

**WEDNESDAY, APRIL 18, 2012**

**3:40 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.)

Visitors are invited to join the 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, April 17th.

Mr. Canestrari.

MR. CANESTRARI: Mr. Speaker, I move to

dispense with the further reading of the Journal of Tuesday, April 17th and ask that the same stand approved.

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

MR. CANESTRARI: And in terms of the schedule for today, my colleagues and guests, the members have on their desks, of course, the main Calendar. After any introductions and housekeeping that we may have on the floor and housekeeping from the desk, we will consent the new bills on the main Calendar beginning on page 32 with Calendar No. 425, and we will continue with the new bills until the end of the new bills later in the main Calendar.

We'll also be working on debate off the main Calendar including on page 11, Calendar No. 105, a bill by our colleague, Keith Wright. Keith is on his way. We'll do that bill as well. So, Mr. Speaker, if there are introductions and housekeeping we'll take them up right now.

ACTING SPEAKER P. RIVERA: Mr. Losquadro for an introduction.

MR. LOSQUADRO: Thank you, Mr. Speaker. If I could ask my colleagues to turn their attention to the back of the Chamber. We are joined yet, again, this year by a group that has made our entire State proud. For me, the 1st Assembly District is number one in the nation again. The Rocky Point Varsity Cheerleaders - and girls, if I could ask you to please stand up - are here today together

with their coach Anna Spallina. They are the back-to-back National Champions in the Medium Varsity Division of the Universal Cheerleading Association and I just want to congratulate them on a job extremely well done. They have not only done the 1st Assembly District on Long Island, but the entire State of New York proud with their efforts. This group not only has excelled in athletics and academics, but they have also made a concerted effort to give back to their community doing charitable fundraisers and I just want everyone here to wish them a warm congratulations and, Mr. Speaker, if you could please extend to them the cordialities and courtesies of the House, I would greatly appreciate it.

**ACTING SPEAKER P. RIVERA:** Thank you for bringing them here, Mr. Losquadro. It's truly a pleasure and an honor to see such happy people that are here, that are having a good time, that are helping us celebrate with them and enjoy the moment and enjoy their victory. So, I think it's really truly important that they're here and that we're here to honor them.

So, on behalf of Mr. Losquadro, the Speaker and all my colleagues, please enjoy the privileges of the floor and please enjoy the time that you're here, please try and stay around for a little while so that we can take some nice photos of you and come back real soon. Thank you for being with us here today.

(Applause)

Mr. Saladino for an introduction.

**MR. SALADINO:** Thank you, Mr. Speaker. I rise

for the purposes of a very special introduction of a young man who is quite an exceptional New Yorker. Anthony J. Clemente is a young man who is a resident of Massapequa. His Eagle Scout project was to make sure all New Yorkers, especially young people, realize the dangers involved with texting and driving. We've had many accidents across this State and we all know of those dangers and what they can lead to, so he's made it his civic duty to let New Yorkers know that there's a law against this very dangerous practice. He's even gone on television to promote this subject. He is an Eagle Scout who has worked hard through leadership to show other young people the way. He's a 12th grader at St. Anthony's High School on Long Island majoring in English and he is an avid reader and his favorite author is J.K. Rowling. He is just a great young man and we know our future is in wonderful hands with people like Anthony Clemente.

He's joined by his father Anthony J. Clemente who is an electrician, a member of Local 3 in New York, quite a competent craftsman representing an organization that we love and know do an exceptional job and sometimes we get a charge out of. He's also joined by his mother Connie Clemente who is a CPA, a very bright woman, his sister Ann Marie Clemente is also an exceptionally bright person and a student at Hofstra University on Long Island studying math education and hopes to go on to a career teaching young people about the field of math and forming other great leaders. He's also here with his Scoutmaster, the Scoutmaster of Troop 776, Jim Rapp who does an exceptional job in Massapequa providing a very strong

foundation for our youth. He's done a wonderful job and certainly deserves all the accolades that come with a visit to New York State so, Mr. Speaker, if you would please extend to him the courtesies of this House.

**ACTING SPEAKER P. RIVERA:** Gladly, Mr. Saladino. It truly is a pleasure to have you here and know that your honors, your badges are a well one and that you have done everything possible to earn the title of Eagle Scout. It's truly an honor to have you here. Some of my colleagues who have gone through that process can truly appreciate what you're going through. So, thank you for being here and thank your family for supporting you and being helpful to you during all the good works that you have been able to do and, of course, your Scoutmaster who is also here who I understand doubles between Scoutmaster and a photographer also, so we want to thank him also.

On behalf of Mr. Saladino, the Speaker and all my colleagues, we also want to honor you. We want to recognize your achievements. We want to welcome you to the floor, give you the courtesies of the House and ask that you come back soon. Thank you for being with us here today.

(Applause)

We'll proceed with the resolutions on page 3 commencing with Assembly No. 1165 by Mrs. Robinson, the Clerk will read.

**THE CLERK:** Resolution No. 1165.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim April 2012 as Minority Health Month in the State of New York.

WHEREAS, It is the custom of this legislative Body to recognize official months that are set aside to increase awareness of 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 April 2012 as Minority Health Month in the State of New York, in conjunction with National Minority Health Month; and

WHEREAS, The theme of this year's National Health Month, "Health Equity Can't Wait. Act Now in Your CommUNITY!" Is a call to action and unity for the regions, the State and local offices of minority health, the health departments and all the organizations and partners involved and invested in reducing health disparities; and

WHEREAS, The Office of Minority Health (OMH) was created in 1986 and is one of the most significant outcomes of the 1985 **Secretary's Task Force Report on Black and Minority Health**; and

WHEREAS, OMH is dedicated to improving the health of racial and ethnic minority populations through the development of health policies and programs that will help eliminate health disparities; and

WHEREAS, When comparing their health indicators

against those of the rest of the United States population, poor health outcomes for African Americans, Hispanic Americans, American Indians, Alaska Natives, Asian Americans, Native Hawaiians, and Pacific Islanders are apparent; and

WHEREAS, These populations experience higher rates of illness and death from health conditions such as heart disease, stroke, specific cancers, diabetes, HIV/AIDS, asthma, hepatitis B, and overweight and obesity; and

WHEREAS, OMH's primary responsibility is to improve health and health care for minority communities by developing or advancing policies, programs, and practices that address health, social, economic, environmental and other factors which impact health; and

WHEREAS, OMH programs address disease prevention, health promotion, risk reduction, healthier lifestyle choices, use of health care services, and barriers to health care; and

WHEREAS, OMH works in partnership with communities and organizations in the public and private sectors; these collaborations support a systems approach for eliminating health disparities, national planning to identify priorities, and coordinated responses through focused initiatives; and

WHEREAS, It is imperative that there be greater public awareness of this health issue, and more must be done to increase activity at the local, State and national levels to improve health and healthcare outcomes for racial and ethnic minority

communities; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to memorialize Governor Andrew M. Cuomo to proclaim April 2012 as Minority Health 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.

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. Magnarelli, the Clerk will read.

THE CLERK: Resolution No. 1166.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim April 15-21, 2012 as Abusive Head Trauma/Shaken Baby Syndrome Awareness Week in the State of New York.

WHEREAS, The most recent statistics compiled by the federal government show that 688,211 children were victims of abuse and neglect in the United States in 2010, including 77,011 children in New York State, of whom 7,424 were under one year of age; and

WHEREAS, On an average day in the United States, at least four children will die as a consequence of abuse or neglect by

a caregiver; and

WHEREAS, Children younger than one year of age accounted for 47.7 percent of all child abuse and neglect fatalities in 2010, and children younger than 4 years old accounted for 80 percent of all child abuse and neglect fatalities in 2010; and

WHEREAS, The leading cause of death of abused children under age 5 is Abusive Head Trauma, including the inflicted trauma known as Shaken Baby Syndrome; and

WHEREAS, On average 1200 to 1400 children in the United States are diagnosed with AHT/SBS every year, and medical experts believe many additional cases are likely misdiagnosed or undetected; and

WHEREAS, Shaken Baby Syndrome and other inflicted head trauma occurs when a caregiver loses control and shakes a baby or young child, most frequently less than 1 year of age but in some cases as old as 5 years of age, resulting in loss of vision, brain damage, paralysis, seizures, or death; and

WHEREAS, Shaken Baby Syndrome often causes permanent, irreparable brain damage or death to an infant, and may result in more than \$1,000,000 in medical and rehabilitation costs for the care of a single disabled child during the first years of life; and

WHEREAS, A growing body of medical evidence indicates that even mild trauma to the brain caused by AHT/SBS is likely to cause learning disabilities in children and substantially increase the risk of substance abuse; and

WHEREAS, The Centers for Disease Control and Prevention estimated in 2011 that the average cost of child maltreatment is \$210,012 over the course of a victim's lifetime, including the costs of child welfare, special education, criminal justice expenses, medical care and lost productivity as an adult; and

WHEREAS, It is estimated that the taxpayers of the State of New York may, through the State Medicaid program, pay as much as 41% of the medical and rehabilitation costs that result from inflicted head injuries; and

WHEREAS, The national cost of child abuse is estimated by the Centers for Disease Control to be more than \$124 billion a year, and the cost of child abuse in New York State is estimated to exceed \$13 billion a year; and

WHEREAS, The most effective way to end AHT/SBS is by educating parents and caregivers about the danger of shaking children and providing the skills needed to cope with frustration and anger, and it is clear that the minimal costs of educational and preventative programs may avert enormous medical and disability costs and untold grief for many families; and

WHEREAS, Evidence-based education and awareness programs, such as the nationally recognized New York SBS Prevention Project, developed by Dr. Mark Dias with the support of the NYS Children and Families Trust Fund, and implemented in collaboration with Kalieda Health Women and Children's Hospital of Buffalo and the Maria Fareri Children's Hospital of Westchester, are

shown to raise awareness and provide critically important information about SBS to parents, caregivers, daycare workers, and health care professionals; and

WHEREAS, The New York SBS Prevention Project and the Maria Fareri Children's Hospital reported in 2011 that following the implementation of prevention education at 21 hospitals in the lower Hudson Valley, the number of cases of AHT dropped by 75%; and

WHEREAS, Home visiting programs, such as Healthy Families New York, the Nurse Family Partnership, and other home programs for new parents have also shown great promise to prevent maltreatment among vulnerable families; and

WHEREAS, These prevention efforts are supported by national groups such as the American Academy of Pediatrics, Prevent Child Abuse America and the National Center for Shaken Baby Syndrome, as well as individuals and organizations in New York State, such as Prevent Child Abuse New York, the Cynthia Gibbs Foundation, and the SKIPPER Initiative, who work to educate new parents and caregivers, increase awareness among the general public and professionals, and encourage increased support for victims and their families in the health care and criminal justice systems; and

WHEREAS, The New York State Legislature has enacted legislation to help increase awareness of AHT/SBS by requiring that: Hospitals offer written information about Shaken Baby Syndrome (2001); new child care providers be educated about the

causes, consequences and prevention of SBS before they are licensed to care for children (2003); hospitals to offer new parents the opportunity to watch a video about the causes, consequences and prevention of SBS so that they can help protect their child from shaking injuries (2004); the Health Department coordinate a statewide campaign to educate the public about the causes, consequences and prevention of SBS (2006); the Education Department provide a curriculum on SBS to schools so that students, who not only may be parents some day, but who may be babysitting for young children now, are educated about the importance of coping skills (2006); and

WHEREAS, This legislative Body wishes to commend those advocates, organizations and agencies of State, county and local governments which work continuously and tirelessly to educate parents and caregivers about the causes, consequences and prevention of SBS and other inflicted injuries; and

WHEREAS, This legislative Body particularly wishes to recognize the New York Shaken Baby Prevention Program staff and the nurse educators who provide education to new parents at New York's maternity hospitals; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to memorialize Governor Andrew M. Cuomo to proclaim April 15-21, 2012 as Shaken Baby Syndrome Awareness Week 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.

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

Colleagues, we are ready to proceed, if we can have some order in the Chamber. We'll commence with Calendar No. 429 on page 32 on consent, the Clerk will read.

THE CLERK: Bill No. 4020, Calendar No. 429, Canestrari. An act to amend the Vehicle and Traffic Law, in relation to prohibiting the use of any device which affects the operation of a traffic-control signal.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 1st day of November 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. CANESTRARI: Colleagues, the first vote of the day, a very important bill, Calendar No. 429. 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 for an introduction.

MR. CANESTRARI: A little quiet, please, in the Chamber. On behalf of our colleague Rory Lancman who is not here at the moment, but there's a delegation from St. John's University in the balcony, students, some faculty members here to observe the proceedings, a very well-dressed group of people. On behalf of Rory Lancman and I think Mr. Goldfeder, too, I would like to introduce these friends of our colleague and welcome to all. Thank you.

(Applause)

ACTING SPEAKER P. RIVERA: It's nice to have friends of Mr. Lancman from St. John's, a great, great university where so many of our colleagues attended school.

So, on behalf of Mr. Lancman, the Speaker and all my colleagues, we want to congratulate this delegation from New York City from Mr. Lancman's district from St. John's University and ask them to come back real soon. Thank you for being with us here today.

(Applause)

Calendar No. 433, the Clerk will read.

THE CLERK: Bill No. 8650, Calendar No. 433, Abinanti, Paulin, Braunstein, Weprin, Jaffee, Hooper, P. Rivera. An act to amend the Election Law, in relation to requirements of witnesses to a designating petition or independent nominating petition.

ACTING SPEAKER P. RIVERA: Read the last section.

THE CLERK: This act shall take effect on the 120th 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. 8962, Calendar No. 434, Brindisi, Morelle, Cahill, Benedetto, Espinal, Latimer, Jaffee, Magnarelli, Goldfeder. An act to amend the Alcoholic Beverage Control Law, in relation to agreements between small brewers and beer wholesalers.

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

THE CLERK: Bill No. 9472, Calendar No. 438, Nolan, P. Rivera. An act to amend Chapter 658 of the Laws of 2002, amending the Education Law, relating to citizenship requirements for permanent certification as a teacher, in relation to extending the effectiveness thereof.

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.

Mr. Canestrari.

MR. CANESTRARI: Mr. Speaker, my colleagues, we'll now go to page 11 on the main Calendar, Calendar No. 125, our colleague Keith Wright, please.

ACTING SPEAKER P. RIVERA: We'll proceed to Calendar No. 105 on page 11, the Clerk will read.

THE CLERK: Bill No. 2288, Calendar No. 105, Wright, Robinson, McEneny, J. Rivera, Gantt, Jeffries, Jaffee, Titus, Perry, P. Rivera, Roberts, Lancman. An act to amend the Executive Law, in relation to ethnic or racial profiling.

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

MR. WRIGHT: Certainly, Mr. Speaker, thank you. What this bill would do, this bill would prohibit police officers from using racial and ethnic profiling during the performance of their duties, number one. It would require law enforcement agencies to adopt written policies prohibiting racial profiling and develop procedures to review and take corrective action with respect to

individual complaints of racial profiling. It would also require law enforcement to collect data such as race and gender when conducting a traffic stop or a stop that results in a pat-down, frisk and/or search. Such data would be compiled and given to the Department of Criminal Justice Services. An individual or Attorney General may bring an action for injunctive relief and/or damages against a law enforcement agency that is engaged in or has engaged in acts of racial profiling.

Current law does not, does not provide for an individual cause of action for acts of racial profiling. Instead an individual subject to racial profiling may allege a violation of his or her Constitutional rights and this bill would expand current law by giving individuals the right to bring an action against the law enforcement agency for injunctive relief and/or damages specifically for the acts of racial profiling. And Mr. Speaker let me just say this. The application -- can I have some order, Mr. Speaker? I'm sorry.

MR. CANESTRARI: Yes, Mr. Speaker and my colleagues, there's a lot of noise in the Chamber. The conversations please bring to the rear of the Chamber or outside of the Chamber so that we can hear our colleague and discuss and debate the bill. Thank you.

MR. WRIGHT: Thank you, sir. The application for this bill would be relegated to traffic stops, stop and questioning, stop and frisk and/or searches for the purposes of investigating criminal conduct or issuing a traffic citation. It applies to stops where there is

no reasonable individualized suspicion or cause to lawfully justify such conduct. And let me just give you some stats, some recent stats, Mr. Speaker. In New York City, the City of New York, minorities are stopped, people of color, black, brown, yellow, are stopped at a much, much higher rate than whites relative to their respective percentages of population.

Just as an example, last year alone, last year alone the NYPD made -- let me get this right -- over 600,000, over 600,000 stops in the City of New York, 87 percent of those stops were of people of color. So, we are probably one of the only States -- at least 20 states now have a racial profiling law to prohibit racial profiling and I just want to give you one quote: "It's wrong, and we will end it in America. In so doing, we will not hinder the work of our nation's brave police officers. They protect us every day, often at great risk. But by stopping the abuses of a few, we will add to the public's confidence our police officers earn and deserve." That was said by then President George Bush in 2001. There's no reason in the world why New York State cannot have a racial profiling law.

ACTING SPEAKER P. RIVERA: Mr. Conte.

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

ACTING SPEAKER P. RIVERA: Mr. Wright.

MR. WRIGHT: Absolutely, Mr. Speaker.

MR. CONTE: Thank you. I just first want to just get a little bit more detail on the number of stops that you talked about.

You talked about 600,000 stops were made for cars and 87 percent were of minorities and I was just wondering in the population of New York City, what is the percentage of people who are minority?

MR. WRIGHT: Well, I don't have that number at my fingertips. New York City's population, I would say, is 47 percent white, 27 percent Latino and let's say 26 percent black.

MR. CONTE: All right. So, it's more than 50 percent from just your calculations there are minority, so it's not 87 percent of the total population. It's basically --

MR. WRIGHT: No. Maybe you misunderstand what I was saying, Mr. Conte. What I was saying was that out of the over half-a-million stops in the City of New York at 87 percent of those stops, 87 percent of those stops were of black and brown people. Not that 87 percent of the population in the City of New York was minority.

MR. CONTE: No, I understand that, but it just shows that the number is not 87 percent of the population that was stopped. It was just people who drive cars which is more -- you know, but let's just move on.

MR. WRIGHT: Okay.

MR. CONTE: When you were asking the law enforcement officer to have -- it looks like, I think, it's close to 11 or so, a dozen or so different items that have to be tabulated. Do those things have to be tabulated on a form with just a stop of a motor vehicle?

MR. WRIGHT: What you're describing is that of a traffic violation, yes.

MR. CONTE: Yes.

MR. WRIGHT: It's all of them.

MR. CONTE: It doesn't take into account when an officer stops someone on the street and asks a question or tries to determine --

MR. WRIGHT: I was mistaken. Yes, it does. It takes into account all of the incidents, all of the criteria that we talked about, traffic stops, stop and questioning, stop and frisks.

MR. CONTE: So, any time that a police officer pulls his police car over to question an individual about what's going on in the neighborhood or what are you guys doing here, they may meet the description of someone that the police are looking for, every single time that happens we're going to ask the police officer to go through this litany of from A to M having them fill out the form?

MR. WRIGHT: Well, I think what we're doing, we're talking about racial profiling which I guess Police Commissioner Kelly has said is a valuable tool in his police work. We're talking about racial profiling. We're not talking about police officers actually who have a description or a suspect in mind for a particular crime. So, these are two different things that you're talking about. What we're talking about is racial profiling and the abuses that go on in the NYPD and other law enforcement agencies, but when you're talking about a person who just gets stopped for a reason -- I presume you're

talking about if an officer has a description of a suspect in mind, yes?

Is that what you're talking about?

MR. CONTE: Well, it could be.

MR. WRIGHT: Okay. If there's a suspect and a description of a particular suspect and a police officer is trying to do his or her due diligence, go after the suspect, that would not fall under --

MR. CONTE: So, if they are looking for, let's say, a green Honda and they pull over a green Honda and it happens to have four black men in it, that would not be racial profiling?

MR. WRIGHT: Is there a particular reason why they're pulling over the green Honda?

MR. CONTE: Because they're driving a green Honda and someone reported that a green Honda was seen racing through a schoolyard.

MR. WRIGHT: Well, if they're just pulling over the green Honda because they see four black men in this green Honda even you might say that that's racial profiling, right?

MR. CONTE: No, no.

MR. WRIGHT: Wouldn't you say that?

MR. CONTE: Someone called in and said that a green Honda was racing through and speeding through a neighborhood.

MR. WRIGHT: That would be a particularized reason to stop someone that would not fall under the jurisdiction of

this bill.

MR. CONTE: Okay. But at that particular time -- so at that point, they wouldn't have to go through the litany of things that you're asking them to do in terms of reporting?

MR. WRIGHT: I'm, almost positive that regardless of whatever instances that police officers pulled somebody over they have to fill out paperwork, but that would not fall under the jurisdiction of racial profiling, but they would have to fill out the paperwork anyway to be passed on to the Department of Criminal Justice Services.

MR. CONTE: All right. On the bill, Mr. Speaker.

ACTING SPEAKER P. RIVERA: On the bill.

MR. CONTE: What we're asking our police officers to do is to make a judgment and we ask them to make judgments on the streets every single day and some of those judgments are literally life-and-death situations. The number of police officers who have been killed in the last year has been tragic, a number of them from outside the borough that live on Long Island. But what we are asking them to do is basically make a decision whether it's going to be worth my while to stop someone in a car, because if I do stop them, not only am I going to have to just be afraid for my life going up to that particular car because any police officer will tell that is one of the most dangerous things to do probably other than domestic violence cases, you know, calls, but to go up to a car and to begin questioning that car. But at that point, if they do it and they basically do it because

something seems amiss, it's not right in their gut and there's maybe not a legitimate reason to be stopping them because they're breaking the law as it is, but just something is amiss and/or they're looking for someone that they knew two, three weeks ago that they may have been in this neighborhood looking for them, may have committed a crime, then we are asking them to fill out a form and the form is not just -- it looks like here what we're asking them to do is not an easy form to fill out. It would probably take that officer more time to fill out the form than it is going to be to make the initial stop and determine whether that person is someone who is law abiding or someone who is at risk of committing or has committed a crime. So, they're going to make the decision that you know what, it may not be worth my while to do that. And so, I believe that if we pass this legislation that it's going to make individuals, neighborhoods less safer and also open up a litigation can of worms to anyone, give anyone who has been stopped and felt that they have been racially profiled, whether true or not, it's their perception and they're going to be able to bring action against the law enforcement officer or the law enforcement agencies and it's just going to cause for more litigation.

I agree with allowing the Attorney General, the District Attorney to be able to, upon a complaint bring, forth a complaint against individual officers, but to have anyone just because they were stopped by a police officer for a variety of reasons that police officers do stop them, sometimes it's just to ask for information that's going on in the neighborhoods, that that's going to cause more

litigation and, unfortunately, it's going to make policing our State more expensive and make our neighborhood less safer. Thank you, Mr. Speaker.

ACTING SPEAKER P. RIVERA: Mr. Castelli.

MR. CASTELLI: Thank you, Mr. Speaker. While I certainly applaud the legislative intent of this legislation, it is troublesome to me in a number of areas. As a criminal justice professor, as a former police instructor, member of the State Police, while I certainly agree that racial and ethnic profiling is and should be illegal and it is protected against that in Federal law, the fact of the matter is, under the 14th Amendment of the Constitution, members of law enforcement have an affirmative responsibility to protect the public trust and as a result of which to provide anything that presents an onerous burden on them administratively that hampers their performance of their normal duty in the proper performance of their duty, let me hasten to say, I think is not something that is necessarily a good thing.

While I agree with our sponsor and I applaud his intent as far as creating a bill that eliminates racial and ethnic profiling, criminal profiling still remains legitimate to law enforcement and the onerous administrative burden that this would place on law enforcement agencies will hamper their ability to protect the public trust and for those reasons and those reasons alone, I will be voting against this bill. I thank you, Mr. Speaker.

ACTING SPEAKER P. RIVERA: Mr. Ramos.

MR. RAMOS: Mr. Speaker, it just amazes me how little understanding there is of what racial profiling is and what little understanding there is of police work. I was a police officer for 20 years. I can tell you what racial profiling is. It's stopping somebody on the basis of their race without any independent, actionable information. Walking up to somebody as a police officer because they're black in a white neighborhood and for no other reason detaining that person. That is what racial profiling is. If you're stopping somebody because you have been give a description of a robbery suspect who is black or Hispanic or regardless of race that is actionable information. You have a right to stop them. You have a right to do your job.

In my 20 years as a police officer, I can't imagine that if somebody took away my ability to stop somebody just based on their race that that would hamper my job as a police officer. When you have independent information that is what a police officer is supposed to do, act on that. If the description is a red car with a black male in it, they can stop that person. Why a police officer needs the right to stop a person based on race without any other suspicion of any other situation, that befuddles me. I don't understand how --

ACTING SPEAKER P. RIVERA: Excuse me, Mr. Ramos. Mr. Jordan why do you rise?

MR. JORDAN: I was wondering if Mr. Ramos would yield for a question or if he would prefer to wait until he's --

ACTING SPEAKER P. RIVERA: Will you yield

now?

MR. RAMOS: I'll yield.

ACTING SPEAKER P. RIVERA: Mr. Jordan, Mr. Ramos yields.

MR. JORDAN: Thank you very much. I think the question or the concerns that we have are not the issues that you're articulating. It's the fact that this bill would now require whenever the police stops someone, if that was a car that they have identified as being used in a crime or has been identified and it has five people in it, two people in it, one person in it or they come upon a group of people and they find -- and they want to ask one person a question but there's 20 people there, they then have to provide 11 or 12 characteristics of everybody in that general area. I don't think it's the concern with the profiling. Everyone agrees that that should be prohibited. The question is, how do these factors help you when you were a police officer do your job better?

MR. RAMOS: Well, I'll tell you right now and anybody who is a police officer can tell you that right now whenever you make a car stop or whenever you detain somebody you have to document that right now.

MR. JORDAN: What would that documentation be?

MR. RAMOS: That would be a field interrogation report, every department has them. And in addition to that field interrogation report, you must make a note in your memo books of who you stopped and why you stopped them.

MR. JORDAN: Okay. How many people though in that report? One, right?

MR. RAMOS: As many people as you interviewed that's relevant to the case.

MR. JORDAN: But today, if this bill were to become law and when my family got stopped on the way home because our taillight was out and there were six of us, this bill would require the officer to make 11 or 12 characterizing comments, observations and notes about six people in the vehicle.

MR. RAMOS: Well, did you hear the quote of how many stops that were made in New York City? The reason they arrived at that number is because those stops are already documented.

MR. JORDAN: But our question is, how does the requirement and the burden placed on the police officer to identify characterizing information on six people in a vehicle, how is that going to stop the abuse that this bill is, no doubt, geared towards stopping? I think the purpose that the sponsor has identified is a belief that I submit, and if it's not 100 percent it should be; 100 percent of people in this Chamber would agree with. Stopping someone simply because they are white or black or Hispanic or male or female should not be tolerated. Our concern is, if we already have laws that prohibit that, how are adding these 12 litanies when there's 20 people at a street corner, if he goes up to one person, now all of a sudden he has to provide identifying information on the other 19 people there when really what that officer, what he or she should be doing is moving on

to the next street corner to try --

MR. RAMOS: He would have to provide information on whoever he interviewed.

MR. JORDAN: No. This bill doesn't limit it to who's interviewed. It's who was there, who was present, who was in the car, who might be in the bus.

MR. RAMOS: In the car. You're talking about 20 people on a corner and speaks to one.

MR. JORDAN: But this would apply to everybody that is present.

MR. RAMOS: Let me explain to you how this would help. Inevitably, when one makes a complaint that they have been racially profiled, that complaint comes to the department and I'll tell you what happens. They'll investigate it and you can't prove it. You just can't prove it just on anecdotal information, but now if there were documentation, if there's an accusation made that a person is being racially profiled and they look back at all the stops that that police officer has made in the past several years and they find that in a white neighborhood he seems to have stopped a disproportionate amount of blacks or Hispanic males, and that seems to be the vast majority, you have the beginning of what that complainant needs to back up his complaint that he was racially profiled. If it's not documented it's hard to even prove that it happened. So, to answer your question that is how this documentation can help.

MR. JORDAN: But I understood that the

documentation was already required.

MR. RAMOS: No. It's already required, but not with the information. There's some added information in this legislation that will help identify racial profiling when it happens.

MR. JORDAN: And I think the concern is, quite frankly, if you stop a car for DWI or you stop a car because you think the person driving it or the car matches it, I don't think the concern is as it relates to the driver. I think it's when this bill opens the door beyond that scenario that you're concerned with and you identify, it opens it and makes it so much broader that I think the concern on our side or the people that might be opposed to it --

MR. RAMOS: But, if precisely beyond that scenario, a DWI or any other crime is a normal legal procedural scenario. This bill covers when somebody goes outside of that suspicion DWI crime committed and stops somebody simply for their race, it provides documentation to prove it.

MR. JORDAN: Oh, no. This doesn't require them to first stop someone because of their race. This requires every time a stop occurs, a conversation occurs --

MR. RAMOS: Right. But the purpose of the bill is to identify it and prevent it.

MR. JORDAN: And I have no issue with the purpose of the bill. I support the purpose of the bill. I support the goal. I think the problem is we go too far. I've taken up plenty of your time, I very much appreciate you yielding. Thank you, Mr. Speaker.

MR. RAMOS: Thank you, Mr. Speaker.

ACTING SPEAKER P. RIVERA: Mr. Graf.

MR. GRAF: Thank you, Mr. Speaker.

On the bill, please.

ACTING SPEAKER P. RIVERA: On the bill.

MR. GRAF: I understand what the sponsor is trying to do on this bill and I agree that racial profiling should not occur. However, as a former police officer and the father of a daughter that's in the police academy right now, especially highlighted by the number of police officers that have been shot in the last couple months, I find this bill very dangerous in that it is not only dangerous for the police, it's also dangerous for the communities, because I can tell you as a former police officer what this does, if you're going to be subject to a lawsuit every time you turn around because of an allegation, be it real or not real, you're going to not be as aggressive in fighting crimes in certain communities.

Talk about the common right of inquiry. Every time as a police officer you're trained to profile behavior, different behaviors of people and when you walk up and talk to somebody to inquire what they're doing, say they're sitting there looking at a certain store or looking at a certain address and you notice people aren't home and there's been burglaries in the area, so now you walk up and talk to the people in this car, all of a sudden, you may be subject to a lawsuit. So, what this is actually going to do, this bill, it's going to have the opposite effect of what you're looking for. It's going to make a lot of

neighborhoods less safe.

Let's look at what else happens. I worked in the 75th Precinct in East New York which is prominently a minority neighborhood. Now, if I'm sitting there and everybody I talk to is a minority, is that going to subject me to racial profiling now because everyone that I have spoke to, because that's the makeup of the neighborhood? I mean, what are the criteria here?

So, what I'm looking at right now is you're handcuffing the police on this. All right. You're not allowing the police to do their job especially in New York City, what I can tell you is we had stop and frisk forms. We have all of this. There's so much oversight on the police department in New York City your head would spin if you saw it. So, I think that this is a very dangerous bill. It's dangerous for the people that live in these communities because the police, when you subject them to a lawsuit every time they turn around they're not going to respond. They're not going to be as quick. If there's a person casing out a store or they're casing out a home, they're not going to get involved with it. So, you're not going to deter crime, you're going to make a lot of these locations a lot, a lot more dangerous. So, for that reason, I will be voting in the negative on this bill.

**ACTING SPEAKER P. RIVERA:** Mr. Hanna.

**MR. HANNA:** Thank you, Mr. Speaker.

Assemblyman Jordan made some of the very same remarks that I had planned on making so, I will be very brief.

On the bill.

ACTING SPEAKER P. RIVERA: On the bill.

MR. HANNA: Thank you. Assemblyman Ramos indicated during his remarks that police officers who make a stop pursuant to the Vehicle and Traffic Law already have to fill out what is called a Field Investigation Report and that's absolutely correct. In those Field Investigation Reports the officers are required to identify the vehicle that was stopped and to explain why. The reason they have to do that is because it is required already under law that they have an articulable suspicion that the driver or an occupant of the vehicle has violated the law under the Vehicle and Traffic Law or some other provision of law. In other words, the racial profiling that this legislation is designed to curb is already prevented because simply being a member of an ethnic group or being a member of a certain race is not an articulable suspicion that that individual has broken the law in any way. That stop would already be illegal. The documentation already exists within the existing structure to document that that the stop would be illegal. This legislation does nothing to curb racial profiling, which should be prohibited and is prohibited, and only adds administrative burdens to police officers who are already taxed. So, for that reason, I will be voting against it.

ACTING SPEAKER P. RIVERA: Our friend Mr. Joel Miller would like to make some comments.

MR. J. MILLER: Thank you, Mr. Speaker. This Body has an interesting history of how we vote and why we vote. Last

year, there was a bill on the ethics which did nothing to improve ethics in Albany, but it had the word "ethics" in it so everyone voted for it. We had a bill come up that talked about independent redistricting which still allows the Legislature to do all the redistricting it wants, but we all voted for it. We have a bill that talks about evaluating teachers which simply protects provisional teachers from getting fired for five years now instead of one year. So clearly, it's not going to help rid the classroom of bad teachers and now we have a bill on profiling which second-guesses a police officer.

There was a case in New York just a couple of years ago where a number of police officers at 3 o'clock in the morning saw people loading a duffle bag in the back of a car. They went to approach the car and the people who were at the car ran. They then found drugs and guns, I believe, in the duffle bags and the courts ruled that, well, it was perfectly alright for the people involved with the car to run away because everyone is afraid of cops and because of that court ruling no one was prosecuted for having duffle bags full of contraband being put in the car. Police officers know certain things and now we have a bill about profiling, but the bill is written in such a way to absolutely discourage proper law enforcement. I mean, I remember my car catching on fire on the Taconic Parkway and I pulled the car off the road. It was ablaze. The car was totaled. State Trooper comes over. I go into the State Trooper's car and he asked me, "*Did the fire start after the car was stopped or did the fire start while the car was moving?*" And I said, "*No, the fire started while the*

*car was moving*" and he made a few unpleasant comments about now he had to fill out all of this paperwork because it was happening while the car was moving and that was a different form to fill out. We cannot have a situation where our police officers are asked to fill out paperwork all the time or face lawsuits all the time while they're supposed to be protecting us.

The purpose of the bill is a wonderful idea, but I am sure that if we eliminate the fact that we just make the assumption that our police officers are bad to the core and that overwhelmingly they're racists, we could come up with a bill that eliminates profiling by being a far more appropriate and reasonable bill and I think that bill would be overwhelmingly bipartisanly supported in this House, but when we put the police officer on the defensive the way this bill does, we will not be protected and I'm not sure that racial profiling will be prevented. Those who are bad, the bad bunch of apples in the barrel are still the few bad apples in the barrel. The overwhelming number of police officers are not of that ilk, but this bill just presents a cure that is as bad as the disease and I can't support this bill. Thank you.

ACTING SPEAKER P. RIVERA: Read the last section.

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

Ms. Barron to explain her vote.

MS. BARRON: Thank you, Mr. Speaker. I want to support -- I want to commend the sponsor of this bill. In New York City the number of stop and frisks have gone up. They are continually escalating and citizens that are going about their business in a peaceable, law-abiding way are being abused by the stop and frisk procedures of the NYPD. I have on my cellphone three different stop and frisks that I took notice of and recorded, none of which were recorded as is required by the police officer and the victims were hesitant to file a complaint for fear of future harassment. So, I commend the sponsor because until we put an end to racial profiling we need to improve the law so that it no longer exists and we haven't yet done that. So, if this is a step in that direction so be it and I will be voting in the affirmative.

ACTING SPEAKER P. RIVERA: Ms. Barron in the affirmative.

Mrs. Robinson to explain her vote.

MRS. ROBINSON: Thank you, Mr. Speaker Pro Temp. I rise to speak on this issue being a sponsor of this legislation having had direct experience with the stop-and-frisk experiences in New York City, having served as the chairperson of a select committee on police performance and community relations in New York City while as a member of the New York City Council. I had people to come before me. I had people to come before me in every borough, in every borough to talk about the experiences that they had

and the fear that they experienced at the hands of the police. All of our young people and the people that walk in our communities are not criminals. Young people going to school, men going to work, women going to work are not criminals and so, therefore, they should not be subjected to that kind of abuse. People having the police come through because they say that they heard there was an incident that took place in the area and that you represent that profile. Don't even look like the profile. There was a time that within the City they were also taking young people whether or not they were going to school, they will take them into the precincts and had them sit down so that they would appear to be the size of the person that they were looking for. You know, people say that they don't want this, we won't be able to have security or safety, but we want security and safety in our communities as well and we believe that we should be represented in an and fair and just way. We recognize that we cannot exist in a society without security and police in place but, however, we want to live in a safe, crime-free and drug-free environment just like everybody else, but we also want our people to be safe and our people should not be subjected to abuse.

So, therefore, I rise to support the legislation that has been on the books for many years. This goes back - profiling goes back for some time now. I was in the City Council ten years ago and now we're still talking about the same issue. It's time for a change and I vote in the affirmative.

**ACTING SPEAKER P. RIVERA:** Mr. Aubry to

explain his vote.

MR. AUBRY: Mr. Speaker, thank you so very much for allowing me to explain my vote. I've listened intently as we've had the dialogue here today and it appears to me that, once again, we seem to come from two different worlds and many of my colleagues, I presume, most of whom are not from the City of New York, expressing their concern that we're overburdening the police department with paperwork.

In my small community, a portion of that community, the 115th Precinct, it was one of the top three precincts for stop and frisk, 18,000 in a year. My community is not necessarily crime-ridden or drug-ridden. It's a relatively small, middle-class community that is multi-ethnic in it's -- this is not my time. Gentlemen.

ACTING SPEAKER P. RIVERA: Colleagues, on the left side, colleagues.

MR. AUBRY: However, that community somehow found its way to the top of this list of stop and frisk. Let me suggest to you that we're not necessarily here saying that police officers are bad. Police officers are following the policy emanating out of City Hall through the police commissioner. That's what this is about. This is about a policy. This isn't about rogue police, though there may be some, in terms of how they conduct themselves. This is about a policy that infects communities that they choose to infect. And so my concern here and the reason I'm going to vote for this bill is we want to say to the City of New York and to anyone that you can't adopt a

policy that singles out individuals of a certain race and it just so happens that in my community it isn't African-Americans that are the high stop and frisk, it's what they call white-Hispanics. I don't know how they figure that out, but that what it is, 12,000 of the 18,000 are white-Hispanics that get stopped in my district.

This is intolerable. Those are taxpayers. Those are people struggling to survive in the City of New York to contribute to our economy. That's the same all over the City of New York, 600,000 people get stopped and harassed by police officers for what we call furtive movement. Furtive movement is if you turn this way or if you turn that way. There's any number of excuses that can be written down for stopping somebody, but we know what the stop is about. It is the policy. I remove my objection and I vote in the affirmative.

**ACTING SPEAKER P. RIVERA:** Mr. Ramos to explain his vote.

**MR. RAMOS:** Yes. I would also like to commend the sponsor of this bill. This is something that I hope will come to fruition and we see made law. You know, the fact that we are prohibiting racial profiling and requiring documentation is not something that hurts or places in danger a police officer of lawsuits. It's quite to the contrary. Documentation is something that protects a police officer. Down the road if a lawsuit is brought against a police officer and he has documented legitimate reasons why he has stopped somebody, that protects that officer instead of just relying on his personal testimony. He has paperwork to back up the legitimacy of

that stop. So creating this documentation and requirement is not something that will impede a police officer's work. In 20 years, as a police officer, I never felt the need to have to stop somebody based on their race to do my job. If there was a reason for me to stop them, I should be able to write it down on a piece of paper.

So, again, I want to commend the sponsor for passing this and I urge all my colleagues to vote yes.

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

MR. LENTOL: Thank you, Mr. Speaker. I would like to thank the sponsor for offering this bill today and for offering it in the past. And the reason I say that is a little bit different from what my colleagues have expressed. The reason I think this is important is because it protects police officers. Yes, this bill protects the good cops in our State from having to succumb to what some rogue cops, as those who have expressed it, might do when they're out on patrol. This requires police officers to do what they should be doing and what they want to do, good police work, without having to resort to profiling and take the easy way out of making an arrest.

So, Mr. Speaker, I think that it's pretty clear that we have come a long way in this country. We have come a long way in this State and there's no reason to stop now in preventing racial-type discrimination by whomever it is and for whatever reason it's done. I vote in the affirmative.

ACTING SPEAKER P. RIVERA: Mr. Espinal to

explain his vote.

MR. ESPINAL: Thank you, Mr. Speaker. I also want to commend Mr. Wright for introducing this piece of legislation and, you know, I want to give my full-hearted support. I represent the 75th Precinct in my district in East New York and we have the highest amount of stop and frisks across the City of New York and I just think it's unfair. My younger brother gives me a call every two weeks and tells me that he gets stopped walking home from his girlfriend's house and the only way they let him go is by telling them that I'm his brother. It shouldn't be that way and it's not fair. So, if this legislation straps them down and limits them from stopping our young adults, then it's a great piece of work and, again, I want to commend the sponsor of the bill and I vote in the affirmative. Thank you.

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

MS. LIFTON: Yes, Mr. Speaker, thank you. I have spoken before. I want to thank Mr. Wright for sponsoring this bill. I have spoken before in support of this legislation. You know, it continues. I keep hearing the stories, I read pieces in magazines, in the *New York Times* about particularly African-American men who have been just sitting around in a park in New York City and just suddenly been accosted by police officers and not treated very well, frankly, and it saddens me and angers me. It seems very clear to me that there is racial profiling going on. It's overly aggressive policing. It's not good policing and we need to get this law in order to help

make police more conscious, more conscious of what they're doing and it's something we have to stop. It's dehumanizing. It's an embarrassment to the State of New York. We're better than this and I'm in strong support of this bill. I will be voting for the bill. Thank you, Mr. Speaker.

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

MR. GOTTFRIED: Yes, Mr. Speaker. We really do, many of us, live in different worlds defined not so much by geography but by race. I remember several years ago in one of our early debates on either this bill or a similar bill hearing quite a few of our colleagues on the verge of tears talking about how when their teenaged children, I guess primarily sons, were out of the house in the community doing no wrong what they feared most and worried about most, you know, about when their child would come home was not that they would run into some bug on the street, but that one of our policemen would run into them.

Now, when I was growing up I don't think my parents ever had to be fearful that I might come into contact with a police officer. When my son was a teenager 20 years ago, I didn't have to worry about that for obvious reasons. The notion that a parent in America would have to fear that a law-abiding child might come into contact with a police officer, no parent in America should ever have to have that kind of fear, and I believe legislation like this can help bring about the day when no parent in America should have that kind of fear

and I wish we didn't need this kind of legislation, but I'm voting yes.

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

MR. WRIGHT: Thank you, Mr. Speaker. You know, since 1999 and the murder of Amadou Diallo is when we first put this bill into the Legislature. And I just want to clear up any misconceptions. The NYPD is already, already documenting all cases of stop and frisks and stops. They're doing it already. That's why we have the numbers of well over a half a million. And let me just say this, please: Other states have racial profiling laws, California, Colorado, Connecticut, Kansas, Oklahoma, Arkansas, Illinois, Kentucky, Maine, Florida, Montana, Nebraska, New Jersey, Rhode Island, Texas, Washington, Maryland, Nevada, Missouri, West Virginia, Minnesota and Alaska. You know, it wasn't more than three weeks ago that Assemblyman Nick Perry put forth a resolution looking for justice in the case of Trayvon Martin. Trayvon Martin was profiled and on that day when Mr. Perry put forth that resolution, my 17-year-old son was in this Chamber and I can't stand it every time my son was stopped - is stopped. I was stopped numerous times. This practice of racial profiling has to stop. Let us join the rest of these states and make sure that we can stop racial profiling and have a better, better policed State. 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, do you have any resolutions or housekeeping for us to consider? Excuse me. I think I jumped the gun a little bit. I think our colleagues across the aisle have something else in mind.

Mr. Speaker, I have been informed that the last item of business will be a Motion to Discharge offered by the Minority, a procedural vote, but we will take that up and we will go forward with that at this point in time. The last order of business today, the Motion to Discharge. Thank you.

ACTING SPEAKER P. RIVERA: That's correct, Mr. Canestrari. We do have a Motion to Discharge at the desk and we have Mr. Conte to explain the motion.

MR. CONTE: Thank you, Mr. Speaker. I move to discharge from the Committee of Education from further consideration of Bill No. 8819 sponsored by Assemblyman Kolb for the purpose of bringing the same before the House for its immediate consideration and request the permission to explain the bill.

ACTING SPEAKER P. RIVERA: Kindly explain the bill and your motion, Mr. Conte.

MR. CONTE: Thank you. Currently, as everyone in this Chamber knows, the Board of Regents appoints the Commissioner of Education and the Commissioner serves at the pleasure of the Board. And if you would go around and you would

ask people, regular folks, in the local diners, who appoints the Commissioner of Education here in New York State? I would bet you 99 or 98 out of 100 will tell you that well, the Governor does, because the Governor appoints all the commissioners. He runs the Education Department. Well, that's not true. The Board of Regents is the one who does that. We would like to allow the Governor to have control over education policy in New York State and have it from the top.

So, the legislation that we have before you is a Constitutional amendment which would establish the Commissioner of Education as the head of both the Education Department and the Board of Regents. It would provide that the Commissioner of Education shall be appointed by the Governor and with the advice and consent of the Senate, and provide that the Commissioner of Education may be removed for any cause by the Governor. Shifting responsibility of appointing the Commissioner from the Board of Regents to the Governor would make the Commissioner more accountable to Statewide elected officials rather than a non-elected Body and we believe that would allow for better public policy here in New York, so I move the motion.

**ACTING SPEAKER P. RIVERA:** Members are reminded that the motion before the House is a procedural motion and not a vote on the merits of the bill.

On Mr. Conte's motion, 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 motion is lost.

Mr. Conte for an introduction.

Colleagues, if we can have some attention. We're almost ready to see the evening.

Mr. Conte.

MR. CONTE: Thank you, Mr. Speaker. In the rear of the Chamber with Assemblyman Murray and Assemblyman Gabryszak, we have with us Ronda Rousey. Now, Ronda is the Women's Mixed Martial Arts Strikeforce Bantem Weight Champion and she has a professional record of 5.0. Ms. Rousey is the number-one-ranked, 135-pound female fighter in the world. So, as they say, you don't mess with Texas, but I wouldn't be messing with Ms. Rousey either. But if you can introduce literally the number-one ranked female fighter in Mixed Martial Arts to the New York State Assembly on behalf of Assemblyman Murray and Assemblyman Gabryszak, I would be greatly appreciative.

ACTING SPEAKER P. RIVERA: Gladly, Mr. Conte. I see her standing back there and I see she has protection -- do we call that protection -- from our other colleagues.

On behalf of Mr. Murray, Mr. Gabryszak, the Speaker and all my colleagues, we want to thank you for being with us here today, for the tremendous honors that you have achieved, and we

also want to join in those honors. So, please enjoy the time that you're here and the privileges of the floor. Thank you for being with us here today.

(Applause)

Mr. Canestrari.

MR. CANESTRARI: Now, once again, any resolutions or housekeeping?

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

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

THE CLERK: Resolution No. 1168.

Legislative Resolution honoring Daniel M. Boody upon the occasion of his retirement from the International Union of Painters and Allied Trades.

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 Daniel M. Boody upon the occasion of his retirement from the International Union Painters and Allied Trades, to be celebrated on Saturday, April 28, 2012 at the Hearthstone Manor in Depew, New York; and

WHEREAS, Throughout his career, Daniel M. Boody served with intelligence and caring dedication, continuously striving to effectively fulfill the duties of his position as Business Manager/Secretary of the International Union of Painters and Allied Trades District 4; and

WHEREAS, Daniel M. Boody began his career as a painter with Painter's Local No. 43, 43 years ago and served as Business Manager and Treasurer for the past 27 years; and

WHEREAS, Throughout his career with the International Union of Painters and Allied Trades, Daniel M. Boody has worked tirelessly to represent the members of the International Union of Painters and Allied Trades in Buffalo, Niagara Falls, Jamestown, Olean, Ithaca, Elmira, Binghamton, Oswego, Watertown, Rochester and Syracuse; and

WHEREAS, It is the custom 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 Daniel M. Boody upon the occasion of his retirement from the International Union of Painters and Allied Trades, 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 Daniel M. Boody.

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

Privileged resolution by Ms. Barron, the Clerk will read.

THE CLERK: Resolution No. 1169.

Legislative Resolution remembering the 44th anniversary of Dr. Martin Luther King Jr.'s death, April 4, 2012.

WHEREAS, It is the sense of this legislative Body to remember the 44th anniversary of Dr. Martin Luther King Jr.'s death, April 4, 2012; and

WHEREAS, Dr. Martin Luther King Jr., was an African-American clergyman, humanitarian, activist, author, orator and prominent leader in the African-American Civil Rights Movement; and

WHEREAS, He is best known for his role in the advancement of civil and human rights in the United States and around the world, using nonviolent methods following the teachings of Mahatma Gandhi; and

WHEREAS, Martin Luther King, Jr. was born on January 15, 1929 in Atlanta, Georgia, the middle child of the Reverend Martin Luther King, Sr. and Alberta Williams King; and

WHEREAS, Dr. King attended Booker T. Washington High School, where he skipped both the ninth and the twelfth grade and entered Morehouse College at the age of 15; and

WHEREAS, In 1948, he graduated from Morehouse College with a Bachelor of Arts degree in sociology, and graduated with a Bachelor of Divinity degree in 1951 from Crozer Theological Seminary; he then began doctoral studies in systematic theology at Boston University and received his Doctor of Philosophy on June 5, 1955; and

WHEREAS, In 1955, Dr. King led the Montgomery Bus Boycott movement and in 1963 led the March on Washington, where he delivered his "I Have a Dream" speech; there, he charged America to expand its values to include the vision of a color blind society; and

WHEREAS, In 1964, Dr. King became the youngest person to receive the Nobel Peace Prize for his work to end racial segregation and racial discrimination through civil disobedience and other nonviolent means; he also began refocusing his efforts on ending poverty and stopping the Vietnam War; and

WHEREAS, Dr. King was involved in planning the summer 1968 Poor People Campaign to take place in Washington, D.C.; he had vowed to remain in Washington, D.C. until the government addressed the increasing needs of the poor people of the United States; and

WHEREAS, On March 29, 1968, Dr. King went to Memphis, Tennessee, in support of the black sanitation public works employees, who had been on strike since March 12th for higher wages and better treatment; in one incident, black street repairmen received

pay for two hours when they were sent home because of bad weather, but white employees were paid for the full day; and

WHEREAS, Dr. King was assassinated on April 4, 1968 at the Lorraine Motel in Memphis, Tennessee; and

WHEREAS, Upon the occasion of the remembrance of the 44th anniversary of the death of Dr. Martin Luther King, Jr., it is the intent of this legislative Body to commemorate the heroic efforts of Dr. King, who loved and served humanity, and who was an advocate for peace, justice and righteousness; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to remember the 44th anniversary of Dr. Martin Luther King Jr.'s death, April 4, 2012; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to the family of Dr. Martin Luther King, Jr.

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. Jordan, the Clerk will read.

THE CLERK: Resolution No. 1170.

Legislative Resolution commending Firefighter Wayne Perkins upon the occasion of his designation for special recognition after 50 years of dedicated service to the Greenwich Fire Department.

WHEREAS, The firefighters of New York State are

renowned throughout the Nation; their reputation is synonymous with excellence in the arduous field of fire protection and prevention; and

WHEREAS, Since the early days of "teapot steamers," the volunteer firefighter has been the cornerstone of our great Nation's efforts to spare us from the ravages of fire; and

WHEREAS, This legislative Body is proud to commend Firefighter Wayne Perkins upon the occasion of his designation for special recognition after 50 years of dedicated service to the Greenwich Fire Department, to be celebrated at a banquet on Saturday, April 28, 2012 at the Greenwich Elks Lodge No. 2223; and

WHEREAS, Wayne Perkins joined the Greenwich Fire Department in 1962; he served as captain before being elected to the rank of Chief from 1975-1991; and

WHEREAS, As a devoted member of the Greenwich Fire Department, Wayne Perkins has served on numerous committees and as a member of the Fire Chiefs Association and Rough and Ready Engine Company No. 2; and

WHEREAS, Moreover, Wayne Perkins has served as Chairman of the Greenwich Fire Department Board of Directors, and has participated in numerous events including coin drops, the Christmas tree fundraiser, parades, and fire prevention activities; and

WHEREAS, With him throughout have been his wife, Barbara, and their children, Peter (Teasa) Phalen, Craig (Megan) Phalen, and Jeremy (Erin) Perkins, as well as their grandchildren, Nicholas, Mikela, Joshua, Caitlin, Erin, and Brayden, all of whom feel

privileged to be a part of his life and rejoice in his achievements; and

WHEREAS, Volunteer firefighters and fire departments not only provide the critical service of fire protection but also engage in other activities of great benefit and importance to the communities they serve; and

WHEREAS, It takes a special dedication, a strong desire to help others and a tireless sense of community to forsake precious time with family and friends to respond to the signal that a neighbor is in need; Wayne Perkins is such a firefighter; throughout 50 years of devoted service, this volunteer heroically performed, above and beyond the call of duty, those responsibilities which define the task of fire protection; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to commend Firefighter Wayne Perkins upon the occasion of his designation for special recognition after 50 years of dedicated service to the Greenwich Fire Department; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to Wayne Perkins.

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. D. Miller, the Clerk will read.

THE CLERK: Resolution No. 1171.

Legislative Resolution congratulating Breanna

Stewart upon the occasion of being named the 2011-12 National Girls Basketball Player of the Year by Gatorade.

WHEREAS, It is the sense of this legislative Body to recognize our young individuals, who strive for athletic and academic excellence through rigorous training and mental and physical discipline; and

WHEREAS, Athletic training and competition enhances the moral and physical development of young people in the State of New York, and prepares them for a productive future by instilling in them the value of hard work, healthy living and sportsmanship; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this legislative Body is justly proud to honor and recognize Cicero-North Syracuse High School senior Breanna Stewart upon the occasion of being named the 2011-12 National Basketball Player of the Year by Gatorade; and

WHEREAS, Breanna Stewart, a 6-foot-4 forward, joined the Cicero-North Syracuse High School Northstars basketball team as an eighth grader and, by her sophomore year in high school, she was starting in every basketball game; and

WHEREAS, During the 2011-12 season, Breanna Stewart led the Cicero-North Syracuse Northstars to a 23-3 record and to a Class AA Federation Tournament Championship, where she broke the all-time single-game points record, the all-time tournament points record, and the all-time tournament rebounds record; and

WHEREAS, Breanna Stewart has a long list of accomplishments; she was selected to the USA Basketball Women's U16 National Team at the early age of 14; she was the leading scorer and rebounder for the USA Basketball Women's U19 National Team that won the 2011 FIBA World Championships; she participated in the McDonald's All-American Game and the Women's Basketball Coaches Association All-America Game; she reached a high school career total of 2,367 points; she was named the Morgan Wootten Player of the Year and the USA Basketball's Female Athlete of the Year; and she signed a letter of intent to play basketball at the University of Connecticut; and

WHEREAS, On March 14, 2012, Breanna Stewart accepted the 2011-12 Gatorade National Girls Basketball Player of the Year Award for her impact and versatility on the basketball court, and for her outstanding leadership, sportsmanship, athletic excellence, academic achievement, and exemplary character; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to congratulate Breanna Stewart upon the occasion of being named the 2011- 12 National Girls Basketball Player of the Year by Gatorade; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to Breanna Stewart.

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. Boyle, the Clerk will read.

THE CLERK: Resolution No. 1172.

Legislative Resolution commemorating the 125th anniversary of Babylon Lodge No. 793, Free and Accepted Masons, Babylon, New York, on April 29, 2012.

WHEREAS, It is the sense of this legislative Body to recognize and pay tribute to those fraternal organizations of high purpose and worthy accomplishment whose endeavors have faithfully served the welfare of the citizens of the State of New York; and

WHEREAS, This legislative Body is justly proud to commemorate the 125th anniversary of Babylon Lodge No. 793, Free and Accepted Masons, Babylon, New York, to be celebrated with a Black Tie Dinner Dance on Sunday, April 29, 2012 at the Babylon Lodge, Babylon, New York; and

WHEREAS, Resonant with a constancy of theme, the 125-year history of Babylon Lodge No. 793, Free and Accepted Masons records the orchestration of a patrimony of unparalleled excellence in commitment to the principles and ideals of Freemasonry; and

WHEREAS, The Free and Accepted Masons (F. and A.M.) are the oldest fraternal organization in the world dating back some 3,000 years; Freemasonry in Babylon has been successful for 125 years because throughout its distinguished history, it has continuously been a great influence in the community by providing

leadership, a principled way of life deeply rooted in a system of values, social benevolence, emphasis on individual excellence and serving as a stabilizing force in the community; and

WHEREAS, New York State has approximately 136,000 members in over 800 lodges, which belong to the Grand Lodge of Free and Accepted Masons of the State of New York; and

WHEREAS, Proud of its lineage, its record of service to mankind, and its Masonic achievements, the history of Masonry in the Village of Babylon has prevailed unbroken for 125 years; it is deeply rooted in the American Revolutionary era; from its introduction in 1887 to the present day, Freemasonry has been an important influence at work in the development of the Babylon community; and

WHEREAS, On January 27, 1887, the first regular meeting of the Babylon Masonic Lodge was held in the Willets Building, Village of Babylon; present were the 22 original charter members: Theodore C. Fletcher, Henry Livingston, Richard Higbie, Jr., Charles Searle, Henry Seaman, Philip Sammis, John Jarvis, Charles Hendrickson, Dacio Falconer, George Dingenthal, Alex Mathias, Henry Erick, George Burr, Samuel deForest, Philip Seaman, Harold Finlay, Carl Schmidt, Leonard Fishel, Norman Smith, Samuel Muncy, Charles White, and James McLachlan; and

WHEREAS, The Masonic Lodge's second location was at Halycon Hall on Deer Park Avenue; it was occupied from 1910 until June 1, 1955 when the Lodge moved to its present location, 250

West Main Street, Babylon, New York; and

WHEREAS, Under the luminous direction of Master, The Most Worshipful Edward T. Bartels, the members of Babylon Lodge No. 793, F. and A.M. are dedicated to supporting their community; each year they host a Holiday Party for the AHRC in Bohemia and buy gifts for over 120 special-needs children; they also donate food baskets to local churches to help feed the needy; host Blood Drives; and donate their building and time to different organizations such as the Babylon Arts Council, the Babylon Historical Society, and the Babylon Beautification Society; and

WHEREAS, Recently, Babylon Lodge No. 793, F. and A.M. raised funds to help a Lodge in Upstate New York that was devastated by Hurricane Irene; and

WHEREAS, Babylon Lodge No. 793, F. and A.M. also supports many youth organizations by giving awards to boys who attain the rank of Eagle Scout, and girls who earn the Girl Scout Gold Award; they also award a young person every year with a college scholarship; and

WHEREAS, Moreover, Babylon Lodge No. 793, F. and A.M. has given back to the men and women of the United States Armed Forces who are stationed overseas by sending them much-needed supply packages; and

WHEREAS, Along with the lodges in Suffolk, Babylon Lodge No. 793, F. and A.M. has supported the Northport Veterans Affairs Medical Center and the Long Island State Veterans

Home at Stony Brook University by holding church services as well as other entertaining events for the residents; in 2011, the Masons of Suffolk assisted in taking the residents of the Long Island State Veterans Home to a Long Island Duck's baseball game; and

WHEREAS, Organizations of singular distinction such as the Babylon Lodge No. 793, F. and A.M. provide a model for enhancing the quality of life in the community and, as such, merit the grateful praise of the community of the State of New York; and

WHEREAS, It is the custom of this legislative Body that when institutions of such noble aims and accomplishments are brought to our attention, they should be celebrated and recognized by all the citizens of this great Empire State; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations and most joyously commemorate the 125th anniversary of Babylon Lodge No. 793, F. and A.M., Babylon, New York; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to Master, The Most Worshipful Edward T. Bartels, Babylon Lodge No. 793, Free and Accepted Masons.

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. Schimminger, the Clerk will read.

THE CLERK: Resolution No. 1173.

Legislative Resolution commemorating the 160th anniversary of the founding of the YMCA Buffalo Niagara on April 26th, 2012.

WHEREAS, It is the custom of this legislative Body to recognize those illustrious organizations within this great State and Nation whose focus and intent have made a substantial impact on the quality of life in their communities; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, it is the sense of this legislative Body to commemorate the 160th anniversary of the founding of the YMCA Buffalo Niagara on April 26, 2012; and

WHEREAS, For 160 years, YMCA Buffalo Niagara has carried out its mission by delivering programs which enable individuals and families to reach their fullest potential in terms of spirit, mind, and body; and

WHEREAS, Each year, the YMCA Buffalo Niagara delivers program and membership services to more than 100,000 Western New York residents through its seven branch facilities, Camp Weona, and more than one hundred community based sites; and

WHEREAS, The YMCA Buffalo Niagara is the second oldest YMCA in the United States, serving people of all ages, races, faiths, backgrounds, incomes and abilities through a wide variety of programs and services designed to meet changing needs of the community; and

WHEREAS, The YMCA Buffalo Niagara honors a

rich history including the establishment of Buffalo's oldest service club and the organization of the oldest consecutively run footrace in North America; and

WHEREAS, A true asset to society, the YMCA Buffalo Niagara has a long record of partnerships with other community organizations, such as schools, hospitals, police departments, colleges and corporations; and

WHEREAS, Volunteer-founded, volunteer-based and volunteer-led, America's YMCAs serve more than 10,000 neighborhoods in the United States, uniting men, women and children; at the heart of community life across America, mission-driven YMCAs are a place to belong and to live the values that guide and unite its members through caring, honesty, respect and responsibility; and

WHEREAS, From cities to suburbs to small towns, YMCAs work to promote youth development, healthy living and social responsibility; and

WHEREAS, It is the sense of this legislative Body that when organizations of such noble aims and accomplishments are brought to our attention, they should be celebrated and recognized by all the citizens of this great Empire State; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to commemorate the 160th anniversary of the founding of the YMCA Buffalo Niagara on April 26th, 2012; and be it further

RESOLVED, That copies of this Resolution, suitably

engrossed, be transmitted to The Honorable Andrew Cuomo, Governor of the State of New York, the YMCA Buffalo Niagara, and the Alliance of New York State YMCAs, Inc.

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. Boyle, the Clerk will read.

THE CLERK: Resolution No. 1174.

Legislative Resolution commemorating the 75th anniversary of the East Islip Fire Department Ladies Auxiliary.

WHEREAS, This legislative Body is justly proud to commemorate the 75th anniversary of the East Islip Fire Department Ladies Auxiliary and to honor its past and present members for 75 years of support of the East Islip Fire Department and the citizens of East Islip, New York and surrounding Suffolk County communities; and

WHEREAS, Historically, the ladies auxiliary of a volunteer fire company has been organized to assist and encourage the fire company in its good work; it is the aim of the ladies auxiliary to cultivate a spirit of harmony, to promote sociability and to sustain the esteem and admiration of the communities it serves; and

WHEREAS, Founded on March 11, 1937, the East Islip Fire Department Ladies Auxiliary has, for 75 years, carried out these important functions in an exemplary manner, providing an

invaluable service to the fire department and community; and

WHEREAS, Throughout the years, the East Islip Fire Department Ladies Auxiliary has selflessly served and supported the East Islip Fire Department in many ways, preparing dinners for various occasions, assisting at fundraisers and during fire prevention programs, responding to headquarters whenever needed and providing food and refreshments, as well as emotional support, to its members while on the scene of emergencies; and

WHEREAS, The members of the East Islip Fire Department Ladies Auxiliary in addition, help the department's firefighters with Fire Prevention, the department's Easter Party for the firefighters and their children, the Holiday Toy Drive, the Fire Department's Tree Lighting ceremony, and the Annual Scholarships for East Islip High School and St. Mary's High School students given in memory of one of the auxiliary's founding members, Adele Krenicky; and

WHEREAS, They also assist the Annual Adopt-a-Fireman program, support the National Burn Victim Foundation, participate in the Memorial Day and St. Patrick's Day Parades, and help with Signal 8 services for firefighters during large fires, as well as other various community activities; and

WHEREAS, East Islip Fire Department members truly appreciate the 20 current members of the department's Ladies Auxiliary, knowing that when they are physically exhausted and emotionally drained, whether chilled to the bone or withering from the

heat, they will be able to look up and see an auxiliary member standing there with a candy bar, sandwich or a cup of soup, and a warm smiling face; and

WHEREAS, It takes a special dedication, a strong desire to help others and a tireless sense of community to volunteer selflessly, supporting and assisting the firemen in the provision of fire protection and prevention; and

WHEREAS, For 75 years, whether at a family dinner or a holiday celebration, when the fire alarm has sounded, these selfless volunteers have left their homes and jobs to help the firefighters in pursuit of their duty; and

WHEREAS, The East Islip Fire Department Ladies Auxiliary is prepared daily to carry out its accepted responsibilities, not only serving but also enhancing the quality of life in their community and advancing the perception of East Islip as a caring and united community; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to honor and warmly congratulate the East Islip Fire Department Ladies Auxiliary and its past and present members upon the occasion of its 75th anniversary; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to the East Islip Fire Department Ladies Auxiliary.

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. Boyle, the Clerk will read.

THE CLERK: Resolution No. 1175.

Legislative Resolution commemorating the 50th anniversary of Our Lady of Grace Roman Catholic Church of West Babylon, New York.

WHEREAS, Religious institutions, and the many spiritual, social and educational benefits they confer, play a vital role in the development of the moral fabric of a responsible citizenry; and

WHEREAS, It is the tradition of this State and this Nation to pay tribute to those institutions and individuals who have contributed to the ethical and spiritual values of their communities; and

WHEREAS, This legislative Body takes pleasure in commemorating the 50th anniversary of Our Lady of Grace Roman Catholic Church of West Babylon, New York; and

WHEREAS, Many events are in the planning to celebrate this milestone, among them a golf outing, 15 month anniversary year calendar, a gala dinner and commemorative journal; and

WHEREAS, In addition, Our Lady of Grace Roman Catholic Church will be holding a tulip festival and parade in April of 2012 which will commemorate both the parish and town history; and

WHEREAS, Established on June 21, 1962, Our Lady

of Grace Parish was one of five parishes created by the Roman Catholic Diocese of Rockville Centre from what had been the Roman Catholic Diocese of Brooklyn; and

WHEREAS, Our Lady of Grace Parish is noteworthy for its care of people with disabilities and for the poor and homeless; and

WHEREAS, Our Lady of Grace Roman Catholic Church is in the business of changing lives; it helps its members to grow in compassion, generosity, and dedication to the common good; and

WHEREAS, Our Lady of Grace Parish serves others in the community with practical help in putting food on the table and keeping a roof over their heads; it helps young people to become adults who will contribute to society's betterment; and

WHEREAS, The church also offers seniors a place to gather, builds bridges of understanding among different groups and comforts the grieving; and

WHEREAS, Our Lady of Grace Parish members change lives by visiting the sick, and helping to guide the perplexed; and

WHEREAS, Our Lady of Grace Roman Catholic Church stands on the threshold of tomorrow, prepared to meet the challenges of the coming decades while retaining that spiritual resolve which characterizes its past; and

WHEREAS, It is the custom of this legislative Body

to take note of enduring religious institutions and to bring such institutions to the attention of the people of this Empire State; now, therefore, be it

RESOLVED, That this legislative Body pause in its deliberations to commemorate the 50th anniversary of Our Lady of Grace Roman Catholic Church of West Babylon, New York, fully confident that this commemoration reflects the belief in those values which enhance the dignity and purpose of life; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to Our Lady of Grace Roman Catholic Church, West Babylon, New York.

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: With that, Mr. Speaker, I move the Assembly stand adjourned and that we reconvene tomorrow, Thursday, April 19th, tomorrow being a Session day and reconvene at 10:30 a.m., in the morning sharp, 10:30 a.m., sharp.

ACTING SPEAKER P. RIVERA: The House stands adjourned.

(Whereupon, 5:10 p.m., the House stood adjourned until Thursday, April 19th at 10:30 a.m., Thursday being a Session day.)