



# State of New York

## Executive Chamber

No. 158

### EXECUTIVE ORDER

#### ESTABLISHING THE LGBT MEMORIAL COMMISSION

**WHEREAS**, on June 12, 2016, 49 people were murdered in a terrorist attack in Orlando, Florida that specifically targeted the lesbian, gay, bi-sexual, and transgender (LGBT) community, resulting in the loss of innocent lives to senseless gun violence;

**WHEREAS**, New York continues to mourn the victims of this tragedy and the loss of innocent lives to senseless gun violence;

**WHEREAS**, the memory of these and other victims must be honored as part of our on-going commitment to advance a compassionate and tolerant society where everyone can live free from prejudice and love whomever they choose;

**WHEREAS**, New York stands united with the LGBT community and all victims of gun violence and terrorism;

**WHEREAS**, New York is the proud birthplace of the national movement for fairness, justice, and equal rights for LGBT citizens and continues to be a leader in the pursuit of individual rights and freedoms for all;

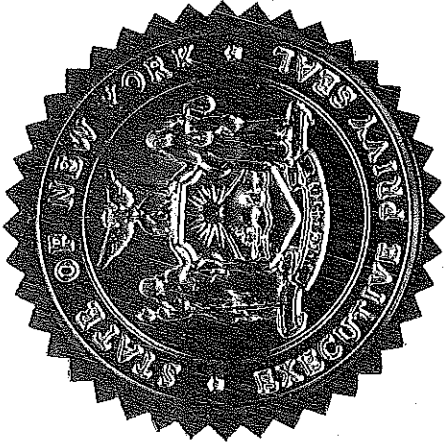
**WHEREAS**, under New York law, the act of intentionally harming a person based on a belief or perception of the person's sexual orientation is classified as a hate crime and subject to increased criminal penalties;

**WHEREAS**, in addition to enacting hate crimes legislation, New York has advanced and secured essential rights and protections for LGBT New Yorkers including enacting the Marriage Equality Act to allow same-sex couples to marry, adopting regulations affirming that all transgender individuals are protected under the State's Human Rights Law, banning the deplorable practice of conversion therapy, strengthening health care and insurance regulations to protect transgender New Yorkers, and committing programmatic and fiscal resources to end the HIV/AIDS epidemic.

**NOW THEREFORE, I, ANDREW M. CUOMO**, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do order as follows:

1. There is hereby established the **LGBT Memorial Commission (the Commission)**. The Commission shall provide recommendations to the Governor pertaining to the site, design, and installation of a memorial in the vicinity of the western portion of Greenwich Village in the City of New York to honor the victims of the June 12, 2016 terrorist attack, and to stand as an international symbol against ignorance, hate, bigotry, and gun violence.
2. The Governor shall appoint ten voting members to the Commission, which shall include individuals with a range of perspectives, interests, and specific knowledge concerning the LGBT community. All members of the Commission shall serve at the pleasure of the Governor.

3. A majority of the total members of the Commission who have been appointed shall constitute a quorum, and all recommendations of the Commission shall require approval of a majority of its total members.
4. Every agency, department, office, division or public authority of this State shall provide to the Commission such information, assistance and cooperation, including use of State facilities, which is reasonably necessary to accomplish the purposes of this Order. Staff support necessary for the conduct of the Commission's work may be furnished by state agencies and authorities (subject, as necessary, to the approval of the board of directors of such authorities).
5. The Commission may draw upon the human resources, expertise and funding of private institutions, as consistent with all laws and regulations regarding such assistance. Such assistance shall be provided without financial remuneration and shall not be provided under any circumstances that would create an actual conflict of interest, or the appearance of such a conflict.
6. The Commission shall commence its work immediately. On or before December 31, 2016, or such other time as may be specified by the Governor, the Commission shall complete its duties and activities described herein and provide its recommendations to the Governor, at which time the Commission shall terminate its work and be relieved of all responsibilities and duties hereunder.



BY THE GOVERNOR

*William J. Mahoney*

Secretary to the Governor

G I V E N under my hand and the Privy Seal of the  
State in the City of Albany this twenty-  
sixth day of June in the year two  
thousand sixteen.

A handwritten signature in black ink, appearing to read "A. Cuomo", written over a horizontal line.