

MONDAY, JUNE 16, 2025

1:27 P.M.

SPEAKER HEASTIE: The House will come to order.

I want the -- the House to take a moment of silence for the tragedy that happened in Minnesota to two -- two colleagues; State Representative Melissa Hortman and her husband were killed. They leave behind two children. She's the former Speaker of the House, so a co -- they had a leadership agreement as the House in Minnesota was -- was split. She was first elected in 2004. She played a key role in passing abortion protections, recreational marijuana and paid family -- paid family and medical leave.

We also want to join in for Senator John Hoffman. He survived, and his wife Yvette survived. He was first elected in 2012. He chairs the Senate's Human Services Committee, and he's a

big supporter of collaboration across the aisle.

So we just want to take a moment of silence in particular for State Representative Melissa Hortman and her husband and -- and the entire State of Minnesota.

(Whereupon, a moment of silence was observed.)

Thank you.

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

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

ACTING SPEAKER HUNTER: A quorum being present, the Clerk will read the Journal of Sunday, June 15th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, I move to dispense with the further reading of the Journal of June the 15th and that the same stand approved.

ACTING SPEAKER HUNTER: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. Colleagues that are in the Chamber as well as the guests that we have here, we have a quote today. This one is coming from Mahatma Gandhi, an Indian lawyer and anticolonist [sic] nationalist. His words for us today: *There are two days in the year that we can't [sic] do anything about [sic], that was [sic] yesterday and tomorrow.*

Again, these words from Mahatma Gandhi.

Madam Speaker, members have on their desk a main Calendar and debate list. And after you have done any introductions and/or housekeeping we're going to begin our floor work today by taking up the following bills on consent: Calendar No. 91 by Ms. Rosenthal, Calendar No. 158 by Mr. Kim, Rules Report No. 341 by Ms. Lee, Rules Report No. 5 -- 652 by Mr. Wright, Rules Report No. 654 by Ms. Cruz, and Rules Report No. 657 by Ms. Zinerman. We're then going to take up the following bills on debate: Rules Report No. 287 by Mr. Magnarelli, Rules Report No. 321 by Mr. Bronson, Rules Report No. 406 by Mr. Otis, Rules Report No. 409 by Mr. Hevesi, Rules Report No. 467 by Mr. Lasher, and Rules Report No. 498 by Mr. Epstein.

We're also gonna be calling for the following committees to meet off the floor: Ways and Means and Rules. These committees are going to produce an A-Calendar of which we will take up today. There may be a need to announce additional floor activity as we proceed, Madam Speaker. We'll be happy to advise at that moment.

So that's the general outline of where we're going. If you could now begin with introductions and/or housekeeping. Thank you.

ACTING SPEAKER HUNTER: Thank you.

We have no housekeeping this afternoon. We do have several introductions. We'll start with Mr. Jones for the purpose

of an introduction.

MR. JONES: Madam Speaker, I rise today to introduce a very special person to me, and it's my daughter Ella. And she's happy to be here with all of us. I'm -- I'm very proud of the young lady she is growing into, and everything I do in this job and in my life is because of her. Ella is well known around my district in the North Country. She's been to several hundreds, if not thousands of events with me, in parades and everything else in between. And, you know, she's traveled a thousand -- thousands and thousands of miles in my vehicle and probably eaten at every single snack bar and restaurant in my district as well.

So, Madam Speaker, if you could, please allow her all the cordialities of the floor and welcome this very special person in my life and...

ACTING SPEAKER HUNTER: On behalf of Mr. Jones, the Speaker and all members, we welcome you, Ella, to the Assembly Chamber, the -- the People's House, and extend to you the privileges of the floor. And we can one-up you on your snack travels and have unlimited snacks in the Member's Lounge for you as part of your privileges of the floor. We hope you enjoy your time here with us today. Always great to see family members here. Thank you for sharing your dad with us and for joining us today.

(Applause)

Ms. Romero for the purpose of an introduction.

MS. ROMERO: It is with so much pride that I

introduce my parents, Doris and Rene today. They are lifelong State workers, and I wouldn't be here today without their support, love and intensity. Many people in my district know my parents. It was my dad in the car and my mom on the doors that helped me through my campaign in the Assembly. There were a lot of people that came up to me and said, *You know, I might not agree with your policies but it was your mom that convinced me at the door.* And really, I -- I really wouldn't -- not be here without their support and I'm so, so, so grateful for the love and the care that they gave me throughout the many years of my life and I love them very dearly. So please grant them the cordialities of the House. And there is a flan from my mom in the Member's Lounge, so please get a small slice if you're back there.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

On behalf of Ms. Romero, the Speaker and all members, we welcome you, gracious parents, to our Assembly Chamber and extend to you the privileges of the floor. We appreciate your gift of your daughter to our Assembly Chamber. She's been a welcome addition. You did a great job. Thank you so much for advocating for her to be here. We hope you enjoy the proceedings here today. Thank you for joining us.

(Applause)

Ms. Hooks for the purpose of an introduction.

MS. HOOKS: Madam Speaker, it is my honor to recognize Shakira Smalls, Executive Director, and her team of the

Langston Hughes Community Library and Cultural Center in Corona, Queens; a library founded by an African-American community who was not welcomed at the local library, created their own library and was successful through pure grassroots activism. They created the Black Heritage Reference Center of Queens County, which is the largest circulating collection of the African dia -- diaspora in New York City.

Miss Smalls has spent over a decade with Queens Public Library, advancing equity, literacy and cultural preservation. Under her leadership, the Langston Hughes Library, home to one of the nation's most significant collections dedicated to the Black experience, has flourished as a vital cultural institution. Her work ensures that future generations have access to rich histories, diverse voices and inclusive programming that reflect the full spectrum of our communities.

Later today we will also be adopting a privileged resolution honoring Langston Hughes Community Library and Cultural Center on its 56th anniversary and enduring legacy as a center of Black literature, culture and community in New York.

Madam Speaker, please extend Shakira Smalls and her team the cordialities of the floor.

ACTING SPEAKER HUNTER: On behalf of Ms. Hooks, the Speaker and all members, we welcome you, Miss Small [sic] and team to the Assembly Chamber and extend the privileges of the floor to you. Congratulations on your anniversary of the Langston

Hughes Community Library. A wonderful accomplishment and a great tribute to and for our community. So we hope you enjoy our proceedings today, and thank you again for joining us.

(Applause)

Mr. Santabarbara for the purpose of an introduction.

MR. SANTABARBARA: Thank you, Madam Speaker. I rise today to welcome Mary-Anna Simpson from Amsterdam Elk's Lodge 101 to the Assembly Chamber. She is a past Exalted Ruler. She is joined today by her daughter Carolyn, granddaughter Mangolia -- Magnolia and her dear friend Dolly Dyger.

Earlier this year, this legislative Body passed a resolution honoring her husband, Frederick L. Simpson; a Bronze Star recip -- recipient and Vietnam combat veteran, a dedicated member of the American Legion, VFW, DAV, and of course the Amsterdam Elks where he served as Tiler, and as a constant present in the community he loved. Fred was a man of quiet strength and humble service.

Whether through his military career, his love of latch hooking, and most of all, the time he shared with his family, he gave himself completely. His greatest legacy lives on with his wife Mary-Anna, his children, grandchildren, and all those whose lives he touched. Today we not only honor that service and sacrifice, we also celebrate the family that carries it forward.

Madam Speaker, if you would please welcome Mary-Anna and her family and her friend to the Assembly Chamber and offering our sincere thanks and admiration for Fred -- Fred's life

of patriotism, purpose and love.

ACTING SPEAKER HUNTER: On behalf of Mr. Santabarbara, the Speaker and all members, we welcome you, Ms.[sic] Simpson, to the Assembly Chamber along with your guests Dolly and Carolyn and Magnolia to the Assembly Chamber and extend you the privileges of the floor. Thank you so very much for sharing the life and legacy of your husband with our Assembly Chamber. We thank him for his service and for you continuing that service, and thank you for joining us today.

(Applause)

Page 27, Calendar No. 91, the Clerk will read.

THE CLERK: Assembly No. A02278-A, Calendar No. 91, Rosenthal, Santabarbara. An act to amend the Education Law, in relation to requiring pharmacies that are permanently discontinuing to notify customers of such discontinuance.

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

Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 29, Calendar No. 158, the Clerk will read.

THE CLERK: Assembly No. A06634-A, Rules --

Calendar No. 158, Kim, Davila, Shimsky, Tapia, Glick, Kassay, Santabarbara, Reyes. An act to amend the Parks, Recreation and Historic Preservation Law, in relation to mandating the development and approval of operational safety plans.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 8, Rules Report No. 341, the Clerk will read.

THE CLERK: Assembly No. A07618-C, Rules Report No. 341, Lee, Dinowitz, Bichotte Hermelyn, Epstein. An act to amend the Election Law, in relation to requiring the board of elections in a city with a population of one million or more to provide certain notices prior to a change of polling place.

ACTING SPEAKER HUNTER: On a motion by Ms.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 18, Rules Report No. 652, the Clerk will read.

THE CLERK: Senate No. S01204, Rules Report No. 652, Senator Cleare (A05339, Wright, Lasher, Seawright, Epstein, Fall, Gibbs, Glick, Bores, Simone, Jackson, Taylor, De Los Santos, Lee, Rosenthal). An act directing the Metropolitan Transportation Authority and the New York City Transit Authority to rename the 110th Street-Central Park North subway station to the 110th Street-Malcolm X Plaza Station; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Wright to explain his vote.

MR. WRIGHT: Thank you, Madam Speaker. I -- I rise today to explain my vote and I am implore to you all to consider the significance. In a country and a place that you might not have chosen to call home where justice and safety is afforded to everyone that's not you, where, you know, your dollar does not hold up to your children and you're guaranteed nothing but an uphill battle, a mecca emerges for you. And for Malcolm X, that mecca was Harlem. And Harlem's heartbeat is called Lenox Avenue, otherwise known as Malcolm X Boulevard. And a city considered to be of important streets and a world of African-American culture, Malcolm X's home was Harlem. He honed his craft preaching on its streets. And in Harlem he began his own religious organization, and in the Audubon Ballroom where he was assassinated at 39 now bears his name. And soon, too, will the 110th Street Train Station, Lenox Avenue Train Station.

So allowing all transit riders to share in the legacy of one of New York's greatest individuals, a significant piece of Harlem history, I am proud to vote in the affirmative and I encourage my colleagues to do so as well. Thank you so much.

ACTING SPEAKER HUNTER: Thank you.

Mr. Wright in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 18, Rules Report No. 654, the Clerk will read.

THE CLERK: Senate No. S06361-B, Rules Report No. 654, Senator Bailey (A05886-C, Cruz, Lee, Griffin). An act to amend the General Business Law, in relation to prohibiting unfair residential real estate service agreements.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 18, Rules Report No. 657, the Clerk will read.

THE CLERK: Assembly No. A06617-A, Rules Report No. 657, Zinerman. An act directing the Metropolitan Transportation Authority to rename the Utica Avenue subway station to the Malcolm X Boulevard/Utica Avenue Station; and provides for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Zinerman to explain her vote.

MS. ZINERMAN: Dear colleagues, and I rise in support and proud support of my bill to rename Utica Avenue train station in Brooklyn to Malcolm X Boulevard and Utica Avenue on the sacred occasion of what would have been his 100th birthday of Malcolm X. This renaming is not just symbolic, it is overdue. In 1985 the people of Bedford-Stuyvesant successfully renamed Reid Avenue to Malcolm X Boulevard to honor one of the most transformative leaders of the 20th Century. But for nearly four decades, the MTA station at the intersection continued to bear only the name of Utica Avenue. Today we set that record straight. This effort is the result of tireless community organizing, and I want to uplift the name of Kazembe Batts and the December 12th Movement, as well as the many residents, elders, youth who marched, petitioned and never came up on this vision. This victory belongs to you.

Malcolm X, el-Hajj Malik el-Shabazz, stood for truth, power and the liberation of Black people across the globe. His name at this station will be a daily reminder to our young people that they come from greatness and that they, too, can make history.

I want to thank Speaker Carl Heastie for his steadfast support. As -- as the first African-American Speaker of this Body, your leadership brings an added weight and pride to this moment.

Finally, this act honors the enduring connection between Brooklyn and Harlem; two pillars of Black culture, resistance

and elegant -- and excellence. Elegance, too. Let this renaming be a model for what we can achieve when we work across districts to preserve our legacy and to uplift our shared future.

I urge your support and I vote in the affirmative.

ACTING SPEAKER HUNTER: Ms. Zinerman 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. 287, the Clerk will read.

THE CLERK: Assembly No. A01095, Rules Report No. 287, Magnarelli, Glick, Lavine, Burdick, Weprin, Epstein, Santabarbara, Davila, Levenberg, Steck. An act to amend the General Business Law, in relation to prohibiting motor vehicle manufacturers and dealers from charging a subscription fee for certain functions of a motor vehicle after the vehicle is sold.

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

Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 8, Rules Report No. 321, the Clerk will read.

THE CLERK: Senate No. S04914-B, Rules Report No. 321, Senator Hoylman-Sigal (A05480-C, Bronson, Simon, Simone, Reyes, Hevesi, Shimsky, Clark, González-Rojas, Lunsford, Levenberg, Epstein, Burroughs, Lasher, R. Carroll, Romero, Meeks, Shrestha, Gallagher, O'Pharrow, Forrest, Glick, Dinowitz, Rosenthal, Torres, McDonald, Seawright, Burdick, Steck, Ramos, McMahon, Magnarelli, Eachus, Kelles, Paulin, Bores, Woerner, Otis). An act to amend the Civil Practice Law and Rules, the Education Law, the Public Health Law, the Judiciary Law, the Insurance Law, the General Business Law, the Criminal Procedure Law, the Executive Law, the Civil Rights Law, and the Family Court Act, in relation to protecting individuals who provide or receive legally-protected health activity from criminal or civil liability or professional sanctions imposed by jurisdictions outside the State; and to repeal certain provisions of the Criminal Procedure Law and the Executive Law relating thereto.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Bronson.

MR. BRONSON: Yes, Madam Speaker. This bill expands New York's existing SHIELD Law by expanding protections to explicitly include gender-affirming care and reenforcing the legal

infrastructure that supports providers, patients and facilitators of legally-provided healthcare. It ensures that sensitive health data held by private institutions is protected; prohibits participation by those private institutions and hostile out-of-State legal actions; empowers the Attorney General to act; and expands jurisdictional, procedural and professional safeguards.

ACTING SPEAKER HUNTER: Ms. Walsh.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

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

ACTING SPEAKER HUNTER: The sponsor yields.

MS. WALSH: Thank you very much. So, initially I wanted to note that I believe it was earlier this Session we passed a bill, Assembly Bill 5285, a -- a different sponsor, and that had to do specifically with abortion providers in our State and shielding them from out-of-state, you know, action against them whether it was criminal or civil. And how does this bill -- does this bill represent an expansion of that legislation, which I think has already been signed by the Governor?

MR. BRONSON: It -- it -- it doesn't specifically address those. This addresses slightly different issues. We do expand certain types of providers that would be protected versus what is current law. But we also are making sure that we are protecting the

health data and information that private institutions may have.

MS. WALSH: Okay. So does this bill impact only those who are providing gender-affirming care or does it also include those who are providing abortion services?

MR. BRONSON: Yes. Through you, Madam Speaker, this bill creates a definition of legally health [sic] protected services, and that will include reproductive services as well as gender-affirming care. When we passed the SHIELD Acts in 2022 and 2023, unfortunately we created a -- a disconnect or a conflict in our statutes. So what this bill does is it tries to clean that up and puts both of those types of healthcare services in a definition indicating that they're legally-protected services, and then we make reference to the various protections to that definition.

MS. WALSH: Okay. So, yes. And I noted that the 2022 Chapter 143, which was your bill as well, to essentially make New York a sanctuary state for gender-affirming care by welcoming out-of-state actors to receive gender-related treatments in the State. That law prohibits law enforcement from cooperating with or providing information to out-of-state agencies related to gender-affirming care services. Is that accurate?

MR. BRONSON: So through you, Madam Speaker, I think the use of the phrase "sanctuary state" is problematic. What we're trying to do is protect people who are seeking, providing, or facilitating the providing of legally healthcare -- legal healthcare here in the State. We want to protect people who are receiving that care in

the State, and we want to make sure that those folks are not prosecuted either civilly or criminally by hostile states who have a different policy position than we do here in this State.

MS. WALSH: So one -- and I -- I -- I appreciate what you're saying. And pardon my lack of understanding on this, but I understand that if we're talking about abortion services, there's somebody -- a doctor could be in New York State and through telehealth prescribe medication to be taken by somebody in a different state to result in an abortion. But for gender-affirming care, is -- is that the case as well, or are we only talking about specifically surgical changes which I -- I would assume not, you know, that way?

MR. BRONSON: Gender-affirming care is much broader than surgical care. It could be hormonal treatment --

MS. WALSH: Yeah, that's what I thought.

MR. BRONSON: -- it could be hormonal blockers. It can be a lot -- it could be therapy. It could be a lot of different things. What we are doing here, whether it's reproductive health or gender-affirming care, is saying that if you are providing that care here in New York State and it's legal care, even if it's telemedicine, to somebody outside the State that that physician and any facilitators of providing that care will be protected by New York State law. And we even go further -- through you, Madam Speaker, we even go further and we -- we create a conflicts of law situation where we deem that the laws of New York State would apply in those situations.

MS. WALSH: Okay. So -- (coughing) -- excuse me.

So as we were just discussing, the -- if it is something like a hormone blocker or something like that would be medication that could be prescribed through telehealth out-of-state then that would be covered under this -- under this legislation. And also any surgical treatments to support gender-affirming care that would be actually performed in New York State?

MR. BRONSON: Yes. We -- the intention of the law is to protect that, as well as it was for reproductive health in the previous law, which is, you know, going through the court system as we speak.

MS. WALSH: Okay. Yes, it is.

So how about -- and this might -- this might be not even a thing that really happens, but what if you had a New York State doctor travel to another state to actually perform a surgery that would be -- come under the umbrella of gender-affirming care. Would that be encompassed by this legislation as well to shield that doctor?

MR. BRONSON: It would not.

MS. WALSH: Okay.

MR. BRONSON: It has to be services provided within the State, and they have to be legal services pursuant to New York State law.

MS. WALSH: Okay. Very good.

Now, could we please talk about the -- the actual response that will be had then? There may be subpoenas that may be

served upon a provider in New York State or -- in order to compel testimony. So could you just discuss for a moment about how those will be treated under this legislation?

MR. BRONSON: Sure. So whether it's a -- a subpoena or in a civil action an information instrument, we are requiring under this piece of legislation that that subpoena or the informational instrument would have an affirmation attached to it in order to be enforceable. And that affirmation has to declare that the purpose of the subpoena or informational instrument is not to pursue a criminal or civil action against a person here in New York State who has either received, provided or facilitated legally-protected healthcare here in New York State.

MS. WALSH: Okay. And for violating these requirements there will be a -- the bill imposes a \$15,000 penalty per violation of submitting a false affirmation if the court finds that it was made intentionally, knowingly, willingly or recklessly?

MR. BRONSON: Through you, Madam Speaker, that's correct. Sorry.

MS. WALSH: Okay. And what is the role of the Attorney General in this whole process?

MR. BRONSON: We are giving the Attorney General authority to enforce these -- this law if it's signed by the Governor, which I certainly hope it is, and the Attorney General will be able to bring cases in connection with the subpoenas and informational instruments.

MS. WALSH: Now, you mentioned that the previous legislation from earlier in this Session, that -- that earlier Assembly bill, that that is currently being tested in the -- in the courts?

MR. BRONSON: Yes.

MS. WALSH: Okay.

MR. BRONSON: I believe it was a situation where abortion medication was prescribed by a physician here to somebody through telemedicine to somebody outside the State.

MS. WALSH: Was that the -- there was a case involving Louisiana, I believe. There was -- there was a situation. I don't know if that was that one. There were a couple I think I mentioned on that debate.

MR. BRONSON: Yeah. There -- there's a couple. I can't speak to them off -- off the top of my head here today.

MS. WALSH: No, I -- I appreciate that. I -- I was just curious more than anything else.

I -- I was wondering, I guess, by the way of question why you thought it best to advance this bill now when we have ongoing litigation that may have an impact. So if you could speak to that.

MR. BRONSON: Absolutely. Through you, Mr. Speaker, it's because of the hostile nature and the context in which we live. It's because there are states, and to some degree, a Federal Government that has chosen to go contrary to the public policy of this State. Public policy, which I would reiterate, was just reaffirmed

through a Constitutional amendment last November by the voters, and that is we hold dear the right of women to bodily autonomy and reproductive choice. We hold dear the right of the LGBTQ+ community to live authentically. And if they choose, a trans member of the community to go through gender-affirming care, that we are going to protect them and their providers and their families and others in that situation. So the why is quite simply that we're in hostile territory here by some other states and by the Federal Government.

MS. WALSH: Thank you very much for your answers.

Mr. Speaker, on the bill.

ACTING SPEAKER DILAN: On the bill.

MS. WALSH: Thank you. So I think that that last response really does kind of set the table for what we're discussing today. And of course if this bill is passed today and it -- it is signed by the Governor, then anyone who is bringing any kind of lawsuits to challenge that earlier legislation can simply amend and add this one, too, onto the pile. Because this -- this -- if you didn't like the last bill, and the vote was 96 to 51, you're not gonna like this one either, because it -- it just simply expands our SHIELD laws to encompass more things. And, you know, I mean, there are -- there are concerns that have been raised about both reproductive services, abortion services and also gender-affirming care, and shielding those physicians or medical people that are providing this from -- from being known even who they are. And in the -- in the prior debate that

we had, which I didn't feel a need to go all the way through again, but there's a -- there is a concern, there's a downside to shielding practitioners from even being known who they are. Because if something goes wrong, it -- it's going to be difficult to track down who that -- who that physician or provider is.

So just as we, many of us in a bipartisan way opposed the previous bill, I would expect that we will -- we will have similar opposition today, and I will not be supporting this legislation. I would certainly encourage my colleagues to also vote no. Thank you very much, Mr. Speaker.

ACTING SPEAKER DILAN: Mrs. Peoples-Stokes.

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

ACTING SPEAKER DILAN: Ways and Means, Speaker's Conference Room. Immediate Ways and Means, Speaker's Conference Room.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER DILAN: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. The Republican Conference will be in the negative on this piece of legislation. If there are any affirmative votes they can be cast now at

members' desks. Thank you.

ACTING SPEAKER DILAN: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. The Majority Conference is gonna be in favor of this piece of legislation; however there may be a few that would desire to be an exception. They should feel free to do so.

ACTING SPEAKER DILAN: The Clerk will record the vote.

(The Clerk recorded the vote.)

ACTING SPEAKER HUNTER: Mr. Bronson to explain his vote.

MR. BRONSON: Yes, Madam Speaker. I abstain on my vote for the purposes of explaining my vote.

This bill is vitally necessary and important. Reproductive freedom and gender-affirming care and gender justice are un -- under unprecedented attack not only from other states in our Union, but also from the Federal Government. Individuals who choose to make bodily autonomy choices and to live authentically deserve protections of New York State. In fact, last November we enshrined in our Constitution reproductive rights. We enshrined in our Constitution sex -- sexual orientation rights and gender-affirming care rights through gender identity. We need to continue to have laws that fulfill our Constitutional requirements. We need to continue to have laws that see the humanity, the dignity of every human being. We need to continue to have laws here in New York State that looks

at our diversity as our strength, and make sure that we honor our diversity, we honor all people for their humanity and their dignity.

For those reasons, Madam Speaker, I proudly vote in the affirmative on this piece of legislation. Thank you.

ACTING SPEAKER HUNTER: Mr. Bronson in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 9, Rules Report No. 406, the Clerk will read.

THE CLERK: Assembly No. A08295-D, Rules Report No. 406, Otis, McDonald, Simon, Colton, González-Rojas, Shrestha, Smith, Lunsford, Levenberg, Shimsky, Paulin, Kassay, McMahon, Santabarbara. An act to amend the State Technology Law, the Education Law and the Civil Service Law, in relation to automated decision-making by government agencies.

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

An explanation has been requested.

Mr. Otis.

MR. OTIS: Thank you. This bill follows on a bill that we passed last year with sort of the beginning of a framework of a State agency guidance and oversight and transparency, especially for the uses of AI tools in, in this case, State, local government, school districts. And -- and -- and what the bill does is it basically provides

for disclosure of AI tools that are used; a -- a -- assessment impact statement of those tools that are used posting on websites; guidance by the Office of Information Technology Services on these kinds of tools. And why it is necessary is because AI is gonna to be with us, we all know that. But we really need the guardrails, guidance to make sure that if you're a State agency or a local agency using AI that you're using it intelligently, you know that the tool that you're using is of good quality, and is -- this is to protect the quality of work by governmental entities and protect the public and actually help governmental agencies do this work better.

ACTING SPEAKER HUNTER: Mr. Gandolfo.

MR. GANDOLFO: Thank you, Madam Speaker.

Would the sponsor please yield for a couple of questions?

MR. OTIS: Of course.

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. GANDOLFO: Thank you.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. GANDOLFO: And thank you for that explanation.

So my first question would be, are any of these automated AI-based decision-making tools currently being used in State government or are they ubiquitous throughout county or local governments?

MR. OTIS: Well, we're not totally sure, which is one

of the reasons why the bill is so important. What we did last year was we imposed these guidelines for a State gov -- State agencies as it relates to employment decisions, sort of narrow. This broadens it to all AI use, but is very similar. I will say that last year we did a chapter amendment process, and so we sort of narrowed down the scope of this to mostly a transparency and disclosure process. And that's what this bill does, but for all government use.

MR. GANDOLFO: Okay. And the disclosure itself, where is that posted?

MR. OTIS: That would be posted on -- well, there -- there are two pieces to this. Post it on the State agency website, but the -- the ITS is going to -- a State agency website or local agency website they would post what they're using. They would also post their impact assessments as well. There's a different time frame for each.

MR. GANDOLFO: Would it -- would a disclosure have to be made, say, if a local government list -- had a listing on a job -- a third-party website like an Indeed.com? Would there have to be a disclosure that they were using this kind of decision-making tool in the process?

MR. OTIS: Explain the scenario to me.

MR. GANDOLFO: There's a government job listing that's on a third-party website. Not directly through an agency or a department, but it's on a third-party job website that's not maintained by a governmental entity. Would that still require a disclosure?

MR. OTIS: I think the answer is yes.

MR. GANDOLFO: Okay.

MR. OTIS: I mean it -- it -- they're -- they're contracting out with a third-party to do this, I would say the answer is yes. But the primary purpose here is more the governmental entity is using a tool, we want them to know what they're using. We also want the public to be able to say if you post and were using this tool, the transparency part is there may be somebody out in the public that says, *Hey, you're using that tool* and call the State or local official and say, *Hey, that tool is very flawed. Here's why you should reconsider using it.* So it actually is involving the public in some level of quality control as it relates to this.

MR. GANDOLFO: Okay, I was -- I -- I phrased my question a little poorly. I don't mean jobs that are contracted out. I mean, if say there's a clerk/typist position available for a local government and they have it listed on their own website, the local municipality's website. But they also have that listing on an Indeed.com. So they have a job posting that would refer them over to the website maybe to fill out the application, but on the listing it's the job posting itself where they're seeking resumés.

MR. OTIS: I'm missing the AI piece of this.

MR. GANDOLFO: And the State or the municipality is using one of these tools in the ultimate decision-making process. Because from your answer on the disclosure earlier, I took it to mean that if an AI decision-making tool is being used that they must

disclose it on any job listings for that particular position. Did -- did I have that correct?

MR. OTIS: I'm not -- I think that you're talking about a different animal, so --

MR. GANDOLFO: Okay. So this is just disclosure to whom then? If I could just move back.

MR. OTIS: What this is if you're a governmental entity and you're using an AI tool, you're going to have to list that you're using -- list the tools you're using. You're gonna have to list the assessment, although we have some redaction options --

MR. GANDOLFO: Okay.

MR. OTIS: -- in sensitive situations and -- and things like that. So you may be talking about a different animal.

MR. GANDOLFO: Okay, I misunderstood your answer before. So this is listing on the website, *These are the tools we use*. It's not specific to a certain job opening or anything like that.

MR. OTIS: Correct.

MR. GANDOLFO: Okay, great. Okay. That was really all the questions I had. Thank you, Mr. Otis.

MR. OTIS: My pleasure.

ACTING SPEAKER HUNTER: Mr. Blumencranz.

MR. BLUMENCRANZ: Thank you. Will the sponsor yield for some questions?

MR. OTIS: Certainly.

ACTING SPEAKER HUNTER: Will the sponsor

yield?

The sponsor yields.

MR. BLUMENCRANZ: So just -- I guess last year and I guess this year with some amendments to it we looked at the LOADinG Act. Can you talk about some differences to how some of the parallel language here works versus within the LOADinG Act?

MR. OTIS: Differences in?

MR. BLUMENCRANZ: The way -- so both bills deal with disclosure, correct, with the usage of artificial intelligence in governmental operations, correct?

MR. OTIS: Well, the only difference in the automated decision-making tool definition is because last year's was related to employment decisions by State government, the word "materially" was used. Really not appropriate in this broader bill which is asking for disclosure by State and local agency use of AI tools. So the -- the definition is missing a word because it -- "materially" didn't apply to this bill.

MR. BLUMENCRANZ: I -- I ask because that -- that piece --

MR. OTIS: (Indiscernible/cross-talk)

MR. BLUMENCRANZ: -- of legislation --

MR. OTIS: Joke there, so...

MR. BLUMENCRANZ: This -- in this bill it doesn't just end at -- at State agencies. This is local governments, BOCES, SUNY, CUNY, et cetera, all have to comply under this definition with

this level of disclosure for automated decision-making usage within their respective town, village operations, correct?

MR. OTIS: Yes, and I think that's a very positive thing. I was a mayor for 12 years, and if I were a mayor now and my local government was to be using an AI tool, I want to make sure that we have the protections, transparency in a place to make sure we know what we're using and we're using it correctly, it doesn't include bias. And so I think this is a -- a good assist to local government, school districts, other entities.

MR. BLUMENCRANZ: So how are local school districts, A, gonna know about the need to now comply if they are using artificial intelligence in some capacity in their decision-making; and B, what that compliance may look like for them under this legislation?

MR. OTIS: Well, as with all legislation that the Legislature passes and the Governor signs, there follows up with communications about a new law is in place and -- and here's what you would do to comply.

MR. BLUMENCRANZ: Now, there was concerns with the LOADinG Act with similar language, similar compliance for State agencies. That was amended after some consideration and discussions. A lot of those considerations haven't necessarily been taken in this form as far as that original language that was removed from the LOADinG Act is now here, not just for State agencies, but for all governmental entities that would have to comply. You don't

think there will be an issue here, but when it came to the decision-making tools in hiring and firing, those considerations were -- were -- were certainly there and were certainly removed from the legislation we dealt with earlier this year.

MR. OTIS: I -- I don't agree with the assumption of your question. Having been very involved in the chapter amendment process on last year's bill, we're actually following the format for broader uses, but the format of what we agreed to last year for employment decisions only. And so I -- I think it's sort of a -- a comfortable move. This is not last year's bill that -- pre-chapter amendments. This is similar in terms of what the -- the different disclosures are, the different postings, the assessment, to what was agreed upon with the Governor's Office in the chapter amendments.

MR. BLUMENCRANZ: So you mentioned within this bill performing any function. So this legislation prohibits the use of automated decision-making in the absence of continued and operational meaningful human review in the performance of any function. Does that seem to fall in line with your -- your understanding of the definition here?

MR. OTIS: Well, I -- I think that that language relates to the principle that we it think that it would be good practice if you're using an automated decision-making tool that -- that we maintain human oversight and -- and contact with the operation of that tool. So that's what that language is. And that is a good practice with all the concerns that are raised around the world about the bad sides of

AI coupled with the good sides of AI. The fact that we have continued human monitoring of what we're using is a positive thing and something we encourage, and that's what the language in the bill provides.

MR. BLUMENCRANZ: I don't mean to hone in on this definition so much, but there are some important components that I think bring awareness to this question. So we have numerous public assistance benefits programs here in New York State that could seriously and have seriously benefitted from the use of artificial intelligence systems making not consequential decisions, but making decisions in the process to speed up the use of services. You have SNAP, HEAP, temporary assistance, low-income household water assistance programs. These programs sometimes have serious backlogs. Many of the members here have dealt with helping constituents with these programs that have dealt with long wait lists and things that artificial intelligence making determinations as to how forms are correctly filled out and, you know, whether or not that can approve them for the next step, next level. Will all of that be pulled into question as something that can be advanced with new technologies with the passage of this legislation?

MR. OTIS: Absolutely not. And -- and so what this bill does is -- is really -- this is a quality control bill. And so I would -- my belief is that the bill will actually help those kinds of functions proceed and advance them, and to make sure that they're used -- used correctly.

MR. BLUMENCRANZ: So how will allowing a level of -- of red tape and compliance for local governments who are just trying to administer State programs, sometimes severely backlogged, adding more work for them to create abilities for them to do that work for the people faster? How is that gonna make this an easier process for them?

MR. OTIS: Well, I -- I don't -- you had some nice choices of pejorative words in there, red tape and -- and what like. But I -- I -- I -- I have a totally opposite take. If -- if there are services and benefits that are being used today with the benefit of an AI system, don't we want to make sure that they're not -- that they're functioning correctly, they don't perpetuate bias, that they're -- they're accurate? So this is -- this is -- it will advance the cause of using AI in a positive way and provide the kind of quality control that -- whether you're in the public sector or whether you're in the private sector. If you're a private company and you're using AI tools, you should want to make sure that they function the way that are intended. That you are monitoring how they function to make sure they continue to function the way that the company intends it to be used, and -- and to be able to pivot when you find out that it's not happening as intended. I think here in New York State, around the country and around the world, this is the test to make sure that AI is used appropriately as opposed to be used in a way that -- that could be reckless and -- and damaging.

MR. BLUMENCRANZ: So who bears the cost of

the implementation of this bill? Are there corresponding applications -- appropriations, rather, for school districts, for counties, for towns, for villages. I know you were a mayor. You receive a compliance burden like this, you're gonna need to find an individual or an organization that can help you create that level of reporting that needs to be provided to the Legislature. Unless you have someone on hand you're gonna need to hire someone who can then meet that standard and -- and write that report to understand that they're ethically implementing this in a way that meets the standard of the law. Who's gonna -- who's gonna help this compliance move forward for towns and villages that may not have the -- the expertise needed to comply?

MR. OTIS: Well, a two-part answer to your question. Part number one is that if you're gonna use an AI tool, you should also assume the responsibility of using it correctly and competently and with the quality control. So it -- it sort of comes with the package. Is there an appropriation here? There is not. My assumption is, and it is already the case that there are folks out there that build -- that have built up an expertise on how to do this kind of monitoring and that that -- that world is gonna grow. That's a -- a big growth area in terms of employment, what people are going to school for, in technology. But if you can't afford to make sure you're gonna to maintain quality control, you shouldn't be doing -- using the tool to begin with.

MR. BLUMENCRANZ: So you're saying that if a -- a county, maybe a county that is not sufficiently provided the funding they need does -- and those may be very well the same counties that

have significant backlogs in providing services. Because they're a county that is in severe need, they would be at a disadvantage of a county that would have the ability to speed up their processes because they could afford to hire compliance officers to make sure they can meet the mandate of the law.

MR. OTIS: Well, again, these tools can have positive or negative consequences. Our first -- first priority is to make sure we have quality. I'd say more broadly I am a big supporter of AIM funding and funding for local governments of all levels in a wide variety of ways, and school districts. And so I think we can all -- I'd be happy to advocate for additional funding to help everybody with their technology advances. We actually did this a number of years ago with the Smart Schools Bond Act to help school districts with their technology purchases. So I think the State should continue to be in that game of providing additional financial assistance as it relates to technology needs of school districts, local government, counties throughout.

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

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. BLUMENCRANZ: This bill, like many of the other ones that have sought [sic] to create guardrails for our local government, for our State government, for our school districts, for our BOCES systems; systems that often could really use a hand in

providing services, in providing many of our essential State services that they have to assist in giving members of the community who are in need, whether it's SNAP, whether it's temporary assistance, whether it's the EBT program. So there's the housing programs that face severe backlogs. Many of these programs could really benefit from the usage and implementation of artificial intelligence systems of softwares [sic] that could help make those decisions happen faster. Make sure services can reach individuals faster. When we create guardrails like this, ones that would inherently need a level of expertise at every level of government in the State of New York, it would necessarily create a world in which New York would fall behind other states in the way that they can provide services faster, in the way they can provide decisions. Not large decisions, not fundamental decisions, make-or-break decisions. That's not what we're saying we don't want here. But what we do want is to make sure that small decisions that might take weeks for a human to implement a decision on versus a -- a computer system that can say, *This form is incorrectly filled out. Please send it back and come back to me* within the same few minutes could really help deal with a divide we're facing when it comes to providing services in different communities.

So I -- I strongly urge, like the LOADinG Act, we go back to the drawing board and make sure we narrow the scope on what is needed from these local communities, what red tape is built up around them, and we come back with a version that makes sense for final decision-making, but not for all decision-making in these

processes.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Hevesi.

MR. HEVESI: Thank you, Madam Speaker. I would like to call Rules in the Speaker's Conference Room.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Otis to explain his vote.

MR. OTIS: Very briefly. This is an important step for New York State and it's an important signal to other states around the country that for governmental uses of AI, transparency, disclosure impact assessments and guidance from their technology team -- and we have the Office of Technology Services which is part of this bill -- is available to State agencies to make sure they get this right. An important bill. Pleased to see great support for this here today, support for the other House last week.

I vote aye.

ACTING SPEAKER HUNTER: Mr. Otis in the

affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 10, Rules Report No. 409, the Clerk will read.

THE CLERK: Assembly No. A00066-A, Rules Report No. 409, Hevesi, Epstein, Simon, Clark, Jackson, Raga, Gibbs, De Los Santos, Tapia, Mamdani, González-Rojas, Forrest, Shrestha, Romero, Buttenschon, Taylor, Meeks, Griffin, Gallagher, Woerner, Colton, Rosenthal. An act to amend the Social Services Law, in relation to the administration of the Statewide Central Register of Child Abuse and Maltreatment.

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

An explanation has been requested.

Mr. Hevesi.

MR. HEVESI: Good afternoon, Madam Speaker. Good afternoon, my colleagues and Ms. Walsh.

This bill will alter the current system of reporting abuse and neglect to the State Central Register from an anonymous reporting system to a semi-confidential reporting system.

ACTING SPEAKER HUNTER: Ms. Walsh.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. HEVESI: Absolutely.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. WALSH: Okay. And thank you for the brief explanation. I want -- I want you to give a little bit more of an explanation as to why because right -- let's talk about right now. The current -- the current law says that if somebody calls the State Central Registry with concerns and they want to -- they want to make a report, they do not need to leave their name or any contact information, correct?

MR. HEVESI: That's correct.

MS. WALSH: And what's the reason for that current law?

MR. HEVESI: That's the way the law was written. That's the way most laws were written back in the day. But what we're seeing now is a trend where states, including ours, is gonna be moving away from an anonymous reporting system because -- for a variety of reasons I can get to -- but the latest state to do this was Texas in 2023. The Republican-led Legislature passed this in 2023. California did it last year. And related to the Texas implementation, we have a professor at NYU who I trust implicitly did -- implicitly, did an analysis of Texas and showed that there will be no -- no more risk to children's safety.

MS. WALSH: That's interesting. Well, we will get

into that. I -- because I really do disagree with that.

MR. HEVESI: Okay.

MS. WALSH: So -- but the -- the idea was that it might -- there might be a chilling effect on people who have real concerns about a child or about a family situation, and if they -- if they have to give their name and contact information in order to have the complaint actually investigated or the hotline be investigated, that they might not make that call.

MR. HEVESI: Yeah. And that is an absolutely legitimate concern. It was the reason why I didn't move the bill last year. It was actually on the floor last year. Can I -- can I give a little context? Because I know you know this. Just for my colleagues.

MS. WALSH: Sure. Yeah. We've got plenty of time.

MR. HEVESI: I'll do it -- I'll do it quickly for my colleagues.

MS. WALSH: No, no. Take your time.

MR. HEVESI: Take your time? Thanks, fellas.

(Laughter)

MS. WALSH: We've got a half-hour. We're good.

MR. HEVESI: So what we're talking about, the State Central Registry of Child Abuse [sic], about 150 calls to the State Central Registry annually. Thirty percent of those are indicate -- wound up being indicated cases, meaning there's substantial enough evidence for those calls to have come in and then to be investigated

and pursued. There's another portion, and -- and the overwhelming majority -- excuse me, the overwhelming majority of those calls come from mandated reporters. Mandated reporters are required by law to leave their name and number. Then there's a smaller portion of callers who call in voluntarily, and then there's a very small portion from anonymous reporters that say it's about 7 percent of the annual calls.

MS. WALSH: Mm-hmm.

MR. HEVESI: Now, it's those anonymous calls -- calls that we're having real trouble with, and I can tell you why.

MS. WALSH: Yeah, I mean, I could tell you why. I mean --

MR. HEVESI: Go ahead.

MS. WALSH: -- from -- from -- I mean, I think part of the problem is you get two parents who are warring with each other and you get one parent that's ratting out and calling in fake hotline reports --

MR. HEVESI: Yes.

MS. WALSH: -- to try to harass and annoy the other party. I mean, that's what happens. And so -- but my concern is -- I mean, just to get to the heart of it, I mean, I appreciate that you have statistics, but our kids aren't statistics. I mean, we're -- I would say just as we require 12 jurors to convict somebody, I mean, I -- I worry -- you know, that one holdout I think is important.

MR. HEVESI: It is.

MS. WALSH: And I think in this area what I'm

concerned about is what if you have -- what if you have a neighborhood and you have a family living in one house and the neighbor, the next door neighbor has got real concerns. But they -- regardless of what happens with the investigation, if their information gets out that they were the ones who called, it's gonna make their lives miserable --

MR. HEVESI: It could be dangerous.

MS. WALSH: -- miserable living next-door to that family if they call in. So that's why we have confidentiality, because we want that neighbor who has real concerns to call in and not be worried about their name getting out. Because before you know it, things -- you know, the -- the retribution against people who make a very legitimate concerned call is -- is a risk. And that's why we had rules about why there's confidentiality to begin with. It wasn't just that we wanted some outmoded system, it's that we want to be sure that even if there's a hundred calls and out of those hundred calls there's one call of abuse, a hotline for abuse, and we want everything to be investigated, and if that person is not gonna call if they can't be guaranteed anonymity, then we're not gonna know about that hotline. We're not gonna be able to investigate that, and we're gonna have a kid that's potentially gonna get killed or injured by -- by the person. So that's the -- that's the risk. That's the concern.

MR. HEVESI: Can I address that specifically?

MS. WALSH: Absolutely. Please do.

MR. HEVESI: So first, I absolutely share that

concern. And that's why legislating this area is -- is hypersensitive. So here's what we've done. One, we made sure to -- number one, there is no empirical data that anonymous reporting is keeping kids safe. And I've been at this for four or five years now. That's number one. Number two, these calls, okay, do a number of things. There are 10,000 New York families that find out that they have been wrongly accused and investigated based off of these anonymous calls, and there are consequences to that for those families. So just so we understand what we're clearing. If somebody calls in an anonymous report on your family, that allows the Child Services investigation to open. They are allowed to do a number of things. And I would ask my colleagues who are listening, think about this if this was happening to your family. And I'll get back to the -- to the risk to the other abuse. So the investigation's open. They are allowed to come to your house any time. They usually come at night. They will search everything. They will ask sometimes, frequently, your child to take their clothes off to make sure that there's no abuse. Then they will contact the child's school. They will contact your neighbors. They will contact your doctor. All with the threat that your family could be separated. Okay? So that's 10,000 innocent families a year who are being traumatized. Add that to the fact that this has become a way for domestic violence abusers who -- and I keep having this image of a very brave young lady who stands up to her abuser and the abuser [sic] kicks him out, finally gets rid of this guy and she's with her kid, and the abuser is able to, because we have anonymous reporting, be

shielded from what I would say is the equivalent of a hand grenade, drops it into that family and, boom, now you're questioned as a parent. Now everybody knows you're questioned as a parent. Now your kid is under separation anxiety and trauma. So we don't want that. Plus, this system, the entire system, and I got to believe the anonymous reporting portion is unbelievably racist. So right now if you are a Black family you are seven times more likely to get an indicated case. You are eight -- I'm sorry, you are seven times more likely to have a report against you. You're eight times more likely to have an indicated case, and you are 11 times more likely to have your family separated. For Latinx families it's about 5 percent. So what we've allowed here --

MS. WALSH: How is that racist?

MR. HEVESI: How is that racist?

MS. WALSH: Yeah. I mean, if somebody makes a phone call and -- and hotlines something to the State Central Registry, I mean, that's anybody, White, Black, can call. They investigate every hotline --

MR. HEVESI: They do, and that's the problem.

MS. WALSH: So how is that racial?

MR. HEVESI: It's racial because the proportion of the calls to the population is so out of proportion that it can't be without racial bias getting these numbers. It is impossible. But that's not even the point of the bill.

MS. WALSH: But you're not saying -- you're not

saying that CPS is selectively --

MR. HEVESI: No. I'm saying --

MS. WALSH: I mean, they're -- they're investigating every complaint that comes in.

MR. HEVESI: As -- as they should.

MS. WALSH: Right. As they should.

MR. HEVESI: What I'm suggesting -- what I'm suggesting is by relieving, as we have now, an anonymous system, any consequences for the reporter who are -- and we're going after malicious calls and intentionally false calls, without any consequences to them. What we have allowed is a system that has perpetuated racism, domestic violence and other types of harassment.

MS. WALSH: Okay. So since you just -- since you just said that, let me say this: I would love to work with you on that bill.

MR. HEVESI: Which one?

MS. WALSH: That bill to actually penalize people who are repeatedly making harassing, unsubstantiated hotlined.

MR. HEVESI: I -- I do --

MS. WALSH: Do that!

MR. HEVESI: And can I tell you something -- something important --

MS. WALSH: Yeah.

MR. HEVESI: -- about this bill? And I had a -- a conversation with one of your colleagues in Children and Families

about this issue, about this not being prosecuted. So the District Attorneys Association tells us that they're not prosecuting these for a variety of reasons. The biggest reason, I would believe, is because they're anonymous. So by voting for this bill, that means that we're gonna have the name and contact information of anybody who calls in a false report. You're actually putting teeth into the system by voting for this bill.

MS. WALSH: Well I'm telling you as somebody that has practiced in family court that when we look at the case notes of investigations and we look at the wording of -- of what the hotline was, we -- I would say 98 percent of the time -- and that's just my made-up statistic -- but 98 percent of the time we know -- we know who made it, right? We know who made it.

MR. HEVESI: Right.

MS. WALSH: And if it's the other -- because the other parent or whoever it is that's made this bogus call, it could be a grandparent, it could be somebody else that just wants to get somebody into trouble, we know who it is. We know who it is.

MR. HEVESI: Okay.

MS. WALSH: But you know what, the family court doesn't have the power right now to come back in and say to that other parent, *Hey, you know what? We know it was you. You've been calling 10, 15 times. We don't want -- you know, we're gonna have some teeth in this to be able to say -- you know, to do something with you.* We don't have that right now.

MR. HEVESI: I'm -- I'm interested in this issue. Let's -- let's talk about it offline after Session.

MS. WALSH: Absolutely.

MR. HEVESI: This is a problem I don't like as well.

MS. WALSH: But -- but let's just talk about for -- for -- like you said, for colleagues that maybe don't know, how this -- how this bill works. So you -- you call -- say you have somebody that -- take -- use my example, then, of you have a neighbor that goes in -- or makes the call and says, *I have some real concerns. I've heard screaming. I've heard whatever. I'm -- I'm concerned about this child that lives next door. I've seen this child. They look -- they look like they are disheveled. They look like they are very upset. I've observed them.* Whatever, whatever the reasons are. And then the person at the other end of that phone line is gonna say, *Great. Well, what's your name and what's your contact information*, and they say, *Oh, wait a minute. I don't want to give you that*, and then what happens?

MR. HEVESI: Perfect -- perfect setup.

MS. WALSH: Okay.

MR. HEVESI: Then what happens is if they -- well, first of all, if they don't give their name and contact information, OCFS is prohibited from transmitting a report to the appropriate local social services district. Then if that person says no, they will be forwarded to a supervisor. This is the new amendment. This is what we added this year as opposed to last year out of an abundance of caution, even though we believe if we did straight anonymous

reporting, kids would be safe. So they will be forwarded to a supervisor. The supervisor is gonna go through a couple of things; number one, the confidential -- confidentiality protection is already in the law. We'll take you through how in practice and in the law that we don't disclose those informations. Even practitioners watch in the system.

MS. WALSH: So it gets kicked up to a supervisor. The supervisor tries to reassure the caller --

MR. HEVESI: That's number one, yes.

MS. WALSH: -- don't worry about it.

MR. HEVESI: That's correct.

MS. WALSH: Yep.

MR. HEVESI: So you're confidential. Number two, if the person insists that they have to make an anonymous call, the supervisor will tell them to call 911. They will take your immediate complaint and deal with it anonymously. And then the final thing, in an effort to deal with not abuse, but neglect which could be maltreatment, we're gonna have the supervisor refer them to the HEARS community service line, which stands for Help, Empower, Advocate, Reassure and Support, where caring representatives are gonna guide families to services including food, clothing, housing, medical and behavioral health, parenting and child care in 12 different languages. So what we're trying to do is -- and you're right to be concerned about this Ms. Walsh, and I share that same concern which is why this bill sat for a year on the floor without being moved out of

an abundance of caution by us and Counsel. We don't wanna have a chilling effect on people making phone calls, particularly kids. And we think that this bill strikes the balance of being overcautious as we change away from a system that we know is hurting tens of thousands of families annually.

MS. WALSH: Okay. So let's just -- let's just finish up, though, with this part and then I probably -- that probably will be the end of it for me in terms of my questioning for you.

So after it gets kicked up to the -- the next level, right, and they -- they reassure the person, that person still says, *I -- I just do not feel comfortable with this. I don't want to call the HEARS line. I don't wanna -- I want to report what I'm seeing, but I do not want my name or identity to be known in any way.* Then is there any requirement to forward that -- that concern and hotline to be investigated?

MR. HEVESI: No.

MS. WALSH: And that is my problem with the bill.

MR. HEVESI: Okay.

MS. WALSH: Thank you very much, Mr. Hevesi.

MR. HEVESI: Thank you.

MS. WALSH: Mr. -- or Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: I don't care if I'm the only no vote in this House. I will not support this. I think that there is a very, very good reason why the law exists the way it does, and it's because abuse

and neglect is not always obvious. Sometimes we -- we would have a number of people call in and hotline the same thing, right?

Sometimes you have mandated reporters like -- like teachers or doctors who are concerned about a child and they'll make a phone call. I'm concerned about -- I'm concerned about the neighbor. I'm concerned about other people that are not mandated reporters but have seen or heard or observed something that really is concerning. It could be abuse and neglect. We have all, in our districts, I am sure, I know I have, had situations where you pick up the paper and you see that a child has been killed, has been killed, and everyone says, *Oh, CPS must have dropped the ball. They must not have done what they were supposed to have done.* And you know what? They can't investigate something unless that hotline is relayed to them for investigation. And so this bill, what this does is it says that unless the person calling, despite reassurances from upper levels of management within the -- the State Central Registry, if they still say, *No. I -- if you are gonna use my name or -- or if my name has to be given, I -- I will not -- I will not -- I will not give this to you*, they have no obligation. They will not refer that hotline and that concern to be investigated. And, my colleagues, that is dangerous. And I -- I heard a bunch of statistics from the sponsor. I'm telling you that I -- I don't care if it's 1 percent. I -- I don't care. We -- yes, yes. The hotline procedure does result at times in harassing calls being made one against another or if you have parents who are warring. Yes, that does occur. Or from grandparents who are taking a side with one child or the -- or one

parent or the other parent. It does happen. Of course it does happen. But -- and I'd like to continue to use my second 15, please. Thank you. But I think that that gets sorted out within the family court system. That gets sorted out. We know, we know when we read those case notes, even though they're redacted. We can suspect because we're working with both of those parents. If the -- the actual -- the way that the hotline is taken has direct quotes that sound like one of the parents that uses words or bad grammar or whatever that identifies them, and -- and you know, and you know who made that call. I would like to be able to empower family court to be able to take some action when it's been used and in an -- used as a sword, really, against the other parent. I would love to do that bill, and I think that other family court attorneys and judges would love to see that bill. Because is it -- can it be used at times in a domestic violence situation? Yes, it can. Do we wanna avoid that? Yes, we do. But we don't wanna do this bill. We don't wanna do this bill because it's going to chill really important reporting. And even if that only occurs in X percent of the time, as has been surveyed, I don't care. I still think we don't wanna change the law to do that.

So I -- I will be a no on this, and I really do hope that there will be some other nos in this Chamber about it as well. I think that this is -- this is not a good idea. I will not agree to this as a -- as a point of policy. So thank you very much, Madam Speaker, for the opportunity. Thank you.

ACTING SPEAKER HUNTER: Read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will be, generally speaking, in the negative on this bill. If there are any -- if anybody wants to vote yes they can do so now at their seats.

Thank you very much.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Giglio to explain her vote.

MS. GIGLIO: Thank you, Madam Speaker. I couldn't agree with my colleague more in that every child and every complaint of abuse or neglect should be investigated. There are teachers, there are camp instructors. There are people that are afraid of losing their jobs if their name is on a complaint reporting abuse.

And children are a vulnerable population that cannot speak for themselves, and every single -- every single complaint for a child that has been abused or neglected needs to be investigated, whether or not the people want to be anonymous or not.

So I agree with my colleague and I will be voting in the negative and I encourage all of my colleagues to do the same. We need to protect children in this State. And there is no waiver just because somebody doesn't want to announce who made the complaint. They should all be investigated.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Ms. Giglio in the negative.

Mr. Hevesi to explain his vote.

MR. HEVESI: Thank you, Madam Speaker. And thank you to my colleagues. I appreciate all of the -- the concern on both sides of the aisle. I really do. This is a tough bill, so I understand the votes. I do wanna reassure my colleagues that I wouldn't put this forward if I didn't think the safety of children was paramount. But the reason why I wanted to rise very quickly, I don't do this often, but I want to thank the Speaker, to start with. I -- I think it's important that all of us remember that when you have a Speaker who's trying to get to the answer of yes, that's a big difference for everybody else in the House. Also, thank you to Jen Best, Janice Nieves, Paolo Musto and Michael Hegarty; all of the staff here for their caring and their guidance. To Joyce McMillan, Angela Burton

and Chris Gottlieb who guided this process through. And then last and finally, this is the most important to me, this past Friday my Chief-of-Staff, Alexa Arecchi, who has been working with me for eight years has moved on. She's beyond me, grown beyond me. She is like a -- like a sister to me. I think she's fantastic. Nothing we could have accomplished over the last eight years without her. This bill and all the other great work for the people of my district, to her I just wanted to say on the record, Lex, you're the greatest and we will miss you terribly.

Thank you. I vote in the affirmative.

ACTING SPEAKER HUNTER: Mr. Hevesi in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker.

Confidential reporting of hotlines to the State Central Registry is the absolute basis and, like, lynchpin of -- of what Child Protective Services is supposed to be about. I want to impress upon my colleagues that this bill turns it right on its head. And I -- I was distraught last year when I thought that this bill was gonna -- was gonna come up and come to the floor, and when it didn't I breathed a huge sigh of relief. But here we are this year. I -- I really -- I implore a second look at this -- at this bill. This is misguided. It is absolutely misguided.

I will be voting no and I really do hope that somebody after this vote really takes a hard look at it and thinks --

thinks about it. I don't see -- you know, I -- the New York Public Welfare Association, you don't see them in support of this. They're the people that -- I went to all the trainings when I was working as an assistant county attorney working with CPS and foster care. They did all the trainings for us. They're not in favor of this. The family court judges I've spoken with are not in favor of this. And certainly, the -- you know, the case workers that -- you'd think that they would be delighted with this bill because it would mean that they wouldn't have to investigate as much stuff. They wouldn't be so overworked. They're not in favor of this either. So think about it. What are you -- who are you doing this bill for?

This is not a good idea. I'll be obviously voting in the negative. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Walsh in the negative.

Mr. Meeks to explain his vote.

MR. MEEKS: Thank you, Madam Speaker, for an opportunity to explain my vote. I want to commend the sponsor of this needed legislation. This is an effort to right historic wrongs. But it also protects those who are in need. As it relate [sic] to confidentiality, it still maintains the confidentiality from the public as well as the person accused of abuse or neglect. However, it gives those who are doing these investigations further tools to reach out to the individual who made such a call, to follow up with them and find out their concerns. Also, it would help them to sort of tread through

challenges such as one of my colleagues across the aisle mentioned, as bad grammar. They can actually reach out to an individual and find out what was the premise behind their call, recognizing cultural differences as well as cultural sensitivity.

So I commend the sponsor on this legislation and I will be voting in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Mr. Meeks in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

ACTING SPEAKER HUNTER: Mr. Meeks in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, members have on their desk an A-Calendar. I'd like to move to advance that A-Calendar.

ACTING SPEAKER HUNTER: On Mrs. Peoples-Stokes' motion, the A-Calendar is advanced.

MRS. PEOPLES-STOKES: Thank you. If we could go directly to that A-Calendar on page 20 and take up Rules Report No. 852 by Ms. Simon.

ACTING SPEAKER HUNTER: Page 20, Rules Report No. 852, the Clerk will read.

THE CLERK: Assembly No. A08888, Rules Report No. 852, Simon, Shimsky, Stirpe, Shrestha, Gallagher, Mitaynes, Rosenthal, Paulin, Reyes, González-Rojas, Davila, Otis, Kelles, Schiavoni, Jacobson, Romero, R. Carroll. An act to amend the Public Service Law, in relation to the provision of gas service to new customers.

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

An explanation has been requested.

Ms. Simon.

MS. SIMON: Thank you, Madam Speaker. This bill would remove the 100-foot rule for residential properties. The 100-foot rule requires gas utilities to subsidize using ratepayer money the first 100 feet of pipe to connect to a new residential building to the gas system. Changing this law would allow those requesting that natural gas to pay the true costs to install natural gas in a new construction and end the ratepayer-funded subsidy, saving gas customers money on their bills every month and letting the true costs of installing a new gas infrastructure control the market.

ACTING SPEAKER HUNTER: Mr. Lemondes.

MR. LEMONDES: Madam Speaker, will the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. LEMONDES: Could you just simply cover why we think this is beneficial, what -- what exactly the intent of -- of the bill's accomplishments will be?

MS. SIMON: Well right now to connect to a new gas line, not to connect to get your name on a new bill, but new service, it -- the cost of doing that if you are within 100 feet of the gas line is paid for by all of us. Under this bill, the person who is requesting that connection pays for their own connection. If they were 110 feet away from the gas line, they'd be paying for that connection. It's cheaper within 100 feet, and that's what they would be paying for themselves.

MR. LEMONDES: Okay. So -- and what would the approximate cost of that be, and would it be the same throughout the State?

MS. SIMON: No. In fact, it would be different depending on where you are located, the utility itself, and that varies around the State as well.

MR. LEMONDES: Okay. And so, in general, do think that -- how -- how many people would this impact, roughly, Statewide?

MS. SIMON: The number of people?

MR. LEMONDES: Oh, I -- I mean --

MS. SIMON: It would be -- I -- I would say it's every gas customer ratepayer is affected at some level because they're saving some money. But it is -- it is estimated that about -- the ratepayers, overall, right, New York State ratepayers, would save about \$200 million a year.

MR. LEMONDES: Okay. All right. Thank you. I appreciate your question -- I appreciate your answers.

And, Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. LEMONDES: So, I -- I'm not sure how much this would actually benefit ratepayers, and because of that I would say that without knowing the true benefit and the true costs, as with anything with respect to energy, I would -- I would say that I could not endorse this bill yet in its current form.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Palmesano.

MR. PALMESANO: Thank you, Madam Speaker.

Will the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. PALMESANO: Thank you, Ms. Simon.

Just for the record, this bill is specifically for

residential customers; is that correct?

MS. SIMON: Yes, it is residential customers current -- because that is in our laws. If -- if it's a commercial customer, it's a matter of regulation by the PSC. And so there's no need to pass a law about that.

MR. PALMESANO: How does this -- how would this bill handle mixed-use property? We've seen how many residential and commercial. How would that work? Who would be responsible for the residential homeowner or the commercial developer? How would that work?

MS. SIMON: Well, if you're building a new building, is that what you're talking about?

MR. PALMESANO: Yeah, sure.

MS. SIMON: Okay. So, under the All-Electric Buildings Act, most of those new buildings would need to be electric anyway after December 31, 2025. And so in reality, if somebody is looking to build and start a -- a building next year, they would have to make it electric anyway.

MR. PALMESANO: So this bill continues the subsidy for electric hookups, correct?

MS. SIMON: Yes. In fact, the -- the electric subsidy is, A, much cheaper and, by the way, it's a matter of public policy. People absolutely have to have electricity; they don't have to have gas. In fact, renewable energy is already cheaper to install and more efficient.

MR. PALMESANO: So you think elec -- heating with electric is cheaper than heating with gas?

MS. SIMON: Especially if it's renewable electric, which is what the All-Electric Buildings Act would require.

MR. PALMESANO: Because I was gonna ask you, do you have an idea how much it costs to heat a home with all electric in Buffalo or the North Country? It's pretty expensive.

MS. SIMON: That is going to depend on the home, the size of the home, Whether or not it is properly insulated, et cetera, et cetera. So all of those things are things that are going to vary. But we know that ratepayers who are currently subsiding this for their neighbors will save \$200 million this year.

MR. PALMESANO: So I know the argument on your side is it saves ratepayer money.

MS. SIMON: Mm-hmm. It does.

MR. PALMESANO: So let's say, for example, someone signs off and they get on and they get the 100-foot rule and they get on the system. Now you have multiple -- more people on the -- the gas system. So when you have those new customers come in, they help pay the fixed operation and capital costs, correct? When they come on, they help share those costs that the ratepayers are paying, correct?

MS. SIMON: I'm not sure I understand your question.

MR. PALMESANO: I'll rephrase it.

MS. SIMON: Please.

MR. PALMESANO: So when you have a new customer come on -- on the gas system, now you have the existing customers who were there before that. They're paying fixed operational and capital costs on the system, correct?

MS. SIMON: Well, all ratepayers are paying and subsiding the utility to provide its service. But, the difference here between I believe your question and what this bill does is that this bill only affects new connections. So if you move a couple of blocks away and you -- you call up your -- your utility and you say, *I just moved. I need service at my new place*, and your -- the new building that you are in, or the newer-to-you building that you're in, already has a connection, there's no cost. It's just you're changing your service. That's not affected by this.

MR. PALMESANO: Okay.

According to pipeline contractors and unions, the elimination of the 100-foot rule in this legislation will cost thousands of union and non-worker -- workers doing -- doing their jobs. Do you have any concern for these workers or their families which this bill will put on the unemployment line, or you don't think that's gonna have an impact on them?

MS. SIMON: Actually, I think they are worried about something that isn't, in fact, the case. I do worry about workers. I do worry about their families. I do worry about their health and the health of our climate as well. In fact, there's no -- there's no evidence

to suggest that they will be losing jobs because, number one, if someone is installing new gas, they're installing new gas. The laying of additional gas pipes is more affected by the CLCPA than -- it's not at all affected by this bill. So I don't actually think that that's a -- a concern that they need to have.

MR. PALMESANO: So I know I'm kind of bouncing around a little bit here. So this only affects residential.

MS. SIMON: Mm-hmm.

MR. PALMESANO: So commercial would still get the subsidy, correct?

MS. SIMON: Commercial still does. And it matters -- I said a -- that's a matter of regulation, that's not a matter of law.

MR. PALMESANO: I'm sorry. What was that last part?

MS. SIMON: That's a matter of regulation. The PSC could change it tomorrow anyway.

MR. PALMESANO: Yes.

Do you have any idea how much this is gonna impact a -- a cust -- a new homeowner in costs? In some estimates we've seen tens of thousands of dollars.

MS. SIMON: Could you please repeat --

MR. PALMESANO: Yes. Do you --

MS. SIMON: I didn't quite hear what you said.

MR. PALMESANO: Do -- do you have any idea how much this will cost new customers, because if they have to pay

for this hookup on their own. Wouldn't that additional cost be somewhere in the neighborhood -- it's more than \$5-, \$10,000 for hookups to do those hookups in their home? Won't that increase the price of homes?

MS. SIMON: Well, if -- if you -- if you are putting up a new home, you should pay for the connection. That's all this says. And the connection, by the way, should be paid for by the person who's putting it in instead of your neighbors, which is not a good way to get off on the right foot with your neighbors, I might say. But the reality is that it's not going to affect most people unless you are putting in a new connection. And if you're converting, let's say, from oil to natural gas, that's a big expensive job anyway. Now, the cost will vary. It's cheaper the closer you are to a pipeline, more expensive if you're farther away. So that's gonna be a different cost anyway. And if you were putting in this new line and it was 101 feet away from the gas line, you would be paying the full cost anyway. This doesn't change that.

MR. PALMESANO: Okay.

I want to talk about reliability. NYISO came out with a report last -- two weeks ago talking about thinness in the reliability of the grid. Specifically they cited the need to possibly bring back shuttered power plants, shuttered fossil fuel power plants and that everything needs to be on the table. Isn't this gonna jeopardize the ability to have opportunity for reliable natural gas and it's gonna cost more for homeowners, new people? But again, I will still argue and I

will argue later that it's saving the customers because they're on the system, so they're sub -- they're sharing in that cost. Now that cost will be borne by fewer people with your bill.

MS. SIMON: No, that's not true at all. This is just saying if you put in a new connection, you pay for it. That's all it says.

MR. PALMESANO: And remind me the reason again why electric is okay but not gas.

MS. SIMON: Well, first of all, it's cheaper, number one.

MR. PALMESANO: It's not, but that's okay.

MS. SIMON: And number two, I'm sorry?

MR. PALMESANO: Sorry.

MS. SIMON: Okay. It -- it -- number one, the other thing as a matter of policy and a matter of safety, you need electricity. Everybody needs electricity, everybody doesn't need gas. And in fact, many, many renewable systems are just as reliable, just as much more safe for everyone and are cheaper and much more efficient. So if you have a heat pump that is providing heat or cooling and we have a big problem in the summer now because the peaks happens in the summer. If they're doing that with a heat pump, it's much more reliable, much more efficient and therefore cheaper.

MR. PALMESANO: You think a -- you think a heat pump's a more reliable power energy for heat than a -- a traditional natural gas boiler or furnace?

(Conferencing)

MS. SIMON: Well, first of all, that is not a relevant topic to this bill. All this bill says is --

MR. PALMESANO: I think it is.

MS. SIMON: -- you -- it is not. If you decide to put in a new gas connection and you're a residential customer, you and I don't pay for that person to do it, they pay for it themselves.

MR. PALMESANO: Isn't it really your desire with this bill and bills like it, you want -- isn't -- doesn't the Majority -- you -- you want people off natural gas and you want them on full electric, right? Isn't that the goal?

MS. SIMON: We have a climate leadership and community protection act and a State climate pan -- plan. The fact is, getting off fossil fuels is safer and healthier for everybody. This is only that -- that policy makes is -- is good for -- for children and other living things. So, this is not inconsistent with that policy, but doesn't in fact take anybody off of fossil fuels. Right now they would have -- they -- they don't have a choice. They would have that choice if they decide -- let's say they decide to put in a new connection to gas and they say, you know, *that's going to cost more than I wanted it to cost. Maybe I'll go with something else.* They can do that.

MR. PALMESANO: Well, I know you mentioned energy choice and that's -- that's a real big part of this discussion. So, you don't feel in some instances with this bill you're taking away energy choice the ability to hook up for natural gas --

MS. SIMON: No.

MR. PALMESANO: -- for lower income people that might not have that additional funds? Now they're going to have to pay more out of pocket and -- and -- and that won't contradict with the housing crisis that we're having here in New York?

MS. SIMON: If you are building a new building --

MR. PALMESANO: Yep.

MS. SIMON: -- and putting in gas, you can afford to pay for the connection. If you are building a new building and you don't have this -- the amount of money it takes to connect to gas, you probably shouldn't be building that building.

MR. PALMESANO: So, I want to go back to reliability again, if I may --

MS. SIMON: Mm-hmm.

MR. PALMESANO: -- because I -- I started talking about it and I think we kinda got off side-tracked. The -- the -- the NYISO came out with a report in their Power Trends report again, saying that there is thinness in the margins and that we need to make sure we're protecting the grid and that, obviously, recognizing the -- the plan that's in place or the CLCPA is really to get to full electrification by 2040 for generating purposes. You talked about heating, you know, new homes. You know, in Buffalo -- you know, 60 percent of people in New York heat -- heat their homes with natural gas. Forty percent of our generation comes from natural gas. That number is even higher in Western New York, the Buffalo area. So, with the -- the NYISO saying that the reliability of the grid is in

jeopardy with -- with the thinness in the margins and now they're talking about looking to reopen shuttered power plants, shuttered fossil fuel plants, shouldn't we be looking to keep what we can on line and make it easier for people to hook up to a reliable source of energy, which natural gas is reliable, it's affordable and it's dispatchable. Electric heat, based on renewals -- renewables is not dispatchable.

MS. SIMON: Okay. So, first of all, this bill only talks about who pays for the gas connection.

MR. PALMESANO: Yeah, I know that but --

MS. SIMON: That's all -- that's all this bill talks about. So, the reality is that while Western New York does have a lot of gas customers, it's actually very inexpensive, the gas is much more inexpensive in Western New York. In New York City, for example, it's, you know, multiple, multiple times more expensive to do that. So, but, again, this is only about putting in who pays for the gas connection. In the NYISO report, let me remind you that NYISO is about the electric grid, not the gas grid. And so we are talking only about the electric grid.

MR. PALMESANO: But, Ms. Simon, you realize that electricity is produced by natural gas and that's part of the process that we're talking about. This is all going to affect the price of natural gas.

MS. SIMON: So, thank you for acknowledging that much electricity is produced by natural gas --

MR. PALMESANO: Forty percent.

MS. SIMON: That's right, 40 percent and the fact is that we are -- new renewables are producing just -- are capable of producing just as much electricity and they are increasing in their reliability and their cost efficiency over time because of technology. And technology in five years, you won't even have a question. In less than five years you won't have a question about this.

MR. PALMESANO: Well, I'm -- I'm sure there'll be plenty of questions in five years --

MS. SIMON: You might still have a question.

MR. PALMESANO: -- there's questions now and I think that's problematic.

Let's talk about property taxes. Utilities pay some of the highest property taxes in the State of New York. So, and for a gas customer they get paid on the amount of gas that goes through the pipes, which is obviously paid for plus fixed costs. So, if you have less gas going through the pipes, that's going to have less property taxes being paid that's going to be shifted to the property taxpayer, correct?

MS. SIMON: Well, I -- I have to tell you, the property tax element of the amount of gas going through a pipe is not something I'm familiar with. I doubt very much anybody is paying property taxes on the amount of gas in a pipe. But gas fills the pipe, right? Gas and not water. It fills -- it -- it's going to maintain that pressure. But the reality is that this is not taking out a pipeline. Wherever there's a property tax being paid on the fossil fuel

infrastructure, that property tax, which by the way, is borne by you and I, will in fact remain. So, remember that the utility itself doesn't ever pay for anything. You and I pay for everything.

MR. PALMESANO: Okay. So, it is your contention, number one, that -- that since this is residential and as new construction is not going to be an additional cost of the -- the homeowner. Is that your argument?

MS. SIMON: My argument is, if someone wants to put in a gas line that's brand new, they should pay for it, not you and I. That's the argument.

MR. PALMESANO: So, all right. And I keep bouncing back and forth and I apologize. I want to get back to the job portion of this, too. I talked about the pipeline contractors. You said there's no consideration or concern for these workers, because you do -- I know you recognize that some of these special union apprenticeships for gas workers are five years long, they have to get recertified on a yearly basis. Is it your belief that, you know, we make this switch to electric that there -- there -- they can make that switch to the electric field just like that? Is that your belief?

MS. SIMON: Well, A, no, that is not my belief and that was not an -- a -- a -- an accurate recitation of my prior response but this bill has nothing to do with the electric grid. This bill has to do with who pays for setting up a new gas connection in a residential property. That is all.

MR. PALMESANO: Okay. A couple more

questions here if you'd just bear with me.

So, you talked property taxes, you talked a little bit about reliability and it's still your contention that this would not do anything to jeopardize the reliability grid, because people won't have -- they'll still be able to access gas. Is that you -- is that what you're saying?

MS. SIMON: I'm sorry, could you -- the last -- the last sentence you kind of mumbled a little.

MR. PALMESANO: It's still -- it's still your contention that with this, the -- the concerns that have been brought up by the NYISO on reliability factors, the shortfalls that are in place, the fact that now less people might have -- well, the -- they might not have access to natural gas because it might be more expensive for them and that's your contention then, right?

MS. SIMON: This bill does nothing to eliminate their access to gas --

MR. PALMESANO: Right.

MS. SIMON: -- it just says, *you want to put in a new line, you pay for it.* By the way, you and I are paying for their -- their property taxes as well.

MR. PALMESANO: All right. Thank you, Ms. Simon.

I'm going to go on the bill from here on, I think.

MS. SIMON: You're welcome.

MR. PALMESANO: Thanks for your time.

ACTING SPEAKER HUNTER: On the bill.

MR. PALMESANO: Thank you, Madam Speaker.

You know, my colleague says this is going to save taxpayers money somewhere in the neighborhood of a couple hundred million dollars. The costs we're seeing coming down the pipeline with the enactment of the CLCPA to the march towards full electrification which is encouraging people to get off natural gas, to get onto electrification, there wa just a -- a poll put out in place that said 71 percent of New Yorkers want to keep their natural gas, two-thirds of New Yorkers want a balance between renewables and natural gas, including 74 percent of democrats. This is just really I think an energy policy -- part of an overall energy policy that affordability, reliability and feasibility are not a priority, especially when people are struggling with high utility bills. Again, as we said, 60 percent of New Yorkers are heating their homes with natural gas. Forty percent of our generation is coming from natural gas. This policy -- the other policy like the heat act, other policies, the CLC -- all derives from the CLCPA, which we passed in 2019. It's really designed -- the plan is pretty obvious; it's to design, to dismantle. The affordable and reliable natural gas infrastructure supply and delivery system is designed ultimately to take away consumer choice on how you heat you home, cook your food, power your building and the vehicle you drive. It will jeopardize the reliability of the grid, leading to dangerous blackouts and it will continue our nation leading out-migration. This is really a march towards full electrification, and the electricity is going to

increase the demand on the electricity, which will increase electricity rates and I'll talk about some of those electricity rates in a little bit.

Right now the PSC has a gas planning proceedings going on that are looking at the affordability of electricity, the pace of electrification, can the electric system reliably provide power and the heating needs of people. Looking at alternative fuels like renewable natural gas and hydrogen, looking at -- focusing on reliable service. We should be waiting to see what these results come out with before we move forward with plans like this.

I know we talked about the 100-foot rule being a subsidy. Yeah, there's a subsidy to it, but what this will do is it's going to increase the cost of new homes and businesses, because saying that it's going to increase costs by -- with where we are now isn't accurate because it will increase the cost of homes, it's going to jeopardize good, reliable paying jobs for union workers and will increase rates for the rest of us because, you have to remember, when new people get on the gas service that are helping to contribute to pay for the existing fixed costs of the operational, of the infrastructure, of the capital costs, they're helping to pay for that. So, it's not a one-to-one savings that's going to be paid back over time, that -- figured that's amortized over 60 years. The -- the rate paid, that money's being paid back through the rates, and all of us are benefiting from it because it's a reliable, affordable source of energy. And when we can have that fixed cost covered with more ratepayers, it'll cover the operation, it'll cover the capitol fixed cost, that's a benefit to everyone.

You know, as I've talked about before, you know, I'll say it again, it's really -- my concern is where we're heading down this track is to really get away from natural gas. It's a cleaning burning fuel, it's a reliable, it's a dispatchable burning fuel. And I've often heard of natural gas as being a bridge fuel. Well, you don't tear down a bridge before you build a new one, but that's exactly what's happening with the policy here that we're putting in place in the State of New York.

When we talk about cost, and I know my -- my -- my colleague talked how this is going to save costs for ratepayers. I'd like to see the concern for the ratepayer, but everything is being advanced in this House and is being advocated since the CLCPA in 2019 is not helping the ratepayers. As we talked about the emissions that are being measured under the CLCPA, which is driving up rates, said if we don't make the change to the emissions, standards that are being used by every other state in the country, by international and U.S. Code, it will increase prices at the pumps for New Yorkers by 63 cents a gallon, will in fact increase natural gas home heating costs, which we're talking about natural gas, for New Yorkers by 79 percent. We talked about electricity rates and rates, the PSC in July of 2023 passed \$43 billion in future ratepayer increases to pay for these green energy mandates that are being advocated. We talked about the electric, you know, electrification - and I know this is talking about (indiscernible), but the fact of the matter is to convert your home, the push is trying to get people off natural gas. When that time comes, it will cost them

over \$35,000 to convert their home over from natural to affordable, reliable, dispatchable natural gas to electric that isn't reliable. And we didn't talk about the EV school bus, we didn't talk about ACT regulation, we didn't talk about the Advanced Clean Car rule which will have significant impacts to the grid. The grid has jeopardy.

In -- in 2019, before we passed the CLCPA, the elect -- the residential electricity rate in the State of New York was 70 cents -- 17 cents per kilowatt hour. Now, it's over 26 cents per kilowatt hour, that's more than 40 percent higher than the national average. So, the policies that are being pushed in this House are driving up electricity rates for New Yorkers. You see the electric bills that you're getting in the mail, you're hearing from your constituents. It's -- it's -- it's problematic, but what you fail to recognize really it's the policies that you're continuing to be advanced in this House, which continue to drive up those rates because they're mandated to do these things to pay for these green mandates that are being in place. And commercial rates are very, very similar. Rely -- reliability. So, that's some of the (indiscernible), the reliability. When you talk about businesses in New York State, they care about two things when it comes to energy: Affordable and reliable. If they can't get reliable energy in New York or affordable energy in New York, they're going to go elsewhere. The NYISO has sent out a warning signal that we should all be heeding and paying attention to. They're literally talking about powering plants that have been shut down to meet the reliability grids concerns that are out there. But yet, we see time and time again

about the natural gas and pipelines. Here we are with the -- the other thing the -- the NYISO said, by 2040, you need 27 to 45 gigawatts of dispatchable emission-free resources. Gigawatt -- one gigawatt is equivalent of powering 750,000 homes. We need 27 to 45 gigawatts of that. Our total generating capacity in the State of New York is 41 gigawatts, that's with wind, solar, hydro, nuclear, natural gas. So, we need 27 to 45 gigawatts of dispatchable emission-free resources. The State has no idea what that resource is going to be. Is it going to be advanced nuclear, is it going to be hydrogen, is it going to be renewable natural gas, carbon capture and sequestration? We don't know, no one knows but we continue down this path at full speed ahead, this march to full electrification, making it harder and more expensive for people to hook up onto electrification and try -- to natural gas, and try get them off natural gas. As I said before, natural gas has always been referred to as a bridge fuel, but again you don't tear down a bridge before you build a new one, but that's exactly what we're doing with our energy policy in the State. Feasibility, not only do you need 27- 45 gigawatts of dispatchable emission-free resources, we need over 120 gigawatts of new generation. That's wind, solar, hydro. I mean that's just not possible. That's not sustainable, that's not feasible.

It's no doubt this House, the Governor really has shown an animosity towards you using natural gas. First the ban on pac -- fracking, second, pipeline denials for getting natural gas, whether it's in the Northeast or throughout New York State or down to

the City areas, having a pipeline project be displayed. Denying air permits for new natural gas power plants and also denying air permits for renewals. And then we see now with this and we've seen other proposals that really want to just have more people off natural gas. I will repeat again, 71 percent of New Yorkers want natural gas. Seventy-six percent of independents say that, they don't want a gas ban, but this is -- this is the route we're heading down with these policies. Two-thirds of New Yorkers want a balance of renewable and natural gas. They want all of the above, including 74 percent of democrats. And just like your 401K, you don't put it all in stocks, cash and bonds, you diversify it to protect it, to make it more resilient. That's what we should be doing with our energy policy in the State of New York. So we can talk about those things. We talk about cost, affordability, reliability, feasibility, the property tax burden. I talked about that a little bit. Utilities pay some of the highest property taxes in the country. Our power producers pay like over \$1.8 billion in (indiscernible), but the utilities pay on the amount of gas that goes through their pipeline. If the gas -- amount of gas that's going through the pipelines has decreased, that's going to be less that they're going to be paying in property taxes, but that's going to be put on the local property taxpayer more in addition to higher rates because you have -- those two you still have those same fixed costs with less users. Talk about land use. Our land use for wind and solar has taken up lands in Upstate New York, taken up farmlands. We've talked about the -- the batteries for powering EVs, you know, the human rights and the

environmental pollutions from that. Talk about energy security with wind, solar. With solar, 80 -- 80 plus percent of solar is -- comes from China. Eighty percent of the rare earth materials come from China, and I know this is done under the guise of climate change and global emissions, but I will remind my colleagues in this House, .4 percent, just .4 percent of global emissions come from New York. Thirty percent come from China and China has 1,000 coal plants and building more every week, over 1,000 a week -- they have 1,000 coal plants and building more every week. In fact, last year, China expanded their coal generating capacity in the State of New York by 95 gigawatts. Think about that. They expanded their coal generating capacity by double what our total generating capacity in New York. How does this make any sense to anyone? It's just more cost, more burden on our ratepayers, on our businesses.

And I'll -- I'll just -- I'll close, I think this is a statement from the -- the laborers pack expressing their opposition to this legislation: This legislation, while -- while well-intentioned, would lead to increased costs for ratepayers, the loss of career track construction jobs and an unreliable electrical grid. The transmission to an emission-free future must account for current realities, which includes the impact on grid reliability and the potential for adverse fiscal and economic implications. I think those three -- several lines sums it up pretty good. This is a problem moving forward. I -- I -- I just think it's the wrong policy. I continue to see the policy, I continue to see the concerns coming out from the other side about high

electrical -- high utility bills, but it's quick to go after the utilities when -- for -- when they go for rate increases, but when the PSC approved \$43 billion in future rate pay increases to pay for the green energy mandates that this House is advocating for, I didn't hear anyone speak up. Our side of the aisle will continue to speak up for the ratepayer, our side of the aisle will continue to point out the flaws with the energy policy in the State, whether it's the affordability crisis, whether it's the reliability crisis, whether it's the feasibility of this policy not being feasible. We will continue to talk about it, we will continue to act and hopefully at some point in time, this House will understand that and make the right decisions to address these policies that aren't going to work for the public we represent. It's not going to work for the senior citizens, it's not going to work for the veteran -- disabled veteran, it's not going to work for our small businesses and manufactures, it's not going to work for anyone. So, for these reasons, Madam Speaker, and for a whole --a whole host of other reasons, I'm going to be voting in the negative and I would urge my colleagues to do the same. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Ari Brown.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. A. BROWN: Thank you, Madam Sponsor. I'd like to focus on the amendment of Section 31 of the Public Service Law. I found that it's very limited in the amendment and there's a lot of conflicts. I have a feeling we'll probably be back for a chapter amendment at some point, but let's get into that a little bit if you don't mind.

MS. SIMON: Chapter amendment?

MR. A. BROWN: As Public Service Law we know it's designed to ensure fair, universal access to gas and electric utility service in New York. So, this -- this particular bill doesn't eliminate gas service, it just changes the dynamics of how it's provided. And that being said, how can we claim to uphold this Public Service Law mandate for fair and equitable access to utility service when this bill makes gas access financially unreachable for tens of thousands of working class families? In other words, if you're rich, okay, I'll pay for the service, but those who can't afford it, it becomes a luxury item?

MS. SIMON: I would disagree with the premise of your question in -- in its entirety. The reality is this has nothing to do with the affordability, except that because you would be paying -- if you build a new building, a new residential hookup and you're building that building and there's a new residential gas hookup, you pay for it. If you were building that within a hundred feet, you wouldn't -- all your neighbors would pay. And what this bill says is, if you can afford to build a building, you're obviously building

something, pay for it yourself. That's fair and equitable. Has nothing to do with access, has nothing to do with the reliability of the system.

MR. A. BROWN: Thank you, Madam Sponsor.

Maybe I wasn't clear. As we know throughout the State -- State of New York, you can buy a house for 100,000, you can buy a home for \$100 million. The person who's building the \$100 million home, well, an extra 10- or \$15,000 to run this service may not be a big deal, but the person, the hardworking blue-collared person that scrimped and saved and was able -- he has a piece of land, perhaps it was inherited, said, *you know, I'd like gas service*. Ten thousand dollars, ten percent of the cost of the home that it's going to cost me to build is just too much. So we're saying the rich guy can have it and now the poor guy can't?

MS. SIMON: If the poor guy is building a new home within 100 feet of the gas line, he can afford to build a new home within 100 feet of the gas line. The closer it is to the gas line, the cost of the connection is cheaper. The cost of the service, the cost of your gas on an ongoing basis for -- to -- that is, you know, heating your home, it doesn't change at all. The only thing that would change is that the rest of us would not be paying for your hookup, which would save us all a couple of bucks. And you know, Section 31 of the Public Service Law didn't include the 100-foot law until 1981. So, you know, people had gas before that, too.

MR. A. BROWN: Thank you, Madam Sponsor.

MS. SIMON: And they paid for it themselves.

MR. A. BROWN: Since I was building before that, I can tell you it was -- gas was a lot cheaper back then. The service was not.

MS. SIMON: It's not about the cost of gas. Gas itself is not going up. Gas itself has been stable. What has gone up is the delivery charges. And in the delivery charges is the 100-foot rule that you and I are paying for and we're saying the other ratepayers should benefit by -- if you're going to buy -- build a house, you're going to, let's say, convert from oil. You're doing that, it's a big job. Calculating the cost of that connection, which is not that much money, to just do the connection, right? It's just the connection, it's not the ongoing service.

MR. A. BROWN: Thank you, Madam Sponsor. You -- you made a point, so I'd like to ask you about that. What do you consider not expensive? A hundred foot or less to your typical home, middle of New York.

MS. SIMON: Well, in the middle of New York, there is many -- there are many places that actually don't have gas at all. So, that would be very expensive. So, it really depends on how far away you are from the main, what kind of terrain you're going through and you know, some of the estimates are as low as \$500 to connect to a new system. Others are higher, it depends on the -- the size of the building, what size connector you need. So, these are all costs that are already known to people who do this work and the reality is, you and I, we believe, should not be paying for the guy next

door to put in a brand new connection. He should be paying for it himself if he can afford -- if he's doing that work, he can afford to pay for it.

MR. A. BROWN: Thank you, Madam Sponsor. Could you cite where you got that as low as \$500 fee? And are you familiar --

MS. SIMON: I looked it up online, Dr. Google.

MR. A. BROWN: Thank you, Madam Sponsor.

MS. SIMON: Thank you.

MR. A. BROWN: Would -- would -- do you understand how the process of connection is made? After all, this bill is -- if someone wanted to get a connection, what is the process of how that goes about for \$500 or \$1,000?

MS. SIMON: Well, the \$500 is an estimate on the low end of a new connection. That is all it is. It has nothing to do with the process of getting connected. You reach out to your utility and ask what the process is. If you go to National Grid's website the first thing they say is, *hold on, maybe you don't want gas because renewable fuels are doing much better.* So, I'm just suggesting that that is also a reality, but that's not what this bill addresses.

MR. A. BROWN: Are you familiar with, though, like I asked, how that's done? What happens, how do they connect to the gas service? What's the physical process? After all this bill is based on that.

MS. SIMON: The bill is not based on that. The bill

is based on who pays, you, putting in a new system, or me and all of us paying for your cost. I think it's fair and equitable if you pay your own cost.

MR. A. BROWN: Thank you, Madam Sponsor.

MS. SIMON: Thank you.

MR. A. BROWN: Is it not true, in fact, that when they have to break the spur, put in a T and run this service, we're talking a minimum of \$7,500 even on Long Island where there's a sand strata and no clay and it couldn't be any easier?

MS. SIMON: That may be, I'm not going to dispute your figure, but the reality is your figure is irrelevant. What is relevant is whether you pay it or we pay it.

MR. A. BROWN: So, let's get into that. Thank you, Madam Sponsor.

So, the -- this section of section -- this section of Section 31 of the Public Service Law didn't change. It still reads, if Section 31 guarantees reasonable utility access and this bill now blocks gas service to -- because of unaffordable fees, isn't this bill inviting litigation on constitutional grounds of utility discrimination or selective access?

MS. SIMON: Not in any way, shape or form. That's the answer.

MR. A. BROWN: Okay. So how can the State not continue to promise utility access under Public Service Law 31 while knowingly implementing policies, like this bill, that make service

functionally inaccessible to all but the wealthy?

MS. SIMON: It doesn't make it functionally inaccessible.

MR. A. BROWN: Okay. If -- if a group can't afford it because now it got too expensive because -- in other words, if I build a home and I build many, beforehand, under a foot or less, the gas utility company would bring the service to my -- to -- to my project. If -- if it was 101 feet like you had mentioned before, I would own that -- that property. But if I'm a person who scrimped and saved and somehow couldn't rebuild this house, it would be cheaper to rebuild this house, I'm saying to them, *you know, sorry. You're not in an affluent area. I want you to spend at least ten or 15 percent of the cost of construction of your entire home, you're not wealthy.* We're punishing people who don't have the means, and that's exactly what this bill does.

MS. SIMON: Not -- it does not at all. What it says is we will no longer pay -- punish the ratepayers for the cost of you putting in something within 100 feet.

MR. A. BROWN: Okay. Thank you, Madam Sponsor. Was there an economic impact assessment showing that this won't result in reduced housing costs throughout the State? Because as we know, our economy is based on housing starts and the housing starts in New York are way down. Forget about New York City, that show is over. But at least for the rest of the State, have we done an economic impact study?

MS. SIMON: The housing costs in New York State are not driven by whether someone has a new connector to gas. They are driven by many, many factors as I'm sure you would understand, as a person in that business. So, the reality is, you can't hang that whole thing on the 100-foot rule, because right now the costs are going up and the 100-foot rule exists. So, just false premise.

MR. A. BROWN: Thank you for that. So, let me elaborate on that thought. Yes, this is just one component. We're only adding whether two percent or five percent of the cost or sometimes ten percent. But when you put that in -- in combination with now walls have to be built at an R-20 and the roof has to be a factor of an R-50 and our cost construction now goes up 50 percent than it was three or four years ago, it's another factor why people aren't building. In other words, when I buy a piece of property, isn't it true that now my costs are so much more than they were several years ago because of bills like this?

MS. SIMON: No.

MR. A. BROWN: Can you explain that -- that statement, please?

MS. SIMON: You just explained it yourself. Your costs are going up and this bill isn't in existence. Your costs are going up for a variety of reasons and there's no way that you can convince me that paying the cost of a new connection, just a new connection to gas, is going to increase the cost of building a house by 50 percent. That is simply not true.

MR. A. BROWN: Okay. So --

MS. SIMON: In nobody's world.

MR. A. BROWN: Thank you, Madam Sponsor.

MS. SIMON: Thank you.

MR. A. BROWN: So, again, if my costs were a half-a-million dollars to build a house, or \$100,000 to build a house and now I'm going to have another \$15,000 that I didn't before, wouldn't that cost me more money?

MS. SIMON: Well, the quick -- the quick answer is, number one, you're just making up that \$15,000 for a \$100,000 home. Nobody's building a \$100,000 home these days, anyway, number one. And number two, you don't have -- have to choose gas. You can choose electricity, which in fact is easier and cheaper to install and much more cost-efficient and effective.

MR. A. BROWN: Thank you, Madam Sponsor. As a matter of fact, isn't it true that I can buy a very nice modular home for 1,200 -- 1,200 square feet, which I recently did, a place Upstate for under \$100,000 and if gas was accessible and it was under 100 feet, it would cost me between 7,500 and \$12,000? Isn't that a real number from a guy whose been in the business for 50 years?

MS. SIMON: It -- it might be a real number in that particular instance, but the reality, the question here, the only question before us here, is should you pay for that connection or should your neighbors? So, you're just basically -- your constituents are paying for everybody else already. That's a fact and that's -- that is in fact the

current law. So, this is actually going to help your constituents.

MR. A. BROWN: Thank you, Madam Sponsor.

Let's get into existing homes. So, Section 3 of the Public Service Law, subject to the requirement of subdivisions 4 and 5 in this section, whenever a residential customer moves to a new residence within the service territory of the same utility corporation or municipality, he shall be eligible to receive service at the new residence and such service shall be considered a continuation of service in all respects, with any deferred payment agreement honored, and with all rights of such customer and such utility corporation provided by this article unimpaired. In other words, I move down the block, guess what, you're putting in that service for under 100 feet and it's not going to cost me anything. That section wasn't changed in this bill amendment.

MS. SIMON: No, because it's not relevant to this bill. The reality is, if you are moving to a new building and there's already a gas connector, you get gas. You don't have to pay any of that.

MR. A. BROWN: Thank you, Madam Sponsor.

MS. SIMON: Thank you.

MR. A. BROWN: That's not what this -- that's not what the -- the Public Service Law says. It actually says that you will provide me the same service I had before, unless there's a further amendment, means you're running that line and it's not costing me anything. That's exactly what it means.

MS. SIMON: It's just the service that we're -- that --

that -- that that section refers to. So, the reality is, it's just a service. This doesn't affect the service, it affects the connector -- new connector to the gas line. That is it, sir.

MR. A. BROWN: I -- I respectfully disagree and I guess we'll see that in the chapter amendment. So --

MS. SIMON: I don't think so.

MR. A. BROWN: On another section. Isn't there a conflict, it says a utility corporation or municipality shall institute service to any applicant who meets the requirement of subdivision one of this section, within five business days after such applicant applies for service. It goes on, the utility corporation, municipality shall institute service to any applicant who meets the requirement of subs -- of -- of subdivision 1 of this section within five business days after such applicant applies for service. It goes on, the utility corporation or municipality shall initiate service promptly to applicants and -- and -- and any such corporation, municipality which fails to provide timely service to an applicant as required by the subdivision with good cause and determine it's even penalty per day. This section has -- has something to do with continued utility service, but it also has to do with if you had service, they're going to run that new line for you as well, unencumbered without expense. It's -- I'm looking at the section, you have your assistants right there. They'll tell you the same thing.

MS. SIMON: Well, if it's a new line and it's 101 feet away from the gas line, you're paying for it anyway and all we're

saying is if you're 99 feet, now you pay. That's all.

MR. A. BROWN: Thank you, Madam Sponsor.

With respect, the -- the section doesn't say that, but I guess we'll see that in the chapter amendment.

Madam Speaker, on the bill, please.

ACTING SPEAKER HUNTER: On the bill.

MR. A. BROWN: I'm big believer in redundancy.

When I installed my own boiler piece by piece, I made sure they were redundant systems. Instead of just having one zone valve to handle five zones, I ran circulators for each and every zone in case something went down. As we all remember, during Hurricane Sandy, who were the only people that had hot water? It was those of us that had a gas hot water heater which requires no electricity. As a matter of fact, if you had a steam boiler, which works off of millivolts, you didn't need electricity, also. I'm a major fan of electric heat pumps, but the problem is under zero degrees they're not not only efficient, many times they'll actually freeze up and not work. We saw this happen in Texas where they thought they could rely on solar and -- and power like that and they had a disaster a few years back.

ACTING SPEAKER HUNTER: Thank you, Mr. Brown.

MR. A. BROWN: Thank you, Madam Sponsor [sic].

ACTING SPEAKER HUNTER: Mr. Durso.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Certainly.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. DURSO: Thank you, Ms. Simon. So, just to continue with this debate, is this for new construction only, or is this for current residential homes?

MS. SIMON: Well, it is for new construction if it's started before December 31st, after which it would need to be electric anyway. And it is for existing homes if you are converting let's say, from propane or oil, right? So, it's a new gas connector. If it's not a new gas connection, irrelevant. Entirely --

MR. DURSO: Right, because you already have gas at that point. So, why would you need it?

MS. SIMON: That's exactly right. Most buildings that have gas, already have gas.

MR. DURSO: But this is not for commercial use, correct?

MS. SIMON: No, it is not.

MR. DURSO: And mixed-use? I know it was asked before, but I apologize, I didn't hear the answer.

MS. SIMON: Mixed-use, you're gonna have to duke that out with the -- the Public Service Comission, the utility and the locality. I think it depends on what kind of connections you're putting in. So, if you're putting in a connection to the business uses, right, or

that section of the building that's commercial, that is currently -- would be a cost borne by whoever is doing that. If it's within 100 feet, the PSC has already determined that it's going to be borne by the other customers. But the reality, of course, is that commercial rates are far cheaper than residential rates as you know. If it's for the residential portion and it's a new connection, then the builder would pay for it, presupposing it's within 100 feet. If it's farther than 100 feet from the gas line, the -- whoever's building that building would pay for it.

MR. DURSO: Okay. So, with -- with that being said, the apartment buildings themselves, are they all considered residential or commercial?

MS. SIMON: I think I just answered the question. If there's a -- you're talking about building a new building --

MR. DURSO: No, no, no. I'm sorry. For -- for -- for an existing building --

MS. SIMON: Okay.

MR. DURSO: -- that is currently, right now, as an apartment building of let's say five or more units, right, and they want to hook up to gas. Are those -- because now some buildings that have that are considered commercial, correct?

MS. SIMON: It's -- this is about residents -- new residential hookups only.

MR. DURSO: No, I understand -- so, this is strictly for residential. So, if you're a commercial building, but you have ten apartment units in it, this doesn't concern you.

MS. SIMON: If you're a -- no. That's a mixed-use building.

MR. DURSO: Correct. So, who's paying that -- who's paying --

MS. SIMON: So, I just answered that question.

MR. DURSO: Well, but I'm saying, but who's -- who's paying for that hookup?

MS. SIMON: The residential portion of that building, if you have a mixed-use building, it's the same answer. The -- the commercial part would be paid for by the --

MR. DURSO: The utility.

MS. SIMON: -- it's connected to wherever it's connected pursuant to the PSC regulations, right? Their rule. If it's -- if it's residential, right now and only if it's within 100 feet of the gas line, right, then the ratepayers in your neighborhood would pay for it and the builder who puts in that new building and is going to be collecting rents from that 500 units, is going to actually be making a bundle, because everybody else is paying for that connection.

MR. DURSO: Well, that was my question. So, if you have a residential standalone home, right --

MS. SIMON: Yes.

MR. DURSO: -- and you -- and you have gas within 100 feet, you have to now pay for it on your own, correct? Which is --

MS. SIMON: If you are putting in a new connection only.

MR. DURSO: Yes. Yes, if you're putting in a new connection. But if I have a commercial building that has tenants in it, apartment building, who --

MS. SIMON: It's mixed-use.

MR. DURSO: Yes, a mixed-use --

MS. SIMON: Right.

MR. DURSO: -- is the building now responsible for paying for that 100 foot connection?

MS. SIMON: Are you saying that the owner of the building, the landlord is running a commercial operation with residential customers?

MR. DURSO: Yes.

MS. SIMON: And that has somehow different than a mixed-use building? I don't believe that's the case, right? This is about new residential connections. If it is a -- an apartment building being put in and somebody who's a developer, or a builder, is putting in that building, they would bear that cost for the residential connection if it's within 100 feet.

MR. DURSO: Ma'am, but you keep saying new buildings. I'm saying existing buildings.

MS. SIMON: If it's an existing building, and it's already connected to gas --

MR. DURSO: No, it's not connected to gas. If you have --

MS. SIMON: Okay. So, what's it connected to in

your example?

MR. DURSO: Oil.

MS. SIMON: Oil. You're going to put in a big apartment building, you have a 500 unit --

MR. DURSO: No, no, no. I'm not saying put it in a building -- apartment building. I'm saying one already exists. It has currently being heated by oil. They have gas lines within 100 feet. Are they allowed to get that hookup to that commercial building that has 30 units in it?

MS. SIMON: They're allowed to get to the connection, nobody's stopping them from connecting.

MR. DURSO: Correct. Now, will -- will the utility pay for that?

MS. SIMON: The utility doesn't pay for anything. You pay for it.

MR. DURSO: Okay. But, you --

MS. SIMON: The reality is, whether you're paying for the connection, or your neighbors are paying for the connection --

MR. DURSO: Well, how would that work for that building then?

MS. SIMON: The utility isn't paying for anything.

MR. DURSO: How would -- so, are we all paying for that commercial building that has 30 units in it?

MS. SIMON: Yes.

MR. DURSO: So, why are they allowed to do it, but

a residential customer cannot?

MS. SIMON: Well, we are changing the law. The law --

MR. DURSO: Right, so why wouldn't we add that in?

MS. SIMON: Well, the law applies to residential hookups. The PSC regulation applies to commercial. The law is silent on the commercial.

MR. DURSO: Okay.

MS. SIMON: That is why.

MR. DURSO: So -- so, again, the mixed-use buildings and their commercial building that has 30 or so units in it, if they want to hook up to gas, we're all going to pay for it. That's okay, but a residential person -- a person that has a residential home, has to pay for it on their own.

MS. SIMON: Well, you know, I didn't say it was okay. I just said that's what currently is the PSC regulation.

MR. DURSO: Well, why didn't we put that in the bill?

MS. SIMON: I would suggest you reach out to the PSC and ask them to undo that regulation.

MR. DURSO: I -- well, I -- I wouldn't have did this bill, so I'm just wondering why --

MS. SIMON: This bill? This bill is an amendment to the law, not the PSC's regulation, which we have no control over

their regulations.

MR. DURSO: Okay. So -- so, let's go with this law then since it seems that the commercial use are -- are getting a break.

MS. SIMON: They haven't. They always do anyway, they pay cheaper rates.

MR. DURSO: Well, good thing we're not changing it now then. So, with that being said, ma'am, the -- the hookup that goes from the -- the street if it's within 100 feet to the house, you were saying now it's going to be on the residents, right? The -- the person that wants to get that hookup, they have to pay for it solely on their own, correct?

MS. SIMON: The residential customer who wants a new connection, yes.

MR. DURSO: Okay. If you are going from gas to electric, right, let's just say you're gonna -- you're gonna power your whole home by electric at that point. Who's paying for that? Let's say they wanted to do the opposite.

MS. SIMON: Currently, until we pass the -- the rest -- the New York Heat Act, currently, what will happen is that you are paying to convert, right? And if you're paying to convert, you're paying to convert.

MR. DURSO: So, you have to -- so, if I'm the -- if I'm the residential customer and I want to get rid of gas and I want to convert to all electric, I pay for that on my own, right? The utility doesn't?

MS. SIMON: Yes. And if you're smart, you talk to NYSERDA and get a tax credit.

MR. DURSO: Oh, perfect. Okay. So, on top of that, if I'm hooking up to gas, let's say I'm the residential customer and I find out that gas is in the street, right, within 100 feet and I can then pay for that on my own, correct? Am I allowed to hire a private contractor to do that?

MS. SIMON: This has nothing to do with who you hire to do --

MR. DURSO: I'm just asking if there's language in the bill if you can hire a private contractor.

MS. SIMON: There's no language in the bill that says yay or nay on hiring a private contractor --

MR. DURSO: So, who makes that decision?

MS. SIMON: Most people actually do hire contractors to build buildings or (indiscernible/cross-talk).

MR. DURSO: So, again, so what you're saying is that there's no language in this bill, currently, which now stops the utility company from taking that burden on and hooking it up, right, to now, if I'm the residential customer and I say, *I want gas*. I can go out, get a permit right through the town, or village, or city, or wherever you live and I could really have anybody I want do that work, correct?

(Conferencing)

MS. SIMON: So, that is, in fact, irrelevant to this

law -- this bill.

MR. DURSO: But it's not, though. Because --

MS. SIMON: It is irrelevant to this bill. The bill says, who pays if you're with -- if the -- the person putting in that brand new connection, residential use, brand new connection is within 100 feet, that person putting in the connection pays. If it's more than 100 feet -- 100 feet, that person that pays already, anyways. So, all we're doing is changing within 100 feet --

MR. DURSO: Understood.

MS. SIMON: So all of this other stuff is -- is in the category of nice to know, but irrelevant to this bill.

MR. DURSO: Well, I would happen to disagree because currently, the way it's currently constituted, if want to get a gas up hookup, the utility has to do it, correct?

MS. SIMON: The utility does that. I don't know why you would want to encourage people to do their own hookups to the utility system. I think that would be improper, but it has nothing to do with this law.

MR. DURSO: Well, it does have to do with this law because --

MS. SIMON: No, it doesn't. It doesn't.

MR. DURSO: Well, ma'am, unfortunately it does because currently, the utility is the one that is doing the work and those workers that work for those utility companies and especially in my area, are unionized labor.

MS. SIMON: Okay.

MR. DURSO: You are literally taking away their jobs by putting this bill in, by not addressing the fact that it is taking union jobs away and if you're okay with that, that's fine. But, what you are -- you're -- what you're failing to understand is, you want to say that it has nothing to do with this bill, it 100 percent does.

MS. SIMON: No, it does not. It does not.

MR. DURSO: Everybody that -- everybody that does this work, a special amount, is unionized labor. What you're now saying is it doesn't matter. You could hire your own contractor, I don't care.

MS. SIMON: No, I said the bill is silent on that. That's what I said.

MR. DURSO: Who -- whose bill is it?

MS. SIMON: The bill, right here (indicating) 4A, you just have to read it, it says nothing about that.

MR. DURSO: Whose bill is it, ma'am?

MS. SIMON: Sir, whoever puts in that -- that connection, if it's done by union labor, under the work with the utility, that would remain. This changes that not at all. It only changes who pays for the connection. You or your neighbor.

MR. DURSO: But, that is -- but that's not true --

MS. SIMON: It is.

MR. DURSO: Well, under the current law, right, and under the current way that it works, if I want a gas connection, the

utility does it. The utility, work gets done by union labor. Now what you're saying is, I can go out and hire a private contractor.

MS. SIMON: I'm not saying that, you said that.

MR. DURSO: Well, you're not not saying it because it's your bill and you didn't put it in there to protect workers.

MS. SIMON: No, I think -- I think that is just so far afield as to be ridiculous. The reality is, sir, you can -- I am not rewriting the entire Public Service Law.

MR. DURSO: No.

MS. SIMON: I am not rewriting everything. Whatever is already in existence remains in existence. The only thing that changes is, you put in a new connection within 100 feet in a residential building, you pay for it.

MR. DURSO: Well, ma'am --

MS. SIMON: That's it, that's all it changes. It doesn't change anything else.

MR. DURSO: I understand -- I understand that, but as my -- as one of my colleagues asked you before, are considered about the impact it will have?

MS. SIMON: Of course I'm concerned but it doesn't affect them.

MR. DURSO: No, I understand that, but you're saying that but it seems that the New York State laborers are concerned because they put in an opposition and all those -- also the New York State Conference of Union Operating Engineers. So,

they're concerned, but you're not and that concerns me.

MS. SIMON: No, that is not true. Don't put words into my mouth.

MR. DURSO: No, no, no. I'm --

MS. SIMON: Do not put words into my mouth.

MR. DURSO: I'm not putting --

MS. SIMON: Do not put words into my mouth.

ACTING SPEAKER HUNTER: Colleagues, colleagues.

MS. SIMON: I'm reclaiming my time. Reclaiming my time.

ACTING SPEAKER HUNTER: We will ask questions, pause and wait for an answer, please.

MR. DURSO: Ms. Simon, I apologize and I wasn't trying to put words in your mouth. So, I do apologize. But, what I will say, is the words are not in the bill protecting union labor and that's my biggest concern.

MS. SIMON: This bill has nothing to do with who does the jobs --

MR. DURSO: I know that.

MS. SIMON: -- and those jobs exist to maintain the current system. They are not going to lose jobs because somebody else pays for it instead of the ratepayers. That is simply reality. I understand they seem to be concerned, but I believe it is because they misunderstand the bill.

MR. DURSO: So, the -- the local labor unions, the laborers and the operating engineers don't understand the bill?

MS. SIMON: That's correct.

MR. DURSO: Thank you, Ms. Simon. I appreciate your time and answering my questions and I apologize for the -- me being inconsiderate and putting words in your mouth. I do apologize that that's the way it came off.

MS. SIMON: Thank you, I appreciate that.

MR. DURSO: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. DURSO: So, my biggest concern with this and I -- and I appreciate the sponsor taking the time to answer the questions, my concern is you're right, I -- and -- and as she said, maybe I put words in her mouth, the fact of the matter is, the words aren't on the paper and as of right now, this work goes through as union labor and what this does is negate that and puts workers, their families and the jobs that they do, whether it's on Long Island or throughout New York State, in jeopardy. I will not be supporting this bill.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Bologna.

MR. BOLOGNA: Thank you, Madam Speaker.

Would the sponsor yield for a couple of questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: I will.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. BOLOGNA: Thank you. I have the -- the premise of a lot of what I'm asking is going to be -- has been covered, but I'm going in a different direction. So, I apologize if the -- some of the initial questions are a little redundant.

So, would you agree with the Governor's assessment that we are both in a housing and affordability crisis? Would you agree with that assessment by the Governor?

MS. SIMON: A, I agree with it, but it's irrelevant to this bill.

MR. BOLOGNA: Well, we'll -- we'll get to that.

MS. SIMON: We're debating this bill, not the Governor's messaging.

MR. BOLOGNA: Okay, well, we'll get there. So, let's talk about some -- some of the -- the ways and some of the type of residential housing that this impacts. We've talked about new builds that are outside of 100 feet. In many rural areas and -- and especially where I represent, West New York, are -- there are actually local zoning restrictions that are beyond that. So you have to build with at least 150 feet of frontage, 200 feet of frontage and so, in those situations, I'm assuming that there's no exception, correct?

MS. SIMON: This -- this bill addresses only the length of the -- how far away from the property the gas main is. It has nothing to do with frontage, et cetera, et cetera. So, for example, if

you have extensive -- if you have big -- you have a two acre zoning right and you're putting in something -- a gas line, new gas line and it is outside of 100 feet, you're paying for it now. It doesn't change that at all.

MR. BOLOGNA: And --and again, why -- just real quick, why are we doing that again in this bill?

MS. SIMON: Why are we doing what?

MR. BOLOGNA: Why -- why are we -- why are we changing -- changing the language of the current law?

MS. SIMON: We're changing the language of the current law because it is unfair for you and I to be paying for the hookups of people who are -- newly connecting to -- to the gas system. It was some once upon a time, for other public policy reasons which no longer are those reasons.

MR. BOLOGNA: Got it. And -- and again -- and throughout the debate you've said, you know, it's -- it needs to be fair and equitable, that your neighbor should pay it for yourself. The guy next door is doing a job, why should we pay for it? So, when it -- I appreciate your -- your position on self-reliance --

MS. SIMON: I'm saving you money.

MR. BOLOGNA: I think that's great. So, now does the same apply to things like healthcare, college tuition, solar subsidies, EV subsidies, wind subsidies, farm subsidies, the migrant crisis? Can we go to -- can we go to self-reliance on all those things now, too?

MS. SIMON: You know, I am passing this bill, which is a short -- it's really only six lines, seven lines in the text, has nothing to do with any of those things. Do I think we should be more equitable in many ways in our society? Absolutely. But, that has [sic] completely and utterly irrelevant to this law.

MR. BOLOGNA: Okay. So, let's go back to -- to regionality here in terms of, like, you know, when we talk about a lot of these bills, I'll kind of get a mental picture in my head and I'll start driving down streets in my district and -- and looking around. And especially in a rural Niagara County, which I represent, there is [sic] houses with propane tanks all over the place.

MS. SIMON: Mm-hmm.

MR. BOLOGNA: And -- and again, Brooklyn, right, if I'm not mistaken? Do you -- do you guys have a lot of, like, house -- standalone houses with propane tanks in, like, the middle of a massive cornfield? Is that a --

MS. SIMON: No, we don't because we don't have any cornfields.

MR. BOLOGNA: Okay.

MS. SIMON: And most people who had propane once upon a time probably converted a while ago. We used to have -- as late at the 90s, there were five schools --

MR. BOLOGNA: Okay.

MS. SIMON: -- in my neck of the woods in Brooklyn that was still heated by coal.

MR. BOLOGNA: Okay.

MS. SIMON: So, they no longer are because coal is, in fact, very dirty.

MR. BOLOGNA: Yeah, I could -- I could --

MS. SIMON: So, that was a good decision. But propane is not affected by this at all.

MR. BOLOGNA: Well -- so, a lot of propane-powered houses in my neck of the woods are slowly trying to get to natural gas, and what is happening is -- again, it's expensive, but the -- the utility companies are actually slowly starting to get out to -- to those regions. I guess I would ask if you share my concern, in that now that this will be taking place, is this a disincentive now for those -- for gas companies to come out, because they have fears that the residents or their potential, you know, clients or ratepayers, will not want to pay that extra, you know, for the line -- the -- beyond 100 feet? So, is there a dis -- is this not a disincentive to expand that service?

MS. SIMON: Well, first of all, it's a matter of public policy. New York State has passed the CLCPA and we have a -- a Climate Action Plan, as you may know. And so we have -- we have a public policy to reduce the number of fossil fuels being used in New York State because they are dangerous and they are harmful to -- to children and other living things. So, the reality is that that is a bigger policy. Whether the comp -- the gas companies feel disincentivized or not, I cannot answer for them. All we are saying is, if it's a new

connection, instead of you and I paying for your neighbor, your neighbor pays for that new connection.

MR. BOLOGNA: So I'm actually happy you brought up a term "dangerous" because that was actually gonna be my next point. So, in Western New York a couple years ago right on Christmas there was a blizzard.

MS. SIMON: Yes, I know.

MR. BOLOGNA: And 40-something-odd people perished in that blizzard. And -- and one of the things that we learned from that was, in fact, that electricity is not as reliable in a life or death situation as natural gas. So a -- a question would be why would we want to -- is it not more dangerous that we're limiting people's ability to afford modifying their home to natural gas than --

MS. SIMON: Well, first of all, we are not limiting their ability to get to gas.

MR. BOLOGNA: We're making it more expensive.

MS. SIMON: I'm just saying, right? If they live 101 feet away, they're paying for that change anyway. And chances are for many people in rural Niagara County, they are farther away from a gas line than 100 hundred feet anyway.

MR. BOLOGNA: Mm-hmm.

MS. SIMON: And so if they were doing that, that -- they would pay that cost. They would make that decision themselves, they would look at their finances and they would decide whether they could do that. Right now if they were -- happened to be within 100

feet from the gas line, you and I would pay for it. And we are saying that, *You know what? You want gas, you want a new connection. You think that's better for you and your family. Get the connection. But don't -- we shouldn't be bearing that cost.*

MR. BOLOGNA: I -- I -- again, I understand the point. I -- I guess, you know, three-fourths, so, you know, 75 percent of people in this State want the ability to -- to choose natural gas. And I -- I understand that this doesn't necessarily limit that. But as the People's House, 75-plus percent of the people are telling us that they want the ability to keep natural gas. So I -- I guess it -- it's more in the what this bill says that -- that concerns me. I guess is -- it's really not a question, it's more of a statement.

MS. SIMON: So I'm not sure what the question is.

MR. BOLOGNA: Because there wasn't one. It was just a statement.

MS. SIMON: Okay.

MR. BOLOGNA: So I guess -- you know, thank you very much for answering my questions. I really appreciate it.

MS. SIMON: You're welcome.

MR. BOLOGNA: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. BOLOGNA: Overall, there -- there are just a lot of concerns with this. And again, I understand the -- the -- the portion of -- of self-reliance and having someone pay for something that they are doing themselves [sic]. But that really should then start to filter in

the other parts of what we do here in the State Assembly.

A point was brought up earlier that -- that natural gas in West [sic] New York is cheaper than it is out on Long Island or in (indiscernible) Downstate. Fine. Then why is there not a carveout for Western New York? You know, people that I speak to back home have serious concerns in this State about where our energy policies are. And I think there is a tone deafness throughout the New York State, you know, government that Western New York is a very real and legitimate concern that our ability to have natural gas and keep natural gas for emergency situations and just overall way of life is slowly being eroded.

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

ACTING SPEAKER HUNTER: Ms. Bailey.

MRS. BAILEY: Thank you, Madam Speaker.

Would the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Certainly.

ACTING SPEAKER HUNTER: The sponsor yields.

MRS. BAILEY: Thank you very much. I have a couple of questions. Specifically, what is the effective date of this piece of legislation?

MS. SIMON: Immediately.

MRS. BAILEY: Immediately. Okay. So you have

mentioned a couple times today that, you know, if projects are -- are started or done before the December 31st time frame that they would fall under this with the 100 foot -- you know, having the connection up to the residential. Why are we doing this, then, if come December 31st things are shifting?

MS. SIMON: Because the All-Electric Buildings Act only applies to new construction, right? This applies to, let's say, a new connection that might be new construction, but it also might be a conversion. Let's say if you were converting from oil to natural gas, this would affect you. The All-Electric Buildings Act doesn't affect that at all.

MRS. BAILEY: Okay. Thank you for that answer, because that takes me into my next question.

MS. SIMON: Mm-hmm.

MRS. BAILEY: So those projects -- you know, we've talked quite a bit about, you know, rural Western New York. That is where I reside myself. And we have some projects currently that we have been trying to figure out how can we move them forward because we -- we do have a crisis when it comes to affordable housing in our area. And we have a couple new housing developments going up; however, the grid, the electrical grid can't handle if -- if we were to move forward to the all-electric mandate that we're looking at December 31st. So some of the answers to that was [sic] could we potentially use gas for some pieces to ensure that we have this affordable housing in our area. So, unfortunately, when I read your

legislation and as you just indicated with the -- the date of the effective piece, we're not gonna be able to do that.

MS. SIMON: Well, I would disagree because it's a phasing in of the All-Electric Buildings Act over two years. So it's not an immediate happening on January 1, 2026. So I was really more focused on the issue of who would be doing the -- the connecting kind of thing. So the All-Electric Buildings Act is phased in over a period of two years, and so it's -- it's not entirely the same situation that you laid out.

MRS. BAILEY: But when we're looking at that and we're talking affordable housing, I -- I look at it as, you know, definitely a barrier that we're gonna have in and around the hookup piece of it. Because if now we're moving that -- that piece of, you know, onto the homeowner or the new, you know, purchaser -- you know, you indicated that you can't purchase a home for \$100,000 anymore. But we're looking at affordable housing in our area between \$150- and \$200,000. That is inexpensive right now when you look at the housing market. So whether the expense is 7,500, 10,000, 2,000, it's going to incrementally be a handicap, potentially, for these individuals that we're looking to move into those areas.

MS. SIMON: Well, in the situation you're talking about now with projects under development, they would still be able to get gas. They're not affected by the All-Electric Buildings Act. And again, this bill only connects -- only affects who's paying for that connection. The reality is we're not costing people -- what -- what

we're doing is not costing you and I for the cost of somebody else putting in a connection. That is all this does. Right now those -- those connections are not subsidized by the company, they are subsidized by the other ratepayers. And so the reality is that's not actually affecting the affordability of housing. And afford -- housing affordability is going up because of a variety of reasons, as you know, and it is going up all over the State. They certainly have -- you would have no idea -- I can't rent, you know, a parking space for under \$7,000 a year. So big difference in costs, but those costs are all going up. And they're going up even more in certain parts of the State than Western New York. So you guys are doing good that way.

MRS. BAILEY: So I guess, you know, kind of back to what my colleague had indicated, you know, when you look at regionalities of the State, you know, all too often, you know, we have one-size-fits-all. So did we look at any projects that are out there across the State and how this may or may not impact those projects that are currently going on?

MS. SIMON: I'm not looking at projects because looking at projects is irrelevant to this bill. This bill simply says if you're -- if you're in a -- in a -- trying to determine whether you can do a project, you should know, have information beforehand about what your costs may be. So if this bill passes and it's signed by the Governor, that person who is making that decision needs to know what -- what the -- the field is. They need to know what they might be paying for. This is something that will not cost -- catch people

abruptly, right? So the reality is that this is not going to increase the cost of building a house dramatically, because right now the costs are the same. It's just that you and I are paying for them as opposed to the person putting in that connection.

MRS. BAILEY: We're paying for a lot in New York State.

MS. SIMON: We are. I agree.

MRS. BAILEY: So as far as -- you know, I -- I will respectfully agree to disagree. I -- I believe that this is going to have a negative impact on -- on different developments that are in consideration right now and are, you know, looking to start, you know, breaking ground here before the end of the year.

MS. SIMON: Good.

MRS. BAILEY: It's gonna have a negative impact on them.

MS. SIMON: It won't, because all it does it says, you know, *This project, you're going to pay for that connection.* Right now you and I are paying for that connection. We're saving New York's ratepayers \$200 million a year that we are bearing because other people are putting in a connection, a new connection within 100 feet. And all we're saying is that should be borne by the person putting in that connection.

MRS. BAILEY: And I think we're gonna be talking about a bill here shortly that -- that -- it's interesting that you've indicated that. But as far as this piece goes, I -- I really am struggling

with the fact that it won't increase the cost to build these new homes. Because that -- that is now going back on to the individual who thought they were gonna have a gas line brought in, which now they're gonna be told that the Governor just signed this bill, it's effective immediately. Now you are responsible for that expense.

MS. SIMON: If your project is already underway, it won't be affected. If it's new, post-signature that would be different. But the cost itself of that connection, if the connection let's say is \$7,000. That \$7,000 is not gonna change. What will change is who's paying the \$7,000. Instead of you or I, it'll be the person putting in the connection. If it's only within 100 feet. If it's 101 feet, they're paying it anyway.

MRS. BAILEY: Thank you very much.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MRS. BAILEY: I thank the sponsor for taking my questions, and actually there's a lot of concern with this bill. You know, I really question why are we discussing it today on -- on June 16th when -- when we look at, you know, come December 31st we're -- we're moving into, you know, all-electric when we're looking at this. This will definitely have a negative impact on my district on projects that are in the works right now. I find it interesting, you know, every -- you know, everyone needs electricity. Not everyone needs gas. I remember the -- the ice storm of '91. Everyone descended on my -- at my mother's house. And the reason why is

because she had a gas stove. So guess what? We were able to continue to -- to cook, to eat and -- and carry on. I worked at a local pizzeria at the same time. We were able to feed the crews, the linemen, when they came into town because we had gas ovens. So we were able to use the product that was in the walk-in coolers, and we were able to use that. We didn't lose that, and we were able to then contribute back to the folks who were out there getting the electric turned back on.

We have really gotta take a look at this. You know, what might be good for one area is going to be catastrophic for another, and we are seeing that. We see that every day in Western New York where we have the push for the solar, for the wind. You know, I -- I just saw, you know, *Good Morning America* this morning. They were in their new building. I didn't see solar panels on top of -- on tops of their building top. I saw artificial grass that they could go out and stand on.

We have opportunities to make this right for New York State, and we're doing everything we can to make it unaffordable. You know, the sponsor indicated utilities doesn't [sic] pay for anything. It comes back to you and I. I just want to leave this bill with that premise in mind, because I think that that will be a caveat into a bill we're gonna discuss here in a little bit. Because at the end of the day, it -- it all depends on whose argument you want to argue. It all comes back to the taxpayer, for the most part. And I think until we admit that and we can see that, but look at it in totality.

Let's look at what we're doing from that 30,000-mile mark -- or foot mark, and look down. Because piecemealing different pieces are going to continue to hurt Upstate New York, and we really need to look at that.

Madam Speaker, for all of these reasons I will be no on this piece of legislation.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. Will the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MRS. PEOPLES-STOKES: A couple of questions.

MS. SIMON: Certainly.

ACTING SPEAKER HUNTER: The sponsor yields.

MRS. PEOPLES-STOKES: Actually, I was just looking at the section of the bill that's gonna -- this bill is gonna change. Section 1, it amends the subdivision 4 of Section 31 of the Public Service Law that removes the requirement that the first 100 feet of new gas connections is paid for by the utility company. So is the notion of your bill that if the utility company has to pay for it, they're simply gonna spread the rate out across all -- anybody who pays for gas?

MS. SIMON: Yes.

MRS. PEOPLES-STOKES: Okay. That's clearer.

So in your estimation, has there been any utility that has spread its services that did not connect the rate to all of the people who were participating?

MS. SIMON: No.

MRS. PEOPLES-STOKES: No. And -- and I -- I -- I bring that up because I remember when I was, I want to say 15 or 16, and my father pointed out to me on our phone bill this fee that was -- had just been added. He was explaining to me why this was added. I said, *Well, what do you mean by that?* He said, *Well, a lot of these lines for the phone service are not in rural areas yet, and in order to get them there you have to have workers and they have to go out and build it. And so everybody has to pay the cost for that.* And so I'm gonna assume that cable, electricity and gas and everything else went that same model. And what your bill is trying to do is transform that model to one who -- everybody who's a ratepayer doesn't have to pay for this person to have a new home connected to gas, but only that person who has the new home has to pay for this rate. Just that person.

MS. SIMON: They pay for the connection. The rates themselves are --

MRS. PEOPLES-STOKES: They pay for the connection.

MS. SIMON: Many other things, yes.

MRS. PEOPLES-STOKES: So I won't have to pay for the connection to get a new home built in rural East Aurora. That

person who's building the home would have to pay for that.

MS. SIMON: Yes, just the connection.

MRS. PEOPLES-STOKES: Who would have to pay for their sewer sys -- sewer -- connection to the sewer system? Would I have to pay for that?

MS. SIMON: The -- no. Right now if you connect to the sewer system, the new builder, the homeowner who is putting that in pays for that.

MRS. PEOPLES-STOKES: So this is yet another cost to the new homebuilder that, much like they pay for their own sewage connection, their own water connection, they're gonna have to pay for their own gas connection as well.

MS. SIMON: Right.

MRS. PEOPLES-STOKES: Thank you. I appreciate (indiscernible).

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MRS. PEOPLES-STOKES: I -- I -- people often mention when they're having these discussions the horrific wind and snowstorm that happened in Buffalo in 2022. And people died as a result of it. It was really, really bad because people lost electricity in some areas. And if your electricity is -- is keeping your heater going, then you lost heat as well. Well, I didn't lose either. And I only have electric appliances in my home. I did find a way to get my family from where they were where they didn't have access to anything, and I

literally became a short-order cook for a week. I cooked everything that was in my freezer because everything still worked. And I'm not suggesting that it's not a bad idea to go to electricity, because eventually we may get there. But I am suggesting that we have to make sure that there's -- the grid has a capacity to go there. And if the grid had had the capacity in 2022 when we had that horrific storm, people wouldn't have died. And so I think it's fair that, you know, people who want to add fossil fuel gas to their new beautiful home, I think they should pay for it. If I had an opportunity to build a new, beautiful home I would want to go in a place where they did have the capacity for electric grid. And I would go electric, because in -- at the end of the day, not only is it gonna be less expensive, but it's also going to be better for our environment, and perhaps we will stop having those horrific wind and snowstorms that take people out.

And so I am appreciating the transformation of this bill. I also want to mention that there have been at least two new developments in my district. They're clearly affordable homes. They're in some cases high-rises, in some cases townhouses, and they're all being built 100 percent electric. Some of them have already started to move people in. And so if -- if people don't think it's possible to do affordable housing around -- with electricity, it is possible. Because it's actually happening now and it happens to be going on with public housing.

And so I -- I think there's a lot of things that eventually will change in this society, as most things do at some point.

Nothing stays the same. In fact, electricity used to be the number one thing that we used to move around in this country. But at some point the fossil fuel business, gas companies came along and they won the battle. They won the fight. They won the debate. And they took over what electricity was doing. In fact, I can't call our President's name, but I do know that he was shot at the Pan-Am Exposition. He went to the hospital in an ambulance that was run by electricity. It wasn't run by gas. And so we're going full circle in society, and it's -- it's a challenge for a lot of us to go because it's different. And it's not the business that we're in. And it's not the thing that we would like to see happen right now. But I think if we begin to speak more to each other about how we get to a place where the Superintendent of our Department of Financial Services isn't telling us that multiple billions of dollars in taxpayer dollars are being used -- used to deal with weather-related events that happened in New York State. We'll get to a point where insurance companies are not providing insurance to people anymore in certain places because of -- there are so many weather events, they can't afford it.

So at some point we got to figure out how to get to this. I think this is a step. I want to congratulate the sponsor on coming to it, and I hope that we can make this at least happen. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Chang.

MR. CHANG: Thank you, Madam Speaker.

On the bill itself.

ACTING SPEAKER HUNTER: On the bill.

MR. CHANG: As I hear from our colleagues and the sponsor of this bill that we save ratepayers about over \$200 million because the connection itself, I think that's kind of disingenuous, too. Because we subsidize solar and -- and wind power, and just for NYSERDA, we subsidize over \$3.3 billion just for wind power and many, many more billions for solar power. And it costs fossil fuel to make these equipment. So Upstate New York need alternative energy because their way they're structured rural. I live in urban, and we do -- we're fortunate that we have both electric and gas been installed for 40 or 50 years it's been established. Gas is not subsidized by itself. But connection, yes, by ratepayers. But the subsidies that we pay for on solar power and wind is all taxes, because the tax credit -- it's not just the ratepayer, but the taxpayer of New York State pays for that for subsidies. Why not eliminate them and see what the market forces are? Those renewable energies are very costly. More costly than fossil fuel, and it will affect our economy because of those costs.

Current technology, if we want to be more efficient and less fossil fuel is really nuclear. Nuclear new technology is more safer than before, than 30, 40 years ago. Right now current technology it is. I don't know in my lifetime the best, most reliable and fossil fuel free energy would be fusion. But I don't know why able to live that to see that in the commercial field. So we have to balance on energy needs for our Upstate brethren, because electric is

not reliable. Gas can, because gas is -- gas pipeline is basically underground. Most of our electric field are aboveground, not underground. That's why it's subject to weather. That's why it's not reliable. It is most unfortunate, and it's sad for certain area have adverse weather effects that affects their electric -- electric power. Certain -- certain weather forecast. But right now this current system of balancing -- of subsidizing of the gas connection should be in play, especially for Upstate New York. And until nuclear or fusion comes out, then that will be the best reliable energy.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Ms. Gallagher.

MS. GALLAGHER: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. GALLAGHER: My colleagues on the other side of the aisle act as if this is a radical bill. In reality, it is an exceedingly modest compromise. It is still the first step and it is worth doing. But let us be clear: It is the bare minimum. New York has bold climate goals as outlawed by State law -- as outlined by State law, but somewhere between touting the goals and doing the work required to meet them, we lose the will to commit.

We are facing an existential climate crisis. 2024 was the hottest year on record. Our air quality has been moderately to dangerously unhealthy because of raging Canadian wildfires that

would have been unthinkable a few years ago. Now they are an annual event. Utility companies continue to raise their height -- hike their rates, forcing ratepayers to pick up the tab to repair and deliver antiquated gas infrastructure. The status quo is not sustainable. My constituents write to me every week, talking about the increases in their utility costs. People are forced to choose between paying their utility bills and putting food on the table. The thing that industry doesn't want our constituents to understand is that these costs are going to keep rising year over year because the industry is choosing to raise the bills. They continue to replace infrastructure that should be retired in locations where renewable energy is available and is less expensive. We will hopefully address this in the years to come.

The reason why is simple; New York's gas infrastructure is old. It is leak prone and it is out of alignment with New York's laws and climate goals. It is a short-sighted policy to have ratepayers to pay to repair aging, leak-prone gas infrastructure, even as we know that we must transition to electric as a matter of New York law and mitigating the worst effects of climate change. This bill will not address that. It will only ensure that ratepayers no longer are forced to pay for new hookups with new gas lines within 100 feet. It is a modest solution that will save ratepayers money and begin to transition us to a future where our constituents no longer pay for life-threatening infrastructure.

The reason there is confusion about what this bill will do, as well as the efficiency and breadth of new, sustainable and

reliable technology available in 2025 is because as we've seen for decades, the fossil fuel industry is willing to spend obscene amounts of money and perpetuate false narratives to -- to protect their profits, even as they undeniably know about the suffering and damage their products will cause. It is shameful and we must not fall for this propaganda.

This bill, minimal as it is, will save ratepayers in my district \$99 million each year. As the years ago on the savings will grow. It will create a path to ending our addiction to gas energy, which is only going to become increasingly expensive and dangerous.

I am proud to vote in the affirmative for this bill. I will continue to fight alongside the sponsor to end the obligation to serve, and to cap the rates for low-income New Yorkers. Our abilities to do so will determine how liveable the future is for generations to come. Your children, your grandchildren and your great-grandchildren depend on us getting this right.

I thank the sponsor for her work, her common sense, and for her courage. Thank you.

ACTING SPEAKER HUNTER: Ms. Walsh.

MS. WALSH: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: So I've been listening to the debate today, and I -- I just find it so amusing that the sponsor rhetorically asks should you pay for your own connection or should all ratepayers, right? So -- and I think it's interesting because the -- the concept is

should all ratepayers pay as an idea of, like, a greater social goal or a social utility, or should the individual have to pay. And it's very interesting, the position that's taken by the sponsor and by the previous speaker and by members of the Majority that they want so many other things to be free or extremely reduced. And I just started jotting down a quick list. Here we go: Free healthcare, including everything under the sun covered under the Medicaid program. Free birth control. Free college. Free housing or rent. Free menstrual products. Free childcare. Free school lunches. Free legal aid, representation in court. Free preschool. Free translation services. Free food under SNAP, WIC, EBT. We're gonna take up a bill a little bit later looking for a portion of the Thruway near Syracuse to be free. Tax credits for green energy initiatives, having kids, et cetera, et cetera, et cetera. But on this one, on this bill we want the homeowner to pay. The homeowner needs to step up and pay for themselves. So -- as an upfront cost, and that's on top of all the other upfront costs that people have to pay in order to own their own home; their closing costs and -- and everything else. It has never, my friends, been harder for New Yorkers to own their own homes, and -- and this bill is gonna make it even harder. So if I can put words in the -- the mouths of those who support this bill I would say housing crisis? What housing crisis?

If this bill becomes a law, we will all know for sure what some of us already suspect: That the Majority's so-called affordability agenda for New Yorkers is a joke. I vote no.

ACTING SPEAKER HUNTER: Mr. Ra.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Certainly.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. RA: Thank you. So if we can just go back for a minute, because I think at the end of the day you're right. The bill language itself is -- is short in what it does, but we obviously need to think about how this interacts with the other policies that have been brought forward. And I think it's fairly obvious that one of those things that we need to keep in mind is how it interacts with all-electric buildings and the process that is ongoing with regard to coming forth with -- with regulations for that, and I think we just finished kind of a comment period with regard to that.

So what this bill does, as you said, is it says the 100-foot rule, which -- which has the utility cover that cost if you're within 100 feet, is -- is repealed, and now it's up to the developer or the homeowner to pay for that cost, correct?

MS. SIMON: Well, I would disagree in that I didn't say the utility will pay, because the reality is the utility passes that cost on to all of the ratepayers in the form of delivery charges, which is where they get ratepayers coming and going to subsidize just about all of their costs and, in fact, some of their rate hikes include additional return to shareholders on their equity. So we're paying for everything

including the shareholder equity.

MR. RA: Okay. So you said the savings, then, of not doing this any longer is \$200 million?

MS. SIMON: The estimate's for the State, Statewide, that ratepayers are bearing for the new connections within 100 feet of the gas line --

MR. RA: Uh-huh.

MS. SIMON: -- amount to about 200 million a year. That would now not be passed on to ratepayers, but would be borne by the person who is doing that developing.

MR. RA: Okay. Now, do you know how many residential natural gas customers there are in New York State?

MS. SIMON: I don't off the top of my head, but they are declining. Thirteen percent of New Yorkers have chosen something else over -- since 2019.

MR. RA: Well, six out of ten New Yorkers rely on nat -- natural gas to heat their homes and we'll get to that in a minute. But there's currently over 4.5 million residential nat -- natural gas customers in New York State. So if you do the math, that's about \$44 per customer, which is, you know, a few -- few bucks a month. Now, I don't shake a stick at saving any ratepayer any money, but we have to think about what the overall cost is. We -- too often with these policies we -- we think in tunnel vision, and we don't think about what the impacts are, say, when you do make connecting a home more expensive. Now, I would assume at this point if we are getting into

implementing the All-Electric Buildings Act that we're gonna mostly be talking about converting an -- an existing home with regard to this, right? Because if you can't connect new -- if the new -- new developments aren't gonna be able to -- new construction is not gonna be able to have natural gas anyway, wouldn't we largely be talking about existing homes?

MS. SIMON: Well, existing customers of -- who have natural gas aren't affected by this at all. All that will do is that they will have slightly lower rates.

MR. RA: No, I'm not talking about existing customers in their homes. I'm -- what I'm talking about is not new construction, but somebody moves into a home and, say, is trying to replace with natural gas a heating system that is far less efficient and far less green than what they would have with natural gas. Aren't we talking about really those homeowners who may be trying to replace oil heat in a home?

MS. SIMON: Yes. As I mentioned, somebody who is doing that work would pay for the connection as opposed to you and I.

MR. RA: Okay. So maybe you disagree with this, but it seems to me that we are then making it more expensive for somebody who wants to replace oil, which is far less clean, far worse for the environment, with natural gas which is cheaper and more green and better for the environment.

MS. SIMON: Well, it's certainly more green than oil,

which is not saying a lot. That's a low bar. But the reality is, in fact, if you are -- when you calculate in your conversion plan, right, you would now know that if you're within 100 feet, and many people are not within 100 feet, if you're within 100 feet you would pay for that initial connection. You would also save an awful lot of money because oil is more expensive.

MR. RA: Okay. So let's say I'm in -- you know, and obviously this is gonna vary throughout the State. Some of our Upstate colleagues, this may be very different from -- from where you're from or where I'm from in Western Long Island where, you know, it's certainly not --

MS. SIMON: Cheap.

MR. RA: The homes aren't as close together as they are maybe in your district, but they're certainly far closer than -- than many others' districts. So say -- do -- is there an average cost of what we're talking about here if, say, I move into -- I purchase a home that has gas -- that has oil and I want to convert it to gas and say I'm 50 feet, 75 feet from a main. Do -- do you have any sense of what that cost is now?

MS. SIMON: It's going to depend on your utility and what those rates are for that utility. And I have not -- there are many, many utility companies, and I haven't assessed how much they would charge for such a -- that particular hypothetical. But if you are closer, obviously it's cheaper than if you're farther away. If you're farther away, of course you're paying for a new connection anyway.

MR. RA: Do -- do you know for any? Like, for -- for Con Edison, for National Grid, for any of those Downstate entities?

MS. SIMON: Well, let me just explain that National -- that ConEd has requested a new rate hike, as you may be aware, right? And they estimate that the cost of the -- the cost of the new connections to gas within the 100 feet is roughly \$70 million in the first year. It's a \$1 billion rate hike, and that cost is about 70 million. So ConEd would charge roughly the cost per foot for a gas line installation in 2021, so I don't have newer data, is about \$710 per foot for ConEd. Orange and Rockland is \$59, very different. Central Hudson, 133. National Grid Upstate is \$53. In New York City it's \$370. On Long Island it's 67. NYSEG is 89. Rochester Gas and Electric is 30 and National Fuel Gas is 18. So it's much, much cheaper to have gas in Western New York.

MR. RA: Okay. So I want to get back into, you know, the interplay between all-electric buildings and how this works. So, as I said, six in ten New Yorkers heat their homes with -- with natural gas. Now, in the process that is going on right now with -- with the PSC, I believe, buildings are going to be exempt from the ban on fossil fuels under the All-Electric Buildings [sic] if electric service cannot be reasonably provided by the grid.

MS. SIMON: Right.

MR. RA: Now, they're going to do -- they're going through a process right now of determining what that means. We

have basically a situation if this is enacted into law where you will continue to be able to get connected to electricity and that will not be borne by -- by the homeowners looking to be connected. But if it's natural gas, it is borne by the homeowner. Is -- is there any provisions with regard to this if -- if we're in a situation and a development is going on and they're getting exempt from All-Electric Buildings because they're saying they can't reasonably be connected with adequate electric service to provide heat and appliances and all the type of things we're asking them to do, is there any exemption that would allow them to -- to still get a connection if they're within 100 feet that is paid for by the utility or covered by the utility?

MS. SIMON: Yes, in a word. But also, you should remember that most exemptions from the All-Electric Buildings Act will be commercial.

MR. RA: Okay, so -- but under this, if it's a residential development.

MS. SIMON: Under this, under -- under the All-Electric Buildings Act or under --

MR. RA: No, under this bill.

MS. SIMON: I'm not prepared to discuss that.

MR. RA: Under this bill, if it's a residential development and it's been determined that, you know, to do everything they need to do in a building they're going to -- it -- there's just is -- the grid can't currently support it.

MS. SIMON: Okay. They don't have to go electric,

right? They can still get gas if it's -- if it's too hard to electrify. There are parts of the State where it's very hard to electrify. Nobody is change -- challenging that in any way.

MR. RA: Well, I would agree. But isn't the intention of this bill to push people towards electrification as opposed to hooking up to natural gas?

MS. SIMON: It is the intention of this bill to not force your neighbors to pay for a new connection to the utility.

MR. RA: But --

MS. SIMON: That is the intent of the bill.

MR. RA: But if it's electrification, we -- we will continue to force them to pay.

MS. SIMON: Well, a new connection might be done in an area where we're -- on a new building. It has to be new construction. And so if you're -- you gave the example of converting from oil. That would be a new gas connection. That would be permitted.

MR. RA: Well, no, that's what I was talking about earlier. Now I'm talking about a -- a new development with regard to the All-Electric Buildings Act and this -- this bill.

MS. SIMON: That's not what this is -- this bill is about.

MR. RA: Okay.

MS. SIMON: You'd have to find the exemption from the All-Electric Buildings Act, not from this.

MR. RA: Well, what I'm saying is there may be provision -- there may be a situation where we're -- through that Act we're telling a new development they have to be all-electric, but we're -- we're essentially, with this bill, I think trying to push everybody towards electric, where we -- I could see -- I think it's foreseeable there's a situation where -- where there's a development that is -- they're both in a situation where, you know, we're increasing the cost of building that housing because of what we're doing here today, but they're also being told, *Hey, you really -- we can't reasonably provide you all of the power you're gonna need to heat and cook and all those types of things.*

MS. SIMON: If, in fact, they cannot provide that which would be -- make this building electrified in a way that is sustainable, reliable, et cetera, you could still get gas. That's an exemption, right? Just because most of them will be commercial doesn't mean all of them will be commercial. That's gonna be based on the facts and circumstances, and the utility and the Public Service Commission are the ones who are in a better position to know what those are than you or I.

MR. RA: Thank -- thank you, Madam Sponsor.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. RA: Thank you. So I -- I will end kind of where I started, which is too often we have tunnel vision on -- on these things. Trying to move ourselves in a direction of being greener

is generally a good thing. But we can't do things that we're not technologically ready to do. The grid cannot support what we've been trying to do in this State at the pace we've been trying to do it. And it always comes back to, as far as I -- any time I talk to a constituent, it's affordability and it's reliability. And we can't reliably convert all of our State to elec -- electric. We have really, scientifically, a problem with regard to the fact that we have parts of our State that get very, very cold in the winter. Heat pumps and things like that just are not adequate in those situations. And I hope this isn't the case, but there is the very real possibility that people will pay for that policy failure if we make it, with their lives.

Now, I want to just talk about the concept -- we've talked about we don't want people having to subsidize other people's natural gas hookups. I started looking back, and I think in the last month alone -- and I know NYSERDA already has tons of rebate programs for all kinds of different things which are -- which are paid for at the end of the day by the ratepayer. But just in the last few weeks we moved a bill through committee for rebates for zero-emission vehicles, a NYSERDA rebate program. A new NYSERDA rebate program for residential heat pumps. A new NYSERDA rebate program for battery-powered lawn care equipment. A new NYSERDA rebate program for insulation. And there have been others. I -- I think we had a bill for used electric cars. All of those things are things that are being subsidized by the rest of the ratepayers in New York State. So let's be honest. It's not that we have

a problem with -- with that, it's that we have a problem with it because we want to get rid of natural gas despite the fact that it is the only way we can continue to keep this State running, make sure we have adequate electricity and can adequately heat our homes.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Morinello.

MR. MORINELLO: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill, sir.

MR. MORINELLO: What I find quite interesting and puzzling, this bill seems to indicate that they want to save taxpayers money by basically putting them in a position where if they want gas like their neighbors, they have to pay for it in the first 100 yards [sic]. That's fine, if that was the actual true purpose. But let's take your electric bills. And I'm gonna ask everyone in this Chamber when they go home, look at your electric bill and look at the transportation and surcharges. On -- at least in Western New York, the transportation and surcharges in some instances are 70 percent of your total electric bill. And when you inquire what's it for, it's to build out the electric grid. So the concept that the first 100 feet is gonna save taxpayers money, it actually doesn't hold up if you compare it to the goal of all-electric. When you look at that electric bill, you realize every single electric ratepayer in this State is subsidizing a build-out for the lofty goals of this particular State. So it's really -- if we're

gonna do that, then why don't we become transparent on the transportation and surcharges on our electric bills? Let's show the ratepayers what they are paying for this build-out of an electric grid that has been proven is as impossible to support the needs and that we do need additional fuels. Even our Governor has stated that we need to start looking at additional fuels, and she did mini -- mention mini nuclear. They've talked about hydrogen. So this move to allegedly save taxpayers money really doesn't hold water.

Let's go a little bit more. They claim it'll save 200 million, yet the estimate -- and it keeps going up -- for the build-out of total electric is right now one-quarter trillion. Two hundred million pales in comparison to the two. So we really and truly, those of us who are not afraid to say it, know what this is for. This is just another push by the highest-taxed state in the nation, the 49th in business climate, the 49th friendliest to consumers, to push another burden upon them to accomplish their goal of total electric, which we all know.

You know, if you look at some of the old movies from the 60s and 70s and Flash Gordon, go on and look at them. Look at the landscapes where they looked like our country; our farms are starting to look with solar panels and windmills. And what you need is, in order to go to all-electric you need these. But there's no plan. What do you do with a solar panel that's full of chemicals that we're trying to ban in other bills? What do you do with the leaks on the windmills of the hydraulic fluids that are going into the ground?

What do you do with the blades that are non-recyclable? You find a desert in the Midwest that's there and you bring them and you deposited them there. Or you go to Japan and you ask to put your solar panels on the island that they have built. So why don't we just stop talking about "this is a three-line bill and it's only to save taxpayer money", and let's get real about what we're doing here. And one of our colleagues mentioned wildfires in Canada. Well, if you read the reports, that's because the environmentalists will not allow proper forest management, cleaning out the brush. Last year's wildfire, the Premier would not allow a fire break to be built which would have taken down a line of trees to stop the fire because of the environmentalists.

So all I'm saying is, let's start being truthful. Let's tell the people what we're really doing. And it's really strange because this piece today was pulled out of a larger bill, but they know they can't do it. I call this Legislature "ceramic nippers." A nipper is a small tool that when you're putting ceramic tile in you cut little pieces out in edges. And that's what this Body has been doing in my nine years here. They can't get their goal, so they started nipping. This bill is a nip at a larger bill. So my only position is let's start being truly honest. Let's not lie to the people. Let's not lie to ourselves. Let's be honest. Let's talk about what it is. And on the electric surcharges and the electric transmission, let's tell the people how much of that bill is used to build out the -- the grid. They're still paying for it.

Because of all of that I am in the negative, and I

suggest my colleagues vote no on this bill. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Manktelow.

MR. MANKTELOW: Thank you, Madam Speaker.

Would the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. MANKTELOW: Thank you, Ms. Simon. Well, some of my questions have been answered, but back to the dollars and cents of the bill.

MS. SIMON: Yes.

MR. MANKTELOW: You said that this would save \$200 million across the State?

MS. SIMON: Across the State ratepayers.

MR. MANKTELOW: Ratepayers.

MS. SIMON: Ratepayers. Gas ratepayers.

Mm-hmm.

MR. MANKTELOW: So one of the colleagues just a little while ago said that in their district it would save their district \$99 million just in that one district.

MS. SIMON: They've got a lot of gas lines there.

MR. MANKTELOW: Okay. So --

MS. SIMON: But I'm not -- I'm not -- I'm not relying on that number.

MR. MANKTELOW: Okay.

MS. SIMON: I'm relying on the number that the -- the PSC has given us and we've estimated.

MR. MANKTELOW: Yeah, because I've been doing the math on that number, and in one district that's half of your 200 million --

MS. SIMON: I know, but that's -- that's not -- that's not the point of the bill, right?

MR. MANKTELOW: So that wasn't a good number, then?

MS. SIMON: I don't know. I don't know where she got it from, but I'm not gonna endorse it or not.

MR. MANKTELOW: Okay.

MS. SIMON: I'm just telling you what we have estimated Statewide.

MR. MANKTELOW: And I appreciate the -- the job you're trying to do by saving all the ratepayers money where I don't have to pay for yours, you don't have to pay for mine. I completely understand that. I wish, as one of my colleagues had said earlier, that we would consider that across the board; whether it's electric, whether it's, in this bill, gas. I think if we're truly going to do that and really look out for the -- the ratepayers, as you said, I believe we should do it across the board. Do you?

MS. SIMON: Well, I would say that if we were going to do as much as we could for ratepayers, we would have passed the New York HEAT Act; however, this is a just a 100-foot rule which saves us a certain amount of money. And the reality is some of these rate increases, like ConEd just recently had a rate increase. That rate increase is all about replacing and repairing fossil fuels. And the fossil fuel industry generates a lot of electricity. So, you know, some of the arguments that are being made I think are somewhat misplaced.

MR. MANKTELOW: Okay. I appreciate you taking the time just to answer my couple of questions.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. MANKTELOW: As my colleague just said earlier, you know, we really need to take a hard look at transparency and really what's going on. And one of my concerns here is we're trying to do this across New York State; it's already been said. But I'm gonna add to it. We have had blizzards. We have had ice storms. We have had everything possible you can think of. That's never going to go away.

My neighbors are Amish. They have no electricity at all, other than a solar portion that they charge up a cell phone with. They burn wood. And why am I saying this? Because it's their choice. Just like us, I want to protect my family. I want to protect my children, my grandchildren, my mother. Seniors. Let us have the ability to make that decision. Not we as legislators, but we as

individuals in New York State here in America. And what we're doing here is we're saying that if you want to hook up natural gas to your house, we're gonna charge you just a little bit more than not charging this individual down the street that wants electric.

Again, I think we're all in favor of cleaning up our environment using electricity to do as much as we possibly can. I did the math. I've talked to RG&E. I've talked to NYSEG. I've talked across the board. It is not doable in the time frame that we're looking at. So instead of hurting people that are gonna have to rely on natural gas for probably the rest of my life, we need to help them as well. And we're not doing that. It -- it sounds good on paper, it looks good. But in reality, in real life that's not the way it works. And I want a family to have the ability to decide what's best for them, not New York State making that decision. And we've heated a lot of food on a gas grill. And if we didn't have that, we'd have been in trouble. We heated our house with a wood stove. Choices that we make. I'm all for electricity, but we have to look at the safety aspect of it, Madam Speaker, giving us the choice as Americans.

So thank you for allowing me to just say a few things on this. I thank the sponsor for answering my questions. Thank you very much. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Giglio.

MS. GIGLIO: Thank you, Madam Speaker. Will the sponsor yield for a few --

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. SIMON: Certainly.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. GIGLIO: Thank you. So, there have been existing homes that have been waiting for a gas line to go in front of their house in order to be able to connect to gas, and they've been waiting a long time. There's been moratoriums on gas connections. A lot of things, a lot of hurdles. And people want to convert to gas because it's less expensive and cleaner than oil.

MS. SIMON: True.

MS. GIGLIO: So now those people that have been in a line and in a pattern waiting for natural gas, are those people, they're -- they're no longer eligible for the 100-foot connection? If they have the 100-foot connection, if they've been in the hopper and they just haven't had the opportunity to connect to gas?

MS. SIMON: If they -- I -- I would suggest that that might be something that the utility might work out with that -- that person. But the -- the bill itself doesn't address that particular instance. However, obviously the cost of that connection is the cost of that connection, and the question is who it's borne by.

MS. GIGLIO: Okay. So we're going to be subsidizing electric connections but we're not subsidizing the gas connections anymore, correct?

MS. SIMON: We are currently subsidizing all

ratepayers both of those things. This would not eliminate the subsidizing of -- of gas service. It is only the initial connection --

MS. GIGLIO: Okay. Well --

MS. SIMON: -- that -- it would be borne by ratepayers instead of the individual.

MS. GIGLIO: Okay. So say I want to build a new house. Is --

MS. SIMON: (Indiscernible)

MS. GIGLIO: Are the appliances more expensive, electric appliances more expensive than gas appliances, and are they more expensive to run?

MS. SIMON: Well, that's a -- a big question. The reality is that all of those appliances are coming down. The technology is amazing. People who are cooking on electricity are loving it. And all of that will, in fact, be much more cheap and much more reliable and much more efficient to use, so you won't need as much power to use those.

MS. GIGLIO: Okay. So some of my colleagues talked about the expense of power, and -- and I couldn't agree more. I mean, during COVID we had people -- the New York State said, *Utilities, you can't turn off their electric.*

MS. SIMON: Mm-hmm.

MS. GIGLIO: *If they can't afford to pay their bills you can't turn off their electric.* And then years later, the utility companies went to the PSC and said, *We're \$8 billion in the hole for*

the people that didn't pay their utility bills because New York State said they didn't have to and we couldn't turn them off. So we need to increase the rates. So now everyone's paying rates because we said don't turn off their utility bills. Are you familiar with that?

MS. SIMON: Yes. And the reality is even where, for example, just so you're fully familiar, where somebody does have their gas turned off for nonpayment, those arrears are not borne by the company, those arrears are borne by you and I.

And let me just correct an answer I gave you before. Let me just correct an answer I gave you before where I said work it out with the utility. In reality, if they've already applied for gas, they wouldn't -- this wouldn't be subject to this new law.

MS. GIGLIO: Okay. So like if they already --

MS. SIMON: So that 100-foot rule connection would still be free to that person who has already applied for that connection.

MS. GIGLIO: Okay. So thank you very much for the answers to the questions. Just one more.

So, is New York State subsidizing conversion from gas or oil to electric, which could cost anywhere from 35,000 to 50,000 per household? We're incentivizing people to connect to -- with electric, not with gas. Are we -- they're coming from oil to electric. Are there any subsidies to make the conversion from oil to electric?

MS. SIMON: I believe they are. Those have been primarily through NYSERDA. Some local governments do as well.

And that is the answer to that question.

MS. GIGLIO: Okay. Thank you very much for the answers to my questions.

MS. SIMON: You're welcome.

MS. GIGLIO: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. GIGLIO: So, restaurants are asked to come off the grid during peak times when people are using their air conditioners, when people are doing -- you know, using a lot of electric. Restaurants are coming off the grid and using oil-powered generators to stay open and to keep the lights on and to keep the cooking going and to keep it all going. So we are really so far behind the times when it comes to a smooth transition. And we are throwing everything into the sink all at once without taking into consideration a smooth transition. So it's -- it's -- we can't handle the switchover. Right now, the grid cannot support a switchover. If we said tomorrow everybody's got to go to electric for everything that they're doing and using in their homes, in their businesses, the grid can't support it.

You know, my -- my colleague went through a list of things that are subsidized and that are free in the State of New York. You know, she left off cable but I -- I thought I'd add that in. But, you know, we said low income residents in the State of New York should only have to pay 6 percent of their income towards their utility bills. The ratepayers are picking up the rest of that utility bill. Our electric rates are going higher and higher. There is nothing about a smooth

transition here. We're talking about affordability here. You know, not forcing neighbors to pay for someone to hook up to gas, but we're gonna force the neighbors to hook -- pay for somebody to hook up to electric, which is just a preposterous statement to ask the neighbors to pay for a hookup to electric but not for gas.

As New York becomes less affordable, fewer people want to stay here. They want to leave. The utility rates are too high. There's seems to be no reprieve. The middle-class has now become -- New York State has become dependent on the middle-class because the upper-class is saying, *We can't do it anymore. We can't foot the bill.* And people that I talk to in New York and in my district are tired of paying other people's bills. But we're gonna pay for electric but not for a gas choice. And New York's -- New Yorkers' choices are being taken away from them. So with future -- fewer people here to subsidize all of these initiatives that my colleague read off, and additional ones that I left off the list and I'm sure she left off the list, we are making New York less affordable. Less affordable to live here, less affordable to keep the lights on, and less affordable to work here.

So for all those reasons I will be voting in the negative. I -- I agree we need a transition. It should be a smooth transition. But New Yorkers should have choices. And they shouldn't be punished by taking away the 100 feet of a gas connection payout when gas is cleaner than oil and they can't afford a full electric transition to go from oil to electric.

So for those reasons, again, I'll be voting in the negative. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Fitzpatrick.

MR. FITZPATRICK: Thank you, Madam Speaker.

Just on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. FITZPATRICK: You know, in 2006, Al Gore released his fiction best-seller, *An Inconvenient Truth*, and the environmental left, you know, drank the Kool-Aid and has been hallucinating ever since. What started with global warming became climate change, and now we have an existential climate crisis. Look, only socialists and Brooklyn hipsters would believe such nonsense. We are not in a crisis. What we're doing here is trying to kill a very successful, very reliable and a very dependent industry known as the fossil fuel natural gas industry. We are trying to kill this industry with -- with death by a thousand cuts, and this bill is a perfect example of that. It's not, *Oh, it's just about, you know, forcing the rate base to, you know, pay for 100 feet*. Well, ladies and gentlemen, we've spent over \$28 billion as a State, all of us as taxpayers, on the renewable industry; an industry that couldn't stand on its own two feet if it had to survive on its own. So we have to use the power of government to distort the economics of the most reliable energy-producing industry we have in this country to try and make this dream of all-electric work.

So this bill, I think, should be defeated. It probably won't be, but we will continue to try to use the power of government to distort the economics of energy to meet this goal that we will never reach. And in the meantime, we will destroy the jobs of thousands upon thousands of plumbers and other trades to reach this pipe dream that I don't think we're ever going to reach.

You know, a wise young analyst who follows this issue once said that you can't force technology before it has matured. The all-electric industry is nowhere near maturity, and it can't do it on its own. It needs government support, which means all of us as taxpayers and ratepayers are going to have to foot the bill. So here we are, complaining about 100 feet, which has been the custom, while 28 billion and growing is being spent by all of us to prop up an industry that can't support itself.

Madam Speaker, this bill should die a quick and rapid death; unfortunately it won't here in the State of New York. But everybody should vote no. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Levenberg.

MS. LEVENBERG: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. LEVENBERG: I've heard a lot of things today. I wanna to just prop up and thank the sponsor for putting forth a bill which, in fact, does just kind of nip around the edges. It's the bare

minimum. It isn't actually getting at the big picture of what we really need to do, which is the New York HEAT bill, and get -- getting rid of the obligation to serve.

When I hear that these -- these other -- these other industries are getting subsidies, the fossil fuel industry has been receiving subsidies for years. I still remember going out with my predecessor, Sandy Galef, to see what fracking really looked like out in Pennsylvania before -- before New York State decided not to allow fracking. I am so grateful that we do not allow fracking in this State, but it doesn't actually mean that we're not still reaping the negative benefits. However, what I saw with fracking was a destruction of land. A destruction of water. A destruction of clean air. Overuse -- I saw crime had risen. I saw schools that were overburdened with trans -- transient workers who came in for short periods of time and then left. And, you know, rates that were going up and down. It was horrific, what was happening to the land where fracking was taking place. And that is something that's gonna continue to happen. And that is the same thing that's happening to all of our natural resources because of drilling for oil and continuing to try to rely on unsustainable fossil fuels. This is just a start, because we are asking people to stop relying on fossil fuels to heat their homes. But it doesn't increase the rates for people if they're wanting to transition, because they can transition to electricity. And when they do transition to electricity, not only -- their rates will actually come down, I think the average is \$1,450 annually, by switching to a heat pump and then

they might get also the benefit of having air conditioning as well. So this is a savings for people. It's not an increase if they choose to convert away from, for example, delivered fuels. And yes, there are subsidies because we are trying to move in the direction of more sustainability so we don't have the wildfires. So we don't have the floods. These are all the results of our reliance on fossil fuels. We need to start somewhere. All -- everybody's saying, *Oh, we're not ready yet.* But we're never ready to start. This is yet another piece of the puzzle that we need to do to start segueing off of fossil fuels.

Again, I'm so grateful to my -- to the sponsor for putting forth this bare minimum bill. But it is a start, and I urge my colleagues to support it. Thank you.

ACTING SPEAKER HUNTER: Mr. Burdick.

MR. BURDICK: Thank you, Madam Speaker, for the opportunity to speak on this bill.

ACTING SPEAKER HUNTER: On the bill.

MR. BURDICK: I want to thank the sponsor for bringing this bill forward and for her tenacity in pushing ahead with this, and to thank the Speaker for allowing it to come to the floor.

And with all due respect to the assertions of the Minority, this bill is aimed to remove a burden from ratepayers; the burden of the 100-foot rule -- the 100-foot rule which very simply requires utilities to connect residential gas lines to homes within 100 feet of the -- of the main. But who pays for that? Who pays for that? It is disingenuous to suggest anything other than that all the other

ratepayers need to pay for it because it's an operating expense of the utility, which they recover through rates.

So I enthusiastically support this bill and vote in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Minority Conference will be in the negative on this bill. If there are any yes votes, now would be the time to note that at your desk.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Solages.

MS. SOLAGES: Thank you, Madam Speaker. The Majority Conference will be voting in the affirmative. Those who wish to vote in the negative can do so at their desks.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Bichotte Hermelyn to explain her vote.

MS. BICHOTTE HERMELYN: Thank you, Madam Speaker for allowing me to explain my vote.

I first want to thank the sponsor for this great bill, and I want to thank All-Electric Building Act [sic]. This bill is mainly relevant for our customers who might be converting from oil to propane as new construction is already required to be all-electric starting in 2026 for buildings under seven stories. Numerous studies have shown that customers who switch from oil or propane to all-electric heating and cooling [sic] -- use -- use heat pumps will save money; hundreds to thousands per year. It does not make sense for all ratepayers to subsidize the cost of adding more customers to the gas system when that system is already starting to create a cost crisis for the ratepayers on it as they are facing a huge aging expensive gas pipeline system within a shrinking customer base.

The -- the 100-rule [sic] policy forces New Yorkers to subsidize costly gas line extensions, costing ratepayers more than \$200 million every year. It preserves the subsidization of hookups within 100 for electricity or recognizes that subsidizing the expansion of gas system is not aligned with New York's long-term goals and is dangerous for long-term affordability and stability for utility ratepayers. Ending this subsidy would save all ratepayers money, immediately benefitting customers and align utility subsidies with New York's climate goals.

And with this, Madam Speaker, I will be voting in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Ms. Bichotte
Hermelyn in the affirmative.

Ms. Shrestha to explain her vote.

MS. SHRESTHA: Thank you, Madam Speaker.

When our utility, Central Hudson, filed for a rate increase in 2023, the cost that was attached to customer-requested new connections was \$44.3 million. And the next year when they filed for a rate increase again, the cost attached to that same expense was \$29 million. And there are additional costs attached to this expansion that are just not the initial one, such as the utility being able to charge authorized profits on the new value of the asset, property taxes and interest that are paid on that new asset, as well as maintenance that needs to happen on that asset, even though all of these assets are destined to be stranded.

So this is a welcomed though small step in being realistic about how modern and efficient and up to the task our energy system needs to be, so I will be voting in the affirmative.

Thank you.

ACTING SPEAKER HUNTER: Ms. Shrestha in the affirmative.

Ms. Simon to explain her vote.

MS. SIMON: Thank you, Madam Speaker. This bill ends New York State's 100-foot rule, which would save hardworking New Yorkers \$200 million a year. The bill does not prevent new gas hookups, it simply means that everyone else won't be forced to pay \$200 million a year to hook up new customers and line the pockets of utility shareholders. Currently, hooking up to gas is not free. It's paid

for by everyone else. No one is taking your gas away. The inconvenient truth is, in fact, the truth, however inconvenient. This will simply incentivize hookups to electric and heat pumps, which are more reliable, less expensive and better for our health and the environment. In fact, if you look at National Grid's website, they encourage you not to get connected to gas. For example, heat pumps are estimated to save people in a single-family home \$900 a year compared to new homes on gas. It will also help New York State meet our current All-Electric Construction Act [sic] and our climate goals.

We're asking the subsidized -- we're subsidizing the fossil fuel infrastructure through rate hikes that -- that reflect all of us. Many of the arguments that have been made mix apples and oranges, and all we get when we do that is fruit salad.

I want to thank the Speaker and our staff who have -- whose dedication is unmatched. I am thankful to the incredible advocates and the people of New York State who have been clamoring for more affordability. We have much more work to do, including many of the things people have talked about such as eliminating the obligation to serve gas and replacing it with the obligation to serve energy. But this is a huge step in the right direction in affordability and a healthier New York.

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

ACTING SPEAKER HUNTER: Ms. Simon in the affirmative.

Ms. Kelles to explain her vote.

MS. KELLES: Thank you, Madam Speaker. I just wanted to -- to note how to me how profoundly disingenuous it is to say that we want affordability and spend years blocking subsidizing renewable energy infrastructure and then say we have to go back to natural gas because natural gas is cheaper. Oh, my goodness, what a lie. And I'm watching the lobbyists outside give each other high fives, and it's astounding to me. We have a plan to go -- to move to renewable. We know that it would ultimately be cheaper. But I see over and over and over again, blocking, blocking, blocking, blocking every single one of those efforts and then saying, *See, because we've blocked all those efforts and because natural gas is subsidized, natural gas is therefore cheaper, therefore the only thing to do for people to have -- to have affordable energy is to do natural gas.* And then to focus on the fact that renewable energy infrastructure, *Well, we have slave labor. We have -- what are we gonna do with the parts when we have to replace them,* when natural gas infrastructure and the industry has produced more slave labor and more child labor than any industry in the history of the -- of humanity. So I just find that all profoundly disingenuous. This bill is exclusively saying we are going to create an equal playing field so natural gas is not subsidized. We're moving in the right direction. Yes, it's smaller than the bill we wanted because well, because there was tremendous lobbying efforts to cut it down to size. But this is the move in the right direction for the environmental agenda that we have, which we know once that

infrastructure is in place because we invest in it, will actually be profoundly cheap in comparison to the system that we have.

So I want to thank the sponsor for moving this forward. It is a step in the right direction. It's not big enough. We will get there. Thank you so much for all of your work. This is for affordability, and this is for sustainability. Both happen together and will because of these efforts.

Thank you so much, and I stand in support of this legislation.

ACTING SPEAKER HUNTER: Ms. Kelles in the affirmative.

Mr. Ari Brown to explain his vote.

MR. A. BROWN: Thank you, Madam Speaker. I heard about fruit salad and disingenuous things. You know, I counted, I had to stop at 33 times of how it's not fair that other people should pay other people's bills, we shouldn't be subsidizing lower-income people if they wanted to have gas service. And I asked myself, what about the \$7.2 billion that the State spent on illegal immigrants? That subsidy's okay, but the \$200 million to help lower-income neighborhoods, that's no longer okay? That's the reason why I will always vote in the negative on this bill.

Thank you.

MS. CRUZ: We shouldn't be saying the word "illegal immigrant" on this floor.

ACTING SPEAKER HUNTER: Ms. Cruz --

MS. CRUZ: (Indiscernible/cross-talk) it's illegal.

ACTING SPEAKER HUNTER: Please state your point of order.

MS. CRUZ: The words "illegal immigrant" are derogatory. They're personally hurtful and they should not be uttered on this floor.

MS. WALSH: The speaker has finished speaking, then, Madam Speaker. He's finished speaking.

ACTING SPEAKER HUNTER: Thank you. Mr. Ari Brown in the negative.

Mr. Gandolfo to explain his vote.

MR. GANDOLFO: Thank you, Madam Speaker. First, I'm not exactly sure what initiatives the member is referring to that we have blocked over here. Our party has not held power in this Chamber since about 25 years before I was born. So I don't know what exactly what we did to prevent this energy agenda from moving forward. That said, we heard repeatedly that this bill was simply about saving ratepayer money and stopping the subsidies for that 100-foot hookup. But then once we called the vote it turns out that this is part of a larger green energy agenda. But what it's actually doing is going to disincentivize people who are on old heating oil systems from converting to cleaner natural gas systems, which in many cases are -- only omit about half the CO2 as heating oil does. So it's kind of missing the forest for the trees here. I think we could have done better during this transitional period as we move to

greener energy. And again, I think we're rushing this. Natural gas is a very good transitional energy as we continue to move towards cleaner-burning fuels. And once again we're just kind of jumping the shark with this.

So I will be voting no and I encourage my colleagues to do the same.

ACTING SPEAKER HUNTER: Mr. Gandolfo in the negative.

Mr. Bologna to explain his vote.

MR. BOLOGNA: Thank you, Madam Speaker. I just want to address the -- the disingenuous here. When we talk about affordability in the grand scope of this universal electrification push, the people that it actually is going to impact most are those on underserved or disenfranchised or low socioeconomic communities. A lot of these houses and residential places that these -- that people live are older homes that are gonna have to have conversions in their homes to accommodate this new electric grid. It is -- on average, it would cost these people in these -- in these homes \$8- to \$10,000 to maybe redo their electric from knob and tube, putting in a -- a new electrical box in their house with a 220 line for -- you know, whether it's their electric cars or whatever it is, their new stove. So, again, this is something that is gonna fall on these people. So, again, when we're talking about affordability, I really want to hone in on -- on who it is we're trying to help here. Because, again, the -- the -- you know, people in suburban and in, you know, upper-class communities, this is

not gonna really impact them because the cost is not gonna be prohibitive. It is the people in lower economic areas that they're gonna have to be the ones to pay for all the conversions of their old homes to meet the new standards of the CLCPA. And I understand that's off the point of this particular piece of legislation, but it's a greater message of who are we actually trying to help?

So I just wanted to get that point, and I will be in the negative on this legislation.

ACTING SPEAKER HUNTER: Mr. Bologna in the negative.

Mr. Palmesano to explain his vote.

MR. PALMESANO: Yes, Madam Speaker, my colleagues. If we want to be -- not be disingenuous, let's be honest with the ratepayers. The sponsor said this is gonna save \$200 million. The Climate Action Council plan, the CLCPA, the lower estimates are a quarter-of-a-trillion dollars. So we're okay with ratepayers subsidizing that. My colleague talked about bills that would subsidize ratepayers paying for landscaping equipment. They're okay for ratepayers paying for used cars, electric cars. You're okay for ratepayers paying for heat pumps. You're okay with that, but yet -- and they want -- I -- I see -- I love the outrage against our utility companies, but it's your policies that are driving up the rates. When are you gonna realize that and be -- stop being disingenuous with the ratepayers about that? The whole -- electricity residential rate in 2019 was 17 cents per kilowatt hour. This year it's 26 cents per kilowatt

hour. That's 40 percent higher than the national average. Similar for commercial. It's your policies that are driving it up. Let's be realistic. Let's be honest with the ratepayers instead of being disingenuous. And by the way, I know this is for climate change. Again, New York only contributes 0.4 percent of total global emissions. China is 30 percent, has 1,000 coal plants and building more every week. I don't think China is gonna help us. And if we add India and Russia, that's 40 percent of -- of using coal emissions. So let's be honest and that's being -- that's -- that's being honest with the ratepayers. That's what we should be doing.

So I vote no because this all about dismantling the affordable and reliable natural gas infrastructure, and it's all designed to take away consumer choice on how you heat your home, cook your food, power your building and the vehicle you drive. It will jeopardize the reliability of the grid, leading to dangerous blackouts, and it will continue our nation-leading outmigration or more businesses, families, small businesses, manufacturers leaving the State of New York.

I vote no.

ACTING SPEAKER HUNTER: Mr. Palmesano in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Solages.

MS. SOLAGES: Can we now begin consenting the

A-Calendar?

ACTING SPEAKER HUNTER: Yes, ma'am.

Page 3, Rules Report No. 770, the Clerk will read.

THE CLERK: Assembly No. A00733-A, Rules Report No. 770, González-Rojas, Glick, Rosenthal, Bores, Simon, Epstein, Seawright, Simone, Forrest, Cruz, Kelles, Burdick, Taylor, Raga, Lee, Shimsky, Clark, Otis, Gallagher, Shrestha, Mamdani, Cunningham, Lavine, Lasher, Reyes, Torres, Alvarez, Hevesi, Romero, Woerner. An act to repeal Section 2307 of the Public Health Law relating to persons knowing themselves to be infected with venereal disease.

ACTING SPEAKER HUNTER: On a motion by Ms. González-Rojas, the Senate bill is before the House. The Senate Bill is advanced.

This bill is laid aside.

THE CLERK: Assembly No. A01740-A, Rules Report No. 771, Rosenthal, Simon, Gallagher, Glick, Shimsky, Reyes, Cruz, Levenberg, Walker, Taylor, Raga, De Los Santos, Weprin, Lavine, Otis. An act to amend the Public Buildings Law, in relation to providing access to menstrual products in toilet facilities in certain public buildings.

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

This bill is laid aside.

THE CLERK: Assembly No. A01749, Rules Report No. 772, Glick, Burdick, Rosenthal, Paulin, Shimsky, Colton, Reyes, R. Carroll, Rajkumar, González-Rojas, Lunsford, Gallagher, Burke, Steck, Kelles, Levenberg, Raga, Simon, Cunningham, Simone, Shrestha, De Los Santos, Tapia, Eachus, Seawright, Dinowitz, Epstein, Hevesi, Alvarez, Forrest, Otis, Gibbs, Stirpe, Rivera, Cruz, Anderson, Ramos, Weprin, Zinerman, Mamdani, Mitaynes, Bichotte Hermelyn, Lee, Barrett, Jacobson, Stern, McMahon, Kim, Taylor, Clark, Sayegh, Benedetto, Jackson, Meeks, Conrad, Davila, Williams, Bores, Bronson, Lucas, Dilan, Lasher, Lavine, Schiavoni, Torres, Kay, Burroughs, Valdez, Romero, Kassay, P. Carroll, Fall, Wright, McDonald, Hooks, Walker, Brook-Krasny. An act to amend the Environmental Conservation Law, in relation to enacting the Packaging Reduction and Recycling Infrastructure Act.

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

This bill is laid aside.

THE CLERK: Assembly No. A01847-A, Rules Report No. 773, Pheffer Amato. An act to amend the General Municipal Law, in relation to disabilities of members of the Uniformed Force of Sanitation Departments in certain cities.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02007, Rules Report No. 774, Stirpe. An act to amend the Executive Law, in relation to providing technical assistance to any municipality that has had a college or university close within such municipality.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03240-A, Rules Report No. 776, Dinowitz, Lunsford, Eachus, Maher, Buttenschon,

Chang, Novakhov, Pheffer Amato, Jones, Davila, Santabarbara, Simon, Sayegh, González-Rojas, Colton, Raga. An act to amend the Education Law, in relation to expanding the Veterans Tuition Awards Program to allow the transfer of unused benefits to a spouse, survivor or child.

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

Read the last section.

THE CLERK: This act shall take effect July 1, 2026.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03425-A, Rules Report No. 777, Ms. -- Mr. Raga, González-Rojas, Kim, Shimsky, Simone, Kelles, Epstein, Alvarez, Steck, Burroughs, Reyes. An act to amend the Public Officers Law, in relation to time frames for responding to requests for records under the Freedom of Information Act.

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

Read the last section.

THE CLERK: This act shall take effect
January 1, 2026.

ACTING SPEAKER HUNTER: The Clerk will
record the vote.

(The Clerk recorded the vote.)

Mr. Raga to explain his vote.

MR. RAGA: Thanks, Madam Speaker, for giving me an opportunity to explain my vote. FOIL is one of the most important tools New Yorkers have to hold our government accountable. This bill establishes a clear and reasonable time frame for agencies to respond to FOIL requests, closing a loophole that has allowed for indefinite delays and has made access to public records unnecessarily difficult. By requiring agencies to acknowledge requests and providing an estimated approval or denial date, this bill brings a necessary clarity and accountability that the FOIL process was intended for. It's a step forward toward transparency and a reminder that our government must serve its constituents and not hide from them.

I thank my colleagues for supporting this measure for an open and responsive government and I'll be voting in the affirmative.

Thank you.

ACTING SPEAKER HUNTER: Mr. Raga in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03515-C, Rules

Report No. 778, Bichotte Hermelyn, Reyes, Pheffer Amato. An act to amend the Education Law, in relation to requiring school districts to provide information regarding water safety in formation to certain parents or students upon enrollment.

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

Read the last section.

THE CLERK: This act shall take effect July 1, 2026.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Bichotte Hermelyn to explain her vote.

MS. BICHOTTE HERMELYN: Thank you, Madam Speaker, for allowing me to explain my vote. Every year, around 4,000 people in the United States die from drowning, with -- with every one in four of these being children.

Richard Edwin-Ehmer Specht, known as Rees by his family, was 22 months old when he drowned in his family's backyard pond. A simple miscommunication because his father and his father's friend was all it took for Rees' little life to end. My son Daniel, now older than Rees, has been taking swimming lessons since he was six

months old at a program specifically for babies called AquaBeba due to the risk of child drownings.

What this bill does is require school districts to give parents and guardians information on drowning prevention, water safety and healthy swimming at the beginning of the school year. Drowning incidents involving young children can significantly reduce -- be reduced with proper education, tools beyond swimming lessons. Rees' father expressed that had he been provided with even a minimal amount of information on drowning prevention, he believe his son would still be alive today. This underscores the critical need for awareness campaigns, accessible resources and community-driven initiatives to educate parents and caregivers about water safety. Simple measures such as teaching children to do -- to float, installing pool barriers and understanding the signs of drowning can make a profound difference in saving lives. Collaboration among local governments, schools and organization [sic] can further amplify these affects, ensuring every household has access to lifesaving information.

In the name of Rees and for all those who have -- we have lost to drowning, I'll be voting in the affirmative and I encourage my colleagues to do the same.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Bichotte Hermelyn in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03595-A, Rules

Report No. 779, Bichotte Hermelyn, Alvarez, Eachus, Taylor. An act authorizing and directing the commissioner of education to conduct a study on the number of children who are caregivers and how being a caregiver impacts their education.

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

This bill is laid aside.

THE CLERK: Assembly No. A03599, Rules Report No. 780, Lupardo, Stirpe, Raga, Giglio, Kay, Slater, Cunningham, Beephant. An act to amend the Agriculture and Markets Law, in relation to exempting processors of syrup made from tree sap or honey from certain licensing requirements.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03888, Rules Report No. 781, Weprin, Jacobson. An act to amend the Insurance Law, in relation to exemption from filing requirements only with respect to rates and policy forms.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Weprin to explain his vote.

MR. WEPRIN: Thank you, Madam Speaker. This bill amends the -- repeals a requirement that businesses must be unwritten and transacted from an office within the State of New York in order to be eligible for placement in the free trade zone. The free trade zone is a useful tool for insurers that provide some flexibility from the usual rate and form filing process as it relates to larger, sophisticated or highly-specialized risk. Unfortunately, the free trade zone fails to be utilized to its fullest potential, because current law requires that in order to be eligible to place a risk in the free trade zone, the businesses must be underwritten and transacted from an office within New York State. By striking this requirement, this

legislation will encourage competition between admitted market insurers and protect policyholders from incentivizing the placement of complex risk in the free trade zone, keeping these policies under the regulatory oversight of the Department of Financial Services.

I urge a yes vote. Thank you.

ACTING SPEAKER HUNTER: Mr. Weprin in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04069, Rules Report No. 782, Palmesano. An act to amend Chapter 366 of the Laws of 2005, amending the Tax Law relating to authorizing the County of Yates to impose a county recording tax on obligations secured by a mortgage on real property, in relation to extending the provisions of such chapter.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04404-A, Rules

Report No. 783, Weprin, Hunter, Simon, Berger, Woerner, Stern, McDonald, Cunningham, De Los Santos, Rivera, Santabarbara, Dilan, Cook, O'Pharrow, Steck, Benedetto, Jones, Alvarez, Buttenschon, Kay, Wieder, McMahon, Kim, Dinowitz, Stirpe, Tapia, Lupardo, Lavine, Eachus, Cruz, Manktelow. An act to amend the Vehicle and Traffic Law, in relation to establishing an online insurance verification system for motor vehicle insurance.

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

Read the last section.

THE CLERK: This act shall take effect December 31, 2028.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the votes.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04914, Rules Report No. 784, Bronson, R. Carroll, Shrestha, Lunsford, Woerner, Reyes, Seawright, Bichotte Hermelyn, Williams, Ramos, Burdick, Epstein,

Brabenec, K. Brown, González-Rojas, Maher, Simone, Mamdani, Colton, McMahon, Kelles, Clark, Gallagher, Davila, Bores, Rozic, Otis, Blumencranz, Raga, Jensen, Slater, Santabarbara, Griffin. An act to amend the Environmental Conservation Law and the Labor Law, in relation to prevailing wage requirements applicable to brownfield remediation work performed under private contract.

ACTING SPEAKER HUNTER: 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 January 1st.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05122-A, Rules Report No. 785, Solages, Simon, Ra, McMahon, Santabarbara, Slater, DeStefano, Cunningham, Levenberg, Reyes, Epstein, Berger, McDonald. An act to amend the Vehicle and Traffic Law, in relation to allowing for individuals to consent to contact from the C.W. Bill Young Cell Transplantation Program and the National Marrow Donor Program to receive information about enrolling in such programs at the time of application for or renewal of a driver's license or

non-driver identification card.

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

Read the last section.

THE CLERK: This act shall take effect January 1, 2028.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Ra to explain his vote.

MR. RA: Thank you, Madam Speaker. I want to thank the sponsor for her partnership on this piece of legislation, the Speaker, Chair Pretlow and certainly my leader, Leader Barclay, for their help in getting this bill to the floor.

What this legislation does is it allows individuals applying for or renewing a driver's license or nondriver ID to opt in to receive information from the C.W. Bill Young Cell Transplant [sic] Program and the National Marrow Donor Program; both of which connect volunteer donors to patients in need of a bone marrow transplant.

In the U.S. every three minutes someone is diagnosed with a blood -- blood cancer like leukemia, lymphoma or melanoma -- myeloma. About 70 percent of those patients who need a transplant won't have a fully matched donor in their family, and according to the

latest data more than 1.6 million Americans are currently living with or in remission from blood cancers and more than 57,000 were expected to die from them in 2024 alone. Transplants are often the only viable transplant, especially for those with aggressive or late-staged diseases.

My mother was one of those patients. In her twenties, she was diagnosed with Non-Hodgkin's lymphoma. They told her she'd never have children. She made a recovery through her treatment. She had triplets. I'm one of them. When I was in high school, her cancer came back and she had to have a bone marrow transplant ultimately. It was that donor and that bone marrow transplant that allowed her to see me graduate high school and graduate college. This bill, simply put, will help more families have the experience I had of having my mother around for those extra years. We lost her in January of 2007, but her perseverance through her illness is something that I carry with me each and every day.

So, I can't thank all of colleagues enough who have sponsored this legislation; again, the sponsor and all of my colleagues who are voting in the affirmative and I'm not sure I've ever been happier to say I cast my vote in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Mr. Ra in the affirmative.

(Applause)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05207, Rules Report No. 786, Reyes, Anderson, González-Rojas, Rosenthal, Meeks, Torres, Alvarez, Simon. An act to amend the Public Health Law, in relation to requiring chain restaurants to label menu items that have a high content of sodium.

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

This bill is laid aside.

THE CLERK: Assembly No. A05346, Rules Report No. 787, Rozic, Seawright, Taylor, Steck, Hevesi, Alvarez, Lunsford. An act to amend the General Business Law and the Mental Hygiene Law, in relation to requiring warning labels on addictive social media platforms.

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

This bill is laid aside.

THE CLERK: Assembly No. A05451, Rules Report No. 788, Eachus. An act to amend Chapter 459 of the Laws of 2022, amending the Tax Law relating to authorizing an occupancy tax in the Village of Highland Falls, in relation to the effectiveness thereof.

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

advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05457, Rules Report No. 789, Solages, Burroughs, Seawright, Romero, Lasher, Dais, Meeks, Schiavoni, Clark, Shrestha, Smith, Conrad, Sayegh, Griffin. An act to amend the Education Law, in relation to phasing out certain mandatory university fees for graduate students.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05458-A, Rules Report No. 790, Pheffer Amato, Stern, Rozic. An act to amend the administrative code of the City of New York, in relation to the verification of participation in the rescue, recovery, and clean-up operations at the site of the Word Trade Center terror attacks on September 11, 2001.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05496-A, Rules Report No. 791, Lupardo, Stirpe, Peoples-Stokes. An act to amend the Tax Law, in relation to the timeframe of distributors of cannabis products to file tax returns.

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

This bill is laid aside.

THE CLERK: Assembly No. A05592, Rules Report No. 792, Lucas. An act to direct the Department of State and the Public Service Commission to jointly study and report upon the provision to consumer credit reporting agencies by public utility companies, cable television companies and cellular telephone service suppliers of information on late payments of or default on any fees or charges incurred by consumers; and providing for the repeal of such provisions upon expiration thereof.

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

This bill is laid aside.

THE CLERK: Assembly No. A05615-A, Rules Report No. 793, Zinerman, Walker, Gibbs, Williams, Bores, Vanel, Cunningham, Zaccaro, Jones, Brook-Krasny, Levenberg, Chandler-Waterman, Meeks, Simon, Taylor, Kelles, Raga, Gray, Wright, Hooks. An act in relation to authorizing the conveyance of certain property by the City of New York to the Bedford Stuyvesant Volunteer Ambulance Corps, Inc.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will

record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05771, Rules Report No. 794, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to the eligibility of certain participants in the New York City Employees' Retirement System to opt into the twenty-five year retirement program for EMT members.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05851-B, Rules Report No. 795, Beephan. An act in relation to authorizing the Town of Union Vale, County of Dutchess, to alienate and discontinue the use of certain parklands.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05861, Rules Report No. 796, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to normal retirement age for police/fire members of the New York City Fire Department Pension Fund.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06337, Rules Report No. 797, Palmesano, Gallahan, Kelles. An act to amend the Highway Law, in relation to designating certain portions of the State highway system as the "Between Cayuga and Seneca Lakes Wine Trail."

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06661-A, Rules Report No. 798, Palmesano. An act to amend the Highway Law, in relation to dedicating a portion of the State highway system to Sergeant James S. Hayes.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06917-A, Rules Report No. 799, McDonald, Lavine, Raga, Burdick, Steck, Barrett, Cruz, Angelino, Davila, Kay, Ramos, Seawright, Burroughs, Kassay, Pheffer Amato, Reyes, Beephan, Miller, Lunsford, Paulin, Gallagher, Tapia, Shrestha, Epstein, Glick, Eachus, De Los Santos, Rozic, Shimsky, Lupardo, R. Carroll, Levenberg, Stirpe, McMahon, Bores, Weprin, Woerner, Jacobson, Stern, Sayegh. An act to amend the Insurance Law, in relation to requiring certain health insurance policies include coverage services provided by pharmacists related to contraceptives.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07349-B, Rules Report No. 800, Morinello. An act in relation to authorizing the Town of Niagara to alienate and discontinue the use of certain parklands and to convey such parklands to Rajendra Sharma.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07359, Rules Report No. 801, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to eligibility for participants in the Automotive 25-year/Age 50 Pension Plan with more than 30 of credited service who remain in active service after age 62 to receive a service retirement benefit equivalent to the standard service retirement benefit received by Tier IV members with the same age and service.

ACTING SPEAKER HUNTER: On a motion by Ms.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Fitzpatrick to explain his vote.

MR. FITZPATRICK: Thank you, Madam Speaker.

At this time of year there are an awful lot of pension sweetener bills. And I am not opposed to improving benefits, but I do believe that they should be negotiated rather than go through the Legislature. It's not unfair nor is it unreasonable to ask the other side to put something on the table to help offset the cost to ease the burden on -- on the taxpayer. And for that reason I -- I vote no.

Thank you.

ACTING SPEAKER HUNTER: Mr. Pat -- Fitzpatrick in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07403, Rules Report No. 802, Pheffer Amato, Levenberg, Hevesi. An act to amend the Retirement and Social Security Law, in relation to providing for the transfer of service credit between certain retirement systems.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07420, Rules Report No. 803, Sempolinski. 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 HUNTER: On a motion by Mr. Sempolinski, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07461, Rules Report No. 804, Brabenec. An act to amend the Tax Law, in relation to extending the authority of the County of Orange to impose an additional rate of sales and compensating use taxes; and providing for the use of the tax funds collected.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07481, Rules Report No. 805, Sempolinski. An act to amend the Tax Law, in relation to extending the expiration of the provisions authorizing the County of Cattaraugus to impose an additional one percent sales and compensating use taxes.

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

advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07492, Rules Report No. 806, Gallahan. An act to amend the Tax Law, in relation to extending the additional one percent sales and use tax for Chenango County.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07614, Rules Report

No. 807, Romero, Yeger, Stern, Braunstein, Berger, Mamdani, Weprin, Lavine, McDonald, Simpson, Bendett, Slater, Barrett, Paulin, Rozic, Hevesi, Shimsky, Glick, Levenberg, Eichenstein, Durso, Jensen, K. Brown, Norber, Zaccaro, Kay. An act to direct the Commissioner of the Office of General Services to erect a monument to be known as the "New York State Holocaust Memorial."

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Romero to explain her vote.

MS. ROMERO: Thank you, Madam Speaker. This memorial will be erected to honor the victims and pay solemn tribute to those who survived the violent atrocities of the Holocaust. The horrors and evils that they witnessed is something that is inconceivable to most of us. It is for that reason that this Memorial is so important. It will not only forever serve as a learning experience for students, families and survivors and their families, but also be a permanent reminder that New York will not allow the world to forget this barbaric time.

Now more than ever, a memorial honoring those that

were targeted in the Holocaust is essential to ensuring that their stories are not forgotten. The reality is that the Holocaust was a targeted and systemic persecution of six million Jewish people and millions of other vulnerable people. By passing this legislation and creating this Memorial, we are committing ourselves to a permanent monument forever solidifying the memory of this tragedy for the Jewish people; horrendous and horrible and wicked, but we are also saying that we will never forget. And we commit ourselves also to the future. Never again.

This monument will stand strong and tall, educating future generations, combatting misconceptions and standing united against hate, anti-Semitism and the consequences of inaction.

Thank you to the Speaker for his commitment to Jewish people across New York State; my legislative colleagues in the Capital District; Daniel Dembling, President of the Capital District Jewish Holocaust Memorial, Incorporated; and the Jewish Federation of Northeastern New York, Rob Kovach; and others for their support. This would not be possible without the passionate advocacy of the late Dr. Lozman and his unwavering dedication to preserving Jewish voices. It's an honor to take on this project from his hard work, and I only wish that he was able to see this come to fruition.

I hope to have unanimous support on this legislation, and I thank my colleagues.

ACTING SPEAKER HUNTER: Ms. Romero in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07616, Rules Report No. 808, Paulin, Levenberg, Slater, Shimsky, Romero, Maher, McMahon, Jones, Bronson, Simon, Otis. An act to amend the State Finance Law, in relation to contracting between State agencies and not-for-profit organizations; and to repeal subdivision 7 of Section 179-v of such law relating thereto.

ACTING SPEAKER HUNTER: On a motion by Ms. Paulin, 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 HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07665, Rules Report No. 809, Bendett. An act to amend Chapter 556 of the Laws of 2007 amending the Tax Law relating to imposing an additional real estate transfer tax within the County of Columbia, in relation to the

effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07691, Rules Report No. 810, Braunstein, Griffin. An act to amend the Real Property Law, in relation to increasing the period of supervision required for certain real estate license applications.

ACTING SPEAKER HUNTER: On a motion by Mr. Braunstein, 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 HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07712, Rules Report No. 811, Smullen. An act to amend the Tax Law, in relation to extending the authorization of the County of Hamilton to impose an additional one percent of sales and compensating use taxes.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07854-A, Rules Report No. 812, Slater, Morinello, McDonough. An act to amend the Tax Law, in relation to authorizing the Town of Patterson to impose a hotel and motel tax; and providing for the repeal of such provisions upon expiration thereof.

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

advanced. Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07871-C, Rules Report No. 813, Maher. An act to amend the Highway Law, in relation to dedicating a portion of the State highway system to Jack Barletta.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Maher to explain his vote.

MR. MAHER: Thank you, Madam Speaker. I rise to honor an amazing American hero and Maybrook and Town of Montgomery resident, former resident.

Jack Barletta left home to join the military at the age of 19 shortly before Thanksgiving in 1942. On September 9, 1943 he led a recon force in Salerno, Italy, collecting information before the invasion that followed. He continued to fight in Italy until he was wounded on November 15th. Three months later, Jack found himself in Eastern France. In action while carrying a wounded soldier on his shoulders, Jack stepped on a land mine. He survived and recovered in England, then stateside in Virginia before being discharged in August of 1945. Jack was awarded two Purple Hearts, a Bronze Star, a North African Campaign Medal, a European Theater Campaign Medal, a Good Conduct Medal, a New York State World War II Medal, an Infantry Badge and a Certificate Medal from the French government in appreciation for his service.

After the war, Jack became a leader in the local veterans community. In 1970 as the Commander of the Maybrook VFW, Jack and his Vice-Commander, Karl Heller, used their homes as collateral to secure a loan to build a new VFW hall. Really established the first hall. After two years and an immeasurable amount of community support, the building was finished where it stands today.

According to Maybrook Mayor Dennis Leahy and so many others, Jack Barletta was a staple in the greater Maybrook community for decades, providing leadership and support to countless local families and organizations.

In the twilight of his life, Jack Barletta experienced a

day of honor that he and his family will never forget, through the Honor Flight. That's where we got to know him.

ACTING SPEAKER HUNTER: Thank you, Mr. Maher.

MR. MAHER: I'm proud of this legislation and thank the Speaker.

ACTING SPEAKER HUNTER: How do you vote?

MR. MAHER: I vote in the affirmative.

ACTING SPEAKER HUNTER: Mr. Maher in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07884-A, Rules Report No. 814, Fitzpatrick. An act in relation to authorizing the Town of Smithtown assessor to accept an application for a real property tax exemption from Tiegerman Community Services, Inc.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly A07902-C, Rules Report No. 815, Smullen. An act in relation to authorizing the City of Little Falls, in the County of Herkimer, to finance certain deficits by the issuance of bonds.

ACTING SPEAKER TAYLOR: On a motion by Mr. Smullen, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07935-C, Rules Report No. 816, Durso. An act to amend the Highway Law, in relation to dedicating a portion of the State highway system to Detective Thomas Inman.

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

Read the last section. The Clerk will read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07949-A, Rules Report No. 817, Pheffer Amato. An act to amend the Retirement and Social Security Law and the Administrative Code of the City of New York, in relation to permit surviving spouses of certain retirement plan members to retain certain benefits upon remarriage.

ACTING SPEAKER TAYLOR: On a motion by Ms. Pheffer Amato, on a motion -- the bill is before the House. The Senate bill is advanced. Home Rule Message and fiscal note.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07986-A, Rules

Report No. 818, K. Brown. An act in relation to authorizing the Centerport Fire District to file an application for exemption from school taxes and real property taxes.

ACTING SPEAKER TAYLOR: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08032-A, Rules Report No. 819, Bronson, Levenberg, Reyes, Burke, Berger, Jacobson. An act to amend the Labor Law, in relation to clarifying key provisions around elevator licensing on examinations and experience.

ACTING SPEAKER TAYLOR: 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08080-A, Rules

Report No. 820, Slater, Levenberg. An act to amend the Tax Law, in relation to extending the one percent increased county sales tax for Putnam County.

ACTING SPEAKER TAYLOR: On a motion by Mr. Slater, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08166-A, Rules Report No. 821, Burdick. An act to amend the Vehicle and Traffic Law and the Public Officers Law, in relation to establishing a school speed zone camera demonstration program in the City of White Plains; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER TAYLOR: On a motion by Mr.

Burdick, the bill is before the Senate [sic] -- on a motion by Mr. Burdick, the Senate bill is before the House. The Senate bill is advanced. Home Rule Message is at the desk.

Read the last section.

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

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is -- the bill is passed.

THE CLERK: Assembly No. A08180-A, Rules Report No. 822, Palmesano. An act to amend the Public Officers Law, permitting Yates County assistant district attorneys and assistant public defenders to reside in Chemung County.

ACTING SPEAKER TAYLOR: On a motion by Mr. Palmesano, the bill is -- 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08206, Rules Report No. 823, Woerner, Sayegh. An act to amend the Racing, Pari-Mutuel Wagering and Breeding Law, in relation to welfare, medical and retirement plans provided by a horsemen's organization in the absence of contractual obligations.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08300, Rules Report No. 824, McMahon. An act to amend the Surrogate's Court Procedure Act, in relation to the computation and allocation of the commissions of trustees of charitable trusts; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER TAYLOR: On a motion by Ms. McMahon, 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 60th day.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08302, Rules Report No. 825, O'Pharrow. An act to amend the Civil Practice Law and Rules, in relation to an affirmation by any person, wherever made, in a civil action.

ACTING SPEAKER TAYLOR: On a motion by Mr. O'Pharrow, the Senate bill is before the House. The Senate bill -- the Senate bill is advanced.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08324, Rules Report No. 826, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to providing a heart disease presumption for certain members employed as probation officers.

ACTING SPEAKER TAYLOR: On a motion by Ms. Pheffer Amato, the bill is -- 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08354, Rules Report No. 827, Pheffer Amato. An act to amend the General Municipal Law, in relation to disabilities of deputy sheriffs in certain cities.

ACTING SPEAKER TAYLOR: On a motion by Ms. Pheffer Amato, the bill is before the House. The Senate -- 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 TAYLOR: The Clerk will

record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08356, Rules Report No. 828, Pheffer Amato. An act to amend the General Municipal Law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities.

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

Please read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08368-A, Rules Report No. 829, Blumencranz. An act authorizing the Commissioner of General Services to transfer and convey certain State land to the Syosset Central School District; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER TAYLOR: On a motion by Mr. Blumencranz, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08408, Rules Report No. 830, Dais, Davila. An act to amend the Surrogate's Court Procedure Act, in relation to allowing certain methods for service of process.

ACTING SPEAKER TAYLOR: On a motion by Mr. Dais, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08426, Rules Report No. 831, Cook. An act to amend Chapter 548 of the Laws of 2010, amending the New York City Charter relating to authorizing the City of New York to sell to abutting property owners real property owned by such City, consisting of tax lots that cannot be independently developed due to the size, shape, configuration and topography of such lots and the zoning regulations applicable thereto, in relation to the effectiveness thereof.

ACTING SPEAKER TAYLOR: On a motion by Ms. Cook, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08427-A, Rules Report No. 832, Lasher, Dinowitz, Seawright, Forrest, Weprin, Schiavoni, Steck, Simon, Shimsky, Valdez, Gallagher, Torres, P. Carroll, Hevesi, Epstein, R. Carroll, Rosenthal, Reyes, Alvarez, Rajkumar, Burroughs, Simone, Glick, Solages, Colton, González-Rojas, Lunsford, Tapia, Taylor, Cunningham, O'Pharrow, De Los

Santos, Mitaynes, Clark, Levenberg, Bores, Gibbs, Cruz, Stirpe, Wieder, Paulin, McMahon, Meeks, Lee, Shrestha, Wright, Jackson, Bronson, Conrad, Romero, Burdick. An act to amend the General Business Law, in relation to enacting the "Fostering Affordability and Integrity through Reasonable (FAIR) Business Practices Act."

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

Laid aside.

THE CLERK: Assembly No. A08468, Rules Report No. 833, González-Rojas. An act to amend the Public Health Law, in relation to defining enforcement officers in a city with a population of one million or more for the purposes of regulating tobacco products, herbal cigarettes and smoking paraphernalia.

ACTING SPEAKER TAYLOR: On a motion by Ms. González-Rojas, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08525-A, Rules Report No. 834, Giglio. An act to amend Chapter 521 of the Laws of 2001 establishing the Ridge Volunteer Exempt Firefighter's Benevolent Association, and providing for its powers and duties, in relation to the use of foreign fire insurance premium taxes.

ACTING SPEAKER TAYLOR: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08544, Rules Report No. 835, Kelles. An act in relation to authorizing Mackenzie M. Covert to receive certain service credit under a 20-year retirement plan.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08550, Rules Report No. 836, Stern. An act to amend Chapter 431 of the Laws of 2018 relating to authorizing the State Commissioner of Transportation to convey real property to the Town of Huntington, County of Suffolk, in relation to extending certain provisions.

ACTING SPEAKER TAYLOR: On a motion by Mr. Stern, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08565, Rules Report No. 837, Brabenec. An act in relation to authorizing the assessor of the Town of Ramapo, County of Rockland, to accept an application for a real property tax exemption from Lev Teen Center.

ACTING SPEAKER TAYLOR: On a motion by Mr.

Brabenec, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08572, Rules Report No. 838, McMahon. An act to amend the Family Court Act, in relation to Orders of Protection in child abuse and neglect proceedings in family court.

ACTING SPEAKER TAYLOR: On a motion by Ms. McMahon, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. McMahon to explain her vote.

MS. MCMAHON: Thank you, Mr. Speaker, to

explain my vote.

This legislation addresses a serious problem in the Family Court Act where there's a finding or admission of abuse or neglect of a child by a person who is a member of the household but is not a parent of that child. In those cases, the court is currently limited to imposing a one-year Order of Protection. In contrast, where the abuser is a parent, the court can impose a two-year order, extend it to five years under specific aggravating circumstances.

I firmly believe that one of the most important things we can do as a legislative Body is to protect the most vulnerable among us. With this legislation, we make these two statutes consistent and give the family court judges the tools they need to better protect those children who have been subjected to horrific abuse or neglect by a non-parent.

I want to thank my colleagues for your support of this bill, and my friend, retired Family Court Judge Lisa Rodwin, for her unwavering advocacy for this legislation. Mr. Speaker, I vote in the affirmative.

ACTING SPEAKER TAYLOR: Ms. McMahon in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Mr. Speaker. I join in supporting this piece of legislation. I think it is really important. When you have other people who are unrelated to the child in the household, it's always really tricky because you try to look at whether

you can define that person as a PLR, or a person legally responsible. So if you've got somebody that's not related that has really stepped into, like, almost a parental role, then they would be considered a parent for the purposes of an Order of Protection. But if maybe it's a brand-new boyfriend or a roommate or something like that, it's just -- it's kind of like no man's land. And if that person ends up causing harm to the child, it was a big problem with Orders of Protection.

So this is really important. This is -- I'm really glad that this is getting brought forward and I'm really happy to support it again this year. Hopefully it'll get really far across the finish line this year.

So, thanks a lot. In the affirmative, please.

ACTING SPEAKER TAYLOR: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08606, Rule Report No. 839, Bronson. An act to amend the Education Law and Chapter 416 of the Laws of 2007 establishing the City of Rochester and the Board of Education of the City School District of the City of Rochester School Facilities Modernization Program Act, in relation to certain bonds issued to finance school rehabilitation or reconstruction costs for Rochester schools.

ACTING SPEAKER TAYLOR: 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08609, Rules Report No. 840, Manktelow. An act in relation -- in relation to authorizing Heath A. Wadhams to take the competitive Civil Service examination for the position of police officer and be placed on the eligible list for employment as a full-time police officer for the Village of Palmyra.

ACTING SPEAKER TAYLOR: On a motion by Mr. Manktelow, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

The bill is passed.

THE CLERK: Assembly No. A08610-A, Rules Report No. 841, Wieder. An act in relation to authorizing the County of Rockland to offer an optional twenty year retirement plan to Matthew Donovan, a deputy sheriff employed by such county.

ACTING SPEAKER TAYLOR: On a motion by Mr. Wieder, 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 TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08628, Rules Report No. 842, P. Carroll. An act in relation to authorizing the County of Rockland to offer an optional twenty year retirement plan to John F. Leonard, Jr., a deputy sheriff employed by such county.

ACTING SPEAKER TAYLOR: On a motion by P. Carroll, 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 TAYLOR: The Clerk will

record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08652, Rules Report No. 843, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to the definition of overtime ceiling.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08669, Rules Report No. 844, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to permitting certain twenty-five year retirement program dispatcher members to file elections not to participate.

ACTING SPEAKER TAYLOR: On a motion by

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08674, Rules Report No. 845, Pheffer Amato, Rozic. An act to amend the Retirement and Social Security Law and the Administrative Code of the City of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York City Employees' Retirement System employed as water supply police; and in relation to providing for employer pick up, pursuant to provisions of the provision of the internal revenue code, of certain additional member contributions required to be made by certain participants in the twenty-five year retirement programs; and providing for the repeal of certain provisions upon expiration thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER TAYLOR: The Clerk will record the vote.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08732-A, Rules Report No. 846, Smullen. An act in relation to authorizing Matthew Terpening to take the competitive civil service examination for the position of police officer and be placed on the eligible list for employment as a full-time police officer for the Town of Webb.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08774-A, Rules Report No. 847, Bologna. An act to amend Chapter 978 of the Laws

of 1966 relating to incorporating the South Lockport Volunteer Firemen's Benevolent Association, and providing for its powers and duties, in relation to amendments to such association's charter.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08802, Rules Report No. 848, Kim. An act to amend Chapter 704 of the Laws of 1991 amending the Arts and Cultural Affairs Law and Chapter 912 of the Laws of 1920 relating to regulation of boxing and wrestling matches relating to tickets to places of entertainment, and Chapter 151 of the Laws of 2010 amending the Arts and Cultural Affairs Law relating to resale of tickets to places of entertainment, in relation to extending the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08805, Rules Report No. 849, Bendett, Magnarelli. An act to amend the Highway Law, in relation to dedicating a portion of the State Highway System to Fire Chief Robert Bornt.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Bendett to explain his vote.

MR. BENDETT: (Indiscernible) -- Speaker, to explain my vote. And thank you, colleagues, for supporting this legislation dedicating a portion of our State Highway to Fire Chief, Robert Bornt. Robert Bornt was the Hoosick Falls Fire Chief who passed away earlier this month while working for DOT. He was a DOT maintenance supervisor. It's left a void in our community and

it's wonderful that we have an opportunity to memorialize him for his family, to validate all of his fine service to his community. I also want to thank Chairman Magnarelli and the Speaker for pushing this through.

Thank you very much, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Bendett in the affirmative.

(Applause)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08809-B was previously amended and is high.

Assembly No. A08842, Rules Report No. 851, Benedetto. An act to amend the Vehicle and Traffic Law, in relation to bus operation-related traffic regulations.

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

Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08888, Rules Report No. 852, Simon --

(Pause)

Assembly No. A08890, Rules Report No. 853, Burroughs, Solages. An act to amend the Criminal Procedural Law, to expand judicial eligibility for presiding over designated youth parts.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: If we can now go to our debate list -- back to our debate list. We're going to go directly to Rules Report No. 467 by Mr. Lasher, Rules Report No. 498 by Mr. Epstein, Rules Report No. 532 by Ms. Bichotte Hermelyn,

followed by Rules Report No. 546 by Mr. Magnarelli.

ACTING SPEAKER HUNTER: Thank you.

Page 11, Rules Report No. 467, the Clerk will read.

THE CLERK: Assembly No. A08332, Rules Report No. 467, Lasher, De Los Santos, Stern, Romero, Hevesi, Rosenthal, Otis, Schiavoni, Simone, Seawright, Rajkumar, R. Carroll, Shrestha, Paulin. An act to amend the Real Property Tax Law, in relation to the assessment of solar or wind energy systems.

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

An explanation had been requested.

Mr. Lasher.

MR. LASHER: Thank you, Madam Speaker. This bill is a technical piece of legislation to address a court challenge to a previous act of the Legislature. In 2020, this Legislature enacted Real Property Tax Law 575(b), which requires municipalities to adopt a uniform appraisal methodology for wind and solar energy systems and authorized the Department of Tax and Finance to establish such a methodology.

Early this year, the Supreme Court in the County of Albany struck down that law as delegating in excess of authority to Department of Tax and Finance. This legislation would incorporate the necessary guidance and parameters into the statute, so as to address the delegation issue and to allow the previously established

will of the Legislature to be effectuated.

Thank you.

ACTING SPEAKER HUNTER: Ms. Bailey.

MRS. BAILEY: Will the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. LASHER: Certainly.

ACTING SPEAKER HUNTER: The sponsor yields.

MRS. BAILEY: Thank you, Madam Speaker and thank you to the sponsor. Real quick, the changes that we're making to this piece of legislation is indicating that it's going to be mandatory that we use the -- the discounted cash flow model when we're looking at the assessments for these projects coming out. We have added in there, you know, what is going to constitute the expense, what's considered revenues. So, I guess I would like to just ask a couple of questions in and around that. How did we come up with the -- the pieces, you know; specifically, host community benefit payments? And then we're gonna look at the decommissioning -- the expense for decommissioning and then the community solar subscriber.

So, specifically, the host community benefit payments, how was that -- how did we come about adding that in as an expense?

MR. LASHER: Thank you. In a previous -- in the -- in the earlier act of the Legislature, this Body gave broad authority to

DTF to establish the methodology and this Legislation merely puts into statute aspects of the methodology that they established under our authorization; again, all of which is simply to deal with the delegation issue identified by the court.

MRS. BAILEY: Okay. And how did we come up with using host community payments as a cost?

MR. LASHER: Again, just to be clear, we -- I, as the sponsor of the legislation, did not come up with any of this. It reflects the judgment and findings of the Department of Tax and Finance under the authorization previously given to them by this Legislature.

MRS. BAILEY: Okay. And if I'm not mistaken in, as you indicated, the decision that came out of the Supreme Court in Albany County was that the very broad brush that we used in the legislation previously, we needed to indicate what would be constituted as expenses and what would be constituted as revenues; am I correct?

MR. LASHER: In -- in the court decision, the judge wrote that the court is guided by the principles laid out by the Court of Appeals in *Dean v. Whalen*, the Legislature may constitutionally confer discretion upon an administrative agency, only if it limits the field in which that discretion is to operate and provides standards to govern this exercise. And with that in mind, this legislation aims to do that.

MRS. BAILEY: Okay. So, this legislation -- we are looking at host communities -- the host community agreements as a

cost? Or is at an expense, correct?

MR. LASHER: The court further -- further determined that the Legislature failed to enact reasonable safeguards and standards in directing the assessment of solar and wind energy systems using the discounted cash flow approach. So, again, we are trying to inshrine in the statute those safeguards and parameters that DTF arrived at under the authorization we gave them previously.

MRS. BAILEY: Okay. And the reason I specifically ask about that is, you know, under -- this was open for public comment and based off of that public comment, I -- I just want to read something and then maybe ask my question again.

(Reading) There was a small host community agreement expense embedded in the operating expenses in the 2022 model -- and this is referring to the 2024 model -- while attempting to update the data for the 2024 model, the department determined that there was not sufficient support for that expense. The department does not currently have sufficient evidence to justify including an HCA expense of \$3 per kilowatt, or any other amount. The HCA expense has therefore removed from the model. Further -- furthermore, it would be difficult for assessors to verify such an expense.

So my question, again, is, how did we come up with adding that in here if the responses back from the comments on -- on the department's website is indicating something a little different?

MR. LASHER: The DTF made some revisions, I

believe, to the model, including with regard to the treatment of tax credits following the public comment and this legislation reflects the final determination of the Department of Tax and Finance.

MRS. BAILEY: Okay. As far as decommissioning expenses, when do decommissioning expenses occur?

MR. LASHER: As I said, this Legislature reflects the final determination of the Department of Tax and Finance.

MRS. BAILEY: Okay. So when we're looking at a decommissioning expense, we are -- we are taking that into account at the time of assessment for these projects -- and if I'm not mistaken, the judge -- or the justification for doing this legislation... (Reading) Its urgent transition to clean energy and meeting ambitious renewable energy goals are crucial steps in combatting climate change. The scale and severity of which is widely known, the deep -- and deeply felt, where in New York State incentivizing and encouraging the expenses of wind and solar projects is an important part of the solution. Yet, the financial viability of these projects is tenacious based on the unreliable appraisal model currently employed in New York. And then it goes on to say, (Reading) This uncertainty disincentivizes investments in the solar and wind sector, delaying critically-needed projects that will help New York transition to renewable energy sources. The implementation of the reliable appraise model will fill in these gaps and further New York's process to it. And part of the concern is that at the time that these -- these potential developers or these developments are coming into an area,

the unpredictability from any one local municipality where the assessors may be involved in that, is leading to having this mandated formula. So, if we're worry -- if we're looking at them coming in, how did we take the decommissioning, which comes at the end of the project, which we can't anticipate what that expense is going to be at this time, how are we able to utilize that as an expense in the model upon inception?

MR. LASHER: Look, I think as a practical matter, the questions that you're raising were resolved and addressed by this Legislature in 2020, and this Legislature made a judgment that a uniform tax appraisal methodology served the public interest. And there was a narrow technical deficiency in that legislation, which was an excess of delegation to the Department of Tax and Finance. This legislation aims merely to address that narrow technical deficiency.

MRS. BAILEY: In 2020, when -- when the initial bill was brought forward, how -- how did that come to the floor?

MR. LASHER: I -- I -- it was duly enacted by this Body.

MRS. BAILEY: Through the budget?

MR. LASHER: It was duly enacted by this Body.

MRS. BAILEY: I believe it was policy that was written into the budget in 2021, which had a legal battle in 2022, went back to the budget in '23 and here we are in '25 on the floor.

MR. LASHER: One -- one might --

(Cross-talk)

MRS. BAILEY: (Indiscernible) --

(Cross-talk)

MR. LASHER: -- one might say -- one might say that the Legislature has acted affirmatively on this issue twice.

MRS. BAILEY: We can agree to disagree. As far as the decommissioning expenses, I'm gonna go back to that. It indicates here the decommissioning expenses are included, all they -- although they are at the end-of-life expense, with changes in technology panels will last longer for solar rays and more easily cheaply replaced, this may result in an indefinite life of a solar -- solar arrays, in particular. Decommissioning should not be an expense. The response to that was, (Reading) The draft models decommissioning costs were calculated based on samples of projects provided by NYSERDA. The department's understanding of the issue is that decommissioning costs are an appropriate expense for the majority of products -- or projects. The department has not presented with -- has not been presented with sufficient data to adjust that. So, I guess my question would be, if we are -- if we are bringing this into what the law is going to read moving forward, what constitutes -- you know, what was the sample projects that came forward and what are the majority of these projects that were -- that were looked at?

MR. LASHER: Again, this legislation merely follows the guidance of the Department of Tax and Finance through their process.

MRS. BAILEY: Okay. So, then I'm going to go on

to community solar subscriber management costs. We're using that as an expense as well, correct?

MR. LASHER: Again, the -- I am going to say, quite simply, that this reflects the determinations made by the tax -- Department of Tax and Finance and merely aims to establish the parameters to address the delegation issue that the trial court in Albany identified.

MRS. BAILEY: Okay. But we as legislators have the opportunity to make sure that the direction that we're giving in this -- in this piece of legislation are accurate and will benefit all New Yorkers; am I correct in that?

MR. LASHER: I would suggest that the Legislature determines the public interest was served by granting a wide berth to the Department of Tax and Finance; ultimately determined by the court to be slightly too wide. And so, we are addressing that with this bill.

MRS. BAILEY: Okay. I do want to go back to the -- to the community solar subscriber management cost. So, when that was raised in the 2024 model, it -- and it was argued that it should include this expense, the response was, the department did not receive sufficient data regarding subscriber acquisitions, management or reacquisition cost to justify inserting those expenses in the model. And here we are, inserting it into the model. Although, the three, you know, it's specifically indicating that it possibly should not be; is that correct?

MR. LASHER: The legislation reflects the determinations of the Department of Tax and Finance.

MRS. BAILEY: Okay. So, we continue to refer back to the Department of Tax and Finance. I believe under Section C and just so I understand this correct, when it was brought forward in '21 through the budget, then '23, the formulation of the model and discount rate in New York State Department of Taxation and Finance shall consult with New York State Assessors Association; is that accurate?

MR. LASHER: Yes.

MRS. BAILEY: Okay. Provide further and the formulazation [sic] of a such a model, you know, through the department. So, have we taken into account any feedback from the Assessors Association?

MR. LASHER: I believe that there was -- the Department of Tax and Finance adhered to the law and did indeed consult with the New York State Assessors Association.

MRS. BAILEY: Okay. Do you know if there have been any studies done or if we have looked at any projects as to, you know, based on the project, if there is currently a pilot in place, if we were to utilize this formal as it's outlined, what that might look like for any one project?

MR. LASHER: Sorry. Could you repeat the question?

MRS. BAILEY: So, when we're -- when we're

looking at this formulation; so, have we looked at what any one municipality, schools, local -- local towns or villages, what their tax base might -- or what their taxes, revenue coming in may switch based on this formulation?

MR. LASHER: I think if you -- I'll point you in the direction of the affirmation of John Williams from the trial court case, who notes that with even -- with such complexity and variability, even small changes in cost have a significant on -- affect -- impact on project economics and observes the wide variability of the way that localities may go about these appraisals. And so, I don't know and I don't think that there is one prototypical locality that you could point to. I think the whole idea behind the Legislature's action on this in 2020 and again, was to create a standardized methodology, because you could have wild variation.

MRS. BAILEY: So, I believe in that law -- in the, you know, the court proceeding that you brought forward, I think there was a dollar amount that has come out, correct? That -- that that town --

MR. LASHER: Pertain --

MRS. BAILEY: -- that taxing agency --

MR. LASHER: -- again, pertaining to one locality. And I would say, again, that you will find significant variation, locality to locality, significant variation in the methodology of the appraisal, significant variation in the amount that results. And that is the purpose of this legislation; to create a level playing field,

something consistent across the State. It is something that we have done in other context and it's something other states have done as well. That's why the Legislature took action in 2020. But, again, I just want to stress, these substantive questions were resolved through the Legislature's action in 2020. And what this bill aims to do is simply resolve the issue of -- I should note, by the way, the law was challenged -- there were five -- five cause [sic] of action in the lawsuit, the *Airey* case. And the only one that succeeded was the issue of delegation and that is what this bill aims to address.

MRS. BAILEY: Correct. And -- and you're referring to the case that is currently under appeal, correct?

MR. LASHER: Correct.

MRS. BAILEY: All right. So, in the formula -- and I know you indicated that we are just identifying based off of that court ruling, you know, what's in there. You had indicated that the Assessors Association in -- in the language of the bill is to be referred to. Have you spoken to the Assessors Association since this bill came forward on the 15th of May?

MR. LASHER: I -- I have not personally --

MRS. BAILEY: Or the 13th?

MR. LASHER: -- I have not personally spoke with the Assessors Association.

MRS. BAILEY: Okay. I did speak with the Assessors Association and they put a memorandum out based on the 2024 model and they still stand by that.

MR. LASHER: That is -- I --

MRS. BAILEY: What --

MR. LASHER: -- I -- my family consults with me on many matters. It doesn't mean they always listen to me.

MRS. BAILEY: I understand. All right.

Madam Speaker, on the bill. I thank the sponsor.

ACTING SPEAKER HUNTER: On the bill.

MRS. BAILEY: So this is a good example of why putting policy in the budget is not a good idea. Policy should take the proper legislative steps -- or the legislative paths. This bill here, before us today, that's the step that it's coming, but this piece of -- this section of law has been topic in two different lawsuits that come into question what it is that we're doing here.

Specifically, I mention the Assessors Association. And I -- I just have -- I want to just say a couple of things. From that memorandum from the -- from the New York State Assessors Association, these are the individuals who are in our local municipalities who understand what the taxing burden is in these municipalities and what is best for our local towns and villages. When we're looking at a broad brush state-mandated formula, New York State will be the only state that mandates such a calculation for wind and solar projects. And arguably, I'm going to say it has a negative impact on our local municipalities. These projects are happening left and right in my backyard. I'm in contact with our assessors, I'm in contact with the developers and I'm in contact with

the local municipalities on a whole as to what that means from their taxing perspective. In this memorandum, it indicates, (Reading) Further, the New York State's Department of Tax and Finance provides the model and discount rates based on documentation provided by individual developers. However, the local assessing unit [sic] often are not provided the documentation the State will use to determine the model in discount rates. This puts local assessing units in a different place and unable to confirm the data and discount rates that are receiving -- they are receiving from the State. Further, there is no process to verify the accuracy of the data to -- so received. New York State Department of Taxation and Finance is asking assessors with no verification or ability to confirm or validate and blindly accept information from each solar and wind developer and likely will be self-serving to ensure lower assessments. For the model to work, there needs to be mandatory reporting to the New York State Department of Tax and Finance and local municipalities, as well as a mechanism to enforce disclosure against any developer that is providing faulty information or no information at all.

It goes on further to state that, (Reading) Under the statute calling for solar and wind model, New York State Association of Assessors was mandated to be part of the process. So, therefore, they would like to provide this memorandum. Although their position is that this mandate violates the assessor's constitutional duty to value our property in their municipalities, the New York State Association of Assessors strongly urges the New York State Department of

Taxation and Finance and NYSERDA to review a schedule that they have provided. And that schedule outlines the proper method for calculating a weighted average of cost of capital. The renewable energy goals of the State can be met through further discussion, information sharing and guidance from expert appraisers. Let's not create a model that favors the industry at the expense of the average New York State taxpayer, but rather work together to create -- to create methodology that relates to a more accurate value for solar and wind projects. And that is exactly what we have here. We have a methodology that is going to favor the development coming in of the solar and wind.

It was stated earlier when we were discussing a bill, that you and I are paying for their property taxes as well when it was discussed about utilities. This here is just an exclamation point at the end of that statement. It is our local municipalities who are the ones who are going to lose out. It's our schools. It's our local fire departments. It's our local EMS that rely on this tax base. Three million dollars was the dollar amount that was mentioned in the lawsuit that's coming out of Albany County that is currently in the Appellate Court. There have been estimates on some -- on some projects that could be in the tens of thousands of dollars on an annual basis. Upwards for the State, it's going to be in the millions, tens of millions of dollars of potentially lost tax revenue to our local municipalities. And at the end of the day, it is our school [sic] and our residents who are going to lose from this.

Therefore, Madam Speaker, I appreciate the time. I will be voting no on this piece of legislation. And I would encourage all of my colleagues to really stop and look at how this is going to impact your local municipality and I urge you to vote no as well.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Tague.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. LASHER: Certainly, Mr. Tague.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. TAGUE: Thank you, Mr. Lasher. I appreciate it. First of all, first question: Do you have any solar farms in your district?

MR. LASHER: We -- I -- not solar farms. No.

MR. TAGUE: Okay. Well, I do and I think there are a lot of rural -- other rural members in this Body that have them as well. Do you know how many acres of productive, good farmland has been used up for projects like this?

MR. LASHER: You know, we were discussing it the other day. I don't remember the exact number. But I -- I --

MR. TAGUE: About a half-million.

MR. LASHER: -- but I know it's significant.

MR. TAGUE: Half a million acres of productive farmland. I can't -- nothing else can be done on this farmland. Every single time we go to do projects like this, where does it come? Rural Upstate New York. Rural Upstate New York. Without asking us if it's something that we want, without allowing our local governments or our local people to have a say in the action. People from New York City and in the Governor's Office and NYSERDA just decided that they were going to site these projects in the place -- in the breadbasket of not only New York State, but of our country where our food is grown.

And I would say to you, Mr. Lasher, I dare say that neither you and I could live without food; am I correct?

MR. LASHER: Certainly.

MR. TAGUE: So the court has invalidated the underlying laws unconstitutional delegation of taxing authority, an encroachment on the traditional authority of local assessing units, a decision that as we have just talked about, has been appealed. So, let me ask you this.

(Cross-talk)

MR. LASHER: Can I just --

MR. TAGUE: -- why are we taking this bill up before the legal process reaches a conclusion?

MR. LASHER: Mr. Tague, I -- I do have to, if I, respectfully, may just point out that the -- the court -- the court's decision hinged entirely on the issue of delegation to the Department

of Tax and Finance, not on the issue of encroachment on the local assessors.

MR. TAGUE: All right. Well, let me ask you this, then. And I will let you know, Mr. Lasher, Mr. Airey is actually a very close, personal friend of mine. He comes from my home county. He's a town supervisor in -- in one of the towns. So, does this bill undermine the *Airey v. State of New York* ruling by, once again, allowing the State to prescribe a specific valuation model without sufficient legislative guidance?

MR. LASHER: I -- I don't think it -- it undermines the trial court's decision. I think it addresses the technical issue identified by the trial court, which is a delegation to -- which is a -- an excess of delegation to DTF. And by including in the statute more specificity about how to deal with expenses and revenue, it addresses the delegation issue. I don't think it undermines or is in any way a cross purpose with the court's decision. It simply addresses the issue the court found -- a flaw that the court found with the law.

MR. TAGUE: Let me ask you this, too. And you and I come from way two different parts of the -- of the world, so-to-speak, in the same State. But do you understand how much it costs to run a volunteer fire company or a volunteer EMS or a town, village or county highway department within a very rural area where some of these -- some of these highway departments are covering 25, 30 miles in some of the roughest terrain possible? Do you know how much it costs in our small local governments -- and I'll -- I'll give you

a perfect example. In Schoharie County there's 30,000 people. There's probably 30,000 people that live on the block where you live.

MR. LASHER: I think, Mr. Tague, I -- I would say I approach this conversation with an enormous amount of humility as to the policy issues that you and I were discussing the other day with regard to the balance between ensuring the viability of our agricultural sector, the revenue challenges associated with the loss of it, the economic challenges, and the need to promote renewable energy. These are tough policy questions. I will say, however, that this bill is not a -- an energy policy bill. It is certainly not an agricultural policy bill. It is a technical fix on a -- on a Real Estate [sic] Property Tax Law that was passed five years ago.

MR. TAGUE: But wouldn't you admit to me here amongst all our colleagues that this piece of legislation, and along with every other piece of legislation that fits in with this actual program is detrimental to the people of rural Upstate New York? And let me just -- and let me just follow up by saying what's even more of a concern is we're putting these projects up everywhere, and of course they want to put them where the best productive growing fields that we have in rural Upstate New York. And do you know what the kicker is? Not one single person in any of those communities are benefitting from these projects. That -- that, sir, is the shame of this whole thing. The shame.

MR. LASHER: I would say, Mr. Tague, that I think you are perhaps not giving due to the economic flexibility that it

affords to the property owners. But I say that with some, again, humility and would just observe that this bill is a -- again, is a technical fix to an issue of -- of delegation, which is a constitutional issue and doesn't really get at these policy questions that, again, I -- I'm learning from you and I hope to continue to do so. But that's not really at issue in this bill.

MR. TAGUE: Well, I -- I appreciate that and I respect -- I respect the opportunity that you and I had to talk the other day, and I respect you and -- and I appreciate the discussion we're having. But when you come from a hometown like I do, a place that at one time was full of dairy farms and crop fields and they're turning into nothing but solar arrays. And one thing that you mentioned that's a problem, yeah, the property owners are benefitting but guess what? None of the property owners are the original property owners because people from the City and other states figured out what was going on, came into the community and bought up the property and they're the ones that are benefitting. But the people that live next to it that just built a brand-new house ten years ago or five years ago, they're not benefitting. Their taxes are now actually gonna get raised because we're giving these other folks a break. Okay? And when they bought their house or built their house, they never thought that there was gonna be a solar farm around it. They don't have a problem with the farmer going out there with his Haybine and cutting 50 acres of hay or going out there with a combine and cutting 50 acres of corn. But what they have a problem with is with these solar farms, and they're not

getting one darn benefit. Not one darn benefit.

On the bill, Madam Speaker.

ACTING SPEAKER HUNTER: On the bill.

MR. TAGUE: You know, I stood here when the original bill-in-chief on this whole program was passed. I debated my -- my good colleague from Long Island; it was a budget bill. The Governor of the State of New York at the time and NYSERDA pushed this bill through in the middle of the night during budget season. Took all the power away from local leaders; from every single local leader from towns boards, county boards. Took it away from everybody, and they were gonna pick out where these projects were sited. And it just so happens, right in the breadbasket, the breadbasket of the Revolution. Big time in Schoharie County -- my hometown -- and everywhere around it. I bet you there's rural members here tonight that have one of these projects or proposed projects coming up in their -- in their district. Not one single person, not one single person is benefitting from this project. As a matter of fact, I've had people from NYSERDA come to me anonymously and say, *Mr. Tague, you got to help us. This thing is a mess.* The left hand doesn't know what the right hand's doing. I begged the night I debated this bill to get Ag and Markets involved. No, they didn't wanna hear that. They didn't want to hear that. Let's not have the Commissioner of Agriculture that knows better than anybody where our food comes from help make a decision on where we're gonna do this.

The problem is this whole thing wasn't thought out. It wasn't thought out. It was a big rush. We got the CLCPA and we're gonna save the world. What you're doing eventually is going to starve people. You're taking all the prospects for rural Upstate New York to actually feed people. You're taking our land away. I said earlier, half-a-million acres. That's just what I know. It could be upwards of 750,000, and if we keep going it could be over a million. Unless you guys are gonna start growing 1,000 acres or better of corn in Manhattan, we got a serious problem on our hands.

And I'm telling you right now, this isn't a Republican or Democrat issue. This is an issue of whether we love our State the way it is. We have the metropolitan area. We have the suburbs. And then we've got rural Upstate New York. We all do our part to make this State go. But if you continue to come into our rural area that's beautiful, where we have tourism, where we have agriculture, and you continue to take it away from us, we're gonna be nothing. We're gonna be nothing.

My friends, this was a bad bill when it was in the budget. It's a bad bill last year and it's a worse bill this year. I've heard many times that everybody needs to pay their fair share, everyone needs to pay their fair share. So we have these large corporations coming in and they're asking for a tax break. My neighbor isn't getting a tax break. The guy next to him isn't getting a tax break. And we sure as hell shouldn't give a tax break to somebody that's not gonna benefit our community.

So if you really care about all of New York State and every single person in this State, you will vote no. You will stand up to the large corporations, you will stand up to the Governor and NYSERDA and tell them to get their act together. If not and you are a rural Upstate New York legislator, you should be ashamed of yourself if you vote in favor of this.

Madam Speaker, I vote no. This is a bad bill, shouldn't even have came to the floor. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Palmesano.

MR. PALMESANO: Yes, Madam Speaker. Will the sponsor yield for a few questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. LASHER: Sure.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. PALMESANO: Thank you, Mr. Lasher. I think my colleagues covered most of the questions, but I just kind of want to touch on a couple, if I may. So this obviously sets the valuation so that the New York State Department of Tax and Finance will determine the valuation of these solar assessments and wind assessments, correct? That's how -- that's intention with this bill, to kind of codify that; is that right?

MR. LASHER: It creates the -- it creates a standardized methodology for the Department of Taxation and

Finance.

MR. PALMESANO: Created by the State Tax and Finance. So like right now I know in my district, our -- my local IDA negotiates with the local develops [sic] --

MR. LASHER: Yes.

MR. PALMESANO: -- with the wind, solar. They go in and just have those discussions. Is that still (indiscernible) process?

MR. LASHER: Nothing in this legislation would preclude a locality from negotiating a PILOT agreement.

MR. PALMESANO: Because -- and you -- I think you would agree with me that a local IDA, when they're negotiating they look out for the best interest of the locality, correct? Is that a fair assessment, would you say?

MR. LASHER: I think that nothing in this legislation would preclude an IDA --

MR. PALMESANO: No, I --

MR. LASHER: -- or locality from negotiating a PILOT agreement.

MR. PALMESANO: I -- I understand that. But let's say the developers working with the local IDA and the IDA who is representing the interests of the locality. What if, say, the IDA brings a proposal to the developers and the developers don't like it and they say, *I can go and get a better deal going to the State*. There's nothing stopping that developer from saying, *I'm sorry, IDA, Mr. Local IDA*.

We wanna go deal with the State and get a better valuation. They can do that, right? Nothing precludes them from doing that under this bill, right?

MR. LASHER: The idea here is to have a consistent, fair methodology that can be relied upon across the State. But again, nothing precludes a developer from working something out with an IDA. A developer may see it, I would imagine, as in their interest and worth perhaps a premium to have come to terms with the IDA as opposed to perhaps the slightly more --

MR. PALMESANO: Right.

MR. LASHER: -- the other route.

MR. PALMESANO: And I -- I appreciate you saying that. And I do recognize nothing precludes the IDA from working out a negotiation with the developer. But just -- I'll repeat my question. There's nothing stopping the developer if he doesn't like the deal that the IDA has created, he could go the route of the State and let State Tax and Finance work through that evaluation if he feels he can get a better deal, he can save more money by doing it, right? That -- is that a correct statement?

MR. LASHER: That -- that's another way of saying the same thing, I think, would --

MR. PALMESANO: Okay.

MR. LASHER: -- be that if an IDA was asking for an exorbitant and unreasonable and arbitrary demand, that the developer would have available to the developer a fair and reliable system from

the State.

MR. PALMESANO: Sure. I can -- I can appreciate that.

So I know you said this has nothing do with energy policy, it's a technical fix. But is it a fair question to ask that the reason we're doing this is because obviously we have the CLCPA in place, there's a Climate Action Council plan that says we need so much development of solar and wind, and because we have to have that development of solar and wind we need -- we need to address this part that's out in the question? So isn't that a fair -- that -- so even though it's not an energy policy it's -- it's here to address the energy policy that we have in place, especially when it -- when it relates to solar and wind, which are renewable energy, correct? Is that fair?

MR. LASHER: I think it is a practical solution to the fact that localities often are perhaps not the best equipped. These are complicated, relatively new ways of assessing --

MR. PALMESANO: Sure.

MR. LASHER: -- value, and this creates an even and reliable basis to do it around the State. And I should note, by the way, because it was said earlier that we were somehow unique. And I should just note that there are a number of states, including Vermont and Iowa and Minnesota and Colorado and Illinois, that have similarly established centralized taxation of renewable energy systems.

MR. PALMESANO: Sure. I -- I can understand that. So, recognizing that we do need more solar and wind

development, and I know this is gonna be part of it for the assessment, do you understand -- do you know how much the Climate Action Council plan called for for solar development as part of their recommendations? Do you have any idea?

MR. LASHER: I -- I do not know the number offhand.

MR. PALMESANO: It's 60 gigawatts of solar. Do you know how many acres of land it takes per megawatt of solar?

MR. LASHER: I do not.

MR. PALMESANO: Eight acres of land. Do you know how many acres of land that is for 60 gigawatts? 480,000 acres of land. Do you know where that land is gonna be used from in our State? Where are they gonna go? They're gonna go to Upstate New York, right? They're not gonna go to New York City. Doubtful they'll be in Long Island. But it's gonna be in Upstate New York, the rural areas, correct?

MR. LASHER: You know --

MR. PALMESANO: Is that a fair -- is that a fair assessment?

MR. LASHER: My hope is that we have a lot more solar in the City of New York, Mr. Palmesano.

MR. PALMESANO: Well, I think I'd rather see it in New York City than in Upstate New York, because especially with our farmland. I know the real -- and my colleague touched on this, and I kind of just want to reiterate that -- this point. There -- the State

Association of -- Assessors Association, one of the things they said is the tax credits, the incentives to build the solar, these are not included in the cash flow, but the -- all the expenditures, including decommission, are. So from their argument you can't get a proper assessment when you're -- when you're doing that. Why -- again, I guess, would -- would those tax credits be removed from the -- from the cash flow and the revenue?

MR. LASHER: The -- the question of whether or not the tax credits would be treated as intangible assets or as revenue, that was a -- that was a question that DTF wrestled with in their process. There are -- there is a question as to whether or not the State Constitution would prohibit that taxation of -- of those -- of those tax credits. But in the end, as a policy judgment, DTF decided to treat the tax credits as intangible assets and that is how -- that is what this legislation follows.

MR. PALMESANO: Sure. And just getting back, I know it's not an energy policy but it is the assessment (indiscernible). Certainly, you can -- I'm sure you can sense the frustration in the questions and our position and why the frustration is because of local control being taken away and that -- and that's whether it's from the -- whether it's from the decision-making process to now the assessment process, and all this land -- this is all on Upstate land, a lot of farmland. You can -- I certainly can appreciate and understand the frustration that many of us have with this policy that was passed as part of the budget and moving it forward. You can understand -- I

mean, is it fair to say you can at least understand our frustration in this and having enough (indiscernible) --

MR. LASHER: What I'm -- what I'm hearing is deep frustration with the State's -- with probably many years of agricultural policy and energy policy as it has been resolved by this Chamber, and I think, respectfully, that that is misplaced with regard to this bill.

This bill is a technical fix --

MR. PALMESANO: Sure.

MR. LASHER: -- to a -- to a law this Chamber passed that simply over-delegated to an agency, and we are correcting that. That is the -- that is the four corners of this bill. And I would -- as I've told Mr. Tague, I know that I and many of my colleagues would welcome a deeper engagement on the issues of agricultural policy and energy policy that you all are raising. But that's not what this bill is about. This is a Real Property Tax Law legal fix. And if this Legislature wants to make sure that the -- that its will can be effectuated, you should vote in favor of this bill.

MR. PALMESANO: Mr. Lasher, I thank you for your time.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. PALMESANO: Thank you, Madam Speaker and my colleagues. I think my colleagues covered it great in their questions, specifically -- certainly can understand the frustration that we have.

You know, we get to the point of where, you know, the question I was asking, you know, we can negotiate -- our -- our local IDAs do much of this negotiation, but then you get to a situation where -- where the local IDA is looking out for the interests of the local community. Then you get to a situation where a developer might feel, *Well, I can get a better deal going to the State*, because time and again we said -- we heard the sponsor say, well, State Tax and Finance -- State Tax and Finance is gonna be trying to do this valuation.

Here's the problem I think many of us have: We -- we simply watched the total taking away of local control when it came -- comes to the siting of wind and solar projects in our Upstate communities, because it's being done in our Upstate communities. It's not being done in New York City. It's not really being done on Long Island. But it's being done in our Upstate communities. And what -- you know, so it used to start where it would be the SEQRA process where the local town board and zoning board would have to approve it. Then we went to Article 10 and there were some changes made. At least in Article 10 they had two local officials on the board to help with the process to evaluate, to have input, be at the meetings to comment on it. Then that wasn't good enough, so they went to ORES, Office of Renewable Energy Siting, which took total away any local representation on it. Now when we talked about that process they say, *Well, we got local input. We got a lot of local input.* Nonsense. There's no local input. They use -- they do a few little public

hearings, if the community doesn't want it they can just go and get it approved, and that's what's happening. So you take away local control of the siting of these projects. Then assessors, if you want take away any local control from the assessors who are tasked with assessing the valuation of projects and -- and things in their -- their communities. So now what happens? Now it's gonna go to State control.

So that brings up a great deal of frustration to many of us in Upstate New York because it's taking away much of our Upstate land. And I already mentioned it; 60 gigawatts of solar. That's 480,000 acres of land for solar that the Climate Action Council Plan is calling for. That's gonna be Upstate land. That's gonna be prime farmland. You know, you wonder why we are frustrated. And we're not benefitting from that, whether it's these (indiscernible). And then 90 percent of our generation in Upstate New York is emission-free. Ninety percent of the emissions -- 90 percent of the generation in New York City, Downstate, is fossil fuel-based. So all this is being done to deal with New York City. How about New York City puts the solar panels on the roofs there? Try to figure out a way and you do it instead of putting on the backs of our Upstate farming communities and our Upstate areas?

The public doesn't really want this. They don't. They see these wind farms and solar farms going over. One acre -- again, one -- one megawatt of solar is eight acres. For wind, you're talking about 30 -- 30 acres per megawatt. That's a lot of acreage being taken up by wind and solar. And it's -- it's intermittent energy, so it's not

really helping provide reliability to the grid. Even the NYISO has said that. So this gets really, really frustrating to us when we see this happening time and time again. There's a lawsuit in place. Why not let it play out?

But I just think that's the frustration you -- you will -- you heard from us in this debate. That's the frustration heard from us in the past couple years when we've done this debate. That's the frustration here in the lawsuit. It just feels Upstate New York is just getting slugged in the gut or in the chin time and time again with these policies that we, quite frankly, don't want. But it is other people who are saying this is what we gotta do because it's the goals, it's the mandates we need to meet.

I know this is a technical fix, but it all stems back to the energy policy that's being advanced in the State of New York. I don't need to go through all that again; I did that earlier. But that's the frustration. And I wish there'd be some recognition of that from my colleagues from Downstate. And from my colleagues from Upstate to say more on this, because this is becoming a frustrating issue which we see time and time again.

So I appreciate the -- the sponsor's time on this legislation and answering our questions. But certainly, I hope he senses the frustration we have on this issue, the concerns we have on this issue, because they're big concerns. They're legitimate concerns. And I think they need to be taken into consideration as we move forward.

So for that reason, Mr. -- Madam Speaker, my colleagues, I'm gonna be voting in the negative on this legislation and I urge my colleagues to do the same. Thank you.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Mr. Gandolfo.

MR. GANDOLFO: Thank you, Madam Speaker. The Republican Conference will generally be opposed to this bill; however, any members who wish to vote yes may do so at their desks.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. The Majority Conference is gonna be in favor of this piece of legislation. There may be a few who would desire to be an exception, they should feel free to do so at their seats.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Angelino explain his vote.

MR. ANGELINO: Thank you, Madam Speaker. This is the third time I've been through this bill, and now it is in a lawsuit. And I don't think judges appreciate when they've ruled on

something, then the -- the bill gets amended just to add confusion to the issue, thinking that it's correcting something. It was bad to begin with.

I got to tell you, the people I represent, who I live with, they're just sick of Upstate New York being a colony for New York City. You take our water from Delaware County, Schoharie County, Ulster, Greene. Now you're taking our land. You're turning bucolic views into industrial sites with nothing but steel and solar panels. And if you need -- if we're right now at a half-million acres, I don't know how much more you're gonna take. When does it end to have enough power for New York City? You've got to decide, do you want lights on or do you want to eat?

I just wish that this industry did not need propping up. And this bill is just another crutch; one of the many that we keep providing to the solar and wind turbine industry. It's constant, constantly in need of tweaking, and it needs things that just have to keep helping it along. Nobody wants it, it's not a viable industry. And please, please don't even bring another draft of this legislation before this Body until every roof, every wall, every parking lot in the five boroughs is covered with solar. See how much you can get down there where it's needed before you come Upstate and start taking our tillable farmland and our views, our green spaces.

I'll be voting no.

ACTING SPEAKER HUNTER: Mr. Angelino in the negative.

Mr. Tague to explain his vote.

MR. TAGUE: Thank you, Madam Speaker. I still look up there and see a lot of awful green buttons pushed. And I just don't understand it, because many of us stand here and when a bill from the City comes that's gonna help the people that you represent, many of us vote yes when it's a local bill. This right here affects local, and it affects a lot of the people that feed you. That feed you. And I just can't believe that people -- and especially the people that always cry about Corporate America, that's who you're feeding money to, is Corporate America. Not the taxpayers in rural Upstate New York.

This is a terrible bill. Vote your conscience for once. This bill needs be voted down. If you vote yes on this then we know where you stand. You're more about corporate greed than you are about putting food in your mouth or your constituents' mouth.

I vote absolutely no. Garbage bill.

ACTING SPEAKER HUNTER: Mr. Tague in the negative.

Mr. Bologna to explain his vote.

MR. BOLOGNA: Thank you, Madam Speaker. Representing a very rural community in -- in Niagara County, my colleague Mr. Tague actually sounds like a lot of the people I represent. Honestly, it sounds like you're at -- I'm at a Niagara County Farm Bureau breakfast, to be perfectly honest with you. But that -- that is the type of emotion and feelings that -- that these bills produce. We have a bill today, you know, talking about and outlining natural

gas and how people in Western New York and Upstate New York are -- are -- are pleading to allow us to have that -- that reliable energy, and, you know, no, can't do that. But then at the same token, the justification of this bill says that incentivizing and encouraging the expansion of wind and solar projects is an important part of the climate change solution. Pick one. If -- if you -- if we, you know, loved it, so fine, but let us keep our natural gas.

In -- in a lot of ways this is very frustrating. But my -- my colleague Mr. Tague has given us a very good embodiment of why this is such an emotional and frustrating issue for so many of us in Upstate New York because a large sentiment in Upstate is that we are providing energy at the expense of our land for New York City.

So with that and on behalf of my residents in Upstate New York, I will be voting in the negative.

ACTING SPEAKER HUNTER: Mr. Bologna in the negative.

Mr. Manktelow to explain his vote.

MR. MANKTELOW: Thank you, Madam Speaker.

I just wanted to share this with everyone here in the Chamber that as a farmer, as a person that worked the ground, that made that ground the best that it could be to produce the best vegetables and the best crops for New Yorkers, I know the love of the land. And I was thinking about this as we were talking, and I'll just put this into perspective. An out-of-state company comes in, they take another 2,000 acres and you have no say in it. Oh, and by the way,

that 2,000 acres is New York City Park, Central Park. A company comes in, takes that beautiful park area, turns it into a wind -- windmill or a solar project. All that beautiful land and ponds and water and vegetation and animals and fish are now gone because we need solar power. We have to work together to save all of our properties, to save our land. And let's do this in a respectful way and let's help accomplish what we want to get, but really take a hard look at not giving up anymore farmland. Just like you would not want to give up Central Park to put solar projects in.

So thank you, Madam Speaker, and I'll be voting in the negative.

ACTING SPEAKER HUNTER: Mr. Manktelow in the negative.

Mr. Ra to explain his vote.

MR. RA: Thank you, Madam Speaker. Obviously, I am not from Upstate, but I hear my colleagues talking about this issue. And, you know, looking at this court decision as it was working its way through the courts, the Assessors Association is telling us, despite the underlying statute, says they need to be consulted with. They're telling us they were not consulted with in any meaningful way. And the decision talks about the fact that there was a dispute that the stakeholders could not come to an agreement with, and that's part of why they ended up concluding that there was an unconstitutional delegation of power. So while this is just dealing with that aspect of it, I think it further cuts out the assessors, who are named in this

statute as needing to be consulted with. And we have heard from, I would say, relatively small municipalities that there -- stand to lose millions of dollars, which -- you think about a large town, county, city Downstate that has a very large budget, that doesn't seem like a lot of money, that is a huge impact on an Upstate municipality.

So I'm gonna be voting in the negative. Thank you.

ACTING SPEAKER HUNTER: Mr. Ra in the negative.

Mr. Eachus to explain his vote.

MR. EACHUS: Thank you, Madam Speaker, for allowing me to comment on this. I'm neither from the City, nor am I from Upstate. I'm in the Mid-Hudson Valley. We have lots of farms in the Mid-Hudson Valley. And of the farmers I spoke to who have sold their farms, they've done it for their own benefit. They've made lots of money by selling their land, and they liked that. And it's interesting, my colleagues who profess to be farmers have never once mentioned the term "agrisolar." Agrisolar actually increases the production of much of the farmland when done properly. Agrisolar allows you to put up solar panels, which many of the farmers are doing now, as well as raise crops under them, as well as to have livestock raised under them and the like. And yet these folks are constantly commenting on, *We're losing farmland*. We're not losing farmland unless those farmers want to give it up for that. They can use agrisolar and actually increase their production with it if they wanted to.

I want to thank the sponsor of this bill and I am voting in the affirmative.

ACTING SPEAKER HUNTER: Mr. Eachus in the affirmative.

Mr. Lemondes to explain his vote.

MR. LEMONDES: Thank you, Madam Speaker. This bill is bad for a lot of reasons; most of them have been covered. One thing that I want to remind everyone of, especially the people that are voting yes on this, is every acre of land that's encumbered with a solar panel raises feed prices for other animals and raises food prices. Our energy problems, together as a State, will not be solved without nuclear -- without nuclear power.

The people that I represent don't want these wind farms in our district. I don't want one on my farm. And I can attest to the pressure that people feel from these companies trying to push these solar projects on our rural farmland. A lot of people have submitted to this because they don't know any better, and they've been taken advantage of completely, in a hundred different ways. How about a solar project without a decommissioning clause or without a rent escalation clause, which is what a lot of people have been duped into? Let's not forget that. Let's not forget elderly people. What if they were your parents or grandparents that are counting on that money for their retirement, yet at the end they're gonna have a mess that they have to clean up. Who's gonna pay for that? Probably the landowner if there's no decommissioning clause in the contract.

The farce of the CLCPA that we can solve our energy problems without nuclear power is a joke. Small modular nuclear like our --

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

MR. LEMONDES: I vote no.

ACTING SPEAKER HUNTER: Mr. Lemondes in the negative.

Mr. Palmesano to explain his vote.

MR. PALMESANO: Yes, thank you, Madam Speaker, my colleagues. The comment was made that farmers are selling their property and they love it. I don't blame the farmer. The reason the farmers are selling their property is because they're getting screwed over by the policies that continue to come out of this House. You talk about the Farm Labor Act that we passed several years ago. That was putting the screws to the farmer. The energy policy, the CLCPA is advancing. That's putting the screws to the farmer. Then we have the ridiculous proposal out there, let's limit just to 700 cows. That -- that's gonna be great to help meet the expansion of projects like Chobani. It's short-sighted. I don't blame the farmer; it's the policies that come out of this House that are causing problems for our farming community so they can try to get some money out of their farm because they can't make money farming because of the policies come [sic] out of this State. So let's not blame them. I'm not blaming the farmer. And remember, like my colleague says, you know, if

there's no -- if there's no farms, there's no food.

I know we all want to see food at a reasonable cost all across the State and New York City, wherever it may be. Things like this make it much more difficult, so I'm gonna be voting no.

ACTING SPEAKER HUNTER: Mr. Palmesano in the negative.

Mr. Friend to explain his vote.

MR. FRIEND: Thank you, Madam Speaker. This bill doesn't limit solar panels to just agrivoltaics. And across my entire district, marshland, forestland, farmland is being picked up and turned into solar farms at an alarming rate. And they're not sitting high enough to grow something underneath it. You can't get an animal underneath those solar panels that are being put in right now. The number of farmers that have to come to me and said, *What am I gonna do next year, Chris, because they're putting a solar farm on the land that I used to lease to grow the crops to feed my animals? Where am I gonna get the food?* Either they have to sell their farm and leave the State now, or they have to buy food from somewhere else to feed the animals on their farm and ship it in.

This was a poorly thought-out bill and I vote no.

(Applause)

ACTING SPEAKER HUNTER: Mr. Friend in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 12, Rules Report No. 498, the Clerk will read.

THE CLERK: Senate No. S00700, Rules Report No. 498, Senator Krueger (A04664, Epstein, Taylor, Burdick, Zinerman). An act to amend the Tax Law, in relation to the enforcement of delinquent tax liabilities by means of the suspension of licenses to operate a motor vehicle.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Epstein.

MR. EPSTEIN: Thank you. Under current State Tax Law, the Commissioner of Tax and Finance can ask the DMV to revoke someone's driver's license. What we're doing is adjusting that figure towards inflation, providing exemptions for people with incomes below 250 percent of poverty, and granting the Tax Commissioner further authority to waive suspensions if the taxpayer can, you know, provide a case of equities in their case. And it also gives the Tax Commissioner the ability to go after taxpayers who affirmatively avoid taxes for tax collection that are below \$10,000.

ACTING SPEAKER HUNTER: Mr. Gandolfo.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. EPSTEIN: Happy to.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. GANDOLFO: Okay. So first, we had a little discussion about this earlier but I just want to clarify a couple of things here. So now the -- the ability -- the Department of Tax and Finance currently has the ability to suspend a license for anybody who has a tax delinquency of over \$10,000?

MR. EPSTEIN: Yeah, that is correct.

MR. GANDOLFO: Do you know about how often that happens?

MR. EPSTEIN: Regularly enough. I don't know the overall number of New Yorkers who have their suspension, but it's a reg -- pretty regular behavior, from my understanding.

MR. GANDOLFO: Okay. So there's currently no exclusions on the ability of Tax and Finance to do this?

MR. EPSTEIN: They can't exclude if someone has child support arrears. That is currently excluded under the statute.

MR. GANDOLFO: Okay. So now this would just exclude individuals on public assistance, SSI. Individuals who do not exceed 250 percent of the federal poverty level, and/or the payment of past-due liabilities that would create a financial hardship for them?

MR. EPSTEIN: Exactly. But they have to -- the Commissioner will have to determine based on the application whether the -- that they agree. The Commissioner has to decide whether that is actually a liability and then they can waive that obligation.

MR. GANDOLFO: Okay. Now, is that -- in terms of the federal poverty level, does that apply only to individuals? What if they file jointly? Would it go by the chart of --

MR. EPSTEIN: Whatever the federal poverty level is for the family size that they're in.

MR. GANDOLFO: Okay. Okay. Now, so it will go by the... okay. Now, currently does a warning go out before a license is suspended if you have a tax delinquency?

MR. EPSTEIN: Yeah, they -- they get 60-day notice before the suspension occurs, and people can challenge the suspension. That's already existing under statute.

MR. GANDOLFO: Okay. So they have the ability to challenge. Could you argue that leaving Tax and Finance with the ability to suspend it and send out a warning to some of these individuals might bring them in the door to maybe cut a deal for a payment plan?

MR. EPSTEIN: I don't think that changes that power. Actually, I think it gives them additional power for people to actually below their \$10,000 threshold if they intentionally seek to evade the disclosure. So that's additional power. But it also gives them the authority to enter into payment plans for people in a much more expansive way, determining based on all the factors whether they determine that the person should get into a payment plan and not get their license suspended. Another thing I'll add, especially if someone's around our State -- we talked a lot about Upstate a few

minutes ago. It's hard to get around the State, especially outside of New York City, without a driver's license. And if you're employed and you get your license suspended, the ability to go to work is further restricted.

MR. GANDOLFO: Right. And I fully recognize the Catch-22 that if you have your license suspended, how are you getting off to work to pay down your delinquency. But I think there could be a balancing act here. I feel that if you remove the ability what's -- for Tax and Finance to even have that threat of suspension, why would someone come in and get on a payment plan to pay off that debt over a period of time?

MR. EPSTEIN: Well, it's still the threat of suspension. We're just including people who are very low-income, someone who's on public assistance, Social Security or 250 percent of poverty below. It's a small category of people we're excluding who are extremely low income. In addition, they're not -- they still have the obligation. So you can still garnish wages, you can do other things. You just won't be able to suspend their license, which is, in some ways, a critical thing for people to get back on their feet to be able to get around this great State.

MR. GANDOLFO: Okay. So wages still could be garnished --

(Indiscernible/cross-talk)

MR. EPSTEIN: All those rights are still available to them.

MR. GANDOLFO: Okay. And now, is there any kind of means test? Is it based on the prior year's tax return?

MR. EPSTEIN: Yeah, based on the tax returns to determine whether they're below the poverty or they're currently on public assistance or getting Social Security.

MR. GANDOLFO: Okay. Now, is there any other means testing, whether they have any assets they could liquidify to pay down the debt? If -- you know, say someone lost their job in the prior year but still had a second property or a savings account with a decent amount of money in it.

MR. EPSTEIN: I mean, Tax and Finance has all that information, so they're making the determination based on all the evidence before them. If you're on public assistance you can't have, like, a million dollars in the bank. It's under -- under the rules of the State of New York. You can't have that kind of money. So for public assistance or Social Security, there are real limitations on how much money you can have. People at 250 percent of poverty below, we're looking at, you know, kind of a balance of the equities and information. People above that, it's still the Tax and Finance Department to be able to make that determination. And the additional power that we're giving them for people below the threshold, I think it's critical as well, especially for people who might be trying to hide those assets, we're giving them additional power to suspend licenses for people below that if they're trying to hide their assets.

MR. GANDOLFO: Okay. Those are all the

questions I had for you. Thank you.

Madam Speaker, on the bill briefly.

ACTING SPEAKER HUNTER: On the bill.

MR. GANDOLFO: I appreciate the sponsor answering some of those questions. It does raise a Catch-22 that if someone is behind on their taxes and is a low-income individual and you take away their ability to travel to work, how are they going to pay down what they owe? However, I feel that removing the ability for Tax and Finance to suspend that license is removing, I guess, an incentive for someone to come in and make a deal to get right on their back taxes. And with the way this State spends money, I think we need every incentive to bring in those tax revenues because we'll probably run out of it eventually.

Thank you, Madam Speaker. I will be voting vote no and I encourage my colleagues to do the same.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Minority Conference will be in the negative on this particular bill. If anybody wishes to vote in the affirmative, they may do so right now at their desks.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, the Majority Conference is gonna be supporting this piece of legislation. There may be a few that would decide to be an exception, and they should do so at their seats.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Madam Speaker. I rise to explain my vote. This is a very simple bill that doesn't affect the ability of our State to collect taxes, but understands, especially with low-income New Yorkers, losing a driver's license can mean not being able to work, feed their family or survive in our great State. It's a really simple fix to ensure that our tax delinquency dollars are collected, but also to ensure that New Yorkers who need that driver's license to be able to continue to work in this State will be able to do that.

I want to thank the Speaker, the Majority Leader and all my colleagues. This has been -- it's been a joy and a pleasure and I will be voting in the affirmative.

ACTING SPEAKER HUNTER: Mr. Epstein in the

affirmative.

Mr. Hevesi to explain his vote.

MR. HEVESI: Thank you, Madam Speaker. I just want to thank the sponsor for the thoughtful approach to this bill and many others over the years, and I really appreciate all of his contributions here today. Thank you, sir.

ACTING SPEAKER HUNTER: Mr. Hevesi in the affirmative.

Mr. Lavine to explain his vote.

MR. LAVINE: Let me join my colleagues in wishing and thanking and wishing the sponsor well. But I have a particular bias because his mom is an old friend. Harvey, well done, my friend. Give my best and our best and all best to you.

ACTING SPEAKER HUNTER: Mr. Lavine in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 12, Rules Report No. 532, the Clerk will read.

THE CLERK: Assembly No. A08412-D, Rules Report No. 532, Bichotte Hermelyn. An act to amend the Public Housing Law, in relation to succession rights for New York City Housing Authority properties.

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

bill is advanced.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Bichotte Hermelyn to explain her vote.

MS. BICHOTTE HERMELYN: Thank you, Madam Speaker, for allowing me to explain my vote on this bill.

Imagine you wake up one morning in your apartment you've lived in for years with your mother, father, or even just a longtime friend or roommate, and all of a sudden there's a death with the main leaseholder and all of the remaining people in the apartment soon have to vacate because there was no process to succeed the leaseholder in time. I remember clear as day when I got a call from one of my best friends, Edwige Edouard, whose mother, Mrs. Edouard, had passed. His father, his mother's husband, was not on the lease. This was a household of Haitian immigrants who came to this country seeking an opportunity -- opportunity in life. They paid their taxes, raised their kids, and the household eventually became naturalized U.S. citizens.

I called NYCHA immediately to see what were the policies for succession of a spouse and there were none. It was sad. We had to move this senior citizen, Mr. Edouard elsewhere. He later passed. Since then, NYCHA, Legal Aid and the housing advocates

amended the policies to include a broader base of people beyond family members to succeed the apartment in NYCHA. This bill is to modify the policies allowing NYCHA to make it even more progressive in the future. Succession rights save households in NYCHA apartment from becoming homeless. If a family member, a spouse or partner that has passed away or left and they have lived with for years prior, they will be able to focus on their grieving versus needing to try to find a new apartment to live in.

There are over 300 developments in NYCHA with more than 160,000 apartments; 500,000 (indiscernible-cross-talk) --

ACTING SPEAKER HUNTER: Thank you, Ms. Bichotte Hermelyn. How do you vote?

MS. BICHOTTE HERMELYN: So with this to protect the vulnerable population (indiscernible/cross-talk) --

ACTING SPEAKER HUNTER: How do you vote, Ms. Bichotte Hermelyn?

MS. BICHOTTE HERMELYN: I will be voting in the affirmative.

ACTING SPEAKER HUNTER: Ms. Bichotte Hermelyn in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker. So, I also will be voting in favor of this legislation because my reading of it is that it really just requires NYCHA to enumerate in some written form the policies that are already in place surrounding an individual's

ability to apply for continued residency or to take over residency should a tenant of record leave a NYCHA public housing unit. That's because of amendments made in this bill language that state that NYCHA policies and procedures include and shall continue to include policies and procedures allowing individuals to claim succession rights. So because NYCHA will only be able to create a policy that reiterates and is consistent with existing laws and regulations, I believe that this -- this bill is -- is all right with me.

So I'll be in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 12, Rules Report No. 546, the Clerk will read.

THE CLERK: Assembly No. A00225-A, Rules Report No. 546, Magnarelli, Hunter. An act to amend the Public Authorities Law, in relation to commuter passes on the New York State Thruway in the Syracuse area; and providing for the repeal of such provisions upon expiration thereof.

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

An explanation has been requested.

Mr. Magnarelli.

MR. MAGNARELLI: Yes, Madam Speaker. The bill would direct the Thruway Authority to issue annual short-distance commuter permits for free travel in the Syracuse area between certain exits; 34-A, 35, 36, 37, 38 and 39.

ACTING SPEAKER HUNTER: Ms. Walsh.

MS. WALSH: Madam Speaker, will the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. WALSH: Thank you very much. So just a few questions on this, really. So why -- why are we gonna allow people to travel for free during those -- in those five exits, potentially?

MR. MAGNARELLI: Well, you've been through Syracuse lately or the Central New York area?

MS. WALSH: I have, yeah.

MR. MAGNARELLI: We have the I-81 project going on. It's going to take another five years. And in the next year they're going to start taking down the viaducts that run through the middle of Syracuse. So the idea is to allow another route around the City during the period of construction.

MS. WALSH: So this will just be temporary and then as soon as that project is completed it will be lifted?

MR. MAGNARELLI: The bill sunsets in five years,

December 31, 2030.

MS. WALSH: Okay. I do like the fact that if -- there's -- there's something that was written in the bill that basically says that if it looks like there's a tremendous loss of revenue, then there could be, like, a readjustment of the -- of the plan. Can you just talk about that a little bit?

MR. MAGNARELLI: Yes, I can. Okay. It -- it gives the Authority flexibility in establishing the toll rates so that -- so long as net revenue will meet or exceed the net revenue requirement. It also allows -- well, the bond resolution allows the Authority to reduce tolls for use of commuting or other privileges based on frequency, volume, occupancy, congestion pricing, et cetera. The Authority could also restrict use of the permit to peak commuter hours and if an independent audit shows a significant revenue loss, the Thruway could charge a discounted fee. So there's a bunch of different things that could be done if need be.

MS. WALSH: Yeah. And it was especially that last part that I was happy to see that there is flexibility put into it so it's not just for the next five years anybody who gets this permit, and the permit you'll get -- you would get for free. That's the original idea, is you get it for free.

MR. MAGNARELLI: Right.

MS. WALSH: But then down the road, no pun intended, if there -- if they do an audit and the audit shows that there's a significant loss of revenue --

MR. MAGNARELLI: Right.

MS. WALSH: -- then there could be an adjustment. And maybe you would offer a discount, the permits could be gotten at a discount on the cash cost per mile or something like that.

MR. MAGNARELLI: Right.

MS. WALSH: So there is some flexibility. And I do -- I do appreciate that part of it. I think where some of our members might be a little less happy is they're gonna say, *Well, why not my part of the Thruway? Why -- why -- why this part of the Thruway, you know, and not my part of the Thruway?* So how do you -- how would you respond to that?

MR. MAGNARELLI: Well, I understand that, and what I said initially is that this is just for the period of construction or reconstruction of 1-81. And the reason for these exits being allowed to be used in this way is because we're going to have extraordinary circumstances in Downtown Syracuse where we're going to have traffic jams and things like that. We're trying to make it as easy as possible for people to get around, and also as easy as possible and as safe and healthy as possible for the people who live in the areas that are being reconstructed.

MS. WALSH: Okay. So is this anywhere -- I'm -- and I don't know the answer to this, that's why I'm asking. But the -- the Micron that's supposed to be coming in, is that anywhere near any of these exits?

MR. MAGNARELLI: Not really -- well, yes. I

mean, it's near the exits as you go by Syracuse. But this isn't a Micron deal in any way, shape or form. This is strictly an I-81 reconstruction proposal.

MS. WALSH: Okay. Yeah, I was just curious about that because I thought, well, we might be back here, some of us in 2030, and then we're gonna be given another reason why we should be extending or continuing this because of maybe Micron coming in.

MR. MAGNARELLI: Well, I hope I'm talking to you again in that year.

MS. WALSH: I do, too. I do, too. But I -- I hope we aren't gonna do that, because the -- you know, in general. Because I think this is kind of precedent-setting and I think that that might be a concern that some members might have, that we're doing it for, you know, this area then, you know, maybe somebody down in the Hudson Valley is going to say, *Boy, we have a big project, too. We need to do that, you know, in our area, too.* So...

MR. MAGNARELLI: Well, again, I'd like everyone to come to Syracuse, see what we're doing and see what a major construction this is in the middle of the City.

MS. WALSH: Well, they said that -- some people have said that Albany is lovely in the summertime; I'm sure Syracuse is as well.

MR. MAGNARELLI: That could be.

MS. WALSH: Yeah.

MR. MAGNARELLI: Yes, it is.

MS. WALSH: Yeah. All right.

Let's see. Now, I saw that back in 2017 our former colleague Mr. Thiele had a bill that I think was doing -- trying to do the same thing, but the Governor vetoed it.

MR. MAGNARELLI: Mm-hmm.

MS. WALSH: But this project that you're talking about, this significant project in the inside of Syracuse, that wasn't going on at that time, was it? What was the rationale for doing this bill back in '17, if you know?

MR. MAGNARELLI: I -- I don't know, but --

MS. WALSH: Yeah.

MR. MAGNARELLI: -- I'd love to talk to Fred and get him on the phone, that's for sure.

MS. WALSH: Well, I was -- it was funny because I was wondering, as a -- as a member from Long Island, I was wondering why he would be carrying a bill that would impact, you know, your area. But I don't know if that was because maybe he was on Transportation.

MR. MAGNARELLI: The only thing was -- was he Chair of Local Governments at the time? That could have been.

MS. WALSH: Yeah, maybe that's the reason. I don't know. All right. I think that -- those are pretty much the questions that I've got. At this point --

MR. MAGNARELLI: Thank you.

MS. WALSH: -- I'll just go on the bill, please.

Thank you, Mr. Magnarelli.

MR. MAGNARELLI: Thank you.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: Thank you, Madam Speaker. So, I mean, just a couple of quick points to make. You know, I think that, you know, under the Public Authorities Law, the State pledged that it would not limit or alter the rights vested in the Authority to establish and collect fees to fulfill the terms of any agreements made with the bondholders, nor in any way impair the rights and remedies of the bondholders until the bonds are fully met and discharged. So in other words, you know, we approved these fees to be charged exit-by-exit to try to support the Thruway Authority, and I think, you know, maybe they're -- the Thruway Authority isn't as -- as hated as maybe some other agencies, I guess. But there's some -- there's some unpleasant feelings towards the Thruway Authority that they've been collecting fees for a really long time and probably have paid for the Thruway many, many times over and yet here they are still charging money. So this is an alteration in the -- the structure of charging at each exit. And, you know, toll revenues are supposed to be all pledged for the payment of bonds issued under the Authority's general revenue bond resolution. So, you know, I was thinking that, you know, this is kind of like the reverse of NIMBY, "Not in My Backyard." We're all gonna be like PIMBYs, because we're gonna be like, *Please, let this be in my backyard so that as I travel exit, you know, exit 23, 24, 25 and 26 to get back to my house, I won't have to pay any tolls at all.*

That would be super. And, you know, I don't know, the Governor when he voted this in 2017, this iden -- nearly identical bill, he was arguing that this bill would negatively impact the Authority's bond rating and increase the cost of borrowing by the Authority, and maintain that this bill would set a precedent to allow other jurisdictions to seek this type of reduction, thus resulting in greater revenue loss for the State, which was not accounted for by the State in its financial plan. I don't know anything about the -- the whole bond rating thing. I don't know. But that was the reason given in the -- in Governor Cuomo's veto back in 2017. And I did try to address during debate the idea of it being potentially precedent-setting.

I do like parts of the legislation. I like the fact that it has built-in flexibility in the sense that, you know, if this audit gets done and they figure out that, *Hey, we're just losing too much revenue. We really need to make an adjustment.* That can be done. And also that although the permits, at least initially, will be issued free of charge, that depending on how things work out with revenue loss over the next five years, there could be a charge that's maybe at a discounted rate per mile for these permits. So I do like that aspect of it. But I would expect that there will be votes maybe on both sides of the issue, and I just appreciate that the sponsor gave me a little time to just try to shine a little light on the pros and the cons of this piece of legislation.

So thank you very much, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Gallahan.

MR. GALLAHAN: Thank you, Madam Speaker.

Will the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. GALLAHAN: I have one question. Is there a fee for the permit?

MR. MAGNARELLI: Right now it'll be free.

MR. GALLAHAN: It'll be free.

MR. MAGNARELLI: But it could be if there's an audit and it shows that it's needed.

MR. GALLAHAN: Okay. So currently, how do -- am I gonna be able to online through my E-ZPass account and apply for this permit and have it applied to my E-ZPass tag?

MR. MAGNARELLI: I -- I think they do. And they do have a permit program as we speak where you get a discounted permit for the Thruway.

MR. GALLAHAN: They do. You're right. I currently participate. It's \$80 a year annual fee.

MR. MAGNARELLI: \$88.

MR. GALLAHAN: It give me X amount of miles on the Thruway for free and then a reduced rate for the next exit and then regular fees after that. So, I mean, that's available to anybody in the

State currently. It's an \$80 fee. Thank you very much.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. GALLAHAN: I -- I can appreciate this. My district runs from Ontario County to Madison County to Broome County. But I've got a problem because I've got five of the Finger Lakes that run down through my district, and I cannot take a boat across these five Finger Lakes. So I have to get on 90, the Thruway, go all the way to Syracuse, Exit 39, jump 690 and then go down 81. And I can tell you right now, it's not a pleasant trip. There's a lot of construction going on down there, and any kind of relief that I can get going down the Thruway currently will at least make me feel a little bit better and keep the road rage out of my head.

So I will -- I will be in favor of this bill. I will be voting in favor of this bill, and we'll see what happens in the next few years and hopefully I won't have to pay another fee to get this permit.

So, thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Reilly.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. REILLY: Thank you so much, Mr. Magnarelli.

So with this -- with this legislation, was there any money designated in the budget to reimburse the Thruway Authority?

MR. MAGNARELLI: No, sir.

MR. REILLY: So we didn't have to -- we didn't have to have an offset in the budget to reimburse them at all?

MR. MAGNARELLI: No. You know, I believe that it isn't going to be that significant. And that as far as bonds and everything else are concerned, we're going to be able to show, or the Thruway Authority will be able to show, that it has the revenues without this, without these tolls in these few exits, to make sure that all requirements are met.

MR. REILLY: Okay. So the reason why I ask that question is each year, residents of Staten Island in Richmond County, we have to fight for our resident discount on the Verrazano Bridge from another authority, right, the -- the MTA, and there has to be an allocation in the budget to offset our resident discount to go over the Verrazano Bridge because we only have bridges and one ferry to get home. So that's why -- do you think there's an opportunity where next year there may be a need to designate money in the budget to reimburse the Thruway Authority?

MR. MAGNARELLI: I -- I have not talked to anyone about designating money in the budget for any of these types of programs.

MR. REILLY: All right.

MR. MAGNARELLI: I think you have to come up with at least a rationale as to why revenues will be sufficient to cover whatever requirements the Authority has.

MR. REILLY: Another -- another reason I'm asking is usually when we have bills like this that have a fiscal impact on our authorities, we see it when we go through -- when we have bills in committees that if there's a fiscal imp -- implication there has to be a budget allocation. At least that's the answer we get with our bills on the Minority side that get held in committee. So do you foresee that being an issue? Meaning the issue of fiscal -- fiscal allocation for this.

MR. MAGNARELLI: I don't. And I think the rationale is what I discussed with our colleague a little bit earlier about the flexibility built into the bill, that if there is a need for those fees to be increased or to be implemented, then the Thruway Authority could do that. The other part of this is that this is not forever. This is a short period of time during a period of construction. There is a need for it. And I'm not saying there isn't a need someplace else, but this is quite different. It's not a need that's going to go on forever; it's a need that's there during a construction period. And what we're trying to do is just give a little flexibility to the Authority and say, Look it, if there is no need for these fees during this short period of time, it will affect a lot of people, their health and their safety.

MR. REILLY: So were there any numbers that were given that -- projections for the five years how much revenue the Thruway would lose?

MR. MAGNARELLI: I think we had this number, am I correct?

(Conferencing)

Yeah, it's kind of -- with the -- we don't have any real numbers from any of the exits, per se, since 2016, if I'm correct. And it could be \$11 million a year total.

MR. REILLY: \$11 million a year.

MR. MAGNARELLI: Yes. That's on the permit.

MR. REILLY: So what are those -- you said something about 2016. So are those numbers from 2016 before rates went up?

MR. MAGNARELLI: Well, revenue from current permit holders -- this is what Mr. Gallagher [sic] had spoken about -- if you have a-- a permit. For permit holders in the exits where this permit would be allowed was \$1.3 million back in 2016. \$1.3 million.

MR. REILLY: So nine years ago, 1 --

MR. MAGNARELLI: Yup. Yup.

MR. REILLY: All right. So we're looking at least \$6 million if we don't allocate for revenue that went up and maybe more people that live there.

MR. MAGNARELLI: Could be. Could be. But we also have the flexibility of adding to the revenue if we have to. If it causes any problems.

MR. REILLY: So why not just start with a discounted -- an even further discount in the area?

MR. MAGNARELLI: It's zero.

MR. REILLY: No, no. That's what I'm saying. Why not start with a paid discount? Like, have them pay for the permit instead of just giving it away for zero?

MR. MAGNARELLI: Well, I -- I think there's two folds to the bill, or the rationale that I had for this bill is to have people use it. Right now they're not used to getting on the Thruway to get from the north side of our county to the south side of the county or east and west. We want them to use it so they don't go through the middle of the City of Syracuse, which they do now because of I-81 and 690, which criss-cross each other. Those routes are going to be down. So the idea was to get them to use a different route.

MR. REILLY: Okay. Thank you, Mr. Magnarelli.

MR. MAGNARELLI: You're welcome.

MR. REILLY: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. REILLY: So the -- the question I have is how much money is going to be asked of us in the budget next year? Because if we're looking at projections that are from 2016 and we are in 2025, ten years will be next year, I'm sure that the money that those exits took in is probably substantially more than the \$1.3 million that was just said was allocated -- well, taken in in revenue in 2016.

It's just disheartening when you come from an island that there's only four bridges; three for the Port Authority, which is New York and New Jersey, and one, the Verrazano Bridge with the

MTA. And that's the only way we can go in and out on our own by driving. And every year we have to fight tooth-and-nail to keep the resident discount. Now, that toll on the Verrazano Bridge is \$19 now. Resident discounts, yes. We are very thankful for getting the resident discount which equates to about \$6, just under \$6. But we still pay. The reason why I bring that up is because it was mentioned during this debate that there are gonna be other areas that are asking, *Why not us?* But it's something to think about. This is going to be for five years. And just like other legislation that has come before this Body, take for instance -- and I know I'm gonna speak on something else -- the speed cameras. It was a five-year demonstration program. It was extended in year two. Back in 2014 it was expended -- extended in 2016. The reason why I bring that up is because, yes, we all have good intentions usually when these bills say *Oh, it's gonna be for five years* and then all of a sudden it's extended.

I just want us to be cognizant that when we say that we're going to do something, let's make sure we stick to it. Because if this gets extended, I'm sure there are gonna be other areas in the State that are gonna be upset. And they're going to say, *Why not us?* We have construction on the Staten Island Expressway. We have construction on the Gowanus Expressway, as my Brooklyn colleagues will tell you. I lived in that area in Brooklyn. That's been under construction since I was, like, nine, and that was a long time ago. So please just keep that in mind.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Stirpe.

MR. STIRPE: Thank you, Madam Speaker. Will the sponsor yield for a couple of questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. STIRPE: Now, isn't the difference of what our colleague was talking about and what's happening in Central New York is that his cars are already going over those roads all the time. In Central New York, the drivers who drive locally are not on the Thruway. So the actual amount of tolls shouldn't really go down because these are people who don't normally go on that road; isn't that correct?

MR. MAGNARELLI: Well, that is correct as far as the additional ones, but I understand that some other people might take advantage of it. But you're right.

MR. STIRPE: Okay. So in this situation it's -- it's really different than in other situations that people have been talking about.

MR. MAGNARELLI: I think so. I -- I wholeheartedly agree with you.

MR. STIRPE: Okay. Thank you.

MR. MAGNARELLI: Thank you.

ACTING SPEAKER HUNTER: Mr. Miller.

MR. MILLER: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. MILLER: This I-81 project is going to be a major undertaking in the Syracuse area which is going to affect motorists from all over the Greater Syracuse area and it's gonna reach as far as east as probably well into Madison County and far west into our neighboring counties all along that Thruway corridor. It's not only gonna be a congestion problem, it's gonna be a traffic safety problem for a lot of the construction workers. And this is only going to be a temporary -- temporary halt in -- in tolls.

You know, being somebody who drove that -- that corridor and that area for many years -- I was a sales engineer in my previous life before I came here -- in the Syracuse area primarily and we used all the roads and primarily -- primarily the Thruway corridor to get to point A to point B to bypass any construction.

But one of the things I really want to stress is this I-81 reconstruction is going to be a major, major reconstruction throughout the Greater Syracuse area, and I really feel this -- this bill will get the motorists off the side roads, make the construction safer, make their -- make their -- their commute quicker, and we'll review it after -- after that's all over.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Fitzpatrick.

MR. FITZPATRICK: Thank you, Madam Speaker.

Would the sponsor answer a couple of questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. MAGNARELLI: Yes, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. FITZPATRICK: Thank you, Mr. Magnarelli.

You mentioned before that the Thruway Authority believes it can meet its obligations I'm assuming to the bondholders because of the question raised about the bonds. Are they -- they believe they can meet their obligations, correct?

MR. MAGNARELLI: That's correct.

MR. FITZPATRICK: That loss of revenue. What about the cost of maintenance, repair? Any labor contracts, any, you know, contracted obligations? Is it -- those costs, would they suffer any possible loss or difficulty if they lost that revenue?

MR. MAGNARELLI: Give me one second.

MR. FITZPATRICK: Not just the bonds.

(Pause)

Would that loss of revenue create pressure on their other operations?

MR. MAGNARELLI: I -- I don't believe so and that's why we put in the bill the flexibility that we've talked about before. If there is any pressure to any extent they can raise the fee for

that pass.

(Cross-talk)

MR. FITZPATRICK: -- for the free transportation --

(Cross-talk)

MR. MAGNARELLI: Correct. From zero to so much a mile, yeah.

MR. FITZPATRICK: Okay. So let me ask you, rather than passing legislation, they have a board of overseers or a Board of Directors or trustees for the Authority, correct, they have a board.

MR. MAGNARELLI: There's a board, yes.

MR. FITZPATRICK: So what is preventing that board from reducing the tolls say to zero for a period of time, because my concern is if we do this legislatively -- you know, every two years we pass extenders for sales tax, hotel/motel tax, et cetera, and, you know, I'm sure there are taxpayers who do pay attention to this and they hope each every two years that those taxes will some day disappear, but we all know that once a tax is imposed it never disappears. Well, the same will happen with something that's free. So five years from now when if you're still here or if your successor say in five years says, *geez, this five year gift is now over, I'm under tremendous pressure to extend this benefit for another two, four, five years*, that's going to happen. And that's when you're going to get a rush from all the other areas of the State that *hey, we want this, too*. So that's the fear I have of granting something like this when the

Board of Directors, the directors of the authority can do this now without our intervention. Why aren't they -- have they considered that, and if they didn't, why not?

MR. MAGNARELLI: I don't know the answer to that. I can't speak for them. And they haven't done it and that's why we're doing it.

MR. FITZPATRICK: But I -- I would think we should apply maybe some pressure from the Governor, through the Legislature to have them ask them first, are you willing to do this, will you do this, we would like you to do this and let's keep our fingers crossed that they do it rather than have us do it because we're going to come under tremendous pressure in five years, either you or your predecessor to extend this freebie for another period, just like we do tax bills, and now we're going to set a dangerous precedent because now everyone else is going to want that benefit, also. And we just won't be able to afford that.

MR. MAGNARELLI: I think --

MR. FITZPATRICK: So I would say let's go back to the drawing board and let's ask the board at the Thruway Authority to lower those rates because if they're telling you that we can meet all of our obligations, then that raises the question you're overcharging us, you know, throughout the entire system because it's the rest of the system that's going to pay for the benefit of -- to pay for the benefit of the people in and around Syracuse, and I don't begrudge them that benefit because, you know, the problems involved with this

construction project are real, but then again we're asking others to pick up the -- the cost when the Thruway Authority is telling the sponsor, you, that we'll have enough money to meet our obligations. So I'm assuming that's the bonds, it's maintenance, repair, et cetera, so they have the ability to do this by themselves already without coming to us.

MR. MAGNARELLI: Well, I'm assuming that they do. I'm not positive that they do. I'm agreeing with you.

MR. FITZPATRICK: Okay.

MR. MAGNARELLI: But on the other hand, you know, I feel this is the way to do it because it will get done if we pass it and the Governor signs it.

MR. FITZPATRICK: All right.

MR. MAGNARELLI: I think it's very much needed in the area. I do believe we put enough flexibility in the statute to allow the Thruway Authority to meet its needs. If need be, it could do what it has to do. And another thing that, you know, you mentioned that other people are paying for it. Remember taxpayers don't pay for the Thruway. It's all tolls, it's all tolls. And as my colleague across the room there mentioned, these are additional people that really don't use the Thruway on a daily basis, and that's what we're trying to get at. So the amounts of revenue that we're talking about I don't -- I think I may have misspoke when I gave those figures to my colleague over here. (Indicating) I'm not quite sure how much we're going to lose in terms of revenues going down. There's a lot of things that have happened over the last few years including toll increases and other

things. So I don't think that we're going to be losing significant amounts of revenues. I believe that the Thruway is going to consider -- continue to operate meeting all of its bond obligations and maintenance and repair costs as well.

MR. FITZPATRICK: Okay, very good. Thank you, Mr. Magnarelli.

MR. MAGNARELLI: Thank you.

MR. FITZPATRICK: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. FITZPATRICK: I'm very sympathetic to the plight of the local residents who would normally travel on local roads, but because of the construction project will be forced to use the -- the Thruway. And I'm not necessarily opposed to doing this, but I don't think the Legislature should be passing a bill to accomplish this. I think discussion, frankly, whoever appoints those trustees to the Thruway Authority, whether it's the Governor or the Legislature, whoever it is should apply or have a conversation with that Thruway Authority and get them to either lower those toll rates and do that internally without coming to the Legislature, because my real fear is once a benefit is granted, it is very difficult to rescind. And there will be tremendous pressure after five years of traveling that roadway for free to now have to go back and pay to use it. So just as we extend taxes every two years, we're going to start extending benefits every two or five years and that will start to snowball and then we're going to have some fiscal difficulties, and then at that point we will have

trouble paying the bonds and meeting those obligations. What the Governor's veto stated is absolutely correct. I've worked for many years in the industry selling bonds and there are a lot of widows out there who are depending on that revenue from the bond interest payments to meet their obligations. So if the Thruway Authority can afford to meet its obligations as predicted by the sponsor, then they should on their own initiative lower those toll rates and not have us enter into that conversation because you set up authorities to insulate them from politics. We here are not insulated from politics. So -- and that's why, you know, from a fiscal standpoint we're in so much trouble in many regards.

So for that reason I -- unfortunately I'm not going to be able to support this bill. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Glick to explain her vote.

MS. GLICK: Thank you, Ms. Speaker. Just to briefly explain my vote and to remind the Body that there's more than one island in New York City. In fact, Manhattan is an island. And there is Queens and Brooklyn are part of a larger island that extends

out to the east end. So it's just for point of clarification. I withdraw my request and vote in the affirmative.

ACTING SPEAKER HUNTER: Ms. Glick in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

ACTING SPEAKER HUNTER: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. We are going to continue on our debate list and start with Rules Report No. 570 by Mr. Weprin, Rules Report No. 587 by Ms. Solages, Rules Report No. 593 by Ms. Bichotte Hermelyn, Rules Report No. 617 by Mr. Wieder and Rules Report No. 639 by Ms. Rosenthal. In that order, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Page 15, Rules Report No. 570, the Clerk will read.

THE CLERK: Assembly No. A06576-B, Rules Report No. 570, Weprin, Anderson, Alvarez, Cruz, Jackson, De Los Santos, Rivera, Tapia, Cunningham, Meeks, Berger, Torres, Wright, Dais, Taylor, Reyes, Lucas, Kay. An act to amend the General Business Law and the Insurance Law, in relation to requiring peer-to-peer car sharing programs provide certain insurance coverage.

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

advanced.

An explanation has been requested.

Mr. Weprin.

MR. WEPRIN: Thank you, Madam Speaker. This bill amends sections 901 and 905 of the General Business Law and Section 2131 of the Insurance Law, to require peer-to-peer car sharing platforms to provide three times the State mandated insurance minimums in -- in lieu of the current 1.25 million. The bill also requires peer-to-peer car sharing platforms to offer consumers access to higher levels of coverage by providing them the option to purchase supplemental liability insurance for SLI. Finally, this bill would make it so that peer-to-peer car sharing platforms must adequately disclose the coverage available to consumers.

ACTING SPEAKER HUNTER: Mr. Jensen.

MR. JENSEN: Thank you very much, Madam Speaker. Will my friend, the Chairman of the Insurance Committee and the gentleman from Queens, yield for some questions on this very important topic?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. WEPRIN: I'd be happy to.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. JENSEN: Thank you, Mr. Weprin. I -- I appreciate you yielding. So, currently in New York State, how many of these peer-to-peer car sharing companies are currently licensed to

operate?

MR. WEPRIN: There's really only one at this point. There was a company called Getaround and they left the market because of that additional 1.25 million coverage that was not required in any other state of the 50 states. So, the current company is called Turo.

MR. JENSEN: Okay. So, this legislation and -- and per your explanation, currently peer-to-peer car sharing, this one company Turo, they're required to have \$1.25 million of coverage for each of the vehicles currently part of the program, correct?

MR. WEPRIN: Correct.

MR. JENSEN: And your proposal is taking it down to three times the minimum. So, the minimum coverage per vehicle is 25,000, correct? And we're -- we're bringing them up to have a minimum of 75,000 per vehicle?

MR. WEPRIN: Well, it's actually -- it'll be 75-, 150- and 30-.

MR. JENSEN: Okay. So, if -- let's say for instance, that somebody who's utilizing this platform, I image it's done through an app, but they're utilizing this program and a -- a driver hits a -- a child pedestrian, say suffers brain trauma after being struck by a vehicle that's part of this program. What would their maximum recovery be under this legislation?

MR. WEPRIN: A bodily injury would be 75- .

MR. JENSEN: So, it would be 7,500 to cover the

lifetime of medical care, rehabilitation and support, in this example, for a child that would've sustained a traumatic brain injury from an accident caused by an operator of one of these vehicles?

MR. WEPRIN: It was 75,000, but I want to point out that even at three times the minimum, New York State will be the highest minimum for this type of operation than all other 50 states.

MR. JENSEN: Okay, but it's still only a minimum of \$75,000 for any personal injury that is caused through negligent operation of a vehicle that is procured through this peer-to-peer car sharing mechanism.

MR. WEPRIN: Yes, except as I pointed out earlier when I was explaining the bill, you can -- you can obtain additional insurance on your own as -- as part of this program.

MR. JENSEN: Okay. So, my understanding is that peer-to-peer ride-sharing, car-sharing is -- is considered a risky endeavor, and it's so risky in the -- in fact, that some credit card companies, I think a great deal, are specifically excluding them from coverage under their model. And with the example that's licensed in the State, being a place for sometimes inexperienced, sometimes young drivers and sometimes maybe cars that should go faster than they ought to, wouldn't reducing the insurance requirements without data on accidents and criminal activity be premature?

MR. WEPRIN: Not really. Again, we're only -- we're reducing it to maintain a market in New York State. As I pointed out, there was one other company, Getaround, which left New

York because of that 1.25 million and there are 49 other states that have less than three times the minimum. So, we -- with this statute, if -- if we pass it, will still be the highest minimum for this type of service in the United States.

MR. JENSEN: But wouldn't it make sense to do part of a larger study, you know, whether by DFS or another agency, on the use of this platform for incidences where the operator of these vehicles through this system may be utilizing the way that we have higher than expected rates of personal injury, accidents, criminal activity, as opposed to going through more of the traditional rental models? Wouldn't it make more sense to -- to find out whether or not there is a higher level of inherit need for higher coverage?

MR. WEPRIN: Well, we've had this opportunity to have the peer-to-peer car sharing only since 2021. We were actually the last State to enact this and it's worked very successfully in -- in 49 states.

MR. JENSEN: So -- so, in that respect and -- and I'm glad you brought up the fact that the -- it's only been in operation for less than five years. Didn't when this Legislature that you and I are both a part of and a great many of our colleagues who are currently voting on this bill, approve it, didn't we approve it with the understanding that the coverage, the maximum -- or the mandatory coverage liability that would have to be carried would be 1.25 million? Why after four years we thought that that was an important coverage mandate, we're now reducing it so drastically?

MR. WEPRIN: Well, because it's been in operation, as you pointed out, for about five years and it's been a success and it's been a success in 49 other states and we don't want New York consumers to not have this option and there are plenty of peer-to-peer drivers that are earning additional income for New Yorkers, especially in a tough economy. So, we -- we believe it -- it's working and we would still have the highest minimum of any other state.

MR. JENSEN: And I think, certainly, you know, certainly I think in a -- in a bipartisan way, we all want to see companies succeeding and the -- the loan company that is licensed to operate in New York has over a billion dollars in increased revenue. Wouldn't we want them insuring that if negligent operation of their service leads to a traumatic injury, a personal injury, that the participants in the program have the necessary coverage liability amount to ensure that if a New Yorker, either a permanent resident or a visitor to our State, is -- is harmed through this program, that they have -- they can be ensured that they're taken care of? Why are we -- why are we looking to reduce it for a company that's increased over a billion dollars in revenue since coming to the State?

MR. WEPRIN: Well, there's also been a lot of revenue to New York State, a significant amount during that period. But it's still regulated by the Department of Financial Services and the Department of Financial Services can do a study, but right now, we would be -- we are the 50th State and as I pointed out, we still even with this change, will have the highest minimum. We would --

actually, we'd be tied with Oregon.

(Cross-talk)

MR. JENSEN: See, so now you -- now you've been telling me fibs this entire time. You didn't say we'd be tied with Oregon. Classical, Oregon.

MR. WEPRIN: Yeah, we're tied with Oregon.

MR. JENSEN: All right. And -- and for -- for the record, Mr. Weprin, you may say that New York is the 50th State, it's number one in my heart. So, I -- I appreciate that -- that note.

You mentioned that DFS could do a study.

MR. WEPRIN: Yes.

MR. JENSEN: One, why haven't they done a study? And two, what does DFS have to say about this piece of legislation?

(Conferencing)

MR. WEPRIN: Yeah. DFS does not object to it, we actually worked with DFS to allow for the supplementary -- supplemental insurance, SLI. So DFS has been involved in this process and they -- they're not opposed to legislation.

MR. JENSEN: Okay. Mr. Weprin, would you classify Turo or a peer-to-peer car-sharing service -- would you classify that as a ride-sharing company?

(Conferencing)

MR. WEPRIN: No, it's not considered a ride sharing company, it's probably more akin to a car rental.

MR. JENSEN: Oh, I thought I was going to get you,

that was good -- that was good work. I -- I would say it is -- it's somewhere in the middle ground, which I guess based on the 100- -- or \$75,000 new minimum, would put them right in the middle of a traditional car rental service and with the ride-hailing services, like Lift or Uber, #nofreeads. But, wouldn't this because you're utilizing somebody else's personal property rather than corporate property, wouldn't that make this much more similar to ride-sharing apps than the traditional rental model?

(Conferencing)

MR. WEPRIN: I would say not and with the ride-share, the liability is greater because of passengers.

MR. JENSEN: Well, if I'm renting a car through this mechanism, couldn't I possibly have passengers, also?

MR. WEPRIN: You could, but that, you know, that's not generally, you know, the situation.

MR. JENSEN: Because I would imagine somebody would utilize this mechanism if somebody lives in a massive urban center, may utilize public transportation for all their "get about towns", but then, you know, may want to visit our beautiful Catskills, or the Finger Lakes Wine Trail, they would have to rent a vehicle and they may rent through this service and they may not be going by themselves. They'd be going with maybe their family, maybe their friends, maybe it's a bachelor party, we don't know. Wouldn't then there be increased liability that would necessitate a higher coverage limit than something on par with the traditional rental car and more

like a -- a ride-sharing app?

(Conferencing)

MR. WEPRIN: Actually, a car rental is a -- is less minimum insurance required.

MR. JENSEN: No, a car sharing app is more. It's 150,000.

MR. WEPRIN: No, I'm saying a traditional rental truck.

MR. JENSEN: Yes. Okay.

MR. WEPRIN: But you were comparing it to a traditional rental --

MR. JENSEN: Yeah, and I'm -- I'm saying there'd be a higher -- they should have a higher burden because they're utilizing it as a personal vehicle for a personal mechanism rather than just a traditional maybe one or two day jaunt that a rental company would traditionally look for.

What distinguishes the Turo business model that would justify an exemption from the traditional consumer protections that exist?

MR. WEPRIN: It's the -- it's the peer-to-peer operation which operates in 49 states and you know, Turo, at this point, is the only company doing that, as I mentioned, because of the other company that was here that left the business specifically because of that 1.25 million get-around.

MR. JENSEN: All right. So, in the hypothetical I

lead off this debate with where a pedestrian is struck, suffers traumatic personal injury, the \$75,000 coverage liability would not be enough to -- to cover the cost of care. Where would the burden fall on underwriting the rest of that individual's healthcare needs? Would it be Medicaid?

(Conferencing)

MR. WEPRIN: Well, that's why we're offering the supplemental liability insurance.

MR. JENSEN: But it's not -- but it's not a mandatory purchase, it's supplemental. So, either --

MR. WEPRIN: But it would up -- be up to the individual person who's -- who's in the business to decide that. If they want a supplemental insurance, they can get it. Otherwise, not.

MR. JENSEN: So, my belief then if through a negligent operation of one of these vehicles, somebody suffers a -- a traumatic injury, a personal injury, either it's going to be Medicaid's responsibility to come up with the care to coverage for it. It's going to be their private insurance, which would also increase costs on everybody else in the private insurance marketplace, or it would be out of the pocket. Would it be out of the pocket of the operator of the vehicle, or would it the owner of the vehicle, or would it be Turo itself? Who -- who am I suing?

MR. WEPRIN: It would be Turo itself.

MR. JENSEN: Turo itself. So, I wouldn't sue the operator of the vehicle, I wouldn't sue the owner of the vehicle who

participated in the program, it would be Turo itself?

MR. WEPRIN: Right, but many lawyers sue everybody.

MR. JENSEN: Well, I'm not a lawyer. I think we have a few of them here. I, you know, they may have thoughts on that.

Certainly, is there a portion of the business model of this company that reduces the coverage that they provide for participants in the program based on the vehicle they actually have? So, a late model, two-door sedan may require less coverage than a Wagoneer, which is a luxury SUV. Doesn't the business model make a differentiation on the type of vehicle when it comes to what kind of coverage they have to pay and if whether or not supplemental insurance would be required or would remain optional?

MR. WEPRIN: It -- it does not. It would be the same.

MR. JENSEN: It doesn't have -- it doesn't have a premium protection model as part of its business model?

MR. WEPRIN: No.

MR. JENSEN: Okay. Thank you very much, Mr. Weprin. I appreciate the answers to your questions.

Mr. Speaker, on the bill.

ACTING SPEAKER JONES: On the bill.

MR. JENSEN: Certainly I -- I appreciate Chairman Weprin answering my questions and -- and this is certainly a service

that -- that I have not had the privilege to utilize and certainly is something that is very different than what exists in the current model. Certainly when we talk about the use of cars for other people's use, you know, the -- the -- the big three are traditional rental car services. Under the State's law they have a \$50,000 coverage amount per accident. Ride-hailing or ride-sharing companies, they do have \$150,000 per accident coverage amount and then delivery services that utilize cars or other forms of transit also have a \$150,000 per accident coverage amount. While the Legislature in 2021 approving this type of service in the State saw fit to mandate a \$1.25 million coverage amount, we've seen unfortunately that sometimes the operators and the utilizers of this type of service do not always have the best intentions. They may not be using it to get from point A, or -- or point B, but they may be utilizing it for means that are not necessarily the -- the safest for other people utilizing the road, whether in their own vehicles or on pedestrians. Certainly moving forward with this legislation, before the -- the Division of Financial Services have done a true study into the utilization of these types of services in New York, the accident data as it relates to your operation, the study of any and all criminal acts be utilized while this service is being used before -- without having that happen before we reduce the coverage amount mandate, I think is concerning. Only four years ago we saw fit to -- to mandate a higher amount. And you know, certainly I'm not the -- the part of the State that's utilizing this, but certainly hearing from -- from people who do live in that part of the State who -- who

utilize it quite often, there are concerns and I think those concerns show that we need more study [sic] before we proceed.

Thank you, Mr. Speaker.

ACTING SPEAKER JONES: Mr. Ra.

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

MR. WEPRIN: Yes.

MR. RA: Thank you.

ACTING SPEAKER JONES: The sponsor yields.

MR. RA: So, can you just -- because you said the -- the comparable thing even though the amounts under this would differ a little bit, but the comparable situation would be a traditional rental car. But -- so, how does this business model work in terms of some of those things that we're familiar with with a rental car? First of all, age restrictions. Do they have the same age restrictions with these type of ride-sharing -- ride -- what do you call it? A peer-to-peer --

MR. WEPRIN: Peer-to-peer.

MR. RA: -- situation? Do they -- do they also require many -- many insurance -- or rental car companies require the person be at least 21 and -- and many times there's an additional charge if they're under 25 years old. At what age can you utilize one of these peer-to-peer networks to -- to rent a vehicle?

MR. WEPRIN: Yeah, the -- it would be 18 year -- years old, but it wouldn't be a higher restriction.

MR. RA: Okay. So, I mean, that to me is one

concern because I think as we all know the young -- there's a reason for this and that's that younger drivers tend to be less experienced drivers and there's a greater danger. The other thing is, how does a -- how does -- how do these peer-to-peer companies deal with really just assessing a vehicle that's being used in terms of; that it's safe, that it's tires have good tread on it, that it's brakes are, you know, functional. They are -- do they -- they inspect, or is the person who wants to list their vehicle to be able to be shared through one of these companies required to do anything to prove that the car is in good, safe working condition?

(Conferencing)

MR. WEPRIN: Well, you still have to pass New York State inspection laws and, you know, car rentals as well don't differentiate often between various models.

MR. RA: Okay. Thank you. And then, just with regard to this -- this change monetarily, I understand what you're saying in terms of it being a higher minimum than other states have but, you know, given that it wasn't that long ago that we put this higher amount. I mean, why such a drastic reduction from 1.25 million all the way down to, you know, at most, 150,000? That -- that seems like a very big jump, and as my colleague said, that is a very small amount of money if somebody were to have a serious injury as a result of a -- a crash in one of these vehicles.

MR. WEPRIN: Well, the problem is the -- the same it is -- as it is throughout the country in all 50 states. None of the 50

states besides New York currently have that \$1.25 million minimum requirement in addition to anything else and it's not working by the fact that there's only one company left and other companies have not come into the market. And as I mentioned, the -- the only other company that was active in this five-year period was Getaround, which left the market specifically citing that additional 1.25 million.

MR. RA: Are you suggesting that companies if it gets too expensive to operate in New York leave? That's a rhetorical question.

Mr. Speaker, on the bill.

MR. WEPRIN: I think you've -- I think you've -- I think you've raised it a few times in the past.

ACTING SPEAKER JONES: On the bill.

MR. RA: So, my concern here is that is a big jump and the supplemental side of it, I think when you put the -- these two together, it provides some level of security that if there is a -- a really bad accident, that there's going to be some coverage, some ability for justice for an individual who has been seriously injured. This minimum amount is -- is not going to do much when you have a -- a really serious injury. So, I -- I just want to reiterate, while certainly I appreciate the idea of trying to make it easier for businesses to operate, as the sponsor said, I talk about that often on this floor and it's something we need to look at in so many different areas, but I don't know that an area where we're talking about making sure there's adequate coverage when a unvetted, probably, driver is going to be

driving a vehicle that the company hasn't looked at, doesn't know if the brakes are good, doesn't know if the tires have good tread on them, doesn't know if the headlights are working, doesn't know if the seat belts are working. All of those types of things, there is the potential for a serious accident and insurance is based upon risk and I think, clearly, there's a greater risk with regard to a situation where somebody is driving one of these vehicles.

So, that's my concern with this. I -- I think we could try to address this issue without having such a drastic reduction in the amount of required insurance coverage. Thank you.

ACTING SPEAKER JONES: Mr. Durso.

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

MR. WEPRIN: Yes, I will.

ACTING SPEAKER JONES: Will the sponsor yield?

The sponsor yields.

MR. DURSO: Thank you, Mr. Weprin. So and -- and this may have already been answered, but I'm just a little confused on this. So, the original -- or prior to this bill, it was 1.25 million for their insurance to be placed on a peer--to--peer program?

MR. WEPRIN: That's correct.

MR. DURSO: Why was it at 1.25 million to begin with?

MR. WEPRIN: Well, if -- if you ask Turo, it was an

unreasonable amount for a company trying to get into the market and it -- the -- our experience has been that that's prevented the market from expanding. And as a matter of fact, Turo's other major competitor has actually left the market specifically citing that -- that amount.

MR. DURSO: So, who made the decision or who makes up the fact that there needed to be \$1.25 million?

MR. WEPRIN: That was actually before I was Insurance Chair, but I guess it was (conferencing) -- I'm told it was part of an overall negotiation and I'm sure DFS was involved. But, as I said before, DFS does not object to this legislation and we've had that discussion with them.

MR. DURSO: Understood, but, again and -- and not being an insurance person, but who would sit there and -- and be in that discussion other than DFS to decide on that \$1.25 million amount of coverage?

MR. WEPRIN: It could be, you know, I -- I don't know, but there's --

MR. DURSO: Well, did we -- did we legislate it here?

MR. WEPRIN: Yeah, it was part of -- part of the legislation in New York State in the Legislature.

MR. DURSO: So -- so, they negotiated it and now we need to change it and they agree with the change?

MR. WEPRIN: Correct.

MR. DURSO: That -- well, that's my question. I'm trying to understand and I'm not trying to be difficult. Why now? Is it because another company went out of business, moved out of state, couldn't afford the premiums?

MR. WEPRIN: Well, also we -- we have not had additional companies entering the market.

MR. DURSO: How is this company that's still in business doing financially?

MR. WEPRIN: Well, they -- they've threatened to leave the market if it -- if we maintained it, but how do they do it? I don't know, but --

MR. DURSO: No, I'm saying are they doing financially well? They're still in business?

MR. WEPRIN: They're still in business.

MR. DURSO: Okay. So, I mean, obviously I'm -- I'm --

MR. WEPRIN: I'm told that they're losing money in New York. They're -- they operate in all 50 states --

MR. DURSO: Okay.

MR. WEPRIN: -- so they're much more profitable in other states other than New York, because they do not have this additional requirement.

MR. DURSO: Understood. So, what is the -- what is the minimum for me, as a driver, to have on my car insurance?

MR. WEPRIN: If this legislation passes, it would be

75,000.

MR. DURSO: No, no, no. I'm saying me as a person -- my personal car. What -- what is the minimum in New York State to have on your car as --

MR. WEPRIN: 25,000.

MR. DURSO: 25,000. And that would be --

MR. WEPRIN: A third -- a third of what we're asking on this.

MR. DURSO: A third --

MR. WEPRIN: The minimum for --

MR. DURSO: What's the minimum going to be on this for this ride-share? Thank you.

MR. WEPRIN: It would be 75,000.

MR. DURSO: So, but the minimum for a personal driver would be 25,000?

MR. WEPRIN: Correct.

MR. DURSO: Okay. But now this is still a business. So, this is -- and you're saying this is making it even with car rentals, correct?

(Conferencing)

MR. WEPRIN: It's -- it's more than the car rentals I'm told.

MR. DURSO: It's still more than --

MR. WEPRIN: Still more than the car rentals, yes.

MR. DURSO: Okay. So --

MR. WEPRIN: Three times more, because the car rental doesn't comply with the minimum requirement in New York State.

MR. DURSO: Okay. So -- so, a car rental only has to require with the -- go with the minimum in New York State? This is saying that even after this legislation, the peer-to-peer program, car rentals would still be more than a traditional car rental?

MR. WEPRIN: Yes, three times more, tied with Oregon, more than -- than the other 48 states.

MR. DURSO: So now if I go rent a car myself from a -- a traditional car rental company, does my personal car insurance, if I have personal car insurance if I own a car, but I'm renting a car, does my car insurance coverage cover if there's any accidents while I'm driving that car?

MR. WEPRIN: Yeah, for personal auto the answer is yes.

MR. DURSO: Okay. And would it be the same on the peer-to-peer rentals?

MR. WEPRIN: Not necessarily.

MR. DURSO: Not -- so, what -- can you explain that? So, if I go rent a car and I have car insurance for my personal vehicle, does my car insurance that I paid for on my Jeep then cover me in any way, shape, or form on a car rental if it's from a traditional car rental company?

MR. WEPRIN: I -- I believe it would.

MR. DURSO: Okay. It does. So, would it -- would my personal car insurance cover me on a peer-to-peer car rental? If you want to call it a car rental.

MR. WEPRIN: I believe it probably would, but I mean it would be up to, I guess, the individual insurance company.

MR. DURSO: The individual insurance company that I have my personal car insurance with, or that the whether it's rental company, or peer-to-peer car program, has their insurance with?

MR. WEPRIN: It probably should be the same, you know, as if you're have -- you're having your car and -- and you're asking for your insurance, you know, to cover it.

MR. DURSO: Okay. So, as my colleague was getting at also, with a traditional car company you can rent it on line, you can do whatever. But, then you generally, probably 90 percent of the time, you're ending up, whether it's at the airport or somewhere else, going to pick up that car at a brick-and-mortar type facility, correct? Where they check your license, they can check your insurance, you can add insurance. How does that work with the peer-to-peer program? Because from the way I'm looking at it and again, this is all new to me, it's strictly online.

MR. WEPRIN: It's -- it's done through an app, yes.

MR. DURSO: So, how does the app check your license, your insurance, your age, anything like that?

(Conferencing)

MR. WEPRIN: It's a new world since -- since I, you

know, started here, but obviously there are ways that apps do that and, you know, it's built in -- into the app, you know, to ask those questions and make to that identity determination.

MR. DURSO: My -- my concern with it, again, is that we're lowering the amount of insurance and coverage that a peer-to-peer program -- peer-to-peer car rental has when it's strictly on line and there's not that, for lack of a better word, brick-and-mortar store where you go in and get your license checked, see your age as my colleague said, see if you have other insurance. So, there is the possibility for some kind of fraud, right, to where people are renting vehicles that don't either have proper insurance, an up-to-date license, a non-suspended license, anything like that, to where the liability for that peer-to-peer and/or that driver could be much higher. So, don't you think in that case, with the possibility of fraud and not being able to check that and not seeing if that person has accidents or a suspended license, that having the higher insurance premium for those vehicles would be the smarter idea to protect everybody else that's out on the street?

MR. WEPRIN: I don't think so, because there are 49 other states, 48 if you take out Oregon and it seems to be working. It's a relatively new concept in the country and it's certainly even newer in New York State, only since 2020 -- since 2021. So, it seems to be working across the country and this is another option for New York drivers. We don't want to put them at a competitive disadvantage to other states. I've heard that many times from your side of the aisle.

MR. DURSO: But who are we putting at a competitive disadvantage, other companies from coming in?

MR. WEPRIN: Other companies from coming in or individual people that want to access this peer-to-peer company.

MR. DURSO: Where are these peer-to-peer companies or this particular company operate out of?

MR. WEPRIN: Turo?

MR. DURSO: Yes. And -- and it's not even -- where is their biggest area that we know of that they operate from? Where is their biggest rental area, peer-to-peer program area where they would be used?

MR. WEPRIN: I don't know for sure, but I know they're very active in New York State. And they --

MR. DURSO: I hope so, this is for -- this is for New York State. I hope they're active here. But I'm saying do you think it's in the City, do you think it's in the suburbs, do you think it's Upstate New York, more rural areas? What -- what do we think because, again, my concern is if a peer-top-peer car rental where we're lowering the premium and the amount of insurance that you have to have to protect not only that driver, but other drivers and pedestrians out on the road in busier areas where they can't really check if someone has a proper license, is the proper age, has proper insurance, or what their driving history is. Don't you think we should have higher insurance on vehicles like that to protect all of us? We don't know who's driving these cars and -- and the people that are renting

them don't know who's driving them either.

MR. WEPRIN: Well, I'm told that there's not any more of a risk for those type of fraudulent activities than -- than a rental car and the experience has been that it has not been a problem for Turo and -- and -- and they have very high verification procedures in place.

MR. DURSO: I'm sure Turo is saying it's not a problem because then we would obviously make their insurance premium higher. But as the Chair on Insurance and as an insurance professional, do you think that it is possible in this type of situation, with this type of company, which is not that brick-and-mortar store where you can check that license, check insurance, any type of background, filling out paperwork in front of somebody, knowing who's actually renting that car and again, as my colleague said, who else is getting in the car? We don't know who else is going to be driving it, you can be renting a truck with six people in it. Again, having \$25,000 insurance or \$50,000 insurance is not nearly enough if God forbid there's a catastrophic accident. So, again, in busier areas and not knowing who's diving the car or if that company's taking care of that car, as my colleague said. There's tread on the tires, brakes checked, inspection done, windows tinted, anything -- you know, exhaust, anything on that car that is -- we don't know how it's operating, who's checking it and who's doing the maintenance on it, right? It's just a peer-to-peer program. Anybody can join it, anybody can be involved with it and anybody can rent those cars. Again, we're

putting, unfortunately, the public more at risk. Again, not saying we're trying to stop businesses from coming in, we just don't know who's taking the cars out. We don't know who's driving them and in what manner they're driving. Wouldn't it be smarter to have that higher insurance on that car to protect all of us from a company that right now has a monopoly on it and is probably making pretty good money. If they could afford it and as you said we've heard more and more again, this is a corporation, this is a company. So, we're giving a company, a large corporation that's making probably millions of dollars, a bigger -- billions of dollars, a bigger break, when it's actually putting everyone else in here at risk if God forbid there's a catastrophic accident.

(Conferencing)

MR. WEPRIN: Okay. Well, you know, the original bill just removed the 1.25 million. So, requiring three times the -- and which would mean if we removed it legislatively, it would mean they'd be subject to the minimum requirement as any other driver in New York State, which would have been a third of what -- what we're requiring. So, you know, my understanding is that that's not a problem and even three times the minimum is higher than -- than any other state except Oregon. So, it hasn't been a problem in the other 48 states. We don't expect it to be a problem in New York State.

MR. DURSO: Thank you, Mr. Weprin. I appreciate you answering my questions.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Chang.

MR. CHANG: Thank you very much.

On the bill itself.

ACTING SPEAKER HUNTER: On the bill.

MR. CHANG: Okay. So, if you know, I'm not an insurance person and I'm not a -- a lawyer of any stretch imagination, but I'm looking at this insurance is auto, the insurance generally follows the vehicle rather than the person itself, generally if you borrow a car or something like that. And if there's only one insurance company in the market, they're literally a monopoly itself. They can charge whatever premium to (indiscernible) because they have no other choice. So -- or -- or else they'd be out of business. So, by lowering the -- the premiums, also lowering profit opportunities because then you allow other companies to compete, but you're talking about drastic premium differences. That's like more than 50 percent for a 125- to 75,000. It's a -- that's why it defies the logic itself on -- on why we're decreasing the coverage itself, just to increase more insurance into insurance pool?

So, I understand trying to lower the premium and make the business survive is one thing, but insurance is different. It's a different product. Insurance is protecting the lives and perhaps the vehicle damage itself, but protecting the lives who are driving the -- the vehicle. So, you know, we have to look at this a little bit differently. 125 -- 125 million, it's -- it's -- there's a reason behind that

and we're the highest, but at the same time is, the people who got hurt utilizing insurance was 125- is enough to cover, in most cases, medical insurance or claims, but when you lower it, you may not be enough to cover. So, that's why I don't understand why -- why we are lowering it so much. If you cut down half, is one thing, but this is a more than half of the liability. And I would vote no on this -- on this bill.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will generally speaking be in the negative on this piece of legislation, although there may be others who wish to vote yes and they may certainly do so at their seats now. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. The Majority Conference is going to be mostly in favor of this piece of legislation. There may be a few that would desire to not be in favor and they can feel free to do so at their seats.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Steck to explain his vote.

MR. STECK: Thank you, Madam Speaker. I -- I was a no in the Insurance Committee on this because a certain aspect was unable to be explained, and that is the liability of the owner of the vehicle. And subsequent to that, while I never got my question answered, I did my own research and what I found is that the statute as it exists provides that the company, Turo in this case, would have to defend and indemnify the owner of the vehicle against any lawsuit that might be brought against the owner arising of an accident. So there is a protection for the owner. It would probably be better if the law required the owner to be named as an additional insured on the Turo policy, because if the company went out of business there would have been no one there to defend and indemnify the owner.

I am gonna vote in favor of the bill because there are safeguards in place, but we may have to do a better job as we go down the road to protect people in this situation. As the Chair indicated, it is a new field and experience will tell what's needed.

Thank you.

ACTING SPEAKER HUNTER: Mr. Steck in the affirmative.

Mr. Blumencranz to explain his vote.

MR. BLUMENCRANZ: Thank you, Madam

Speaker. I rise today in support of this piece of legislation. It's not often that we see a rectifying of a policy put in place that continues to hurt both businesses that hope to operate in the State of New York, but also see an ongoing negotiation leading to a piece of legislation that allows for alternative forms of transportation that help small businesses, that help communities that don't have the same transit other communities have, and to help businesses survive in an increasingly difficult insurance environment here in New York State.

So I'll be in support of this legislation and I thank the sponsor for introducing it and getting it passed. Thank you.

ACTING SPEAKER HUNTER: Mr. Blumencranz in the affirmative.

Mr. Jensen to explain his vote.

MR. JENSEN: Thank you, Madam Speaker, to explain my vote. And certainly I want to commend my not previous, but before the previous speaker on his explanation because that was a very good point and it makes me even more insistent on voting no. But I think at the end of the day one of the things that concerns me the most is that both the company that the sponsor and I discussed and the one that no longer operates here, they negotiated as part of being able to operate in the State that \$1.25 million number. The company that operates in the State and makes \$1 billion in profits. It's protecting the individuals who utilize the service, the people who share the roads with the individuals who utilize the service and the people who own the cars. I think that changing a negotiated agreement that they were

perfectly content with to be able to operate in New York State only four years after it was approved without any sort of study into whether or not there needs to be a higher limit shows that we are doing this prematurely, and I will be voting in the negative.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Mr. Jensen in the negative.

Mr. Sempolinski to his vote.

MR. SEMPOLINSKI: I'm gonna be voting in the affirmative because I'm in favor of lowering regulations to make it easier to do business in the State of New York. This lowers regulations to make it easier to do business in the State of New York.

ACTING SPEAKER HUNTER: Mr. Sempolinski in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 15, Rules Report No. 587, the Clerk will read.

THE CLERK: Senate No. S06757, Rules Report No. 587, Senator Fernandez (A08459, Solages, Steck, Griffin). An act to amend the Mental Hygiene Law, in relation to Statewide opioid settlement agreements.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 15, Rules Report No. 593, the Clerk will read.

THE CLERK: Senate No. S08338, Rules Report No. 593, Senator Mayer (A08699-A, Bichotte Hermelyn, Lasher). An act to amend the Executive Law, in relation to clarifying the standard for when a practice has a discriminatory effect.

ACTING SPEAKER HUNTER: An explanation has been requested.

Ms. Bichotte Hermelyn.

MS. BICHOTTE HERMELYN: Yes. This bill would codify the disparate impact standard for employment discrimination cases under the New York State Human Rights Law, ensuring that the continued protection New Yorkers disparate in -- impact comes under attack through the administrative process and litigation. It ensures that New York's employment discrimination law clearly incorporates the disparate impact standard, protecting workers from systematic practices that dis -- disproportionately harm protected groups even without explicit intent. It reflects longstanding federal legal standards under Title VII, and provides fair, transparent rules for both employers and employees. Codifying this standard eliminates

ambiguity and ensures access to justice for the New Yorkers affected by discriminatory policies in the workplace.

ACTING SPEAKER HUNTER: Ms. Walsh.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. BICHOTTE HERMELYN: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. WALSH: Thank you very much. So, it's -- it's been a while for me to actually take an employment discrimination case. It's been a couple of years for me. But from what I remember, it used to be that you could either file -- or you could concurrently file with EEOC and the Division of Human Rights, and then you could either then bring your case in State court or you could bring your case in federal court or you could leave it in the EEOC or the Division of Human Rights to come to a resolution. And that -- that really hasn't changed, right?

MS. BICHOTTE HERMELYN: No, it hasn't changed.

MS. WALSH: And, in fact, over -- since I was a little baby attorney doing this kind of work, like, 30 years ago, the -- the Human Rights Law has actually gotten beefed up, where it used to be that you could get better remedies before the EEOC or in federal court, you know, like your attorney's fees, and then that got changed

over time, where now you can get that paid for at -- at the Division of Human Rights or in State court, right?

MS. BICHOTTE HERMELYN: Mm-hmm.

MS. WALSH: So, I understand -- we had a similar debate last week with another member about a bill that had to do with trying to ensure that disparate impact was included in housing discrimination laws.

MS. BICHOTTE HERMELYN: Correct.

MS. WALSH: So is it fair to say that this bill takes a similar path, but having to do specifically with the antidiscrimination laws that we have on the books?

MS. BICHOTTE HERMELYN: Yes, it's fair to say that.

MS. WALSH: Okay. And just as that sponsor indicated in debate, there was some concern about potential changes at the Federal level in the way that it views disparate impact, and maybe a more unfavorable view towards disparate impact theories. But regardless of what happened at the Federal level, I mean, New York can always opt to do more. That's -- I -- I mean, I remember learning that in Federal Procedure in law school that Federal law establishes the baseline but that we can always do more at the State level. So even if something at the Federal level changes, don't we always have the existing law at the State level?

MS. BICHOTTE HERMELYN: Well, we want to make sure. I mean, that's why -- I mean, especially during these times

where this Administration has been attacking disparate impact at the Federal level through some recent Executive Orders, we want to make sure that the State still has the auto -- autonomy to protect people from being treated dis -- discriminatory.

MS. WALSH: Why -- why do you think that regardless of what happened at the Federal level that New York's autonomy would be in jeopardy? Because as I said, isn't it already very clear that the State, any state can create its own laws, as we have, that protect disparate impact theory?

MS. BICHOTTE HERMELYN: Well, again we -- we're making sure -- exactly, that's why we're doing this. We want to protect, just in case that there's some Supreme Court ruling that takes another fundamental right or change the 14th Amendment Equal Protection Clause. We just want to make sure -- or the 5th Amendment Protection Clause. We want to make sure that the State, at least the State of the people of New York, are protected.

MS. WALSH: But, I mean, hasn't it -- hasn't it been established for years in New York State that disparate impact can be used as a theory? So a possible basis for claim of unlawful discrimination could be rooted in the theory of disparate impact commonly used to enforce civil rights where an action or practice, while appearing neutral on its face, disproportionately affects people based on certain protected immutable characteristics such as race, creed, sex, you know, et cetera.

(Conferencing)

MS. BICHOTTE HERMELYN: Yes. So you're correct and that's case law. So it's -- it's better to put things into statute because it's stronger, and preferably look at statute over common law.

MS. WALSH: I see. So the -- the concern, then, is that if there are changes or decisional law coming out at the Federal level, it might negatively impact our established case law in New York State?

MS. BICHOTTE HERMELYN: Yes.

MS. WALSH: Okay. Thank you very much. I appreciate your answers to my questions.

MS. BICHOTTE HERMELYN: Mm-hmm.

MS. WALSH: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: So as I said, last week we debated a very similar piece of legislation having to do with, again, reacting to possible changes that might happen at the Federal level. And as I said then, I'll say again that I would say that instead of reacting to something like a -- a policy statement that is a piece of an Executive Order that was issued along with a million other Executive Orders that came out of the -- the Administration starting, you know, right in -- right in January, I think we ought to feel quite secure that in New York State we have embraced and followed a disparate impact theory in our decisional case law. And I don't think that -- I don't think that that's gonna change. I can appreciate -- I think that this bill and the --

the -- the preceding bill last week that we debated both are really looking to -- the term that was used was to "Trump-proof" New York. And so that's what this bill does. If you didn't like the one last week, you're -- you're probably for the same reasons not gonna be in favor of this one either.

You know, the Presidential Executive Order from April of 2025, it's titled "Restoring Equality of Opportunity and Meritocracy", and in that the Executive Order sought to reestablish what he -- with he being the President -- termed a bedrock principle of the United States that people should be guaranteed equal opportunities, not equal outcomes, and indicating his desire that it should be the policy of the U.S. to eliminate the use of disparate impact liability.

So whether we actually need to take this step or not remains to be seen. I -- I personally think that we should worry about things that are actually happening and not things that might possibly happen. Especially as we're dealing with a, you know, a changing situation at the Federal level.

But -- so I -- I will be in the negative on this piece of legislation. I'd encourage my colleagues to do the same, particularly if you felt, as I did about, the bill that we took up last week because this is really the same thing, just applying to employment discrimination rather than housing. But -- but I acknowledge that there may be -- there may be a smattering of different votes on this.

So thank you very much, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Ms. Bichotte Hermelyn.

MS. BICHOTTE HERMELYN: On the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. BICHOTTE HERMELYN: So this bill clarifies the dis -- disparate impact, clarifies the standard for when a practice has a discriminatory effect, and it provides that an unlawful discriminatory practice may be established by such practices discriminatory effect, even if such practices was [sic] not motivated by a discriminatory intent. There are two main kinds of employment law cases: Disparate treatment and disparate impact. Disparate treatment requires proof that the employer was motivated by discrimination, while disparate impact requires proof that a rule that appears to be neutral actually has a disparate impact on members of a protected class.

New York has a proud tradition of providing robust and expansive antidiscrimination protections, especially in the workplace. This legislation strengthens that commitment by codifying disparate impact as a form of unlawful discrimination in the workplace under New York State law, as those very protections are under attack by this current Administration. Disparate impact analysis has long been a key tool for fighting discrimination under Federal law, codified in Title VII. Disparate analysis -- impact analysis allows a plaintiff to argue that practice or conduct is discriminatory, regardless of intent, if it has a discriminatory effect.

In April 2025th -- 25, the Administration issued an Executive Order dubiously finding disparate impact analysis to be unconstitutional. The Executive Order declared that it is now the policy of the Federal Government to eliminate the use of disparate impact analysis to full extent possible to avoid violating the Constitution, Federal Civil Rights Laws and basic American ideals. Never mind that disparate impact is codified in Federal law. Despite the shaky legal ground, the Administration has moved quickly to end civil rights cases and investigation based on disparate impact analysis. For example, the Justice Department recently backed out of a consent agreement it reached with the Maryland Police Department after finding that the Department had engaged in a discriminatory practice by requiring prospective police officers to pass a written test which was not job-specific. Under this Administration, we are concerned that the Administration appointed judges following the Executive Order will start rolling back these protections. As a result, all New Yorkers will be at risk of being shut out of jobs and promotions because of arbitrary discriminatory and unnecessary rules. It is, therefore, crucial, crucial to protect employment mobility for all New Yorkers by passing this bill.

Again, this -- this legislation will codify disparate impact analysis for employment discrimination cases in New York State law, ensuring plaintiffs can continue to bring disparate impact cases under New York law and affirming our commitment to fighting discrimination and employment and in our society at-large.

Madam Speaker, I will be voting in the affirmative and I encourage all my colleagues do so. Thank you.

ACTING SPEAKER HUNTER: Ms. Bichotte Hermelyn in the affirmative.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Minority Conference will be in the negative on this bill, but if anybody wishes to vote yes they may do so now at their seats.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. The Majority Conference is going to be supporting this piece of legislation; however, should anyone desire not to, they should feel free to do so at their seat.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Burdick to explain his vote.

MR. BURDICK: Thank you, Madam Speaker, for the opportunity to explain my vote. I want to commend the sponsor

for bringing this bill. It's one that's very important to our State to ensure that the discriminatory impact, but not necessarily a discriminatory intent, is considered unlawful. A labor attorney in my district had brought this bill to my attention and was very concerned if this moved forward in the form that we see it now. And it really balances the need for a fair standard for employers and other entities to justify practices that may have disparate impacts but still serve legitimate purposes.

So I proudly vote in favor of the measure. Thank you.

ACTING SPEAKER HUNTER: Mr. Burdick in the affirmative.

Ms. Simon to explain her vote.

MS. SIMON: Thank you, Madam Speaker. I want to commend the -- the sponsor for this legislation. It's critically needed. As we speak there are -- there's a proposal to directly change rules that have been adopted through the normal rulemaking process in con -- in the Federal Government. Those comments on that are due this evening. There's Executive Orders seeking to eliminate disparate -- disparate impact standard. So it's critically important. The writing is on the wall; this is what the Administration intends to do. If they do it through the regular rulemaking process they will still be able to make substantial changes, and they have been looking for years to eliminate disparate impact.

So I think it's very important to protect New Yorkers

(indiscernible) a standard we've been applying in the case law. It should be codified so that New Yorkers are protected even if others in other states may not be.

Thank you.

ACTING SPEAKER HUNTER: Ms. Simon in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 17, Rules Report No. 617, the Clerk will read.

THE CLERK: Assembly No. A06314-A, Rules Report No. 617, Wieder, Woerner, Paulin, Magnarelli, Eichenstein, Taylor, Torres, Kay, Weprin, Wright, Benedetto, Rajkumar, Lavine, Hevesi, Williams, Rozic, Burdick, R. Carroll, Sayegh, Colton, Zaccaro, Yeger, Bores, Levenberg, Kassay, Lunsford, P. Carroll, Eachus, E. Brown, Ra, Miller, Bendett, Chang, Angelino, Gray, Jensen, Santabarbara. An act to amend the Insurance Law, in relation to ensuring continued access to backup devices for patients with cochlear implants.

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

An explanation has been requested.

Mr. Wieder.

MR. WIEDER: Thank you, Madam Speaker.

Assembly Bill 6314-A addresses a critical gap in insurance coverage for New Yorkers with cochlear implants. This bill ensures that individuals who rely on these life-changing devices have guaranteed access to backup processors not only at the initial implementation, but throughout the life of the device, including during necessary upgrades.

ACTING SPEAKER HUNTER: Mr. Gandolfo.

MR. GANDOLFO: Thank you, Madam Speaker.

Would the sponsor please yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. WIEDER: With pleasure, Madam Speaker.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. GANDOLFO: Thank you for that. And we had some discussions on this before this debate. So, one thing before this conversation publicly, you described that this does not apply to the entire unit, but rather the processor of the - the implant?

MR. WIEDER: That is correct.

MR. GANDOLFO: Okay. And typically, why would a backup unit be necessary -- a backup processor be necessary?

MR. WIEDER: Typically what happens when you get a cochlear implant, they would do the implant, which is a very expensive magical device for people who can't hear. That implant gets inserted into the skull for the rest of your life. However, there's a little piece, a processor, that it gets connected to that implant and you have to charge that processor. That processor over the years needs to

be upgraded every four to six years and the old one becomes obsolete. Insurance companies would provide two sets of processors at the initial implant because they feel it's essential. These processors need to be charged. They can malfunction. They could be lost. And it's critically important for people to have a backup device. When we need to charge our phone, you could charge the phone and still use it. You can't charge the processor and still use that processor.

MR. GANDOLFO: Oh, okay. So while the processor is being charged, the unit is rendered, I guess, useless and the individual would not be able to hear or hear as well as they should be?

MR. WIEDER: That is correct.

MR. GANDOLFO: Okay. Now, typically what -- do you know the cost of a processor out-of-pocket, a backup processor if it's not being covered by insurance?

MR. WIEDER: It -- it varies. The cost could be any -- could be 1,500, 2,000, 3,000. It varies on the -- on the make and model, and it -- it depends -- for the insurance company, if -- if they get a MSRP, you know, on -- on -- on the processor.

MR. GANDOLFO: Okay. And you mentioned that a lot of insurance companies will provide a backup when they originally give it to the -- the patient. Why do they stop providing the backup if they continue to be rendered obsolete, and I guess the people who need them end up needing another backup?

MR. WIEDER: They -- they do provide a processor

to replace the old one. What they don't provide is a backup processor.

MR. GANDOLFO: Okay.

MR. WIEDER: So you get the implant, you -- you go through the surgery. You get two processors, you go home. You use it for five years and then the old one becomes obsolete.

MR. GANDOLFO: Okay.

MR. WIEDER: The insurance company will then go and upgrade, but they only give you one processor.

MR. GANDOLFO: Okay. So we -- there's really no reason for that. They just decide after that -- after you get the backup process -- processor the first time, that's enough. They just -- I guess what I'm getting at is, why would you think that the insurance company doesn't want to provide the backups moving forward?

MR. WIEDER: Your guess is as good as my guess.

MR. GANDOLFO: Okay. Fair enough.

Madam Speaker, on the bill, please. And thank you to the sponsor for the education on the devices and for answering my questions.

ACTING SPEAKER HUNTER: On the bill.

MR. GANDOLFO: Thank you, Madam Speaker.

Here we have another insurance mandate. And individually, each mandate doesn't seem like a lot, but taken as a collective -- we do a lot of mandates on insurance companies here, and when you add those all up, that really does start to raise the premium costs. But, however, after our discussion here you can see that not all mandates are created

equal. Some definitely seem more necessary than others. But I think it shows that we should take a look at some of the other mandates that we do put on the insurance companies that maybe they aren't as necessary and maybe we can keep the costs down so we don't have to worry about the cost to providing truly necessary coverage for people who need it; who need it for their development, especially young children. If they have to charge this processor, if there is a delay in getting a new processor, they are left without hearing, which just should not be the case.

So I do thank the sponsor for answering the questions here. I'm going to be voting for this bill. Like I said, this is a -- a lapse of coverage here that needs to be addressed.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Wieder.

MR. WIEDER: On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. WIEDER: On the bill, Madam Speaker.

Colleagues, I rise today to urge your support for Assembly Bill 6314-A, legislation that closes a dangerous and unnecessary gap in insurance coverage for New Yorkers who rely on cochlear implants.

Cochlear implants magically restores hearing for individuals with profound hearing loss. Many of them children. But let's be clear. The surgery itself doesn't restore the hearing. It's the external processor, the small wearable device that captures sounds,

converts them into digital signals and sends them to the internal implant. Without the -- that processor, there is no hearing. No access to language. No communication. No awareness of sound. And that brings us to the problem this bill addresses. Even when the processor is working as intended, it still needs to be charged, often daily.

During charging time, if there is no backup, the user is cut off from the world. For a child in school that means missing instruction. For an adult at work it means disconnection. And in any setting it can mean missed emergency alarms, traffic sounds or safety warnings.

While some insurance plans provide a backup processor at the time of the implantation, insurance coverage almost never includes a backup processor when patients receive required upgrades every few years. If that new upgraded processor malfunctions, is lost or is damaged, patients, often children, are left in complete silence.

Assembly Bill 6314-A ensures that New Yorkers who depend on cochlear implants have guaranteed coverage for backup processors not only at the initial implantation, but throughout the life of the device, including during necessary upgrades. We -- we cannot allow patients, especially children, to be left without hearing simply because the processor is charging, malfunctioning or damaged. This bill brings much-needed clarity and protection to a vulnerable population. It is a matter of continuity [sic], of care, equity, safety and dignity.

I respectfully ask for your support on this

commonsense legislation. No child, no parent, no New Yorker should be forced into silence because their voices of concerns were unheard and their insurance failed to keep pace with their daily realities.

I will be voting proudly yes and encourage all my colleagues to vote yes. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 18, Rules Report No. 639, the Clerk will read.

THE CLERK: Assembly No. A08702, Rules Report No. 639, Rosenthal, Lasher. An act to amend subpart A of Part BB of Chapter 56 of the Laws of 2021 relating to establishing a COVID-19 Emergency Rental Assistance program and amending the State Finance Law relating to establishing a COVID-19 Emergency Rental Municipal Corporation Allocation Fund, in relation to extending the effectiveness of certain provisions thereof.

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

advanced.

An explanation has been requested.

Ms. Rosenthal.

MS. ROSENTHAL: This bill would extend a provision of the COVID-19 Emergency Rental Assistance Program that prohibits landlords from initiating monetary action or proceeding for the collection of rent covered by an ERAP payment that a landlord refused to accept.

ACTING SPEAKER HUNTER: Mr. Morinello.

MR. MORINELLO: Thank you. Will the sponsor yield for a few questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. ROSENTHAL: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. MORINELLO: Thank you. Is there a definition of "refused."?

MS. ROSENTHAL: Um --

MR. MORINELLO: As it -- as it applies to this particular bill.

MS. ROSENTHAL: Well, I think it's the same definition as refused would apply to anything else. They decided not to -- not to accept the payment that was offered him for rent owed.

MR. MORINELLO: Could that offered payment of rent be less than the amount that is due?

MS. ROSENTHAL: Well, it -- it depends. It's -- ERAP covered a certain amount of rent, and I guess that's what -- yeah, it would cover -- it covered the amount of rent that was due within a certain time frame.

MR. MORINELLO: So if, in fact, the amount due was greater than the amount that was tendered by the program, would that be grounds to then refuse it?

MS. ROSENTHAL: I don't know what the grounds for refusal would be, particularly when during -- during COVID when people were hurting all over the place and the Federal Government gave us funding so that we could pay for people's rents; people who were unemployed, lost their job, and landlords who needed the rent paid. So that was the whole ERAP program. Some landlords said, *I don't want your money*, and that was kind of odd. But that's what this bill concerns.

MR. MORINELLO: This being your bill, do you have any concept of why or what -- why there would be a refusal to accept monies that are due and owing on rent?

MS. ROSENTHAL: I -- you know, if you -- I really cannot. I really cannot conceive of it, especially at a time when people needed -- needed their rent paid. A refusal to accept it, to me, signaled some kind of other motive.

MR. MORINELLO: Okay. And what would those motives be?

MS. ROSENTHAL: I do not know. I can't get in the

head of a landlord who refused to accept money that was guaranteed, like a whole year of rent. I don't know why someone would refuse it. However, there are rules around what happens if a landlord refuses the money.

MR. MORINELLO: During your preparation and review of this bill, did you do any investigating or inquiries of landlords as reasoning for them to refuse?

MS. ROSENTHAL: You know, the motive for refusal is immaterial. This just concerns landlords who did refuse.

MR. MORINELLO: Well, you say the motive is to refuse is immaterial. But there may be a legitimate reason that would hold up in a court of law. So that's why I'm asking, did you do any inquiries of landlords as to what reasoning could be for a refusal?

MS. ROSENTHAL: You know, there could be landlords who didn't like the OTDA guidelines that came with accepting the rent. Some landlords did not want to raise the rent because there were provisions in it if you accept the money there were certain rules around it.

MR. MORINELLO: And one of those rules is they couldn't raise the rent for a year.

MS. ROSENTHAL: Yup.

MR. MORINELLO: Okay. And how long did this program go on during COVID? More than a year?

MS. ROSENTHAL: The -- the applications closed on -- let me see what date -- um, January 15th -- January -- sorry,

January 20, 2023. That's when the portal closed.

MR. MORINELLO: Okay. So for a landlord to accept that payment, they would have to forgo any increases for a year; am I correct?

MS. ROSENTHAL: Yes.

MR. MORINELLO: During that period of time, if taxes increased they could not increase their rent, correct?

MS. ROSENTHAL: Correct.

MR. MORINELLO: Okay. If you --

MS. ROSENTHAL: That is -- that is the deal.

MR. MORINELLO: If utilities increased, they could not increase their rent.

MS. ROSENTHAL: That was the deal.

MR. MORINELLO: So is there a possibility the landlord would refuse because they would be losing money over that next period of time, and the inability to either finance their building, repair it or any other reasonings?

MS. ROSENTHAL: You know, if that were me and I got a whole year's rent, I would accept that.

MR. MORINELLO: Well, but if they're living in your premises, wouldn't they be entitled to that rent?

MS. ROSENTHAL: Excuse me?

MR. MORINELLO: Well, you said --

MS. ROSENTHAL: I can't hear you. I can't hear you.

MR. MORINELLO: -- you got a whole year's rent, you'd be happy. Well, if somebody is renting, they're obligated to pay that rent. So you're making it like this is a gift to a landlord.

MS. ROSENTHAL: Well, actually it was. If you recall COVID, people were massively unemployed. People lost their jobs. We all stayed home and we could work remotely. But there were so many people across the country -- ERAP was a program in every state. So it's not particular to New York State, and these conditions were ones that were similar in other states.

MR. MORINELLO: So what about those that just wouldn't pay rent? And there were -- were stories.

MS. ROSENTHAL: Well, that's not what this bill -- if they didn't pay rent, a landlord can go after the rent.

MR. MORINELLO: No, no, no. What I'm saying is, during this period of time there's certain people that just refused to pay rent because they wanted more free -- you know, New York State is the Free State. Everything is free in New York. Everybody wants everything for free.

MS. ROSENTHAL: I didn't know that.

MR. MORINELLO: Well, we do everything in this -- in this Body to make things free, and I don't think they realize at some point you're gonna run out of other people's money. But bottom line is, what you're doing here is tying landlords' hands by -- if they were to accept because they couldn't raise the rent. What if they repaired? Could they get the repair money back?

MS. ROSENTHAL: I -- I -- I wish you'd try to think back to when COVID was.

MR. MORINELLO: Oh, I think about COVID, Ms.

--

MS. ROSENTHAL: So many people were unemployed. So many people wished they could pay rent but they didn't have a job. If you remember the unemployment insurance, you'll remember how ERAP was created on the Federal level because so many people could not pay the rent. And so many, many landlords were very happy to accept the rent. In fact, we created a whole separate fund for landlords.

MR. MORINELLO: All right. So let me ask you this: Let's assume a landlord refused the rent, but that tenant had damaged the property. Would they be able to proceed on an eviction for damage to the property?

MS. ROSENTHAL: I don't know if landlords evict people based on damage. If they want to try to evict, I guess they'll call the tenant into court and they would be allowed to do so.

MR. MORINELLO: Okay. Thank you very much for answering the questions.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Minority Conference will be in the negative on this piece of legislation. Should there be any votes in the affirmative, please cast them now at your seat.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, the Majority Conference is gonna be in favor of this piece of legislation; however, there may be some that would desire to be an exception. They should feel free to do so.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: We are moving right along here. We're gonna go to the next four bills that we have on our agenda for this evening. They are Rules Report No. 668 by Mr. Bronson, Rules Report No. 675 by Mr. Otis, Rules Report No. 686 by Ms. Gallagher and Rules Report No. 698 by Mr. Pretlow.

ACTING SPEAKER HUNTER: Page 18, Rules

Report No. 668, the Clerk will read.

THE CLERK: Senate No. A07388, Rules Report No. 668, Ms. -- Senator Ramos (Bronson, Colton, Jacobson, Lasher--A07863). An act to amend the Labor Law, in relation to enacting the "remedial construction of New York Labor Law Act".

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Bronson.

MR. BRONSON: Yes, Madam Speaker. This bill codifies roughly 70 years of jurisprudence directing courts to interpret the provisions of the New York Labor Law liberally for the accomplishment of their remedial purposes. The courts would also be directed to interpret any exceptions or exemptions narrowly to -- to deter unlawful conduct. This bill will protect workers and prevent harm to workers from unscrupulous employers who seek to circumvent the labor law. The bill is good for workers and good for fair, law-abiding employers.

ACTING SPEAKER HUNTER: Mr. Durso.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

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

ACTING SPEAKER HUNTER: The sponsor yields.

MR. DURSO: Thank you, Mr. Bronson. So, what is

the reason for codifying into law now?

MR. BRONSON: Yes. Through you, Madam Speaker, we need to do this right now because notwithstanding 70 years of courts interpreting our New York State labor laws in a liberal fashion, for the purpose of benefiting workers and to make sure that employers abide by the law as constructed by New York State. We have seen recent and -- and historically, the National Labor Relation [sic] Act has been said to be parallel to many of our New York State Labor Laws; like, wage laws, minimum wage, overtime, things of that nature. So, typically the courts say, we're gonna interpret similar to our interpretation under the National Labor Relations Act. Unfortunately, there's been a divergent by some federal courts, not most, but some federal courts, who are no longer interpreting and making sure that our laws -- our New York State Labor Laws are liberally construed for the benefit of workers. So, to make sure that that trend doesn't continue and to fulfill the policy of New York State of having worker protection, we're codifying this statutory construction.

MR. DURSO: So, will this bill in any way, shape or form, circumvent or sidestep federal law when it comes to labor protections at all?

MR. BRONSON: No. This -- this bill is about the interpretation of New York State Labor Law. And this bill, as -- again, is codifying 70 years of court cases and this bill is making sure that we're protecting workers here in New York State. This is not a

unique situation. We have precedent for it. We codified, I believe it was in 2019, the same provision for our Human Rights Law, Antidiscrimination Laws here in New York State.

MR. DURSO: So, in other words, if -- let's say that there is a labor issue that needs to be looked at by federal courts and they -- they, essentially, don't have the judges, or courts, or the availability to look into these cases. Will New York State then step in to make sure that those New York State workers are protected? Or --

MR. BRONSON: No. No. This is if you have a plaintiff or you could have a -- a plaintiff whether it's the -- on the employee side or the employer side and the court is being asked to interpret New York State Labor Law, this is going to require that court to do so under the policy of the state, which is to construct it liberally for the remedial purposes of the law; and that is to protect workers and make sure employers are acting fairly in the workplace.

MR. DURSO: Okay. And then just for clarification; when we say, to look at the law "liberally". Can you just explain what you mean in regards to labor protections?

MR. BRONSON: So that means not to construe it restrictively. Not to narrow the interpretation in such a way that you're not fulfilling the -- the intent and the spirit of our labor laws and that general policy is twofold. One, is to protect workers and, two, is to make sure that employers are on a level playing field, because we're requiring employers to act within the law.

MR. DURSO: Okay. Thank you, Mr. Bronson.

That's all the questions I have for you.

Thank you, Madam Speaker.

MR. BRONSON: Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Sempolinski.

MR. SEMPOLINSKI: On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. SEMPOLINSKI: I just want to, sort of -- I guess, sort of explain my vote. I'm going to be voting no and I don't want it to be interpreted as I'm for or against any particular provision of labor law, or for or against labor in general. But, on principle, I feel that this type of law, though, I know there are others on the books, is inappropriate telling judges to squint at statute in a particular way, I feel is unconstitutional. Article 3, Section 1 of the New York State Constitution reads in its entirety: The legislative power of the State shall be vested in the Senate and Assembly. If we want to have a liberal labor law, we should write a liberal labor law. If we want to have more constrained labor law, we should write a more constrained labor law. That's our job. That's what we're here to do.

So, on -- on principle, I can't vote for this type of law, but I'm happy to consider any proposals that the sponsor or anyone else puts forward in the labor sector.

(Pause)

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Bronson to explain his vote.

MR. BRONSON: Yes, Madam Speaker. I abstain for the purposes of explaining my vote. I don't want us to get hung up on the word "liberal". This isn't the political context. We're not talking about liberals and conservative. This is talking about what the intent of our labor laws are and the bill merely requires what many courts have held until recently. And that is, the New York Labor Law was written to protect workers from unlawful and abusive practices. It was also written to make sure that employers operate within the framework of the law and to keep them on a level playing field. You can look at misclassification of workers and independent contractor situations. You can look at employers who cheat their -- their employees on overtime, or on paying minimum wage, or on break time. Things of that nature. All we're saying is to the court, to look at those cases and construe the law in a fashion that fills the purpose and the spirit and intent of the labor laws. And that is to protect workers and to keep employers honest and lawful.

So, for those reasons, Madam Speaker, I withdraw my request and I will vote in the affirmative.

ACTING SPEAKER HUNTER: Mr. Bronson in the affirmative.

(Pause)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 19, Rules Report No. 675, the Clerk will read.

THE CLERK: Senate A07501-A, Rules Report No. 675, Senator Mayer (Otis, Buttenschon, Clark, Lupardo, Santabarbara, Eachus, Levenberg, Kelles, Bendett, Lunsford, Burdick, Maher, Simpson, Angelino, Shimsky, Barrett, Glick, Blumencranz, DeStefano, Reyes, Jacobson, Steck, Seawright, Gray, Blankenbush, Gallahan, McDonald--A08086A). An act to amend the General Municipal Law and the Public Health Law, in relation to emergency medical services.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Otis.

MR. OTIS: This is an important piece of legislation to deal with an issue that the Legislature and the Executive have been unable to come to conclusion on which is, how do we move this State forward in terms of remedying a crises in EMS service around the State? Around the State, we have services that are dropping out. We have trouble maintaining staffing. We have trouble in terms of response time, the response time numbers are getting worse and so, there have been proposals before the Legislature the last few years and proposals discussed in this year's budget to try and come to grips with

this and come with -- come up with a path forward. The efforts by the Governor and the two Houses in the budget this year were unsuccessful and so there was nothing in the budget to sort of provide the EMS reform kind of model that many of us are looking for. Some talk of it in terms of it defining it as an essential service, but really, the -- the main goal is to make sure that there's reliable EMS service for every resident of the State.

What this bill does, at least provides an important step forward for the rest of this year, which is it asks counties to convene meetings and a planning process with the villages, cities and towns within those counties, those four different kinds of municipalities to be equal partners and to also work with other people -- other groups already involved. The not-for-profits, the for-profits, the fire districts and others providing service to do a number of important things; to evaluate the existing level of service in their county, to come up with a plan for how they're going to address areas that need increased service in their county. There are areas where service has been diminished, where there are gaps. This is the kind of plan they should come up with to choose what would be the best organizational structure within the county to deal with this -- with this issue especially in areas where service needs to be improved. And finally and very importantly, to come up with cost estimates to provide service going forward; something that will be important for this Legislature to deal with next Session as we try and understand not just where the gaps are, but what it will take to close those gaps.

And how important this is? This is important because we're losing lives when people don't get emergency service response in a timely fashion. We need to do -- do something about it. This legislation respects the different kinds of structures and as opposed to the other kinds of approaches that have been sort Albany down, top down and you're going to do it this way. This legislation gives it -- provides a process by which it's from the bottom up. Let the locals in each county figure out what's the best way to fill the gap areas and come back with a plan that we can look at, that the Department of Health can look at and we can come up with solutions that will serve emergency response in an intelligent way throughout the entire State, have us going in the right direction rather than the wrong direction.

Happy to take any questions.

ACTING SPEAKER HUNTER: Mr. Maher.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. OTIS: Of course.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. MAHER: Thank you for your leadership on this issue. It's certainly a -- a something that's been a passion project of mine since I was elected. I know it can be a complicated issue, so I just have a bunch of questions since the -- the bill did change.

Speaking to the bill changes, how has this bill changed from its original form? What -- what is the meat of that change?

MR. OTIS: So, the bill that we had in from last year and was moved to a certain degree in our House, passed the other House last year, was a comprehensive essential service -- treat EMS as an essential service bill, which many want around the State. Although, there -- there -- it's -- as you said, it's complicated. There are a lot of players and so we've not been able to get the two Houses to even agree, or the Governor to agree on a plan forward and so, my feeling was, let's not have this legislative session be another year where we don't at least get people working on it. My vision is that let's get all the local people working together and the counties are going to convene these meetings, but it's not necessarily county-centric, because in some counties, the counties don't do EMS at all. Sometimes they're done by fire districts, municipalities, for-profit, non-for-profit. So, let them tell us what would be best in their county and how they could grow in the gap areas in a way that is -- is true to what's going on there and I think that's a better path forward. I -- I really do and I'm -- I'm a formal local official. I deal with EMS people and I -- I think if we really -- we want this to pass and we want it to get signed quickly because the bill actually asks that they come up with a plan within six months. And while that seems like a short period of time, I will tell you, we don't want to waste -- we don't want to be talking about this in 2027. We want to talk about this in 2026, in next legislative session, when we have some feedback

from these plans that -- that hopefully all the locals would -- would -- would come together with.

MR. MAHER: Well, you bring up a good point and some of the feedback I've gotten since this bill was rewritten a little bit, is that some of those partners, there's no real mandate for them to be part of those county conversations and the way this bill is written, some fear that it will be done by the counties with no feedback. Is that something that was a concern with you and the way the bill is written, is there really anything in there that mandates counties to work with some of these partners?

MR. OTIS: Well, yes and actually, the bill is very intentionally written so -- someone has to call the meetings. So, counties will call the meeting, but the counties are -- have no higher place than a village, a town, or a city in the -- in this -- in the way this is drafted. So -- and that was very intentional because in some places, it may be a city does a really good job for their area, a town may do a good job in their area and then there be -- may be other areas where there are gaps. There is some counties that aren't in the EMS space at all. So, some of the other things that have been floating around made it all counties are going to come up with a county plan, but why would you have a county do a county plan, when a county -- some counties may have no experience in EMS.

So, this is the right approach and I will just tell you, my commitment is to work -- if -- if we get this signed, is also to work with the various parties and the -- the associations; NYSAC,

Association of Towns, NYCOM to try and promote this process going forward. I'm not here just to pass a bill and say, *so long*. I think that we want to make sure that the process between now and before we go to the next legislative session is productive, so that we all have something that we can make all the residents that we represent safer and that somebody can come and -- and provide emergency service when they need it.

MR. MAHER: Okay. So, I agree with just about everything you said, but I think as the bill is written, there are some concerns, especially feedback that I've gotten that there is no real mandate for the county to work with all those agencies you mentioned, although they should. That's just one concern, but we can definitely move on from that.

When it comes to the potential estimates on funding, I know that we've been talking about this for a while, you've been championing it for a while, were there any estimates in your discussions that came up on what this potentially could cost Statewide and was that a roadblock during the discussions in the budget?

MR. OTIS: No, we don't have estimates because actually, you know, one of the issues that has arisen in this is people aren't really talking. A lot of -- a lot of areas they -- they identify gaps, but they don't really -- maybe don't want to admit to all the gaps, but -- but part of the -- part of the task is; come up with -- identify where service needs to be im -- improved, identify -- then we're going to have these four different entities sit down and others that are

players within a given county and -- and then say, *okay, here's where we have a gap* and let them say what would be the most efficient way to do it in our area and have them come up with cost estimates. I don't think they exist now and particularly added to this bill, which was not in the earlier drafts, was this request for cost estimates because I think we need something of value to then come to grips with what we, at the State level, can do to help. And -- and if we just say it's an essential service and we don't provide any -- we don't have any sense of what it costs, that's not really fair either. So, I think this is an important step forward and I'm -- I -- you can tell my passion --

MR. MAHER: I can tell.

MR. OTIS: -- but I, in a sense, like all of us, we've lost patience with the fact that we're losing service. Every year, I get reports from around the State where -- where different services are closing or shutting down because they can't make it work. That's unacceptable. And so, we can --

MR. MAHER: Sure. No and --

MR. OTIS: -- change direction and I think we're on the same page.

MR. MAHER: I think we are, but I -- I think with the way that the bill is written, there -- there are some concerns and I don't doubt the leadership you'll provide in your district and hopefully others will do the same, but where there is a leadership gap and information gap to bring people together, I think we might have a problem with how this bill is specifically written.

Speaking of unfunded mandates, I agree with you. I think if you pass essential service and don't have a dollar amount attached, it is essentially an unfunded mandate and we don't want that either. This bill though, with the plans being put in place by counties, some of those counties may want to choose to hire a consultant. They may want to choose not to just use in house or some of their partners. By them choosing to -- to go that route, wouldn't this bill then become an unfunded mandate in and of itself?

MR. OTIS: Well, you know, I would love to, as many of us would, there are all sorts of things we would like; money and budgets to have happen, but the practical matter is, there's a great interest of the local level to do something. So, I think they will figure it out. But, I also -- I -- I -- I -- in -- in -- in due difference, I'm not sure I agree with your characterization of the -- the language here because the language very specifically says, counties with cities, towns and villages. It's not like if they feel like it, it's -- it's -- it is saying --

MR. MAHER: So, you read it as shall. Not may, shall.

MR. OTIS: Yeah -- yes and I think there's no way --

MR. MAHER: Okay. Good to know.

MR. OTIS: -- to do it correctly, unless you have all four at the table.

MR. MAHER: I agree. I'm just -- I'm glad that you're mentioning that and your -- your view of how this is written is

they shall, because that should be put out that way to the counties as well.

MR. OTIS: And we've enhanced the legislative record by this discussion.

MR. MAHER: That's the part -- that's our platform, right? Okay, perfect.

All right. So, moving on. Were the regional EMS councils, the REMSCOs, were they talked to during this process when this bill was amended?

MR. OTIS: Well, I mean, they have been part of the -- the Statewide discussion for a few years. Did we speak to them in terms of the drafting of the bill? No, but I have them down here. I specifically mentioned to be consult -- that they should be consulted as part of this because those are generally -- the list of people, I've looked over -- over the list -- list of people, are people that are involved throughout the State in this. So, you want to have them as part of the conversation. I also think that counties within regions can learn from each other, so having the -- the discussions going on with the regional folks, will also maybe inform decisions that people made coming up with these county plans.

MR. MAHER: Now, I don't disagree. I know for some of these EMS councils, it's going to be a bit of a -- a load because like many of them, I know the Hudson Valley I think there's seven different counties they'll be working with, right? So, on top of the workload that these providers are already, you know, servicing, it

-- it could be quite a bit over the six-month period and -- and I want to ask you, are you aware of some of the financial strains that are currently on those regional EMS's, those REMSCOs, those 18 throughout the State?

MR. OTIS: The whole system is under stress. I mean, that's the whole point of -- of the problem we have here. But, you know, their role here, I mean, the language is in coordination with their regional emergency medical services council. It's a consultation thing. This is really meant to be counties, villages, cities and towns within a county sitting down with each other, but they should -- they should be in consultation with the regional folks just so the regional folks shouldn't be left out of the discussion and so that's either going to happen naturally, or not happen -- not naturally, or not, but it -- they're listed here because clearly they should be some level involved.

MR. MAHER: I don't disagree. So, just to bring to your attention; in my conversations with the regional councils, they're having a major crisis in terms of cash flow. They're operating on a -- a contract from 2024. They just had a new contract that was approved; however they have not been paid for a very long time. I know in the Hudson Valley alone, they're owed over \$200,000 by the State. I know that some county EMS' are actually consolidating now with some of these REMSCOs because they have not had the cash flow to do the duties that they've been asked to do. So, would you agree that it is incumbent on us as elected officials to use our positions whether this bill is passed, or whatever happens, to actually work with

DOH or whatever the State entity is that's holding these funds up, because what these regional -- those REMSCOs are being told is that some of them have two months left in order to have any bills whatsoever paid. They're just going to be out of money in two months, but they're being told by the State that they're not going to receive funds for five to six months. Would you agree that that's a problem that we ought to really figure out and use our offices to help?

MR. OTIS: Absolutely, but I -- I would say more broadly there are financial gaps in this whole system Statewide and so, that's one piece of it, but there are the -- the financial viability of these operations around the State. Others are going -- are going to close if we don't do something. So, it's part of a big -- bigger picture with DOB, with the Department of Health, with the Legislature, next year's Budget. And -- and so, you're -- you're -- you're -- you're mentioning a sliver, but it -- it's actually more endemic to have every one of these entities function. They're having trouble holding on to staff.

MR. MAHER: I -- I don't disagree and I think obviously when it comes to the reimbursement and how funding gets to those local EMS agencies, we could do a lot more to get the bureaucracy and red tape out of the way there so they can have cash flow as well. But when it comes to the REMSCOs, these are the folks that are actually charged with creating the CONs. I mean, they -- they have a really essential job and what we're being told is within two to three months, they may not have any -- enough cash flow to -- to exist. So, I just want to make sure that I have your word that we can partner

on this to make sure that --

MR. OTIS: Happy to do it.

MR. MAHER: -- we can get through this red tape so those REMSCOs can, you know, be able to provide their service.

MR. OTIS: Happy to do it.

MR. MAHER: Thank you. Awesome.

Okay. So, we also just passed a -- another bill that I believe will have an impact on what we do here with the essential service and this plan and that is to allow municipalities to override the tax gap. Now, do you view that as creating a competitive disadvantage with some of the private companies in terms of service?

MR. OTIS: Actually, I don't because if a private company is, as many are, contracted with municipalities, I don't see how -- my belief is that those funds could be used --

MR. MAHER: It's for them as well.

MR. OTIS: -- to -- to for them as well. And I'd said for the four profits, if you look at the language of the bill, I specifically mention for-profits to give them respect and to show we understand that they're an important part of the mix. So, it -- it -- they're there because we understand they're an important part of the puzzle and they should feel that this is something that would be helpful to them, as well as we also mentioned the not-for-profits, we mentioned the municipals, we also mentioned this could be done by inter-municipal agreement by district. So, my view is that as locals come up with choices for organizational structure, they should be

aware of the full range of options they have before then for setting up an improved service in their area.

MR. MAHER: Thank you for that. The six-month time frame, where did that come from? Why do we pick six months?

MR. OTIS: Because January is essentially six months away and while it seems like it's quick, we would -- I would hope to be able to make some other advances in the next legislative session. So, if that -- if people are concerned that's a short period of time to figure out something more complicated, well, do what all of us do, which is work hard with very little time to do quality work and -- and I know when I was at the local level, that's what you do. You do what you do within the time frames that are needed to get things done. This is the health and safety of people, so what -- we shouldn't wait, I don't want, as I said earlier, I don't want to wait till 2027 to make further gains. We want to build on these plans and figure out a path forward in the next legislative session.

MR. MAHER: So, the plan is and the reason why the six- month time frame was selected, is there is a real desire by this Body and hopefully both bodies and the Governor to put some sort of funding in place to not create an unfunded mandate if and when we really do essential service, potentially in the next legislative session.

MR. OTIS: Well, I would hope so. I -- I mean, I would say, you know, in speaking to local governments around the State, you'd get different perspectives on the -- the mandate issue. Some local governments say, *we just want to do it. We'll raise the*

taxes, we don't, you know. And others say, no, we want money. We should address with the different kinds of needs and be flexible -- flexible with that. But, it -- it's not uniform and some -- some municipalities wanted the essential service mandate because they wanted to say, oh, well, we need -- we're required to do it and we're going to raise your taxes to do it.

MR. MAHER: So --

MR. OTIS: Someone's going to have to pay. You know, you -- if you're -- if you're going to hire additional people and you're going to do ambulant -- higher -- equipment stuff, we're going to have to come up with some money somewhere.

MR. MAHER: So, you bring up another great point and -- and I'm happy we're doing this because I think people have a lot of questions and right now, you're answering them and I -- I really think we ought to be able to put something out to them from, you know, your leadership and whoever's responsibility it's going to be, real clear direction that states exactly what should be happening, what the benchmarks are. When it comes to all of these partners that we have in place, it is essential that they know what their roles are because right now from the feedback that I've gotten, it seems like there's a bit of confusion. So, I think going forward, being able to make sure we make it clear how this is going to work is important, especially the desire to create a funding mechanism and the reason that six-month time frame was selected is for that purpose, because a lot of folks are saying it's not enough time. They're probably right, but

what you're saying is, *hey, we've waited too long. This is a dire emergency, people are dying and that's why we have to get our acts together and work together.* Is that what I'm basically hearing?

MR. OTIS: That is correct.

MR. MAHER: Okay. Me and you can agree on that. I think with enough collaboration and communication, we can definitely answer folks' questions, but they certainly have a lot of questions, which a lot of them are getting answered here.

Okay. I appreciate all of your answers.

I'm going to go on the bill, Madam Speaker.

ACTING SPEAKER HUNTER: On the bill.

MR. MAHER: All right. So, during my time as a supervisor of the Town of Montgomery in 2020, one of the first things that I did was I identified the fact that we had a very significant shortfall in our EMS services. I learned like many of my colleagues what the difference was between ALS and BLS services, that folks were not able to provide those ALS support. We were getting it funded privately and then the private companies did not have enough staffing to provide the ALS services and folks who had a heart attack we're waiting 45 minutes, if at all, to even get service to have lifesaving treatment. Unacceptable. That was 2020. Our reality is the same, the only thing that's changed are some municipalities, like the sponsor has mentioned, invested in their own ambulance districts. I think when it comes to this process and this crisis we're facing, it's multifaceted, it's going to take a very, very combined effort approach

and we absolutely will need to provide funding for some of these municipalities because without funding, the municipalities have not been able to proceed and move forward.

So, I think this is something that can create a positive step, but we should acknowledge that that six-month period is going to be very, very challenging for these counties. And as much as we have the partners that are ready and available to work together, those of us who have served in elected office know how local politics can be, how territorial folks can be. So, overcoming that is going to create -- is -- is going to be really our necessary ability as legislators to also be leaders in our community, to assist as this legislation is passed.

When we talk about the labor shortages, it's really bad. And when it comes to the counties, I think it was probably worth some language in here, but I know that we could probably Monday morning quarterback a lot of this. We definitely want to have the counties make sure they know and are cognisant of the fact that if they try to create too many new agencies, there isn't enough of a workforce out there to support those agencies. So, building off existing agencies is likely the best way to go. I would've like to have seen some of that language in this bill, but, obviously, it's going to be a start and we'll have to finish and get there together. But, I definitely want to make sure that -- that everyone in here is cognisant of the fact that if we declared EMS an essential service tomorrow, we simply do not have the staffing to provide the services. So, we need to really think long-term in a sustainable way, what that's going to look like and in

reality, it's going to include a lot of money. Because let's say we do increase the number of agencies and we increase the number of employees and we're having these folks fight over these employees, it is going to raise the amount that these employees are paid which is great. Our EMS providers are some of the most underpaid first responders in the country, especially in the State of New York. We want them to be paid more. However, that means this State, this Legislature, is going to have to fund it properly. It cannot be a half-funded or an unfunded mandate if we're going to go through this process. Hopefully, next year we're here and we're addressing this with a meaningful dollar amount through the budget process. So, it's important for me to ask these questions, to put all of these things on the table in the light of day, or the night, as we are here. But, I just wanted to make sure that we are all eyes wide open on the enormous challenge that's ahead of us.

I -- I do believe in this bill. I think it has some challenges associated with it, but I'm ready to meet those challenges and I'm looking forward to working with the sponsor of this bill and those in my community to make the best of this bill in our opportunity moving forward. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Angelino.

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

ACTING SPEAKER HUNTER: Will the sponsor

yield.

MR. OTIS: Of course.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. ANGELINO: First off, I'm a cosponsor on this, thank you. And this is not an antagonistic question. Do you have experience in this so that maybe we can talk later, also?

MR. OTIS: Well, I was a mayor --

MR. ANGELINO: Okay.

MR. OTIS: -- and the way we do it in the community that I served in in local office, we had a not-for-profit that was really an instrument of three municipalities; two villages and a city, and that's the entity that provides the service. And we funded part of it, but it -- it struggles. And so currently the local officials down there actually are thinking that maybe they should move to a district.

MR. ANGELINO: Okay. I represent five counties and I have five different ways of providing it. I have an urban county, Broome County, that the county's not really involved -- I shouldn't say they're not involved, but heavily involved, but there isn't a -- a county agency. The other four rural counties all have bit the bullet and have provided some sort of countywide EMS. Some 18 hours a day, some 24/7. It's four different -- four different ways of doing it.

What -- what are your thoughts on -- I'm trying to roundtable this because somehow I think I'm gonna get involved in this in one of the counties. One time as a police chief career I unwillingly had to take over a four-ambulance fire station. And so I

got deeply involved. I know these regional medical councils. Some of them can do things wildly different one township away just where the lines are drawn. What are your feelings on those regional councils?

MR. OTIS: I mean, my -- my feeling, really, and you -- you've spoken to it, it makes the point of my belief which is we have to respect the variety of ways the services provided around the State and -- and leave it to local people to figure out which is the best model. So in some places the counties play a big role and dive into it, and other places they contract out. In other places they do a fire district. They do an inter-municipal agreement. And I actually don't think we should tell them you have to do it a certain way. I think that let them figure out which is the way with the local dynamics that they have, but I think we want to provide the tools so that the service gets provided in a reliable way so that people aren't waiting an -- an in -- an unacceptable length of time to get an ambulance to them.

MR. ANGELINO: Oh, a lot of the problem, I can tell you right now is, Medicaid reimbursement. And, you know, that's not a question, it's a conversation.

MR. OTIS: (Indiscernible) that was not dealt with in this year's budget. It's something that really needs to be revisited. I would think more generally in this year's budget because there's great fear about what Washington is gonna do to healthcare funding that probably people were probably a little gun shy about -- about adjusting that, knowing that we are likely to be getting hit in that in

severe ways. But yes, that is an area that reimbursement rates -- we -- we dealt with last year the issue of treat but not transport getting reimbursement for that. It was a good step.

MR. ANGELINO: We -- we have been doing little nibbles here and there. There's a lot to be done. I know the -- the direct payment from insurance companies was a huge help.

MR. OTIS: Yup.

MR. ANGELINO: My ambulance company that -- we were losing about \$200,000 a year of checks that were sent out but not to us.

There's no real funding in this. I know some counties are gonna want to -- they're gonna to see that six-month time frame and they're gonna want to jump into this and maybe hire a consultant. So, you know, that's kind of what I'm worried about. They're gonna say, *You're making us do it and there's no funding for it.*

MR. OTIS: Well, we -- you know, we're all legislators and we can do what we can do and we can't do what we can't do. And so I -- I think that people are -- are -- I'd -- when I was a local official, sometimes we did plan some things with no outside money. We just did plans and got people in a room and figured out, and I believe that that can happen here.

MR. ANGELINO: The rural areas that I have, the big problem is for-profits and even not-for-profits can't -- it's the stranded cost of rural distance to the nearest hospital and the turnaround time. You know, in the City of Syracuse they can run four

calls an hour. Where -- where I am it might take one call two hours, if you're lucky. But I -- you're talking about the six-month time frame and getting ready for next year's budget, and that's assuming that we pass it tonight and the Governor signs it tomorrow.

MR. OTIS: We'll do what we can.

MR. ANGELINO: Okay. I don't know how that works, but they usually happen in between Thanksgiving and Christmas.

MR. OTIS: We're -- we're -- certainly it's my intention to request that the bill get taken up by the Executive sooner rather than later.

MR. ANGELINO: Okay. Thank you. That -- that's a big concern with that six-month time crunch.

I believe that's it. Thank you, Madam Speaker. I am done.

ACTING SPEAKER HUNTER: Thank you.

MR. OTIS: Thank you.

ACTING SPEAKER HUNTER: Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 19, Rules Report No. 698, the Clerk will read.

THE CLERK: Senate No. A08413, Rules Report No. 698, Senator Gounardes (A08870, Pretlow). An act in relation to authorizing a loan from the State to the City of Dunkirk (Part A); and making an appropriation therefor (Part B).

ACTING SPEAKER HUNTER: Mr. Molitor.

MR. MOLITOR: On the bill, Madam Speaker.

ACTING SPEAKER HUNTER: On the bill.

MR. MOLITOR: So, this is a Governor [sic] Program Bill that authorizes a loan to the City of Dunkirk, which is a city in my district. And I just want to share a little bit of background information about this so that everyone knows what they're voting for.

So, the City of Dunkirk is a small city with a population of slightly over 12,000 people. Fifty percent of its citizens identify as a member of a racial or ethnic minority. Twenty percent speak a primary language other than English. Twenty percent are senior citizens on a fixed income. And the average household income is \$49,000. Nearly two-thirds of the residents of the City of Dunkirk own their home. Last year, through the budget, this Body approved \$18.2 million in municipal bond funding so that the City could begin to get itself out of a fairly large deficit. That was legislation I would have supported had I been here, because it authorized the City to sell bonds to raise enough money to address the deficit, pay back the

bonds, and most importantly, provided some financial oversight by the Comptroller. In the intervening months since that legislation was passed, the City's financial situation has worsened. The deficit has grown to over \$20 million, and we still don't know what the total deficit amount is gonna be because the audits haven't been completed.

It has been reported that the Comptroller's Office has opened an investigation into the City's finances, and there are many issues with the City's operational budget. Property taxes this year have increased 84 percent, and that's with the hope that the budget will be balanced. There are residents of the City of Dunkirk that are coming to the Real Property Tax Department in the City, and they are struggling. They don't know whether they're gonna have -- whether they're gonna have to pay their property taxes or whether they're gonna be able to meet -- you know, they're gonna have enough money for their basic necessities.

As of May 30th of this year, the Comptroller's Office in a letter has reported that the City has not acted with the urgency and transparency required to address their financial situation. And if that wasn't all enough, the City owes \$12.7 million on a revenue anticipation note by July -- so next month -- or they will default. And while I understand that a loan to the City is necessary so that municipal bond ratings Statewide will not be affected, this bill gives taxpayer money to a city without the financial oversight and protection City residents need and that the loan of taxpayer funds should require.

With the loss of their AIM funding, which is contemplated by this loan and the anticipated repayment of municipal bonds once issued, Dunkirk taxpayers will likely see more dramatic tax increases. These tax increases and -- and their detrimental effect upon Dunkirk's economy will drive away businesses and residents in a area of my district that is already depressed. If your car tire popped, you wouldn't try to put air into it, you would fix it. Why would we give the City more money without requiring stringent controls and financial accountability so that we can have a fix? Why does the interest rate on this loan have to be so high? Why can't we preserve more AIM funding? With the loss of AIM funding their revenue is gonna go down and they're gonna have to increase taxes for that as well.

I fear that we'll be back here before long, addressing the same underlying problem this bill fails to fix. And for all these reasons, I cannot ask any of you to support this bill, and I will not be supporting it, either. Thank you.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. For all the reasons stated by my colleague, the Minority Conference will be in

the negative on this piece of legislation. If anyone does wish to support it, now would be the time to do so.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, would you lay this bill aside and withdraw the roll?

ACTING SPEAKER HUNTER: The roll is recalled. This bill is laid aside.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: We can go to page 3 and do Calendar resolutions.

ACTING SPEAKER HUNTER: Resolutions, page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 809, Mr. Burdick.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim September 19, 2025, as POW/MIA Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 810, Mr. Anderson.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 16, 2025, as Get Smart About Your Credit Day in the State of New York.

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

Mrs. Peoples-Stokes.

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

ACTING SPEAKER HUNTER: We do. A resolution by Ms. Jackson, the Clerk will read.

THE CLERK: Assembly Resolution No. 811. Legislative Resolution commemorating the observance of the 5th Annual Juneteenth Day in the State of New York on June 19, 2025.

ACTING SPEAKER HUNTER: Ms. Jackson on the resolution.

MS. JACKSON: Thank you, Madam Speaker, for

allowing me to speak on this important resolution.

Juneteenth. What is that, right? Let me give you a little bit of history. The name is a play on the date of June 19, 1865. On that day the Union Army made its way to Galveston, Texas under the leadership of General Granger to announce that enslaved African-Americans were free. But if you all remember, President Lincoln freed enslaved Africans in -- in the rebelling states in [sic] January 1, 1863. That's a straight L to the Confederates; such losers. And just a reminder that the Civil War ended in April of 1865. Just because Lincoln dropped the Emancipation Proclamation for states that rebelled didn't free all enslaved people throughout the nation. Think about states like Maryland that didn't succeed [sic] from the Union, but they still maintained slavery. What truly abolished slavery for Union states was the end of the Civil War and the passage of the 13th Amendment. Now, I can go into an entire lesson about the 13th, 14th and 15th Amendment and how this Federal Government has worked to dismantle over the years, but we have to get back to Juneteenth; Juneteenth and its impact in the State of New York.

New York abolished slavery in 1827, so you can say we are trendsetters in that regard. And -- and it wasn't because this State loved African-Americans so much and they finally became God-like, but its economic impact no longer fit the needs of the State. And so Juneteenth was made a State Holiday in Texas in 8 -- in 1980. It was first officially observed in New York in 2004. The Federal Government made it an official holiday on June 17, 2021. New York

pretty much teaches the nation how things ought to be done. So if you went to high school, like myself, in Harlem, you -- you never learned about Juneteenth. I found out about Juneteenth for the first time as a adult when I visited Texas. And so some of you may wonder, you know, how do you celebrate Juneteenth and what is appropriate -- and now this is the really important part -- what is appropriate? And the first thing I would say is that we must remember its origins. We must remember, this is -- this is about enslaved African-Americans and no else receiving their freedom. So don't conflate it with anything else. And I know this ain't Texas, but back there they love to barbecue and gather. It's, you know, pretty revolutionary for Black people to -- to gather. But I believe in the good Lord who said where two or three are gathered, you are there in the midst. So I offer that people barbecue and gather, and it's safe to do so. Others may choose to rest and remember our ancestors who were stolen from their homeland. Who were stripped of their native tongues and their customs. Who survived and/or perished the Middle Passage. Who built this country from the ground up for free. Who experienced Black Codes and Reconstruction and Jim Crowe and mass in -- incarceration so that I can stand here as Chair of the Black Task Force. So that Majority Leader Crystal Peoples-Stokes can be here as our Majority Leader, and our Speaker Carl Heastie can be here as the Speaker. You know, this doesn't happen easy. It just -- it just means it's a lot of work, a lot of years of us staying dedicated as a people.

And so, Madam Speaker, I say to you and all my

Black colleagues and community, Happy Freedom Day. Happy Juneteenth. And just because it's Black Music Month I have to say, *Hate it or love it, the underdog's on top and we gon' shine until our hearts stop [sic].*

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes on the resolution.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. I first want to commend the sponsor of this resolution because it's important to remember history. I know, you know, we're -- we're living in a time when some people just really wanna deny it and think that there was no history and trying to erase it, but that's not gonna happen. It's kind of too late for that. Some people already know it and, quite frankly, those of us who do are gonna continue to share it.

I had the honor and the pleasure to walk with the Governor as well as the Attorney General on Saturday in the 49th Annual Juneteenth parade in the great City of Buffalo. And so next year we will be celebrating 50 years. So I know some -- some just found out about it, as our sponsor mentioned, but some of us have been born and raised on understanding what our history is. And so I would give you a early invite; next Juneteenth come to Buffalo and see how we do it when we celebrate the heritage of people who understand that they were enslaved, but also understand that they are now free. So I invite you to come, and thank you so much to the

sponsor for introducing this piece of legislation -- resolution.

ACTING SPEAKER HUNTER: Mr. Meeks on the resolution.

MR. MEEKS: Thank you, Madam Speaker. I want to say thank you to -- to my colleague for introducing this resolution.

Juneteenth is a very, very important day to celebrate, and I look forward to celebrating in the Rochester community this Thursday as well, as many of us celebrated this past Saturday. But I implore each of you to take time to go to your local libraries. I know we -- we advocate for a number of resources to go into our communities, and in particular to our libraries to make sure that we're educating our community. I had the opportunity to go to a library in my district which was one of the first libraries in my district named after a historical ancestor, Phillis Wheatley, who was known as the first published Black poet. And lo and behold, there were no outward books or information on Juneteenth. And there was a number of other things being celebrated. And I posed the question, We're about celebrating our diversity, our communities as a whole. And, you know, found the Juneteenth books and took it upon myself to make a display in that moment, following reading those Juneteenth books to my grandbabies. But I implore each of you to go to your libraries and make sure that Juneteenth is recognized and being shared throughout our communities, because we must be intentional in celebrating us and celebrating the history of our nation.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

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

We have a number of resolutions before the House.

Without objection these resolutions will be taken up together.

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

(Whereupon, Assembly Resolution Nos. 812-819 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned and that we reconvene at 10:00 a.m., Tuesday, June the 17th, tomorrow being a Session day.

ACTING SPEAKER HUNTER: 10:00 a.m. tomorrow. On Mrs. Peoples-Stokes' motion, the House stands adjourned.

(Whereupon, at 11:55 p.m., the House stood adjourned until Tuesday, June 17th at 10:00 a.m., that being a Session day.)