

WEDNESDAY, MARCH 21, 2012

1:19 P.M.

ACTING SPEAKER P. RIVERA: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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

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

A quorum being present, the Clerk will read the Journal of Tuesday, March 20th.

Mr. Canestrari.

MR. CANESTRARI: Yes, Mr. Speaker, I move to dispense with the further reading of the Journal of Tuesday, March

20th and ask that the same stand approved.

ACTING SPEAKER P. RIVERA: Without objection, so ordered.

MR. CANESTRARI: In terms of today's schedule, my colleagues and guests, the members have on their desks the A-Calendar. I move at this time to advance that A-Calendar.

ACTING SPEAKER P. RIVERA: Without objection, the A-Calendar is advanced.

MR. CANESTRARI: If we have introductions, which I believe we do have, we will take them up and any housekeeping that you may have, and then proceed directly to the A-Calendar and we will take that up, as I said, directly, the one bill on the A-Calendar.

So, introductions and we will go with those. Thank you.

ACTING SPEAKER P. RIVERA: We do have some introductions.

Mrs. Galef for an introduction.

MRS. GALEF: Thank you very much, Mr. Speaker. Today is a very significant day. It's 180 days after a bill was signed into law by the Governor dealing with the ability of families to get certificates for stillbirth. We have worked on this concept for many years with many sponsors, and so it is a significant day for all of us here in the Chamber.

But we have some very special guests today that are

here and I would just like to introduce them because they are going to be individuals that have an opportunity to participate very, very importantly in the legislation that is now law and a part of the Health Department.

I would first like to introduce them. Maybe they could stand up. These are people who represent the whole State of New York, actually, coming from many different places, Paige and Dave Rici, Michelle and George Mosca, Paul Vergoni, Carol Morris, Jeff and Lori Tieger, Kelly Anderson and Mike Anderson, Lena Farrow Castro, Carlos Serrano-- and I apologize if I pronounce any name wrong -- Michelle Micheli, Danielle and Rob MacLeod, Whitney Downey, Kelly Longale, LaTia Palmer, Sharone Palmer, Toshia Tillman, Alex Esposito, Bridget Biden, Lisa Hunter, Jeannie Frey, Erin and Matt Bonet. And I would ask that, Mr. Speaker, you welcome them to our House.

ACTING SPEAKER P. RIVERA: On the same subject, Mr. Gottfried.

MR. GOTTFRIED: Yes, thank you, Mr. Speaker. I just want to join in welcoming these families. Paige and her family and Michelle and her family this morning received the very first certificates of stillbirth from the State Health Department. It was nice that they were ready to go on the first day that the law took effect. And down in New York City, which does its own certificates, Jeffrey Tieger and his family, also, today received the first certificate from the New York City Department of Health and I'm just glad that New York

has been able to make this happen.

ACTING SPEAKER P. RIVERA: On the same subject, Mr. Gabryszak.

MR. GABRYSZAK: Thank you, Mr. Speaker. I, too, would like to join with my colleagues in welcoming and congratulating all the families that are here today. This is really a momentous occasion for them to be able to receive the recognition through the certificate of stillbirth. For the thousands of people who know the anguish of what you have to go through, this is truly a fitting recognition. I am very happy and very proud for all the efforts that these families have done, for everything that they've pursued in bringing this legislation about. Thank you.

ACTING SPEAKER P. RIVERA: On the same subject, Ms. Calhoun.

MS. CALHOUN: Thank you, Mr. Speaker, my colleagues. The tragedies that brought these people to our offices are not going to change; however, we, in passing this legislation and enacting the certificate of stillbirth, will give them some consolation for the loss that they sustained, the ability to name their child.

When I began this quest many, many years back, it was because people had come into our office. Little did I know that several years ago I would, through a grandchild, experience the same heartache that you had. So, I want to say to all of the people who worked on this, and it has been a bipartisan measure from day one and with extreme support from Richard Gottfried, we want to welcome

you here today and make you know that this is something that this entire Chamber has supported. We wish you the best, and just know it's good to have you here and that you had the tenacity to go through with what it took to convince the Legislature and all to support your cause. God bless you.

Thank you, Mr. Speaker.

ACTING SPEAKER P. RIVERA: On the same subject, Ms. Jaffee. I'm sorry. Am I incorrect?

We want to thank you for being here on this momentous occasion and for all of your efforts. As you can see, we have many colleagues who are very much interested in your subject matter. So, on behalf of Ms. Galef, Mr. Gottfried, Mr. Gabryszak and Ms. Calhoun, the Speaker and all my colleagues, we want to thank you for your presence here today. Such a good crowd, such a nice crowd came here today on the momentous occasion. We want to extend the courtesies of the floor to you and welcome you back real soon. Thank you for being with us here today.

(Applause)

Ms. Jaffee for an introduction.

MS. JAFFEE: Thank you, Mr. Speaker, for the opportunity to interrupt the proceedings so that I may make an important introduction. First, I would like to introduce Michele McKeon. Michele is the CEO of the New York State Coalition Against Domestic Violence which, I believe, recently they celebrated their 30th anniversary. And their mission is to eradicate domestic

violence and ensure that there are effective and appropriate services for the victims. They provide community outreach, support, education and training and certainly prioritize the safety and concerns of women who are abused.

So, I want to thank Michelle for her service and ask you, Mr. Speaker, if you would please extend the privileges of the House and the cordialities of the House. Thank you.

ACTING SPEAKER P. RIVERA: Gladly, Ms. Jaffee. We want to thank you for being here today and for your efforts. We know that you have people here who really care about the work that you have been able to accomplish.

So, on behalf of Ms. Jaffee, the Speaker and all my colleagues, please enjoy the time that you're here, please enjoy the courtesies that we extend to you on the floor and we ask that you come back real soon. Thank you for being here.

(Applause)

Ms. Peoples-Stokes for an introduction.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I had the pleasure earlier today of meeting a very delightful young lady. She hails from White Plains and she is the president of the NAACP --

ACTING SPEAKER P. RIVERA: Colleagues, if we could have some silence. I'm sorry, Ms. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Again, I had the pleasure of meeting this young lady earlier

today. It is my honor and my pleasure to introduce her to the Chamber and ask that you would extend to her the cordialities of our floor. Her name is Lena Anderson. She's an attorney and she works for the NAACP in the White Plains office. She is actually a constituent of Ms. Paulin and we will have that opportunity to make them familiar a little later but, Mr. Speaker, if you could give this wonderful young lady who works very hard in her community, welcome her to our Chamber and provide her the cordialities of the floor, I would appreciate it. Thank you.

ACTING SPEAKER P. RIVERA: Gladly, Ms. Peoples-Stokes. We really want to welcome you, not only on behalf of Ms. Peoples-Stokes and my other colleagues from Westchester, but the Speaker and everybody else because we know that you're here on a very important message and on a very important issue.

So, on behalf of Ms. Peoples-Stokes, the Speaker and all my colleagues, congratulations for being here and for spending some time with us. Come back real soon. Thank you for being with us here today.

(Applause)

Mr. Goldfeder for an introduction.

MR. GOLDFEDER: Thank you, Mr. Speaker, and I rise today on behalf of myself and Majority Leader Canestrari to welcome to the Chamber Dr. Ed Williams and together with him Mr. Brett Scudder.

Dr. Williams is a pioneer and a pioneer as the local

President of the Far Rockaway Chapter of the NAACP but, more importantly, Dr. Williams has worked to bridge the gap in what is one of the more diverse communities and really build an infrastructure where people can get along and work together and make the community much, much better. So, I am proud to welcome Dr. Williams, Mr. Scudder and I want to thank you for being here today but, more importantly, I want to thank you for what you do in the community every single day. It's not easy work, but you're doing the people's work and we all appreciate it.

So, Mr. Speaker, I would ask that we extend all the cordialities of the floor.

ACTING SPEAKER P. RIVERA: Gladly, Mr. Goldfeder. We know that, as I indicated, that you've been up here working real hard on a whole slew of issues and speaking to many of my colleagues. So, on behalf of Mr. Canestrari, Mr. Goldfeder, the Speaker and all my colleagues, we welcome you to the floor and we do extend the privileges of the floor. Thank you for being with us here today.

(Applause)

Ms. Jaffee for an introduction.

MS. JAFFEE: Thank you, Mr. Speaker. I have the privilege this afternoon of, once again, introducing some really extraordinary women from Rockland Family Shelter in Rockland County. First, I would like to introduce Carolyn Fish, who is the Executive Director of Rockland Family Shelter; Candy Pittari; Linda

President, who is a Residential Services Director; Kathleen Delargy, Resource Council Member; Cathy Boerke, Resource Council Member; Kathy Bookman, Rockland Family Shelter Special Events Coordinator; Karen Reynolds and Cathy Fornabaio.

And these are extraordinary pioneers who have been on the frontline combatting domestic violence. They've been dedicated to ending violence against women, children and youth. They have amazing programs, such as domestic violence and sexual trauma programs, teen dating violence prevention, comprehensive crime victims assistance programs. I've watched them work and I've seen how they've made such an extraordinary difference in our county for the women and children who are impacted by this horrendous, horrendous reality in our society that I hope that we continue to focus on and hope to end.

I want to thank them for their service and for the wonderful work that they do for Rockland County and so many of our community. I would ask you, Mr. Speaker, if you would extend the privileges of the floor and the cordialities of the House. Thank you.

ACTING SPEAKER P. RIVERA: Gladly, Ms. Jaffee. We really want to thank the fact that you traveled from Rockland County all the way up here. We know that it's a trip and we know that Ms. Jaffee does that on a weekly basis, but we really appreciate your presence here and participating in the floor activity.

So, on behalf of Ms. Jaffee, the Speaker and all my colleagues, please enjoy the time while you're here on the floor.

Please enjoy the floor activities and come back real soon. Thank you.

(Applause)

Mr. Titone for an introduction.

MR. TITONE: Thank you, Mr. Speaker, for allowing me to interrupt the proceedings. I would like to introduce three very special Staten Islanders; two are in the back, one is seated here next to me.

In the back we have a good friend of mine, Mr. Ed Josey, who is the second generation member and President of the Staten Island Chapter of the NAACP. He has stood up valiantly for victims of bias assaults and hate crimes across Staten Island. He has advocated passionately for improved race relations among all Staten Islanders. And he is what I like to call my "what's what" guy because he's the first person who will say, *Titone, pull up a seat, sit down because let me tell you what's what*. So I thank him for all his assistance on all the issues that we deal with on Staten Island.

With Mr. Ed Josey is a good friend of mine, Ms. Jane Lyons. She was a Staten Island Advance Women of Achievements honoree back in 1967. She's the former Executive Director of Seaview Hospital Rehabilitation Center, which later we will have a resolution on that hospital. She was the Treasurer of the National Council of Negro Women. She was the very first African-American member of the Staten Island Borough President's office. She's a former and one of the founding chair people of the Staten Island AIDS Task Force, and that's when I got to really know Jane and what a real

dynamo she is.

And now, standing next to me, we have Ms. Virginia Allen. Ms. Allen began her nursing career at the age of 16 in the Seaview Children's Hospital. She stopped working at Seaview in 1957 to pursue a career in surgical nursing. After leaving, she worked for two unions as a business representative and as a surgical nurse in three hospitals. She finally retired in 1995, but I can tell you, she is still active in our community, very, very active. She is currently working with the Sandy Ground Historical Society to develop an oral history project with the people who worked at Seaview from 1912 through 1960. And later today we are going to be doing a resolution that honors well over 300 nurses from around the country who came to Seaview Hospital, the world's largest tuberculosis hospital, when no one else would work there. They're known as "the Black Angels," and I'm proud to say that Ms. Allen here is one of the very, very last Black Angels that we have.

So, Mr. Speaker, won't you please welcome Mr. Ed Josey and two true Staten Island treasures, Ms. Allen and Ms. Lyons, Mr. Speaker.

ACTING SPEAKER P. RIVERA: Gladly, Mr. Titone. We really want to thank you for being here today, for traveling from Staten Island to be here and for joining us in these proceedings. We know that not only Mr. Titone, but all our colleagues from Staten Island and from the rest the State are happy to have you here and participate in these proceedings.

So, on behalf of Mr. Titone, the Speaker and all my colleagues, please enjoy the time that you're here on the floor. Please enjoy the courtesies of the House and come back soon. Thank you for being with us here today.

(Applause)

Mr. Joel Miller for an introduction.

MR. J. MILLER: Thank you, Mr. Speaker. In the gallery above the Speaker's podium we have a wonderful group of youngsters from the Hagen-Spackenkill School. It's actually the Spackenkill School District and the Hagen Elementary School. They come here with their wonderful teacher and parent chaperones. Spackenkill is one of the finest school districts in New York State. Hagen Elementary is one of the best elementary schools in New York State and, clearly, these wonderful youngsters are among the brightest and best youngsters in New York State. They will be the future leaders of New York State. They're a wonderful group of youngsters and I would hope that you could afford them the cordialities of the House and add one more point of interest to their experience here in Albany.

ACTING SPEAKER P. RIVERA: Gladly, Mr. Miller. We know how interesting and how different and how exciting Albany can be for somebody who hasn't been here before and we know that it's full of wonder and it's full of awe for our young people, so I hope that they got that kind of an experience.

On behalf of Mr. Miller, the Speaker and all my

colleagues, we want to congratulate this group of young people, this group of students who are on their way to a very successful career. Hopefully, some of them will come into politics and be able to better the State of New York and be able to progress. We extend the privileges of the floor to them and ask that they come back real soon. Thank you for being here with us today.

(Applause)

Ms. Nolan for an introduction.

MS. NOLAN: Thank you, Mr. Speaker, my colleagues. I'm really happy, happy today. So often we're grumpy here, right, but I'm really happy today to ask for the cordiality of the House and your warm welcome and greetings to Mr. Carmine Pulera. Mr. Pulera was my Spanish teacher and many of you say, *Cathy, I didn't know you spoke Spanish*. Well, I took it for four years; no fault of Mr. Pulera that I still can't speak it. I just talked English too much and too fast, Mr. Speaker, to really pick it up.

Mr. Pulera taught us a love of travel, a love of culture, a love of good food, a love of diversity and was one of the best teachers I had at Grover Cleveland, a wonderful language teacher. Still teaching 44 years at Grover Cleveland and came up today to fight to keep Grover Cleveland open, and I'm just thrilled he's here today. So, on behalf of you, I hope you'll give him a warm welcome. Thank you.

ACTING SPEAKER P. RIVERA: Ms. Nolan, I would welcome him in Spanish, but I don't know if we can transcribe

the long welcome that I would give him. We really want to thank you. We're a little disappointed that you have one failure in life, which is Ms. Nolan and her ability to speak Spanish, but I know that it wasn't because of the fact that you tried.

So, on behalf of Ms. Nolan, the Speaker and all my colleagues, please enjoy the privileges of the floor and come back soon. Thank you for being with us here today.

(Applause)

Mr. Canestrari.

MR. CANESTRARI: Mr. Speaker, we will now go to the A-Calendar previously advanced and go to page 3 on the A-Calendar, Rules Report No. 22 and take up the bill directly, Mr. Jack McEneny. Thank you.

ACTING SPEAKER P. RIVERA: We will proceed to the A-Calendar, Rules Report No. 22, the Clerk will read.

THE CLERK: Bill No. 9584, Rules Report No. 22, McEneny. An act to amend the State Law, in relation to the description of certain Assembly and Senate districts.

ACTING SPEAKER P. RIVERA: On a motion by Mr. McEneny, the Senate bill is before the House and the Senate bill is advanced and there is an explanation requested.

Mr. McEneny.

MR. MCENENY: Thank you, Mr. Speaker. The bill before us is a clean-up bill, essentially a technical bill to the one that we passed last week creating 213 new districts for the upcoming

election and for the new districts for the 10 years following our terms of office. Most of the descriptions -- it affects about 10 percent of the districts that were created. Most of the changes are verbiage in the metes and bounds; avenues that should have been streets and Main Streets that should have been North Main Street and that type of thing. There are a couple of towns that were, in one case, double counted in a Senate district, now it's only one, and another one not counted at all, now that's been corrected, and there are some very minor block changes in several others.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

MR. CANESTRARI: Colleagues, first vote of the day, Rules Report No. 22. Please join us. Let's move this along. First vote. Thank you.

ACTING SPEAKER P. RIVERA: Mr. DenDekker to explain his vote.

MR. DENDEKKER: Thank you, Mr. Speaker. I'm very concerned with some of the policies and principles that have been going on lately in our Chamber and next-door. I would think that one of the imminent problems that we would have would be to remove and to move our primary date for the State of New York to a

date that would coincide with Federal law so that this State would be able to save some \$45- to \$50 million for what it's going to cost to have that third additional primary. Also, because the primary date is on September 11th, which will be the eleventh anniversary of the worst terrorist attack that ever affected this country, I would hope that we will at least consider moving the date, not only to save the \$50 million, but also out of respect for the events that occurred that day.

I will be voting in the affirmative on this particular piece of legislation, though, but I am disappointed that that was not included.

ACTING SPEAKER P. RIVERA: Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Canestrari.

MR. CANESTRARI: Mr. Speaker, would you now go to our buddy, Mr. Bill Colton, for an announcement?

ACTING SPEAKER P. RIVERA: Buffalo Bill Colton?

MR. COLTON: Well, I don't know about that, Mr. Speaker, but we do have need for a Majority Conference in the Speaker's Conference Room. So, that's the news of the day.

ACTING SPEAKER P. RIVERA: Thank you.

MR. CANESTRARI: Mr. Speaker, the House will

now stand in recess until 3- -- 2:15, not 3:15 -- enough is enough --
2:15.

(Whereupon, at 1:47 p.m. the House stood in recess
until 2:15 p.m.)

*****AFTER THE RECESS*****

2:56 P.M.

SPEAKER SILVER: The House will come to order.

MR. CANESTRARI: Mr. Speaker, my colleagues, as
you know, our first order of business this afternoon, at this point in
time, we will take up a resolution seating and introducing the newest
member the State Assembly, Shelley Mayer.

SPEAKER SILVER: Assembly resolution in relation
to the election and seating of Shelley Mayer as a member of the
Assembly from the 93rd Assembly District, the Clerk will read.

THE CLERK: Resolution No. 1070, Mr. Silver.

Assembly Resolution in relation to the election and
seating of Shelley Mayer as a Member of Assembly from the 93rd
Assembly District.

WHEREAS, There is a vacancy existing in the
membership of this House, which was filled at the election held on
March 20, 2012; and

WHEREAS, The final official canvass of the votes
cast at said election and certification thereof of the person elected
thereat, cannot be made at this time; and

WHEREAS, The New York State Board of Elections

has advised that the votes cast for the Office of Member of Assembly in the 93rd Assembly District in the county of Westchester shown by its canvass were respectively as follows: Shelley Mayer, Democrat, Working Families and Independent, 2006; Donnamarie Nolan, Republican, 554; and

WHEREAS, It appears that the results of the votes cast in said Assembly District cannot be affected by the final official canvass of such votes; and

WHEREAS, Shelley Mayer has duly taken an oath of office as Member of Assembly; now, therefore, be it

RESOLVED, That Shelley Mayer, is duly elected and qualified as Member of Assembly for her respective district and that she be seated in this House as such Member.

SPEAKER SILVER: On the resolution, the Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The resolution is adopted.

Congratulations.

(Applause)

It's always a pleasure to welcome a new member to our legislative Body, although it's probably more accurate to say that we welcome back to the Capitol Shelley Mayer, a veteran of the

Legislature, a leader who has many friends and acquaintances in this Chamber.

Assemblymember Mayer, congratulations on winning election to the House. Given your background, your experience, we hope your transition will be a relatively seamless one. We're delighted that you're with us. We look forward to working with you and getting to know you better, and this legislative Session will move on rather rapidly. I am sure you will show the people of your district and the State the experience and talent that you have accumulated from your legislative experience.

So, welcome and welcome back.

The Majority Leader will now introduce our new colleague to the Body.

MR. CANESTRARI: Thank you, Mr. Speaker. Yes, it is an honor and pleasure for me to welcome Shelley Mayer back to the Capitol. Those of us, through the years, have gotten to know her in the number of capacities and positions she has held here in the State Capitol.

She was born and raised in Yonkers and just elected yesterday to represent the 93rd Assembly District. Currently, Shelley works as Senior Counsel at Columbia Law School with the National State Attorney General program where she focuses on healthcare and labor law rights. Previously, from 2007 to 2011, she worked as Chief Counsel to the State Senate Democratic Conference and also, for over seven years, she was Vice President of Government and Community

Affairs at Continuum Health Partners. In the '80s, from 1982 to 1984 specifically, Shelley was an Assistant Attorney General in the office of the New York State Attorney General Bob Abrams. She served in the Civil Rights Bureau as Chief of the Westchester Regional Office as Legislative Liaison for the Attorney General and, ultimately, as Senior Advisor to the Attorney General.

Shelley received her Juris Doctorate degree from SUNY Buffalo School of Law and a Bachelor of Arts from UCLA. She has been actively involved in the Yonkers community through the years, serving as a member of the Aquehung Women's Democratic Club, Yonkers NAACP, Yonkers YWCA, the Westchester Women's Bar Association and Westchester Women's Agenda. She also serves as the Fifth Ward District Leader and Vice President for the Yonkers City Democratic Committee. She is a board member of the Jewish Council of Yonkers/Westchester Community Partners and served on the board of the Yonkers Public Library.

Shelley lives in Yonkers with her husband of over 31 years, Lee Smith. They have three adult children, Aaron, Julia and Arthur Smith. Again, joining with my colleagues and you, Speaker Silver, another word of welcome to our latest colleague, our newest colleague, Shelley Mayer.

(Applause)

SPEAKER SILVER: Mr. Canestrari.

MR. CANESTRARI: Yes. We will now go to the main Calendar and on page 3 take up two resolutions, Assembly

Resolution Nos. 1063 and 1064, and then we will do Assembly Resolution No. 920 and proceed accordingly with Ms. Jaffee discussing and leading off on that legislative resolution as well.

SPEAKER SILVER: Resolution No. 1063, the Clerk will read.

THE CLERK: Resolution No. 1063, Titone, Camara, Cusick, Tobacco, Malliotakis, Gunther.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim March 2012, as Black Angels Month in the State of New York.

WHEREAS, It is incumbent upon the people of the State of New York to recognize and acknowledge those within our midst who have made significant contributions to the quality of life therein; and

WHEREAS, From time to time this legislative Body takes note of certain extraordinary individuals it wishes to recognize for their valued contributions to the success and progress of society and publicly acknowledge their endeavors which have enhanced the basic humanity among us all; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, it is the sense of this Legislative Body to memorialize Governor Andrew M. Cuomo to proclaim March 2012, as Black Angels Month in the State of New York; and

WHEREAS, The Black Angels were so named

because of their bold willingness to provide desperately needed care to tuberculosis patients; and

WHEREAS, The Black Angels and their families became active members of the NAACP, neighborhood churches, and community groups; they became founding members of the Lincoln Hospital Alumni Association, the Urban League Guild and the Women's Civic and Political Union; and

WHEREAS, The Black Angels is comprised of approximately 300 nurses, including Stiversa A. Bethel, Martha Lyles, Jane Price, Mamie Shumate, Flossie Evans, Georgia Hayden, Annie Bostick, Kate Gillepsie, Edna Sutton Ballard, Americus Sutton, Virginia Allen, Viola Anderson, and Annie B. Smith; and

WHEREAS, The first health care museum in New York State was named for Black Angel, Stiversa A. Bethel in 1984; and

WHEREAS, The Black Angels have played a significant role in the development of new drugs called isoniazids, which aid in the arrest of tuberculosis and in subsequent recovery; and

WHEREAS, It is the custom of this legislative Body that those who enhance the well-being and vitality of their community and have shown a long and sustained commitment to excellence certainly have earned the recognition and applause of all the citizens of this great Empire State; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to memorialize Governor Andrew M. Cuomo to

proclaim March 2012, as Black Angels Month in the State of New York; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to The Honorable Andrew M. Cuomo, Governor of the State of New York.

SPEAKER SILVER: On the resolution, Mr. Titone.

MR. TITONE: Thank you, Mr. Speaker. The Black Angels were so named because of their courage and willingness to provide needed professional nursing care to tuberculosis patients at Seaview Hospital on Staten Island, the largest tuberculosis hospital in the United States. Many of these so-called Black Angels left their safe nursing positions from around the country to provide the desperately-needed care at Seaview Hospital. I want to repeat that. These are nurses who left their jobs to come from all over the country to provide care in a place where no one else would. The nurses at Seaview Hospital also provided vital assistance to medical researchers as they sought to develop a cure for tuberculosis. Without the Black Angels, the cure would have been long delayed and many, many more lives would have been lost to tuberculosis. Most of these Black Angels became active in the NAACP throughout New York State and were founding members of the Urban Guild, Lincoln Hospital Alumni Association and the Women's Civic and Political Union.

This resolution commemorates the courage and dedication of the Black Angels and recognizes the vital role they played not only in African-American culture and history, but in

nursing and medical history as well. Without fear but with conviction and without hesitation but with purpose and courage, without selfishness but with pride and duty, the Black Angels truly changed our world. Without them thousands would have died, but with them a cure was found and the course of history was forever changed for the better.

Mr. Speaker, it is my hope that this legislative Body will come to recognize and honor the fact that long before any one of us was ever elected to the People's House -- I do include Mr. Gottfried and Mr. Farrell in that -- but before any one of us was ever elected to the People's House, that these women, these Black Angels, were already doing the people's work. Thank you, Mr. Speaker.

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

Privileged resolution by Mr. Crespo, the Clerk will read.

THE CLERK: Resolution No. 1064.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim Wednesday, March 21, 2012, as Kick Butts Day in the State of New York.

WHEREAS, It is the custom of this legislative Body to recognize official days that are set aside to increase awareness of serious issues that affect the lives of citizens of New York State; and

WHEREAS, Attendant to such concern, and in full

accord with its long-standing traditions, it is the sense of this legislative Body to memorialize Governor Andrew M. Cuomo to proclaim Wednesday, March 21, 2012, as Kick Butts Day in the State of New York, in conjunction with the 17th Annual National Kick Butts Day, sponsored by Tobacco Free Kids; and

WHEREAS, According to the New York State Department of Health, every year smoking kills approximately 25,500 people in New York; second-hand smoke kills about 2,500 New Yorkers and an estimated 570,000 New Yorkers are afflicted with serious disease caused by smoking; furthermore, it is projected 389,000 young people, 0-17, from New York State will die from smoking; and

WHEREAS, Kick Butts Day is a national day of activism that empowers youth to speak up and take action against Big Tobacco at more than 1,000 events to be held from coast to coast; the main focus of this day is on youth and tobacco use, prevention, tobacco cessation, and reducing exposure to second-hand smoke; and

WHEREAS, Bronx BREATHEs, the Bronx County Tobacco Cessation Center serving the residents of the Bronx, New York, is a proud supporter of Kick Butts Day; this vital organization provides training and technical assistance to health care institutions in the Bronx to better identify and provide support to smokers willing to quit; it also provides community education to increase awareness of the New York State Smokers' Quitline; and

WHEREAS, This year, Bronx BREATHEs will be

collaborating with some new organizations including: Montefiore Medical Center, Jack D. Weiler Hospital, Children's Hospital at Montefiore, Comprehensive Health Care Center, Comprehensive Family Care Center, and Family Health Center; together, they will feature Kick Butts activities across the Bronx; and

WHEREAS, In addition, many organizations will be participating in National Kick Butts Day 2012, some of which include: Hostos Community College, Bronx Smoke-Free Partnership, New York City Coalition for a Smoke-Free City, The American Heart Association, The American Cancer Society, and the American Lung Association of New York; and

WHEREAS, Throughout this day, Tobacco Cessation programs will be held at numerous locations throughout the community; these classes will present valuable information, as well as nicotine patches, nicotine gum, and literature to community members who are interested in quitting smoking; and

WHEREAS, It is imperative that there be greater public awareness of this serious health issue, and more must be done to increase activity at the local, State and national levels to reduce the deadly toll of smoking and protect nonsmokers from the clearly-established dangers of second-hand tobacco smoke; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to memorialize Governor Andrew M. Cuomo to proclaim Wednesday, March 21, 2012, as Kick Butts Day in the State

of New York, in conjunction with National Kick Butts Day, sponsored by Tobacco Free Kids; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to The Honorable Andrew M. Cuomo, Governor of the State of New York.

ACTING SPEAKER P. RIVERA: On the resolution, Mr. Crespo.

MR. CRESPO: Thank you, Mr. Speaker. I did this last year and am doing it again. I wanted to clarify, first and foremost, that this resolution memorializing Governor Cuomo to proclaim today as Kick Butts Day is not a mixed martial arts resolution, it's about tobacco cessation. I just wanted to clarify that for some of our newer colleagues.

On this day, this is the 17th annual Kick Butts Day. It's a national day of advocacy where youth from across the country organize activities, events, outreach efforts, educational events, you name it, in order to educate communities about the effects of smoking. New York State alone, we lose about 25,000 -- over 25,000 New York State residents a year who fall victim to tobacco use and the numbers are staggering, although since 2002, we have seen a tremendous reduction, about 35 percent reduction in smoking rates for New Yorkers, which is a tremendous success and it's a reflection of our investment as a legislative Body in the tobacco cessation programs.

As we continue with the budget negotiations, it is my hope that, as reflected in our one-House resolution, there will be a full

restoration of the proposed cuts to the tobacco cessation program which have proved invaluable in helping our communities deal with the effects of smoking for the smokers and for their families and for those around them, as we know that second-hand smoke also leads to many deaths.

Just to highlight a couple of numbers in the Bronx, for example, where my community continues to be impacted more so than other areas, the health disparities that exist in the Bronx are seen in tobacco use as well, where the national average is about 15 percent; in most of our communities in the Bronx, in the Southeast Bronx, Mr. Speaker, we have an average of about 25 to 30 percent of residents, one in four adults who are smokers. That's why Bronx Breathes, on this day of advocacy, is organizing activities with many youth across the Bronx, just like it's happening across the country, working with the American Cancer Society, the American Lung Association, Montefiore Hospital, the Bronx Free Smoke Partnership and many others to do outreach and educate communities, particularly minority communities, about the effects of smoking and it is my hope that, through this resolution, we will continue that advocacy as a legislative Body and we will invest in the budget appropriately and we will do the right thing to really have healthier communities and healthier lifestyles for all New Yorkers.

So, I want to thank the 35 sponsors of this resolution and all of us as a Body for supporting this resolution and commemorating Kick Butts Day in the State of New York.

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

We will proceed to Resolution No. 920. The Clerk will read.

THE CLERK: Resolution No. 920, Jaffee.

Legislative Resolution urging the New York State Congressional delegation to reauthorize the Violence Against Women Act (VAWA).

WHEREAS, Intimate partner violence, also known as domestic violence, is a serious public health epidemic; and

WHEREAS, This violence, which includes domestic violence, sexual assault or stalking occurs every day across this nation and throughout New York State; and

WHEREAS, This violence manifests itself in emotional, physical, mental, sexual, and economic abuses; and

WHEREAS, Annually, the economic impact of domestic violence nationwide is approximately \$8 billion; and

WHEREAS, This abuse negatively affects victims and their children; and

WHEREAS, Domestic violence also has an impact on our neighborhoods, our communities and our State; and

WHEREAS, In a pioneering attempt to attend to such violence and its aftermath, in 1994 the federal Violence Against Women Act (VAWA) was first authorized; and

WHEREAS, According to a Congressional Research Service Report entitled "Violence Against Women Act: History and Federal Funding", VAWA emphasizes funding of law enforcement efforts as well as educational and social programs to prevent crime; and

WHEREAS, The report further explains VAWA funding is focused on helping state, local and Indian tribal governments to strengthen law enforcement; and

WHEREAS, In New York State, VAWA grants have been awarded for direct services provided by district attorneys, police departments, courts and victim services organizations; and

WHEREAS, According to the New York State Coalition Against Domestic Violence, most local domestic violence programs receive funding through VAWA grants; and

WHEREAS, Despite improvements in services to combat domestic violence, sexual assault and stalking, New York State continues to need such funding; and

WHEREAS, According to the Annual Report of the New York State Office of Children and Family Services, local domestic violence programs answered over 185,000 phone calls last year, and served over 47,000 individuals and families with non-residential domestic violence services, as well as housed over 15,000 victims of domestic violence and their children across New York State; and

WHEREAS, In 2010, 14,500 adults and 17,400 kids

were denied shelter, and 1,030 adults and children entered domestic violence transitional living shelters; and

WHEREAS, A 2011 National Intimate Partner and Sexual Violence Survey report states on average, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States, based on a survey conducted in 2010; and

WHEREAS, According to that same study, 1 in 6 women (16.2%) and 1 in 19 men (5.2%) have experienced stalking victimization at some point in their lifetime in which they felt fearful or believed they or someone close to them would be harmed or killed; and

WHEREAS, Women are more than 13 times more likely to be raped and twice as likely to experience other forms of sexual violence than men; and

WHEREAS, 41.6% of women and 13.9% of men reported being injured at the hands of an intimate partner; and

WHEREAS, VAWA redefined the way domestic violence and other forms of violence against women are handled by establishing funding streams for changes in law enforcement, improvements in the criminal justice system, and shelters and services for victims; and

WHEREAS, VAWA's concept of a coordinated community response that encourages collaboration between law enforcement, judicial personnel and the public and private sectors in

order to address the needs of victims of domestic violence, sexual assault and stalking is considered to be one of its most vital achievements; and

WHEREAS, Notably, VAWA also increased public awareness of the issues of domestic violence, sexual violence and stalking; and

WHEREAS, VAWA was reauthorized in both 2000 and 2005; and

WHEREAS, In November of 2011, Senators Leahy and Crapo introduced VAWA to be reauthorized; and

WHEREAS, The 2011 reauthorization of VAWA should enhance several areas including housing, workplace and military protections for victims, accountability for offenders and prevention programs to break the cycle of violence; and

WHEREAS, Over the past 17 years, VAWA has provided programs and services to tens of thousands of individuals affected by domestic violence and their families; and

WHEREAS, On the 17th anniversary of the passage of VAWA, the lead sponsor of the original VAWA, Vice President Joseph Biden, called on "a new generation to take action to reduce the high rates of violence and assault that continue to threaten young men and women across the country"; now, therefore, be it

RESOLVED, That the New York State Congressional delegation be and hereby is respectfully memorialized by the Legislative Body to reauthorize the Violence Against Women

Act (VAWA); and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to each member of the Congressional delegation from the State of New York.

ACTING SPEAKER P. RIVERA: On the resolution, Ms. Jaffee.

MS. JAFFEE: Thank you, Mr. Speaker. It is critical for the millions of Americans whose lives have been torn apart by domestic violence that Congress reauthorizes the Violence Against Women Act, otherwise known as VAWA.

I think everyone in this Chamber knows that domestic violence is a serious public health epidemic. The current Federal legislation reauthorizing VAWA strengthens initiatives that support law enforcement and prosecutors in their work to hold offenders accountable. It assists communities in creating sexual assault response teams and provides protections for survivors of sexual assault who live in public housing. The reauthorization also enhances several areas, including housing, workplace and military protections for victims, accountability for offenders and prevention programs to break the cycle of violence. VAWA matters so deeply because domestic violence and sexual assault are pervasive, life-threatening crimes that affect millions of individuals across our nation regardless of age, economic status, race, religion or education. Children are particularly vulnerable as both victims of and witnesses to domestic violence and sexual abuse and assault.

In order to break the cycle of violence, we must continue to provide services that protect victims so they don't have to live in the grip of constant, gnawing terror. While we have come a long way in meeting the needs of victims, a significant gap remains between funding and the demand for services. As more and more survivors courageously request services to escape life-threatening situations, it is imperative that their needs are met by supporting programs to stop domestic violence, we do nothing less than increase safety for victims and their children. We must never, never retreat from our commitment and our obligations to protect those who are plagued by domestic violence.

I hope my colleagues will support this resolution urging the New York State Congressional Delegation to reauthorize the Violence Against Women Act, as well as support for the package of bills on the agenda today to do just that. This legislation will improve existing programs to address evolving needs in the fight against domestic violence, dating violence, sexual assault and stalking and will provide the tools and support for victim service providers who are on the frontlines working to eliminate domestic violence. Thank you, Mr. Speaker.

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

Mr. Canestrari.

MR. CANESTRARI: Yes, Mr. Speaker, my

colleagues and guests, we have a series of ten bills constituting the domestic violence package, and the first four will be starting on page 12, Calendar No. 107, Helene Weinstein, followed by Calendar No. 108, also by Helene, and then Calendar No. 112 by Mr. O'Donnell, all on page 12, followed by, on page 14, Calendar No. 163, Mr. Lancman.

So, Calendar Nos. 107, 108, 112, 163 and then we will update you when we've completed those. Thank you.

ACTING SPEAKER P. RIVERA: We will proceed to page 12, Calendar No. 107, the Clerk will read.

THE CLERK: Bill No. 2348-A, Calendar No. 107, Weinstein, Weprin, Rodriguez. An act to amend the Executive Law, in relation to prohibiting employers from discriminating against victims of domestic violence; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 90th day next succeeding the date on which it shall have become a law.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

We will proceed to page 12, Calendar No. 108, the Clerk will read.

THE CLERK: Bill No. 2350, Calendar No. 108, Weinstein, Gunther, Titone, Weprin, N. Rivera. An act to amend the Civil Practice Law and Rules, in relation to exempting parties liable for failure to obey or enforce certain orders of protection or temporary orders of protection in domestic violence or domestic relations matters from the provisions of Article 16 of such law, entitled "limited liability of persons jointly liable."

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 60th day next succeeding the date on which it shall have become a law.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

We will proceed to Calendar No. 112 on the same page.

THE CLERK: Bill No. 2494-B, Calendar No. 112, O'Donnell, Cook, Dinowitz, Galef, Ortiz, Peoples-Stokes, Weinstein,

Kavanagh, N. Rivera, Schimel, Paulin, Jaffee, Weprin, P. Rivera, Rosenthal, Englebright, Perry. An act to amend the Criminal Procedure Law and the Family Court Act, in relation to orders of protection.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

We will proceed to page 14, Calendar No. 163, the Clerk will read.

THE CLERK: Bill No. 4488-A, Calendar No. 163, Lancman, Weinstein, M. Miller, P. Rivera. An act to amend the Penal Law, in relation to enacting the "Domestic Violence Escalation Prevention Act."

ACTING SPEAKER P. RIVERA: Mr. Lancman, an explanation is requested.

MR. LANCMAN: I would be happy to. This legislation addresses a very shocking and alarming statistic, which is that one-third of the women murdered in the United States are

murdered with a gun at the hands of their male domestic partner, and access to firearms yields a more than fivefold increase in the risk of domestic partner homicide when all the other factors are considered.

Specifically, this legislation would designate a series of crimes, not violations, as serious offenses when they occur in the domestic abuse context, and that would have the effect of prohibiting somebody who commits such an offense from obtaining a firearms license or possessing or purchasing a rifle, shotgun or pistol.

ACTING SPEAKER P. RIVERA: Mr. Jordan.

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

ACTING SPEAKER P. RIVERA: On the bill.

MR. JORDAN: You know, certainly, if one was to study the lists of offenses that are itemized as reasons supporting what the sponsor has indicated are reasons why one should not possess a firearm, you would be struck by how widely different many of the offenses are. And I think no one would dispute some of the more egregious crimes as reasons why someone should be denied the right to possess a firearm, especially when that is committed against a family member, even as that description is quite broadly defined under New York law, including strangulation in the first degree.

I think what troubles many, and will cause many to vote in the negative on this, is the list of items that are included under the Family Court Act and Criminal Procedure Law that becomes quite broad. They include several offenses, including harassment second

which, amongst other things, includes shove someone, subject someone to physical contact or threatens to do one of those things or even following someone in public. Others that are included in here is criminal mischief, which would include causing damage in excess of \$250 to the property of another. So, if one brother breaks another brother's iPhone or new iPad, they will be forever barred from owning a firearm. The last one, just as an example, reckless endangerment, which is "engages in conduct that creates the substantial risk of serious physical injury"; doesn't actually cause any physical injury.

You know, those are the items that are contained within this very far-reaching, broad bill that precludes someone from a Constitutional right, the Constitutional right to bear arms. And I think that is why many on my side of the aisle will oppose this legislation. They don't oppose the idea. They support the concept that the sponsor has put forward, but the reality is, you know, if I drive a vehicle with my brother in it too fast and I get stopped and I'm charged with reckless endangerment, even though no one was injured, you know, that should not be a reason to be banned forever from owning a rifle. So, for that reason and a host of others, I am certain many of my colleagues will be voting in the negative. Thank you.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Lancman to explain his vote.

MR. LANCMAN: Thank you, Mr. Speaker. Just to clarify, harassment in the second degree is a violation, not a misdemeanor or above. So, by definition, it's not a crime and it would be excluded from this definition of serious offense, which provides that a crime set forth in subdivision -- et cetera, et cetera. So, anything that's less than a misdemeanor such as harassment in the second degree, which is only a violation, would not be covered.

I would also point out that the example given of two brothers in the car where one is driving recklessly and then would be charged with reckless endangerment would not trigger the additional requirement that the victim of the offense, of the crime, be a family member. In that case, the reckless endangerment is not -- the passenger in the car is not a victim of the driver's reckless endangerment. The reckless endangerment where the victim is a family member would be where the reckless endangerment was directed towards that family member.

So, just to clarify and to explain why the bill that I am sponsoring I will also be voting for. Thank you very much.

ACTING SPEAKER P. RIVERA: Mr. Jordan to explain his vote.

MR. JORDAN: Thank you, Mr. Speaker. As a point of clarification, under Criminal Procedure Law Section 530.1(1), which is the provision referenced, it provides concurrent jurisdiction

over proceedings, that's concurrent jurisdiction of family court and criminal court, and included therein is harassment in the second degree with no specification as to whether or not it's the violation or a crime. And I think that although I understand what the sponsor's attempting to say, I think by virtue of the cross reference to Criminal Procedure Law 530.1(1), that does raise the specter of reaching violations. Thank you.

ACTING SPEAKER P. RIVERA: Mr. Hanna to explain his vote.

MR. HANNA: Thank you, Mr. Speaker. Just as a sort of followup to the remarks by Assemblyman Jordan, if, in fact, this bill, as drafted, does include violations under the Penal Law and under Section 530.1(1), those violations include disorderly conduct. I should note that when a street protester, for example, is arrested for failing to disburse or for not obeying the lawful order of a police officer, he or she is typically charged with disorderly conduct and that would include all of the arrests made, for example, in the Occupy movements across the country. So, once they were charged and convicted of these offenses, this bill would kick in and they would be prevented from owning a firearm, which I don't think is reasonable. Thank you.

ACTING SPEAKER P. RIVERA: Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Canestrari.

MR. CANESTRARI: Mr. Speaker and colleagues, the next three bills, we will go to page 17 of the main Calendar, Calendar No. 197, Helene Weinstein, followed by, on page 23, Calendar No. 318, Ms. Linda Rosenthal, followed by Calendar No. 357 on page 28, also Helene Weinstein.

So, the next three, Calendars Nos. 197, 318, 357.

Thank you.

ACTING SPEAKER P. RIVERA: We will proceed to page 17, Calendar No. 197, the Clerk will read.

THE CLERK: Bill No. 6113-A, Calendar No. 197, Weinstein, Lavine, Titone. An act to amend the Family Court Act, the Criminal Procedure Law and the Domestic Relations Law, in relation to the duties of interpreters appointed by the courts in certain cases.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 90th day next succeeding the date on which it shall have become a law.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

We will proceed to page 23, Calendar No. 318, the Clerk will read.

THE CLERK: Bill No. 1986-B, Calendar No. 318, Rosenthal, Schimel, Maisel, Gunther, Scarborough, Bronson, Moya, Millman, Ortiz, Gibson, Stevenson, Roberts, Weisenberg, Paulin, Lavine, Gabryszak, Weprin, Cook, Castro, Titus, N. Rivera. An act to amend the Penal Law and the Criminal Procedure Law, in relation to the creation of the crime of aggravated family offenses.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 90th day next succeeding the date on which it shall have become a law.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Bill No. 6406-A, Calendar No. 357, Weinstein, Rosenthal, Jaffee, P. Rivera, Schimel, Englebright. An act to amend the Family Court Act, the Domestic Relations Law and the Criminal Procedure Law, in relation to providing for the mandatory suspension or revocation of the firearms license of a person against

whom an order of protection or a temporary order of protection has been issued under certain circumstances, or upon violation of any such order.

ACTING SPEAKER P. RIVERA: An explanation is requested, Ms. Weinstein.

MS. WEINSTEIN: Yes, Mr. Speaker. This bill amends the Family Court Act and Criminal Procedure Law to require that criminal and family court judges suspend firearms licenses when the court finds a substantial risk that the perpetrator of abuse may use or threaten to use a firearm unlawfully against a victim for whose protection the order is issued. This is in both -- as it says on the board, both the issuance of a temporary order of protection or a final order of protection.

ACTING SPEAKER P. RIVERA: Mr. Jordan.

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

ACTING SPEAKER P. RIVERA: Ms. Weinstein?

MS. WEINSTEIN: Yes.

MR. JORDAN: Thank you. You talk about -- at the beginning, I think what you summarized is probably consistent with current law. Does this -- right now, I think a family court judge has the right, the discretion, to revoke either a pistol permit or the right for someone to own a firearm currently; is that correct? They have the right -- they have the discretion to do that?

MS. WEINSTEIN: Right. And I think that

discretion is the key word.

MR. JORDAN: So, now we're changing it to make it mandatory; is that correct?

MS. WEINSTEIN: Right. In the circumstance where -- well, let's go the other way. If a judge finds that there is a substantial risk that the perpetrator of abuse is going to cause harm by the use of the firearm that they possess to an abuser, we don't think -- and this bill says that we don't think that it should be a discretionary act whether the person retains that gun, that once the judge makes the finding of substantial risk of the use of that firearm against the individual victim of abuse, that there should be no discretion, the judge must order the suspension of that firearm.

MR. JORDAN: Does the bill currently -- does it require that they're going to use the firearm or just that they're going -- that there's a substantial risk that they're going to cause serious physical injury?

MS. WEINSTEIN: It does say "firearm or dangerous weapon."

MR. JORDAN: We'll move on then. One of the other changes that I see in the bill changes it from "a substantial risk of causing serious physical injury" to "physical injury." We've dropped the use of the word "serious." How is physical injury or is it defined in the new legislation?

MS. WEINSTEIN: I think that's actually just a conforming change, something we've done in the criminal law and it's

just bringing it forward to the family law.

MR. JORDAN: I'm not so sure that's -- well, we use it -- we use that distinction in criminal law but, generally, that's by gradation of the offenses. Physical injury is generally a black eye; serious physical injury is, obviously, something more serious and I think that's a pretty significant change in this legislation.

Well, the next issue, I guess, of concern comes -- I think what triggers this now is the issuance of an order of protection by the family court judge; is that correct?

MS. WEINSTEIN: Yes.

MR. JORDAN: And --

MS. WEINSTEIN: Well, it's during the time the order is issued, yes.

MR. JORDAN: Right. And is that just for permanent final orders of protection?

MS. WEINSTEIN: No.

MR. JORDAN: -- or does this include temporary?

MS. WEINSTEIN: As you see on the board, it includes temporary orders.

MR. JORDAN: I've learned never to believe what you read in writing on big billboards.

MS. WEINSTEIN: This time it's right.

MR. JORDAN: That's right. Does that include what we call ex parte orders?

MS. WEINSTEIN: Yes.

MR. JORDAN: -- orders that are entered solely on the application of the petitioner or is only after a fair hearing?

MS. WEINSTEIN: It's any temporary order. So, it could be ex parte, it could...

MR. JORDAN: So, the petitioner comes to family court, lays bare certain allegations, the judge hears it, all he has is the benefit of the --

MS. WEINSTEIN: Correct.

MR. JORDAN: -- petitioner in front of him and at that point he issues an order of protection and he makes some finding. Obviously, if it's a stay-away order of protection I think, by definition, he now has determined that there is a risk that the alleged -- or the respondent is going to be -- is a risk or a threat to the petitioner and he issues a stay-away order of protection. With that comes -- triggers this where he is now mandated to revoke any right of the person to own a rifle or firearm and also revoke the pistol permit; is that correct? If he makes those determinations --

MS. WEINSTEIN: That there's substantial risk.

MR. JORDAN: Yes.

MS. WEINSTEIN: Yes.

MR. JORDAN: Okay.

MS. WEINSTEIN: You want to know what comes next?

MR. JORDAN: What's that?

MS. WEINSTEIN: Do you want to know what -- I

assume -- well, I'll wait until I get the question.

MR. JORDAN: Yes. So, now the judge issues the order of protection, he makes the findings to reach the order of protection which, presumably, is also most likely going to trigger this statute. So, we now revoke the pistol permit, we revoke the right of the person to own a firearm. What happens to the respondent's firearms? He owns a hunting rifle, he owns a collector's vintage Civil War rifle that was passed down from his great-great-grandfather or a World War II rifle that was his or passed down to him by his father.

MS. WEINSTEIN: I assume that the order would also indicate -- as in any time when a license to own a firearm is suspended or revoked, you're required to turn in that firearm. So, in terms of the physical -- in terms of physically what happens, required to turn in that firearm, procedurally, there is a procedure where an individual under any circumstances where there has been a suspension of a license or surrender of the firearm where it's directed under these provisions, the person can request a hearing within 14 days, the suspension on -- to look at the -- to review at the hearing the standard for revocation or suspension, for them to show that it has not been met, that the standard of substantial risk doesn't exist, and I would think that hearing would more likely be utilized when, in fact, it was an ex parte order of protection and perhaps the individual wasn't present to present any evidence on their part.

MR. JORDAN: Okay. So, now, the respondent has now turned over their firearms which, by law, goes to the sheriff's

department. And if they discover on the 15th day they have some hearing, but the procedure under the Article 78 provisions actually has to show that the revocation was done in error. But if we have a law, we have a statute that says here's the standard and if the judge is going to get the abject discretion that they're given and we're going to find they didn't abuse that discretion, the gun is now in the possession of the sheriff's department, what happens -- how long does the sheriff's department have to hold on to that rifle or that firearm?

MS. WEINSTEIN: Well, first, let me just say that the hearing is under CPL 530.14, Sub 7 and Family Court Act Section 842-A, Sub 7, their request for a hearing on whether the suspension was wrongful or not.

MR. JORDAN: Well, I was making the assumption that the defendant or the respondent, in this instance, wasn't aware of that 14-day appeal and it's now three weeks in and they finally have the benefit of counsel. I'm just curious, though, the gun has now been turned over to the sheriff's department. How long is the sheriff's department obligated to retain that firearm or rifle, I guess, is a better...

MS. WEINSTEIN: Yes. I believe that it is a year.

MR. JORDAN: And what happens after one year?

MS. WEINSTEIN: The firearm could be declared a nuisance and destroyed.

MR. JORDAN: And so, what happens on the 370th day when, after this procedure has wound its way through family court

and ultimately an adjudication is rendered and it is deemed that the order of protection, you know, whatever charges, family offense petition was brought is dismissed following a trial or a hearing, I guess, is the better phrase in family court? Now all of a sudden the underlying facts have been heard by the judge, both parties are present, represented by counsel, proof is laid to bare, it's deemed that, you know what? It's unfounded. The family offense petition is dismissed with prejudice, the firearm has been destroyed. Under this bill, now what?

MS. WEINSTEIN: Well, the individual can also, within -- if the order of protection is in place for more than one year, it would be unlikely that the proceeding would be more than -- to get to an order would take more than a year to that point, but the order of protection itself might extend over a period of time. I think that would be a better scenario that you would present and, under those circumstances, just in general, the respondent would have the ability to arrange for the sale or transfer of the firearm within that year period. If they didn't do that, then the information I said about the firearm being declared a nuisance could be destroyed or disposed of, how any other firearm that is surrendered by a felon in a different circumstance.

MR. JORDAN: Here's the problem with that. And I understand that option. Here's the problem: My grandfather fought in World War I. He brings home his service firearm. I'm now compelled under this to do one of two things: Hope like heck that we wind our

way through the family court judicial system -- and I suspect calendars and the length of time matters are on calendars vary greatly by jurisdiction. I can imagine there are some that struggle to get it done in 18 months, but even if that year has come and gone I'm left in the untenable position of either selling a family heirloom or risking it being destroyed. And the other risk is, you're right, many of these will be resolved, the initial hearing will be resolved in that first year. Here's the problem: What if I want to appeal it? The problem is the appeals take too long.

I think one of the problems with this bill is we're creating a statute intended to try to protect victims, which makes perfect sense, but there are all these other existing elements in the law that are triggered following discretion. This eliminates the discretion and makes it mandatory. That's one of the risks. Let's move --

MS. WEINSTEIN: Let me just say about that Civil War firearm, the sale or transfer. So, the gun, you know, the firearm, if it's a family heirloom or a gun that someone -- a handgun that someone has, or a long gun for target practice or for hunting can be transferred to another eligible licensed individual.

MR. JORDAN: Right. But again, imagine if you're the -- it doesn't even have to be a family heirloom. Go to Orvis and look at a double-barrel shotgun; they sell them for \$18,000. I'm not so sure I want to give that to someone and trust that they're going to give it back to me at the end. I mean, I think that's just one of the risks.

But let's move along. One of the other things that's

triggered by this is a mandatory revocation of a pistol permit. What happens, again, the respondent -- and I'm making a bold assumption here that the person is innocent. But let's assume, following the procedure, he is deemed not to have committed the offenses alleged and that pistol permit has been revoked. What's the process in this bill that provides protection to the individual to get their Constitutionally-permitted right of having a pistol permit back?

MS. WEINSTEIN: We do nothing to change the existing law. As you know, there are numerous instances that someone's license to carry a pistol can be revoked. We don't change the process to regain your license. As you mentioned, you can bring in -- there are provisions in Section 400 of the Penal Law that provide for how you get back a license or applying for a new license, and you also can apply for an -- through an Article 78 in Supreme Court to -- for an order reauthorizing and directing your firearm.

So, we don't change any of the existing law and there is a mechanism in our current State law for an individual who is convicted of a felony and loses their right to carry. This doesn't change that law. This just changes on the front end. It makes adjustments when you lose your license, but the procedure for getting it back we do not change and there is a procedure in our current law that does work for that purpose.

MR. JORDAN: Thank you very much.

Mr. Speaker, on the bill.

ACTING SPEAKER P. RIVERA: On the bill.

MR. JORDAN: You know, we're presented with a piece of legislation or proposed bill that, on its surface, makes a lot of sense and the stated reasons for it make sense. Who here doesn't want to protect victims of crime, especially in the instance where we all too often see that there are repeat offenders?

But despite the noble causes, this bill is riddled with so many pitfalls that it renders potential parties to family court disputes from being barred from ever possessing a rifle or having a pistol permit. And a couple of reasons why many in my House and others I would encourage to consider opposing this bill: One, our judges are entrusted with making decisions. They're the ones in the courtroom. They're the ones presented with all of the facts, all of the circumstances. They have the ability to observe the parties in front of them. We are taking away a discretionary act that they have already the ability to do all of the of things this bill states that it's intended to do. We're taking away the discretion and making it mandatory. We're trying to step on the toes of another branch of our government.

Number two, we are putting a situation where people are going to have personal property removed from them and destroyed with no right of recourse other than what currently exists, and that is to sell it. Well, I don't want to be forced to sell something that I have the right to have. That's what this bill does.

Thirdly, you know, not that this is on the point directly, but currently in New York, it is an arduous process to get a pistol permit; in some counties it's nearly impossible. This bill, the

provisions -- may I have 45 seconds to wrap up, Mr. Speaker?

ACTING SPEAKER P. RIVERA: Sure.

MR. JORDAN: Thank you, Mr. Speaker.

ACTING SPEAKER P. RIVERA: I could give you 15 minutes more.

MR. JORDAN: I'll take the 15, but I won't use it. Thank you.

This bill, under the law currently, the sponsor is correct. There is a provision where you can get a revoked license back. That provision is reapply for a new license because the standard under the current revocation law says that you have to come in and prove that the license was revoked wrongly in the first instance. And the problem is judges are given great discretion and if they apply the law properly, it will be -- by a matter of law, it will not have been revoked improperly.

So, what we're doing is we're saying to someone who is the unintended victim, I guess, of this legislation, *Not only have you been wrongly accused, not only did you adequately and properly defend yourself in the process, but at the end, that license you had for a pistol, you have to go back and reapply and start all over again as if you had left the State and not notified the licensing authority.* So, for that reason and a variety of others, I would encourage my colleagues a no vote and I appreciate the second 15 minutes.

ACTING SPEAKER P. RIVERA: Fifty seconds, by the way.

Mr. Montesano.

MR. MONTESANO: Thank you, Mr. Speaker. On the bill, please.

ACTING SPEAKER P. RIVERA: On the bill.

MR. MONTESANO: Mr. Speaker, this -- currently, any court in this State that issues an order of protection for anyone that's arraigned before them on a variety of charges, not only domestic violence charges, but larceny charges, criminal mischief charges, anything of that nature, an order of protection is issued. Immediately at that time the court directs the defendant to turn over any and all firearms to its local police department and get a receipt; therefore, the local police department's notified of the order of protection so if the person doesn't turn the weapons in, they go retrieve the weapons. Also, they have taken steps that in cases where the defendant is involved as a law enforcement officer or in the connection with other jobs that they have is authorized to carry or possess a firearm, that -- the restriction is put on a limited basis and many times, only in the course of their work can they carry the firearm and then they have to surrender it at the end of the workday.

Many procedures have been put in place to take firearms away from defendants involved in all criminal cases, not only in family offenses before the family court. The judges have always implemented this. If this was a discretionary bill where a judge had the discretion, under a certain set of circumstances, to weigh a case before it then to make a suspension, I could see it. But to make it

mandatory is an overuse of the statute. Putting judges -- first of all, taking their discretion away is something we shouldn't be doing in an area where there's no proof that the judges haven't been doing their job to begin with with.

Many of the provisions of this bill are onerous. They're going to have an unintended consequence. In addition to the fact that a lot of the violence we see happen in the domestic relations area are not with legal licensed firearms. In many of the occasions they're all illegal firearms. So, this would be a better bill if there was some discretion put on to the court with the facts before them.

Many of these cases that trigger an order of protection are harassment charges, aggravated harassment charges, which involve -- aggravated harassment involves, you know, harassment by letters, by Internet, by phone calls, and under this, it will trigger the whole suspension, the mandatory suspension or revocation. For those reasons, Mr. Speaker, I'll be voting in the negative. Thank you.

ACTING SPEAKER P. RIVERA: Ms. Weinstein, why do you rise?

MS. WEINSTEIN: I wanted the gentleman to yield, but if he --

ACTING SPEAKER P. RIVERA: Mr. Montesano, do you yield to Ms. Weinstein?

MR. MONTESANO: Yes, I will.

MS. WEINSTEIN: Sorry, they just didn't recognize

me.

I listened to what you said about the court having the discretion. I guess it would be helpful for the Body here to understand what circumstances -- if you could describe the circumstances when a court has made a finding of substantial risk that the respondent may use or threaten to use a firearm unlawfully against the victim, that they should be allowed to walk out of the courtroom with that firearm.

MR. MONTESANO: Well, Ms. Weinstein, first of all, I would find it hard to believe that they would be in the courtroom with the firearm to begin with. Many a times if they're arrested --

MS. WEINSTEIN: They're allowed to leave the courtroom and go back to their home that has their firearm.

MR. MONTESANO: Well, even if the judge suspends the license right there in the courtroom, they still have to go home and turn in their firearms. They still have to take possession of them to turn them into the police.

MS. WEINSTEIN: What circumstances should they be allowed -- where the judge has found substantial risk of harm to the person who is the victim that the individual, the respondent, is going to threaten or use that firearm unlawfully to cause physical injury to the abused person should they be allowed to retain the use of that firearm and not have to have it suspended?

MR. MONTESANO: Well, you have to -- the typical harassment cases that go on, the aggravated harassment cases that go on. Right now when an order of protection is issued, they would have

to turn all their weapons in regardless what the charge is. That's why I don't understand the need to subsequently revoke or suspend the permit when right at that moment when the judge issues that order, they have to go turn those firearms in and if they don't, the police will go to their residence and retrieve them. So, they don't have the possession of the gun or whatever weapon it is at that point.

MS. WEINSTEIN: Right now, as you heard Mr. Jordan say, it's a discretionary act for the court to suspend or revoke the license. This legislation simply says once the court makes the finding of substantial -- that there is a substantial risk that the weapon will be used to harm the victim of domestic abuse, that it must be revoked.

And I must tell you that I've tried to think of different types of circumstances, but I can't think of a circumstance where a court has found, a judge has found that there's a substantial risk that the person is going to unlawfully use that gun against the person who has been abused. And you should know that 30 percent of intimate violent -- intimate partner homicides this year involved firearms. I just can't think of a circumstance, that's why I'm looking for help from you, when the court has found substantial risk that the firearm will be used to harm the victim of domestic violence, that the court would still -- that this individual should still retain the use of a firearm.

MR. MONTESANO: Because the way I read your bill is that this takes place in the context of an initial proceeding before the court, when someone makes a request for an order of

protection, even ex parte, and the defendant does not have the opportunity to defend themselves in a full hearing or a trial. Not anybody has even been convicted of an offense. Somebody could walk in ex parte, get an order of protection and it triggers all of this and the person's never had a chance to set foot in the courtroom, the defendant, and defend themselves. That's why it's so onerous. I mean, people walk into courts every day and get orders of protections ex parte and it triggers a whole problem. People who are in law enforcement automatically get suspended from their jobs when these types of orders of protection are issued because of the firearm restriction until a full hearing is had.

So, it's just that in the context of how this is being done, it's just difficult for me to agree with. I'm not, you know, saying that the bill doesn't have a purpose or what you're looking to do doesn't have a purpose; I'm not disagreeing with that. But it's in the context in the way it's being done.

MS. WEINSTEIN: I assume you did hear -- if you would continue to yield, Mr. Montesano, I assume you did hear the dialogue that there is existing law where an individual can make an application within 14 days, and I think it would be in these ex parte situations, more likely, to be used for a full hearing where they can -- especially if they had not attended -- if they had not been there but it had been an ex parte hearing, a full hearing, and those issues would be reviewed. So, it's not an absolute that once you lose it in its initial -- at the initial hearing that you don't have an opportunity --

MR. MONTESANO: No, I'm aware of that. I know any time an order of protection is ordered ex parte, there's that window of time where it triggers the requirement for a hearing and the first 14 days is temporary and then after that if the judge finds reason, he can issue a more extensive temporary order. I'm aware of that.

MS. WEINSTEIN: Thank you very much.

MR. MONTESANO: Thank you.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Castelli to explain his vote.

MR. CASTELLI: Thank you, Mr. Speaker.

Obviously, as with many people in this room, I am concerned about the nature of domestic violence and the propensity of domestic violence, as a criminal justice professor, as a law enforcement officer and I'm sure my colleague, Mr. Montesano, also a former police officer and, I might add, a former judge, was equally and is equally as concerned about that. But, frequently we see in this Chamber situations where a concept is an excellent concept put forth for noble purposes, but the legislation is flawed legislation. In this case, we see that it applies to an ex parte procedure and the potential for something being arbitrary and capricious in its use can exist there.

There are many flaws in this particular piece of legislation. It is overly broad. It removes the discretion from the judges. And while I am certainly in support of all the reasons why the bill was put in, I think the particular document itself is a flawed piece of legislation and, as a result of wanting to make sure that we pass good law as well as good law for good reasons, in that case I'm going to have to vote against this procedure and I would urge my colleagues to vote against it as well. Thank you, Mr. Speaker.

ACTING SPEAKER P. RIVERA: Ms. Glick to explain her vote.

MS. GLICK: Thank you, Mr. Speaker. Frankly, I listened carefully and I understand that we want to be sure that people aren't summarily denied their right to the gun that is licensed to them, but having heard, over many years, an endless stream, it seems, of women murdered by handguns in possession -- and many of them legally, apparently not everybody is turning them in and maybe that is a matter of the judge having discretion or some synapse misfiring, but it appears to me that we should actually err on the side of ensuring the safety of victims of domestic violence.

And I am a little surprised. Everybody will tsk-tsk when there is this terrible murder with just a -- with that order of protection in hand, but a licensed firearm in somebody else's hand and the abuser, outraged at having been dragged into court in the first place, comes back armed and, oops.

So, I applaud the sponsor and urge everyone to vote

in the affirmative or never to issue a statement condemning somebody who has killed a victim with a firearm after an order of protection has been issued. I vote in the affirmative.

ACTING SPEAKER P. RIVERA: Joel Miller to explain his vote, Assemblyman Miller.

MR. J. MILLER: Thank you, Mr. Speaker. My understanding was that under current law, all firearms would be surrendered upon the issuance of an order of protection, so it's not a question of having a firearm, not having a firearm. The current law provides for the person for whom an order of protection was issued to not have a firearm. The only thing that this bill adds is the immediate and mandatory suspension of the license to have firearms.

And I think that we've seen any number of scenarios where due process hasn't had a chance to play out and there's a significant consequence, but all of us agree that the person should not have a firearm and, under current law, they would not. So, this really goes beyond the question of safety. Safety is assured by the current law. This simply goes on to say whether enough time is being allowed before there's a potential loss for the consequences of having lost a firearm license.

And for that reason, I will vote against this bill and hope that the court can maintain its discretion, and I believe that under the current law the potential victim is as well protected as they would be, whether or not this bill passed or not. So, I will be voting in the negative. Thank you.

ACTING SPEAKER P. RIVERA: Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Canestrari.

MR. CANESTRARI: Mr. Speaker, the last three bills in this package, we will go to page 29 of the main Calendar, Calendar No. 362, Mr. Lavine, followed by, on page 33, Calendar No. 403, Ms. Jacobs, and finally on page 34, Calendar No. 411, Steve Englebright. So, Calendar Nos. 362, 403 and 411, in that order, please.

ACTING SPEAKER P. RIVERA: We will proceed to page 29, Calendar No. 362, the Clerk will read.

THE CLERK: Bill No. 7585-A, Calendar No. 362, Lavine, P. Rivera, N. Rivera. An act to amend the Public Health Law, in relation to hospital domestic violence policies and procedures.

ACTING SPEAKER P. RIVERA: An explanation is requested, Mr. Lavine.

MR. LAVINE: Certainly, Mr. Speaker. The bill will require hospitals to establish policies and procedures regarding domestic violence. The bill establishes ongoing training programs on domestic violence for all current and new hospital employees. It designates a hospital staff member to coordinate services to victims; provides for the interaction of hospitals with community domestic violence service providers in order to coordinate services to victims of

domestic violence. It requires hospitals to offer to contact a local advocate when admitting or treating a confirmed or suspected victim of domestic violence.

Now, the essence of the context is that domestic violence has been recognized as a major public health problem in the United States. Recent studies have demonstrated that 2 to 4 percent of all women seen in hospital emergency departments have acute trauma associated with domestic violence and another, amazingly enough, 10 to 12 percent of women have a recent history of domestic violence. Similar studies report that 5 to 15 percent of all women seen in other healthcare settings have a history of recent domestic violence and, as if that's not bad enough, domestic violence is the leading cause of injury to women in the United States between the ages of 15 and 44, more than car accidents, muggings and rapes combined; 3- to 4 million women in the United States are beaten in their homes each year by their husbands, ex-husbands or male companions. Boys who witness domestic violence are twice as likely to abuse their own partners and children when they become adults, and children who witness violence at home display emotional and behavioral disturbances as diverse as withdrawal, low self-esteem, nightmares, self-blame and aggression against peers, family members and property. And, amazingly enough, of all the women who are assaulted and the victims of domestic abuse, between 25 and 40 percent are abused and battered during pregnancy. And, finally, there are close to 17,000 homicides and close to \$2.2 million spent in medical treatment

of injuries due to intimate partner violence annually which costs us, as a nation, \$37 billion.

Now, what this bill does is to simply codify existing regulation as contained in the NYCRR.

ACTING SPEAKER P. RIVERA: Mr. Conte.

MR. CONTE: Thank you, Mr. Speaker. Will the sponsor yield for just a couple of questions?

ACTING SPEAKER P. RIVERA: Mr. Lavine?

MR. LAVINE: Certainly.

MR. CONTE: I think your last comment on this is the most poignant you talked about. I think all of us agree and understand the tragedies that have occurred with domestic violence. My question to you is what are the hospitals not doing now that this bill would make them do?

MR. LAVINE: The NYCRR prescribes a certain set of protocols, and the essential difference is not that great, but what this bill will do that is not specifically provided for in the NYCRR is to ensure that -- and let me just list them so I'm exact -- a hospital staff member will have to be designated to coordinate services and, if desired, to coordinate between the patient and a domestic violence service provider. Those are, I believe, the major distinctions.

MR. CONTE: Excuse me. What was the first one? I'm sorry, I was talking to counsel.

MR. LAVINE: There has to be someone in the hospital who is, overall, in charge.

MR. CONTE: Okay. So, right now -- I mean, my biggest problem with this bill was the training program for all current and new employees. Is that required under the New York Code, Rules and Regulations?

MR. LAVINE: It is not specifically required under the New York Code, Rules and Regulations.

MR. CONTE: Right, and that's where I have the problem with this legislation because it doesn't say training of all current and new emergency room employees, but for all current and new employees. And so, you would have to have the hospital, whether they were hiring a rad tech or they're hiring a nurse -- well, the nurse would be the one, but they're hiring a custodian, someone who is going to transport someone from room to room, that they would have to go through the training of trying to identify domestic violence cases and what to do. That's where I think the flaw in this legislation is, and I think that's why both HANYS -- you know, HANYS is opposing this legislation.

MR. LAVINE: Jim, I would have to say that I don't view that as a flaw. I understand why some of the interest groups that represent the hospitals might take issue with the approach, but they certainly don't take issue with the objective.

MR. CONTE: No, no, the problem is the cost; that's the problem. If you're saying that all nurses, nurses' aides and doctors, emergency room personnel would have to be trained in identifying and trying to help people of domestic violence, because they're

already doing all of this right now. They're already doing -- under the -- we passed in 1994 the Domestic Violence Prevention Act, in 1990 the Department of Health distributed to every hospital a diagnosis treatment center -- excuse me, and diagnosis treatment in the State a model adult domestic violence protocol, the Division of Criminal Justice Services, the Court Administration, the police, they've all done this over the years. I mean, we should be commended for being in the forefront of telling our hospitals to do this.

My major flaw with this piece of legislation is that it says, you know, on line 7, you know, "... a training program for all current and new employees regarding the policies and procedures established pursuant to this section."

MR. LAVINE: The memos in opposition that we have seen don't refer to the cost, and I suspect that's because the hospitals are providing almost every service that's prescribed in this bill already. And as far as the cost goes, the cost of domestic violence is so overwhelmingly great that even if there is some additional cost associated with implementation of the provisions of this bill, that cost still pales in comparison to the human and financial cost of domestic violence. We are let -- people are slipping through the system.

MR. CONTE: And I agree with your concept wholly, but was it your intent, as the sponsor of this legislation, to have the custodian of a hospital or the food service person in the hospital or the person who is going to transfer you from one room to the other, was it your intention that they go through a training program that would

identify and be able to treat domestic violence victims?

MR. LAVINE: Possibly the person who does the transportation of patients from one area to another, but with respect to those who are working in the kitchen and those who have no association, direct association, and scarcely even any indirect association with patients, I'll give it to you, you're right.

MR. CONTE: Thank you. On the bill just very quickly. I'm not going to belabor the point and I'm probably going to vote for this legislation because, under current law that we have passed over -- in 1990, 1994 and what both the hospitals and what the Health Department, with a number of different organizations throughout the State, are currently doing exactly what this legislation is saying, we're codifying in law. The problem that I have is that they have to come up with a training program for all current and new employees.

So, I would hope that as we move forward that we look to change that particular language so we don't overburden our hospitals with another unfunded mandate that, again, just doesn't make sense. It makes sense to train the nurses in the emergency room. It makes sense to train the doctors. It makes sense to train the people who are going to be the ones that are going to be looking and admitting the people. Maybe even some of the guards that are there in the emergency room that may come upon and may be able to be able to identify a domestic violence case very quickly and maybe can take that woman or person out of harm's way. But to do it for all

employees, I think, is a little excessive. But I'm going to be voting for the legislation and I hope that the sponsor, as we move forward here, we have plenty of time to amend this and to bring it on to the other House. Thank you, Mr. Speaker.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the first day of January, 2013.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Canestrari.

MR. CANESTRARI: Yes, Mr. Speaker, our colleague, Joe Lentol, has some guests to the rear of the Chamber and they're all from the Williamsburg Infant and Early Childhood Development Center, and they include Eugene Sanders, Shlomo Weiss and Aaron Kohn.

On behalf of our colleague, Joe Lentol, a welcome to this group from Williamsburg. Thank you.

ACTING SPEAKER P. RIVERA: Gladly, Mr. Canestrari. It's nice to see such enthusiastic people here and I know

that Mr. Lentol is very proud to have them here. So, on behalf of Mr. Lentol, the Speaker and all my colleagues, we want to thank you for being here and we do extend the privileges of the floor. Thank you for being with us here today.

(Applause)

We will proceed to page 33, Calendar No. 403, the Clerk will read.

THE CLERK: Bill No. 2651-A, Calendar No. 403, Jacobs, Titone, P. Rivera, Titus. An act to amend the Social Services Law, in relation to residential services for victims of domestic violence.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 90th day next succeeding the date on which it shall have become a law.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, Mr. Speaker. This bill, as I understand it, enables victims of domestic violence who are in a temporary residential program to stay an extra 45 days longer than their current authorized stay. And at first blush, this seems like a bill designed to help victims of domestic abuse because it would allow them to stay up to six months in a temporary shelter.

The concern I've had with this bill is that under the current program, this ability to go into a domestic violence program shelter applies not just for those who are on public assistance, but for those who are not on public assistance who have resources and assets that make them ineligible for public assistance. So, when you extend the eligibility for a person who has resources to stay longer in a domestic shelter, that means that that person is using a bed or a shelter space that is no longer available for other victims who are coming into the system and, unfortunately, in my district and based on hearings that we've had earlier this year, in many other districts across the State there's a substantial waiting period.

And so, the ironic unintended consequence of this bill is to increase the waiting list for those who are desperate to get into a residential program and don't have the financial resources for alternatives, and it increases that waiting list by extending the time that a person can stay in one of these residential programs when they do have the resources. And so, when you have a scarce resource, I think we should prioritize it to focus on the victims of domestic abuse that do not have resources. For that reason, I will be voting no.

ACTING SPEAKER P. RIVERA: Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

We will proceed to page 34, Calendar No. 411, the

Clerk will read.

THE CLERK: Bill No. 9024, Calendar No. 411, Englebright, Bronson. An act to amend the Executive Law, in relation to preventing housing discrimination against victims of domestic violence; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 90th day next succeeding the date on which it shall have become a law.

ACTING SPEAKER P. RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes?

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Canestrari.

MR. CANESTRARI: Mr. Speaker, I understand you have resolutions for us to consider.

ACTING SPEAKER P. RIVERA: We do have numerous resolutions.

Privileged resolution by Mr. Ryan, the Clerk will read.

THE CLERK: Resolution No. 1065.

Legislative Resolution honoring Bill Pienta upon the

occasion of his retirement from the United Steelworkers.

WHEREAS, It is the sense of this legislative Body to recognize and honor those distinguished citizens of this great Empire State who have devoted themselves to faithfully serving the best interests of their community and the needs of its residents; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this legislative Body is justly proud to honor Bill Pienta upon the occasion of his retirement from the United Steelworkers, to be celebrated on Friday, March 23, 2012, at Hearthstone Manor in Depew, New York; and

WHEREAS, Throughout his career, Bill Pienta served with intelligence and caring dedication, continuously striving to effectively fulfill the duties of his position as the Director of United Steelworkers District 4; and

WHEREAS, Bill Pienta began his career as an electrician with the United Steelworker union in 1966 at the former Allegheny Ludlum steel mill in Dunkirk, New York; and

WHEREAS, Throughout his career with the United Steelworkers, Bill Pienta has worked tirelessly to represent the members of the United Steelworkers in New York, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the island of Puerto Rico; and

WHEREAS, It is the sense of this legislative Body that when individuals of such noble aims and accomplishments are brought to our attention, they should be celebrated and recognized by

all the citizens of the great State of New York; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to honor Bill Pienta upon the occasion of his retirement from the United Steelworkers, and to wish him continued success in all of his future endeavors; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to Bill Pienta.

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

Privileged resolution by Mr. Barclay, the Clerk will read.

THE CLERK: Resolution No. 1066.

Legislative Resolution congratulating the Baldwinsville Central School District Marching Band for winning First Place at the 2011 Gator Bowl Field Band and Parade Competition.

WHEREAS, It is the sense of this legislative Body to recognize and commend those dedicated and distinguished teams that are committed to the pursuit of excellence and bring great pride to their schools and the citizens of New York State; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this legislative Body is justly proud to congratulate the Baldwinsville Central School District Marching Band upon the occasion of winning First Place at the 2011

Gator Bowl Field Band and Parade Competition; and

WHEREAS, To prepare for the national competition, members of the Baldwinsville Central School District Marching Band rehearsed for two extra months, logging countless hours of practice to learn new music charts and perfect their skills; and

WHEREAS, At the Gator Bowl Field Band and Parade Competition, held on December 31, 2011, in Jacksonville, Florida, the Baldwinsville Central School District Marching Band swept all categories including: Overall Percussion, Overall Guard, Overall Marching, Overall General Effect and Overall Music for parade band; and

WHEREAS, In addition, the Baldwinsville Central School District Marching Band took first place for Best Drum Major, Best Percussion, Best Guard, Best Marching, Best General Effect and Best Music for a marching band; and

WHEREAS, To place first in a national competition, as done by the Baldwinsville Central School District Marching Band, is a remarkable achievement, since Baldwinsville defeated nine other schools from across the county to win a \$10,000 prize and be selected to perform its entire routine during the Gator Bowl football game on January 2, 2012; and

WHEREAS, With this year's theme being Apollo '11: From the Earth To the Moon, the Baldwinsville Central School District Marching Band celebrated the pioneering spirit of NASA's Apollo moon missions and paid a riveting tribute to our country's

brave and dedicated astronauts through their field band and parade performance; and

WHEREAS, Members of the Baldwinsville Central School District Marching Band also wore a mission patch on their uniforms, co-designed by official NASA artist Timothy Gagnon, who they met at the NASA-Kennedy Space Center during their trip; and

WHEREAS, No marching band can succeed without outstanding talent throughout its entire roster; such was the case for the 2012 Baldwinsville Central School District Marching Band whose members include: Caitlyn Barron, Erin Burke, Lucas Butchko, Angie DeSain, Will Grindle, Marie Knittel, Zach Meyers, Bradley Porceng, AJ Reilly-Vinicombe, Justin Taylor, Brian Arthur, Joe Frevele, Austin Kline, Daxton Miller, Ryan Tighe, Rick Kearney, Chris Lefancheck, Megan Lefancheck, Nate Piazza, Drew Stephens, Evelyn Abbott, Matthew Heaton, Ian Lang, Arin Anderson, Liz Boyce, Lisa Caswell, Melissa Cefaliello, Ashley Champ, Sam Donhauser, Becca Goodsell, Rachel Starr, Mary Zarnowski, Emily Bayhan, Cate Beamish, Paige Dickter, Rachel Hewitt, Tori Johnson, Brittany LaRock, Katie Mangicaro, Gabrielle Piraino, Chelsey Pitcher, Natalie Redmore, Carina Scalise, Isabella Stephens, Stacy Tooke, Maria Teresa Bianchetti, Katie Bulger, Evan Donhauser, Sarah Garraffo, Nick Piazza, Noah Siddall, Peter Snell, Vicky Thompson, Schyler LaBeef, David Millen, Garrett Darrah, Tyler Werner, Anna Capria, Nick Hloderwski, Todd Lowe, Emily Martell, Elise Conklin, Sean Honsinger, Nate James, Brandon McArdell, Mike Stapleton, Ben

Bardenett, Aron Callard, Nicole Damon, Joe Honsinger, Sean Ivey, Ryan Knaul, Andrew Nave, Grace Bianchetti, Connor Bogardus, Lucy Catalino, Michelle Chapman, Joe Crawford, Renee Fenzl, Kim Impellizzeri, Erin Knaul, Steven Li, Eric Shane, Jesse Wilhelm, Mackenzie Polzin, Nate Porceng, David Tack, Taylor Shane, Morgan Noone, Emily Siddall, Jenna Alexander, Brianna Cico, Stephanie Cico, Bella Corrado, Lydia DiCaprio, Owen Freeley, Carley Garcia, Amy Harper, Meghan LaGoe, Justine Moss, Alyssa Richards, Mara Sickles, Hannah Sims, Gabrielle Uhrig, Sarah Uhrig, Mackenzie Collins, and June Schult; and

WHEREAS, The success of the Baldwinsville Central School District Marching Band is due in great part to the efforts of Director Casey Vanderstouw, and his outstanding staff: Assistant Director Nick Farrell, Megan Cullen, Dr. Kenneth Magara, Tori Bean, Brian Callard, Christina Jestin, Karen Watt, Shannon Spalding, Kris Dubois, Randall Bennett, Edward Steenstra, Shawn Westover, Mike Kearney, Aaron Walters, Kelly Cullen, Nick Baratta, Dr. Robert Bridge, Ron Hardin, Morgan Noone, Emily Siddall, and Adam LeBeau; the band was also assisted by the support of friends, family and the community; and

WHEREAS, The Baldwinsville Central School District Marching Band shared noteworthy attributes off the field, as well as in competition; individually and collectively, they exhibited professionalism and good sportsmanship and demonstrated to their community and the Nation they have an outstanding combination of

talent and character; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to congratulate the Baldwinsville Central School District Marching Band upon the occasion of winning First Place at the 2011 Gator Bowl Field Band and Parade Competition; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to the members of the Baldwinsville Central School District Marching Band, and to the Band Director, Casey Vanderstouw and his staff.

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

Privileged resolution by Mr. Losquadro, the Clerk will read.

THE CLERK: Resolution No. 1067.

Legislative Resolution congratulating the Rocky Point High School Varsity Cheerleading Team upon the occasion of capturing the 2012 National Championship in the Universal Cheerleaders Association's Medium Varsity Division.

WHEREAS, Athletic competition enhances the moral and physical development of the young people of this State, preparing them for the future by instilling in them the value of teamwork, encouraging a standard of healthy living, imparting a desire for success and developing a sense of fair play and competition; and

WHEREAS, This legislative Body is justly proud to

congratulate the Rocky Point High School Varsity Cheerleading Team upon the occasion of capturing the 2012 National Championship in the Universal Cheerleaders Association's Medium Varsity Division; and

WHEREAS, The Rocky Point High School Varsity Cheerleading Team is the first from Long Island to ever win the Universal Cheerleaders Association's national title twice; and

WHEREAS, In addition, The Rocky Point High School Varsity Cheerleading Team are the 2011-2012 UCA Empire Regional Champions, as well as the 2011-2012 LICCA Long Island Champions; and

WHEREAS, Loyally and enthusiastically supported by family, fans, friends and the community-at-large, Rocky Point Varsity Cheerleading Team have proven themselves to be an unbeatable combination of athletic and academic talents, reflecting favorably on their community; and

WHEREAS, The Rocky Point High School Varsity Cheerleading Team includes: Tayler Baker, Shannon Bouker, Giordanna Campo, Melissa Carniero, Nicole Danisi, Sami Gallion, Ashely Goldstein, Becca Holter, Elizabeth Holter, Cori Iacopelli, Elizabeth Johannesen, Megan Keane, Amanda Lang, Jaclyn Lang, Brianna Lent, Cianna Maffei, Kaitlyn McDonald, Emily O'Conner, Jeanna Orlando, Danielle Ortolani, Amy Rausch, Anna Shapior, and Sarah Vaden; the team was ably led by Head Coach Anna Spallina; and

WHEREAS, It is the sense of this legislative Body that when young people who represent their community with pride and determination while participating in competitive sports are brought to our attention, they should be celebrated and recognized by all the citizens of the great State of New York; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to honor the Rocky Point High School Varsity Cheerleading Team upon the occasion of winning the 2012 National Championship in the Universal Cheerleaders Association's Medium Varsity Division; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to the members of the Rocky Point High School Varsity Cheerleading Team and Head Coach Anna Spallina.

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

Privileged resolution by Mr. Weisenberg, the Clerk will read.

THE CLERK: Resolution No. 1068.

Legislative Resolution commending Nassau County high school students Amanda Greene, Julie Troyetsky, and Georgina Hudja for spending their winter break working in Nicaragua with Builders Beyond Borders.

WHEREAS, It is always with great pleasure that this legislative Body takes note of and publicly acknowledges the youth of

today, and leaders of tomorrow, whose character and achievements exemplify the ideals and values cherished by this great State and nation; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this legislative Body is justly proud to recognize and commend Amanda Greene and Julie Troyetsky, sophomores at Hewlett High School, and Georgina Hudja, a Lawrence High School sophomore, for spending their winter break working in Nicaragua with Builders Beyond Borders; and

WHEREAS, Amanda Greene, Julie Troyetsky, and Georgina Hudja were among 40 tri-state students who volunteered with Builders Beyond Borders during their winter break; for Amanda Greene and Julie Troyetsky, it was their second trip with Builders Beyond Borders as they had volunteered during their breaks last year in Ecuador and found the endeavor to be a humbling yet gratifying experience, worthy of repeating; and

WHEREAS, Builders Beyond Borders is an organization which undertakes projects in Latin-American countries to improve villages and better the lives of the villagers and their children; and

WHEREAS, On the trip Amanda Greene, Julie Troyetsky, and Georgina Hudja took, the volunteers ventured to the Nicaraguan village of Pablo Antonio Cuadra to help build classrooms at the Pablo Antonio Cuadra High School; and

WHEREAS, In this particular Nicaraguan area,

students have the resources to complete the first three years of high school but do not have sufficient classrooms to finish the rest of high school; and

WHEREAS, Upon the completion of the additional classrooms, for the first time in more than 40 years, every student in Pablo Antonio Cuadra will have the opportunity to graduate from high school; and

WHEREAS, Amanda Greene, Julie Troyetsky, and Georgina Hudja spent a week in Pablo Antonio Cuadra and had a set schedule; they woke up at 6:30 a.m., got ready, and left at 7:30 a.m.; they worked from around 8:00 a.m. until 10:30 a.m., had a snack, worked some more and then had lunch at 12:30 p.m.; and

WHEREAS, Around 2:30 p.m. they would leave and go home, where they would change and go on some type of excursion; they went zip-lining, visited an active volcano, and went into a bat cave and were really able to see and appreciate everything the little town had to offer; and

WHEREAS, Amanda Greene, Julie Troyetsky, and Georgina Hudja truly enjoyed the experience; they liked helping people and knowing their efforts would have a lasting impact and would be of enduring value to the Pablo Antonio Cuadra community; they learned to appreciate the lives they have and gained an enhanced understanding of the importance of helping others which they will, no doubt, carry with them throughout their lives; and

WHEREAS, Outstanding role models for their peers,

Amanda Greene, Julie Troyetsky, and Georgina Hudja have distinguished themselves as young women of superlative ability, establishing a purposefulness of life rarely achieved in youthful years; and

WHEREAS, Amanda Greene, Julie Troyetsky, and Georgina Hudja are a credit to their families, their schools and their communities; this legislative Body is proud to honor them, recognizing the value of their labors and the promise of their futures; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to recognize and commend Amanda Greene, Julie Troyetsky, and Georgina Hudja for spending their winter break working in Nicaragua with Builders Beyond Borders and to extend to each of them the best wishes of this legislative Body for a future of purposeful success and well-being; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to Amanda Greene, Julie Troyetsky, and Georgina Hudja.

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

Privileged resolution by Mr. Weisenberg, the Clerk will read.

THE CLERK: Resolution No. 1069.

Legislative Resolution honoring the memory and

celebrating the life of The Reverend Jesse Evans, who garnered community support to bring a house of worship to North Park.

WHEREAS, The character and richness of religious and community life in the Empire State are nourished and fulfilled through the faithful concern and selfless devotion of those who commit their energies and purpose to the ministry of others; and

WHEREAS, The Reverend Jesse Evans was such a man and member of the clergy; he established the Christian Light Missionary Baptist Church in Long Beach, New York in 1950; the congregation originally met at Long Beach City Hall, and the church he labored to build opened in 1966; and

WHEREAS, While Reverend Jesse James Evans worked tirelessly to build a new church for his congregation, he worked full-time and helped to raise more than his own family; and

WHEREAS, He was a father, not just to his own children, but to the entire community according to his daughter, Jessie Wilson, who still worships at the Christian Light Missionary Baptist Church he built in the North Park neighborhood of Long Beach; people of all colors came to him with problems and he helped them; and

WHEREAS, Reverend Evans had been the pastor at Christian Light for 50 years when he died in April 2000 at age 87; many consider him to have been an ecclesiastical pioneer who contributed significantly to filling what was regarded a religious void in the Long Beach community before he came; and

WHEREAS, Born to wealthy farmers in Eatonton, Georgia, on August 29, 1912, Reverend Evans served as a Chaplain in the U.S. Army during World War II, after which he traveled each Sunday from Jackson Heights to work as a Deacon and then an ordained Minister at the First Baptist Church in North Park; later he replaced the retiring Reverend J.E. Hall, reorganized the congregation into the Christian Light Missionary Baptist Church, and held services at City Hall beginning in 1950; and

WHEREAS, Two years later, a woman generously donated a garage to him on Riverside Boulevard which he converted into a serviceable church; it wasn't until 1966 that he was able to open a church at 620 Park Place, a street which was officially renamed J.J. Evans Boulevard in 2003; and

WHEREAS, He raised four daughters, Mary, Catherine, Gloria, and Jessie and three sons, Andrew, Jonathan and Charles, the latter two of whom tragically perished in a house fire in 1962; and

WHEREAS, During this time, Reverend Evans worked at bedding companies in Island Park and Manhattan, first as a mattress maker and then a manager; he also found time to teach history, conduct Biblical studies and pen articles for religious periodicals; and

WHEREAS, Reverend Evans' daughter, Jessie Wilson, as an example of the kind of person he was, recalls that one night when a man came to the Evans' home after he and his family lost

their own home in a fire, her father let them live in their basement;
and

WHEREAS, Kathy Williams, a woman who has worshiped at Christian Light since she was married there in 1959, similarly remembers Reverend Evans as a very generous and wise man who reinforced her beliefs, including that all men are created equal; and

WHEREAS, Kathy Williams also recalls that he opened his home and congregation to people who migrated from the South looking for a better life and is mindful that when she and her mother moved north from their native South Carolina, Reverend Evans looked out for her; and

WHEREAS, Reverend Evans was deeply involved in religious organizations on the local, state and national levels; he served as Moderator of the Long Island Progressive Baptist Church District Association, President of the Progressive Baptist State Convention of New York, and as a member of the Foreign Mission Board of the National Baptist Convention of America, organizations from which Reverend Evans sought assistance, along with many others, including the Long Beach Interracial Committee on which he served, to help build the church he envisioned; and

WHEREAS, When the church opened its doors in March 1966, the congregation joyfully marched from the original church to the new house of worship on Park Place in Long Beach; and

WHEREAS, In the following years, Reverend Evans

was a highly respected and stabilizing figure in the Long Beach community and was elected to the first residents' Board of Directors of the city-run Martin Luther King Jr. Community Center, which he served on alongside his daughter Jessie Wilson and her husband, Pearlie; and

WHEREAS, It is the sense of this legislative Body that when a person of such noble aims and accomplishments is brought to our attention it is appropriate to publicly and jubilantly proclaim and commend them for the edification and emulation of all the citizens of the great State of New York; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to honor the memory and celebrate the life of The Reverend Jesse Evans who garnered community support to bring a house of worship, the Christian Light Missionary Baptist Church, to the North Park neighborhood of Long Beach and served his congregation and community with distinction for many years; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to the Christian Light Missionary Baptist Church and the family of Reverend Jesse Evans.

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

Mr. Canestrari.

MR. CANESTRARI: We will be adjourning until a

time certain tomorrow morning, but members should note that budgetary conference committee meetings may be scheduled prior to that time, so be on call.

With that, I move the Assembly stand adjourned until tomorrow, Thursday, March 22nd at 10:30 a.m., tomorrow, Thursday, being a Session day.

ACTING SPEAKER P. RIVERA: The House stands adjourned.

(Whereupon, at 4:28 p.m., the Assembly stood adjourned until Thursday, March 22nd at 10:30 a.m., Thursday being a Session day.)