

NEW YORK STATE ASSEMBLY

FLOOR DEBATE

Bill A2901a

Rules report 518

An act to amend the domestic relations law and the public health law

Assemblyperson David Weprin, sponsor

June 18, 2015

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(03:29:50)

CLERK: Assembly A2901a, Rules report 518 Mr. Weprin An act to amend the domestic relations law and the public health law.

MR. SPEAKER: An explanation is requested, Mr. Weprin, and we will settle down so that we can conduct the debate please. Shhhhh.

MR. WEPRIN: Uh, thank you, Mr. Speaker. Uh, this bill would allow for adult adoptees in New York State to apply to the Surrogate's Court or the New York State Supreme Court for the release of a non-certified copy of their birth certificate which is currently sealed, uh, since 1935. The Surrogate's Court provides the Department of Health at that point with the listed names of the adoptee's biological parents from their birth certificate.

The Department of Health then has 120 days to contact the birth parents and notify them, them that the adoptee has petitioned for release of their original birth certificate.

The Department of Health will provide the biological parent with a form of...

MR. SPEAKER: Shhhhh shhhh.

MR WEPRIN: ...contact preference and the opportunity to give a detailed medical history. If, after that 120 day period, the biological parent duh, does not respond to the Department of Health, or upon notice of death of the biological parent, their name will be released to the adoptee on the non-certified copy of the birth certificate if the Surrogate Court finds that there is no objection. If one or both parents fill out a contact preference form requesting anonymity their, the birth certificate will still be released, however it will be in a redacted version, uh, without the birth parent's name on it.

(03:31:32)

MR. SPEAKER: Mr. Borelli. Shhhhhh. Please, can you, can I get a little quiet on that side, sir? Thank you.

MR. BORELLI: Uh, Mr. Speaker, on the bill.

MR. SPEAKER: On the bill, Mr. Borelli.

MR. BORELLI: Uh, forgive me if I slow up this is, is somewhat of a personal and a, I guess to some degree emotional issue for me. I know I spoken to many of you, uh, on this topic in private and actually in talking to so many of you in the last 3 years I've been here I've learned a lot that I didn't previously know about two subjects.

Uh, the first is identity. Racial identity, ethnic identity, sexual identity, and the other is discrimination. Uh, many of you have taught me so much of, so much about discrimination.

But this is a textbook case of *de juré* discrimination. You have two classes of people in the State of New York. You have one class that can go into a county clerk's office

or board of health or whatever it is in your county and you can ask for your birth certificate. And, you know, some nice little old lady who works there might come out and she'll hand ya a piece of paper and it'll have all your information on it. Who your parents are, their names, right, how big you are, in my case maybe you were a chubby baby, I don't know.

A-another class of people are adoptees who don't have this same fundamental right. They go to the same county office. They ask the same little old lady, "Can I have my birth certificate?" The lady says, "Sure. Ya have to give me the 10 dollars, ya give the the little fer, the, the fee. Ya fill out the little form, and then she comes back with an awkward face, telling you that you're not actually entitled to it. That's discrimination. And that's what the current law of New York State provides.

The other thing is about identity. Now, if you look around this chamber you see flags. You see flags of Jamaica you see Ireland, alright, I see things potentially identifying other people's sexual identity. I see Puerto Rico. My friend, Mr. Golan, uh, waiving here.

You know when I was adopted they gave me some non-identifying information. They told me, "This is who you are. As a state, we're gonna provide you with as much information as possible." So they gave me some paper and it said I was a specific ethnic identity. And I believed that my whole life. Alright? My whole life. My whole adult life, really.

I had a great relationship with my adoptive parents. They're not, I don't even call them my adoptive parents. They're my mom and dad. I have a great relationship with them. They gave this information to me. I was shocked at who I was according to this paper. And my whole adult life I went about thinking I was this particular ethnicity. Alright? Imagine one day someone someday telling you, Mr. Golan, that you're not Puerto Rican. You are Irish. He's the right example so I, but imagine that, imagine that. It's too good not to laugh.

Umm, but imagine someone telling you that in the middle of your adult life that you're actually not this particular identity. Now, how do you react?

I was 33 years old, uh, uh, 32 at the time and it was only because of these activists in this adoption movement they said, "Hey, you know, why don't you take a DNA test to find out more about yourself," and I said, "Wow, that's, that sounds interesting." Oh

wait you can't even do it in New York State because that's illegal, too. I had to drive over the bridge to New Jersey to take a DNA test. Umm, and I found out something was different.

So a chamber that cares so much about identity and so much about discrimination this is a bill that will address these two topics for one very important class of people.

Um, the other reason is health history.

So this same piece of paper that told me I was wrong is now supposed to give me medical information. So this, you know, God bless her for, for making the right choice for me. I, I ended up with a wonderful family. But my biological mother was 16 years old at the time. Apparently didn't even know what the father was. Right? Now I'm relying on her information that she provided at 16 to make my medical decisions going forward. How is that fair?

And I know that many of you have lost parents and grandparents and they might not be able to provide you with all the information that you want about, you know, cancers and different jency, genetic diseases, but at least you have the option. Alright, my biological family may have died, too, you know. Who knows?

But I can tell you this. 32 years from when I was born, almost 33, my biological parents have suffered diseases. They've suffered different types of cancers, alright? My biological grandparents probably died of something, right? And all of this information I potentially could have if I want to meet my biological mother.

And that's the other thing. I mean, what are the, o-opponents of this bill afraid of? I'm an adoptee. I don't want to meet my biological parents. I mean, I wouldn't kick them out if they tried to meet me, but I'm not someone who, whose life needs to be fulfilled by meeting this person. I'm thankful to her for she made the choice she made, and I can move on with my life. But what is the fear that some people will have that, that, that, the, these adoptees, these adult people, these aren't children. When you talk about adoptees often times people picture children who need protection and that's fair, right? For 18 years of your life ya are. But as an adult, what are they afraid someone like me is gonna do? Right? I would imagine more adoptees are afraid of rejection than afraid of, you know, the, there's more likelihood that they're afraid of rejection than they are to, to try and go and disrupt someone's family life.

In the states that have done this already, hell didn't freeze over. Alright? There wasn't a giant increase in abortions. Why? Because most adoptions are open now anyway. Alright? The sky didn't fall down. Alright? Can we legislate that awkward conversations never happen? Absolutely not. I just saw an awkward conversation on the floor 5 minutes ago. There's awkward conversations in parts of this state for, for dozens of reasons. And if that's what we're afraid of, then we should probably re-examine a whole bunch of bills.

So I urge my colleagues to really think about adoptees as adults. As humans. This bill is not perfect because it doesn't actually address the first thing I spoke about. Equal rights. Discrimination. This bill still requires an adoptee to ask permission like a child. Daddy can I have my birth certificate? Alright? Asking a judge. For any of you who may or may not be adopted...well, I'll tell you, if any of you who are not adopted, do you have to go through the same process? No. You go back to that courthouse or that clerk's office, you ask the nice old lady. She'll give you the piece of paper...that simple. Right?

This bill, at the very least, allows adoptees a course of action. A course of action to get the piece of paper they want. And it really is just a simple piece of paper.

To you it's a piece of paper.

And that's the most frustrating part. The little old lady, she sees the paper. She can go into the file cabinet, look up your date, pick it up. She sees the information on it. She doesn't care. No one in the world cares about the information on that paper except the one person in the world who can't actually get it. This bill still requires people to go through a process to get what everyone else is entitled to.

I urge my colleagues to vote naw, uh, yes on this bill. I urge my colleagues to consider future amendments that would grant adoptees full rights, as everyone else has. And look at the miles of other states, New Jersey just did it, other states as well. The sky didn't fall. You know, the world wasn't turned upside down. And if anything the states got a little better. Thank you very much.

(03:36:36)

MR. SPEAKER: Thank you, Mr. Borelli. Miss Glick.

MISS GLICK: Thank you Mr. Speaker. Will the, uh, sponsor yield to a question or two?

MR. SPEAKER: Mr. Weprin, will you yield?

MR. WEPRIN: Gladly Miss Glick.

MR. SPEAKER: Sponsor yields.

MISS GLICK: You talked about a process does this, uh, measure, uh, allow for the unsealing of a record that uh, an, a woman would have assumed was uh, sealed and kept confidential?

MR. WEPRIN: Uh, well, potentially, but just for the, just to, to clarify, uh, no woman, uh, upon relinquishment of the child, was ever, uh, promised anonymity. Uh, the state law was that you give up a child for adoption, you relinquish the child, and the record is not sealed until adoption takes place. Now that could be a matter of days, it could be a matter of weeks, it could be a matter of months, it could be a matter of years.

MISS GLICK: Uh, if you'd yield to another question?

MR. WEPRIN: Absolutely.

MISS GLICK: Uh, in an instance where, umm, a youngster uh gives birth and determines that, umm, it is in the interest of best interest of both herself and her child, uh, that, umm, the record be sealed and, uh, adoption takes place and that young woman goes on with her life, uh, is there any, uh, the state, for whatever reason, doesn't actually deliver paperwork, uh, to the right place, uh, a few months goes by, uh, and then, uh, that record is unsealed?

MR. WEPRIN: Well, what would happen is, um, this is an amended version which actually addresses, uh, the issue, uh, that your, you seem to be concerned about, the, uh, the right of the, uh, birth mother, or, or, uh, birth parent. Uh, this bill would, would basically, um, apply to the court, this amended version, uh, and at that point, uh, the court, uh, will direct the Health Department, uh, to do a search for 120 days, uh, to find the birth parent based on the information that they have, uh, and, uh, if they can locate the birth parent or parents, uh, they will ask that parent whether they want to remain anonymous, in which case, uh, the adoptee would be granted a redacted version of the birth certificate with the name of the birth parent that wanted to rename, remain anonymous. Uh, if they could not locate, uh, the birth parent or if they determine that the birth parent is deceased, uh, then they could relee, they would release the birth certificate unredacted, uh, with the exception, uh, if the court had other evidence or any reason to believe, uh, that there was a problem releasing, uh, that birth certificate.

MISS GLICK: So there is the possibility that if someone chooses to remain anonymous but is not contacted within a period of three months, uh, their information is disclosed.

MR. WEPRIN: Uh, four months. Hundred and twenty days.

MISS GLICK: Four months.

MR. WEPRIN: Uh, it is possible, but then again if there was evidence to the court that there would be a danger in releasing that name even though that person wasn't contacted, uh, they could make that decision, but again, the point is that, um, adoptees should have the same right as any other citizen in the state to know the medical information and, and have that birth certificate that simple piece of paper, and we're talking again, as the previous speaker referred to, adult adoptees, we're not referring to children, and why should those, um, adult adoptees have any less rights, uh, than any other non-adopted person in New York State.

MISS GLICK: Uh, on the bill.

MR. SPEAKER: On the bill, Miss Glick.

MISS GLICK: Certainly in the course of, uh, my life I have known, uh, a number of people who are adopted and there's a varying desire to know, uh, who birth, their ber, their birth parents are and some who have, clearly have no interest.

Um, for the young woman who has, uh, gone through a very, uh, traumatic and un obviously an unintended or unwanted pregnancy for any number of reasons whether it was, um, the result of a, an incestuous, uh, pregnancy, uh, or, a, a rape, uh, they may not, uh, wish to, they may have made a determination that they do not want that, uh, reminder. They have moved on entirely, umm, and it's possible that in a matter of, uh, four months the state of New York might not have been able to, uh, reach them for that information.

Uh, my heart goes out to people who are searching, uh, but for me, um, I think that there are, uh, two sides as it so often is to, to every story and, umm, unfortunately I'm old enough to know people who, uh, were, uh, in the situation when they gave up children when they were, uh, fairly young, uh, and have very much moved on with their lives and have, uh, families, uh, who they have, and they have not chosen, uh, to privately try to find, uh, the child that they, uh, for whom they gave up their rights.

Uh, and I, I think that if somebody is in the situation where they believed that their anonymity would be protected, uh, I, I, I am, I feel very conflicted about this 'cause I understand the pain that some people may feel. Uh, but I also feel for that, uh, young person who, um, went through an, a pregnancy, an unwanted pregnancy, and, umm, believed that they, uh, were moving on with their lives and their, uh, entire adult identity if you will is as a person who did, no longer had any relationship with that child, and that part, that for however brief, part in their life and they want to, uh, live, uh, without, uh, being identified, uh, or, umm, necessarily, meeting, uh, that, uh, that person.

Now, um, there are many people who for, uh, any number of reasons may not know their personal history not simply adoption people maybe, uh, orphaned as a result of a, uh, crime or, or a, uh, terrible accident and have no, uh, family to connect to. Those are, you know, painful circumstances and I feel for those people but, uh, I, I do think that, um, the inability to remain anonymous, uh, after a, a four month, uh, search not sure how diligent it is umm, or will be by the state, uh, uh, I just am troubled by, uh, making a decision that, uh, exposes what they believed was an an-nonymous and confidential circumstance. Umm. Thank you.

(03:48:05)

MR. SPEAKER: Mr. Butler.

MR. BUTLER: Thank you very much, Mr. Speaker. Uh, on the bill.

MR. SPEAKER: On the bill, Mr. Butler.

MR. BUTLER: Yeah, uh, 31 years ago this Sunday my wife and I were able to adopt a, a beautiful young, uh, girl from, um, infant from Catholic Charities from here in, uh, in, uh, Albany.

And, uh, she had a fairly typical, uh, early childhood but she had a very difficult adolescence. Uh, and, when we took her home her mother had written her a letter, uh, her birth mother, and said that, that when she turned 18, uh, she would apply on the, uh, adoption registry here in New York State and perhaps they could have a relationship and, and she could learn a little bit more about it.

And I learned much later from my daughter, uh, that when she was having these difficulties as a teenager, uh, the one thing that, that would get her out of bed and get her going in the morning was the hope that someday she would meet her mother, ask

her all those difficult questions you heard the previous speaker talk about, and, and get some answers to her life.

And, uh, I guess even as an adoptive parent I didn't fully understand how important that was for her, uh, and, and what it meant to her.

So on her eighteenth birthday, I took her to the adoption registry and, uh, found that her mother had not signed up for the registry and, and our daughter was, was devastated and she said it was like she lost her, her birth mother twice in her life.

Uh, time went on things have changed but I, I want to tell you, um, I think that's always a wound that she's had, always a pain that she's had, that's never fully healed.

Uh, she now has her own children and, as I said, she's a, a happy functioning, uh, professional now and things are going good for her but, uh, it was certainly a learning experience for us and I saw the pain that, that, that she went through, uh, and when I saw this bill I thought about her and, and what that would have meant to her.

And as we discuss it here, uh, I think back to when this young girl gave her up for adoption 30 years ago, uh, if anyone had suggested that we would determine that marijuana would be useful as a medicine, 30 years ago they'd have said you were crazy.

If we'd have said 30 years ago, uh, we will make gay marriage in New York State perfectly legal, uh, they'd have said you're crazy. Uh, we talk about trans-gender issues and all of those issues. Uh, to me they're an indication that our, our ethics, our ethos, our, uh, society has evolved and certainly I think the thought in this legislature has evolved.

And I don't and, and, and certainly I understand the concerns of previous speaker raised. But I think our society has advanced to a point where the stigma that at one point was attached to, uh, to adoption has, has pretty much, uh, mostly gone away and I don't think that it's the same kind of issue that it was at, at one time in our society.

And I know the sponsor has made some adjustments to this bill. Uh, we don't, as a co-sponsor, we don't think it does everything that we had hoped when it was originally proposed. But we see it as a good first step towards resolving this situation.

Uh, believe me, Mr. Speaker, I have seen it first hand I will tell you my colleagues how important this legislation is to those adoptees and I would urge a yes vote as ardently as I can here today on this bill. Thank you.

(03:51:48)

MR. SPEAKER: Thank you, Mr. Butler. Ms. Weinstein.

MS. WEINSTEIN: Uh, yes, thank you, Mr. Speaker. Would the sponsor uh, (inaudible)

MR. SPEAKER: Mr. Weprin, would you yield?

MR. WEPRIN: Gladly.

MS. WEINSTEIN: Mr. Weprin, so can you just ex-explain very briefly what exists, if someone is interested in, uh, trying to find their, their, uh, their birth parent is there a process in New York State that they can utilize. I think Mr. Butler may have alluded to it.

MR. WEPRIN: Well, yeah, there is a registry but, uh, it, it's, not, uh, it needs a lot of work and it's, uh, not that well known or that used, uh, and it doesn't necessarily, uh, give that simple piece of paper that many, many, uh, adoptees, uh, have been fighting for. Ya...

MS. WEINSTEIN: Uh...

MR. WEPRIN: You know, uh...

MS. WEINSTEIN: I...

MR. WEPRIN: Uh...

MS. WEINSTEIN: Oh, okay, thanks, and the, the next question that I wanted to speak on the bill. And if someone is, uh, interested in trying to obtain their medical information if an, an adoptee is interested in obtaining their medical information, uh, is there a process...tha...process now that they can obtain this medical information?

MR. WEPRIN: Uh, not really, not unless it's in the registry and, and, uh, the registry, as I've mentioned, it's not, uh, highly used. Ya, ya know the, the other point is that, umm, very often, umm, when, uh, young, uh, birth parents, as one of the previous speakers mentioned, give up a child for adoption, uh, they're often, ya know, at a different state in their mind than they would be, you know, 18 years later, or, or longer and, umm, you know, anybody, i-if we're worried about protecting the anonymity...

MS. WEINSTEIN: No, I was just asking about the medical information. So...

MR. WEPRIN: Well, we...

MS. WEINSTEIN: You, you can spee...uh...

MR. WEPRIN: Most adoptees feel the registry, uh, does not provide the information in most cases.

MS. WEINSTEIN: Okay, um, so, I, you know I assume though that you would be aware that you can make an, that an adoptee can make an application to the Surrogate's Court if they are interested in, uh, trying to obtain their medical information and the court would then make efforts to contact, to first look in the files to see if there are, uh, medical records there and then if those medical records don't exist would make efforts, could direct the, uh, uh, an attempt be made, to contact the birth parent and to obtain, um, those medical, that medical information, uh, s-something somewhat similar to the process you describe here.

MR. WEPRIN: Yes, uh, that is somewhat accurate, however I've been carrying this bill for five years, and this bill has been around for twenty three years, and the anecdotal evidence of every adoptee that has made an application to the court, I've not found one that it was granted, uh, despite, uh, medical evidence. Even in the case of one particular adoptee, uh, that discovered later that the, uh, the birth father, uh, of the adoptee, uh, subsequently had a massive heart attack, uh, at the age of 40 and found out later that his father had had a heart attack in his 40's, a massive heart attack, and died of it and, uh, the application was still not granted, umm, and in today's day and age it is very common with the Internet and with private investigators that someone that really wants to find out who their birth parent are they can do it, uh, through the Internet through private investigators but there's a significant cost involved, uh, and, uh, poorer...

MS. WEINSTEIN: Than...

MR. WEPRIN: ...people...

MS. WEINSTEIN: Than...thank...

MR. WEPRIN: ...and people of lesser...

MS. WEINSTEIN: Thank you for the...

MR. WEPRIN: ...means don't have...

MS. WEINSTEIN: Thank you for...

MR. WEPRIN: ...that option.

MS. WEINSTEIN: ...for answering that question. I-if I could just have a few moments left to, to speak on, on the, the bill.

You know, I, I too share, uh, the concern and the desire, and appreciate the desire of adoptees to know more about, uh, their personal history, their, their personal life, uh, very importantly the, the medical, the medical history with the advances we have in medical science. Uh, current law does allow a-adoptees to make application to the court and in fact the o-obtaining of medical information is actually probably more helpful than just obtaining, uh, then, the, the obtaining of the birth certificate that doesn't really have a lot of that information.

Uh, it seems to me that what you really get out of this legislation is, is the birth certificate. I know that has special significance, uh, to a lot of, lot of people, but, the, I've heard from the Surrogates' Association representing all of the Surrogate Court judges around the state as well as many individual Surrogates who have, uh, written to me 'cause we have a few of these bills, uh, on a similar topic in, in judiciary, uh, and they're very, they're concerned about, th-the implied contract, if you will, that was given to the predominantly the, uh, w-women though sometimes both parents were, were part, a part of the uh, were part of the adoption, uh, surrender, uh, the, a, implied contract of privacy and the impact of an individual who is not able to be contacted through this, this process having their information, their personal information, contact information, released and the potential harm that that can bring i-in terms of the disruption of their life, the reliving of a, a, a painful time in their life, possible it may have been criminal, a, a, a criminal basis for the, the pregnancy, uh, there's the potential of, one of the judges points out, the potential for, for, uh, blackmail.

Uh, I, I would say, David, Mr. Weprin, that if this bih..., uh, not, not to ask you to yield, but if this bill were to not allow the release of information if there is, if there's silence on the, the search from the health department, if the person, uh, is not able to be contacted and if the court were to be not then permitted to release the information, I would be supportive of, of much of this bill, but the piece of the bill the, the language, the section that allows the court to release personal information, identifying information to an, eh, to an applicant where there's silence, because they're not able to be found, that part I, I find disturbing. I, and I want to, ca, I do want to commend you though on, on the portion of the bill that talks about a public

advocacy campaign, a public awareness campaign of the state registry, I think that's something, that we should have, that we should do, and would, as a separate bill, I'd be very supportive of trying to advertise our registry so that more adoptees can be reunited if that's by a parent that wants to be reunited not by a parent that doesn't want to be found. Thank you.

MR. WEPRIN: Yea...Uh, on the bill, Mr. Speaker

MR. SPEAKER: Umm, we have other speakers, Mr. Weprin.

MR. WEPRIN: Okay, I'll wait.

(03:59:20)

MR. SPEAKER: Alright. Uh, Mr. Goodell.

Mr. GOODELL: Uh, thank you, Mr. Speaker on the bill.

MR. SPEAKER: On the bill, Mr. Goodell.

MR. GOODELL: Umm, I, I very much appreciate the comments of my colleagues on both sides of this issue. Uh, and I know it's a very difficult issue for many.

I was personally involved in a similar issue. I am not an adoptee but I was contacted by the Surrogate Court, uh, because an adoptee had a medical issue and was searching for a match for an organ donation. Unsuccessful up to that point in time.

MR. SPEAKER: Shhhh.

MR. GOODELL: And the Surrogate Court opened up the adoption to identify the adoptive, the, the original parents, the biological parents. And also to disclose the names of all the siblings from the subsequent the marriage of the biological mother.

And that biological mother had given up that child when she was very young, it was extraordinarily painful for her to give up that child, that beautiful little child, and it took a tremendous amount of personal courage to put the interests of that, ad, little baby and the future of that baby ahead of her own when she gave that up for adoption. And the amazing thing is, she then moved on in her life subsequently at a much ad, later age got married and had a new family and her new husband and her children never knew that they had a sibling, or that this woman had a baby before.

And so there is a process that we have under current law, when there's a medical issue, where we put the lives of the adoptee ahead of other privacy concerns. And I went forth and I tracked down each and every one those relatives, and without disclosing any identities, personally asked 'em if they were willing to have their

identity disclosed to the adoptee, and vice versa, and all but one said yes. And based on that, they were able to make arrangements. We have a process that's in place now, and that process reflects the sensitivities that are involved. And if we don't recognize how painful it can be, and how much courage it takes for a young mother to give up and adopt a, a little baby for adoption, placing the welfare of that little baby ahead of her own personal desires sometimes. We need to be aware that there are other alternatives that are all too easy in our society. Because a young mother like that can ensure that she is never contacted in the future by having a simple abortion. And that's not an alternative that I would recommend for anybody.

We have, up to this point in time, repeatedly reassured that mother that if she goes through this painful process and puts the best interests of her child first and foremost, that her confidentiality will never be breached. That's what we've told them. We've told them over, and over, and over again. And we've told the adoptive parents. When you adopt this beautiful little baby, and you raise that baby, and you devote your heart and soul into that baby's future, we tell the adoptive parents you don't have to worry about the birth mother coming back onto the scene and second guessing what you've done. We want you to have that relationship that's involved there. And we've told the adoptive parents that, over and over again. And all of 'em have moved forward to make the best of what might have been an extraordinarily difficult situation.

I certainly agree with my, uh, colleagues. Doesn't always happen, but I certainly agree with my colleagues that we need to be very, very respectful of the issues that are involved when we change the rules, and breach that confidentiality without going through that court process that protects that confidentiality while still providing a means to address medical issues. Would any of us want such a critical issue to be based on how well state bureaucrats are at notifying us decades later?

I don't know about you, but I'm always concern myself fortunate that the DMV can even send me a ream-minder that my license is up for renewal and they do that every few years.

Having been in this field I will tell you that when you're trying to track down adoptive parents 20 years later, and they may not even be in the same state, and they may not even have the same last name anymore, because they may have married and changed

their name and their address, it is not an easy process, and I would never trust a state bureaucrat to approach that with the diligence, and the effort that's required.

I agree with my, uh, colleagues that reaching out to adoptive parents and asking for their, uh, the, uh, the biological parents, and asking for their permission, is the right thing to do. And I agree with my colleagues, that if they give that consent, that's also the right thing to do. But I also agree with my colleagues that we should not automatically breach that confidentiality that we have repeatedly assured them is inviolate. We should not automatically breach it simply because a state bureaucrat has been unable to locate them within four months. And so I share the views of my colleagues. I share the views of my, my friends if we can open up the process while still balancing those incredibly important issues, I would support it. Unfortunately, the automatic disclosure provisions and the failure to effectuate notice, in my opinion, means we should re-write that portion of the bill. And so, again, my, uh, my deepest appreciation for the comments on both sides of this issue. But we need to recognize this is an incredibly important family issue for a lot of people, not just the adoptee. But also the mother, and the father, and their new families, and the adoptive parents. Thank you, Mr. Speaker.

(04:07:52)

MR. SPEAKER: Thank you, Mr. Goodell. Mr. Raia.

MR. RAI: Thank you, Mr. Speaker. On the bill.

MR. SPEAKER: On the bill, Mr. Raia.

MR. RAI: Umm, I, I commend my colleague from, uh, Staten Island, uh, and his, and his, his moving personal story. Um, many of you have heard me talk about my mother, uh, whose been the elected town clerk from the Town of Huntington for 34 years, uh, and registrar of, of vital statistics. Uh, I'm sure she would take exception to her be called, being called a, a, a little old lady given the fact she's 5 foot eleven. Uh, but she is extremely nice. I'm also sure she would take exception to being called a, uh incompetent state bureaucrat uh, like, uh, the previous, uh, sp-sponsor speaker had spoke about. Umm, trust me I'm not going to give up your addresses, nor your identities.

Um, this is a tough one, this is one, uh, I, you know, quite honestly, I can go both ways.

I, you know I, I, I listen to my, uh, my colleague from Staten Island and, uh, he makes an extremely compelling case. I've listened to my, my colleague from, um, from Western New York and, and he, too, makes an extremely compelling case. But, uh, I've also listened to my momma and, uh, she's the one who reminds me regularly that she brought me into this world, and she can take me out, any time she wants.

I, eh, you know, I was on the, eh, the ancestry dot com not too long ago and, uh, the coolest thing is getting that little leaf and being able to follow back where you came from, where your ancestors came from, what your identity is, and you know we've been debating the, we've been, uh, talking about this piece of legislation for many, many years. It seems we get really close to making it perfect, and then we take a step back. Um, whether or not it becomes law this year, I don't know, but there's always room for improvement. But in the time being, I think I'm gonna be supporting this legislation because I can tell you, I've had the conversation with my mother and she said it is absolutely heartbreaking to be asked. Somebody files their form, they want to see uh, their birth certificate and uh, believe me she has been in office long enough that she's...as the marriage officer for the town she's married individuals, signed those individuals' birth certit...children's birth certificates, has married those children and actually signed the next generation as well, so thousands and thousands of birth certificates she has actually issued over the years and she has told me it is one of the most heart wrenching things to have to go back, pull the record and then see that she cannot disclose that message. And she says the look of pain that you see on that individual's face is absolutely heartbreaking.

While I understand everybody has rights, but it's unfortunately one where, when we're pitting one individual's rights against another. Uh, but in the time being, I'm, moving forward, I will be supporting this legislation and hopefully we can continually make it even better in the future. Thank you.

(04:11:30)

MR. SPEAKER: Thank you, Mr. Raia. Mr. Finch.

MR. FINCH: Mr. Speaker, will, um, Mr. Borelli, uh, yield for a question or two?

MR. SPEAKER: Mr. Borelli will you yield? Mr. Borelli yields, Mr. Finch.

MR. FINCH: Today is one of those unusual days. The level of discourse here on the floor is, um, superb this afternoon versus what we had this morning, where moments to be here are important.

I have two questions one of them is, um, in reference to the u-unanimity of the, um, of the, uh, biological mother and how that flows and in what direction it flows and are all parties, um, have a, have a contractual agreement within that unanimity or does it flow only one way?

MR. BORRELLI: Well, well, uh, you know, I actually, uh, agree with Ms. Weinstein and, and with Mr. Goodell that, that, the anonymity contracts should be absolutely respected. And those contracts are between the adoptive parents and the biological parents. The adoptee who's days old, or years old, is not a party to this contract. So, why should they be bound by something that they did not have consent? I mean, Mr. Goodell knows the parts of a contract you need an offer and consideration and all that stuff...when did an adoptee consent to having this sealed? And what consideration was given to me? It's none.

MR. FINCH: In regard to the information that goes on the document, who technically owns that information? Go 'head.

MR. BORRELLI: I guess the state might but it's ree, it really belongs to, not the biological mother, right, it doesn't belong to the adoptive mother, it belongs to the adult adoptee. Uh, I should own my birth certificate, and frankly not be given a fraudulent government document. Tha...that's what a, an adoptive birth record, sort of that part is. It's a record that says you were born here, at this time, at this place, by these two people. That's not true. That's a lie. Um, the original birth certificate, like anyone else here, should be the property of the adoptee, or the person.

MR. FINCH: And all the information is definitely, in your view, belongs to you and you alone?

MR. BORRELLI: Yeah, yeah, I mean, in, in cases of criminal activity that led to a pregnancy, there are plenty of people who are alive today who are the products of horrible situations. And I'm sure there are many mothers who sometimes see pain when they look at their children. If they were the victim of rape, say. Um, that doesn't preclude them, the child, from having any of the same rights, when they reach the age of maturity, as any other human being.

MR. FINCH: Thank you. Um, on the bill.

MR. SPEAKER: On the bill, sir.

MR. FINCH: Um, actually I've had two views of this situation. One was the fact that I felt that the, there was a contractual agreement between the, uh, adopted parents and the biological parents and the State of New York through the Surrogate Court. I believe they oversee adoptions, and I thought that was, took precedence over everything.

But in another sense I'm beginning to move in another direction here. There is another law out there that's above the New York State Law. I don't want to begin to quote William Seward, but there are laws that, ah, are, greater than, um, than some of the ones we have here, and maybe it is, um, that law we should, um, reflect on and understand the effects that they have on the adopted child.

So, I for one am going to support this legislation and urge my, uh, colleagues here to do it as well. Thank you.

(04:15:39)

MR. SPEAKER: Thank you, sir. Mr. O'Donnell. Shhhhh.

Mr. O'Donnell: We all have to, uh, take small victories. This time of year my victory is I don't have to speak on the floor of the New York State Assembly. So I guess I'm gonna fail today in that attempt.

Uh, I take great joy in hearing from my colleagues, particularly when they're willing to tell me they go both ways. I enjoy that. And I don't care what side of the aisle you're on. I'm happy to hear.

I'm choosing to speak today because there are certain underlying assumptions in the arguments in favor which are not actually true.

I have been opposed to this, versions of this bill since I got here and was lobbied extraordinarily heavily, and to be quite frank, often rudely, for the people who were in favor, one of whom lived next door to me who, we became very good friends. And when she learned from me that she could go to Surrogate's Court and get this information, she was thrilled. So when someone stands on the fl... and then I helped her find a lawyer to represent her for free, and she got that application granted. So the sentiment or sense expressed that it doesn't happen, or it's not

possible, that's profoundly not true. It does happen, and the people who have come to me, who I have helped, they have succeeded at that.

Secondly, the perception that all adoptees support this is also profoundly untrue. Because one of my best friends is lobbying me very hard against this bill. Now, I have some skills in cross examination. I imagine I could have cross examined her as to why. But I have too much respect for her life experience to do that. You could be an adoptee, or have adoptees in your family, and they're all in favor and I accept that.

But the perception that everyone is, is just simply wrong.

I want to be very clear about what my position is. I would support, and even author if s..., if they let me, nah, ya, and who knows about that, but, author a bill that said going forward all adoptions must be open in the State of New York. I think that's the right thing to do. But that's not the question here today. The question is whether or not somebody who, for whatever reason, made a decision a long time ago, whether or not we have the right to supersede that decision, supersede the confidentiality that they were promised. That's the other favorite lie. No one has ever produced the paper that says they were given confidentiality. Of course not. Because they want to remain confidential. If they had the paper they're not coming to a public hearing and saying "Look, mine's supposed to be confidential." Because that's what they were promised. And so, in the end, I don't think this is the right public policy. I think there's a way to do this that it's better. I think that we're denying the I-law as it is that gives people that opportunity, and so with great sadness and shock I'm here to report I'm voting with Mr. Goodell.

(03:18:55)

MR. SPEAKER: Mr. Gottfried.

MR. GOTTFRIED: Thank you, Mr. Speaker. I'm going to vote for this bill.

Uh, I have long believed that knowing who you are and getting access to your birth certificate is a fundamental human right and the fact that somebody else might not like your exercise of your fundamental human right should not mean that you don't get to exercise your fundamental human right. Uh, for all the reasons that, uh, that Mr. Borelli and others have said, uh, this is something that is extremely important to a lot of people. If there's an adoptee who doesn't want this information, uh, all they have to do is not go search for it.

But I think an adoptee who wants his or her original birth certificate and personal information has an absolute right to it. You know, we often hear that, uh, that, that it, that adoptions, at least maybe some years ago, were based on a promise or a contract, uh, of confidentiality. Uh, I know a lot of people who have asked all sorts of authorities for some documentation, uh, that that has been true and I've never seen any, uh, documentation, uh, that there are such contracts, uh, or promises. Uh, it's a myth. Uh, there are court orders sealing records, of course. But the notion that there was some contract, uh, is almost always a myth.

I think it is, I think it is profoundly wrong that for all the years that, that adoptee rights legislation has been pending in the, in, in New York, uh, that it has not come to this floor for a vote. Now, for me th-the only thing that I've been wrestling with is that this bill does not clearly and unequivocally establish, uh, the implementation of the adoptee's fundamental right. Uh, it is, uh, it is clearly half a loaf.

Now, I think anybody who spends any time in the legislative process quickly learns that when you can grab half a loaf, grab it, run with it, and come back for the next half next year. It's a little more awkward to be settling for half a loaf, uh, when fundamental rights are at stake. But, I've come to the conclusion, uh, that this bill is enough of an important enough step forward, uh, that we should take that step forward.

Uh, I take heart in the notion that the Health Department's, uh, search for the birth parent, uh, may well most of the time may be half hearted at best, uh, because if they come back saying, "Well, we couldn't find anybody," uh, that will enable, that will entitle, uh, the adoptee to the exercise of their fundamental right, which is to get their birth certificate.

I also hope that the enactment of this legislation, uh, in, in many cases will result in, in, in, in a birth parent consenting, and that will be good. And I also hope that if this bill becomes law, it will become the platform, uh, for a renewed movement, uh, then, to, to amend it, uh, and make it clearly, uh, establish the, the recognition, uh, of the adoptee's fundamental right. And so because I believe that this bill is, b-because I believe that the adoptee has this fundamental right to their birth certificate and, and their personal information, and because I believe this bill, uh, is a real step in that direction, although certainly a disappointment to an awful lot of the advocacy community, uh, but because we could easily not take this half a loaf and Lord knows

how many years from now still be banging at the door for legislation uh, I think it makes sense to enact this bill, uh, into law and I hope that, uh, six months from now after it's become law, Mr. Weprin, will come back next session, uh, with a bill, uh, to make major amendments, uh, and I will be delighted to, uh, help him get that legislation become law.

(04:25:04)

MR. SPEAKER: Thank you, Mr. Gottfried. Ms. Barrett.

MISS BARRETT: Thank you, Mr. Speaker.

Umm, I don't usually talk very much about my personal situation but, as a mother, I have one birth child and one adopted child, and so that kind of gives me a, a unique perspective on this. Even more that my daughter was born in Russia. She was born in 1991, at a time when, you can kinda picture what was going on there. We have no opportunity to get her birth information. We have no opportunity to find out who her birth mother was, who her birth m-father was. Any of those things.

And here we are in s... in a country and in a state where we can do that for adoptees. I really want to thank the sponsor for his persistence on this bill. It's, it's a small step but it's a huge step for kids, and for families. And it's the right thing to do. And I really encourage my colleagues to support the, the kids who have grown up without this kind of information, most of whom are adults now because, you know, most a-adoptions currently are open adoptions, so we're talking, really, about adults who have lived much of their life without being able to access this kinda, kind of information. And I'd just encourage you to think about that community and what a difference this would make. And maybe it's not perfect. Maybe it's not fully, eh, what everybody wanted, but it's a step in the right direction. Thank you.

(04:26:30)

MR. SPEAKER: Thank you, Ms. Barrett. Mr. Titone.

MR. TITONE: Thank you, Mr. Speaker. Um, I can only imagine, uh, um, Mr. Borelli's excitement finding out from uh, uh, his DNA that he's actually half Cuban and half, uh, Greek.

The whole idea of uh, um, the privacy, uh, during adoptions really, uh, happened in Victorian times. That's how men who would, uh, uh, get women pregnant they...tha,

that's when it became the embarrassment. That's when we started to have this secrecy. That's when we started to hide unwed moms. It was in Victorian times.

The laws that we now, you know, uh, uh, uh, follow with respects to a-adoption are all based on the Victorian Era of secrecy.

Um, uh, you know, one of the speakers, I think it was Mr. Goodell, who was talking about, you know, a woman putting his, her child for adoption, and, you know, he talked about that being in the best interest of the child. That's not exactly true. In fact that's kind of a big lie. If you're going to keep the identity of a person's history, their biology, removed from that person, that's not in a person's best interest. That's one of the worst things that you can possibly do to any person, uh, uh, is to keep their history undisclosed to them.

It is terrifying to some. It is just so painful, uh, growing up not knowing who you are. Where you came from. I speak, uh, uh, an, an, and, you know, and, and, I, I, I certainly appreciate the argument the, of the, you know, keeping the, uh, uh, the biological, the birth mother's identity secret because, you know, something happened when she was younger and now she's moved on. I appreciate that, but it fails to recognize that the adoptee never gets that opportunity to move on because they are stuck not knowing who they are. Mr. Speaker, I really think this is a good bill. It's not everything that we wanted, I would agree with Mr. O'Donnell, uh, you know, all adoptions should be, uh, o-open the way we did it before we were, uh, uh, shackled by Victorian Era, uh, sensibilities, um, but until that happens, certainly this is a step, and we're talking about it finally, uh, openly, uh, um, in the right direction. I, you know, if, an, an, not just, you know, for the people, my friends, and Mr. Borelli, tha..., who want to know who they are, you know, I'll be voting yes for my baby sister Elizabeth.

(04:29:37)

MR. SPEAKER: Mr. Blankenbush.

MR. BLANKENBUSH: Thank you, Mr. Speaker. On the bill.

MR. SPEAKER: On the bill, Mr. Blankenbush.

MR. BLANKENBUSH: I, I just, I just thought I would give this out for information. Um, my chief of staff is adopted, and since he, he, he doesn't have a life, he's sitting back there listening to this debate. So, I asked him. I said, um, "Are you listening to the debate?" and he said, "Yes." And I said to him, "Do you know your bir..birth mother?"

because I, I never really asked him that question. And he said, “Yes. Uh, we both consented and, were” I’ll just read what he’s, he said to me, “We both consented and were then matched by a non-profit and had a person talk to both of us before mee..., before the meeting, uh, so that both sides, uh, would agree that they wanted to meet. My experience,” his experience, has been positive. But he knows of others that have not so positive.

He goes on and says, “I’ve always felt both should consent. The mother and the child and only until the child became 18 or older.” And then he said, “I would vote no on this bill.” So, I just, it’s a, uh, oh. He says, “I do have a life.” Uph. I, I, I just...

MR. SPEAKER: Technology, Mr. Blankenbush...

MR. BLANKENBUSH: He pra...

MR. SPEAKER: Technology.

MR. BLANKENBUSH: He pra..., He probably sits there thinking I might say something stupid or vote for the wrong thing. Ya know? Anyway, you know how chiefs of staff are. But I, I just thought it would be interesting to share that with, because I know he, he, he would let me share that with e-everyone, uh, just from his perspective, uh, and I just wanna let you know.

And, by the way, just one other comment. Uh, speaking about babies, uh, just uh, minutes ago, just, you know. We’re still getting dinged. Minutes ago, Assemblyman John Ceretto became a grandfather.

(04:31:52)

MR. SPEAKER: Hey, hey, hey, hey! Mr. Ss...

MR. CERETTO: Thanks but, um, you know, we have four children and, and, um, and the text messages have been going all day since, uh, my daughter started labor started this morning. At 6:00 in the morning, her water broke. And, um, so I’ve been focusing here but also with my family life and, you know, the one thing is that’s so... My granddaughter, now, this is my first granddaughter, her name is Eva Lorraine, they live in Charlotte and I, boy, I tell ya, I wish I could bring ‘em back home to New York State. But right now she’s working, everybody’s fine, so I can’t wait to leave session...

ASSEMBLY: (laughing, applauding) Hey, hey!

MR. CERETTO:...to go home and join my family but that's the one thing that I think that a lot of people at home sometimes forget. That us, as elected officials we do have to make the sacrifices to be here, to be away from our family, even when your children are having children and, and that's our sacrifice. And, um, the thing is, is with my four children, way back when, when I started off as a counsel person, they know. They know we make these sacrifices, so with that I'll, I'll just stop, and I'll go, and I'll just say I can't wait to go on home and join my family so....

(04:33:25)

MR. SPEAKER: Congratulations, Mr. Ceretto and considering how we started the day thinking about Charlotte it's so happy to hear good news coming from that town. Thank you. Ms. Paulin.

MS. PAULIN: You know, um, when this legislation, ah, appeared on the screen, ah, you know, I said, "Ah I'm not gonna speak. Umm, and then after hearing all of these stories, uh I started reflecting on my own.

MR. SPEAKER: Shhh.

MS. PAULIN: Uh, and you know when I was, uh, 26 years old, my mom came to me and said, "You know I, I have, um, there's something I have to tell you." And we went down to the basement just the two of us, and she said, "Ya have a sister."

"I know mom I have three sisters."

"No," she says, "you have another one." Because when my mom was in her, very, maybe 20 years old, she gave a, an, young daughter up for adoption. And she, uh, thought, she was one of the most horrible, evil people she knew because, not because she gave a young child up for adoption, but because she had had a baby out of wedlock. And at the time when that happened, it was considered very, very immoral. It was a terrible thing. And for all those years my mom lived with that guilt, and lived with the fact that she thought she was a horrible, horrible person.

And, she, um, told me this. Um, I was her oldest, of the four daughters that she had subsequently with my father, but she had never told another person. Not my other sisters, not my father. The only, the only one that, the only two people she thought that knew were her parents. And, um, it took her years before she could get on with her life. And that sister, uh, really didn't want to know us. She wanted to know who she was. But we embraced her, and for the rest of her life, she died just recently, we

had another sister. Her other sibling from her biological father wanted nothing to do with her. She faced that rejection, and we faced it with her.

In honor of my sister, I am going to be enthusiastically pushing that button. And in honor of my mother, who learned so much later in life that there was nothing to be ashamed of, I am voting in honor of my mother. So I want to thank the sponsor for bringing this legislation forward, because as my colleague next to me said, those laws were written in Victorian times, and both the mothers and the subsequent children who are here today, they are living with an antiquated system, and they need to be freed, and this legislation goes a long way to freeing those children, and freeing those parents.

So, thank you. I will be voting, and look forward to voting in the affirmative.

(04:37:22)

MR. SPEAKER: Read the last section.

CLERK: This act shall take effect January first.

MR. SPEAKER: The clerk will record the vote.

(04:37:50)

MR. SPEAKER: Mr. Weprin to explain his vote.

MR. WEPRIN: Um, thank you Mr. Speaker for allowing me to abstain from voting to explain my vote. Uh, this Adoptee Bill of Rights is a long overdue piece of legislation that will finally empower adult adoptees. In other words, these adult adoptees have been denied this rather basic human right simply because they were born in New York State, where currently the law dictates that their records are to be sealed. But not for long. Ladies and gentlemen, 2901-a will finally and once and for all give these thousands and thousands of adult adoptees with the same basic right to access their original birth certificate, like all other citizens of this plate, of this state. Having New York as your place of birth should never feel like a misfortune but should instead give a sense of pride as I know it gives most New Yorkers.

Last year there was a public hearing on this bill through the health committee. The panel had nearly 40 testimonies, with only two of them being against the legislation. Many huf, of the points in those opposing testimonies were debunked in that same hearing. Birth parents were never promised anonymity, and other states where records are now open contact preference forms submitted by birth parents have

overwhelmingly opted for open contact, with the preference for no contact accounting for a very slim margin.

This legislation is an important first step. Uh, it is not ideal, it is not my original legislation which I would prefer to have and, ah, once we see how this is working, I'd be happy, uh, to, uh, as one of my colleagues mentioned, to bring back, uh, additional legislation, uh, on this subject. Amending the existing New York State Domestic Relations Law and Public Health Law would provide adult adoptees with the same access to information that a non-adopted person has the legal right to obtain. No one, in my opinion, should be denied the right to obtain information about themselves concerning their medical history and ethnicity. It is unacceptable that adult adoptees are the only group of citizens in New York State that are unable to obtain this, um, information. This legislation has been around for 23 years, I've sponsored it for five years, uh, I'm happy that this has finally come to the floor for a vote. I proudly vote in the affirmative.

(04:40:13)

MR. SPEAKER: Mr. Weprin in the affirmative. Mr. Cahill.

MR. CAHILL: Thank you, Mr. Speaker. There are many times when we stand in this chamber that we are asked to balance the rights of individual citizens, uh, of the State of New York. And today is an exact example of that exercise. There are the rights of the parents, and there are the rights of the child. And what we heard today was a very eloquent and meaningful and thoughtful debate. Made me proud to be part of this chamber. I clung to every word to every word that every person said, not exactly certain how I felt, but pretty sure how I felt. And if I could sum it up: I thought about what would the people in that situation do. And I thought that the child would be very considerate of the parent, and make their determination based upon that consideration. And I thought as a parent, I would like to give my child every option possible. We hear a lot about another issue that revolves around the rights of individuals in this chamber. We hear about it every time we deal with Medicaid. Well, let me just say this: I believe the right to life attaches at birth. And I withdraw my request and vote in the affirmative.

(04:41:41)

MR. SPEAKER: Mr. Cahill in the affirmative. Mr. Butler. Shhh.

MR. BUTLER: Thank you very much, uh, Mr. Speaker.

I think it's quite apparent that, uh, this bill is not a typical bill, uh, as you heard our other speakers say. I think many, many of our colleagues came into this, uh, chamber today without their minds made up on this bill and I think that the words that were said here, uh, had a great influence on the decision that is being made here. Uh, obviously it's led to some unusual alliances both pro and con, but nonetheless, uh, as the previous speeches said, I think this has been a great exercise here today. Uh, I think we all should all be proud of, of the way the discussion and the debate went. And most of all I want to congratulate the sponsor for his, uh, tenacity and, and for keeping with this bill, uh, and I agree with him that I think we need to go further with it but I congratulate him on his efforts to get up to this point, and with that thought in mind, Mr. Speaker, I'll be voting in the affirmative.

(04:42:44)

MR. SPEAKER: Mr. Butler in the affirmative. Mr. Phillip Steck.

MR. STECK: Thank you, Mr. Speaker. I just wanted to, uh, extend my congratulations to the sponsor, and also to, um, my colleague on the Republican side of the aisle, Mr. Borelli, uh, for his very moving story in support of this bill. Thank you. I'll be voting in the affirmative.

(04:43:10)

MR. SPEAKER: Mr. Steck in the affirmative. Mr. Thiele.

MR. THIELE: Yes, Mr. Speaker, to explain my vote.

MR. SPEAKER: Explain your vote.

MR. THIELE: Thank you, Mr. Speaker. I, I, for, f-first of all, I want to commend the sponsor for all of his hard work on this bill. I've been a co-sponsor of this legislation for a long, long time and, and in support of the legislation. And it is heartening, I know, for all of those that have advocated to have this debate on the floor so that this legislation could get a full hearing. Umm, certainly in the last couple of days I've been contacted by, uh, many of the proponents of adoptee rights who have been unhappy with the recent amendments, who have actually even urged me to vote no on this bill because it didn't give them everything that they wanted. And, uh, I listened very carefully to those arguments but, uh, at the end of the day, uh, I have to come down on the side of, uh, what one of one of our colleagues who supports the bill said

during the debate. Uh, and that really goes to the legislative process and that is when you have half a loaf, uh, you take that half a loaf and then you, uh, you go back to fight another day. And, uh, it's really based on that principle that, uh, I will be voting yes today. I realize that this bill, uh, even for the proponents of adoptee rights doesn't do everything that they want and they would like to see the State of New York going, going further, but it's been a long wait just to get to this point, to get this bill for a vote in the Assembly and I think, uh, thanks to, uh, uh, our sponsor on this legislation we have that opportunity today. And I think we need to seize the moment and for that reason I will be voting yes.

(04:44:53)

MR. SPEAKER: Mr. Thiele in the affirmative. Miss Malliotakis.

MISS MALLIOTAKIS: Thank you, Mr. Speaker. I also rise to say that I'm support-supportive of this piece of legislation. I think it is, um, truly the right of those adoptees to be able to know their background, their ethnicity, their medical history, um, and it is, it is really a human rights issue and so I very much support this, uh, legislation. I commend, uh, the sponsor. I also want to commend, uh, my good colleague from Staten Island, who, um, gave a heartfelt and personal story and I also want to congratulate him, as it may very well be his last speech on this floor. As many of you know, he's seeking another office, uh, in the City of New York. And so I want to thank him for his three years of service in the Assembly, and wish him well. With him, his departure it goes fifty percent of the New York City Republican delegation. Um, and so, good luck, Joe, and thank you for all of your service.

(04:45:48)

ASSEMBLY: (applauding, cheering) Yay, yay!

MR. SPEAKER: Miss....Mr. Lavine.

MR. LAVINE: Uh...

MR. SPEAKER:..to explain his vote.

MR. LAVINE: Thanks, uh...

MR. SPEAKER: Shhhh.

MR. LAVINE: ...Mr. Speaker. Uh, commendations, uh, to the, to the sponsor and congratulations to, uh, or, uh, and, beh, best wishes, uh, as well to our colleague from

Staten Island. Um, in the couple of minutes I've got, I'm not even gonna use 'em all, I'm just, I do want to share. We're, we're sharing, uh, bile, biographical info.

In, in my family, uh, my brothers and I were told next to nothing about, um, events that happened to our parents or our grandparents or great-grandparents. And, there was usually a good reason because of all the scandals that were involved. Uh, but as I grew older, almost like do, uh, uh, uh, doing algebra, I was able to put things together. What I learned helps me understand myself much better, and helps me to understand my family. When I say my family, I'm talking about even people who died a hundred years ago to a hundred fifty years ago.

I can't for the life of me comprehend or understand how we could deny, as a basic matter of human rights, any individual the right to know where did they come from. It's two thousand and sixteen. We recognize today that people have the right to be who they are. They also have the right to know where did they come from, how did they get here. Uh, I'm, uh, very pleased to vote in favor of, uh, of this bill. And perhaps in years to come we'll see even better bills and better legislation. Thank you very much. I vote in the affirmative.

(04:47:55)

MR. SPEAKER: Mr. Lavine in the affirmative. Mr. Ryan to explain his vote.

MR. RYAN: Thank you, Mr. Speaker. It was great to listen, eh, to this debate today, but also listen to the, the openness, and the willingness of our colleagues to share some of their, their life stories and i-in that, uh, openness and sharing I, I'll tell you that when I was sixteen years old, uh, I had a daughter. Umm, I was a kid, I couldn't raise the daughter, so we surrendered her for adoption. And for the next 18 years, I had a big hole in my heart not knowing what happened to that child. Not knowing if that child was well, if that child was adopted into a healthy family or an abusive family. But, in spite of New York State law which really made it so my daughter could never find me or her mom, she was tenacious and she was lucky and, and she figured out who her biological parents were.

So, eighteen years later I get a phone call and it's from a very happy, well adjusted young woman. She's been in my life for the next eighteen years in a, in a, in a great way, she's proud of my family, and, and it's a wonderful thing. But, when I talk to her about this, all she says about it was she was happy, she loves her, her parents. But

she wanted to know where she came from and who she was. And Mr. Gottfried's point is exactly right. It is the denial of a fundamental human right to try to erase someone's history. You can't do it on a practical level and you're only doing harm to somebody if you do it on an emotional level.

So, my compliments to Mr. Borelli, to Mr. Weprin who we all know is a very persistent fella. But he was also, uh, willing to compromise on this bill, and he bent things around. So, I hope we actually come back to make this bill stronger. But for family unification, for the health of biological mothers and fathers and adopted people and adoptive families, this bill is a positive thing. And I'm very proud to cast my vote in the affirmative.

(04:50:04)

MR. SPEAKER: Mr. Ryan in the affirmative. Are there any other votes? Announce the results.

CLERK: Ayes one hundred eight, nos eighteen.

MR. SPEAKER: The bill is passed. **(04:50:18)** Mr. Morelli.

MR. MORELLI: Yes, I'm, uh, going to miss my, uh, nephew Joe Borelli here also, so I'm, uh, delighted everybody acknowledged his service, um, but I'm going to visit him in city counsel I'm sure...