary 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 4080. 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. A04392, Rules Report No. 428, Abbate, Griffin, Colton. An act to amend the Retirement and Social Security Law, in relation to accidental disability retirement for deputy sheriffs.

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 4392. 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. A04738, Rules Report No. 429, Manktelow, B. Miller, DeStefano. An act to amend the Criminal Procedure Law, in relation to granting uniformed court officers in the Village of Palmyra in Wayne County peace officer status.

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 4738. 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. A04913-A, Rules Report No. 430, Zebrowski. An act to amend the Economic Development Law, in relation to including the name of the individual or business enterprise that has been awarded an identical or substantially similar procurement contract in certain notices of procurement contract opportunities.

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 4913-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. A04950-A, Rules Report No. 431, Solages, Sillitti. An act to amend the Vehicle and Traffic Law, in relation to requiring every charter bus registered in this State be equipped with commercial global positioning system technology.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6321-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.)

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Mr. Speaker. I want to commend the sponsor for bringing this bill forward. This bill passed our House back in 2019, 146 to 2, and was vetoed by the Governor. The Governor was concerned about inconsistent -- the lack of a national standard for GPS, commercial GPS. He was afraid that it might be a little inconsistent or inaccurate results. As a result of that veto I believe the bill was amended, and now it says -- and I think it

improves the bill to say that this -- that the requirements will go into effect one year after the date upon which the National Highway Traffic Safety Administration promulgates final regulations establishing standards for commercial GPS. This is a really important bill. In my district, we have one bridge - everybody's probably got one - we've got one railroad overpass that has been struck on average 15 times a year and many near-misses. There is an estimate that over the last ten years easily 150 or so near-misses or turnarounds, causing a lot of problems with traffic. A lot of that can be tied to people trying to navigate large vehicles with just regular old on-your-phone GPS instead of the commercial kind.

So this is an important bill, and hopefully it makes a -- makes a difference and kind of prevents some of these traffic snarls and property damage. So I'll be supporting it. Thank you.

ACTING SPEAKER AUBRY: Thank you, Ms. Walsh.

Are there any other votes? Announce the results.
(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05108, Rules Report No. 432, Abbate, Colton. An act in relation to affecting the health insurance benefits and contributions of certain retired public employees.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05144-A, Rules

Report No. 433, Benedetto, Abinanti, Aubry, Jackson, Steck, Forrest, Jacobson, Cahill, Simon. An act to amend the Labor Law, in relation to retaliatory actions by employers.

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

THE CLERK: Assembly No. A05224, Rules Report No. 434, Galef, Seawright, Jacobson, Ashby. An act to amend the Election Law, in relation to providing for mandatory training curriculum for treasurers of political committees.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05325, Rules Report No. 435, Lupardo. An act to amend -- an act to authorize the Village of Endicott to offer an optional 20-year retirement plan to a certain police officer employed by such village.

ACTING SPEAKER AUBRY: On a motion by Ms. Lupardo, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at -- we will bring that back.

On a motion by Ms. Lupardo, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 4117. 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. A05400-A, Rules Report No. 436, M. Miller. An act to amend the Nassau County Civil Divisions Act, in relation to the Volunteer and Exempt Firemen's Benevolent Association of Woodmere, Nassau County, New York, Inc.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6582-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. A05402-A, Rules Report No. 437, Solages, Sillitti, Griffin, Taylor, Epstein, Dinowitz, Dickens, Galef, González-Rojas, Zinerman, Jackson, Rozic, Otis, Lavine. An act to amend the General Municipal Law and the Education Law, in relation to prohibiting the selling or displaying of symbols of hate.

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

THE CLERK: Assembly No. A05430, Rules Report No. 438, Ramos. An act in relation to authorizing the assessor of the Town of Islip, County of Suffolk, to accept from the Community Services Support Corporation an application for exemption from real property taxes.

ACTING SPEAKER AUBRY: On a motion by Ms. [sic] Ramos, the Senate bill is before the House. The Senate bill is advanced -- Mr. Ramos.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6657. 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. A05464, Rules Report No. 439, Peoples-Stokes. An act to amend the Local Finance Law, in relation to the sale of municipal obligations by the County of Erie.

ACTING SPEAKER AUBRY: On a motion by Mrs. Peoples-Stokes, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 4851. This is a Party vote. Any member who wishes to be recorded as an exception to their 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 Party -- or Conference will be generally opposed to this bill. Those who wish to vote in favor of it should contact the Minority Leader's Office so we can properly record your vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hyndman.

MS. HYNDMAN: I would like to remind my Majority colleagues that this is a -- will be recorded in the affirmative. If there are any exceptions I ask that Majority members call the Majority Leader's Office at the number previously provided and your name will be announced accordingly.

Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. I will be voting against this private sale of municipal bonds for the County of Erie. I would point out that the Erie County bond rating is currently --

ACTING SPEAKER AUBRY: Members, you're in the Chamber. We're talking. We don't need to have all this cross-conversation. You need to talk, please take yourselves outside of the Chamber.

I'm sorry, sir. Go ahead.

MR. GOODELL: That's fine. Thank you, sir. I would point out that the bond rating for Erie County is currently A+, so there's really no financial reason why Erie County is not complying with the competitive bid requirements for bonds that apply to all the other municipalities in the State of New York. And I would point out the reason we have competitive bidding is to avoid fraud, collusion and favoritism. And with this legislation, rather than seek the best price for the taxpayers, the county political leaders negotiate how much they're going to pay the underwriter. And that is an invitation

for fraud and excludes other underwriters that might be interested in selling these bonds and might be willing to do it for a lower rate.

And so for that reason I will be opposing this and recommend the same to my colleagues. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05532, Rules Report No. 440, Englebright, Gunther, Joyner, Davila. An act to amend the Tax Law and the State Finance Law, in relation to providing for taxpayer gifts for diabetes research and education and establishing the Diabetes Research and Education Fund.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 5532. 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. A05665, Rules Report No. 441, Fitzpatrick. An act to amend the Highway Law, in relation to the limitation on certain highway expenses in the Town of Smithtown, Suffolk County.

ACTING SPEAKER AUBRY: On a motion by Mr. Fitzpatrick, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 4613. 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. A05698-B, Rules Report No. 442, Rozic. An act to amend the General Business Law, in relation to establishing a set grace period for the use of credit card reward points.

ACTING SPEAKER AUBRY: On a motion by Ms. Rozic, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A05837-B, Rules Report No. 443, Jean-Pierre, Lavine, Jensen. An act to amend the General Business Law, in relation to requiring publishers to offer licenses for electronic books to libraries under reasonable terms.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05979-A, Rules Report No. 444, Walker, Jean-Pierre, Clark. An act to amend the Public Health Law, in relation to including reproductive health conditions that affect female fertility as part of the Health Care and Wellness Education and Outreach program.

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 5979-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. A06057-A, Rules Report No. 445, Burke, Colton, Stirpe, Griffin, Jacobson, Buttenschon, Bichotte Hermelyn, Galef. An act to amend the Public Health Law, in relation to directing the Department of Health to

establish and implement an infection inspection audit and checklist on nursing homes.

ACTING SPEAKER AUBRY: On a motion by Mr. Burke, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A06159, Rules Report No. 446, J.M. Giglio. An act to amend Chapter 98 of the Laws of 2009, amending the Tax Law relating to authorizing the County of Cattaraugus to impose an additional mortgage recording tax, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. J.M. Giglio, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 5247. 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. A06186, Rules Report

No. 447, Griffin, Thiele, Aubry, Galef, Jackson, Sillitti, Hunter, Englebright, Darling, Solages. An act to amend the Real Property Law, in relation to requiring the Secretary of State to promulgate regulations requiring real estate brokers to institute standardized operating procedures for the prerequisites prospective homebuyers shall meet prior to receiving any services.

ACTING SPEAKER AUBRY: On a motion by Ms. Griffin, 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 2131-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. A06190-A, Rules Report No. 48, Gandolfo. An act in relation to permitting Mercy Haven, Inc. to file an application for a real property tax exemption.

ACTING SPEAKER AUBRY: On a motion by Mr. Gandolfo, the Senate bill is before the House. The Senate bill is

advanced.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 4895-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.

Mr. Gandolfo, stand and rise and accept the congratulations of your colleagues.

(Applause)

Savor it, Mr. Gandolfo. It might not happen again.

The Clerk will read.

THE CLERK: Assembly No. A06203, Rules Report No. 449, Gunther. An act to amend the Alcoholic Beverage Control Law, in relation to a license to sell liquor at retail for consumption on certain premises.

ACTING SPEAKER AUBRY: On a motion by Mrs. Gunther, 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 Assembly -- Senate print 5695. 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.)

Ms. Hyndman.

MS. HYNDMAN: Please record Assemblymember Barron in the negative on this bill. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Hyndman.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06330-A, Rules Report No. 450, Bronson, Lunsford, Clark, Meeks, Bichotte Hermelyn. An act to amend the Public Officers Law, in relation to residency requirements for certain peace officers in Monroe County.

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

THE CLERK: Assembly No. A06461-A, Rules Report No. 451, Abbate --

ACTING SPEAKER AUBRY: Rules Report No.

450 was inadvertently laid aside. Let's start it all over again.

THE CLERK: Assembly No. A06330-A, Rules Report No. 450, Bronson, Lunsford, Clark, Meeks, Bichotte Hermelyn. An act to amend the Public Officers Law, in relation to residency requirements for certain peace officers in Monroe County.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6540. 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. A06461-A, Rules Report No. 451, Abbate, Griffin, Colton. An act to amend the Retirement and Social Security Law and the General Municipal Law, in relation to disability retirement benefits for the presumption of Parkinson's Disease for paid firefighters.

ACTING SPEAKER AUBRY: On a motion by Mr.

Abbate, the Senate bill is before the House. The Senate bill is advanced. The bill is laid aside.

THE CLERK: Assembly No. A06492, Rules Report No. 452, Abbate, Colton, Griffin. An act to amend the Retirement and Social Security Law, in relation to providing performance of duty disability retirement benefits for the employee titles police medic, police medic supervisor, police medic coordinator, bureau director emergency ambulance, and deputy bureau director emergency ambulance in the employ of Nassau County.

ACTING SPEAKER AUBRY: On a motion by Mr. Abbate, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 3100. 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. A06500, Rules Report No. 453, Abbate, Colton, Griffin. An act to amend the Retirement and

Social Security Law, in relation to providing accidental disability retirement benefits for chief fire marshals, assistant chief fire marshals, division supervising fire marshals, supervising fire marshals, fire marshals and fire marshal trainees in Nassau County.

ACTING SPEAKER AUBRY: Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6500. 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.)

ACTING SPEAKER LUNSFORD: Mr. Goodell.

MR. GOODELL: Thank you, Madam Speaker.

Please record my colleague Mr. Fitzpatrick in the negative on this bill. Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

The Clerk will read.

THE CLERK: Assembly No. A06522, Rules Report No. 454, Stern, Griffin, Simon, Epstein. An act to amend the Penal

Law, in relation to redefining the term "disguised gun" to include any rifle, pistol, shotgun or machine-gun resembling a toy gun and prohibiting the possession, manufacture or design thereof.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A06608-A, Rules Report No. 455, J. D. Rivera, Conrad, Rodriguez, Benedetto, Gottfried, Dinowitz, Septimo, Simon, Richardson, Jackson, Sillitti, McDonough, Glick, Frontus, Fernandez, Reyes, Bronson, Clark, Hevesi, Seawright, Lunsford. An act to amend the Real Property Law, in relation to requiring the disclosure of lead-based paint test reports in real estate transactions.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A06662, Rules Report No. 456, Abbate, Griffin. An act to amend the Education Law, in relation to the minimum retirement allowance for members of the New York State Teachers' Retirement System who retired prior to July 1, 1980.

ACTING SPEAKER LUNSFORD: Read the last section -- oh. On a motion by Mr. Abbate, the Senate bill is before the House. The Senate bill is advanced.

Read the last section.

THE CLERK: This act shall take effect June 30, 2021.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Senate print 6569. 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. A06663, Rules Report No. 457, Abbate. An act to amend the Retirement and Social Security Law, in relation to the maximum amount certain members of the New York State Teachers' Retirement system may borrow against retirement contributions and to making technical corrections thereto.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Abbate, 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 LUNSFORD: The Clerk will record the vote on Senate print 6512. 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. A06732, Rules Report No. 458, Abbate. An act to amend the retirement and Social Security Law, in relation to disability benefits for firefighters employed by the Division of Military and Naval Affairs.

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

THE CLERK: Assembly No. A06734-A, Rules Report No. 459, Darling. An act in relation to authorizing the Village of Freeport to have a second associate village justice.

ACTING SPEAKER LUNSFORD: On a motion by Ms. Darling, 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 LUNSFORD: The Clerk will record the vote on Senate print 5758-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. A06873, Rules Report No. 460, 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 LUNSFORD: On a motion by Mr. Abbate, the Senate bill is before the House. The Senate bill is advanced. The bill is laid aside.

THE CLERK: Assembly No. A06934-A, Rules Report No. 461, Abbate. An act to amend the Retirement and Social Security Law and the Administrative Code of the City of New York, in relation to allowing for the electronic submission of a notice that a member of a retirement system participated in World Trade Center rescue, recovery or cleanup operations for a qualifying period.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Abbate, 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 LUNSFORD: The Clerk will record the vote on Senate print 7009. 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. A07084-A, Rules Report No. 462, Anderson. An act authorizing the City of New York to alienate and discontinue the use of certain portions of parkland.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Anderson, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Senate print 6229-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.)

Ms. Hyndman.

MS. HYNDMAN: Madam Speaker, please record our following colleagues in the negative on this: Assemblymembers Rozic and Linda Rosenthal.

ACTING SPEAKER LUNSFORD: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07163, Rules Report No. 463, Gunther, De La Rosa. An act to amend the Mental Hygiene Law, in relation to providing incident reports to qualified persons.

ACTING SPEAKER LUNSFORD: On a motion by Mrs. Gunther, 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 LUNSFORD: The Clerk will record the vote on Senate print 5945-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. A07182, Rules Report No. 464, Buttenschon. An act to amend the Retirement and Social Security Law, in relation to the death benefits provided in the third year following retirement for certain members of the New York State Teachers' Retirement System.

ACTING SPEAKER LUNSFORD: On a motion by Ms. Buttenschon, 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 LUNSFORD: The Clerk will record the vote on Senate print 6618. 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. A07184, Rules Report No. 465, Burke. An act to amend the Education Law, in relation to allowing retirees of the New York State Teachers' Retirement System who suspend their retirement the option of a benefit recalculation after two years of service.

ACTING SPEAKER LUNSFORD: Read the last section.

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

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly print 7184. 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. A07214-A, Rules Report No. 466, De La Rosa, Jean-Pierre, Kelles, Thiele, Paulin, Richardson, Tannousis, McMahon, Burke, Wallace, Jacobson. An act to amend the Public Service Law, in relation to facilitating access to telephone providers to deliver fiber-based services.

ACTING SPEAKER LUNSFORD: Read the last section.

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

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly print 7214-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. A07223-A, Rules Report No. 467, Epstein, Zinerman, Santabarbara, Simon. An act to

amend the Civil Service Law, in relation to requiring the president of the Civil Service Commission to conduct a study on the employment of persons and veterans with disabilities by the State.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Epstein, 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 LUNSFORD: The Clerk will record the vote on Senate print 6276-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.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. [sic] Speaker. I rise to explain my vote. This is a really important study bill. People with disabilities have high unemployment rates, up to 70 percent. We have set aside programs to ensure that there's opportunities -- employment opportunities in New York State. We need to evaluate those programs to ensure we do the most for people with disabilities.

I encourage my colleagues to vote in favor of this bill. I look forward to this study. Thank you.

ACTING SPEAKER LUNSFORD: Mr. Epstein in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07229-A, Rules Report No. 468, Darling. An act to authorize Choice for All to file an application for exemption from real property taxes.

ACTING SPEAKER LUNSFORD: On a motion by Ms. Darling, 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 LUNSFORD: The Clerk will record the vote on Senate print 6001-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. A07237, Rules Report No. 469, McDonald. An act to amend the Public Authorities Law, in relation to the disposition of excess funds of the Municipal Assistance Corporation for the City of Troy and providing for the termination of the Municipal Assistance Corporation for the City of Troy.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly print 7237. 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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07310-A, Rules Report No. 470, Cusick, Barron. An act to amend the Public Health Law, in relation to adding substances to the schedules of controlled substances.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7310-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. A07366-A, Rules Report No. 471, Abbate, Stern, Sillitti, Cusick, Jones, Thiele, Simon, DeStefano. An act defining the term "first responder in communications."

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 7366-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. A07368, Rules Report No. 472, Rozic, Colton. An act to extend the deadline for the filing of applications and renewal applications for real property tax abatement programs.

ACTING SPEAKER AUBRY: On a motion by Ms. Rozic, 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 6086. 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. A07373, Rules Report No. 473, Bronson, McDonald, Abbate, Galef, Jacobson, Simon. An act to amend the Labor Law, in relation to authorizing employees to petition an employer to apply to participate in a shared work program for purposes of avoiding a reduction in workforce or for purposes of re-hiring.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 17-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. A07381-A, Rules Report No. 474, Abinanti, Burdick, Zinerman. An act to amend the Mental Hygiene Law, in relation to requiring the Developmental Disabilities Advisory Council to produce a report evaluating the State's response to the COVID-19 State disaster emergency as it relates to individuals with intellectual or developmental disabilities; and providing for the repeal of such provisions upon the expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Abinanti, 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 6294-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. A07388-B, Rules Report No. 475, Barrett, Hunter, Burdick, Buttenschon. An act to amend the Real Property Tax Law, the Executive Law, the Education Law, the Public Health Law, the Civil Service Law, the Public Officers Law, the Public Housing Law and the Social Services Law, in relation to conforming the definition of a veteran serving in the Vietnam War era to newly-enacted Federal law (H.R. 7105) for veterans who served in-country in the Republic of Vietnam from between February 28, 1961 and May 7, 1975, to any active duty service in the Republic of Vietnam that occurred between November 1, 1955 and May 7, 1975.

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 7388-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. A07434-A, Rules Report No. 476, De La Rosa, Braunstein, Hevesi, Jacobson, Dinowitz, Ramos, Barnwell, Barron, Seawright, Bronson, Solages, Simon, Perry, Sillitti. An act to amend the Real Property Tax Law, in relation to wages and supplements for building service employees employed at certain properties held in the cooperative or condominium form of ownership receiving a tax abatement.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07464, Rules Report No. 477, Abbate. An act to amend the Administrative Code of the City of New York, in relation to membership in the New York City Teachers' Retirement System.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7464. 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. A07477, Rules Report

No. 478, Reyes, Jacobson. An act to amend the Labor Law, in relation to preventing occupational exposure to an airborne infectious disease; and to amend a chapter of the Laws of 2021 amending the Labor Law relating to preventing occupational exposure to an airborne infectious disease, as proposed in legislative bills numbers S.1034-B and A.2681-B, in relation to the effectiveness thereof.

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

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6768. 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 to explain his vote.

MR. GOODELL: Thank you, sir. The original legislation had considerable opposition because it imposed a lot of onerous requirements on small employers throughout New York State, and as a result had 55 no votes. This is a chapter amendment that addresses some of the concerns that were raised in the original debate. And for many of my colleagues they'll support the chapter amendment

because it's less bad. Other colleagues may still oppose it on the grounds it ought to be even amended further.

Thank you, sir. I will be supporting it.

ACTING SPEAKER AUBRY: Mr. Goodell in the affirmative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my following colleagues in the negative: Ms. Byrnes, Mr. DiPietro, Mr. Friend, Mr. Salka, Mr. Schmitt and Mr. Walczyk in addition to those who have voted no on the floor.

Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Ms. Hyndman.

MS. HYNDMAN: Please note our following colleague in the negative on this piece of legislation: Mr. Stern. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Hyndman.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

Mr. -- we need to confirm Mr. Tague's vote.

Mr. Tague to explain his vote.

MR. TAGUE: Yes, Mr. Speaker. For the same reasons that my colleague (inaudible) I will also be in the negative on

this vote.

ACTING SPEAKER AUBRY: Mr. Tague in the negative.

And again, are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07479, Rules Report No. 479, Walker. An act to amend Part CCC of the Laws -- Chapter 55 of the Laws of 2019 amending the Election Law, relating to enacting the Voter Enfranchisement Modernization Act of 2019, 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 7479. 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. A07514, Rules Report No. 480, Frontus. An act to amend the Labor Law, in relation to the

eligibility for unemployment benefits for individuals who voluntarily separate from employment to accompany a spouse who is the subject of a military transfer.

ACTING SPEAKER AUBRY: On a motion by Ms. Frontus, 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 3623. 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. A07517, Rules Report No. 481, Gottfried, Barron. An act to amend the Public Health Law, in relation to nursing homes and residential health care facilities; and to amend a chapter of the Laws of 2021 amending the Public Health Law relating to requirements for residential health care facilities and nursing homes, as proposed in legislative bills numbers S.4893-A and A.5684-A, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Mr.

Gottfried, 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 6767. 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. A07520-A, Rules Report No. 482, McDonald. An act to amend the Real Property Tax Law, in relation to a residential and mixed-use investment exemption program in certain cities and school districts.

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 7520-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. A07563, Rules Report No. 483, Meeks, Zebrowski, Bichotte Hermelyn. An act to amend the Executive Law, in relation to the requirements for filing a complaint with the Division of Human Rights.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act --

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7105. 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.

And Mr. Meeks, welcome to the club. Your first bill. Congratulations.

(Applause)

And again, it might be the last time they'll stand and clap for you, but enjoy it while you can.

The Clerk will read.

THE CLERK: Assembly No. A07568, Rules Report No. 484, Lupardo, Buttenschon. An act to amend the Agriculture and Markets Law and the Real Property Tax Law, in relation to bee health and the beekeeping industry; and to repeal certain provisions of the Agriculture and Markets Law relating thereto.

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 on the 180th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7111. 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. A07597, Rules Report

No. 485, Cahill. An act to repeal paragraph (f) of subdivision 6 of Section 6506 of the Education Law relating to supervision by the Board of Regents; to repeal subdivision 6 of Section 6524 of the Education Law relating to requirements for a license as a physician; to repeal subdivision 6 of Section 6554 of the Education Law relating to requirements for a license as a chiropractor; to repeal subdivision 6 of Section 6604 of the Education Law relating to requirements for a license as a dentist; to repeal subdivision 6 of Section 6609 of the Education Law relating to requirements for a license as a dental hygienist; to repeal subdivision 6 of Section 6704 of the Education Law relating to requirements for a license as a veterinarian; to repeal subdivision 6 of Section 6711 of the Education Law relating to requirements for a license as a veterinary technician; to repeal paragraph 6 of subdivision 1 of Section 6805 of the Education Law relating to the requirements for a license as a pharmacist; to repeal subdivision 6 of Section 6955 of the Education Law relating to the requirements for a license as a midwife; to repeal paragraph 6 of subdivision 1 of Section 7206 of the Education Law relating to requirements for a license as a professional engineer; to repeal paragraph 6 of subdivision 1 of Section 7206-a of the Education Law relating to requirements for a license as a professional land surveyor; to repeal paragraph 6 of subdivision 1 of Section 7324 of the Education Law relating to requirements for a license as a landscape architect; to repeal paragraph 6 of subdivision 1 of Section 7504 of the Education Law relating to requirements for a license as a certified

shorthand reporter; and to repeal subdivision 5 of Section 7804 of the Education Law relating to requirements for a license as a massage therapist, masseur, or a masseuse.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07599, Rules Report No. 486, Darling, Magnarelli, Galef, Zinerman, Barron, Fahy. An act to amend the Vehicle and Traffic Law, in relation to the secondary enforcement of certain motor vehicle equipment violations.

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 7599. 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.

It's -- when we talk you should -- when we're sitting around waiting for folks you can conversate. Other than that, if everybody has a quiet conversation it becomes a roar and the echo. Thank you.

The Clerk will read.

THE CLERK: Assembly No. A07601, Rules Report

No. 487, Darling. An act to amend the Family Court Act, in relation to execution of warrants in juvenile delinquency cases when family courts are closed.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7601. 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. A07602, Rules Report No. 488, Fahy. An act to repeal certain provisions of the Criminal Procedure Law relating to persons who are police officers.

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 7602. 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. A07636, Rules Report No. 489, Montesano. An act to authorize Divya Jyoti Jagrati Kendra to file an application for exemption from real property taxes.

ACTING SPEAKER AUBRY: On a motion by Mr. Montesano, 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 6579. 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. A07637, Rules Report No. 490, Cymbrowitz, Barron, Burdick. An act to amend the Private Housing Finance Law, in relation to authorizing additional supervision and regulation of limited-profit housing companies.

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 7637. 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 to explain his vote.

MR. GOODELL: Thank you, sir. This bill requires every voting member of the Board of Directors of a Mitchell-Lama cooperative housing company to complete training and financial oversight. I think it's somewhat of a dangerous precedent for the State of New York to start requiring training for volunteer members of a private corporation. I would point out that it is entirely possible that the members don't want to take training because they're already a certified CPA or have extensive financial background and there's no exception for this training requirement. And if you don't meet the training requirement then we have bureaucrats in Albany throwing out individuals from the board who were duly-elected to represent the residents. And while I appreciate having financial knowledge and oversight and I think that's important, I think it's inappropriate for the State to throw out elected board members if they don't comply with this mandate.

For that reason I'll be voting against this bill. Thank

you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. In addition to the negative votes on the floor please record my colleagues Mr. DiPietro and Mr. Gallahan in the negative.

ACTING SPEAKER AUBRY: So noted.

MR. GOODELL: Also, please record Mr. Tague in the negative.

ACTING SPEAKER AUBRY: So noted.

MR. GOODELL: Thank you, sir.

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07650, Rules Report No. 491, Pichardo, Perry. An act to amend the Banking Law, in relation to requiring a written notification of overdraft fees charged to certain account holders.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07659, Rules Report No. 492, Buttenschon. An act to amend Chapter 451 of the Laws of 2007 amending the Public Health Law, the Social Services Law and the Insurance Law, relating to providing enhanced consumer and

provider protections, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Buttenschon, 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 6801. This is a fast roll. 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. A07660, Rules Report No. 493, Reyes, Barron. An act to amend Chapter 2 of the Laws of 1998, amending the Public Health Law and other laws relating to expanding the Child Health Insurance Plan, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Reyes, 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 Senate print 6896. 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. A07661, Rules Report No. 494, Hevesi, Thiele. An act to amend the Social Services Law, in relation to providing that public welfare officials shall not be required to limit authorized child care services strictly based on the work, training, or educational schedule of the parents and making technical changes.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07663, Rules Report No. 495, Davila, Cymbrowitz, Barron, Burdick. An act to amend Chapter 84 of the Laws of 1993 amending the Private Housing Finance Law relating to establishment of initial rents in housing accommodations rehabilitated with loans to housing development companies, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Davila, 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 6605. 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. A07664, Rules Report No. 496, Pichardo, Burdick. An act to amend Chapter 449 of the Laws of 1986, amending the Private Housing Finance Law relating to establishing initial rents in respect of certain loans to owners of existing multiple dwellings, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Pichardo, 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 Senate print 6604. 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. A07665, Rules Report No. 497, Jackson, Burdick. An act to amend Chapter 613 of the Laws of 1996, amending the General Municipal Law relating to buildings that are part of urban development action area projects and are rehabilitated with municipal loans, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Jackson, 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 6609. 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. A07666, Rules Report

No. 498, Davila, Cymbrowitz, Barron, Burdick. An act to amend Chapter 375 of the Laws of 1999, amending the Real Property Actions and Proceedings Law relating to new owners of buildings for which administrators have been appointed pursuant to Article 7-A of such law, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Davila, 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 6608. 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. A07667, Rules Report No. 499, Glick. An act to amend the Multiple Dwelling Law, in relation to interim multiple dwellings.

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 7667. 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. A07669, Rules Report No. 500, Zinerman, Cymbrowitz, Burdick. An act to amend Chapter 253 of the Laws of 2004 amending the Private Housing Finance Law relating to rehabilitated multiple dwellings acquired and reconveyed by the Federal government, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Zinerman, 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 6606. 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. A07670, Rules Report No. 501, Sayegh, Barron. An act to amend Chapter 459 of the Laws of 1996, amending the Public Health Law relating to recertification of persons providing emergency medical care, in relation to the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7062. 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. A07683, Rules Report No. 502, Lavine. An act to amend the Family Court Act, in relation to authorizing adjournments in contemplation of dismissal in family offense cases in family court.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7683. 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. A07705, Rules Report No. 503, Walker. An act to amend the Criminal Procedure Law, in relation to issuance of appearance tickets to adolescent offenders pending appearances before youth parts of superior courts of criminal jurisdiction.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07707-A, Rules Report No. 504, Paulin. An act to amend the Public Authorities Law, in relation to contracts awarded by the New York City Transit Authority and the Metropolitan Commuter Transportation Authority.

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 7707-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. A07708, Rules Report No. 505, Thiele. An act authorizing the Town of East Hampton, County of Suffolk, upon the dissolution of the East Hampton Wastewater Disposal District, to use any remaining funds of the District for the purposes of paying all or a portion of the cost of one or more Town-wide capital projects.

ACTING SPEAKER AUBRY: Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7708. 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. A07714, Rules Report No. 506, Hunter. An act to amend the Social Services Law, in relation to authorizing the payment of camp fees for children receiving safety net assistance; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect October 1st, 2021.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7714. 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. A07721-A, Rules Report No. 507, Clark, Hevesi, Thiele Richardson. An act to amend the Social Services Law, in relation to representatives of the Child Care Availability Task Force and the focus of such task force; and to amend Chapter 493 of the Laws of 2017 amending the Social Services Law relating to establishing a Child Care Availability Task Force to

evaluate the need for and availability of child care throughout the State, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Clark, 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 7128. 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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07731, Rules Report No. 508, Gunther. An act in relation to the provision of records upon the receipt of a complaint of an incident of abuse or neglect of an individual with a disability.

ACTING SPEAKER MCDONALD: Read the last section.

THE CLERK: This act shall take -- this act shall take effect immediately.

ACTING SPEAKER MCDONALD: The Clerk will record the vote on Assembly bill A.7731. 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. A07733, Rules Report No. 509, Fahy, Wallace, Burke, Buttenschon, Griffin, Lunsford, McMahon, Pichardo, Santabarbara, Stern, Woerner, Stirpe, Lupardo, Jacobson. An act in relation to permitting the use of municipal space for outdoor dining; and providing for the repeal of such provisions upon the expiration thereof.

ACTING SPEAKER MCDONALD: On a motion by the Senate bill -- on a motion by Ms. Fahy, 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 MCDONALD: The Clerk will record the vote on Assembly bill A.7733. 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. A07734, Rules Report No. 510, Pheffer Amato, Hyndman, Carroll, Jones, Norris, Englebright, Seawright, Buttenschon, McDonald, González-Rojas, Abbate, Sillitti, Simon. An act to create a temporary "Commission to Prevent Childhood Drowning" to improve water safety in New York State; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER MCDONALD: Read the last section.

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

ACTING SPEAKER MCDONALD: The Clerk will record the vote on Assembly bill 7734. 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. Norris to explain his vote.

MR. NORRIS: Thank you, Mr. Speaker. I appreciate the opportunity to explain my vote. This is a very important study bill. A 2011 graduate in my area from Lockport High

School about ten years ago died by drowning in the Erie Canal. Also, over 1,000 people since 2010 have died along the Great Lakes because of drowning. And the number one cause of death for children is drowning. This bill will study the appropriate age for children to learn how to swim and also explore public-private partnerships to encourage individuals to swim. I want to truly thank the sponsor, Assemblywoman Stacey Pheffer Amato, for taking this up this bill. I had a similar idea and she championed it and I want to thank her for that. And I can tell you that in the end, this bill and this Commission's work will save lives.

I'm happy to be a part of this bill, and I want to thank the sponsor for making sure she brought it to the floor. Thank you very much, Mr. Speaker.

ACTING SPEAKER MCDONALD: Thank you.
Mr. Norris in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07737-A, Rules Report No. 511, Weinstein, Zinerman, Solages, Seawright, Colton. An act to amend the Real Property Actions and Proceedings Law and the Civil Practice Law and Rules, in relation to the rights of parties involved in foreclosure actions.

ACTING SPEAKER MCDONALD: The bill is laid aside.

THE CLERK: Assembly No. A07752, Rules Report No. 512, Galef. An act to amend the Village Law, in relation to exempting the Village of Briarcliff Manor Fire Department from the requirement that the percentage of non-resident Fire Department members not exceed 45 percent of the membership.

ACTING SPEAKER MCDONALD: On a motion by Mrs. Galef, 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 MCDONALD: The Clerk will record the vote on Assembly bill 7752. 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. A07761-A, Rules Report No. 513, Abinanti, Galef, McDonald. An act to amend the Election Law, in relation to write-in ballots.

ACTING SPEAKER MCDONALD: The bill is laid aside.

THE CLERK: Assembly No. A07796, Rules Report

No. 514, Meeks. An act to amend Family Court Act, in relation to use of restraints of children appearing before the family court.

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

Ms. Hyndman.

MS. HYNDMAN: Thank you, Mr. Speaker. Now we're going to go back to Rules Reports No. 451 and 460 that were inadvertently laid aside. After that we'll move to the debate list and go with straight votes on number -- on Rules Report 32, 282 and 324. Then we will move to the debate list, Rules Report No. 385, 386 and 397.

ACTING SPEAKER MCDONALD: Rules Report No. 451, the Clerk will read.

THE CLERK: Assembly No. A06461-A, Rules Report No. 451, Abbate, Griffin, Colton. An act to amend the Retirement and Social Security Law and the General Municipal Law, in relation to disability retirement benefits for the presumption of Parkinson's Disease for paid firefighters.

ACTING SPEAKER MCDONALD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER MCDONALD: The Clerk will record the vote on Assembly bill 6461. 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 to explain his vote.

MR. GOODELL: Thank you, sir. I will be supporting this legislation that makes it a presumption that Parkinson's is caused by your employment if you are a fireman. This bill was initially laid aside as we researched the correlation between Parkinson's and the occupation of firemen. It turns out that firemen have an incident rate about ten times higher than the normal population when it comes to Parkinson's.

Based on that additional information I will be supporting this legislation. Thank you, sir.

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06873, Rules Report No. 460, Senate 6015. 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 MCDONALD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will

record the vote on Assembly bill 6873. 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 to explain his vote.

MR. GOODELL: Thank you, sir. This bill deals with promotions of supervisory personnel for fire alarm dispatcher services. And what this bill does is require that local governments give, quote, "due weight" to seniority. And I think it's important to note that while this requires local governments to give due weight, it is not an absolute mandate. And so while certainly local governments can and should give due weight to seniority, this bill would still allow them, under appropriate circumstances, to hire outside the department. And I think it's incredibly important that local government have the flexibility when necessary to hire supervisory personnel that are from outside the department to ensure that there's an opportunity for new ideas and new approaches to issues. This bill gives due weight to seniority but does not make it an absolute mandate. And for that reason I will support it.

Thank you, sir.

ACTING SPEAKER MCDONALD: Mr. Goodell in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules Report No. 132, the Clerk will read.

THE CLERK: Assembly No. A06562-A, Rules Report 132, Abinanti, Griffin. An act to amend Chapter 63 of the Laws of 2021 amending the Environmental Conservation Law relating to supermarkets providing excess edible food to food relief organization, in relation to extending the effectiveness of certain provisions thereof.

ACTING SPEAKER MCDONALD: On a motion by Mr. Abinanti, 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 MCDONALD: The Clerk will record the vote on Assembly bill 6562. 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.

Page 32, Calendar No. 282.

THE CLERK: Assembly No. A00267-A, Calendar No. 282, Gunther, Rodriguez. An act to amend the Arts and Cultural

Affairs Law, in relation to creating arts and cultural districts.

ACTING SPEAKER MCDONALD: Read the last section.

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

ACTING SPEAKER MCDONALD: The Clerk will record the vote on Assembly bill 267. 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.

Page 34, Calendar No. 324.

THE CLERK: Assembly No. A06014-A, Rule -- Calendar No. 324, Magnarelli, Dinowitz, McDonald, Englebright, Cymbrowitz, Simon, Sillitti, Thiele, Gallagher, Galef, Buttenschon, Abbate, Jacobson, Lavine. An act to amend the Vehicle and Traffic Law, in relation to penalties for purposefully-obstructed license plates.

ACTING SPEAKER MCDONALD: Read the last section.

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

ACTING SPEAKER MCDONALD: The Clerk will

record the vote on Assembly bill 6014. 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.)

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

(The Clerk announced the results.)

The bill is passed.

Page 16, Rules Report No. 385. The Clerk will read.

THE CLERK: Senate No. S06917, Rules Report No. 385, Senator Kavanagh (A07609, Cymbrowitz, Rodriguez, Barron, Burdick). An act to amend the Private Housing Finance Law, in relation to increasing the bonding authority of the New York City Housing Development Corporation.

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 Senate print 6917. 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 to explain his vote.

MR. GOODELL: Thank you, sir. This bill increases

the bonding authority of the private housing of the New York City Housing Development Corporation by an additional \$1.5 billion, which will bring it up to about \$17 billion total. And while there's no doubt that the New York City Housing Development Corporation does good work, many of us are concerned by -- about the fact that New York State's debt, including the debt of various agencies, puts us in the top of the list in the nation in terms of our debt load. And I'll be voting against an additional \$1.5 billion in debt, but I know many of my colleagues also appreciate the great work done by the New York City Housing Development Corporation.

Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. In addition to the negative votes on the floor, please record the following colleagues in the negative: Mr. Byrne, Mr. DiPietro, Mr. Friend, Mr. Gallahan, Mr. Tague, Mr. Walczyk, Mr. Brabenec and Mr. Smith.

Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 17, Rules Report No. 386, the Clerk will read.

THE CLERK: Senate No. S06975, Rules Report No. 386, Senator Kavanagh (A07610, Cymbrowitz, Barron, Burdick, Colton). An act to amend the Private Housing Finance Law, in relation to the powers of the New York State Housing Finance Agency and an increase in bond and note authorization; to amend Chapter 514 of the Laws of 1983 amending the Private Housing Finance Law and the Real Property Tax Law relating to the powers of the New York State Housing Finance Agency and the New York City Housing Development Corporation to finance certain multi-family housing, in relation to the effectiveness thereof; to amend Chapter 396 of the Laws of 1984 amending the Private Housing Finance Law and the Real Property Tax Law relating to the powers of the New York State Housing Finance Agency to finance certain multi-family housing, in relation to the effectiveness thereof; to amend Chapter 915 of the Laws of 1982 amending the Public Authorities Law relating to the powers of the State of New York Mortgage Agency, in relation to the effectiveness thereof; to amend the Public Authorities Law, in relation to the powers of the State of New York Mortgage Agency; to amend Chapter 555 of the Laws of 1989 amending the Public Authorities Law and other laws relating to establishing a New York State Infrastructure Trust Fund, in relation to the effectiveness thereof; to amend Chapter 172 of the Laws of 2002, amending the Public Authorities Law relating to the powers of the State of New York Mortgage Agency, in relation to the effectiveness thereof; to amend Chapter 208 of the Laws of 2010 amending the Public Authorities

Law relating to the powers of the State of New York Mortgage Agency, in relation to the effectiveness thereof; and to amend Chapter 246 of the Laws of 2010 amending the Public Authorities Law relating to the powers of the State of New York Mortgage Agency, 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 Senate print 6975. This is a Party vote. Any member who wishes to be recorded as an exception to their 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 increased in borrowing of \$2 billion. Those who'd like to support it should call the Minority Leader's Office so we can record you. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, this is a Majority vote in the affirmative. Members recorded -- if there are any exceptions, I ask Majority members to contact the Majority Leader's Office at the number previously provided and their names will be mentioned.

Thank you.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Thank you, ma'am.

And Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. This legislation increases the amount of debt that can be incurred by the State Housing Finance Agency from \$29.3 billion to \$31.3 billion. This would be about half of the entire debt for the State of New York. So it's a huge debt load and it's an increase of \$2 billion under this legislation. For that reason, many of my colleagues will -- myself included, will be opposed to this borrowing.

Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Goodell.

MR. GOODELL: Thank you, sir. In addition to the affirmative votes on the floor of the Assembly, please record my colleague Mr. Fitzpatrick in the affirmative.

Thank you.

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 17, Rules Report No. 397.

THE CLERK: Assembly No. A07688, Rules Report No. 397, Paulin. An act to amend the New York State Medical Care Facilities Agency Act, in relation to the ability to issue certain bonds

and notes.

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 A.7688. 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 to explain his vote.

MR. GOODELL: Thank you, sir. I suppose we all have a tolerance for how much debt we're willing to incur. This increases the debt authority for the New York State Medical Care Facilities Finance Agency up to \$17.4 billion, which is an increase of only \$800 million, which sometimes seems like chump change. But for some of us, we're concerned about \$800 million as much as we're concerned about \$2 billion. This is a Dormitory Authority program bill, and for those who want to support it they'll be -- get some comfort in the fact that unlike much of the debt that's not approved by the taxpayers, this debt is not guaranteed by the State of New York.

Thank you, sir.

(Pause)

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir. In addition to the negative votes on floor, please record Assemblymen Mr. Byrne and

Mr. DiPietro in the negative.

Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Hyndman.

MS. HYNDMAN: Thank you, Mr. Speaker, and thank you to our colleagues. We will now move through the following bills on debate, starting with Rules Report No. 82, 124, 155, 169 and 172.

Thank you.

ACTING SPEAKER AUBRY: Thank you so much.

Rules Report No. 82, page 5, the Clerk will read.

THE CLERK: Assembly No. A02502-A, Rules Report No. 82, Weinstein, Taylor. An act to amend the Real Property Actions and Proceedings Law, in relation to foreclosure of residential mortgages covering one- to four-family dwellings.

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

Ms. Weinstein, an explanation has been requested.

MS. WEINSTEIN: Yes, Mr. Speaker. So this bill amends RPAPL, the Real Property Procedure Law -- Action

Procedure Law Section 1302, and what it simply does is it would require all plaintiffs in a residential mortgage foreclosure action to plead ownership of the note and mortgage for all home loans and not just sub-prime and high-cost loans, which is required by current law. And just for the members to understand that this bill was recently amended to clarify that its original intent was to apply to all residential mortgage foreclosures only. And I want to thank Mr. Goodell for bringing the need for a clarification to my attention, and I believe we now have a bill that will help many individuals who will be potentially facing foreclosure of their residential home.

Happy to respond to any questions.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: As the sponsor acknowledged, there are actually two provisions to this bill. The first one requires that in a mortgage foreclosure action the summons and complaint by the plaintiff assert that they are the owner and holder of the note. I don't see any problem with that because if they aren't they shouldn't have standing anyway. And so it's pretty standard for them to assert that they're the holder and owner and this makes that clear.

The second provision, which as mentioned by the sponsor was amended, and I appreciate the amendment, makes it clear that the special provisions that relate to high-interest or high -- high-

cost home loans have to be complied with for those mortgages that qualify as high-cost or high-interest loans. And not every mortgage would qualify for those provisions. And with those clarifications - and I appreciate my colleague's comments - I'll be supporting the bill and recommend the same to my colleagues.

Thank you.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 5785-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.)

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. Would you please record our colleagues Mr. DiPietro and Mr. Walczyk in the negative on this bill.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 5, Rules Report No. 124, the Clerk will read.

THE CLERK: Assembly No. A05688, Rules Report

No. 124, Cruz, Quart. An act to amend the Criminal Procedure Law, in relation to facilitating Appellate review of rulings that implicate issues of public concern.

ACTING SPEAKER AUBRY: An explanation is requested, Ms. Cruz.

MS. CRUZ: Thank you, Mr. Speaker. An act to amend the Criminal Procedure Law in relation to facilitating an Appellate review of rulings that implicate issues of public concern. The purpose of the proposed amendment is to further the legislative intent of Section 710.70. Currently the law gives defendants little recourse to challenge a final order denying a motion to suppress evidence when a plea bargain is accepted. Defendants traditionally face additional hardships during criminal proceedings such as false confessions or unreliable identification procedures, stop and frisk, et cetera, et cetera. By providing defendants with an additional level of review on crucial orders regarding the suppression of evidence, the rights of a defendant can be enforced properly under this section.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

MS. CRUZ: I will.

ACTING SPEAKER AUBRY: Ms. Cruz yields, sir.

MR. GOODELL: Thank you, Ms. Cruz. Just to be clear, if I understand this correctly, under current law a defendant can plead guilty after a suppression hearing, and the current law says that

an order suppressing evidence may be subject to appeal, correct?

MS. CRUZ: Sir, can you talk a little bit closer to the mic or louder. I can't -- can't hear you.

MR. GOODELL: The current law says that an order denying a motion to suppress evidence may be subject to appeal, notwithstanding the guilty plea. And this says shall be subject to appeal, right?

MS. CRUZ: That is correct.

MR. GOODELL: So under prior law it was discretionary. Who was it discretionary by? Was it discretionary on the part of the judge to allow the appeal?

MS. CRUZ: Actually, under current law there hasn't really been any discretion. That's why we're looking to make the change so that the person can actually have the opportunity to have the appeal. More often than not when a plea deal was struck -- actually, in practice when a clean deal was struck, the defendant generally does not have the opportunity to appeal the -- the suppression of the evidence.

MR. GOODELL: Now, under current law, of course, a defendant can sign a waiver of his right to challenge that as part of the plea agreement, correct?

MS. CRUZ: That's correct.

MR. GOODELL: And what you're saying is, even though the defendant signed that waiver, the defendant can ignore the waiver and still appeal this issue?

MS. CRUZ: Can -- I'm sorry, I -- I don't know if it's the mask today or -- or...

MR. GOODELL: So, under -- under this proposed bill --

MS. CRUZ: Yes.

MR. GOODELL: -- a defendant who signs a waiver waiving their right to appeal any decision, including anything relating to the guilty plea can still -- can still appeal notwithstanding their waiver, correct?

MS. CRUZ: Under the change that we're looking for, that's what we're looking to do, to allow them to -- to actually appeal it.

MR. GOODELL: Now of course before a judge can take a guilty plea, a judge under current law is required to do a detailed statement with the defendant outlining all the defendant's rights, and after each right, including the right to a trial by jury or a trial before the court, he asks the defendant, *Do you understand and do you agree that a guilty plea waives this?* This would allow an appeal even though the defendant, in open court, acknowledged that they were fully aware of all their rights and were waiving them and pleading guilty?

MS. CRUZ: Yes.

MR. GOODELL: One last question, I -- I hope. This provides that the order shall be reviewed on appeal. Does that mean there's an automatic appeal or does the defendant still have to file an

appeal within 30 days under current law?

MS. CRUZ: The defendant would still have to file. All this does is give them the opportunity to do so, which they don't have right now.

MR. GOODELL: Thank you very much for those clarifications.

MS. CRUZ: Thank you.

MR. GOODELL: On the bill.

ACTING SPEAKER AUBRY: On the bill, Mr. Goodell.

MR. GOODELL: Under current law we have a number of procedures in place to protect defendants from pleading guilty on a crime they are not guilty of. And of course the first one is the right to counsel. But in addition, if a defendant desires to plead guilty -- and usually, by the way, that guilty plea is part of a negotiated settlement with a prosecutor where they may drop charges or reduce charges -- but before the court will allow a defendant to plead guilty, the court goes through a series of questions to make sure that the defendant is absolutely aware of all the rights that they're waiving. And what this bill says is, it doesn't matter if the defendant was represented by independent legal counsel. It doesn't matter that the defendant was given a full and accurate statement of all their rights. It doesn't matter that the defendant acknowledged understanding all those rights and waived them and still pled guilty even after that guilty plea. This statute would allow the defendants to appeal and would

require the Appellate Court to review any motion to suppress evidence even after the guilty plea, even after all those waivers, even after the advice of counsel, even after the allocution by the judge. While I appreciate that New York State has a long and proud record of defending criminal rights, providing an automatic appeal -- automatic standing for an appeal is inappropriate in my opinion.

And for those reasons, I'll be voting against it. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 5688. This is a Party vote. Any member who wishes to be recorded as an exception to their 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. However, if individual members are supportive, they are encouraged to call the Minority Leader's Office so we can properly record their vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hunter.

MS. HUNTER: Thank you, Mr. Speaker. I'd like to

remind my colleagues that this is a Party vote and Majority members will be recorded in the affirmative. If there are any exceptions, Mr. Speaker, I ask the members to please contact the Majority Leader's Office at the number previously provided.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Thank you, Ms. Hunter.

Ms. Cruz to explain her vote.

MS. CRUZ: Thank you, Mr. Speaker. Our bill is yet another attempt, a clear attempt, to protect the rights of defendants. Our bill is supported by over a dozen organizations that are dedicated just to do that; the New York State Bar Association, the Legal Aid Society and many, many more. Now, evidence shouldn't be suppressed, especially when our law, our legislative intent has been clearly to open access to defendants. Our job is to ensure that every person who comes in front of the court system has their rights protected, and this bill just -- does just that. And I'll be voting in the affirmative.

ACTING SPEAKER AUBRY: Ms. Cruz in the affirmative.

Mr. Lawler to explain his vote.

MR. LAWLER: Thank you, Mr. Speaker. I'm just going to put a real-life scenario out there. You get arrested and charged with forcibly touching a child. You make a motion to suppress evidence, it's denied. You end up pleading guilty, you

automatically get the right to appeal even though you pled guilty. It's really remarkable the length that we are going to ensure that criminals - and in this instance somebody who pled guilty - potentially has the right to be released. It's really shocking. And for that reason I vote no.

ACTING SPEAKER AUBRY: Mr. Lawler in the negative.

Mr. Tannousis.

MR. TANNOUSIS: Thank you, Mr. Speaker. You know, every day across this State in courtrooms, there are pleas that are negotiated between defendants, their attorneys, prosecutors and judges. And part of those deals that are made, whether it's to not plead to the top count of the charge, to be given a better deal, is a waiver of right to appeal. That's part of the negotiation. What this bill does is basically, in effect, take away that waiver of right to appeal and now basically tells the defendant that it's meaningless. Now that we'd no longer be able to negotiate that and it takes that totally out of the equation, it says you can now not negotiate a waiver of right to appeal. And for those reasons, I am -- it -- it -- it affects the integrity of the process. And for that -- that reason, I am voting against this bill.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Tannousis in the negative.

Mr. Angelino.

MR. ANGELINO: Mr. Speaker, to explain my vote.

ACTING SPEAKER AUBRY: Please, sir.

MR. ANGELINO: I listened to this pretty intently, and I think there's going to be an unintended consequence where judges are going to have all of those appeals coming through there, and to -- for a defendant to accept a plea bargain, the judge has to agree to that. At some point judges may just say, *We're not accepting plea bargains, you're going to go to trial.* And principals in the case then may face a worst fate in the hands of a jury and a judge if they go to trial. I think a plea bargain is well-explained in court. Everybody has their rights explained to them. But that may go away as a result of this. And for those reasons, to protect principals, I'll be voting no.

ACTING SPEAKER AUBRY: Mr. Angelino in the negative.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, please record our following colleagues in the negative on this piece of legislation: Members McMahon, Sayegh and Santabarbara.

ACTING SPEAKER AUBRY: Thank you.

Are there any other votes? Announce the results.

(The Clerk recorded the vote.)

The bill is passed.

Page 6, Rules Report No. 155.

THE CLERK: Assembly No. A00354-A, Rules Report No. 155, Magnarelli. An act to amend the Real Property Actions and Proceedings Law, in relation to special proceedings by

tenants for judgment directing repairs of conditions and other relief in residential real property; and to amend the Uniform City Court Act, the Uniform District Court Act, and the Uniform Justice Act, in relation to summary proceedings relating thereto.

ACTING SPEAKER AUBRY: Mr. Magnarelli, an explanation is requested.

MR. MAGNARELLI: Yes, Mr. Speaker. This bill creates a new Article 7-C of the Real Property Actions and Proceedings Law and will allow tenants to bring a summary proceeding in the City District or Justice Court. The purpose is basically to provide a simplified proceeding for tenants outside of New York City to bring actions against unscrupulous landlords for habitability and housing code violations.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MR. MAGNARELLI: Yes, Mr. Speaker.

ACTING SPEAKER AUBRY: The gentleman yields, sir.

MR. GOODELL: Thank you, Mr. Magnarelli, and also a personal thanks for discussing this bill with me last week which I appreciate, and hopefully our questions and answers will bring the rest of our colleagues up to speed over what we discussed.

MR. MAGNARELLI: Okay.

MR. GOODELL: Just as a personal comment, Mr. Speaker, since I normally have a five or six hour drive, if there's any members that want to discuss legislation, that would be a good time to help keep me awake.

Back to our bill, Mr. Magnarelli. This allows a tenant to bring an expedited procedure directing repairs to their apartment, correct?

MR. MAGNARELLI: Yes.

MR. GOODELL: And if a tenant brings such a proceeding, can the landlord then bring a counterclaim against the tenant for late rent, penalties, interest, damage to the apartment, those things?

MR. MAGNARELLI: I believe they could.

MR. GOODELL: This proceeding applies to any tenant but as you and I discussed, there are many documents where it's written so it's a tenant, but it's actually an installment sales agreement like a land contract, for example, or a lease with an option to purchase where the lease price is reduced the same as a mortgage amortization or an early possession agreement, for example, on a normal real estate. And in all of those situations, the lease document is absolutely clear that the tenant is responsible for all repairs and all maintenance reflecting the fact that under a land contract or a lease with an option, or even early possession agreement, the tenant is actually like an equitable owner. Does this change that substantive law --

MR. MAGNARELLI: I don't believe it does at all. I think that those documents would still prevail.

MR. GOODELL: Okay. And that's very important because or otherwise, we wouldn't have early possession agreements anymore; it could really create a lot of havoc in the real estate industry. Now, I see that this bill provides a county clerk shall be charged with assisting petitioners to complete and serve the notice of petition to commence a special proceeding. Are county clerks also authorized under this legislation to assist landlords in completing and serving answers?

MR. MAGNARELLI: I think what we're trying to do here in this bill is to provide a simplified form where tenants who are representing themselves will be able to fill out a form and start the proceedings. It's just my reference here that landlords usually are represented by attorneys, so I don't think it's going to apply in that -- in the same way. But I would assume that if they -- if they were bringing a summary proceeding, I think it would have to be either them or an attorney that would have to bring the proceeding.

MR. GOODELL: I see. And I know that court clerks do help in small claims actions sometimes.

MR. MAGNARELLI: Yeah.

MR. GOODELL: It's a simplified form, but I think they help anyone, whether it's a plaintiff or a defendant, right?

MR. MAGNARELLI: I think if it's just to fill out the form, I would imagine they would help whether it's a tenant or a

landlord. But that's basically all we're asking them to do, not to provide them with their case, but simply to fill out the form and let them know what the calendar of the court is.

MR. GOODELL: Now, under current law the warranty of habitability gives the right to a tenant to reduce the rent if the building is not fully useable. So let's say you have a three-bedroom apartment and there's a leak in the roof that's affecting one bedroom. The court makes an offset on the rent, reduces the rent, but under the warranty of habitability, the courts currently do not have the authority to order repairs, is that correct?

MR. MAGNARELLI: I believe you're right.

MR. GOODELL: This legislation would authorize the courts to order repairs, correct?

MR. MAGNARELLI: They could. That's one of the things that they could do --

MR. GOODELL: And then would that authorize a court to order repairs that exceed the value of the rent, or the value of the apartment?

MR. MAGNARELLI: I -- that could be. I think that would be possible.

MR. GOODELL: I see. And just --

MR. MAGNARELLI: But I think -- what we're trying to do here is the judge is going to take a look at the entire case. This is something that's never been -- a tenant has never been able to do, to put the case in front of the court for the first instance instead of

waiting until the landlord decided that the tenant should be evicted because maybe the tenant isn't paying the rent due to all of the violations and the terrible conditions that the property is in. So the bottom line here is that if -- if the judge sees fit, he could order repairs, he could order a money judgment, he could order nonpayment of rent for the tenant to accumulate the money to make the repairs, or any other relief that the judge seems to feel is appropriate.

MR. GOODELL: Thank you, Mr. Magnarelli. I appreciate your comments, and I appreciate your clarification.

MR. MAGNARELLI: Thank you.

MR. GOODELL: On the bill, sir.

ACTING SPEAKER AUBRY: Mr. Goodell, on the bill, sir.

MR. GOODELL: Thank you. Under current law, we have a warranty of habitability and basically it goes back to fairly basic contract law. If you contract to rent property that's representative -- I used an example of a three-bedroom and you're paying rent based on three bedrooms and it turns out you can only use two of the bedrooms for whatever reason, the court under current law can reduce the rent so that you're paying a rent that's appropriate for a two-bedroom house rather than a three-bedroom house. That's current law. But under current law, the court cannot order the landlord to make repairs. And the reason for that is because the repairs can far exceed the value of the entire apartment. So as an example, you may be renting an apartment for Upstate, maybe \$500 a month, and there

may be a leak in one of the bedrooms and the cost of replacing the entire roof may be several times more than the entire rent.

And so that's why we have this balancing act. The courts under current law say you only have to pay for what you're actually getting, and if you're not getting the full value, you don't have to pay the full rent. But the courts, based on Common Law going back hundreds of years, also take a limited approach and they say let's say the apartment is completely destroyed. Let's say there's a fire and the apartment is completely destroyed. The courts say contract over, you don't have to pay anything. But under this bill, the court can order the repairs. Think about that for a minute. There's a fire in an apartment. Not the landlord's fault, not the tenant's fault, maybe an electrical wiring. The damage may be thousands, tens of thousands of dollars and a tenant can go and say, *Hey, rather than look for a new apartment, I want the landlord to rebuild the apartment.* And that's an extension of the law that goes too far, in my opinion.

I support my colleague's desire to have a summary proceeding to allow tenants to get access to the courts quickly and easily to adjudicate what their setoff might be under the warranty of habitability. And if the bill were limited to that, I would be supportive. This bill, as I mentioned, goes beyond that and authorizes the judge to order an apartment that may be damaged by fire or a hurricane or anything else, order the landlord to fix the apartment, which goes far beyond what we have under current law.

One last comment. Landlords are extraordinarily

sensitive right now over the fact that we, as the Legislature, have issued rent moratoriums that have gone on for a year-and-a-half. And so it's ironic that after a year-and-a-half of a rent moratorium we are now being asked to allow tenants to bring an expedited procedure to get repairs done when it's the very fact that we have given this rent moratorium for a year-and-a-half which has crippled landlord's cash flow in their ability to make repairs. We need a balanced approach, a balanced approach reflects an expedited procedure for tenants to get a warranty of habitability claim, reflects the fact that landlords are just under horrific financial pressure because of what's happened as a result of COVID. Unfortunately, this bill goes too far by requiring landlords -- or authorizing the court to require a landlord to make repairs regardless of the value of the apartment or the nature or extent of the damage. For that reason, I'll be opposing it and recommend the same to my colleagues. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 354-A. This is a Party vote. Any member who wishes to be recorded in opposition to the Conference position is requested to contact the Majority or Minority Leader's Office at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed, but for those who want to be recorded as an exception, they should call the Minority Leader's Office so we can properly record their vote. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, the Majority colleagues will most likely be in the affirmative on this bill, but I remind them to please call the Majority Leader's Office to record their negative votes and their numbers -- their names will be announced accordingly.

ACTING SPEAKER AUBRY: Thank you, Ms. Hyndman.

(The Clerk recorded the vote.)

Ms. Hyndman.

MS. HYNDMAN: Please record our following colleague in the negative: Mr. Sayegh. Thank you.

ACTING SPEAKER AUBRY: Thank you so very much, Ms. Hyndman.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 7, Rules Report No. 169, the Clerk will read.

THE CLERK: Assembly No. A03227, Rules Report No. 169, Hunter, Reyes. An act to amend the Social Services Law, in

relation to conciliation and non-compliance with public assistance employment; and to repeal certain provisions of such law relating thereto.

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

Mr. Goodell.

MR. GOODELL: Thank you, sir.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: One of our top priorities certainly with our Social Services Departments are to help able bodied individuals get back on their feet as quickly as possible. And as part of that challenge, our Social Services Departments require able bodied individuals to attend educational classes, sometimes to get a GED which is a prerequisite for 90 percent of the jobs, or they'll arrange training programs. In my county, for example, a CDL program is very successful and individuals end up with a job as soon as they finish the training. And sometimes they assign individuals to not-for-profits to help out and get actual job experience. And in my county, we've seen several full-time jobs result from those referrals.

And so all of it's designed to help people who are on welfare get off welfare and maximize their independence and self-sufficiency. Sometimes, of course, an individual cannot attend a training class or an educational program or a job placement because of

issues involving child care, transportations, or disability. Under current law if an individual can't attend, it's the responsibility of the individual to advise the Department of Social Services that they have a child care issue or a transportation issue so that the Social Services Department can try to help them. And they help them by providing child care, or a transportation voucher, or otherwise help them address a disability. Of course whether an applicant, a welfare recipient, has a child care issue or a transportation issue is an issue that's uniquely within the knowledge of the applicant. Our Department of Social Services don't know whether or not your sister or brother or mom or dad can watch the kids. They don't know that. The Department of Social Services, which are all overwhelmed, as you know, they don't know whether or not your car is running today or not, or whether you have transportation. So we rely on the applicants to tell us.

What this bill does is say it's not the responsibility of an applicant to advise the Department of Social Services that they lack appropriate child care, transportation, or accommodations; it's the responsibility of the Department to prove that they don't have those issues. So we're asking our beleaguered local officials who are doing their best to help people get out of poverty through education or job training, we're asking them to prove a negative, isn't it. And that's the wrong role. There's nothing wrong or inappropriate to say to an applicant, *Look, if you've got a transportation problem or a day care problem or an accommodation issue, call Social Services right away so we can address it and help you move forward.* But this bill

suggests that the Department of Social Services needs a team of investigators to go out and determine whether or not they have child care or transportation. And that's an inappropriate role for our Department of Social Services and, therefore, I will recommend against this bill. Thank you, sir.

ACTING SPEAKER JONES: Read the last section.

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

ACTING SPEAKER JONES: The Clerk will record the vote on Senate 668. 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. Those who support it, however, should call the Minority Leader's Office and we will properly record your vote. Thank you, sir.

ACTING SPEAKER JONES: Ms. Hyndman.

MS. HYNDMAN: I would like to remind my colleagues that this is a Party vote. Majority members will be recorded in the affirmative. If there are any exceptions, I ask Majority members to contact the Majority Leader's Office at the number previously provided and your name will be announced accordingly.

(The Clerk recorded the vote.)

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, please record our colleague Mr. Stern in the negative.

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

(The Clerk announced the results.)

The bill is passed.

Page 7, Rules Report No. 172, the Clerk will read.

THE CLERK: Assembly No. A03965, Rules Report 172, Abinanti. An act to amend the Tax Law, in relation to the withdrawal of tax liens upon payment of taxes due.

ACTING SPEAKER JONES: An explanation is requested, Mr. Abinanti.

MR. ABINANTI: Thank you, Mr. Speaker. This bill amends the Tax Law to require that the Department of Taxation and Finance, once they've received full payment of a tax debt, must withdraw a warrant and a lien if they filed the warrant and lien on the property of the -- the tax debtor, and that they would then have to also give the taxpayer written notification to demonstrate that they have, in fact, complied with the law.

ACTING SPEAKER JONES: Ms. Walsh.

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

MR. ABINANTI: Yes, Mr. Speaker.

ACTING SPEAKER JONES: The sponsor yields.

MS. WALSH: Thank you so much. So I noticed that

this bill was vetoed by the Governor in 2018. Have there been any changes made in the bill since that time?

MR. ABINANTI: No, but we're hoping the Governor is listening to the debates so he can understand why he was wrong.

MS. WALSH: Thank you so much.

Mr. Speaker, on the bill.

ACTING SPEAKER JONES: On the bill.

MS. WALSH: I can't guarantee whether or not the Governor is listening, but I'm going to explain the reasons why I think that this bill still has problems, and I think that the bill -- the reason for the bill is -- is -- is a good one. We don't want people who have had some bad luck, who have had a tax lien and has paid it off to be haunted by that on their credit reports. Fortunately back in 2017, there was an agreement that was reached with the three major credit reporting agencies saying that tax debts and tax warrants will no longer appear on consumer credit reports. And so I think that for that reason, the -- perhaps the reason for the bill is no longer really necessary.

The other thing I'd like to point out is that the Department of Tax and Finance satisfies over 100,000 personal income tax warrants every year, and what this bill would do would -- it would be requiring the Department, once they receive payment, to notify each and every person within five days in writing, five business days, of the withdrawal of the warrant and lien from the records.

That's -- that's a big lift. I mean that sounds good, it sounds like something we would all, I guess, want that to happen, but that's a big lift and it requires -- those things are done manually right now and this bill is set to become effective within 60 days. And so that means in 60 days, the Department of Taxation and Finance is going to have to put a lot into place in order to be able to effectuate notice within five days of these being satisfied.

The other piece of it is that it affects our county clerks and our county clerk's offices because the bill also says that - let me just get that in front of me - that within five business days of -- no, let me back up. The -- there shall be a withdrawal of such warrant and lien from the records of the county in which such warrant was filed and lien was created. So that is going to impose an unfunded mandate on our county clerks who do not currently withdraw these liens once they're satisfied. They record notice and the file is noted with the satisfaction, but they don't actually expunge the record of the -- of the lien itself. So this is -- and as you can imagine, depending on the county you're talking about, they could have thousands and thousands of these in a given year.

So again, I -- I understand the reason, the idea for the bill. I don't think it's necessary anymore because of the credit agencies not counting this type of stuff on the reports, and I think that the time frame that's suggested by the bill is perhaps aspirational, but really unworkable, especially within 60 days. So for those reasons, I won't be supporting this bill. Thank you.

ACTING SPEAKER JONES: Read the last section.

THE CLERK: This act shall take effect in 60 days.

ACTING SPEAKER JONES: The Clerk will record the vote on Assembly 3965. 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. Those who support it should call the Minority Leader's Office and we'll record your vote. Thank you.

ACTING SPEAKER JONES: Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, this is a reminder to my colleagues that this is a Majority -- this is a Party vote. Majority members will be recorded in the affirmative. If there are any exceptions, I ask Majority members to call the Majority Leader's Office at the number previously provided and their names will be announced accordingly. Thank you, Mr. Speaker.

(The Clerk recorded the vote.)

ACTING SPEAKER JONES: Thank you.

Mr. Abinanti to explain his vote.

MR. ABINANTI: Thank you, Mr. Speaker. The Assembly has passed this bill in the past and there are good reasons why we support this bill. This bill requires the State Tax Department

to withdraw a -- a lien and a judgment and a warrant if one has been filed with the county clerk to assist taxpayers who have fully paid their taxes but don't have evidence of it. Let's understand what a judgment does, what a warrant does, what a -- what a lien does. It -- it encumbers property and if that encumbrance is not removed by some official document, it remains on the -- the rolls and that ties up the credit and maybe even the real property of a debtor who has fully paid the lien. And unless somebody can point out a different section, I've looked through the Tax Law and I find all kinds of procedures for imposing a lien and collecting taxes, but then it only says that the Tax Commission may release the lien. That doesn't help someone who has a lien and a warrant against their property and has fully paid the taxes.

Now, one of the reasons we want to do this is we want to be able to -- to clean the record completely so that the -- someone who's checking to see what the background of the person is, the financial background is, it's clean, they've paid all their debts. But also, there's this question of the encumbrances on property, and there's no obligation on the State to remove the encumbrance. So while the Governor has concentrated on one area, he hasn't looked at the rest of the implications of this bill. So this is very important to our -- to our consumers in the State of New York, and when they've paid their tax debt, their record should be clean, their property should be released and they shouldn't be further damaged by having this on their -- on their record.

So I urge my colleagues to support this legislation

just like we have in the past, and perhaps this time around the Governor will understand the merits of this bill and agree with both Houses of the Legislature that this is important for the consumers of the State of New York. Thank you, Mr. Speaker.

ACTING SPEAKER JONES: Mr. Abinanti in the affirmative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. For those of us who do real estate work, it's not uncommon for us to examine a title search on a piece of property. And the title search shows every judgment against every owner, mechanic's liens if there were any, mortgages or any other liens or encumbrances. And then when that judgment's paid, the county clerk has a stamp and they stamp right on the record, paid, or discharged, or satisfied. And it's a very simple process for our county clerks. And all of us who look at those public records know exactly what it means. Okay, one time you had a judgment, it was paid or satisfied or reversed on appeal, whatever the situation.

This language requires a county clerk to withdraw such warrant and lien from the records. That means the county clerk has to expunge records. And all of our county clerks record every document that comes in in sequential order, and they give them all an index number. So this is not a simple matter of just filing a document that says satisfied, which we do for every other judgment in the State of New York, it actually requires the judgment to be expunged from

the record and that is a horrific burden on our county clerks, and one that's not necessary. For that reason, I vote no and encourage my colleagues to also vote against this. Thank you, sir.

ACTING SPEAKER JONES: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, we will now go to Rules Report No. 174 by Mr. Aubry, and No. 176 by Mr. Thiele.

ACTING SPEAKER JONES: Page 7, Rules Report No. 174, the Clerk will read.

THE CLERK: Senate No. S01133, Rules Report No. 174, Senator Liu (Aubry, Galef--A04136). An act to amend the Election Law, in relation to directing that the use of a candidate's alternate, familiar or anglicized name is permissible on electoral nominating petitions and ballots.

ACTING SPEAKER JONES: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER JONES: The Clerk will record the vote on Senate bill 1133. 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. It's a little bit out of order, but the Republican Conference will be in the negative for reasons that I anticipate our Ranker on Elections will explain momentarily. Those who support it should wait for his explanation and if they still support it, they should call the Minority Leader's Office so we can record their vote. Thank you, sir.

ACTING SPEAKER JONES: Thank you, Mr. Goodell.

Ms. Hyndman.

MS. HYNDMAN: Thank you, Mr. Speaker. I would like to remind my colleagues that this is a Party vote on this fine piece of legislation. Majority members will be recorded in the affirmative. If there are any exceptions, Majority members should call the Majority Leader's Office at the number previously provided and their votes will be announced accordingly, Mr. Speaker.

ACTING SPEAKER JONES: Thank you, Ms. Hyndman.

(The Clerk recorded the vote.)

Mr. Norris to explain his vote.

MR. NORRIS: Thank you, Mr. Speaker. I'm well aware of who the sponsor of this bill is, so I have much respect for Mr. Aubry; however, what this bill does is I believe it goes a step too far. And when you have your name on a petition, this will expand that further out to the use of nicknames. I'll give you a couple of

examples. I know someone whose name is Peter but goes by *Doc*; I know someone whose formal name is John that goes by *Duffy*; and I know someone whose name is Rose and goes by *Cookie*. The question is how far does this go? And I believe that though the intentions are good by the sponsor to codify the language from the courts into the statute, I believe will actually add more confusion when the courts and the Board of Elections are reviewing these petitions with nicknames and variations thereof. So for those reasons, I encourage all my colleagues to vote in the negative, and I'll be doing the same. Thank you very much, Mr. Speaker.

ACTING SPEAKER JONES: Thank you, Mr. Norris, in the negative.

Mr. Aubry to explain his vote.

MR. AUBRY: Thank you, Mr. Speaker, for the opportunity to explain my vote. I want to thank my colleagues for their positive vote that we're going to get on this bill. I come from the County of Queens, there are 100 languages and dialects spoken in the County of Queens, some ethnic communities are -- make up entire Assembly Districts. For the entire history of the United States, we have Anglicized names of people coming from all over the world, most of -- at the beginning of that immigration, it was European names and certainly, we can name any number of people we've known who have dropped the ends of their names or shortened it for the convenience of people who may not speak their language. Ike -- Eisenhower, Ike; Marty Markowitz in the Assembly. I have a

colleague running in the City Council, his name is Yi, first name, and he calls himself *Andy*; people know him in the community as Andy.

This bill takes a court case where two Muslim women were thrown off the ballot because it was judged by the Board of Elections that the names that they used did not connect to the names that they actually had, but the community knew who they were. They were not trying to deceive anybody. They were using names that -- that was common in their community to be known by -- by people of many ethnic groups. And so this bill codifies that ruling of the court. They were put back on. They had the opportunity to run, opportunity to participate in Democracy in a real way without having to do anything illegal or change who they were. And so I'm pleased to sponsor this bill. I withdraw my request and vote in the affirmative.

ACTING SPEAKER JONES: Mr. Aubry in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 7, Rules Report No. 176, the Clerk will read.

THE CLERK: Senate No. S01544-A, Rules Report No. 176, Senator Kaminsky (Thiele, Griffin--A04403). An act to amend the Public Service Law and the Public Authorities Law, in relation to requiring a compensation statement to be filed by certain gas corporations, electric corporations, water-works corporations and service providers.

ACTING SPEAKER JONES: An explanation is requested, Mr. Thiele.

MR. THIELE: Thank you, Mr. Speaker. This bill would add a new section to the Public Service Law to require gas corporations, electric corporations and water-works corporations and service providers to annually disclose executive compensation and the compensation for policymakers over \$125,000 a year.

ACTING SPEAKER AUBRY: Mr. Palmesano.

MR. PALMESANO: Thank you, Mr. Speaker. Will the sponsor yield for some questions?

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

MR. THIELE: Yes, I will.

ACTING SPEAKER AUBRY: Mr. Thiele yields, sir.

MR. PALMESANO: Thank you, Mr. Thiele. Reading from your sponsor's memo, it seems like this really relates to the August hearing where the PSEG Long Island refused to disclose its executive compensation information. Is that really the precipice behind starting this legislation and putting this legislation forward?

MR. THIELE: Well, I'm carrying it in the Assembly. It was put forward by Senator Kaminsky, but yes, I think that after the tropical storm last summer, that certainly one of the impetuses for this was the performance of LIPA and PSE&G, which is the service provider for LIPA.

MR. PALMESANO: Sure, I can understand that. Some of the comments that, you know, doing some research on this seems to be some concerns regarding the existing law regarding traditional utilities using the word *electric corporation* instead of *utility corporation*, because I have a memo from ACE NY, Alliance for Clean Energy NY, that has expressed some concerns that the definition of *electric corporation* also includes private renewable energy developers and generators, and that was encompassed into the same compensation requirements while they are charging on the wholesale open market where the utilities are a regulated, rate-making structure. Was that your intention or was that a concern you think we could address with some amendments to this legislation? Because I think *electric corporation* is too broad. If it was defined as a utility corporation, if that's your intent, because this would also incorporate transmission and also ESCOs, as well. Any comment to that regard?

MR. THIELE: Yeah, a couple of comments, Mr. Palmesano. First of all, you know, I've read those comments and have discussed it with the Senate sponsor and, you know, I understand those -- those concerns and, you know, certainly a lot of the focus of this is on utilities that are -- are distributors, that are, you know, what we typically think of as utility companies, and I think that is the primary focus of the legislation. But as you know, energy is a very dynamic market and these are all companies that are regulated under the Public Service Law, and I would point out that the operative words there are *public service*. And even what these other companies do that

might be involved in generation as opposed to distributing directly to consumers, affect the service that people get. And while, you know, my focus certainly would be on those distributing utilities, as you called them, utility corporations, I still think that it -- it is not irrational to include all companies that are regulated under the Public Service Law that meet the definition of -- of gas corporations, electric corporations, and water-works corporations.

But I will say this: You know, I certainly will continue to discuss this with the Senate sponsor to see whether he wants to focus it more on what you defined as utility corporations.

MR. PALMESANO: So you're open to discussion, kind of condensing that language a little bit, maybe not --

MR. THIELE: I am. I am, yes.

MR. PALMESANO: Fair enough, thank you.

Relative to the compensation disclosure, right now utility corporations or electric corporations, utilities, already their CEOs and stuff, CFOs and other high-ranking officials already disclose that information through the (inaudible). Are you saying that disclosure, where it's found is not enough or it needs to be more open disclosure?

MR. THIELE: Well, this is just simply a separate disclosure requirement under the State law. So you know, I'm not fully familiar what's in that Federal disclosure, but I think what is provided for here in the statute with regard to -- in the bill with regard to compensation is fairly direct.

MR. PALMESANO: All right. The term *policy making* really does not appear to be defined in this statute. How are you looking at defining policy making? Is this something where like an attorney -- instead of a high-ranking official, an attorney works on drafting policy or dealing with ratemaking, they would fall under that category as policy making? Or a line supervisor who is making decisions on when and when not to turn on power? I mean, these individuals could be -- fall under policy making, couldn't they?

MR. THIELE: Well, I think that we're not talking about line workers, we're talking about people that actually make policy for the corporation. You know, it's a similar concept I think to what we have here. I know from, you know, right here in the Legislature when, you know, who is eligible and who has to file, you know, ethics, and we say the same thing, *policy makers*. So you know, I think it's a well-understood term that we're looking at people not just that make that certain level of compensation, but actually affect the policies that are implemented by these corporations.

MR. PALMESANO: Okay, because I think there's some concern relative to the vagueness or the generality of that. My next question I wanted to ask you, does this affect LIPA, as well?

MR. THIELE: Yes.

MR. PALMESANO: It does? Okay. Other question: What's the rationale behind the threshold of \$125,000 because, again, it talks about disclosure of non-executive employees that perform similar policy functions and then compensated at a rate of

\$125,000. So with that is not everyone who makes \$125,000 would not be subject to this disclosure?

MR. THIELE: Well, if they make more than \$125,000 and they are not policy makers, they would not be subject to this bill.

MR. PALMESANO: What's the -- the rationale requiring legislation to be -- this legislation to be six years retroactive?

MR. THIELE: Well, I think that's only applicable to corporations that are making more, that have more than a \$1 million in revenue per year. And I think it is, you know, it's important I think for the public to know and to have transparency over trends with regard to compensation. You know -- you know, one year may not present an adequate, you know, snapshot of what's going on. So that's why there's the multiple years that are provided for in the bill.

MR. PALMESANO: Is the goal to get what the actual compensation is and how much is being paid for rates, or is it -- towards rates, individual salaries, or to get the whole amount of compensation that's being paid towards those rates? Because I guess if it's just to get the compensation, wouldn't there be an easier way to do it rather than listing every individual employee's salary that's showing how much they have altogether as being compensated as a whole instead of -- in totality you can compare that with the rates versus individual by individual.

MR. THIELE: Well, I think transparency as to what individual executive officers and policy makers are making is

important information for consumers to have. You know, I think these things, whether it's through generation or distribution, whatever the form of the corporation, these things do affect rates. Ratepayers have a right to understand where that money is going and who is getting that money and what the structure of compensation is for executive and policy makers. One thing we found out last summer is that we know where it wasn't going and that wasn't to storm preparedness. So those that are making that -- those decisions I think that that's information that is important for the public to have.

MR. PALMESANO: Mr. Thiele, as far as the word *compensation*, are we just talking salary or are we talking other benefits? I mean, because that's not really defined here as other unless it's just \$125,000 a year in salary, because then trying to determine that, how much of a percentage of that is paid to the ratepayer. It'd be complicated, I think, and bureaucratic and time consuming on the company's part. Is there any definition there from the term of the *compensation*?

MR. THIELE: What constitutes compensation, is that your question?

MR. PALMESANO: Just \$125,000?

MR. THIELE: Yeah, I -- I think, you know, compensation certainly would be salary, it might be bonuses, you know, other forms of -- of remuneration. You know, I think it's that part as opposed to what we would typically think of as benefits, you know, health insurance, pension, things of that nature.

MR. PALMESANO: Okay.

MR. THIELE: So your present remuneration.

MR. PALMESANO: Now say -- let's say a company, because you're saying it's got to go back six years and provide all this information, inadvertently or maybe intentionally, inadvertently or intentionally don't provide that information, would they be subject, even if it were inadvertently, would it be subject to penalties under this -- under this section 25 or 25-A of a Public Service Law if they do not provide that information?

MR. THIELE: Well, that would be -- certainly, you know, under the jurisdiction of the Public Service Commission, I think that would -- what might be the appropriate response to that would certainly be up to the Public Service Commission. The effort here is to try to get compliance, you know, certainly not to penalize.

MR. PALMESANO: And just to clarify, not advocating for this, but this legislation, does it apply to other PSC-regulated companies like telecommunications or other companies that are regulated by the State like insurance companies; this doesn't apply to any of those, does it?

MR. THIELE: Only what's stated in the bill which is gas, electric, and water.

MR. PALMESANO: Okay, great. One other question I wanted to ask, I know we recently passed New York Labor Law which basically prohibits salary history inquiries by employers, and I guess in this case with asking the policy rationale for denying

employees who might work for an investor-owned company, utility, that same protection that was provided under this section, I think -- I believe it was 194-A. So they wouldn't be entitled to that same benefit?

MR. THIELE: I would agree.

MR. PALMESANO: Okay. I think I have -- I think, Mr. Thiele, I think you've answered all my questions, I appreciate it.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, Mr. Palmesano.

MR. PALMESANO: Yes, thank you, Mr. Speaker, my colleagues. I understand the intention behind this legislation, looking for transparency, but I think this legislation is flawed in a number of ways. The first way specifically that I think needs to be addressed is the broadness of the language and the use of *electric corporation*. By using the term *electric corporation* instead of utility corporation, what you're going to do is you're going to tie into this legislation some of our renewable energy developers, product developers, and our generators and our ESCOs, which aren't regulated by the PSC, these are private companies that are working on the open marketplace, and I don't think that's the intention behind this legislation. I don't think it was the intention behind this legislation. It shouldn't be the intention behind this legislation. So I hope the sponsor would go along with what he said earlier that they would look to make revisions on this front, because I think that'd be the right thing

to do because I don't think, obviously with the organizations like ACE NY who are going to be -- their companies are going to be involved in helping to meet our renewable energy goals and to have that type of disclosure out there is not really necessary or needed.

Also I think the fact of the matter is this disclosure is already made for a utility company through the SEC. There's no need to do additional disclosure when it's already being done, it's almost basically being duplicative and that just puts more of a burden on these organizations. And I think -- I think the other concerns I have relative to this legislation is when it gets to the language about talking about *or any other person who performs a similar policymaking function*. There are a number of employers -- employees and companies of these utility corporations that work on policy-related issues and you're going to -- you could -- in essence, you could have company engineers, you could have accountants, you could have attorneys, IT professionals, corporate security professionals, human resource professionals, environmental health and safety professionals and others. I think it's too broad and it's going to incorporate a number of other people who really, based on the job they do would really, in essence, meet the qualifications in the language in this statute that you're proposing; I don't think that's where we need to go with this legislation because it's going to make it much too broad.

I think, also, I don't understand why this legislation would require us to go through a six-year retroactivity. That's quite a bit of a burden to put on a company, to go back six years and

demonstrate that, I don't think that's necessary. Again, I think the reporting requirements that are done through the SEC, it will require them for their top officials, their CEO, their CFO, their top officials is enough. That information is out there if people want to see it, now to create duplicative reporting I don't think really helps or solves an issue. Again, I talked about the policymaking issue being too vague and I think, again, I understand the issue about wanting to be transparent, the ratepayers, I've talked about that over and over again. I don't know if this gets it solving that problem or solving that issue. And I think, you know, when you have that general terminology that you've seen with the number of employees that are going to be brought into this -- this definition based on their work is similar policy functions.

And so based on those issues and the concerns I've brought forward and I think some of the problems with the language of this bill, I'm going to be voting in the negative and I'm going to urge my colleagues to do the same. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

MR. THIELE: Yes.

ACTING SPEAKER AUBRY: Mr. Thiele yields, sir.

MR. GOODELL: Thank you, Mr. Thiele. You mentioned that the impetus of this legislation was a concern that

management in the Long Island Power Authority was being paid too much; was that your view?

MR. THIELE: I think that the -- it's not the Long Island Power Authority, which is a public authority whose salaries are already public, but their service provider, the PSE&G Long Island, which is a private company that provides this service which has been consistently unwilling to provide that information. That certainly was one of the impetuses for the bill.

MR. GOODELL: Why didn't you limit your bill then to the Long Island Power Authority and those who work for it?

MR. THIELE: Well, again, it's PSE&G Long Island. Long Island Power Authority is a public agency already subject to Freedom of Information Law, things of that nature. So not to belabor the point, but I do need to make the distinction between LIPA which is a public authority subject to the Freedom of Information Law and PSE&G, which is a private company which is the contractor of LIPA. And as I said earlier, you know, this bill originated in the Senate and I believe they felt that it shouldn't be limited just to -- to Long Island, but that other issues certainly have been presented in, you know, by the tropical storm last year and the lack of preparedness and, you know, concern about where's this money going. So it's a broader bill than just LIPA and PSE&G, but I think that it's warranted to have that transparency.

MR. GOODELL: So the fact that you're trying to get at the private compensation paid by a private company, PSE&G, that's

paid for or under contract with LIPA, does that mean then that all other private contractors who are performing contract work for private companies should also be subject to this, or will be subject to this?

MR. THIELE: No, I don't think that at all. I think the business that they're in is important and as I mentioned earlier, electric corporations, gas corporations, water-works corporations are providing a public service that is regulated under the Public Service Law and I think that distinguishes them from private corporations in general.

MR. GOODELL: Just going back to some very basic concepts, why is it you think that the people of the State of New York have a right to know the salaries of private citizens working for private companies?

MR. THIELE: As I think I've stated, they're engaged in a business that is -- that has a public, a very public element to it and that is the providing of gas and electric and water, which are critical services for people in the State of New York.

MR. GOODELL: Of course. Some people would argue that they're not paying enough in salary and, therefore, they should dramatically increase salary to get more competent people to provide a better level of service. Is it your view that this information would in any way affect that type of analysis?

MR. THIELE: Well, I -- I -- I think the facts are objective and those facts as to what people are paid, you know, is -- should be there for everybody to see. The conclusions that they may

draw from those facts are, I think, are for the public and individuals in the public who have that information to determine for themselves.

MR. GOODELL: Thank you, Mr. Thiele.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, Mr. Goodell.

MR. GOODELL: I don't quite understand, to be honest with you, why we need to know the private salaries paid to private employees working for a private company that's owned by private investors. We have the Public Service Commission, their responsibility is to ensure that the rates are as reasonable as possible, and if they think that's relevant they can certainly inquire as to that. But that's where the tire hits the road, are the rates reasonable? And the other issue, of course, is the service being provided right? And those who are outside of business sometimes think that hiring the cheapest manager is the best for the ratepayers. No, that's not true at all. We want the best managers so that they get the best quality of service for the best price. And if you're recruiting the very best to make sure you have the best quality and the best service and the best price, you're going to pay more. And most of us, I hope, understand that.

But if you want to discourage somebody from working for a private company, one great way is to make sure that their salary is out there in the public for all their neighbors to see and comment on. So I think it's important for us as a Legislature to keep

our focus on what's important: Are the rates reasonable? Is the service right? And it's up to utility to pay the right compensation to get the right quality of people to make sure that they deliver the service and price that we hope. And just publishing salaries does little to help and can have a counter impact, a negative impact on the ability of the utility to hire, recruit, and keep high-quality employees. For that reason, I'll be opposing it and recommend the same to my colleagues. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, Mr. Goodell.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 1544-A. 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: Thank you, sir. The Republican Conference is generally opposed to this legislation. Those who support it should call the Minority Leader's Office and we will make sure we properly record your vote. Thank you, sir.

ACTING SPEAKER AUBRY: So noted.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, Majority members are generally in favor of this legislation. If there are any exceptions,

we ask the Majority members to contact the Majority Leader's Office at the number previously provided and they will be announced accordingly. Thank you.

ACTING SPEAKER AUBRY: Thank you so much, Ms. Hyndman.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. In addition to the affirmative votes on the floor, please record the following Assemblymembers in the affirmative: Mr. Brown, Mr. DeStefano, Mr. Gandolfo, Ms. Miller, Mr. Ra, and Mr. Smith. Thank you, sir.

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Hyndman.

MS. HYNDMAN: We will now go to Rules Report No. 177 by Mr. Sayegh.

ACTING SPEAKER AUBRY: Page 7, Rules Report No. 177, the Clerk will read.

THE CLERK: Assembly No. A04629-C, Rules Report No. 177, Sayegh, Englebright, Epstein, Griffin, Magnarelli, Dickens, Abinanti, Jackson, DeStefano. An act to amend the General Business Law, in relation to fees for gift cards.

ACTING SPEAKER AUBRY: On a motion by Mr.

Sayegh, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 3467-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.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, do we have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: We certainly have both.

On a motion by Ms. Richardson, page 25, Calendar No. 150, Bill No. A05511, amendments are received and adopted.

Without objection, on a motion by Mr. Weprin to reconsider the substitution of Senate Bill No. 606 for Assembly Bill No. 4251, said Senate bill is recommitted to the Committee on Ways and Means and the said Assembly bill restored to its place on the Order of Third Reading.

On behalf of Mr. O'Donnell, Bill No. A03861,
Assembly bill recalled from the Senate. The Clerk will read the title
of the bill.

THE CLERK: An act to amend Chapter 704 of the
Laws of 1991.

ACTING SPEAKER AUBRY: There is a motion to
reconsider the vote by which the bill passed the House.

The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is before the House and the amendments are
received and adopted.

On a motion by Mr. Dinowitz, Bill No. A07536,
Assembly bill recalled from the Senate. The Clerk will read the title
of the bill.

THE CLERK: An act to amend the Penal Law.

ACTING SPEAKER AUBRY: There is a motion to
reconsider the vote by which the bill passed the House. The Clerk will
record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is before the House and the amendments are
received and adopted.

On behalf of Ms. Paulin, Bill No. A03360, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the Public Service Law.

ACTING SPEAKER AUBRY: There is a motion to reconsider the vote by which the bill passed the House. The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is before the House and the amendments are received and adopted.

We have numerous, fine resolutions, Ms. Hyndman, which we 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. 395-411 were unanimously approved.)

Ms. Hyndman, back to you.

MS. HYNDMAN: I now move that the Assembly stand adjourned until 10:00 a.m., Tuesday, June 8th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 9:08 p.m., the Assembly stood adjourned until Tuesday, June 8th at 10:00 a.m., Tuesday being a

Session day.)