

WEDNESDAY, MAY 1, 2019

10:58 A.M.

ACTING SPEAKER AUBRY: The House will come to order.

Chaplain Carrothers will offer a prayer.

CHAPLAIN DONALD CARROTHERS: Please bow your hearts with me. O God, long before we were a nation, many people in this area, we now call New York State, looked to You for inspiration and guidance. As founders of our nation began to dream of independence, they looked again to You, and they would be inspired to write words like, "We hold these truths to be self-evident, that all men are created equal." And that "to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." Even though at time of the writing, O God, many of our founding fathers didn't live up to these

values, and we still challenge -- are challenged today to live up to these values.

I ask that You inspire and empower this Body to govern well, to stay true to our values and to keep their ties close to the pulse and breath of those that they represent. We pray for our soldiers, sailors, airmen, Marines, Coast Guardsmen who are deployed in harm's way today, and for their families who await their safe return. God bless the State Assembly, the staffers and all who work behind the scenes to make things happen, and God bless America. Amen.

MEMBERS: Amen.

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

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

A quorum being present, the Clerk will read the Journal of Tuesday, April 30th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move that we dispense with the further reading of the Journal of Tuesday, May the 1st [sic] and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

MRS. PEOPLES-STOKES: Thank you. Just to provide members with an opportunity to hear a quote from George Bernard Shaw. Many people have heard of Mr. Shaw on a regular

basis, but his quote is, "Life spent making mistakes is not only more honorable, but more useful than a life spent doing nothing." Clearly, Mr. Speaker, we have a life full of doing things here in these Chambers, and members should understand that on their desks is an A-Calendar. We will continue consent of the bills on that Calendar, beginning with Calendar No. 195, it's on page 17. And members should also be aware that we do have our traditional West Point celebration today at noon, and I would ask that as many members stay in Chambers during that proceeding as possible. It is nice for us to honor these young men and women who have chosen this career as a field, but it's not so nice when we have a Chamber full of empty chairs. So, Mr. Speaker, I would ask that colleagues will please stay during the traditional West Point celebration. It won't take us long and we will be out of here with some readiness.

So, that is a general outline, Mr. Speaker. If there are any introductions and/or housekeeping, now would be the appropriate time.

ACTING SPEAKER AUBRY: We have neither introductions nor housekeeping that we have been noted.

MRS. PEOPLES-STOKES: So we're going to resolutions on page 3, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. The Clerk will read.

THE CLERK: Assembly Resolution No. 296, Mr. Salka.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 2019, as Brain Tumor Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. Salka on the resolution.

MR. SALKA: Thank you, Mr. Speaker. Thank you for this opportunity to address this Body regarding something that's very near and dear to me, and I'll explain why in a minute, but this essentially is declaring May Brain Tumor Awareness Month in New York State. Now, this follows along with Brain Tumor Awareness Month that's being honored on a national level.

And, as I said, this means something near and dear to me. Back in 2012 on January 12th, my daughter, Emily Devon Salka was admitted to an emergency department in a small rural hospital in our district, and they thought she maybe had a sinus infection. And they did a CAT scan just to rule it out, and found a tumor on the base of -- of her brain. It ended up being something called Glioblastoma Multiforme, and it's a very, very serious diagnosis and -- but she was willing to accept this and willing to accept the journey that she was going to have to take, which included chemotherapy, a number of surgeries, and she stayed strong through the whole thing. She was an inspiration to so many people.

You know, brain tumors affect thousands and thousands of people in this country and, unfortunately, a large number of those that are affected are children, that are cut short in the prime of

their life. My daughter was ready to enter her second semester in her freshman year at Oneonta State. After treatment she did return and complete her junior year. She was an inspiration in that respect to many, many people, the students around her, the teachers that she had and, of course, her parents, because she always kept a positive outlook. But I want to take this opportunity to dedicate and hopefully dedicate our energies and our time to being able to find a cure for this monster. There are many, many institutions right now, and many fine institutions here in our great State of New York that are conducting research and we are making progress, but a lot of people feel that the progress could be made quicker.

So, in our perspective, I think it's important that when some funding does come up, and I hope to be able to propose some in the upcoming Session, that we're able to put more of our resources and time. You know, brain tumors have affected people even in this Chamber. Assemblyman Fitzpatrick lost his dad to a brain tumor; Assemblyman Kolb lost a brother to a brain tumor, and it seems that more and more, when you see that young people are being diagnosed with this, it should further and strengthen our resolve to be able to find a cure for this.

So, I appreciate this and I'm honored to have the time to declare May Brain Tumor Awareness Month and I would hope that everyone goes gray for the month, right here, goes gray for the month of May, and thank you -- thank you very much, sir, and I appreciate the time to be able to advocate for such an important thing. Thank

you, and God bless.

(Applause)

ACTING SPEAKER AUBRY: Thank you, sir.

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

THE CLERK: Assembly Resolution No. 331, Mr. Cymbrowitz.

Legislative Resolution commemorating the observance of Holocaust Remembrance Day in the State of New York on May 2, 2019.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, nay. The resolution is adopted.

THE CLERK: Assembly Resolution No. 332, Ms. Joyner.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 2019, as Maternal Depression Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, nay. The resolution is adopted.

THE CLERK: Assembly Resolution No. 333, Mrs. Gunther.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 2019, as Mental Health Month in

the State of New York.

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

THE CLERK: Assembly Resolution No. 334, Ms. Lupardo.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 2019, as Prader-Willi Syndrome Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; nay. The resolution is adopted.

THE CLERK: Assembly Resolution No. 335, Mr. O'Donnell.

Legislative Resolution memorializing Governor Andrew M. Cuomo to declare May 4, 2019, as I Love My Park Day in the State of New York.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could go to page 17 on our main Calendar to main -- Calendar No. 195 on page 17.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A05342, Calendar No.

195, Abbate, Reyes, Griffin, Colton. An act to amend the Civil Service Law, in relation to resolution of disputes in the course of collective negotiations.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05501, Calendar No. 196, Crespo, Ortiz, De La Rosa, D'Urso, Pichardo, Arroyo, Blake, Reyes, Sayegh, Colton, D. Rosenthal, Perry. An act to amend the Labor Law, in relation to penalties for discrimination or retaliation against immigrant employees.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05616, Calendar No. 197, Weinstein, Gottfried, Perry, Abinanti, Seawright, Colton, Taylor. An act to amend the Social Services Law and the Public Health Law, in relation to granting residents of adult care facilities a cause of action to seek the appointment of temporary operators of such facilities.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05621, Calendar No. 198, Weinstein, Seawright, Taylor. An act to amend the Domestic Relations Law and the Family Court Act, in relation to child custody forensic reports.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05660, Calendar No. 199, Rozic, Abbate, Barrett, Bichotte, Blake, Cahill, Colton, Cook, Cusick, Dilan, DiPietro, Fahy, Fitzpatrick, Galef, Gunther, Hevesi,

Hunter, Hyndman, Jaffee, Jean-Pierre, Joyner, McDonough, M.G. Miller, Montesano, Mosley, Otis, Perry, Pichardo, Ra, Raia, Ryan, Santabarbara, Simon, Steck, Stirpe, Walker, Zebrowski, Peoples-Stokes, D'Urso, Pheffer Amato, Wallace, Stern, Reyes, Malliotakis, Cruz. An act to amend the Executive Law, in relation to the performance of a study regarding homeless persons who are veterans in the State of New York.

ACTING SPEAKER AUBRY: On a motion by Ms. Rozic, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Colleagues, this is our first vote of the day. If you are in and around the Chambers, please cast your vote immediately so that we might move forward. Thank you.

ACTING SPEAKER AUBRY: First vote of the day, members.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Mr. Speaker, just briefly. I know this is our first vote of the day and many people are still

casting their votes. I just wanted to commend the sponsor for this piece of legislation. I think that it's very important to quantify the number of homeless veterans that we have. I think the problem is a lot greater than we know and I'm very proud that in my district we have both a shelter for men who are veterans who are homeless, as well as Guardian House, which is one of the only women's veterans shelters in New York State. So, I just -- I think that this is a great piece of legislation and I encourage everybody to support it, and it looks like everyone is. So, thank you.

ACTING SPEAKER AUBRY: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, thank you for allowing me to interrupt our proceedings for a moment to introduce some guests who are in the Chambers of our colleague, Mr. Jacobson. These are students and young people from the Newburgh Free Academy. It is a public high school and this is the student council, Mr. Speaker. The President is here; Alasia Ashley and Keyondrah Murphy, the Vice President are here and those are who, raise your hand, President and Vice President. They have their student advisors with them, Mr. Speaker; Melanie Larkin, Lynn Davinci and Amanda O'Neal. Would you please greet these awesome

students to our Chambers and give them the cordialities of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf Mr. Jacobson, the Speaker and all the members, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. We thank you, as students, for coming and sharing this day with us and watching our proceedings and also commend you on the work that you're doing in your own school to make a better learning environment for all the students and representing your fellow students as you do. Continue that work. We look forward to many, many days of your leadership maybe all across this State. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, we're going to continue on consent. We're now at Calendar No. 200 on page 18 as well.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A05765, Calendar No. 200, Zebrowski. An act to amend the Real Property Tax Law, in relation to extending limitations on the shift between classes of taxable property in the Town of Clarkstown, County of Rockland.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05777, Calendar No. 201, Dinowitz, Reyes, Sayegh, Gottfried, Galef, Simon, D'Urso, Stirpe, Arroyo, Blake, Steck, Glick, Zebrowski, Ortiz, Weprin, Cruz. An act to amend the General Obligations Law, in relation to prohibiting employers from requiring certain conditions or preconditions of employment.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05841-A, Calendar No. 202, Glick, Cymbrowitz, Lentol, Nolan, Davila, L. Rosenthal, De La Rosa, Epstein, Seawright, Weprin. An act to amend the Multiple Dwelling Law, in relation to interim multiple dwellings; and to amend Chapter 4 of the Laws of 2013 amending the Real Property Tax Law and other laws relating to interim multiple dwellings in a city with a population of one million or more, in relation to making certain provisions permanent.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05967-A, Calendar No. 203, Paulin, Buchwald, De La Rosa, Galef, Jean-Pierre, Abinanti, Dinowitz, Englebright, Epstein, Hunter, Gottfried, Jaffee, Pichardo, McDonough, Reilly, Cook, Steck, Raia. An act to amend the Public Service Law, in relation to requiring certain notices to be provided to

customers receiving telephone service through fiber optic-based telephone lines.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06087, Calendar No. 204, Paulin, Arroyo, D'Urso, Cruz, Jean-Pierre, Reyes, Sayegh, Gottfried, Mosley, Galef, DeStefano, Montesano, McDonough, Jaffee, Wallace, Steck. An act to amend the Vehicle and Traffic Law, in relation to the operation of all-terrain vehicles by minors.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06149, Calendar No. 205, Lupardo, Cook, Crespo, Jaffee, Crouch, Friend, Gottfried, Hyndman, D'Urso, Glick, Abinanti. An act to amend the Real Property Law, in relation to home inspection professional licensing.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06186-A, Calendar No. 206, Gunther. An act to amend the Insurance Law, in relation to mental health and substance use disorder parity reporting; and to repeal certain provisions of such law relating thereto.

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

THE CLERK: Assembly No. A06462, Calendar No. 208, Nolan, Abbate, Blake, Buttenschon, McDonald, Braunstein, Cook, M.G. Miller, Englebright, D'Urso, Gunther. An act to amend the Arts and Cultural Affairs Law, in relation to changing New York State History Month from November to October.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07050, Calendar No. 210, Lupardo. An act to amend Chapter 414 of the Laws of 2018, creating the radon task force, in relation to the reporting date and effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Lupardo, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record

the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, before we move to our debate Calendar, can we have -- go back to Calendar No. 206 to be reconsidered. It's on page 19.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A06186-A, Calendar No. 206, Gunther. An act to amend the Insurance Law, in relation to mental health and substance use disorder parity reporting; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, we can now go to page 8. We're going to take up Calendar No. 51 under

debate by Mr. Gottfried.

ACTING SPEAKER AUBRY: Page 8, Calendar No. 51, the Clerk will read.

THE CLERK: Assembly No. A01033, Calendar No. 51, Gottfried, Sayegh. An act to amend the Public Health Law, in relation to the use of psychotropic medications in nursing homes and adult care facilities.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

ACTING SPEAKER AUBRY: We will do that in a minute, but we are on debate, ladies and gentlemen, members. And would be appreciative if you took your conversations outside the Chamber and/or have your seats, clear the aisles, settle down.

Mr. Gottfried, will you yield?

MR. GOTTFRIED: Certainly.

ACTING SPEAKER AUBRY: Mr. Gottfried yields, Mr. Goodell.

MR. GOODELL: Thank you very much, Mr. Gottfried. Under this bill, a prescription for a psychotropic drug for a patient in a residential facility, a nursing home, for example, would be limited to no more than 14 days and to have a new prescription or renewal of that prescription would require an additional written informed consent by the patient. I think that's the basic thrust of the bill.

MR. GOTTFRIED: Correct.

MR. GOODELL: And it provides that if the patient is not capable of giving that informed consent, after all they are under medication for a psychotropic issue, then that consent could be given at -- in a written informed consent by the patient's surrogate designating the representative. And then it goes on to say.... "and if the patient doesn't have a surrogate and the patient is not competent to give the informed consent, the psychotropic drug could still be administered or the prescription renewed in the event of an emergency or following the procedure set forth in the Public Health Law for a general hospital." So my first question, I just want to give an introduction so our colleagues know what we're talking about and to the extent that we do. So if the patient is incompetent and lacks a surrogate, the industry has asked about the practical aspects of how this would work. So the question would be, there's a procedure already in place for patients at a residential facility who need major surgery or major medical treatment who are incompetent and don't have a surrogate and that procedure requires a separate independent medical evaluation by the medical director or a person appointed by the medical director. Why does this bill not use the same procedure that applies on all other medical procedures that apply in a residential facility for such a patient? And instead, it seems to go in a different direction and require the procedures that involve a general hospital.

MR. GOTTFRIED: Okay. Well, first of all, maybe the next time either one of us is talking to whatever representatives of

the industry raised this point with you, either you or I should suggest to them that in the future since this bill has been introduced for several years, it might've been useful if they had raised this question with me, which they have not. So interesting question why they would operate that way. If you read paragraph 2 which refers to patients in a general hospital and paragraph 3 which refers to patients in a nursing home and you follow through the words, I think they largely, in practice, come down to pretty much the same thing. The advantage of the general hospital sentence is that it's a whole lot shorter and I think a whole lot easier to understand and to the extent that it -- that the nursing home language puts more of a direct role in the hands of the nursing home's medical director, I would prefer a little bit the language that we are pointing to because the problem with psychotropic drugs in nursing homes is precisely that the nursing home administration in many cases in New York is directing a policy of using these drugs inappropriately basically to keep patients, you know, basically quiet and easy to move around. And so to the extent the language the bill points to is a little different from the other paragraph, I think it's a little better. But basically I don't see a lot of difference between them.

MR. GOODELL: And it's an issue that if it doesn't go through this year, certainly we can address in more detail in the future. The other question that was raised - I mean there's a few others, but one of the other questions is this requires a new written informed consent and a new prescription every 14 days or no longer

than 14 days, a prescription for no longer than 14 days. Are there psychotropic drugs that are prescribed on a longer term basis than two weeks?

MR. GOTTFRIED: Well, not legally in a nursing home because a lot of the language in this bill including the 14-day requirement actually tracks Federal CMS regulations. So that 14-day provision would -- would be in place today. Putting it in State Law and fleshing it out with the other language in the bill, I think is really important, particularly since New York has a, I think, a long way to go to get -- to get rid of inappropriate use of psychotropic drugs in nursing homes.

MR. GOODELL: So, is it your view then that this restriction for two weeks is already covered by CMS?

MR. GOTTFRIED: Well, it conforms with the CMS regulation. It incorporates that into all the other provisions of the bill.

MR. GOODELL: Now, part of the challenge, of course, when there's patients in nursing homes is to have a surrogate that's actively involved. Not all surrogates are willing to be actively involved in the patient's care. It could be a distant relative that they agreed to be as a surrogate. This would require the surrogate to sign off on a written consent every two weeks. I mean in theory, if that medication continued for a year they'd have 26 written consents with the same notice in terms of the adverse effect. Is there really a need for multiple written consents every two weeks? Isn't that a little burdensome on the -- on both the facility and on the surrogate?

MR. GOTTFRIED: Well, as you said, there is a problem in nursing homes that - and not just in New York - that often an appropriate family member is nowhere near as involved as they ought to be. One could argue that if the nursing home feels the need to reach out to that family member every couple of weeks and -- and get them involved, that would be a good thing. Because today, you know, the family member may be -- may not feel good about ignoring their relative, but it may quietly find that the path of least resistance, the nursing home may well be very happy to have the family member uninvolved cause when family members get involved sometimes they complain about conditions. And so if one effect of this bill is to make nursing homes reach out to the family, that's a good thing.

MR. GOODELL: Of course it's -- it's a balancing act because the more responsibility we put on a surrogate, the less some surrogates are willing to serve and then we end up with no surrogate and so it seems to be a little bit of a balancing act. But if I can move on. If the surrogate gets fed up with signing these consents and refuses to sign a consent, then the only option is to wait for an emergency to occur under this legislation?

MR. GOTTFRIED: If -- well, first of all, if the surrogate is unwilling or unavailable to act, then under the Family Health Care Decisions Act which is what gives them the authority to consent, they would -- they would no longer be considered the surrogate. They're only considered the surrogate as long as they are willing and available to act. And secondly, if they -- if there -- if as a

result there is no surrogate willing and available to act, then you go to the provision of the bill that says you go to a second -- you get the order reviewed by a second physician or a nurse practitioner.

MR. GOODELL: Well, actually, though, the language of the bill is if the patient lacks a representative. It's not triggered by a representative that refuses to act, so if the representative refuses to act. So if a patient has a representative and the representative refuses to act, then the only time the prescription could be renewed under the language of this bill, as I understand it, is the emergency situation.

MR. GOTTFRIED: Well, in the language of the Family Health Care Decisions Act, if the person who would otherwise be considered the surrogate is unwilling or unavailable to act, then they are no longer deemed the surrogate. So it is in a sense self-executing. If they have dropped out from their surrogacy, then you either go to the next person on the surrogate list or the patient is then deemed to not have a surrogate.

MR. GOODELL: And a corresponding situation which is in between is when you have a surrogate that's more than happy to act that's on vacation and unavailable. In that situation then the prescription would not be renewed unless there's an emergency, correct?

MR. GOTTFRIED: No. If the surrogate is unavailable for whatever reason. If they're unavailable, then under the Family Health Care Decisions Act, you either go to the next person in

line to be surrogate or the patient during the unavailability is deemed to be a patient without a surrogate.

MR. GOODELL: One last question, I hope. And that is deals with cost. Of course every time a physician sees a patient and writes a prescription or renews a prescription the physician bills either Medicare or Medicaid or if it's a private care patient they bill the patient directly. What is the cost ramification of this legislation?

MR. GOTTFRIED: Well, or the physician is in -- is probably in many cases under contract with the nursing home and it's the nursing home who pays them. The -- so it would really be difficult to -- to answer that question. If -- if there are additional professional fees to be charged either to the nursing home or somebody else, I think that's a lot better than people spending their -- virtually their entire time in the nursing home in a drugged out, you know, semi-conscience state and that is what is going on all too often in our nursing homes today. These drugs are being used as what is euphemistically called chemical restraints.

MR. GOODELL: Yes.

MR. GOTTFRIED: And the notion that -- that 15 percent of nursing home residents are being regularly prescribed psychotropic drugs is -- is really not acceptable.

MR. GOODELL: Thank you very much, Mr. Speaker.

MR. GOTTFRIED: You're welcome.

MR. GOODELL: I appreciate your comments.

On the bill, sir.

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

MR. GOODELL: I absolutely agree with Mr. Gottfried, our colleague, that the excessive use of psychotropic drugs in nursing homes is an issue, it's a serious issue and one that deserves our attention. Where we disagree a little bit is what is the best approach to addressing that issue. In my opinion, the best approach is for us, through the Department of Health, to have more thoughtful reviews of psychotropic prescriptions in nursing homes and we had that authority, right. Our Department of Health goes in on a routine basis and it audits nursing homes and it reviews nursing home records and we also have a Medicaid inspector who does the same and if we address the issue directly, we don't need to have this additional burden put on patients and their caregivers. Thank you so much, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Mrs. Arroyo.

MRS. ARROYO: Thank you, Mr. Speaker. I want to thank the sponsor of the bill and also the Speaker to allow this bill to come to the floor and to our colleagues on the other side to support this bill. It's so important because you know when we visit those centers, you go around and when you see people with the head down because they are drugged. Thank you very much and God bless all of you.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for the opportunity to explain my vote. I think issues as they relate to how nursing homes are managed and cared for and regulated in our State should be at the top of everyone's agenda. I want to thank the sponsor of this piece of legislation for introducing it and understanding that these are things that we need to pay attention to. Mr. Speaker, very often most times when people go into nursing homes, they're just at the care of the people who are there. No one else -- sometimes there's no family, it's just them. And in many cases there is family and you still need to have a good regulated nursing home. I can see, speaking from my own district, that there is a need for additional regulations and there is also a need for the New York State Department of Health to do a much better job of determining who has the capacity to deliver good service and who does not. So, I think this is a good starting point. I think this is something we should always be paying attention to and, in fact, I think as people in general, we should all be paying attention to it because either our family or even one day ourselves may need these services and we want them to be at the top of the level, not considered not to be mediocre. So,

again, Mr. Speaker, I thank the sponsor of this legislation and I certainly do vote in favor of the bill.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes in the affirmative.

Ms. Reyes to explain her vote.

MS. REYES: I want to thank the sponsor of this legislation for this very important step in looking into some of the circumstances that we unfortunately see in nursing homes. I believe that what medical professionals have been found themselves to do when they have no other means to keep patients safe is to chemically restrain them and I think this is a symptom of a much bigger problem. And when we talk about staffing and staffing ratios in hospitals and nursing homes, it's about being able to have the bodies, the hands, the eyes to keep our loved ones safe. I think this is an important step to dealing with a much broader issue in our healthcare system and I commend the sponsor of this and I'll be voting in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Reyes in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If we could have the attention of every one that's in the

Chambers because we're going to begin our traditional welcome of our West Point guests. And I know and I'm sure most of all of my colleagues here feel like really honored that we have an institution of this type in our State. And so it's our privilege to welcome them to our floor and appreciate the work and efforts that they're putting forth not just for our current lives but for our future lives. West Point graduates can be counted on throughout history as some of the nation's greatest leaders and I suspect I'm confident of a number of those, our future leaders are right here in our Chambers today, Mr. Speaker, from military commanders to elected officials to pioneers of industry to West Point graduates have made continued and make extraordinary contributions to both society and to our nation. The cadets that join us here today have chosen a path of service. In my opinion there's nothing more honorable, nothing more nobler and nothing more worthy of our respect and admiration than the opportunity to serve. I applaud these fine men and women for their willingness to serve and ask that we will pause in our deliberations, Mr. Speaker, to honor their courage. Thank them for their selfless sacrifice and wish them good health, safety as they continue their careers. May God bless each and every one of you and, Mr. Speaker, I look forward to hearing your remarks.

ACTING SPEAKER AUBRY: It is my honor and privilege to interrupt the proceedings of the House to continue a special tradition. For almost 70 years the Assembly has hosted West Point Day to celebrate the extraordinary service and dedication of men

and women who embody the spirit and honor of the prestigious United States Military Academy at West Point. Friends and colleagues, please join me in welcoming our distinguished guests to the People's House of the New York State Legislature.

(Applause)

With us today we have United States Corps of Cadets First Class [sic] David T. Bindon. We have Colonel Mark Bieger, West Point Chief-of-Staff; Lieutenant Colonel Daniel [sic] Carrothers, Chaplain of the US -- United States Military Academy who brought us in with prayer; Lieutenant Colonel Christopher Ophardt, West Point Chief of Public Affairs; Sergeant First Class Lindsay Crudup, Non-Commissioned Officer in charge of cadets the US Military Academy including 12 cadets from across the State who will be introduced. We also have Sergeant First Class Josephine Pride, Non-Commissioned Officer in charge of Public Affairs the United States Military Academy and Sergeant Major US Army Retired David Brzywczy. The highly respected West Point Academy has stood tall and proud in New York's beautiful Hudson Valley since 1802. The young men and women who attend West Point represent the best and brightest of their communities. The Academy graduates have a legacy of leadership and excellence. For more than 200 years, the United States Military Academy at West Point has served as a testament to the principles of Honor, Duty and Country. The legacy is truly unmatched. It is the oldest of the five service academies.

In just a moment, we will take up a resolution

honoring the legacy of the Academy and the role that it has played in shaping the history of our State and the nation. We thank you for visiting us today and for your unwavering commitment to our nation. May God bless you all.

(Applause)

The Clerk will read the title of the resolution.

THE CLERK: Assembly No. 330, Mr. Schmitt.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 1, 2019, as West Point Day in the State of New York.

ACTING SPEAKER AUBRY: On the resolution,
Mrs. Barrett.

MRS. BARRETT: Thank you, Mr. Speaker. It is with great honor and pleasure that I stand here today as the first woman Chair of the Assembly's Veterans' Affairs Committee. I'm participating in this annual event dedicated to the United States Academy at West Point is very special to me. It's a privilege to welcome Colonel Mark D. Bieger, the West Point Chief-of-Staff, the outstanding cadets including First Captain - Captain David T. Bindon and the senior personnel joining us here today on this special occasion to honor this esteemed institution of Higher Education located here in the State of New York and in the Hudson Valley where my own district is. Today marks the 67th time the Assembly has honored the men and women who are members of the Corps of Cadets and senior personnel who operate West Point. For 217 years the United States Academy at West Point has guided the best and the brightest through

intensive training and vigorous academic curriculum to personal and professional success. It is here where our future leaders come to learn and commit themselves to values as you heard of Duty, Honor and Country. These three words are instilled in the thousands of hours spent training, educating and inspiring each cadet so that they may graduate as a commissioned leader prepared for a career in excellence and service to our nation as an officer of the United States Army. The Academy located in the picturesque Hudson Valley, which I always describe as one of the most beautiful places in our country, is a national landmark and home to historic sites, buildings and monuments. The importance of recognizing the Academy's history is very much in evidence even today. In fact this past Thursday on April 25th, the Academy unveiled a statue of Ulysses S. Grant, the 18th President of the United States member of the Class of 1843 of the Academy and Union Civil War General. Grant was the first West Point graduate to hold the office of President of the United States. Located on the perimeter of the plain where the corps of cadets hold daily parades, the Grant statue is directly across from the only other statue dedicated to the other West Point graduate who became president, Dwight D. Eisenhower, Class of 1915. We owe the cadets our respect and gratitude. I salute you all for your service and wish you the best of luck as you continue to fulfill your commitment to our nation. On behalf of the entire Veterans' Affairs Committee, it is my pleasure to welcome and congratulate all the cadets here and welcome the distinguished staff accompanying you here today. Go Army!

(Applause)

ACTING SPEAKER AUBRY: Mr. Morinello on the resolution.

MR. MORINELLO: Thank you, Mr. Speaker. It's a great honor to celebrate West Point Day in the New York State Assembly. I am proud to stand beside these cadets who have chosen to attend New York's premiere Military Academy. As a ranking member of the Veterans' Affairs Committee and as an Army veteran who served as a combat soldier in Vietnam, I have been granted the opportunity and honor to speak about one of the crowned jewels of our nation. While I've been able to view the institution from across the Hudson, I can only imagine the awe and amazement of our nation's first military leaders would have if they could see what West Point has become. Originally chosen for its strategic positioning at a chokepoint on the Hudson River in our fight for independence from the British Empire, West Point has become one of the most prestigious academies for our men and women to attend on their quest to serve as leaders in the greatest military in the world. With the help of American heroes such as our country's first president George Washington and military engineer Thaddeus Kosciuszko, a hero of the Battle of Saratoga, West Point was fortified and became a symbol of American military superiority and leadership. Since 1802, it has served as an academy and holds the title of America's oldest continuous occupied military post. Today we honor the men and women, past and present, of this prestigious institution and offer them

our gratitude for all their service of today and in the future. And I am proud to be a veteran, an Army veteran and stand with these wonderful men, women and officers. Thank you very much.

(Applause)

Assemblymember Colin Schmitt.

Excuse me, Ms. Hunter.

MS. HUNTER: Thank you, Mr. Speaker. As the Chair of the Subcommittee on Women Veterans and a proud US Army veteran, I'm honored today to welcome the entire West Point command, especially the members of the Corps of Cadets. The West Point Association of Graduates recently announced that the first woman in US history to achieve the rank of four-star general has been named the 2019 recipient of the Sylvanus Thayer Award, General Ann Dunwoody. The Association presents the award each year to someone's whose career embodies the West Point motto: Duty, Honor and Country. To each cadet, I wish you the very best as you continue to learn the important role you will play in the world today. Go Army! Beat Navy! Thank you, Mr. Speaker.

(Applause)

ACTING SPEAKER AUBRY: And now
Assemblymember Schmitt.

MR. SCHMITT: Thank you, Mr. Speaker. I'd like to thank all of my colleagues as well for joining in recognizing not only the premiere Military Academy, but the premiere institute of Higher Education in the world, the United States Military Academy at West

Point which is located right in the heart of my district, the 99th Assembly District in Orange County, New York. It's a true honor to have the cadets, their leadership and other members of the Long Gray Line join us on the floor today. It's also a distinct honor to represent them each and every day here in this Chamber and back home in the district. As a proud member of the Army National Guard myself and somebody who gets to frequently visit both in my official capacity here in the Assembly, as well as a soldier in the army, a beautiful campus at West Point. It means a lot to see these leaders here. Some who I actually had previously met through American Legion Boys State and some other activities. The caliber of men and women who are currently studying as cadets will be graduating, will be graduating in the next couple of years and those who have really made history since West Point's founding are the men and women who have written our history and will continue to write our history in New York State, in the United States and across the world. So, it's a beautiful blessing in this Chamber where we can put partisanship aside and we can just celebrate America, celebrate our flag and celebrate the men and women who have raised their right hand from 17- or 18-years-old on willing to say that my life is going to be dedicated to defending our right to do what we do here and everywhere across this great country. So, I applaud and salute all the cadets, all the men and women who have ever served or provided services to the Long Gray Line. Thank you for the honor of representing you in the Assembly and more importantly thank you for the honor of serving all of us. It's an honor

that we can thank you for everything you've done. Thank you, Mr. Speaker.

(Applause)

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, nay. The resolution is adopted.

(Applause)

It is now my privilege to call upon Reverend -- Colonel Bieger to join me here on the rostrum to accept this resolution and to address this Body. Sergeant-of-Arms Wayne Jackson will escort the Colonel to the rostrum.

(Applause)

COLONEL BIEGER: Good afternoon, ladies and gentlemen. Assemblyman Heastie, Assemblywoman Barrett, Assemblyman Schmitt, ladies and gentlemen. Thank you so much for the opportunity here to bring our 13 cadets and to spend a few moments with you here in this amazing Assembly. On behalf of our Superintendent, Lieutenant General Darryl Williams, I am honored to address you this morning on behalf of the entire team back at the United States Military Academy and we sincerely thank you for this recognition.

As introduced, I'm joined today by Cadet David Bindon who's the First Captain of our Corps of Cadets, an amazing young man who we have the privilege of watching lead over 4,400 cadets, both US and international. And we're also joined by 12 great

cadets from across New York State representing the more than 4,400 of their classmates, 258 of whom call the Empire State their home.

A little over a century ago, more than 2 million Americans were mobilized for service to fight on the battlefields of France as part of General John Pershing's American Expeditionary Force. Among them was a young 22-year-old clerk from Albany named John Brennan who would serve as a saddler in the 27th Infantry Division and see combat in France. Unlike the majority of his peers, the men that would serve in the AEF, Brennan volunteered to enlist. Years later he wrote in his memoirs detailing his experiences in the great war. In the preface to his memoir he wrote, and I quote, "This is not the diary of a hero, but the diary of one of the many men who enlisted in the army to serve his country and accept and carry out whatever job he was assigned to do." Brennan, like these great young men and women with me here today, are representative of the many New Yorkers who throughout our history have stepped forward to do their duty, to serve their country and stand in the gap in the defense of our great nation from the regiments of the New York Line during the American Revolution to regiments like the Great Fighting Irish of the 69th Infantry Regiment in Iraq and Afghanistan. New Yorkers have fought and served with valor and distinction with some making the ultimate sacrifice. The United States Army has always had a strong presence in New York to include West Point from its early days as a strategic garrison in the fight against the British in the defense of the American colonies to our role

today as the world's preeminent leader development institution. And just as West Point has been an important thread in the fabric of this great State, so too have many New Yorkers been an important thread in the fabric of West Point. In addition to the 258 cadets that are currently attending, more than 7,700 cadets, graduates, nearly ten percent of the Long Gray Line claim New York is their birthplace and many of whom have earned their place in the history books as leaders, not only in our great army, but in this, in our government, in business and academia and more. Our mission at West Point is to enhance the readiness of the United States Army by developing the leaders of character who will fight and win our nation's wars. Developing leaders of character require strong relationships and partnerships with many outside stakeholders, particularly those throughout New York State. We would not be successful without the tremendous support of the New York State Legislature and our neighbors throughout the State and especially throughout the Hudson Valley. And on behalf of the entire West Point community, we greatly appreciate that support.

Our commitment to strong partnerships means that we are also committed to being good neighbors with towns and communities across this State. We're also looking for ways to connect and build relationships and partner together beyond our current imagination on opportunities that will not only enhance the leader development experience at West Point, but to the benefit of our community as well.

Finally, military members are often thanked for their

service, but I want to take this opportunity to thank you for your service. A strong civil military relationship and a mutual trust between our military and society, it serves as a cornerstone for our democracy. On behalf of the entire West Point community and especially the great men and women of our Corps of Cadets, thank you for your continued support and thank you for honoring us today. Go Army! Beat Navy!

(Applause)

ACTING SPEAKER AUBRY: Again, thank you, Colonel Bieger.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, several of our colleagues represent districts where these fine men and women are from. It is now the appropriate time to allow them to introduce the soldiers, the students who are in from their districts.

ACTING SPEAKER AUBRY: Certainly.

Mr. Epstein.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise for an introduction. Lucky to have a cadet from my district, a Brian Patterson. Brian Patterson who is a class of 2021, whose parents are Robert and Kris Patterson, went to Xavier High School, Team Leader. You know, he's a Systems Engineer, active in rugby so Brian, be careful out there. I want to thank you for what you're doing for our country, for my community and continue to make us proud. Thank you for being here, Brian. I hope you welcome him to the Chambers,

Mr. Speaker.

(Applause)

ACTING SPEAKER AUBRY: Welcome, sir. Thank you for joining us here today.

Assemblymember Finch.

MR. FINCH: Thank you, Mr. Speaker, for allowing me the opportunity to welcome these members of the Military Academy. In particular, I'd like to introduce the son of James and Shelly Marsh from Marcellus. His name is Mark [sic] (Andrew) and he's a 19 -- or a 2021 [sic] (2017) graduate of Marcellus High School. His interests are Military History, German. He has a special interest in -- in the culture of opera which is very impressive. He wants to make a career in the military, of course, and one of the great leaders of tomorrow and by the way, he's a Team Leader at the Point right now. We welcome him. A real privilege to have him here today and thank you.

(Applause)

ACTING SPEAKER AUBRY: On behalf of Mr. Finch, the members, all the members, the Speaker, we welcome you here today, too.

Ms. Fernandez.

MS. FERNANDEZ: Thank you, Mr. Speaker. I rise to give a proud introduction to my constituent from the boogie-down Bronx, Cadet Yusen Zheng. He is the Class of 2022, a Plebe/Freshman if you don't know what plebe is. Parents Wang Yong

and Min Zheng are here today very proud. He is a graduate of Stuyvesant High School, Class of 2013. Do we hear the name? Okay. I have Cadet Yusen Zheng. There we go. Applause for her, please.

(Applause)

Her previous military service is two years at Medic at Fort Drum. She is on the company swim team, so you know she got strong arms and she is here today. Thank you so much. Thank you for allowing me the honor of introducing you and congratulations and thank you for your service.

(Applause)

ACTING SPEAKER AUBRY: On behalf of Ms. Fernandez, the Speaker and all the members, Ms. Zheng, we welcome you here to the New York State Assembly. Thank you so very much.

(Applause)

Mr. Ra.

MR. RA: Thank you, Mr. Speaker. On behalf of our colleague Mr. McDonough, I have the honor and privilege of introducing Cadet Matthew Montera. Matthew is the son of Vincent and Camie Montera. He is a member of the Class of 2021 at West Point where he is serving as a Team Leader. He is a graduate of John F. Kennedy High School, Class of 2017. He is majoring in civil engineering and also participates in the sailing club at West Point. So if on behalf of Mr. McDonough and all our colleagues, you could welcome this impressive cadet to our Chamber today. Thank you.

(Applause)

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Ra and Mr. McDonough, the Speaker and all the members, we welcome you here today, sir.

Ms. Hyndman.

MS. HYNDMAN: Thank you, Mr. Speaker. This is a humbling honor to be able to introduce this cadet, Cadet McPherson from the 29th Assembly District in Queens. And I know I join -- I may be not as proud as your parents Angella and Charles McPherson, but your graduation and Class of 2016 from Eastern -- East New York Transit Tech which is in Brooklyn. I know as a public school grad we have great things for you and you're just an example of what the public schools in New York City have to offer so we're very proud of you. I understand that you're involved in the SIGSAC Club which means Special Interest Group for Security Audit and Control and it helps to develop leadership skills in the cyber domain which we know this country definitely needs bright individuals like you. You're in the class of 2021 and I know the entire Assembly district is very proud of you and thank you, Mr. Speaker, for introducing these -- one of these 13 cadets this afternoon.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Hyndman, the Speaker and all the members, we welcome you here, sir, and extend to you the privileges of the floor.

(Applause)

Mr. Montesano.

MR. MONTESANO: Thank you, Mr. Speaker. I'm

very pleased today to introduce my constituent Sammy Chae who hails from Hicksville, New York. He's a 2013 graduate of the Hicksville High School and he's in his leadership position at the Academy. He's a Regimental Intelligence Officer. He's majoring in Systems Engineering and he's -- his extracurricular activities, he's a softball manager and a tennis player. He has previous military service of one year in the Army Reserves. Upon his graduation this month May 27th, he'll be stationed in Fort Bragg, North Carolina to continue his training. Please extend the cordialities of the House. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Montesano, the Speaker and all the members, sir, we welcome you here to the New York State Assembly and extend to you the privileges of the floor. Thank you for joining us.

(Applause)

Ms. Jean-Pierre.

MS. JEAN-PIERRE: Thank you, Mr. Speaker. I have the honor and privilege to introduce one of my constituents from Amityville of Strong Island, Shaneka A. Bernard who is majoring in Defense and Strategic Studies and minoring in Space Studies. Cadet Shaneka Bernard is a graduate -- is a 2016 graduate of Amityville Memorial High School and the daughter of Shane and Dana Marie Bernard and who we are so proud of her and all of the cadets who have joined us here today. These are some of the finest young people New York has to offer and we wish them well as they continue to grow and prepare for careers of professional excellence and service to

our great nation. Thank you.

(Applause)

ACTING SPEAKER AUBRY: On behalf of Ms. Jean-Pierre, Ms. Bernard, we welcome you here to the New York State Assembly, extend to you the privileges of the floor and our congratulations. Thank you for joining us.

(Applause)

Mr. Palmesano.

MR. PALMESANO: Yes, thank you, Mr. Speaker. It's my privilege and honor to welcome Cadet Lili M. Ruland. This is actually a great privilege because two years ago I was able and we were able to welcome Lili here as a freshman, so it's nice to be able to do this again.

Lili is a junior and a member of the Class of 2020. She's from Corning, New York. She was a 2014 graduate of Corning East High School. She has a leadership position of Battalion Operations NCO. Her major area of academic concentration and studies is Defense and Strategic Studies. She's also a member of the Competitive Climbing Team. Her parents Kenneth and Jennifer Ruland I know very well. Service to country and community run in their family. Her father was in the army and on both sides of their family going generation after generation after generation served our countries in the military. And serves the community. Her father is a retired State Police officer and also a school resource officer. Her mother served as director of constituent services for our local

congressional office so service is in their family, it's in their blood.

Lili is the oldest of four children. She has three younger sisters; Rose, Grace and Poppy. Poppy is a good friend of my sister -- my daughter Leah. They swim together on the high school team and like last time, I had to reach out to your dad so I spoke to your father this morning. And as I spoke to him, you could just hear the excitement and pride in his voice as he spoke about you and I understand why. And I asked him, is there any message since I'm going to see you today that you'd like to pass along? And he said yes. Please tell Lili we said we love you, we're proud of you, we miss you and we can't wait to see you. A couple years ago when I reached out to our school superintendent - I wasn't able to get a hold of him today - Michael Ginalski. When I asked him about Lili, he said she was a great student, a grade athlete and held highly respected by the faculty. So you have made an impact and you continue to do so today. So Cadet Ruland, we thank you. Your family thanks you. Your hometown of Corning thanks you. Our State of New York thanks you and our country thanks you. You have made us all so very, very proud. So thank you again for your service and your dedication. Mr. Speaker, will you please welcome Cadet Ruland to the Chamber. Thanks so much.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Palmesano, the Speaker and all the members, Cadet, we welcome you here to the New York State Assembly and extend to you the privileges of the floor. And our congratulations on your work.

Thank you so very much.

(Applause)

Mr. Schimminger.

MR. SCHIMMINGER: Thank you very much, Mr. Speaker. For the past several days you've probably noticed that I've been on Cloud 9. I've been very excited in anticipation of this moment when I would have a constituent here who is a West Point Cadet. A proud alumnus of Kenmore East -- oh, I'm sorry, Kenmore West High School in the Ken-town district, Mr. Colin Lynch. This reminds me that in our Kenmore Tonawanda School District we have two high schools; one is Kenmore East, the other is Kenmore West and let me now say for the record today West is best.

(Laughter)

And how special it is that you, Colin, went from Kenmore West to West Point and we are in the community all very proud of you. Tim and Mary, your parents on may I say Northwood, a fine neighborhood, no doubt are excited about your career at West Point and you being here today. During your time at West Point, Colin, I know that you've been active in the Spirit Band and are studying Pre-med. You're majoring in Life Sciences, a good thing to do. Your leadership position is as a Team Leader. Now you're in just your second year, a yearling I think we call it, right? Used to be a plebe, now a yearling and you'll be graduating in the year 2021. And don't be a stranger here in Albany, don't be a stranger back at home. We are really, really, really honored to have you and all of your

classmates here. Mr. Speaker, please join in welcoming Colin Lynch.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Schimminger, the Speaker and all the members, we welcome you here, Cadet, to the New York State Assembly, extend to you the privileges of the floor and wish you well in your continuing endeavors at West Point.

(Applause)

Mr. Phillip Steck.

MR. STECK: Thank you very much, Mr. Speaker. It is my honor today to introduce to you Cadet Martino An. This is the first opportunity I've had to do this on behalf of the 110th Assembly District and I couldn't think of a more worthy person to represent our district at the great institution of West Point than Cadet Martino An who comes from the town of Niskayuna where he graduated from Niskayuna High School which we like to think of as one of the best high schools in the United States. His parents are Seungwon An and Misook Kim. And Cadet Martino An is majoring in Life Sciences and pursuing a pre-med opportunity as well at West Point and we think that with his background he will have every success in that medical field. So, Mr. Speaker, I'd ask you to extend the most warm welcome to Cadet Martino An.

ACTING SPEAKER AUBRY: Certainly. On behalf of Assemblymember Phillip Steck, the Speaker and all the members, Cadet An, we welcome you here to the New York State Assembly, extend to you the privileges of the floor and wish you well in your

endeavors and continuing work at West Point. Thank you so much for joining us.

(Applause)

Ms. Rozic.

MS. ROZIC: Thank you, Mr. Speaker and Madam Majority Leader. I want to welcome one of my constituents and neighbors, Iris Yu. Cadet Iris Yu from Fresh Meadows is a graduate of Francis Lewis High School, go Patriots. She graduated its JROTC program and is one of the many young cadets who've committed her life to serving our great country. Hailing from northeast Queens, she represents the multi-cultural diversity of the world's borough perfectly both studying Chinese in different capacities, getting involved in the Asian-Pacific American Club, committing herself to hours of community service and the photography club. We stand in deference to these cadets, including Iris, who have dedicated themselves to a simple but lofty ideal; Duty, Honor and Country. She is recognized for her duty as conducting herself with honor and devoting herself to our country. As these cadets commit some of their pivotal years of their lives to national service, we have the responsibility to ensure that they are given the proper gratitude, not only while they prepare to serve and during their deployment, but also when they return. So, on behalf of the 25th Assembly District that I represent, thank you so much for your service, Iris, and Mr. Speaker, if you would please extend the privileges of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf

of Ms. Rozic, the Speaker and all the members, Cadet Yu, we welcome you here to the New York State Assembly, extend to you the privileges of the floor and just to let you know that individuals from your alma mater were here this week as a part of a leadership scene so you have set a great path in giving them a great role model to follow. Thank you so very much and continue that great work.

(Applause)

Mrs. Barrett.

MRS. BARRETT: Thank you, Mr. Speaker. I have two people to introduce that I'm very proud to introduce and the first is on behalf of our colleague the Honorable Kenneth Zebrowski who couldn't be here right now and that is Cadet Daniel Hernandez. Daniel, welcome here and thank you for joining us. Daniel is a member of the Class of 2021, a yearling or sophomore as we've learned and he's from New City, New York. He is the son of Herman and Nancy Hernandez and was the Class of 2016 graduate of Paramus Catholic High School. His leadership position is Team Leader and he's a Law and Legal Studies major. But one of the most interesting things I found out about Daniel is that he is a member of get this, the Rabble Rousers. So we know that his future is set because the Rabble Rousers are the West Point squad in -- cheerleading squad so in addition to the athletic prowess and the academics that he's shown, he's also great about -- great at raising spirit and energizing crowds and I think the future is yours whatever direction you want to take it in, Daniel. So, please welcome Daniel Hernandez here, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Barrett, Mr. Zebrowski, the Speaker and all the members, sir, we welcome you here to the New York State Assembly, extend to you the privileges of the House and remind you that this is the People's House. You are always welcome here. Thank you.

(Applause)

Again, Mrs. Barrett.

MRS. BARRETT: Thank you. I now have the privilege of introducing the First Captain of this group, First Captain David T. Bindon who other than not being born in New York is an outstanding person. He's the -- he hails from Canton, Michigan. He's assumed his duties as the highest position in the cadet chain of command on August 13, 2018 and his position as First Captain is similar to that of being a student body president. He is a Mechanical Engineering major and as First Captain he carries the responsibility for the overall performance of the approximately 4,400 member Corps of Cadets - that's a big responsibility - among his duties as acting as a liaison between the Corps and the Administration. We welcome you here today, Captain, and thank you for being part of this very special day in the New York State Assembly. Mr. Speaker, please welcome First Captain David Bindon as well.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Barrett, the Speaker and all the members, we welcome you here, sir, to the New York State Assembly. We commend you on the leadership role that you have taken on in West Point. We are sure that

that will involve a great deal of more leadership later on in your career and we wish you well and we'll always have you in our thoughts.

Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. It is my honor to introduce to this Body whom we've already heard from, but Colonel Mark Bieger, Chief-of-Staff United States Military Academy. The Colonel has quite an impressive list of achievements so I'm going to name a few because they can't be overlooked. Colonel Bieger is the son of a Non-Commissioned Officer in the US Army. A West Point graduate of 1991, he was deployed twice to serve in Operation Iraqi Freedom and served two years as Chief of Plans in the US Central Command contributing to the effort in support of Operation Enduring Freedom and Operation Inherent Resolve. Prior to his assignment to West Point, the Colonel served as the Executive Officer to Commanding General of the US Army Pacific. His awards and decorations include the Silver Star, the Defense Superior Medal, the Legion of Merit, the Bronze Star, the Meritorius Medal of Service, the Joint Service Commendation Medal, the Army Commendation Medal and the Army Achievement Medal. He is married to Miss Amy Althide originally from Sutter, Illinois in 1992. They have three sons; Addison, Josh and Owen. Mr. Speaker, please give a warm welcome to this gentleman, this officer and this man who decided to serve our government in ways that many don't.

Thank him so much for being here and welcome him to the People's House.

ACTING SPEAKER AUBRY: On behalf of Mrs. Peoples-Stokes, the Speaker and all the members, sir, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. Our thanks and congratulations for the services that you have provided this country and now West Point. Thank you again for that service. Please know that you are always welcome here. Thank you.

(Applause)

Mr. Schmitt.

MR. SCHMITT: Thank you, Mr. Speaker. I have the privilege of introducing some of the many other members of the West Point party who are in attendance today, men and women who are distinguished in their various roles they play. We'll start with Lieutenant Colonel Donald Carrothers who is the West Point Chaplain. He presented a beautiful prayer to us this morning and this afternoon. As West Point Chaplain he has oversight of not just the military and academic training, but something that is just as equally important, the spiritual and mental preparation and understanding for all of our cadets. So we certainly appreciate all the work that he does and will continue to do. I know he has two combat tours and many other accomplishments to his name. We also have Lieutenant Colonel Christopher Ophardt who is the Chief of Public Affairs for West Point. The Chief of Public Affairs I'm sure many in this Chamber know the

importance of getting the word out there and ensuring that proper relationship with the public, with the press and handling an operation of the size of West Point and that responsibility is not an easy one. So, we thank Lieutenant Colonel for his work and for being here as well. We also have Sergeant First Class Josephine Pride who is the NCOIC, the Non-Commissioned Officer In Charge of Public Affairs at West Point and she's been taking the photos for the entire West Point party across the Capitol today. We know how important that is. Thank you for -- for your continued work and service to our country. We also have Sergeant First Class Lindsay Crudup who is the S3 which is Operations, also another vital role for the Corps of Cadets and in any institute or organization but particularly West Point, a gentleman also has his hands full often but does an amazing job. And we also have Sergeant Major which for those who are not aware of different military rankings it would be probably the Wayne Jackson of our House, but we have Sergeant Major of the US Army Retired, David Brzywczy is here as well, a very important role. We also have some West Point Society attendees from the Capital Region. We have Barry Hartman, Class of 1964 who is the President of the West Point Society; Brigadier General of the New York Guard as well, Retired. We have Michael Breslin, Class of 1961, a name that might be familiar to many in this Chamber as well. Among some of his other accolades would be the former -- being the former Albany County Executive. We have Peter Gobel, 1981, Class of 1981 Colonel US Army Retired, the VA Supervisor for Rensselaer County, just a short

drive from here. We also have Larry Zaenker from the Class of 1984. He's the Secretary of the Capital Region West Point Society. And we also have William Dean who is a parent, president of the West Point Parents Club of Upstate New York and my information tells me he has three children who have attended or are attending West Point. So on behalf of myself, all the members and the Speaker, I would ask that you recognize all these individuals and ensure they have the proper privileges of the floor. I thank them for coming and as always Go Army! Beat Navy!

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Schmitt, the Speaker and all the members, we welcome this distinguished, very distinguished group here today. We thank you for assisting in this great occasion that we have -- traditionally have every year. We know that some of you have been here year after year. We commend you for that and again, you have the privileges of the floor. Again, the People's House, you are always welcome here no matter when or how. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, that concludes our opportunity to honor these fine men and women and officers. We thank them for their presence and again, it's our honor to honor the work that they -- and the service that they provide. Thank you.

ACTING SPEAKER AUBRY: Thank you very

much.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Could you recognize Mr. Crouch for an announcement?

ACTING SPEAKER AUBRY: Mr. Crouch for the purposes of an announcement.

MR. CROUCH: Thank you, Mr. Speaker. There will be an immediate members-only Republican Conference in the Parlor.

ACTING SPEAKER AUBRY: Immediate Republican Conference in the Parlor.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Yes, Mr. Speaker. Do you have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: Certainly. A little housekeeping and some resolutions.

On behalf of Ms. Simotas, Bill No. 794-B, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the Penal Law.

ACTING SPEAKER AUBRY: Motion to reconsider the vote by which the bill passed the House. The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is before the House and the amendments are

received and adopted.

Numerous fine resolutions, we will take them up with one vote. On the resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 336-337 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until Thursday, May the 2nd, tomorrow being a legislative day and that we reconvene at 2:00 p.m. on Monday the 6th, Monday being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 1:19 p.m., the Assembly stood adjourned until Thursday, May 2nd, Thursday being a legislative day, and to reconvene on Monday, May 6th at 2:00 p.m., Monday being a Session day.)