

TUESDAY, MAY 21, 2024

3:20 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

Imam Dr. Mohammad Ansarul Karim [sic] will offer a prayer.

IMAM DR. MOHAMMAD ANSARUL KARIM

AZHARI: (Speaking foreign language). Greeting of peace that needed most for this troubled world. We start invocation with a recital from the Koran, the holy scripture of Islamic faith. (Singing in foreign language). By the time mankind is lost except those who have faith and good deeds. Those who will enjoin others for truth and patience and perseverance. Holy Perfect Muhammad, peace be upon Him. Reenforce this chronic imperative by saying speak the truth even if it is bitter. Interestingly, Jesus of Nazareth said the same

thing, John 8:32. And you know the truth, the truth shall set you free. The truth will set you free. Perfect Muhammad said again, *Don't harbor malice for each other. Don't harbor grudges for each other. No animosity, no hatred. Brother, stay together in peace as brother for each other, as a slave for Almighty.* Interestingly, the Ten Commandments that was revealed on Prophet Moses resonated the same teachings. Book of Leviticus verse 19, *You shall not steal, shall not lie. Nor you should indulge in false dealing. Don't take what is not belong to you.* This proves that we are from the same source. We are one. We are from God. And we can live in harmony and peace. There's more commonalities that can unify us. My mosque, Belal Mosque in Brooklyn in New York, a few blocks away a synagogue. When we meet I say "Salaam" and my neighbors say "Shalom." Same thing. With love and peace and mutual understanding and harmony we can make this planet better. Rumi, renowned poet, says (speaking in foreign language). In this earth, in this planet, in this pure soil, let's sow nothing except the seed of love and compassion. Almighty God, help us inwardly and outwardly, in our inner word and outer word. Guide us and accept everybody's presence in this auspicious moment. This sacred arena, be with us and enlighten us every step we take, every decision we make. Oh our Lord, bless everybody. Bless this wondrous land, bless our people, our youth, our mothers and sisters, innocent children. All Almighty, accept us and bless us today, tomorrow and beyond until eternity. Keep us in Your divine, and keep us enveloped in Your divine safety and security and stay blessed.

Mr. Speaker, and honorable members and distinguished guests, once again, it was an absolute pleasure and an honor to be with you. Stay blessed, thank you very much.

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 Monday, May the 20th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Monday, May the 20th and that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. Mr. Speaker, and all of our members that are in the Chambers as well as the guests who have joined us today, I'd like to share a quote. This one is coming from David Joseph Schwartz. He was an American motivational writer and a coach, best known for authoring *The Magic of Thinking Big* in 1959. He was also the Chair of the Consumer Finance Department at Georgia State University. His words for us today, *How we think shows through in how we act. Attitudes are*

mirrors of our mind. They are reflective [sic] thinking. Again, these words from David Joseph Schwartz.

Mr. Speaker, members also have on their desks a main Calendar and a debate list. We are going to begin today by calling for the Governmental Operations Committee to meet in the Speaker's Conference Room, and after housekeeping and introductions we're going to work off of the debate list. We're going to start with the following bills: Calendar No. 363 by Mr. Gibbs, Calendar No. 425 by Mr. Cunningham, Calendar No. 62 by Mr. Dinowitz, and Calendar No. 132 by Mr. Epstein. There could very well be a need for additional floor activity, Mr. Speaker. If that is the case I will so announce at that time.

That's a general outline of where we're going today, sir. Thank you, and we should begin with housekeeping.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes for the Committee.

MRS. PEOPLES-STOKES: Mr. Speaker, if you would please call the Governmental Operations Committee to the Speaker's Conference Room for a committee meeting immediately.

ACTING SPEAKER AUBRY: Thank you. Governments [sic] Operations to the Speaker's Conference Room immediately, please.

We do have some housekeeping.

On a motion by Mr. Bores, page 20 -- page 33, Calendar No. 430, Bill 8081-A, amendments are received and

adopted.

On a motion by Ms. Rosenthal, page 31, Calendar No. 404, Bill No. 4053-A, amendments are received and adopted.

For the purposes of a introduction, Mr. Mamdani.

MR. MAMDANI: Thank you, Mr. Speaker. I rise here to introduce leaders of the Bangladeshi American community across New York State, across New York City, who hail from districts such as mine, such as Assemblymembers across the aisles of this Chamber. And these individuals came together in the understanding that in order for their story to be told in Chambers such as these, they needed to be the ones to tell it. And their purpose is to empower their community, the young, the old, and to implore fellow Bangladeshis in New York City and in New York State to become more involved in what is happening in the municipalities and in the states and in the country that they live in, and to encourage them to demand that which is given to other communities to also be given to them, to encourage them to demand equality. And I want to thank these individuals. I want to thank Brother Join Alabadin (phonetic), Sister Shana Masum (phonetic), Sister Afaf Nasher (phonetic), Tharuba Chaudry (phonetic), Rahim Sebulmia (phonetic), Camal Masuma Lee (phonetic), Matha Brahul (phonetic), Rhamutula (phonetic) and more than 100 others who have taken the time out of their day, their week, their month, their life to come and bring their communities here to Albany. I thank you because we are all the stronger for your advocacy, we are all the wiser for your words, and we are all the better

for your belief that there is a place for every single one of us in this City and in this State. Thank you so much for being here with us today.

(Applause)

ACTING SPEAKER AUBRY: On behalf of Mr. Mamdani, the Speaker and all the members, Imam, thank you so very much for joining us this morning. Peace be with you, appreciate your prayer. And to this group of citizens and fine members who have joined with him, we welcome you here to the New York State Assembly, we extend to you the privileges of the floor. Hope that you have enjoyed your trip, hope that you have learned a bit about Albany and will continue to come back and give us the benefit of your wisdom. Thank you so very much for being here.

(Applause)

Mr. Jones for the purposes of a introduction.

MR. JONES: Mr. Speaker, I rise today to introduce students from the State and Local Government class from Clinton Community College. Their professor, Tom Mandeville, has been teaching at Clinton Community College since 1990 and has been coming down here on trips almost as long. As we joked earlier, Professor Mandeville probably knows this building better than most of us. I'd like to thank them for their visit today, and that they may have a great experience learning about the legislative process firsthand. With us today are Heather Corbiere, David Curry, Joshua Hunter, Jacob Judge, David Macalpine, Zoe Rabideau, Garrett Ryan,

Nathaniel Smith, Janay Thompson, Hunter Young, and of course, Professor Mandeville.

Mr. Speaker, will you please extend the cordialities of the Chamber and welcome the Clinton Community College students here to the People's House?

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Jones, the Speaker and all the members, Professor, students, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Hope that this has been a beneficial year in your education and that you're looking forward to graduation if that's gonna happen for you, or continuing on in education. Continue that, know that you are always welcome here even though you've been here so many years, Professor. Thank you.

(Applause)

Mr. Zebrowski for the purposes of a introduction.

MR. ZEBROWSKI: Thank you, Mr. Speaker. It gives me great pleasure to stand today to introduce some prominent members of the Rockland County Indian American community that are with us here today representing three specific associations. This vibrant community in my district in Rockland holds so many events throughout the years, has -- have become my friends, become folks that I've collaborated with, and they hold things through holidays, from holy to events where the children perform to cultural and heritage events. They join us every year here in the State Capitol because we pass a resolution declaring August Indian American

Heritage Month and we'll do so later today.

If I could just introduce them, Mr. Speaker. From the India Cultural Asso -- Society of Rockland County we have Alka Shah, the president-elect; Chaitra Nama, Suresh Iyer, and Swaneet Jha. From the Hudson Valley Malayalee Association we have Varghese Olahannan. And from the Indian Heritage and Cultural Awareness Club we have Dr. Aney Paul, who I would like to point out, Mr. Speaker, is also the Vice-Chair of the Rockland County Legislature. We also have Shaimi Jacob, the Treasurer; and George Joseph from the Emalayalee New Media.

I'd appreciate if you would welcome these prominent Rocklanders to the Capitol today and thank them for all they do for my local community. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Zebrowski, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Our thanks for you taking the time out of your busy schedules to come and share this moment with us. We hope that you will continue to work to improve both your individual community, but the State at-large. Thank you, and know that you are always welcome here. Thank you so much.

(Applause)

Ms. Lunsford for the purpose of a introduction.

MS. LUNSFORD: Thank you, Mr. Speaker. I am proud to once again host STEAM Day here in the New York State

Assembly. We'll hear more about that when we do resos at the end of Session. But right now I would like to introduce from Penfield, New York, Team Rolling Thunder, who should be standing up. Stand, thank you. Team Rolling Thunder is an incredible group of young people who are part of the first robotics program, a program that many of you have in your districts. And if you had the opportunity to walk through the breezeway today, you would've seen some incredible demonstrations by them and from teams from around the State. Team 1511 was the winner of the Imagery Award at the Albany Regional this year. They participate in -- they participate all across the country in championships, and they also help teach other robotics teams how to advocate for themselves and for other teams in government. The soft skills that you learn as part of the first robotics program are really incredible and this is a fabulous team. It is because of them, a robot on the table, that we host STEAM Day at all.

So I ask you please to give them the privileges of the floor and welcome them to the New York State Assembly.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Lunsford, the Speaker and all the members, ladies and gentlemen, we welcome you here to the New York State Assembly, we give you the privileges of the floor. We appreciate the great work that you've done. We saw many of the displays there in the Well. Continue to do that great work. You are the future of our world. Thank you so very much for being here.

(Applause)

Ms. Seawright for the purposes of a introduction.

MS. SEAWRIGHT: Thank you, Mr. Speaker. I rise today to introduce a true trailblazer, a dear friend and a special guest. Her name is Merle Hoffman. She is an American author, activist and feminist healthcare innovator who has been on the front lines of the reproductive rights movement since 1971 when she helped establish one of the first and largest abortion clinics in the United States two years before *Roe v. Wade*. She is the founder and CEO of Choices Women's Medical Center in Jamaica, Queens which provides abortions as well as prenatal care, all options counseling, GYN visits, mental health services and trans health services. The publisher and editor-in-chief of *On the Issues* magazine from 1983 to 1999, and the recipient of the 2009 News Women's Club of New York Front Page Award. She is also the author of two books; *Intimate Wars*, published by the Feminist Press at the City University of New York in 2012, and the newly-released *Choices*, a post-Roe abortion rights manifesto by Skyhorse Publishing in 2023. She's the co-founder of the National Abortion Federation and has organized crucial actions in the history of the reproductive rights movement. She remains a crucial provider and activist in the post-Roe era.

Today we commend Merle on her fearless activism and dedication to educating and providing women with safe and equitable reproductive healthcare services. Mr. Speaker, please grant her the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf

of Ms. Seawright, Merle, welcome to the New York State Assembly. We extend to you the privileges of the floor. Thank you for the service that you have provided us here in this State. Continue that great work, thank you. You are always welcome here. Thank you.

(Applause)

Mr. Burdick for the purposes of an introduction.

MR. BURDICK: Thank you, Mr. Speaker, for allowing me to introduce two of my constituents here today, Koji Sato and Emma Tong, both residents of New Castle. Earlier this afternoon we honored Koji at the AAPI Day ceremony for his significant contributions to the AAPI community in New York State and beyond. Koji is a highly-regarded leader in the Japanese American community, currently serving as president of the Japanese American Association of New York and Council Leader of the U.S.-Japan Council. In addition to these roles, he serves on the Board of Governors of the Japanese American National Museum in Los Angeles, and is co-chair of the Asian American Advisory Board of Westchester County. We're very grateful for all the work that Koji has done and continues to do.

Emma Tong is a sophomore at Horace Greeley High School in Chappaqua. She's very active in her community in helping to fight the climate crisis, and is delighted to be here in the State's Capitol to observe the New York State Legislature and to get some idea of how the people's work is conducted.

Mr. Speaker, kindly welcome Koji Sato and Emma Tong, and extend to them all of the courtesies and privileges of the

People's House. Thank you.

ACTING SPEAKER AUBRY: Thank you. On behalf of Mr. Burdick, the Speaker and all the members, we welcome these both distinguished individuals here to the New York State Assembly, extend to you the privileges of the floor. Hope that your time here in Albany has been beneficial. We recognize that on one hand we're talking about the -- someone who's serving the present and the future, and -- and absolutely look forward to the young lady's contributions to this society as we move along. Thank you so very much for being with us.

(Applause)

Ms. Walsh for the purposes of a introduction.

MS. WALSH: Thank you very much, Mr. Speaker. Today I'm very pleased to introduce to everyone here the RoBovines Team 6955, a FIRST Tech Challenge team consisting of students from across Saratoga County, New York. Joining us today are three team members, Norah, Ethan and Corin, and their coach, Tyler. As a whole, the team has ten members from different middle and high schools throughout the area. This team is organized through 4-H's Cornell Cooperative Extension and is made up of ten members, as I said. These students show their love for STEM through their passion to share it with the community.

FIRST Tech Challenge is a head-to-head competition designed for students in grades seven to 12. Teams are responsible for designing, building and programming their own robots to compete in

an alliance format against other teams. Teams, including coaches, mentors and volunteers are required to develop strategy and build robots based on engineering principles. Awards are given for competition, as well as community outreach, design and other real world accomplishments.

This team runs the entirety of Saratoga County 4-H's robotics program, includes a competitive FIRST Lego League team, a program that meets monthly for preschool-age kids and a program that meets biweekly for elementary-age kids. They also volunteer at 4-H fundraisers regularly to help out in the community. The 2023-'24 season is the 11th season the RoBovines have competed as a team. This year the team advanced to the World Championships in Houston, Texas where their team competed for the second time.

You know, they -- I love the fact that this team, they're starting from the youngest kids and going all the way up through high school. We know how important STEM system is in developing those great young minds to work on the challenges that we face in New York and around the country and around the world. And Mr. Speaker, I'm hoping that you can extend to some of the members of the team that are present today and to their coach, all the cordialities of the House and welcome them to the People's House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Walsh, the Speaker and all the members, we welcome this team here to the New York State Assembly. We extend to you the privileges of the floor. Our encouragement that you continue the

pursuit of this marvelous new technology that we're learning about, knowing that you will bring us to a brighter future and we will have a better day. Thank you for your work, continue that great work.

Thank you.

(Applause)

Ms. Cruz for the purposes of a introduction.

MS. CRUZ: Thank you, Mr. Speaker. Thank you, Mr. Speaker, for allowing me to make this introduction. Please join me in welcoming to our House Dr. Charlene Thomas. She is the VP of Marketing at Def Jam Recordings. In her role she curates marketing strategies for artists such as Fredo Bang, LL Cool J, Hit-Boy, 2 Chainz, Benny the Butcher, Fabolous, Dave East, Jadakiss and Jeezy, among others. Dr. Thomas received her start as the Director of Special Events for the new legendary -- now legendary TV show *Video Music Box*. She later became the leading engineer for the Flavor -- Flavor Radio Show on WMWK 105.9. Since then she contributed -- she contributed to the success of three major multi-million dollar conglomerates, Loud Records, Rockefeller Records, and Slip-N-Slide Records, all by spearheading innovative and uniquely successful marketing campaigns for major artists such as Jay-Z, Wu-Tang Clan, Rick Ross, and just to name a few. Additionally, Dr. Thomas holds a PhD in Marketing and an MBA in International Business. She joins us here today to commemorate the 40th anniversary of Def Jam Records. In -- in 2024 we're celebrating 40 years of this -- of -- how should we call Def Jam -- legendary

recording company that has given us so many memories, many of the folks here. Founded in 1984 by two young New York entrepreneurs in the Weinstein Residence Hall of NYU, Def Jam has been at the forefront of hip-hop music culture for decades. The label is credited with uniting the sounds of disco, rock and roll, punk music, igniting the (inaudible) genre of hip-hop. The label launched the careers of dozens of hip-hop artists including Jay-Z, DMX, Rihanna, Ja Rule and many others. But I want to thank them specifically for their willingness to work on civic engagement as well as legislation that is going to protect the First Amendment rights of artists, and for protecting those same artists that come from many of the communities that we represent. They are generally Black and Brown artists, and they have made sure that the entire world knows what hip-hop is all about.

Thank you, Mr. Speaker, and help me welcome them to our House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Cruz, the Speaker and all the members, we welcome you here to the New York State Assembly. We appreciate that you have taken the time to come and share your -- your time with us in the Assembly, and we hope that this will be beneficial to you and the State at-large. And we congratulate you on such successful lives that you have already lived. Thank you. Continue that great work.

(Applause)

Mr. Tannousis for the purpose of a introduction.

MR. TANNOUSIS: Thank you, Mr. Speaker. I am the proud representative of the East Shore of Staten Island, and of course, of the great Bay Ridge, Brooklyn. And today I am honored to welcome to the floor of the Assembly the Brooklyn Blacksmiths. They are 12 students from Xaverian High School in Bay Ridge, Brooklyn. They are the first robotics competition team, and they were up here today for the competition and to show off what they have learned as part of that robotics team.

So please, I ask you to extend the cordialities of the House and welcome them to the Assembly floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Tannousis, the Speaker and all the members, we welcome you here, this great team, to the New York State Assembly. We extend to you the privileges of the floor. Our congratulations on the work that you've done. I spent a little time with you on the way up here and understand how great the robot is that you built. Continue that great work, know that your teamwork and involvement will make this a better State, country and world. Thank you so very much.

(Applause)

Mr. Brook-Krasny.

MR. BROOK-KRASNY: Yes, sir. Let me start by -- even though our esteemed guest the Imam is not here anymore -- let me start by responding to him and saying to you, to all my colleagues and to all guests, (speaking foreign language).

Mr. Speaker, we live in a time now when the

government must work vigorously to address the needs of underserved communities. I was shocked recently to find there is one community of New Yorkers that has been almost completely ignored, and that is the deaf community. So I rise to introduce a great organization, United Hands organization. We have here Mr. Gary Farberov, right next to me; the leadership together with Vadim Agafonov; and we have Marina Fanshteyn, Linda Cummings, Izumary Rodriguez, Adrienne Hall, representing this great organization. And we're very grateful to the interpreter, Sabrina Siga [phonetic].

Deaf people, Mr. Speaker, are met with a disturbing number of barriers when they're engaging in one of the most basic and vital parts of civic life, voting. With no ASL interpreters to guide them and polling site staff not trained to communicate with the deaf, they're left unable to participate in the electoral process. Almost completely. It's embarrassing that we, as a country, do not even collect proper data to assess the deaf community needs. Also, the Census Bureau gathers numbers related to hearing difficulty. It is presented in limited reports like the American Community Survey. Without the proper information available, it's almost impossible to determine where we can best help this community. Inadequacy of government action in creating solutions for the deaf community is apparent in everything from the lack of accessibility in areas such as installation of visual alarm systems to the higher unemployment rate, much higher, experienced by deaf individuals. Our recent budget cuts have only served to worsen the problem, as it is now more difficult to

receive help from home attendants who are trained to work with the deaf.

The negligence on our part must end today. Right now I'm drafting legislation to require vital services and institutions like medical facilities schools, courts and polling sites to provide necessary accessibility features so deaf New Yorkers can communicate with personnel via with an ASL interpreter. There is much more work to be done on this issue, Mr. Speaker. The work to ensure the deaf community has the resources it needs has just begin.

Now, Mr. Speaker, I'm going to ask you what you do the best, and what we're gonna be missing next year, but Mr. Speaker, never say never. I have retired once.

(Laughter)

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Brook-Krasny, the Speaker and all the members, we welcome these distinguished citizens, member of our community, here to the New York State Assembly. We extend to you the privileges of the floor, and our support and help in making the world a better place for you and all those that follow you. Thank you so very much for being here.

(Applause)

Ms. Jean-Pierre for the purposes of a introduction.

MS. JEAN-PIERRE: Thank you, Mr. Speaker. It's STEAM Day. I'd like to introduce Team 553, the PS1cotics from Lindenhurst, an after-school co-curriculum robotics program at

Lindenhurst Senior High School in my district. And as we celebrate National STEAM Day it is fitting to recognize these students who embody the spirit of creativity and the sciences through their dedication to robotics. They were originally known as the Omega Project and got its start in 2001 with just six students, an advisor, and two mentors. After winning their first competition, the PSICotics, now in their 24th season, they are welcoming over 30 members, two advisors and six mentors. Over -- the team has built 22 robots, have had two regional winners, reg -- were regional finalists three times, attended seven championship -- championships and have won over 20 awards. For that, they need to be recognized. I would like to also recognize their advisor and lead mentor, Diane Cahill; Anthony Castello, a mentor and president of the Lindenhurst Robotics Coalition. And to the students, Carys, Sarah, Elana, Ben, Alex, Anthony, Connor, I want to say thank you for coming to Albany, keep dreaming big, pushing the boundaries of your imagination. Your curiosity and determination are driving forces that will shape the future. You have made us all proud, and I look forward to seeing what you can accomplish next.

And with that, Mr. Speaker, I ask that you give them all the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Jean-Pierre, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Our thanks for joining us today. Our congratulations for the

work that you've done historically and now, and we look forward to the work that you will do in the future. Thank you so very much.

(Applause)

Ms. Tapia for the purposes of an introduction.

MS. TAPIA: Thank you, Mr. Speaker, for giving me the opportunity to do this introduction. I rise today to introduce Wanda Sanchez and the Premios Soberanos team and commend them for their contributions to the State of New York. This -- we did a resolution that passed several weeks ago recognizing Acroarte, but they couldn't be here at that time, so they're here today. Ms. Sanchez is the president of Acroarte, which was put on the Premios Soberanos since 1985. Since its inception [sic], Premios Soberanos has celebrated its founding through a historic collaboration with Univision, New York which has allowed the Hispanic community to engage with this ceremony. I commend Ms. Sanchez for her leadership and foresight, along with the Premios Soberanos team for showcasing this amazing event and promoting Dominican culture, both throughout New York State and worldwide. We also are able to recognize the impact that Premios Soberanos has by renaming a street in Washington Heights in New York City as Premios Soberanos Way earlier this year. With Wanda Sanchez, accompanying her we have Marivel Contreras [phonetic], Maximo Jimenez [phonetic], Lisette Montoleo [phonetic], Raymond Abat [phonetic] and Oheño Perez [phonetic].

Please, Mr. Speaker, show the cordialities of the

House and welcome this group of great people that coming to celebrate Dominican culture today.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Tapia, the Speaker and all the members, we welcome you here to the New York State Assembly. Madam President, we welcome you and congratulate you on the work that you're doing and your members. Please know that we appreciate you and we are supportive of your work. Please continue to come and join us and collaborate with us so that may make both your community stronger and the entire State stronger. Thank you so very much, gracias.

(Applause)

Ms. Reyes for the purposes of a introduction.

MS. REYES: Thank you, Mr. Speaker. I want to take this opportunity to introduce Jules Netherland. Jules Netherland is a Bronx resident who is living with stage 4 metastatic cancer. She was told by her oncologist in January of 2023 that the average life expectancy for someone with her kind of cancer is five to seven years. Though the range is very broad, less than 30 percent of people with metastatic breast cancer survive five years.

Miss Netherland's entire career has been one of service, having only worked at non-profit or public sector positions. Her first job was living and working in a community city of fran -- Franciscan monks in the soup kitchen in Philly. Miss Netherland has spent seven years working in LGBTQ and HIV rights organizing, including working on the first civil union case in Vermont. She has

spent more than a decade doing health service research to help people living with HIV/AIDS and struggling with substance use disorder. For the last 15 years, Miss Netherland has been doing policy, advocacy and research work, first at the New York Academy of Medicine and then at the Drug Policy Alliance. Over these years, she has worked to reform the Rockefeller Drug Laws. She ran the medical marihuana campaign that led to the passage of the Compassionate Care Act in 2014. Was one of the founding members of an advocacy group that laid the groundwork for the country's first and, to date, only overdose prevention center and led many other campaigns on drug policy reform. Jules Netherland is also the author of more than 20 peer-reviewed articles and book chapters on a range of public health issues such as HIV/AIDS and drug policy. She is also the editor of a book called *Critical Perspectives on Addiction*, and co-author of the 2023 award-winning book called *White Out: How Racial Capitalism Changed the Color of Opioids in America*. Jules Netherland is also a proud resident of the South Bronx where she lives with her beloved partner, Amy. She is an avid motorcyclist, nature lover and churchgoer who previously served as a deacon and lay preacher in the past.

Mr. Speaker, please welcome our constituent from the Bronx, Jules Netherland, and extend to her the cordialities of the House.

(Applause)

ACTING SPEAKER AUBRY: Certainly. On behalf

of Ms. Reyes, the Speaker and all the members, we welcome you here to the New York State Assembly. We're in awe of the career that you've already had and all the contributions you have made to the State and the world. Continue that great work, and know you are always welcome here. Thank you so very much.

(Applause)

Ms. Bichotte Hermelyn for the purposes of a introduction.

MS. BICHOTTE HERMELYN: Thank you, Mr. Speaker, for allowing me to make this introduction. Today I am thrilled and honored to introduce during AAPI Heritage Month my friends and Asian American Brooklyn leaders who are here for the first time in the State Capitol visiting us in the People's House as honorees, Tony Ko and Joyce Xie. Both Tony and Joyce are poised to be the first Asian American State Committee members in South Brooklyn in the 49th Assembly District, encompassing Bensonhurst, Dyker Heights, Sunset Park, Borough Park, and an area with the fastest-growing Asian population in our borough, also known as Brooklyn's Chinatown.

Tony Ko is a devoted advocate for his community and has overcome personal adversity to pursue a career in public service. Immigrating from China at a young age, Tony's resilience was tested when he survived a severe car accident in Chinatown, New York City. Following his recovery, Tony's family moved to South Brooklyn where his commitment to community service flourished. As

a parent and active member of various community associations, Tony understands the challenges faced by the residents of the 49th Assembly District. Tony's volunteer work is extensive, including at senior centers in collaboration with the New York Police Department as he enhances community safety and quality of life. Tony continues to be an advocate and empower and uplift his neighborhood. He's deep-rooted, connected and unwavering commitment to public service.

Joyce Xie, originally from Fujian Province, China, has become a dedicated advocate for her community in Brooklyn after immigrating to the United States at 18 years old. She worked in various industries before finding her passion in the financial services, assisting working-class immigrant families. A mother of three, Joyce is deeply involved in education advocacy, civic engagement, serving on the Community Education Council for District 20, and working with the U.S. Census and New York State Board of Elections with her commitment individualizing education, fair election and public safety. Joyce serves the Assembly 49th in addressing community concern.

Mr. Speaker, please join me in welcoming these exemplary community advocates, Tony Ko and Joyce Xie in the People's House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Bichotte Hermelyn, the Speaker and all the members, Joyce and Tony, we welcome you here to the New York State Assembly and extend to you the privileges of the floor. Thank you for the

volunteering to put yourself in the place of serving your communities. Continue that, and we hope that you're successful and have great lives. Thank you very much.

(Applause)

Ms. Seawright for the purposes of a introduction.

MS. SEAWRIGHT: Thank you, Mr. Speaker. On behalf of Assemblyman Alex Bores, Assemblyman Harvey Epstein and myself, I rise to introduce a special guest and her daughter Farah [sic] Husain, along with Mubeen Siddiqui. Sahar Husain is the proud mother of two teenagers. She's the co-founder of Muslim Volunteers for New York that she started nine years ago. It focuses on hunger, poverty alleviation, environmental stewardship, education and health. She works on developing new initiatives with elected officials, schools, colleges, community boards. And today she was the recipient of an award, nominated by Assemblyman Alex Bores, and numerous other awards including Honortown News Thank You Award. Muslim Volunteers for New York is the official steward of Ruppert Park and received the It's My Park Award from the City Parks Foundation. Sahar is a board member of Community Board 8, co-chair of the Environment and Sanitation Committee.

Mr. Speaker, if you could please grant all of them the cordialities of the floor. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Seawright, Mr. Bores, the Speaker and all the members, ladies, we welcome you here to the New York State Assembly, extend to you

the privileges of the floor. Our congratulations on the work that you're doing to represent your community, improve your community and make the City and State of New York a better place. Thank you, and continue that great work.

(Applause)

Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Speaker. I rise -- thank you for allowing me to rise to make a brief introduction of the students, the amazing students of my alma mater, PS/MS 43 in Far Rockaway, Queens. The school itself is located in the 23rd Assembly District, but I proudly graduated from this middle school in 2010 and I'm really excited to invite them up here to Albany. These are some amazing students who are hard at work and doing well in their classes, and I wanted to bring them up here today to Albany to explore, to understand how government works, but most importantly, look at career alternatives and opportunities for themselves.

So Mr. Speaker, can you please grant the cordialities of the floor of the People's House to the amazing students from the MS/PS [sic] 43, the School by the Sea.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Anderson, the Speaker and all the members, we welcome all of these great students here to the New York State Assembly, extend to you the privileges of the floor. Hope that you are inspired when you visit this State Capitol, and know that there's a place for you. If there's a place for Mr. Anderson, there's a place for you. Welcome to the

New York State Assembly.

(Applause)

Let's go to page 29, Calendar No. 363, the Clerk will read.

THE CLERK: Assembly No. 860, Calendar No. 363, Gibbs, Simon, Taylor, Sayegh, Novakhov, Cunningham. An act to amend the Economic Development Law, in relation to the authorization of the Department of Economic Development to give a preference to any tourist promotion agency that is promoting the sport of stickball.

ACTING SPEAKER AUBRY: One minute. Is that an explanation you asked for, Mr. Goodell? I'm sorry, it's a little noisy.

An explanation has been requested, Mr. Gibbs.

One minute, though. Let -- let the crowd move. We close those doors. We are, members, on debate. We know the rules. You be quiet, they talk.

(Pause)

Not quite yet. Wait until those doors close.

Proceed, Mr. Gibbs.

MR. GIBBS: Thank you, Mr. Speaker. This bill will authorize the Department of Economic Development to give a preference to any tourist promotion agency that is promoting the sport of stickball.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir. Would the sponsor yield?

ACTING SPEAKER AUBRY: Mr. Gibbs, will you yield?

MR. GIBBS: Yes, sir.

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

MR. GIBBS: I'll be honored, Mr. Goodell.

MR. GOODELL: Under the current law, is there anything that prevents economic development funds to be used to organizations that promote the sport of stickball?

MR. GIBBS: No, not under current law, sir.

MR. GOODELL: So under current law, they are already eligible?

(Protesters chanting)

(Pause)

ACTING SPEAKER AUBRY: All right. We can settle down. Please take your seats. Please. It's all right.

And we are back to debate. Mr. Goodell, did you ask a question?

MR. GOODELL: Thank you, sir. Were they saying, "Stop the suffering, let's go Bills"?

ACTING SPEAKER AUBRY: I think they were cheering for your performance, sir.

(Laughter)

MR. GOODELL: There's no suffering associated

with stickball, right?

MR. GIBBS: I can assure you there's no suffering with stickball, Member Goodell.

MR. GOODELL: Thank you. I was -- I was getting worried. Although it's not a surprise that you have a very active, engaged fan club urging us to pass your bill.

MR. GIBBS: I believe so. Compassion and choices, right?

MR. GOODELL: So where we left off is you had confirmed that there's no reason why organizations that promote stickball aren't included under current law. Your proposed amendment in this bill would give it a preference. Is that a preference over every other tourism promotion agency across the State?

MR. GIBBS: It is a preference, sir.

MR. GOODELL: And why would we want to give the sport of stickball a preference, for example, over promoting Niagara Falls or any of our parks or the Adirondack Park or the City of Buffalo with its cultural -- or the City of New York, for that matter, for its cultural attractions? Why should stickball have a preference over every other tourism opportunity in the State of New York?

MR. GIBBS: Good question. This bill would require that as the Department encourages programs to promote and increase tourist travel, tourist programs that promote the sport of stickball would, in a vacuum, be viewed more favorably than an otherwise identical program that does not promote stickball. This bill would not

require that promotion of stickball would be a sole determine -- determinative factor; ultimately, the Department in effectuating this law would decide how much weight to give promotion of stickball and any analysis of which programs to support.

MR. GOODELL: Of course the entire purpose of this section of the law is to promote and increase tourism, travel, resort, vacation, cultural and convention activities. Is the sport of stickball a sport that is a spectator sport that increases tourism, travel, resort, vacation, cultural or convention activities within the State?

MR. GIBBS: Yes. Like my State Senator Jose Serrano would say, stickball is the pride of El Barrio, and yes, it would.

MR. GOODELL: Thank you very much for your comments, sir.

MR. GIBBS: Thank you, Mr. Goodell.

MR. GOODELL: On the bill.

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

MR. GOODELL: I fully support my colleague's desire to provide funding to tourism promotion agencies that include, amongst other things, stickball. And stickball is a really cool sport and it's a lot of fun, and certainly in parts of our State it's a very popular sport. My concern, however, is that the statutory language that we're actually voting on gives tourism agencies that promote stickball a preference over every other agency in the State of New

York. That's what it says, *shall give a preference to any tourism promotion agency that's promoting stickball*. So that means if they're now -- that means every other tourism agency across the State of New York now is subject to having someone else have a statutory preference. For this reason, the New York State Hospitality and Tourism Association is opposed to this bill, and they point out that the fund that is available for tourism promotion, quote, "is a very limited pot of money that's cut every year by the Governor." They point out complimenting us in the Assembly, that they work very hard with our friends in the Assembly to restore this funding. But when you make a particular sport a preference over everything else, it hurts all of our other valuable tourism operations across the State.

And for that reason, while I certainly appreciate the sport of stick -- stickball, I would recognize that it is currently included in the current law and we do not need to give it a preference over all other tourism activities, and for that reason I won't be able to support it. Thank you, sir, and again, thank you to my colleague.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. I think I do understand -- first I want to commend the sponsor of this legislation. Generally, people in most communities don't understand that there are some cultures that think very fondly and play it often and travel amongst themselves amongst not just their communities, but enter municipalities to compete in stickball. And sometimes when things are so important to people, I think it's

important as a State that we highlight that we understand that it's important to you. We want it to be important to others. And we should use our resources to make sure that the people in New Jersey and Ohio and Minnesota understand that we play stickball here. You want to compete, come to New York, you'd be welcome here. And on the other hand, Mr. Speaker, I will say that in years past, way before you or I, Niagara Falls was given preference to be high on the list of tourism in the State of New York, as was the Anderondacks [sic] and as were a number of other places in the great State of New York because we do have a huge opportunity for tourism to -- people to come here and enjoy themselves. And so I think that adding stickball, much like a couple years ago we added cricket, you can probably hear crickets thinking about the amount of money that cricket has gotten for its tourism advertisement since it's been enacted. But I do believe that at some point these things are gonna be -- become more and more important to people, and I think it's smart of us as the Empire State to be ahead of the game and not after the game.

Last thing I'll say, at some point somebody will be introducing something that talks about pickleball because, as you know, it is increasing in its prominence in people's lives and people are setting up cricket [sic] ball locations all over not just the country, but the State of New York as well.

So again, let me commend the sponsor on this and let me just say to the visitors and tourism board who will send out a negative opposition that I assure you that this will not impact your

budget in a way that will be negative to Niagara Falls or Jamestown or any other tourist activity that operates within the State of New York.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

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

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you. The Republican Conference is generally opposed to this statutory preference, but those who support it are certainly encouraged to vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally going to be in favor of this piece of legislation, period. In favor.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. As my colleague noted, a couple years ago we amended this law to give a preference to

cricket. That was two years ago, and this is what the New York State Hospitality and Tourism Association's observations were with regard to that, and what they wrote is, quote -- the promotion of stickball, quote, "... was done two years ago for the sport of cricket and created enormous problems for us as it further limited this very important funding." And so we need to be mindful that while we act, sometimes there are tremendous unintended consequences. And so while I enjoy stickball, I like the sport, I have to agree with the experts in the field, the New York State Hospitality and Tourism Association, that this -- we should not be giving preferences to any particular sport.

Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 33, Calendar No. 425, the Clerk will read.

THE CLERK: Assembly No. A06026, Calendar No. 425, Cunningham, Beephan, Dickens, Zebrowski, Taylor, Gunther, Burdick, Conrad, Clark, Sillitti, Sayegh, Anderson, Vanel, Wallace, Fall, Ardila, McMahon, Santabarbara, Eachus, Shimsky, Tapia, Hevesi, Simon, Aubry, Buttenschon, Alvarez, De Los Santos, Gibbs, Lucas, Jacobson, Meeks, Barrett, Raga, Novakhov, Bendett, Durso, Gandolfo, McDonough, Tague, Slater, Morinello, DiPietro, Simpson, E. Brown, Mikulin, Gray, McGowan, Maher, Flood, Miller, Hawley,

Angelino, Blumencranz, Brabenec, DeStefano, Chang, Simone, Weprin, Kelles, Dinowitz, Levenberg, Tannousis, McDonald. An act to amend the Family Court Act and the Criminal Procedure Law, in relation to Orders of Protection.

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

Ms. Walsh.

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

ACTING SPEAKER AUBRY: Mr. Cunningham, will you yield?

MR. CUNNINGHAM: I will.

ACTING SPEAKER AUBRY: Mr. Cunningham yields.

MS. WALSH: Thank you very much. Mr. Cunningham, under current law who can currently file a Family Offense Petition under Article 8 of the Family Court Act and request an emergency Order of Protection?

MR. CUNNINGHAM: Anyone in the household.

MS. WALSH: I'm sorry, I -- is your mic on? I couldn't hear you. I'm sorry.

MR. CUNNINGHAM: I believe it is. Can you hear me?

MS. WALSH: Okay, now I can, yes. Anybody in the

household?

MR. CUNNINGHAM: Right.

MS. WALSH: Okay. And I'm -- so you -- but you can also -- there -- there's more than that, though, right? There -- there's spouses or former spouses, right? Parent and child, and then members of the same family and household, which is what you just mentioned.

MR. CUNNINGHAM: Correct.

MS. WALSH: Correct? Okay. So, specifically, how does Section 812 of the Family Court Act define members of the same family or household?

MR. CUNNINGHAM: Well, this bill looks at particularly the members of the household who are over the age of 18, which is the case of *Melanie* in this bill.

MS. WALSH: Okay. I'm having a hard time hearing, I'm sorry, guys. So, specifically, if you take a look at members of the same family or household it's defined as people that are related by consanguinity, right, blood relation, or affinity, which is relationship especially by marriage, rather than blood ties, correct?

MR. CUNNINGHAM: Correct.

MS. WALSH: Okay. Persons legally married to each other, people who were formally married to one another, regardless of whether they're still in the same household. People who have a child in common, regardless of whether they were -- they are or ever were married and are or ever lived together, and persons who

aren't related by blood or affinity but are or were in an intimate relationship with each other either now or in the past. They don't have to live together, and the relationship didn't have to be a sexual one, necessarily. So the -- that -- when they define members of the same family or household, that's what they're getting at, correct, under the -- the wording in Section 812; is that right?

MR. CUNNINGHAM: That's correct.

MS. WALSH: Okay. Does this legislation add a new class of people who could seek a temporary Order of Protection?

MR. CUNNINGHAM: Correct. This would add people who are over the age of 18 that reside in that household and, additionally, people who are related to members of that family outside of the household.

MS. WALSH: Okay. So that means the person that's either blood-related, a child, a grandchild, a grandparent, an aunt, an uncle, to any degree, though, right? It's just any kind of blood relation; is that correct?

MR. CUNNINGHAM: That is correct.

MS. WALSH: Okay. So, I -- I had to look up the word consanguinity, you know? So blood relation.

MR. CUNNINGHAM: Both -- both of us did.

MS. WALSH: Yeah. Both of us did. So there's actually a table of consanguinity -- fun fact for everyone -- and there's different degrees of blood relationships. So it can go from first degree up to 11th degree, at least on the chart that I'm looking at. So it could

be a -- a third cousin thrice removed could still have consanguinity. Does this legislation limit at all the degree of blood relationship that you must have in order to look for a temporary Order of Protection?

MR. CUNNINGHAM: This bill is specifically focused on those over 18 who have that blood relation.

MS. WALSH: Over 18 who have some degree of blood relation, but not specified. It could be somebody -- I mean, really, it could be somebody that's very remotely blood-related to the -- the person, right?

MR. CUNNINGHAM: Sure.

MS. WALSH: Okay. So, by extending the eligibility for an Order of Protection to somebody who is related or intimate to with somebody who is then related or intimate with the individual against whom the order is sought, doesn't that increase the number of potential parties and litigants considerably from where we are right now in our current state of the law?

MR. CUNNINGHAM: It would currently opt those people in, but those folks do have an opportunity to opt out if they don't feel a direct danger. In the case of *Melanie*, however, this would have opted Melanie in who was in direct danger and who lost her life as a result of not being opted in.

MS. WALSH: Okay. I -- I wanted -- I wanted to just get the idea of the same -- being in the same household. Under this bill, does the person, this new class of person that can go in for the temporary Order of Protection, do they even have to live in the same

household as the person who is or was in an intimate relationship to the person that they're seeking an Order of Protection from?

MR. CUNNINGHAM: No, but a perfect example of this would be someone who lives across the street who is a relative of this person; for instance, a daughter living across the street or someone who lives in a mother-daughter house who would be technically not in the same household but in the same building. Someone in an apartment unit across the hall. This is what this bill intends to do.

MS. WALSH: Okay. So you can be -- you can be blood-related, but no degree of consanguinity is called out, so it could be any -- any level of blood relationship. You don't have to live in the same household as the -- the person who's coming in for the Order of Protection, right? And you mentioned that this was specifically designed to capture those people who are over the age of 18. Isn't it true that family court generally loses jurisdiction over children over the age of 18?

(Pause)

MR. CUNNINGHAM: This -- this is more of a opportunity for the court to use discretion rather than a mandate. But this does opt in the individual.

MS. WALSH: Okay. But my question was, just generally speaking, once you get over the age of 18, family court generally loses jurisdiction over you. And that -- and that, I believe, is one of the -- the loopholes that this law was intending to try to correct;

isn't that right?

MR. CUNNINGHAM: That's correct.

MS. WALSH: So -- okay, so next question is -- and thank you -- next question is, however, every person over the age of 18 still would have the right to request an Order of Protection from any one of the criminal courts that are there.

MR. CUNNINGHAM: They could --

MS. WALSH: Under current law.

MR. CUNNINGHAM: -- under current law, but with this law they would be opted in, and they could opt out if they don't feel a present danger.

MS. WALSH: Okay. Now, under current law if a judge grants a temporary Order of Protection, that order could include other minor children under the age of 18, correct?

MR. CUNNINGHAM: Which it did in the case of Melanie's young son who was younger at the time, under the age of 18.

MS. WALSH: Right. So they -- that's regularly the case, where the court could include younger children that are -- that are in the household.

MR. CUNNINGHAM: Absolutely.

MS. WALSH: Yeah, okay. But under this bill, under this legislation, would this new class of person, I don't -- new person have to appear personally in family court to request their own temporary Order of Protection, or could a person who was filing a

Family Offense Petition just add this new person to theirs?

MR. CUNNINGHAM: The person would be added to it. They can appeal to be taken off of that -- that Order of Protection if they choose to be taken off.

MS. WALSH: Okay. Where does it say that in the bill itself?

(Pause)

MR. CUNNINGHAM: The -- the language doesn't require explicitly that, but the person can opt out.

MS. WALSH: Okay. Well, what I'm trying to get at is, let's say you have somebody who's 19 years old and they -- they would like to get a temporary Order of Protection. Can -- do they have to themselves go to family court? Because based on your previous answer, what you said is say if their mother who is making the request for an Order of Protection. Can that mother just add that 19-year-old on or does the 19-year-old have to go in and affirmatively state to the court, *I wish to also have an Order of Protection?*

MR. CUNNINGHAM: It can go either direction. The mother can add or the child can add.

MS. WALSH: Okay. Because right now it -- it's -- in my opinion, having read it, it's -- it's not clearly spelled out. So that's -- we can move on, but that's just something I noticed going through it.

So that also ties in with a concern that was raised by the New York State Family Court Judges Association, which is

opposed to this legislation. They say, quote, "This bill would allow parents to come to court on behalf of their adult children and request, obtain emergency Orders of Protection on their adult child's behalf, perhaps without the adult child's knowledge or permission. We are very concerned that empowering one adult to make decisions and obtain orders on behalf of other adults who could request those orders themselves opens a Pandora's Box and will have a host of intended negative ramifications." I want to just give you an opportunity to respond to that.

MR. CUNNINGHAM: In our conversations with the said group, the conversation we had was more about administrative burden that that would provide in terms of the amount of cases that may present itself. I believe my colleague Alex Bores, Member Bores, has a bill, 5366, which would actually help with that administrative burden piece of the bill.

MS. WALSH: Okay. But this -- this is a direct quote from their Memo of Opposition to this piece of legislation where they -- and the quote is that they adamantly oppose this piece of legislation, and I just -- as far as the issue of whether -- because it's important. If -- taking -- taking that example of that 19-year-old, under -- it -- it makes a big difference whether -- how we read this legislation because there -- there isn't anything in this legislation, in my opinion or in my reading, clearly stating that this person would have to personally appear in family court, and you're saying it could go either way; either they do or they don't.

MR. CUNNINGHAM: It could certainly go either way, but that 19-year-old who is listed on this document could actually take themselves off of it if they felt that they weren't in the direct danger of said person.

MS. WALSH: Okay. And again, it -- it -- I don't find that anywhere in the legislation. I think it's -- it's important that you're creating some legislative history here, but we also have to read the plain language in the bill and it's not in the bill. So that might be something that may -- maybe would need to get tightened up.

Would this -- what does this person need to have to prove once they get to court in order to get their own Order of Protection?

MR. CUNNINGHAM: The 19-year-old --

MS. WALSH: Yes.

MR. CUNNINGHAM: -- or the person
(inaudible/crosstalk)?

MS. WALSH: Yes, using that example of the 19-year-old.

MR. CUNNINGHAM: Well, they wouldn't be -- they would be actually taking themselves off of the existing Order of Protection, correct? They wouldn't be --

MS. WALSH: Well, let's say that they want it. Let's say that they want to be on the Order of Protection. What do they have to show to -- to get it?

MR. CUNNINGHAM: Well, they would be listed on

it.

MS. WALSH: They would simply be listed on it?

MR. CUNNINGHAM: Based on that information you provided, you said that if we -- if I had filed an Order of Protection and I had a child over the age of 18, they can be added to that Order of Protection.

MS. WALSH: Okay. Let's say -- let's take a different example. Let's say it is a 60-year-old second cousin once removed who doesn't live in the household with the woman who is the domestic violence victim or survivor. What does he have to show? Does he just have to show that he wants to get added to her Order of Protection or does he need to show that a family offense has been committed as against him?

MR. CUNNINGHAM: So, this is a new class that would just essentially provide the person an opportunity to provide -- to -- to get on that Order of Protection.

MS. WALSH: Get on the Order of Protection of the domestic violence victim that has come forward looking for her own?

MR. CUNNINGHAM: Well, the person that would have filed the Order of Protection may have listed that person as somebody who potentially could be in danger. As you know, over 10 million people are harmed by domestic violence every year, and sometimes when they can't get their victim, they go after the people that are near and dear to them, whether that be their children, their cats, their pets. People do all kind of crazy things in these cases of

domestic violence. We're just trying to protect people from making sure they are opted in and protected.

MS. WALSH: And -- and I can appreciate that. And -- and as I pointed out earlier, if you look at this table of consanguinity you could have, you know, third cousins, you know, all kinds of people that could potentially be coming forward. What I'm trying to get at right now is, what does that 60-year-old male who was third cousin twice removed have to show, just simply that he is related by blood to the domestic violence victim or does -- because that domestic violence victim has to come into family court and say -- and -- and say, *I have had a family offense committed against me* -- and I'm gonna read -- you -- there's been disorderly conduct; harassment in the first or second degree; aggravated harassment in the second degree; sexual misconduct; forcible touching; sexual abuse in the third degree, second degree; stalking, first, second, third or fourth; criminal mischief; menacing. You have to show one of these enumerated offenses that have been committed as against you. My question to you is, what about that remotely-related person that's not in the household? Don't they have to show that a family offense of that kind has been committed against them?

MR. CUNNINGHAM: This bill doesn't do that. This bill is focused specifically on making sure that people who do have a direct threat, a direct line of threat who want to be added to this Order of Protection could be. As we all know, domestic violence is a silent killer in many households. It is not something that's public or

people oftentimes know about, particularly when they're that removed from that line of sight.

MS. WALSH: So are you saying that the individual that wants to be added to the Order of Protection needs to show that they're in some kind of a zone of danger or that they are -- there's a threat as -- as to them or not? Do they not have to show that?

MR. CUNNINGHAM: I certainly wouldn't think that an 11th cousin be added from someone. I wouldn't add my 11th cousin to my Order of Protection if I didn't feel they were in a direct line of threat. Melanie was in a direct line of threat, which is why she should have been added to this Order of Protection.

MS. WALSH: Okay. What -- what is the standard of proof for getting an Order of Protection in family court?

MR. CUNNINGHAM: The standard remains the same that exists under current law.

MS. WALSH: Okay. Can you use hearsay to get it?

MR. CUNNINGHAM: No, that wouldn't under current law.

MS. WALSH: Yeah, you have to -- only admissible evidence, just the same as you would in a local or criminal court.

MR. CUNNINGHAM: Same -- same as under current law, this --

MS. WALSH: Same as under current law.

MR. CUNNINGHAM: This will only add the ability for someone to be added on and opt out if they choose to be opted out.

MS. WALSH: Okay. And how -- I guess last, I think you mentioned earlier about court congestion, so let's just talk about that for a second. How are these --

MR. CUNNINGHAM: What was that? I'm sorry.

MS. WALSH: You mentioned court congestion a little bit earlier, I just want to touch on that as well. How are these emergency petitions that are filed under Article 8 heard?

MR. CUNNINGHAM: This bill doesn't speak to that.

MS. WALSH: Okay. Were you aware that they have to be heard in family court the day that they come in? Like, it's not something that gets calendered, they're -- they're of an emergency nature, they need to be heard --

MR. CUNNINGHAM: Absolutely.

MS. WALSH: -- the day that they -- the day that they come in.

MR. CUNNINGHAM: Absolutely.

MS. WALSH: Okay.

MR. CUNNINGHAM: And I think, again, with over 10 million people being victims of domestic violence annually, I think that's a high priority for the court to make sure we're making sure New Yorkers are safe.

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

MR. CUNNINGHAM: Thank you.

MS. WALSH: Madam Speaker, on the bill.

ACTING SPEAKER JEAN-PIERRE: On the bill.

MS. WALSH: Thank you so much. So, what happened to Melanie Chianese, whom this bill is named after, was a heinous crime. She was 29 years old, she was living with her mother, and with her own three-year-old child. Her mother and Melanie went to family court seeking Orders of Protection, and the court granted the mother one and added the minor grandchild, the three-year-old, but because Melanie was over the age of 18 family court did not have jurisdiction over her, and the judge told Melanie that she should go to a local criminal court to seek her own Order of Protection. But Melanie never went. One day, her mother's ex-boyfriend came to her house, he was out on probation wearing an ankle bracelet. He wasn't supposed to be at the house because an Order of Protection that the court had granted the mother said that he could not come to the house but he did anyway. Melanie answered the door and she was stabbed viciously and she was killed.

It's said that tragedies can make bad law. Who would not be emotional after a horrible crime committed like that upon an innocent young woman? You'd have to be a callous person not to want to do something to prevent that from happening in the future. My work over the last almost two decades in family court has seen awful cases like Melanie's, and let me tell you, you never get used to it and you shouldn't. The problem that I have with this bill is that it probably wouldn't have changed the outcome for Melanie under the

language of the bill. Yes, it would have given the judge the jurisdiction to consider an Order of Protection for Melanie, but what could Melanie -- I'm assuming, based on my reading of the bill, that Melanie would need to show that she deserved her own Order of Protection. She would have to show -- and I read it earlier, that list of offenses that Melanie would have to show committed as against her. And I won't read them again, but they include disorderly conduct, harassment, aggravated assault -- or aggravated harassment, sexual misconduct, et cetera. There's a whole list that's spelled out in Section 812 of the Family Court Act. Could she have shown that? I don't know. I don't know what she could have shown. There's a big difference between somebody who is directly -- a direct victim of domestic violence or a secondary victim of domestic violence, and I think that what this bill, the way I read it, is saying is that Melanie would have an ability to go into family court and make her case using admissible evidence that a family offense had been committed against her. Even if she had gotten an Order of Protection, what would the judge have ordered? A Stay Away Order from the home, definitely. But we already know that the ex-boyfriend broke the Order of Protection and came to the house anyway. The judge would almost certainly have granted a Refrain From Order, essentially saying, *Don't commit any crimes against her*, and -- but we know what he did.

Orders of Protection are pieces of paper, they are not force fields. I wish that they were, and probably you do, too. I wish that they could have protected that young woman so that her child

could have grown up with her as -- as his mother. I would be very interested to know why a guy with a history of breaking Orders of Protection and obvious violent tendencies was walking around with an ankle bracelet and wasn't behind bars. These concerns about New York's Criminal Justice system have been mentioned often in this Chamber regarding bail and other criminal justice so-called reforms. But I'll leave that thought there for my colleagues to ponder. Whether our time as a Legislature would be better spent keeping violent offenders behind bars instead of handing out more pieces of paper telling him not to commit more crimes that he obviously had no respect for and completely disregarded. I believe that the sponsor -- the sponsors, their heart is in the right place in wanting to do something. But I also think that as legislators we need to pass effective laws. If we don't do that, how are we honoring her memory? How are we going to do our very best to ensure that this horrible crime doesn't happen again?

I have a few ideas for how this bill could be amended to try to address some of the points that I raised on debate. Number one, tighten up who is in this class of people who can seek the Order of Protection. We talked about the table of consanguinity. We don't need third cousins thrice-removed to be in this class. Number two, I would suggest also requiring that the person should be in the same household as the person against whom the criminal act was allegedly committed. That's what Melanie's family wanted when they created their petition on Change. They wanted to add everyone in the

household to any Order of Protection regarding domestic violence case, regardless of age or relationship. Number Three, I think it needs to be clarified that the person must appear personally in family court to address the Family Court Judges Association' concern that an Order of Protection could be requested on behalf of another, which creates all kinds of problems regarding due process, rights of confrontation, just to name a couple. Number four, I would recommend that we consider scrapping this bill entirely and actually changing a different section of the Family Court Act, Section 842, which lists what can be in the Order of Protection once it's granted, and who and what can be protected by it. That's the section where we protect, for example, companion animals. We protect companion animals in another section of the Family Court Act. They can be added to the Order of Protection. Why can't we add a section in there that protects people over the age of 18 like Melanie, who were living in the same household? I think that that would actually get at closing the loophole that this sponsor identified in the first place. I just think that the language in this bill, as written, doesn't accomplish much other than making an already overburdened family court system even more burdened. And I would like to talk about that for a minute. That is a real thing. We need to budget more resources for our family courts; judges, staff, all of that. We speak all the time in here about preserving people's dignity. Well, let me tell you something, there's not a lot of dignity to be had in family court when people are packed in like cattle, waiting way too long to have their matters heard. In

family court, family court judges are booking probably one case every 15 minutes, if not two. When these emergency Order of Protection cases come in, they must be heard because they're emergencies. They must be heard the day that they get brought in. That means that if you have a 9:15 and you have privately retained counsel or a public defender and you're sitting with the person that you're bringing a petition against or you -- a petition's been brought against you, you've got two pairs of attorneys, two clients. They're all missing work. You're sitting around potentially for hours waiting for this emergency petition to be handled. So it's not -- it's not just about allowing people who need to be coming in to get an emergency petition heard, we obviously want that. I want them to be heard. The thing is is, if you're gonna to let a huge, huge, huge, potentially huge extra group of people to come in, that is going to have practical impacts on the family court system. And they're gonna hear those cases, they have to and they want to. But it's going to absolutely delay results for everybody else that's in family court with a scheduled matter, and I think that that's something that we need to at least consider and budget for and staff for.

So I appreciate the impulse of the sponsors to do something. But I think it would have been better to wait and create better work product than this, which would really address the problem and create a good law rather than passing this through. And while I recognize that a number of my colleagues are listed as sponsors of this bill due to its very emotional nature, which I understand. Madam

Speaker, in its present form and based on the answers that I received during debate, I believe that this bill needs more work. It needs further clarification, it needs further amendment, and in its present form, with all due respect to Melanie's family, who I know care a great deal about trying to close a loophole and prevent future tragedies from occurring, I don't believe that this bill in its present form does that and as such I will not be able to support it. And I join the New York State Family Court Judges Association, which as I stated before, is adamantly opposed to this piece of legislation.

Thank you very much.

ACTING SPEAKER JEAN-PIERRE: Mr. Goodell.

MR. GOODELL: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER JEAN-PIERRE: On the bill.

MR. GOODELL: When we come to legislate we're often asked to vote on subjects that we have very little background or experience in when our vote affects real people all across the State. Personally, as an attorney, I do my utmost best to stay out of family court. It takes a special attorney to be able to practice in that court, because typically you see people at their worst. You typically see people fighting over custody, their emotions are raw. Often they hate the other person with a passion that's scary. You find them doing things that they, themselves, would consider reprehensible under any circum -- any other circumstance. So I am extraordinarily thankful that we have people like my colleague Mary Beth Walsh, who is

willing to put her expertise at work in that extraordinarily difficult context. And I am extraordinarily thankful that we have family court judges who wrestle with this every day. And one of the most difficult aspects is when you have clients or you have litigants in front of you who are so emotionally angry and upset at each other that they border on the irrational and they use sometimes any tool available just to strike back at their ex, including Orders of Protection. And so I have seen situations where someone will walk into court and they'll try to get an Order of Protection that covers everything that their ex values. They'll try to get an Order of Protection preventing their ex from seeing their pet or any of their kids. And it's not in the best interest of the kids not to be able to see their spouse or to have visitation. It's just out of unmitigated anger and frustration and raw motion.

So in this area when we talk about legislation that expands the ability of a person -- of a court to issue an Order of Protection, we need to be mindful of both sides of that equation. Yes, we want the court to be able to order an Order of Protection when appropriate. And no, we do not want to provide a tool that can be misused in the context of a family court proceeding for the sole purpose of hurting someone else. And when you open this up and you can say a family court can now issue an Order of Protection barring the other side from visiting their adult children or calling them on the phone or wishing them a happy birthday and that adult child is not even in the court, it's an invitation for abuse.

And so as this process goes forward, I sincerely hope

that next year you'll see a chapter amendment, or a veto if the case may be, that brings this down so that at least the person who is the -- the party to the Order of Protection wants it. At least they want it, at least they show up in court and ask for it so that this Order of Protection is not used as a weapon by one spouse against the other or against one ex against the other in a way of just destroying the other person emotionally. So please, in emotional issues like this we need to strike that balance, and sadly, in my opinion, this language does not strike that balance. So I hope as we go forward we strike that balance in a more appropriate manner. For that reason I cannot support it, but I appreciate the desire to make an Order of Protection available in the broader category, but we want to make sure that that Order of Protection is issued in appropriate cases only. Thank you, sir; thank you, ma'am.

ACTING SPEAKER JEAN-PIERRE: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER JEAN-PIERRE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Beephan to explain his vote.

MR. BEEPHAN: Thank you, Madam Speaker. I want to start with commending the sponsor, Mr. Cunningham, for his leadership on this bill. Not only is this a win for domestic violence victims across our State, it's a win for the Chianese family. And Mr.

Cunningham actually traveled into my district on several occasions to meet with Cheryl and Melanie's son Miles, and get to know the family and be very intimate with happened that tragic day in our district.

And I'd also like to thank Senators Hinchey and Cuning -- Rolison for getting this bill passed in the Senate unanimously twice, and many of you here in this room who I won't list, but have supported this bill in many ways.

You know, Melanie grew up just five minutes away from me. We attended many of the same restaurants, similar schools, and we shared a number of mutual friends and she was beloved by all. You know, and this situation right here is the worst of the worst. It is the extremes of all situations that we see in domestic violence. But this loophole that exists just because you're over the age of 18 and can't get a restraining order in family court, that's something that should have never existed. You know, Melanie was given the opportunity to go to criminal court, but she was a single mom, she was in school, she was working. She didn't have the time or resources to do so to join that cause and fight for her own safety. And while, you know, others have said that they don't know if she had a cause to obtain a restraining order, I believe she did. But I won't go on for too long.

But again, thank you to everyone that has supported this bill, thank you to the sponsor, and I proudly vote in the affirmative. And may this day be a bittersweet but a positive day for the Chianese family.

ACTING SPEAKER JEAN-PIERRE: Mr.

Cunningham to explain his vote.

MR. CUNNINGHAM: Thank you, Madam Speaker, for the opportunity to explain my vote. Every minute, 20 individuals across New York State and the country are victims of domestic violence; one in four women and one in nine men. I want to personally thank Cheryl for sharing her story of her daughter Melanie, who was viciously murdered at the hands of her abuser. Because she shared her story and because we were able to talk about her story, I'm hopeful and confident this loophole that exists will be closed and there'll be less victims who are impacted. I also want to thank A.J. Beephan, my colleague, for his bipartisan support on this piece of legislation, for allowing me into your district and allowing me to share this painful story, but hopefully today, one that will have an outcome that's better for other New Yorkers across the State of New York.

I proudly vote in the affirmative on this legislation and look forward to its passage.

ACTING SPEAKER JEAN-PIERRE: Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker, for the opportunity to explain my vote. I first want to begin by commending the sponsor of this legislation and his cosponsor, actually. These -- these things are very, very difficult. And I actually want to commend my colleague on the other side of the aisle for her very positive and constructive debate. However, when these things

happen, we -- we always anticipate that when we introduce legislation that there is going to be a change, and that change is gonna be for the better. It's gonna be for the better of the mom who wishes her daughter would have had the opportunity to be protected, and hopefully it would be better for those people who don't intend to follow the laws, who don't care how many laws we make. But I think we have to at least try to protect people, and I think this is what that effort is, and I do appreciate them for making this effort and I'm pleased to vote in the affirmative on it.

ACTING SPEAKER JEAN-PIERRE: Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 13, Calendar No. 62, the Clerk will read.

THE CLERK: Assembly No. A02118, Calendar No. 62, Dinowitz, Colton, Paulin, Seawright. An act to amend the General Business Law, in relation to arbitration organizations.

ACTING SPEAKER JEAN-PIERRE: An explanation has been requested.

MR. DINOWITZ: And one will be given. This bill would require a private arbitration organization involved in 50 or more consumer arbitration proceedings annually to make publicly available a searchable computer database containing information regarding each consumer arbitration it has administered or otherwise been involved in during the preceding five years.

ACTING SPEAKER JEAN-PIERRE: Mr. Goodell.

MR. GOODELL: Thank you. Would the bill sponsor yield?

ACTING SPEAKER JEAN-PIERRE: Will the sponsor yield?

MR. DINOWITZ: Yes.

ACTING SPEAKER JEAN-PIERRE: The sponsor yields.

MR. GOODELL: Thank you, Mr. Dinowitz. I note that this would require detailed reporting on all arbitration cases that are heard by certain organizations within the preceding five years.

MR. DINOWITZ: I think I just said that, yeah.

MR. GOODELL: Yes. And but if you look on page 2, line 31, it says this law applies to consumer arbitrations commenced on or after January 1, 2025. So is that five-year lookback starting on January 1, 2025 and so at the end of '26 there'd be -- or end of '25 there'd be a one-year lookback and then the next year there'd be two years and so on?

MR. DINOWITZ: I think the latter. It says any consumer arbitration commenced on or after that date, so we're not looking back before that date.

MR. GOODELL: So this bill would require arbitration organizations to tabulate, correlate, put together information going back retroactively five years?

MR. DINOWITZ: That's exactly the opposite of

what I just said.

MR. GOODELL: Okay, so it would only apply prospectively.

MR. DINOWITZ: It applies starting next year and it'll -- they have to have for five years the information.

MR. GOODELL: So just so I'm clear, let's say January 2, 2025. They -- do they need the data for one day or for five years and one day?

MR. DINOWITZ: It says pretty clearly any consumer arbitration commenced, commenced, started, on or after January 1, 2025. So what that means, I believe, according to this is that they wouldn't be keeping five full years of records until January 1, 2030. But before then would be less than five years because five years will not have elapsed by that point. So I guess you can call it a phase-in.

MR. GOODELL: Okay. I'm -- I'm glad you clarified that.

MR. DINOWITZ: Always happy to clarify.

MR. GOODELL: Now, of course, going forward it says that there's a require [sic] all this detailed information for every arbitration within the preceding five years. Is that, then, a five-year rolling lookback? So, for example, in 2030, January 1, 2030 it's five years back to January 1, 2025. The next day it's a lookback to January 2, 2025. Is there daily rolling?

MR. DINOWITZ: I believe the reports are due, I

think it's quarterly, but I can double check that. So, you know, they're -- they're not doing a daily report or update, it has to be done periodically. Let me just...

MR. GOODELL: Where's the reference to quarterly?

MR. DINOWITZ: I don't know, maybe I made it up. Let me just double check. It's in here somewhere. I'll have to -- it'll take me a few seconds to find it. It -- it's not -- they don't have to update the reports every day, it's a few times a year.

(Pause)

Well, I'll have to look for it, but it -- it's not every day, it's a -- it's just a small number of times a year.

MR. GOODELL: I see. By the way, I -- I couldn't find any reference to quarterly, but that would certainly make sense. And if we review this bill in the future we might want to address that issue because obviously, you don't want a daily running total going back five years. That's almost imaginable.

MR. DINOWITZ: Well, number one, I agree with on that and, number two, I hope that we pass it and we don't have to review it in the future because it's a great bill and will be very helpful to a lot of people.

MR. GOODELL: No doubt that's your view.

Now, I see that one of the things that's to be reported on every single arbitration case over that five-year period is whether or not the consumer was the prevailing party. At first blush that seems pretty straightforward, but oftentimes an arbitration award is not 100

percent for one party or the other. Sometimes they split the difference. In that case, how is it to be reported? In other words, you might have an arbitration over a claim involving 10,000. If the arbitrator rules that the consumer is entitled to \$100 instead of 10,000, is that a victory for the consumer or for the other side?

MR. DINOWITZ: I would say if the consumer won more than 50 percent, 51 percent would make the consumer the prevailing party.

MR. GOODELL: And again, of course that reference to 50 percent is not in the bill, but certainly it could be.

MR. DINOWITZ: (Inaudible/crosstalk).

MR. GOODELL: Yes.

MR. DINOWITZ: It's not in the bill.

MR. GOODELL: It requires, as well, this detailed information, the name of the attorney, the attorney's firm, the city the attorney is in. Is all that information available to these organizations?

MR. DINOWITZ: Well, it certainly should be. I mean, when you say detailed information, this is really not that detailed. It just has a -- a relatively short list, I think, of ten things that should be included. So, you know, is ten things detailed? Well, I would say no.

MR. GOODELL: I see. And of course part of this bill eliminates any financial interests with an arbitrator on any party. But haven't we already passed legislation banning that?

MR. DINOWITZ: Well, this will make it doubly

sure.

MR. GOODELL: Double sure. So it would just -- okay.

Now, I see that on the enforcement provisions you can go to court and seek an -- a court order, an injunction, but only on five days' notice to the defendant. Why is it such a short time frame? Normally an action in court requires at a minimum 20 days' notice. Why such a sort time frame?

MR. DINOWITZ: That's enough time.

MR. GOODELL: Enough time? I mean, we -- we -- are there other situations where we have only five days' notice other than --

MR. DINOWITZ: Five days, 120 hours, 200 -- I mean, it's plenty of time.

MR. GOODELL: Now, you can go to court and ask for a court order without requiring proof that any person has, in fact, been injured. Why would we open up the courts if -- for litigation where the -- the person has not even been injured?

MR. DINOWITZ: Well, how do we know the person's not been injured unless it's resolved in court? I mean, that's what courts are for.

MR. GOODELL: Well, as you know as a practicing attorney, one of the requirements that you have on any normal civil lawsuit or any court proceeding is that you have to establish standing and you have to establish injury. You have to at least allege injury

-- injury, but this bill means you don't even have to allege you are injured; is that correct?

MR. DINOWITZ: I'm not sure I agree with that.

MR. GOODELL: So where does it show that in this bill language that you have to allege injury?

MR. DINOWITZ: I'm pretty sure that's implicit.

MR. GOODELL: Okay.

Now, if the court determines there's a violation, the penalty is \$2,000 for each violation, correct?

MR. DINOWITZ: I -- I think it's up to \$2,000 for each and every violation, a good incentive not to commit violations.

MR. GOODELL: So would it be a violation subject to this \$2,000 penalty if any one of the numerous items was not fully disclosed or was inaccurate?

MR. DINOWITZ: I -- I don't know that I would call that a violation personally, but again, that would be up to a judge to decide, not up to me.

MR. GOODELL: I see. And why do we need this? Is there a reason, is there a problem that's been documented in New York State that indicates that we should reverse decades of court rulings and findings that arbitration is a cost-effective, fair and efficient method of resolving disputes?

MR. DINOWITZ: Well, I don't -- I don't necessarily accept your statement that it's a fair and whatever you just said, an efficient way of solving disputes. Sometimes it is, sometimes it is not.

I don't know that it reverses decades. But I think this is really about transparency and accountability so we have information available to the public, and I think we all agree that we want the public to know things.

MR. GOODELL: My question -- I'm sorry, maybe I wasn't clear, but my question is, do you have any reports or studies or documentation that there's a problem with arbitration in New York State?

MR. DINOWITZ: I -- I think there have been many complaints that we've read about over time, which is why I've had a few different bills relating to arbitration. But do I have a report or a -- a detailed report listing data? The answer is I do not.

MR. GOODELL: I see. Do you have any court decisions that question the overall effectiveness and efficiency of arbitration?

MR. DINOWITZ: Not on me. No, I don't.

MR. GOODELL: Okay. Thank you, Mr. Dinowitz.
As always, I appreciate your answers.

MR. DINOWITZ: Any time.

MR. GOODELL: Sir, on the bill.

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

MR. GOODELL: So this bill requires every arbitration organization with more than 50 arbitrations a year to keep a five-year list of every single arbitration they've done that describes

multiple items, including, you know, the zip code, the nature of the claim, whether or not the consumer was the prevailing party -- although as we mentioned, that's very ambiguous -- how many times the non-consumer party has been involved. So they have to maintain a running tally whether or not the consumer was represented by attorney, and if so, all the details about the attorney. Various states of when they received a demand, when they answered it, when they responded. The amount of any settlement for every single arbitration. Now here's the zinger: This goes on to say that a party can sue the arbitration organization and get \$2,000 for every single violation, which the bill sponsor indicated would be any failure to answer any one of those half-dozen questions for every single arbitration. Make no mistake about it, this bill is really intended to kill arbitration in New York State by imposing a very high potential liability for failure to report on cases where the statute says the person who is complaining didn't even allege or show any injury.

Now, the New York courts and others have repeatedly held that arbitration is a choice between the parties. There's no mandatory arbitration in New York State except in employee relations. It's a choice between parties. It's faster than the court system, it's less expensive than the court system. It's more efficient, it allows people to come to a quick resolution. It has been repeatedly upheld by the courts as a preferred mechanism for smaller consumer transactions. And as an attorney, a practicing attorney, I have to tell you, if you have a client who has an option to go with

arbitration as opposed to going to court, you always recommend arbitration because it is so much faster, easier, less expensive, and it helps the consumers. We should not pass legislation that hurts the consumers by basically threatening arbitration organizations with excessive fines for recordkeeping when no one even alleges that they were hurt.

Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Ra.

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

ACTING SPEAKER AUBRY: Mr. Dinowitz, will you yield?

MR. DINOWITZ: Sure.

MR. RA: So just a -- a few questions. Do you have any sense of how many of these organizations would be impacted by this? You know, my question really stems from the fact that why is it those that do 50 per year as opposed to 25 as opposed to 100?

MR. DINOWITZ: We could change it to 25 if -- if (inaudible/cross-talk).

MR. RA: I'm not -- I'm not asking you to do that at all, I'm asking if there is a, you know, a reason behind the 50 number if we know that we're that's -- that's where most of the major players in this are or what -- what the reason behind that is.

MR. DINOWITZ: I -- I think there is definitely a reason, and that is that it's sort of a happy medium between, let's say,

100, which would exclude too many organizations, and 25 on the other end, which might include too many. Now, I couldn't give you the exact number of organizations that would be involved, but that seems to be sort of a happy middle ground.

MR. RA: Okay. So -- so you would -- I -- I guess you would get the sense that those that are involved in this, maybe some do only a few but the major players probably do a larger number and would be caught up in the 50 number?

MR. DINOWITZ: It's kind of like not too hot, not too cold, just right.

MR. RA: Okay. And then so past that, I -- I guess the end of the day, right, these disclosure provisions, to me, are getting at the idea that you're going to have, you know, how many cases have gone through there, what the results were gonna be. And, to me, the idea would seem to be that some party is going to try to make a case that there is some bias; is that fair?

MR. DINOWITZ: I think that's possible if -- if in a given organization -- arbitrary organization, if it turns out that out of their 75 cases that there's a record for that 70 are resolved on one side, namely not the consumer, it might suggest that perhaps they're not as even-handed as you would hope they would be. On the other hand, if -- if cases are more distributed evenly, I'm not saying it has to be an exact half-and-half, but if it's more evenly distributed that would say something more positive about them -- them and a consumer might want to know that information beforehand.

MR. RA: Okay. Now, and -- and I have some questions with regard to that in particular and -- and the point with Mr. Goodell with who the prevailing party is. But we currently have a provision within the CPLR that would allow the vacating of an arbitration award based on the partiality or bias of the arbitrator, correct?

MR. DINOWITZ: I would have, yes.

MR. RA: So do you feel that it's inadequate that we have that remedy already if there is some bias, or is this designed to give, you know, the consumer party more information to help them go into court under that provision and try to vacate an award?

MR. DINOWITZ: Well, I don't think it's designed to give any particular side more ammunition; however, I think that anybody, but yes, especially consumers, would like to have an idea if a given organization might appear to be biased. So by having transparency, by having -- it would -- it would increase accountability, it would -- it would allow people to make a more intelligent decision based on having information -- oh, by the way, just to interject, Mr. Goodell should look on line 12 of the bill he'll find the word "quarterly." I knew I didn't make that up, it's there.

MR. RA: I think he heard -- I think he heard that. Thank you, Mr. Dinowitz.

So just in terms of the prevailing party. I know you said, okay, 51 percent and yeah, there may be situations where it's that clearcut. But what about where there -- there may be things other than

money at stake? How -- I still think that can be very ambiguous as to who ultimately -- to boil it down to this side prevailed or that side prevailed when, in fact, there may be times that, you know, they split the difference but it may not just be -- maybe one got 51 percent or more money-wise, but maybe there's some other piece of the conversation that the other side got and -- and that makes it a little less clear who the prevailing party is.

MR. DINOWITZ: Well, I -- I -- I would say that we're not talking about a form where you check off prevailing party, you know, the consumer or other -- you know, the other side. You're not checking off a box. In some cases you may need to explain. It's sort of like the difference between a short-answer question and an essay question. So in those cases there could be an explanation, I would think.

MR. RA: Well, I mean, on page 2 of the bill, line 4 says whether the consumer was the prevailing party. That doesn't seem to indicate that there's any explanation, it just is a yes or no question.

MR. DINOWITZ: Well, it doesn't say that. It doesn't say, *Well, the consumer is the prevailing party*. I suppose the answer can be, *Well, in this case the consumer prevailed in part and the opposition prevailed in part*. There's no reason that can't be indicated. That's also important information to have.

MR. RA: It -- it could be but, I -- I do not think it really says that. I -- I think whether the consumer was the prevailing

party would seem to indicate to me a yes -- yes or no question, so maybe that's something that should be looked into to -- to make that a little more clear as that (inaudible/crosstalk).

MR. DINOWITZ: Okay, I mean, I -- I understand what you're saying, but not everything, you know, we're not like sitting in a court where you have to say yes or no. Not everything can be answered yes or no. Sometimes it requires a little bit of an explanation.

MR. RA: I -- I would agree, which is why I think this is a little vague still.

So, lastly, just in terms of the disclosures, I know it talks about just going up to the previous one -- I just talked about it before, number three -- if -- if it's an employment matter. Now, is there anything in here that perhaps, you know, an employee wants some level of privacy to -- to -- because, you know, if your -- you have a zip code, you -- you don't have personally-identified information, correct, of -- of that non-consumer party. But it seems to me that it could be a situation where somebody could identify the -- who the individual is based on the circumstances, who the -- who the non-consumer party is, all of that. Is there anything that would allow that -- that consumer, so-to-speak, or maybe if it's an employee, to have some information further redacted or not included in a -- in a report for their privacy after they have gone through one of these proceedings?

MR. DINOWITZ: I -- I'm looking here and I'm just

wondering what it is that would possibly need to be redacted for the sake of their privacy and I don't --

MR. RA: Well, perhaps they don't want their annual salary being disclosed.

MR. DINOWITZ: Well, I don't see their name in here.

MR. RA: Well, just -- just because the name isn't there, I -- I think sometimes these situations, like I said, you're gonna have -- you're gonna have, you know, where the person lives in general, you're gonna know who the -- who the non-consumer party is, and I think within an organization that may be something that people could fairly easily figure out who they're talking about.

MR. DINOWITZ: Well, it -- it says here the State and the zip code. So I don't know about your zip code, but I'm sure there are a lot of people in it, but my zip code probably has 75,000 or maybe more people in it, and I don't think that's going to giving away who I am if I was the individual involved.

MR. RA: Okay. But suppose I work for a, you know, an employer that has 20 employees and -- and I have a situation where I have to go to an arbitration proceeding with my employer, and my co-workers know I'm the only one who lives in a certain zip code.

MR. DINOWITZ: I don't know where you come up with these things. I -- I really don't see the -- the concern that you're raising in this bill as far as that.

MR. RA: I -- I come up with them because I think

sometimes we have to think about very specific scenarios that could happen under a piece of legislation.

MR. DINOWITZ: I mean, virtually anything can happen to anything, anywhere, any time, but that doesn't mean that there is even the remotest chance of that happening in the case that you're describing.

MR. RA: Thank you, Mr. Dinowitz.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. RA: Thank you. So we've passed any number of bills over the year regarding arbitration. As my colleague stated earlier, in a lot of instances there are an opportunity to resolve a dispute more quickly, in a cheaper manner than going through a court proceeding. We know how backed up so many of our courts are right now. This seems to be, you know, really designed to -- to further just drive us away from ever using these arbitration proceedings. I am all for trying to make them more fair, I'm all for trying to help the consumer when they're in a -- in a transaction where, you know, they're dealing with a large corporation. But -- but I think that some of these are very onerous and, in particular, I think -- I think the idea or at least as it's stated here, I think it's vague about the prevailing party because I -- to me, I read this as you can just say who prevailed because it says -- it just says whether the consumer was the prevailing party. So you -- that, to me, is a yes or no question. Maybe there might be a situation where -- where the arbitration organization wants

to provide more information, and -- and I would agree the bill doesn't say they can't provide more information. But it doesn't -- it certainly doesn't require it.

So those are some of my concerns I have with this piece of legislation, and -- and I'm going to be voting in the negative. Thank you.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation. Those who support it should vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Democratic Majority Conference will be in favor of this piece of legislation.

ACTING SPEAKER AUBRY: Thank you both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 18, Calendar No. 132, the Clerk will read.

THE CLERK: Assembly No. A04750-A, Calendar No. 132, Epstein, Burdick, Dickens, Gallagher, Kelles, Glick, Reyes, Cunningham, Raga, Cruz, Seawright, Davila, Levenberg. An act to amend the Real Property Law and the General Obligations Law, in relation to prohibiting residential landlords from charging tenants a fee for a dishonored rent check in excess of the actual costs or fees incurred by such landlord as a result thereof.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: On the bill, sir.

ACTING SPEAKER AUBRY: On the bill.

MR. GOODELL: This bill is a legislative interference with existing contracts that might apply between landlords and tenants because it says that notwithstanding what your lease provides, if there's a bad check that's bounced you cannot charge more than your actual cost, charges or fees incurred by the landlord. So as you might expect, as with often the case with contracts there's typically a flat fee, a bounced check fee of \$20 or \$30 or whatever. And that reflects not only the bank charges that you get, but also the costs incurred by the other party in correcting their records, updating things, following up, sending a new bill and everything else. If a tenant's check bounces, the consequences to the landlord can be much more than just the bank fee. It can affect their balance sheet, how much cash they have available, whether or not they have delayed eviction proceedings or taken other steps. So I don't think it's

appropriate for us as the Legislature to dictate the terms and conditions of a lease as long as those lease terms are reasonable, which is already a requirement of the law.

For that reason I will not support this bill and recommend my colleagues vote against it. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this. Those who wish to support it should certainly vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Democratic Majority will be voting in favor of this one; however, there may be a few that would desire to be an exception. They should feel free to cast their votes at their seats. Thank you.

ACTING SPEAKER AUBRY: Thank you both.

The Clerk recorded the vote.

(The Clerk recorded the vote.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. Over the years we have seen tenants get huge costs

related to a bounced check fee that could have been a mistake of the bank, you know, issues where with timing on deposits. Sometimes people request a date to deposit it and there's a mixup in the system. We're just trying to limit the exposure that tenants have to ensure that the costs they're paying are reasonable and appropriate, and that's what the bill outlines to do. I encourage all my colleagues to vote in favor of this legislation.

ACTING SPEAKER AUBRY: Mr. Epstein 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, if we could now bring our attention to Calendar No. 389. It's Assembly Bill 4563 by Mr. Stirpe.

ACTING SPEAKER AUBRY: Certainly. Page 32 -- 31, Calendar No. 389, the Clerk will read.

THE CLERK: Assembly No. A04563, Calendar No. 389, Stirpe, McMahon, Steck, Bronson, Lupardo, Gunther, Darling, Otis, Levenberg. An act to amend the General Municipal Law, in relation to including lakes in Adopt-a-Municipal Park, Shoreline or Roadway programs.

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

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir, to explain my vote. I will be supporting this bill. What this bill does is allows municipalities to expand their Adopt-a-Park program or Adopt-a-Road program to include Adopt-a-Lake, and it would allow them volunteers under the auspices of the municipality to engage in activities to clean up shorelines of lakes. And since I have five lakes in my district, cleaning up that shoreline is a great thing, and if volunteers would -- are willing to help, God bless them. I would note, however, for my colleagues that the New York State Trial Lawyers Association is opposed to this bill because you may recall that the Adopt-a-Park program and Adopt-a-Road program and these other similar programs all have a waiver of liability for the municipality. And not surprisingly, the New York State Trial Lawyers Association is appalled that they can't sue municipalities if a volunteer gets hurt cleaning up a park or a roadway, or in this case a shoreline.

So there is the opposition from the New York Trial Lawyers Association, but notwithstanding that I welcome all the efforts by volunteers in my county to help clean up our lakes. Thank

you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell 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, if we can now bring our attention to our resolutions on page 3.

ACTING SPEAKER AUBRY: Resolutions on page 3, Assembly No. 2225, the Clerk will read.

THE CLERK: Assembly Resolution No. 2225, Rules at the request of Mr. Sayegh.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 21, 2024, as Telepractice Awareness Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Sayegh on the resolution.

MR. SAYEGH: Thank you very much. I'm proud to rise to proclaim May 21, 2024 as Telepractice Awareness Day in the State of New York. Telepractice is the application of telecommunications technology to deliver professional services at a distance by linking clinicians to clients and clinicians to clinicians for assessment, intervention and/or consultation. And we learned during COVID-19 that especially individuals with hearing or speech

disabilities were receiving only some 27 percent of the required services they needed. And that, in turn, extremely limited the proper development that these individuals so desperately needed. And especially in a time when we, the last number of decades, have learned to expand and utilize telecommunications, telemedicine, videoconferencing, and even in this Body, utilizing Zoom meetings when necessary, realize that this is a new method that should be better understood and expanded to serve the needs of so many that rely in the medical, the speech, serving the deaf and the hearing-impaired.

Thank you very much.

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. 2226, Rules at the request of Ms. Rajkumar.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 6, 2024, as Guyanese Independence 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.

THE CLERK: Assembly Resolution No. 2227, Rules at the request of Ms. Lee.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Asian Pacific American

Heritage Month in the State of New York.

ACTING SPEAKER AUBRY: Ms. Lee on the resolution.

MS. LEE: Mr. Speaker, I rise to speak on my APA Heritage Month resolution. As the first Korean American woman in New York's Legislature, the representative from Manhattan's Chinatown and the co-chair of the APA Task Force, I am proud to introduce this resolution to recognize May as AAPI [sic] Heritage Month. AAPI [sic] Heritage Month is a celebration of the AAPI community's long history in New York. It shines light on the many contributions, struggles and accomplishments we have made since we first arrived nearly 200 years ago. It also symbolizes the progress we have made. After many decades of underrepresentation, the AAPI community finally has a seat at the table in New York. We currently have the most sitting AAPI legislators in New York's history. This month we held the very first AAPI Summit in Albany, and passing this resolution is a testament to the newfound strength and representation that our community has. AAPI [sic] Heritage Month is also impart -- important because it shows AAPI New Yorkers that their voices are heard and their stories matter. It exposes more New Yorkers to AAPI culture, promote -- promoting greater inclusivity and tolerance. It fights ignorance and that prevents hate.

I am proud to introduce this resolution to reaffirm that AAPI heritage is part of New York's heritage. Thank you.

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. 2228, Rules at the request of Ms. Sillitti.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, 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; opposed, no. The resolution is adopted.

THE CLERK: Assembly Resolution No. 2229, Rules at the request of Mr. Durso.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Amyotrophic Lateral Sclerosis Awareness 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. 230, Rules at the request of Ms. Kelles.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Bike Month in the State of New York --

ACTING SPEAKER AUBRY: On the resolution --

THE CLERK: -- in conjunction with National Bike

Month.

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. 2231, Rules at the request of Mr. Jensen.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Hypertension Awareness 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. 2232, Rules at the request of Mr. Zebrowski.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 2024, as Indian American Heritage 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. 2233, Rules at the request of Mr. Brabenec.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 2024, as Czech-American Heritage 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. 2234, Rules at the request of Ms. Lunsford.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 8, 2024, as STEAM Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Lunsford on the resolution.

MS. LUNSFORD: Thank you, Mr. Speaker, and thank you for indulging me for a few minutes so I can talk about the importance of STEAM education in New York. Many of you were able to join us downstairs to see demonstrations by some of our first robotics teams, the U of R Labor Lab -- Lazer Lab. Many other organizations from around the State that came to show us what they're doing to equip our kids not just with an education they can use for the jobs of tomorrow, but problem-solving skills, presentation skills and other kinds of soft skills that will help them in their every day lives and in any career they choose. STEAM education is about problem-solving. It's about learning how to fail, learn and try again, and it's about creating a future we can all be proud of.

Thank you for letting me take a few moments to acknowledge this day, and Happy STEAM Day.

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. 2235, Rules at the request of Ms. Giglio.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 15, 2024, as Peace Officers Memorial 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, do you have further housekeeping or resolutions?

ACTING SPEAKER AUBRY: Yes, we do have a bit of housekeeping.

On a motion by Mr. Aubry, page 11, Calendar No. 43, Bill 1432-A, amendments are received and adopted.

On a motion by Ms. Reyes, page 37, Calendar No. 468, Bill No. 8947-B, amendments are received and adopted.

On behalf of Mr. Lavine, Bill No. A.9166, Assembly bill recalled from the Senate. The Clerk will read the title of bill.

THE CLERK: An act to amend Chapter 455 of the Laws of 1997.

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.

Resolution 2242, the Clerk will read.

THE CLERK: Assembly Resolution No. 2242, Ms. Lee.

Legislative Resolution honoring Don B. Lee posthumously for his contributions to the Asian American community.

ACTING SPEAKER AUBRY: Ms. Lee on the resolution.

MS. LEE: Mr. Speaker, I stand to honor Don Lee, a community member we recently lost. In Don Lee we celebrate an exceptional member of our AAPI community who achieved the American Dream and devoted his life to helping other AAPI -- AAPI New Yorkers do the same. Don immigrated to New York City at ten years old and grew up in Chinatown. His story is the epitome of the immigrant success story. While attending NYU, he supported himself and his family by working at a local Chinatown restaurant. After he graduated, he built a successful career and made important contributions to public administration and healthcare in New York City. Despite his success as a professional, he always remembered where he came from. Don was a tireless community activist who

never stopped advocating for the needs of Chinatown residents. He fought on behalf of street vendors in Chinatown, helped Chinatown businesses recover after 9/11, and stood up for Asian New Yorkers during the rise in anti-Asian hate after the pandemic. His advocacy work also extended to Brooklyn where he supported countless Asian residents as the Board Chair of Homecrest Community Services for 20 years. In his personal life, Don was a devoted husband to his wife, Lai, and the loving father to his daughter, Victoria. He will be missed greatly by New York's AAPI community, especially in Chinatown. His memory lives on in all of us as we continue working to support AAPI New Yorkers.

Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Chang on this resolution.

MR. CHANG: I thank the sponsor for this bill -- for this resolution itself. I happened to know Don Lee for more than a dozen years. Yes, he's a fighter in Chinatown. I -- born in Chinatown, he grew up during a time when Chinatown it was a ghetto in one sense. And he fought for our community and he spent his activism beyond just Chinatown, but as well as in Brooklyn to -- to my district which I represent. Don is a -- is a very humble, quiet type of guy, and he came roaring like a tiger when he -- when the rise need to. And I respect his (inaudible) at -- at all times. Again, I've known him for over a dozen years, and a very humble person. And -- and he's few years older than I am, so we're the same generation, we wear the same

hat, grew up the same streets in Chinatown when we growing up.

So we lost a giant among our community, and I feel sorry for the loss for our community and his wife and his daughter Victoria. Thank you, Mr. Speaker. Thank you to the sponsor for this bill -- this resolution.

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

Mrs. Peoples-Stokes, we have a few other resolutions, we will take them up with one vote.

On these resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 2236-2241 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that we stand adjourned and that we will reconvene at 1:00 p.m., Wednesday, May the 21st [sic], tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 5:57 p.m., the House stood adjourned until Wednesday, May 22nd at 1:00 p.m., that being a Session day.)