NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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REGULAR SESSION

SENATOR TOM O'MARA, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT O'MARA: The house will come to order.

Please rise and join me in the Pledge of Allegiance.

(Whereupon, the assemblage recited the Pledge of Allegiance to the Flag.)

ACTING PRESIDENT O'MARA: Joining us today for the invocation is Soulemaine Konate, Imam, Masjid Aqsa, of New York.

IMAM KONATE: [In Arabic] In the name of Allah, the most gracious, the most merciful.

O, Allah, our God, by You we beg and to You we direct ourselves. And You we ask and for only You we wanted. We beg You for nothing but You, our Lord, and we appeal it to You by the great myth and grandest virtue. There is no God but You, all one only, all eternal and absolute.

Bring peace and tranquility into our counties and our cities, and make our countries and cities a place of security and provide its leaders with the many blessings and protection, guidance and wisdom. You

alone we worship, and You alone we ask for help for each and everything.

O Lord of Abraham, Moses, Jesus and Mohammed, may peace be upon them all. You are possessor of the kingdom and power. You give kingdom and power to whom You will, and you take the kingdom and power from whom You will. And You endow with honor whom You will, and You humiliate whom You will. In Your hand is good. Verily, You are able to do all things.

Amen.

ACTING PRESIDENT O'MARA: The reading of the Journal.

THE SECRETARY: In Senate, Monday, May 9th, the Senate met pursuant to adjournment. The Journal of Sunday, May 8th, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT O'MARA: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 28,

Senator LaValle moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 5971 and substitute it for the identical Senate Bill Number 3771, Third Reading Calendar Number 434.

ACTING PRESIDENT O'MARA: Substitution ordered.

THE SECRETARY: On page 30, Senator Nozzolio moves to discharge, from the Committee on Judiciary, Assembly Bill Number 6152 and substitute it for the identical Senate Bill Number 4666, Third Reading Calendar 449.

ACTING PRESIDENT O'MARA: Substitution ordered.

THE SECRETARY: And on page 30, Senator Valesky moves to discharge, from the Committee on Education, Assembly Bill Number 5719 and substitute it for the identical Senate Bill Number 3776, Third Reading Calendar 455.

ACTING PRESIDENT O'MARA: Substitution ordered.

Messages from the Governor.

Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, reports the following nomination.

For the Commissioner of the Office of General Services, RoAnn M. Destito, of Rome.

ACTING PRESIDENT O'MARA: Senator Libous.

SENATOR LIBOUS: Mr. President, after we have the report of the standing committees, before we do the next nomination, could we please go to motions and resolutions, and then we'll come back and do to the nomination.

ACTING PRESIDENT O'MARA: Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I believe that Senator Breslin has a resolution at the desk. He would like the

title read and if you would call on Senator Breslin, please.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 1716, by Senator Breslin, honoring Youssoufou Bamba, the new Permanent Representative of Cote d'Ivoire to the United Nations, and extending a warm welcome to him upon the occasion of his visit to Albany, New York, on May 10, 2011.

ACTING PRESIDENT O'MARA: Senator Breslin.

SENATOR BRESLIN: Thank you very much, Mr. President.

We are honored today to have the ambassador from the Ivory Coast to the United Nations with us. His Excellency, would you please stand.

And the Ivory Coast, as many of you know, has been in turmoil for the last couple of months after a very highly contested election. It once served as kind of the gateway in West Africa for the 16 nations there, and it will again. And we have

developed in the United States, and in particular in New York, a wonderful relationship with the Ivory Coast.

And the ambassador, his experience has been extraordinary. He has served in Korea, he has served in Austria, he has served in Japan and is really a well-known expert on world affairs.

And it should be noted that the new president is a Ph.D. from Penn State in the United States and is well aware of the friendship and the relationship that we have between the United States and the Ivory Coast.

And I welcome you here. I look forward to hearing your words. And I look forward to a very strong and warm relationship in the coming years.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Senator Perkins.

SENATOR PERKINS: Thank you very much.

First I want to underscore the words that were shared by Senator Breslin in terms of the extraordinary presence that we

have here today in terms of the ambassador of the Ivory Coast.

I have the privilege of representing many of his constituents who are a part of my district in the Harlem, East Harlem, Upper West Side, Morningside Heights area.

But one of the things I've learned about the folks from the Ivory Coast is as great as the man is, so is the woman. And I want to acknowledge the wife of the ambassador as well, because I know that the kind of leadership that she has been providing, and support for him and for the country, is something that is well-deserved and I want to appreciate that. I've seen that kind of leadership in my neighborhood.

And I'm sure that the Ivory Coast is on its way to a great future for not only the folks in the Ivory Coast but for the region, as well as for those of us from this country. We need to make sure that we forge the kinds of economic development ties with the Ivory Coast that we see valuable in places all over the world.

That is a place where its economy is ripe for the kind of partnerships that will benefit the folks from the Ivory Coast as well as those of us in this country and in other parts of the world as well.

Thank you very much for the opportunity to speak.

ACTING PRESIDENT O'MARA: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President.

I would like to add my voice to that of Senator Breslin and Senator Perkins as we congratulate the ambassador as he has accepted the responsibility as the permanent representative, and say to him and to his entourage: Akwaba. And certainly to Madam Bamba, welcome.

And it is with great pleasure that I support this resolution and thank you, Senator Breslin, for ensuring that we share in this cultural experience and we lend support to the growth and development of the new government that is coming to the Ivory Coast.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Thank you, Senator.

Senator Smith.

SENATOR SAMPSON: Thank you very much, Mr. President.

Ambassador Bamba, welcome to New York State. Welcome to your sister state with regard to our relationship with the Ivory Coast when it comes to economic development and education.

To my colleagues here today, this is a very important day for us in this chamber. The ambassador has a wealth of experience, being a former ambassador to Austria, the United Kingdom, Japan, Ethiopia, Korea. He has a master's in economics.

And you should understand that his purpose today was not one to just visit us but to also thank us as a state and as a country for the support that we've given to the Ivory Coast.

I want to thank our leaders in this chamber: Senator Sampson, for the warm welcome and reception that he put forward for the ambassador. I also want to thank the

President of the Senate, Senator Dean Skelos, for the warm reception in allowing the ambassador to come forward and bring greetings.

But I also want to thank all of you, my colleagues, because you are here today on this floor allowing the ambassador to see one of the most prestigious chambers in these United States.

Ambassador, you are witnessing a chamber that has a history that is as rich as almost the country of the Ivory Coast.

So we want to thank you for being here. We congratulate you on your appointment as of December. And we look forward to a relationship as one that is not only rich with the exchange of our culture and our education, but one that continues to exchange our spirit, which is more important than anything that we do as human beings on this planet.

Thank you very much, Mr. President.

ACTING PRESIDENT O'MARA: Thank you, Senator Smith.

The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Any opposed?

(No response.)

ACTING PRESIDENT O'MARA: The resolution is passed.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Mr. President, at this time could I ask a unanimous consent from the body to have Ambassador Bamba address the body.

ACTING PRESIDENT O'MARA: Yes, without objection.

SENATOR LIBOUS: Ambassador Bamba.

AMBASSADOR BAMBA: Senate Majority Leader Dean Skelos, honorable Senators, yes indeed it is a great honor for me -- through me, to my country -- to address this prestigious chamber.

Indeed, my country has emerged from a dire crisis. Over the past four months we have unfortunately witnessed a recorded 3,000 people killed. Killed because of the madness

of men clinging to power. The incumbent president of Cote d'Ivoire has lost the election, but he has refused to step down. And the world has witnessed this crisis, which has concluded by the arrest of the former President Gbagbo.

I'm here today before you to extend to the American people, through you, the gratitude of the Ivorian people, the government people, the government of Cote d'Ivoire, for the supports you have given to us during this crisis. You have supported democracy. You have supported civilian population who have been slaughtered by a dictator. We praise you for that. We commend you. We will be eternally grateful to you for that.

I come before you today to invite you, through the Senate Majority Leader, to attend the inauguration of President Ouattara on the 21st of May in Yamoussoukro. I come before you today to invite this great nation, United States, the great nation of democracy, to help us, to help Cote d'Ivoire to foster democracy, the rule of law in our society.

I come before you today to invite you to take part of the reconstruction of the nation of Cote d'Ivoire, to develop economic ties not only with Cote d'Ivoire but beyond, to the West African region, which comprises 250 million people, 250 million consumers, larger than the United States market. I'm here before you to invite your business community to take part of the development, economic development of Cote d'Ivoire.

I thank you for your attention.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Libous.

SENATOR LIBOUS: Thank you, Ambassador Bamba. Certainly, on behalf of all the members in the chamber, it is an honor to have you with us here today, and we certainly appreciate your remarks. Thank you, sir.

Mr. President, I believe that Senator Diaz has a resolution at the desk. Could we please read it in its entirety and then call on Senator Diaz.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 520, by Senator Diaz, commemorating the 100th Anniversary of the founding of the Republic of China.

"WHEREAS, The Republic of China, which was founded by Dr. Sun Yat-Sen in 1912, was the first republic in Asia; and

"WHEREAS, 2011 marks the 100th anniversary of the founding of the Republic of China; and

"WHEREAS, For more than several decades, the Republic of China has worked to establish itself as a strong and successful model of democracy in Taiwan and remained a bright beacon of democracy in Asia and the world; and

"WHEREAS, Through Cross-Strait dialogues, the establishment of the Economic Cooperation Framework Agreement with Mainland China and a policy of flexible diplomacy which are implemented by the government under President Ma Ying-Jeou, Taiwan has transformed itself to a cornerstone for peace and prosperity in East Asia; and

"WHEREAS, Taiwan is the ninth

trading partner and one of the strongest democratic allies of the United States; and

"WHEREAS, The United States assisted Taiwan in participating in the World Health Assembly as an observer in May of 2009, and will continue supporting Taiwan's meaningful participation in other United Nations-affiliated organizations such as the International Civil Aviation Organization and the united nations framework convention on climate change; and

"WHEREAS, In order to further strengthen the relationship between the United States and the Republic of China, the government of the Republic of China has expressed its hope that the United States will sign a bilateral extradition treaty with Taiwan, include Taiwanese passport holders into the visa waiver program, resume negotiation on a trade and investment framework agreement, and sign a free trade agreement with Taiwan in the near future; and

"WHEREAS, The State of New York exported $1.5 billion worth of products to Taiwan in 2010, making Taiwan the 15th largest

foreign market for New York State in 2010, strengthening our economic ties; and

"WHEREAS, Many of the United States' top 500 companies headquartered in New York have invested in Taiwan, including IBM, Pfizer, Corning, Citigroup, MetLife, J.P. Morgan and New York Life; and

"WHEREAS, The State of New York is home to a thriving overseas Taiwanese community. Both the government of Taiwan and Taiwanese Americans devote themselves to local community service in the State of New York. New York State has maintained a friendly and fruitful sister-state relationship with Taiwan for many years; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commemorate the 100th anniversary of the founding of the Republic of China and to express and record its strong commitment to a closer economic partnership with Taiwan; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to President Ma Ying-Jeou of the Republic of China through the Taipei Economic and Cultural

Office in New York."

ACTING PRESIDENT O'MARA: Senator Diaz on the resolution.

SENATOR DIAZ: Thank you, Mr. President.

Today I'm very honored and proud that we in the New York State Senate are commemorating the 100th anniversary of the founding of the Republic of China. This commemoration, Mr. President, is not only a personal celebration for the people of Taiwan but a celebration for democracy throughout the world.

Mr. President, I was struck by something that I read in the history of Taiwan. The people of Taiwan share a conviction that their future must be based on freedom, democracy, human rights, the rule of law, and that only they have the right to decide their own future.

In just -- Mr. President and ladies and gentlemen, in just 100 short years Taiwan has accomplished the following: A literacy rate of almost 98 percent. 1.3 million students are enrolled in institutions of

higher education. In several categories relating to the global share of information technology, Taiwan ranks either first or second.

Taiwan is not only, ladies and gentlemen, an important economic partner of the United States, it is a strong economic partner for the State of New York as well. As we heard in the resolution, New York State exported $1.5 billion worth of products to Taiwan, making it the 15th -- and I repeat, making it the 15th largest foreign market for New York State in 2010.

On a personal note, Mr. President, I have been blessed to be associated with the Taipei Economic and Cultural Council for more than 10 years. I have been especially moved by the Taipei Economic and Cultural Council's commitment to our children's education. This year, as in the past, they have generously donated backpacks filled with school supplies for the annual celebration of the Three Kings that I conduct in my district every year.

We deeply appreciate Ambassador Kao's efforts and the generosity of his

associates who donated more than 700 backpacks filled with school supplies to our underserved schoolchildren. As the children in the South Bronx returned to school in January, they had a little extra confidence with those gifts to succeed.

Mr. President and ladies and gentlemen, with us today to celebrate this important occasion are Ambassador Andrew J.C. Kao and Mr. David Chien, director of the Taipei Economic and Cultural Office.

I am pleased to welcome each of you today to the New York State Senate chamber, and I am privileged, I am privileged to consider you my friends.

Mr. President and ladies and gentlemen, in closing I want to once again offer my sincerest congratulations to the people of Taiwan as their beloved country reaches this important milestone. May it have many, many more.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Thank you, Senator.

Senator Stavisky on the resolution.

SENATOR STAVISKY: Yes, thank you, Mr. President.

I too want to congratulate our friends from the Republic of China, Taiwan, on the 100th anniversary of its founding by Dr. Sun Yat-Sen in 1912.

Taiwan is a democracy in a part of the world sorely lacking in democratic institutions and democratic ideals. And they have had leadership right now under President Ma where they have become an economic force, an economic engine in many parts of the world, but particularly in New York State and indeed in my district in Queens County.

And I thank Senator Diaz for introducing this resolution, because we understand the importance of the Republic of China. The State of New York is a major exporter of goods to the Republic of China. And in return, they have come and made an investment in New York, and particularly in Queens County and in Flushing. In fact, I'm very proud to represent more than 100,000 Asian-Americans living in Queens County in my

district.

And what is happening in Queens, for any of you who have been there recently, you see an economic resurgence, almost a renaissance of development. The economy is thriving. Buildings are going up, there's a lot of construction going on.

And in addition, they are contributing to the cultural and political infrastructure in our political system. The culture -- the music, the art, the art galleries -- so much is happening. And in fact, the Taipei Economic and Cultural Office recently opened a district office for themselves in Flushing.

So I congratulate Ambassador Andrew Kao, his director of the Taipei Economic and Cultural Office, David Chien, and welcome them once again to Albany.

And let me add one other point. Senator Diaz spoke about the educational system. And I was very proud to visit one of their universities in Kaohsiung, in the southern part of Taiwan. They have a system of public higher education in their nation,

but they have sister relationships and programs throughout the world. And I'm very proud that some of these programs do exist in the State of New York.

So I welcome them once again, my friends from Taiwan, and wish them a very congratulatory year as we celebrate the hundredth anniversary of the founding of the republic of China. Zhe-zhay [ph].

ACTING PRESIDENT O'MARA: Thank you, Senator.

This resolution was previously adopted by the Senate on February 15th.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

At this time could I ask my colleagues if we could have unanimous consent to have Ambassador J.C. Kao address the body. Mr. President, unanimous consent?

ACTING PRESIDENT O'MARA: Without objection.

Ambassador.

SENATOR LIBOUS: Thank you.

Ambassador Kao, would you at this

time address the Senate?

AMBASSADOR KAO: Mr. President and all the honorable Senators of the great State of New York, it is my great honor to accept this resolution which symbolize the close-bound and also the cordial relations between the two sister states New York and Taiwan.

So on behalf of the government and also the people of Taiwan, I accept this resolution with great honor and pride and deep appreciation.

It is my firm belief that with our joint efforts of both sides that we can further enhance the already close relations in the future.

Thank you so much.

(Applause.)

ACTING PRESIDENT O'MARA: Senator LaValle.

SENATOR LaVALLE: Mr. President, can we go back to reports of standing committees.

ACTING PRESIDENT O'MARA: Returning to reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, reports the following nomination.

As Commissioner of the Office of General Services, RoAnn M. Destito, of Rome.

(Applause.)

ACTING PRESIDENT O'MARA: Senator DeFrancisco.

SENATOR DeFRANCISCO: Thank you for that round of applause. I've never gotten one before when I've moved a nomination, and it's really very nice of all of you.

(Laughter.)

SENATOR DeFRANCISCO: I proudly stand to move the nomination of RoAnn Destito, who has been nominated by the Governor as commissioner of the New York State Office of General Services.

This is again an outstanding appointment by the Governor. Her experience in the Assembly is second to none. She was chair of the Governmental Operations Committee, which gave her insight that will be extremely important for her in carrying out

her duties.

Another thing that's important to me is that she's a Central New Yorker, and the Governor recognizes that this part of the state does exist, with good strong people to do good things for the State of New York.

But the one thing I want to mention, and then I'll let others speak on her behalf, is not only her outstanding work in the Assembly but her character and her persistence in everything that she did while in the Assembly.

And lately both of our bodies, both the Assembly and the Senate, have been tarnished by a few scandals. And all of us, including the Assembly members and the members of the Senate, who try do the right thing are tarnished by that and we're painted with that same broad brush.

Well, it's truly refreshing for the Governor to pick out one of our finest to show that the Legislature of the State of New York does have good people that do good things and do them in the right way. And that's what RoAnn Destito symbolizes.

The affection that she has by her members, the members of the Assembly, is well shown by all the Assembly members who are here today. There were more here earlier, but we had to conduct foreign relations first and they had to go back and actually have their own Assembly session.

So with that said, I am very proud and pleased to move the nomination of RoAnn Destito, and I would call on Senator Griffo to second the nomination.

Thank you.

ACTING PRESIDENT O'MARA: Senator Griffo.

SENATOR GRIFFO: Thank you, Mr. President.

I want to welcome Assemblywoman Destito and her family and the friends who are with us today in the East Gallery. Also to the members of the Assembly who are with us today.

RoAnn, you may have done another first. You've brought the entire Assembly into the Senate chamber, and we can have a joint session.

(Laughter.)

SENATOR GRIFFO: I know the Speaker was also here a little earlier.

And it is a day of mixed emotion, because there are many fond memories from a long and distinguished career in serving with the members of the Assembly in the Legislature, working with all of the Senate and the governors throughout her tenure.

So it's a day of mixed emotions remembering those fond memories and having a great understanding and appreciation for that, but also it's a time of excitement and renewal and opportunity to undertake new challenges and to embark upon a new path and to use her talent and skills to try to bring us in a direction that we all believe we can achieve greatness in the state again.

And that's why I want to thank the Governor, first and foremost, because the Governor made an excellent choice. He has an exceptional candidate here. And we need to give him our thanks and appreciation for his ability to select wisely.

And today, surrounded by the people

that she is with, her family and friends I think speak a lot about the individual, as Senator DeFrancisco said, an individual who has been well grounded throughout her entire life, who has a solid foundation on which to lean. That is where she I think got this great skill and interest in public service.

The daughter of a firefighter and a public health nurse, early on in life she understood the importance of public service and had a willingness, an interest and a desire to serve her community and to serve the people in her community.

So I think that is something that really was developed as a result of a good family and a good foundation. And I think we owe a lot of appreciation to the people that surround her today for what they did.

RoAnn has been somebody who the hallmark, in my opinion, of what she has been all about is her persona -- someone who is accessible, someone who is approachable, someone who has demonstrated compassion, someone who has reached out continually to various elements and segments of the community

and who's always conducted herself with dignity and integrity.

She undertook her responsibilities as a colleague, and many of us are assembled here today -- and the Speaker is with us again. Welcome, Mr. Speaker. And again, a testament to RoAnn's leadership. I know he doesn't want to lose her; right, Speaker?

But the fact here is that as a colleague of all of ours in government, what I always admired -- and I appreciate her mentorship and guidance, particularly as a new member of this Legislature -- is her energy, her enthusiasm, her dedication to ensure that she stayed focused and wanted to get the job done. Because she understands the importance and the significance of getting results for the people that we all serve.

She has been a tenacious advocate, someone who really understands and appreciates the importance of working together regardless of region or political affiliation. So I think that is something that I learned and a lesson that I believe we can all learn.

And she was also very smart. She

assembled a very talented staff, and they have served her well -- they are with her, I know, upstairs in the gallery today. So as a result, they had a good grasp of the issues, and they fought hard and they really focused on the issues that I think were important to all of us as a state: Improving our local economy, affordable and quality healthcare, enhancing education, both primary, secondary and higher.

These are the areas that RoAnn really wanted to make a difference in, as well as making state and local government more accountable. And I think that's where Governor Cuomo really saw some talent that he needed to tap.

So those are things, working with her, that I really appreciate, particularly the challenges that we've had to overcome from our community that we come from, some of the darkest days with economic challenges. But it was a resiliency, it was a determination, it was a willingness to say we can achieve good things if we continue to work together. And she was a real leader in those efforts, and I

really respect that and appreciate all of that hard work.

So I think one thing we can all say about RoAnn -- and we all know this -- that she's incapable of being stonewalled. So beware, bureaucracy. Because if she goes to the Office of General Services, a very significant department, she has pledged -- I know that she will follow up on this -- a willingness and a responsiveness to working with the Legislature and various segments and agencies across the State of New York. So we look forward to that.

In fact, for a long time you were used to taking the heat; now we need to turn to you to provide us some heat during those winter months. So we know -- because OGS has that responsibility to take care of our buildings. Somebody was going to applaud there, I think; that's good.

(Laughter.)

SENATOR GRIFFO: So the other thing is RoAnn has been extremely involved in the community as an important part of the community, as a person. And for that she has

been recognized and she has achieved and been given countless awards and citations, not only in our local community but across the state. And I think that is a recognition and tribute to the many things that she has done and the many things she means to so many different people. And I think that's another important thing to note today.

But I think, most importantly, is she takes another effort really as a pioneer, because she will be the first woman commissioner of the Office of General Services, the significant department that has all of these responsibilities in state government. I think that is something again to give kudos to the Governor, because when he selected, he selected well again in another pioneering way, that RoAnn Destito will be the first commissioner to take on that responsibility. I know she will do it with the same attitude, she will do it with the same approach and the same dignity and hard-fought and hardworking ethic that she possesses and will bring to the job at OGS.

And I think in the end what I would

say today, because I know a lot of members want to say something, is in the end it comes down to balance. And she has been able to achieve great balance in her life, because she not only fulfilled the professional demands and responsibilities of elective office, but she had to balance that with taking care of her family and did it in a way which really exudes class.

And that is something I know that's so important. That's why so many people are here to support her today. She was a great daughter, sister, wife and mother. And today with her is her mom, her brother and her son, as well as many other extended members of the family and friends who are here today. And I know today Chris and her dad Maurice are smiling.

Congratulations, and I second the nomination.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Nozzolio on the nomination.

SENATOR NOZZOLIO: Mr. President, on the nomination.

Mr. President and my colleagues, since the nomination of RoAnn Destito to head the Office of General Services was made public, I looked forward to this moment when I could rise and stand and support this nomination and compliment Governor Cuomo on the wisdom of his choice.

I stand because I have had the honor of working with RoAnn in the Assembly and in the Senate in a lot of different ways. And that clearly she was, and is, always helpful, always trying to find the solution, always looking to be supportive of what's important to upstate New York and particularly the Central New York region.

I also have always been impressed and admired how RoAnn worked in a bipartisan fashion, never giving care to politics or the political edge, always willing to lend a hand and to fight for something that she believed in and that members of the region believed in.

I particularly was honored to serve with RoAnn on the joint conference committees in the areas of public protection. I see the cochair of the public protection committee,

the joint budget conference committee, Assemblyman Lentol, is here. And although he was the chair, along with Senator Volker, they could never explain the 911 system and the complexities of the public protection emergency services system. As a matter of fact, Senator Volker tried to explain it. Assemblyman Lentol was smart enough just to say: "RoAnn, would you please explain it for us?" Because year after year there's no one who has been able to grasp the complexities of that particular project more than she.

And that this nominee -- if this nominee can understand that system, the rest of the complexities of state government will be easy for her as she now is in this new important position.

I rise not for any reason other than to thank RoAnn Destito for her service in such a kind, supportive, nonpartisan fashion in working for legislative solutions. And that I only believe that this quality person will make a quality commissioner, and as such am proud to stand in support of this wonderful nomination.

Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Maziarz on the nomination.

SENATOR MAZIARZ: Thank you very much, Mr. President.

It's great to see so many members of the Assembly here. Mr. Speaker, it's great to see you here. I said that when you all leave, if you want to take Senator Gianaris back with you, and Senator Peralta, feel free. Feel free. We won't miss them.

(Laughter.)

SENATOR MAZIARZ: You know, RoAnn, we've been here for a lot of years, many of us have been here for a lot of years, and never have we seen this outpouring from the other house.

And we always speak so highly of all of you over here, by the way.

(Laughter.)

SENATOR MAZIARZ: We've never seen the Speaker and so many members come over here. And it's indicative of the respect and admiration and love that they have for you,

RoAnn.

When I picked up that newspaper and I saw that the Governor had nominated you, I said to my wife, I said, "One of the good people got a great appointment here."

You will do an excellent job. I think all 62 members here are going to speak up on what a great appointment this is, RoAnn. Senator Alesi asked me to tell you that he needs new paper and a desk and all this other stuff. But --

(Laughter.)

SENATOR MAZIARZ: So you'll be getting a lot of calls from us.

But congratulations to you and to your family that's here. This is a great person. We are going to miss her in this area. But we know she's going to do a great job for all the people all over the State of New York.

Congratulations, RoAnn, and good luck to you.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

RoAnn, you've made history here today. I don't think any of us have ever heard Senator Joe Griffo talk as long on any issue before the State Senate. So there's got to be something going on here.

Now, Senator Maziarz made mention of the fact that there will be some requests from some of the members as to your new position. I personally have a small list.

(Laughter.)

SENATOR MARCELLINO: But I wouldn't dream of presuming upon you to do that, so I'll wait until about 5 o'clock when you're in your new offices, and I'll send you my list of needs for our offices.

(Laughter.)

SENATOR MARCELLINO: RoAnn, congratulations. You're a good person. I know your family knows that, and I know your colleagues who have shown up and are here today to speak on your behalf.

It was a pleasure working with you in the Italian-American Legislators group. I

look forward to your continued attendance at those meetings. We could use the food.

And I appreciate, again, if you put -- I appreciate your work ethic, because if you put one-tenth of the effort in this new job that you did in working for the Italian-American Legislators and in your position as an Assemblywoman, this place is going to be spick-and-span and running like Topsy in no time.

So thank you, God bless you. And Godspeed.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President.

A couple of my colleagues on the other side, Senator Maziarz and Senator Griffo, keep talking about the Assembly members being here. I'd suggest that -- and Senator Griffo, how many of them are together. And, you know, we meet once a year for Regents. I'd suggest there's more combined members here than there ever was for a Regents

vote.

And Senator Maziarz suggesting that maybe you would be responsible for bringing some Senators like Senator Gianaris back to the Assembly -- I won't individually point out on the other side those people who come from the Assembly, but there's a few that we'd consider sending back as well.

(Laughter.)

SENATOR BRESLIN: And I'd be glad to provide Senator Libous with that list immediately after session.

But the serious matter is that -- and again, to concentrate on the other side, there's a story that I think shows you what RoAnn Destito is about.

When I first got to the Senate 15 years ago, I had a long chat with RoAnn and we talked about some of the people in this house and that house. And I'd heard the Senator in her area was Ray Meier, who I at that time did not know. And I asked RoAnn about Ray Meier. And she proceeded not to say anything about Democratic, Republican. She talked about Ray as being a very bright, caring, good on the

issues, does his homework and a wonderfully nice guy. And that's exactly who Ray Meier is. And he became a very good friend of mine.

But it showed the nonpartisan part of RoAnn Destito. And not to say, rightfully, that RoAnn can't be partisan, because I admire that part of her as well.

But most of all, I admire the combination of her attributes -- her decency, her honesty, her work ethic, her involvement in everything. And the discussion has been on education, it's been on healthcare, it's been on constituent services, it's been on 9/11. And all of those are true. And there's nothing that RoAnn Destito can't do.

And this Governor has again provided just a wonderful appointment, a wonderful appointment that OGS will -- it will be a challenge, but not a tremendous challenge for someone with the qualities and abilities of RoAnn Destito.

I wish her every success, and I know she'll have them and she'll continue to have more. Congratulations.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President. I too want to rise with my colleagues and second this great nomination.

And RoAnn, I'm a little nervous because the Speaker is sitting right here and I want to make sure I do the right thing. And he'll let me know if I do the wrong thing, I'm sure.

(Laughter.)

SENATOR LIBOUS: You know, all of my colleagues have mentioned your diligence as an outstanding Assemblyperson, one who serves the public, one who cares about people. I had to do some checking on my own.

You know, in 1997 I had the pleasure of going to Italy with RoAnn. And we went to Italy and had a great time. And during the trip we saw some good things and ate some good food. And if anyone from the Italian government was here today and I told them that the -- as we met with those many leaders, if I told them that Governor Cuomo had appointed you, they would say "Molto

bene" -- very good, very good.

And, you know, my family is from the Utica area. And certainly they have said, over the years, the commitment that you've made, the work -- and they're all Republicans, and they like you. And they supported you.

(Laughter.)

SENATOR LIBOUS: So it is indeed a pleasure to have you go into this very important position. I just want you to know that I had the Million-Dollar Staircase cleaned for your arrival today.

(Laughter.)

SENATOR LIBOUS: I met with Deputy Commissioner Hill, who probably does not like me, and we went through the building a couple of weeks ago. And I said, "You know, Assemblywoman Destito is going to become the new commissioner, we have to make sure that this building is in good shape for her."

So I wish you the very best, look forward to working with you in your new role. The people up in the Utica-Rome area are going to miss you because you're an outstanding representative. And God bless you.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Smith.

SENATOR SMITH: Thank you very much, Mr. President. On the nomination. I rise to second that nomination.

RoAnn, I just want you to know, my office is 808 in the LOB. So when in fact the time comes and I need a little polish or anything done, just don't forget me.

But let me also say to the Assembly colleagues that are here, it's really nice to see you. It really says a lot to see so many of you standing around here. I'm looking at -- now for some reason, all of the ladies are sitting down against the wall. Does that mean that in the Assembly chivalry is not dead, Mr. Speaker? Well, that's an important thing.

And to my Assemblywoman, Audrey Pheffer, and also Michele Titus, I will have you know that the Assemblyperson that I met after the two of you gave me my key to the bathroom when I first got elected was RoAnn, who was the young lady who said, "You got

elected to the Senate, you look like a kid, but you'll do all right here." And never did I realize at that moment that I'd end up rising to be the president of the Senate one day.

So I want to attribute some of that to you, RoAnn, because you told me, very much so, you should try to aim as high as you want to.

Let me say to the Governor, this was a tremendous selection. There are certain things that you do on this floor in the Senate that makes you feel good. Sometimes it's talking about someone that you know who has done a good deed and you do a resolution for them; sometimes it's a bill that you pass that you worked on for years.

Today, being able to stand up and talk about RoAnn is a good thing. It's just a nice thing. We feel good about it. We can sleep good tonight about it knowing that the Governor has put a commissioner in charge of an agency that is probably one of the most challenging agencies to run from the governmental operations side, where she was

chair. Understand, colleagues, this is a very difficult operation to manage.

So the Governor -- and we all know how the Governor deliberates in his selection of individuals to work in his operation. It took time for the selection. While we are sharing a lot of pleasantries today, and I know we're happy about RoAnn, think about the caliber of the individual that is being appointed. The Governor is a very discerning person. He goes through a great deal of deliberation before he selects the individual that he places in the authority to run an operation that requires a tremendous amount of intellect and skill.

What he has done today is selected skill and intellect first. And so for you, Mom, for all the effort that you've put into raising this fabulous young lady, I congratulate you. Because for all the things that you told her when she was growing up that she may have disagreed with you on, she now recognizes that you were right.

(Laughter.)

SENATOR SMITH: And so,

Mr. President, it is with great pleasure that I stand on this floor of the Senate on this tenth day of May in 2011, at five minutes after 4:00, to be one of the individuals that will be able to go down in history saying that I had the opportunity to second the nomination of the first woman ever to be appointed by a Governor who we all recognize has used a tremendous amount of discernment when he selects somebody. It is a tremendous pleasure for me to stand here and second this nomination, Mr. President.

And to my colleagues, you might be losing a very talented young lady, but you are gaining a commissioner that you will have no worries about when it comes to managing the operations of this great state and the buildings in one of the greatest states in this country.

Congratulations to you.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Valesky.

SENATOR VALESKY: Thank you very much, Mr. President.

I too am very happy to be able to stand and second the nomination of RoAnn Destito as commissioner of the Office of General Services.

First, I want to also thank Governor Cuomo for this nominee. And, you know, when this session concludes and we look back at the highlights of this legislative session, I doubt many reporters will write about the nominees that the Governor has sent to this Senate for confirmation. But they should. Because the quality and caliber of nominees that Governor Cuomo has sent to this State Senate this session has been nothing less than remarkable. And RoAnn Destito certainly tops that list.

Each member of this house and those members of the Assembly who are here I'm sure have a story or an experience or something to reflect on in terms of their working relationship as a fellow legislator with you, RoAnn, whether that be in your role as chair of the Assembly Governmental Operations Committee or the whole host of issues that you have been concerned about. And most

particularly, I know how important education is to you. And every year when we would gather in the Speaker's conference room with superintendents to talk about support for our public schools in the Mohawk Valley and throughout Central New York, how critical and important that is. And we all have those experiences, and we're thankful for those experiences in working with RoAnn.

But I think more than that, Senator Griffo and I are two very fortunate Senators, because only he and I have the good fortune of sharing constituents with soon-to-be-former Assemblywoman Destito. And as a result, Senator Griffo and I have the pleasure of working not only here in Albany but where it's really important, back home, back in the district.

And as I have had that opportunity over the years, RoAnn -- and you know, we all as elected officials hope that the actions we take and the words we say and the things we do engender a respect for each and every one of us based on the work we do. But I want the members to know here that when you watch RoAnn

represent her constituents and you see the kind of love and affection that her constituents feel for her, that's something very special. You know, and that's not something that we all have. It's something we all would hope to have, perhaps, and it's something we might strive to achieve, but that is an indication to me of a public servant who is truly, truly special in the eyes of the people that she serves.

So, RoAnn, I know that back home, you know, your constituents, some might be a little sad to be losing you in providing representation for them in the State Assembly. But I know and Senator Griffo knows that the 19.5 million New Yorkers are the ones who are gaining so much as we confirm you here today on the floor of this State Senate as commissioner of the Office of General Services.

Congratulations.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Seward.

SENATOR SEWARD: Thank you,

Mr. President.

I'm delighted to join my colleagues in rising to support the confirmation of RoAnn Destito as our next commissioner of the Office of General Services.

And to our colleagues from the Assembly and the many guests in the gallery, I just want to say welcome to RoAnn Destito Day in the State Senate.

(Laughter.)

SENATOR SEWARD: It certainly has proven to be that, and appropriately so.

You know, following up on Senator Valesky's comments, even though I do not actually share constituents with RoAnn, because part of my Senate district, particularly Herkimer County, is part of the Mohawk Valley I have had the good fortune of being a member of the Mohawk Valley delegation here in Albany. And RoAnn and I and of course a number of our colleagues have served together, working together in a bipartisan way on behalf of the people of our region of the state.

And I have witnessed firsthand how

hard and tirelessly RoAnn has worked on behalf of our region, whether it is working to bring good jobs to the Mohawk Valley, fighting for our schools and our educational system, fighting for good quality healthcare and daycare for our region, and of course working to bring transparency and accountability to government, both the state and local governments.

RoAnn has been a tireless and effective advocate for her constituents in our region of the state. When I think of RoAnn Destito, I would have to say that she is the consummate public servant. And the people of the Mohawk Valley have benefited greatly because of her service over the years in the Assembly.

And now the people throughout the state will benefit from her talents and her energy. She will be a member of the Governor's cabinet and our commissioner of the Office of General Services.

So I'm delighted, RoAnn, to stand here to congratulate Governor Cuomo on an outstanding nomination, to congratulate you

personally and your many family and friends who are joining you here today. I know that you are going to be an outstanding commissioner, based on your record, and I wish you all the best and Godspeed.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Skelos.

SENATOR SKELOS: Thank you, Mr. President.

I too would like to join my colleagues in supporting your confirmation, RoAnn.

I'd like to start off by welcoming the Speaker to our chamber. Welcome to all of our Assembly colleagues and friends. When I walked in before, I thought we were going to be doing a Regents confirmation with all the Assembly people here.

(Laughter.)

SENATOR SKELOS: But, RoAnn, you've been an outstanding public official in the Assembly -- always greeting people with a smile, the fact that you work so diligently on behalf of your constituents. And I know that

the Governor has made a wonderful appointment.

I know also you must be having some mixed emotions here because you see the love and affection that your colleagues have for you, certainly in the Assembly where you've served with them for so many years. But remember, you have an awful lot of people in the State Senate here that also have a tremendous amount of respect for you.

And we know that you're going to be an outstanding commissioner and that our work with you will continue, just in a little different vein. So congratulations to you.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Fuschillo.

SENATOR FUSCHILLO: Thank you very much, Mr. President.

I too rise, really out of fear that if I don't say anything nice about her, she'll call me tomorrow and say, "What the heck's the matter with you, you couldn't get up and talk about me?"

(Laughter.)

SENATOR FUSCHILLO: I rise for no

other reason -- I share no constituent stories, we represent districts on opposite sides of the state. But I rise because over my more than 13 years in the Legislature now, I've got to know a lady who is just terrific. Has a lot of class.

She's not shy. She came to my office last year and said, "Why is your door shut? If you're going to keep it shut, put a sign on it that says 'Open. Please come in.'" I didn't do it, and one day she came back and she yelled at me, "Where's your sign?" So on the third day, I had that sign up there.

You know, you've always carried yourself with such grace and dignity and class and compassion. You're very considerate. And I made you cry in the Senate Finance, and I apologize for that.

But this is a new chapter in your life and one that is certainly worthwhile, and you've earned it. And while you have your family and friends here, and so many loved ones here, and the Speaker in the Senate chambers, I know that those that aren't here are looking down upon you and they're smiling

because this is a great day for you. And it's just another extension of your life.

I wish you the best, and I know we'll see each other soon. I proudly vote aye on this nomination, Mr. President.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

I too rise and congratulate our Governor on this very important appointment of RoAnn Destito as the next commissioner of Office of General Services.

I've had the privilege of serving with RoAnn in the Assembly for 10 years. And when you serve in a legislative body, and especially when you're new to that legislative body, you sort of, you know, look to other members. And you sort of learn some of the good things that they do. And certainly RoAnn was that person -- her intelligence, her work ethic, and most importantly, I think, her dedication to the residents of her district and to the residents of the State of New York.

She was someone who cared deeply about public service and fought hard for the people that she served. I remember when Griffiss Air Force Base closed in her district, it was the federal government that did this. A member of Congress should have stood up and, you know, fought it or tried to get something there in its place, but not RoAnn. RoAnn stood up, took it upon herself, shouldered the burden.

I remember traveling to Israel with Speaker Silver and RoAnn where she actually single-handedly managed to get an Israeli helicopter company to locate at Griffiss Air Force Base, thus not only saving jobs but creating jobs.

These are the types of things that unfortunately most elected officials don't do. They take their job not as personal, sometimes, as RoAnn did. But RoAnn, I think, when she saw that air force base close, she felt very personal about it. She knew the people that worked there. She knew it meant jobs to her community. And she knew she had to do something for the community that she

loved.

And I know she's going to take her intelligence, her work ethic, and I think her zest for public service and make an outstanding commissioner.

It's my pleasure, Mr. President, to second this nomination.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Gianaris.

SENATOR GIANARIS: Thank you.

Mr. President, I'm very proud to be a member of the State Senate. I enjoy greatly serving with my colleagues. I can tell from listening to Senator Maziarz earlier that they enjoy serving with me as well.

(Laughter.)

SENATOR GIANARIS: But the fact is that my arrival here was bittersweet for me because I was leaving a lot of friends behind in the Assembly. So it's so good to see so many of them here joining us today.

And what's making the move just a little bit easier for me is that one of the people who I missed the most in the Assembly

will no longer be serving there, because we're confirming her today to be the commissioner of the Office of General Services.

RoAnn Destito, for many of us, was a role model in the Assembly. We deal with a lot of difficult and controversial decisions in the Legislature, as everybody here knows. And one of the things that always swayed me on those moments was asking myself the question or asking RoAnn the question what is she doing on this issue. She is a person who is a barometer, and has been, of doing the right thing.

And, for me, someone with such integrity, with such intelligence to be serving in this role could not be a more perfect pick for this administration. The Legislature's loss in this case will be the Governor's gain. But I know we all look forward to working with her in a new capacity and helping her be every bit of the success that we know she will become.

So congratulations to RoAnn Destito, and I urge everyone to vote in favor of the confirmation.

(Applause.)

ACTING PRESIDENT O'MARA: Thank you, Senator.

Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President.

I, like many in this chamber, did not serve with RoAnn Destito in the Assembly. But I can tell you that in the women's caucus and on the issues of MWBE, we could not have done without her.

She's a contradiction in terms. There's a calmness, but there's such a strength behind the way she deliberates. And when it got real hot and furious in the women's caucus at times, she'd say, "Well, why don't we take a look at this." And it was the calmness that she brought to situations.

And believe me, in state government we need that kind of calmness. We need somebody who is going to look at the big picture and to ensure that we don't become parochial in the way that we run OGS. And I can depend upon her to know that.

I'm going to miss her as somebody

who I've come to respect and admire in this position. But I'm also glad that she's only a phone-call-extension away in terms of still being there for us. I think that we all know she will always be there when we need her to be. She's changed capacities, which is wonderful for her and certainly is going to be wonderful for the State of New York.

We're going to miss you greatly. Congratulations to you personally. Thank you. Thank you, Mr. President.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

I rise today to also commend the Governor for a great choice in RoAnn Destito. It is truly evident to see that RoAnn Destito is a great choice because you have so many Senators from both sides of the aisle stand up and praise RoAnn Destito.

RoAnn Destito represented her constituents of the 116th Assembly District with dignity, respect and professionalism.

And I know she is going to bring the same type of passion, the same type of integrity, the same type of sincerity and warmth that she brought to her district to OGS.

RoAnn Destito epitomizes work ethic, commitment, dedication. And she understands, she has a true understanding of the State Legislature.

She is so popular, at one point she was so popular that when there was a vacancy for the Secretary of State and they were looking for a Latino, we recommended that she change her name to RoAnn Destito Sanchez.

(Laughter.)

SENATOR PERALTA: That didn't quite work out. But the Governor actually, I think, got the message and he nominated her for commissioner of OGS.

RoAnn is loved, as you can see, by so many of the Assembly members that are here today that come here to pay her tribute. But she's also going to be missed. And I know that she's going to be hearing from many of her colleagues in the Assembly as well from many of us in the Senate. And there's already

a list that's growing.

But I want to congratulate the Governor. I want to congratulate RoAnn Destito for accepting this commissionership, because I know you're going to do a great job, RoAnn. Thank you so much for all you've done for all of us. And I know you're going to do a great job as commissioner of OGS.

I second the nomination, Mr. President.

(Applause.)

ACTING PRESIDENT O'MARA: Thank you, Senator.

Senator Larkin.

SENATOR LARKIN: Thank you, Mr. President. It was a long wait, but I'm glad.

You know, Ro, your mother's sitting there. Joe and I were talking, and Tommy, about our trip to Italy. And when the Pope said to you -- the Pope looked at you and your mother and he said, "Where are you from?" And Ro was a typical New Yorker: "I'm from Rome." He said, "You didn't have far to come, did you?"

(Laughter.)

SENATOR LARKIN: You know, I go back, bills that we've worked on, things that we've done in your area, in mine. My proudest moment was the fact that whether it was somebody in Ulster, somebody in Orange that had an issue that you could help address, you did it wholeheartedly. You gave it every bit of your knowledge, your honesty, and your integrity.

I just want to tell you something. A few days after she got appointed, you know, a smart Irish Catholic, I call her up and say, "I have a constituent that he has a problem and an idea." And she said, "Where are you?" And I told her. She said, "Would you believe I'm on the Canadian border?" I said, "Would you take this message?" She said, "No, give me his number and I'll call him."

Two hours later he called me back and he said, "I just met on the phone one of the nicest human beings in public service." And I said, "I told you."

She followed up it with Steve and everything else. We have a constituent that

was ready to go to Connecticut, and because of you he's going to stay here. But that's a mark of all your service. You always put those that need assistance before yourself.

But I just want to tell you that if you think you're going far away, you're not. We all know John Egan's old number, and we were told it's yours now. So we will get to you.

(Laughter.)

SENATOR LARKIN: I wish you the best. I've seen some nominations come here in the 31 years that I've been here. But this is a nomination that I'm very proud of.

But I have to tell you some bad news. I talked to your mother before, and she said, "I told her 'You're still going to have to take out the garbage and make the beds.'"

(Laughter.)

SENATOR LARKIN: Good night, and God bless you.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Flanagan.

SENATOR FLANAGAN: Thank you,

Mr. President.

RoAnn, everybody keeps talking about how great the Governor is doing. I think he's probably in his office saying "Thank God she said yes." For starters.

(Laughter.)

SENATOR FLANAGAN: But I listened to all the comments, and I want to echo some of them.

One, I think you are an intensely loyal Democrat but an extraordinarily bipartisan legislator. And you can be both, and I think the Speaker could attest to that. Your longevity and your service to your conference is something that shouldn't be overlooked.

And I think that, to echo what a number of people said, in my opinion you embody all the qualities that we should look for and hope for in our public servants, not only in the short term but in the long term. And simply put, you represent all the positive facets of what it means to be a lady, in every sense and respect of the word.

But I want to take a slightly

different tack. A lot of people are talking about your legislative accomplishments. And sometimes we don't realize how we can learn from people, and sometimes people don't realize how we learn from them. And I'm going to tell you why I've admired you and why I think you will continue to do an outstanding job as a public servant. Because you're real people. There's no airs, you don't put anything on out there. What you see is what you get and who you see is who you get.

And I feel like you have been a very strong example, and I hope your son could attest to this, about life and balance. Being a mother and being involved in politics and having your children grow up and watch your political career -- because I've had the same thing -- I still think in many respects it's more challenging for a mother to fill that role.

And from a personal standpoint, a professional standpoint, you've helped me keep balance in my own life and you never even knew it. And I think that you do that for many people in ways that they don't even

understand.

So I only wish you the best. And your ascension is good for you; more importantly -- and equally as important, I should say -- it's very good for the people of the State of New York. Congratulations.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

I too want to stand and congratulate Governor Cuomo on this nomination and congratulate Assemblywoman RoAnn Destito.

A lot has been said about her by people who served with her in her area, in her part of the state, about how she has been a wonderful representative in providing constituent services. We've heard how she's been critically important in identifying waste and transparency in government. And I myself had the opportunity to work with her on an issue she was in the forefront on, which was identifying savings on IT insourcing, and as a result of it the State of New York is saving

money as we speak and creating a career path for hundreds of people right now. I know she's going to take that type of commitment into the Office of General Services.

But I'm also a little bittersweet about losing RoAnn -- not just because she worked very closely with me when I took over the conference of Italian-American Legislators -- and we are so happy that you're going to stay involved. Your commitment to the Italian-American community is noteworthy, and we would be lost without you -- but also because we're going to lose a female member of the Legislature. We don't have enough of them.

And she's been a role model for so many of us of what a legislator should be. And I know I'm going to miss her, and I know many of the other women in the Assembly who are sitting over there patiently waiting for this moment are going to miss her, because she is the epitome of an elected official.

And most importantly -- I think Billy Larkin and John Flanagan said it best -- she's one of the nicest people in this

building, and she's a real person. And that can't be said for a lot of us.

(Laughter.)

SENATOR SAVINO: So congratulations, RoAnn, congratulations to your family, and congratulations to the Governor.

(Laughter; applause.)

ACTING PRESIDENT O'MARA: Senator Young.

SENATOR YOUNG: Thank you, Mr. President.

I too rise to give my sincere congratulations to RoAnn Destito. And I welcome the Speaker and my former colleagues from the New York State Assembly.

I had the great privilege of serving in the Assembly for six and a half years, and I think of all of my colleagues there with great affection. But there are people who really stand out. And RoAnn, you're one of those people who really stands out. Because of your hard work ethic, because you were so willing to listen to others, because you have a passion for public service.

And when you think about 19 years of service and all of the lives that you've touched during that time. And you know you worked on the macro issues, the state budget, solving issues with the budget, solving issues legislatively.

But I think that as you look back on your public service you'll also remember all of the individuals in your district who you have helped -- the children, the seniors, the people who needed a job, the families who needed something from the state. And I know you were so diligent, you have been so diligent about meeting those needs. And you have so many special memories from that.

So as you look back at your career, I think you should think about those people but also think about those people from the standpoint that as you have helped them, they have gone out and helped others and touched others' lives, so it's grown exponentially as they've gone forward.

And that's really the legacy of your work in the State Assembly, because it's like ripples on a pond. You've touched their

lives, and they've gone out and touched others. And you have so much to be proud of because of that fact.

So I want to congratulate you. I also want to ask you a special favor. As you know, we were out on the staircase and Audrey also is leaving, so the Legislative Women's Caucus was taking a picture together as a commemoration of this day. And if you serve in the Assembly, you'll know what I'm talking about. But if you serve in the Assembly you have a special place in your heart for Wayne Jackson, the Sergeant-at-Arms. And I can tell that Wayne is very, very sad at losing.

So the special favor that I would ask is that every once in a while you pick up the phone and give Wayne a call to see how he's doing, because I know it would really make his day.

So again, congratulations. Best wishes. I so look forward to working with you in a new capacity. I know you're going to be excellent at what you do, just like you've been in the past. So again.

And thank you, Mr. President.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Liz Krueger.

SENATOR KRUEGER: Thank you.

Well, Commissioner, pretty much everything has been said. So I want to say wow, you have a lot of friends. I want to congratulate Governor Cuomo on the excellent nomination, but I want to mention it looks like you might be more popular. So maybe you'll think of other career paths also.

You are a great public servant. We are proud of you as women, as legislators. And we look forward to seeing you as going down in history as a great commissioner. Congratulations.

Thank you.

(Applause.)

ACTING PRESIDENT O'MARA: Any other Senator wishing to be heard? If there is any that hasn't been heard yet.

Thank you. Congratulations, RoAnn. It's a pleasure to be presiding today over your nomination. And it was a pleasure and an honor serving with you in the Assembly for the

years that I was there.

And I welcome, again, all my Assembly colleagues here, Speaker Silver to the chamber today to participate in this. While I haven't been here very long, this is the most speakers that I've seen so far for any nomination here in the year that I've been here. And it kind of feels the way that it does when Tom DiNapoli shows up in the Assembly with the cheering section that he has.

(Laughter.)

ACTING PRESIDENT O'MARA: So my congratulations to you, RoAnn.

Without any further Senators wishing to be heard, the question is on the nomination of RoAnn Destito as commissioner of the New York State Office of General Services. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Opposed, nay.

(No response.)

ACTING PRESIDENT O'MARA: RoAnn Destito is hereby confirmed as commissioner of

the New York State Office of General Services.

Congratulations.

(Cheers; extended standing ovation.)

ACTING PRESIDENT O'MARA: I would like to just take a moment to recognize some of the family that RoAnn has with her today.

Her mother, Rose Maggiolino.

(Applause.)

ACTING PRESIDENT O'MARA: Her son, Christopher Destito.

(Applause.)

ACTING PRESIDENT O'MARA: RoAnn's brother and sister-in-law, Maurice and Janet Maggiolino.

(Applause.)

ACTING PRESIDENT O'MARA: Her aunt and uncle Bernard and Antoinette Turi.

(Applause.)

ACTING PRESIDENT O'MARA: Her aunt Victoria Balzano.

(Applause.)

ACTING PRESIDENT O'MARA: Her cousin the Honorable Supreme Court Judge Bernadette Clark and her husband Tom Clark.

(Applause.)

ACTING PRESIDENT O'MARA: Cousin Mary Rose and Dan Behan.

(Applause.)

ACTING PRESIDENT O'MARA: And cousin Joseph "Bud" Gigliotti.

Welcome to all of you being here today.

(Applause.)

ACTING PRESIDENT O'MARA: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Mr. President, that was not bad for an Irish kid, pronouncing all those names.

(Laughter.)

ACTING PRESIDENT O'MARA: Trust me, you put the wrong guy up here today for that.

SENATOR LIBOUS: Mr. President, why don't we just take a moment and pause while the Assembly members go back to the Assembly. I don't want anybody to move. And then we're going to go to motions and resolutions.

ACTING PRESIDENT O'MARA: Senator Libous [gaveling].

SENATOR LIBOUS: Thank you, Mr. President. Can we return to motions and resolutions, please.

ACTING PRESIDENT O'MARA: Returning to the order of motions and resolutions.

SENATOR LIBOUS: Thank you, Mr. President.

At this time can we adopt the Resolution Calendar, with the exception of Resolution Numbers 1678, 1716, 1726, and 1736.

ACTING PRESIDENT O'MARA: All in favor of adopting the Resolution Calendar, with the exception of resolutions 1678, 1716, 1726 and 1736 signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Opposed, nay.

(No response.)

ACTING PRESIDENT O'MARA: The Resolution Calendar is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President,

Senator Peralta has a resolution before the body. Could we have its title read and then call on Senator Peralta, please.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 1726, by Senator Peralta, welcoming the students and faculty of the Lexington School for the Deaf/Center for the Deaf as they visit Albany, New York, on May 10, 2011.

ACTING PRESIDENT O'MARA: Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

I want to congratulate the Lexington School for the Deaf/Center for the Deaf, and I want to welcome them here today.

The School for the Deaf is a New York institution that has been serving the deaf and hard of hearing communities in New York for nearly 150 years. Its special emphases are in helping the deaf and hard of hearing to realize their full potential in both the deaf and hard of hearing worlds,

ensuring mastery of expressive and receptive communication skills, designing, constructing and using evolving communication technologies, being a leading advocate for the deaf and hard of hearing communities.

The needs of Lexington's students and clients increasingly reflect the challenges posed by society, with many living in poverty and facing significant obstacles to accessing healthcare and obtaining decent employment. Many are recent immigrants for whom the complex adjustment to life in the United States is made more difficult because of deafness.

Since its founding as a school, Lexington has evolved to offer vital services in a wide range of important areas. They have a Lexington Center for Mental Health Services, the Lexington Vocational Services Center. They have three Lexington early-intervention programs. They also have a Lexington licensed childcare and universal pre-K center that provides full daycare for children ages 12 months through pre-K. And there's also the Ralph and Ricky Lauren Center for the

Performing Arts.

So for all the wonderful work that the school has done and the center has done, please accept our sincere thanks for an important and extraordinary job well done that the center has done throughout its many years.

And every year the kids from the center come to Albany and they have a very important basketball game. They play against the members of the Assembly and the members of the Senate. This year I won't be playing, but I just would ask of them please go easy on our members.

(Laughter.)

SENATOR PERALTA: Because every year it seems, since I'm no longer playing -- I haven't played for the last three or four years. But every year since then, you have really, really beat us. So please go easy on our members tonight and enjoy the game.

Mr. President, I would like to welcome the School for the Deaf/Center for the Deaf here today in the Senate chambers.

(Applause.)

ACTING PRESIDENT O'MARA: Thank

you, Senator Peralta.

Senator Adams.

SENATOR ADAMS: I just want to join my colleague Senator Peralta and thank him. And I also want to thank this body that we reinstated funding to many of these schools, St. Francis School in my district.

And all these young people ask is for an opportunity. And I think it's important that we give them the opportunity. Even with the physical impediments that they have to overcome, they do not sit back and look for someone to give them a handout. They just want the opportunity to receive the same level of quality education that all of our children would like to have.

And I think that when Senator Peralta invites the school up, it gives us an opportunity to interact with these young people, so they cannot be leaders of tomorrow but they can be leaders of today to ensure that we live in a society that is tolerant of all individuals regardless of whatever obstacles they physically must overcome, that they should have the opportunities to thrive

and to achieve whatever levels they desire. So I thank you, Senator Peralta.

And I hope that we all understand that children who are in the same level of educational challenges as these young people should be given those opportunities as those schools in my district and I'm pretty sure other districts throughout the State of New York.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Thank you, Senator.

(Applause.)

ACTING PRESIDENT O'MARA: The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Opposed?

(No response.)

ACTING PRESIDENT O'MARA: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Senator Little has a resolution that was previously adopted. It's Number 1539. Could we have the title read and then please call on Senator Little at this time.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 1539, memorializing Governor Andrew M. Cuomo to proclaim May 9-15, 2011, as Fibromyalgia Awareness Week in the State of New York.

ACTING PRESIDENT O'MARA: Senator Little.

SENATOR LITTLE: Thank you, Mr. President.

And thank you to my colleagues as you join me and the Governor as we proclaim March 9th to 15th as Fibromyalgia Awareness Week.

An estimated 10 million people in the United States and millions of people worldwide have been affected by fibromyalgia, which is an illness that causes debilitating fatigue and chronic pain in women, men and children of all ethnicities.

Fibromyalgia is also a disease that frequently takes up to five years to get a good diagnosis and a good handle on what you actually have. It is also a disease for which there is no known cure, so people with fibromyalgia have to learn to live with it.

This resolution and our purpose here today is to increase awareness and to expand knowledge of the realities of life with fibromyalgia, which will allow the community at large to better support people who struggle with this disease and the challenges that this chronic pain disorder affects.

The National Fibromyalgia Association has joined together with the International Institute for Human Empowerment, which is based in New York State, to promote awareness and support of fibromyalgia and to include improved education, diagnosis, research and treatment.

And in our own area, the Neurosciences Department of Albany Medical Center conducts medical research and provides continuing medical education for physicians and other healthcare providers, patients and

caregivers in fibromyalgia.

We are joined today by several doctors and staff members from Albany Medical Center, the Department of Neurosciences: Doctors Charles Argoff, James Wymer, Frank Rice, Phil Albrecht, Margaret Czerwinski, the nurse research coordinator, Katy Reagan, office manager, and Jennifer Price, director of continuing medical education.

And from the International Institute for Human Empowerment, which is based in Albany: Sue Shipe, executive director; Jonathan Cooper, medical advisor to the institute; and Ira Mendleson III, who is the Social Security disability attorney.

It is our hope today that this resolution will increase awareness and thereby help people support and recognize those who have been afflicted by fibromyalgia, to try to make their lives more comfortable and certainly to improve on the research and education that is needed for this disease.

Thank you very much for joining me.

(Applause.)

ACTING PRESIDENT O'MARA: This

resolution was previously adopted by the Senate on May 3rd.

Senator Young.

SENATOR YOUNG: Thank you, Mr. President.

There is a resolution at the desk, Number 1678, by Senator McDonald. May we please have the title read and move for its immediate adoption.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 1678, honoring The Garafalo Family upon the occasion of being selected as the 2011 March of Dimes-Northeastern New York Division Ambassador Family.

ACTING PRESIDENT O'MARA: Senator McDonald on the resolution.

SENATOR McDONALD: Thank you, Mr. President.

We have an amazing story here today about the March of Dimes and a miracle. We're honoring a family from my community, Saratoga Springs: Elizabeth and Greg Garafalo, as the Northeast March of Dimes family ambassador.

In 2005, they had something terrible and unique happen to them. They had a premature baby that weighed one pound and two ounces. They turned for help, and the March of Dimes was there.

And they're here today, after several operations and several traumatic points in their life, to say that things do work out, there is hope. There are organizations out there who care, and sometimes they go that extra mile when they're supported, when they're funded. And the March of Dimes did that for my family in Saratoga County.

This family stood tall, and they want to share that with everybody. And the Northeast March of Dimes Division made them a family ambassador. Think about it: 1 pound, 2 ounces. Many of us are parents and grandparents, nieces and nephews. The fear, the sadness.

With us today from the March of Dimes: Tony Vecchiotti, who is the chairman of the March of Dimes Public Affairs Committee; Frank DeMeo, New York State

director of the March of Dimes; Aisha Tator, state director for the March of Dimes Public Affairs; and last but not least, Elizabeth and Greg Garafalo. God bless you.

(Applause.)

SENATOR McDONALD: Miracles do happen, sir. Thank you.

ACTING PRESIDENT O'MARA: Thank you, Senator. The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Opposed, nay.

(No response.)

ACTING PRESIDENT O'MARA: The resolution is adopted.

Senator Young.

SENATOR YOUNG: Thank you, Mr. President.

May we please take up Resolution Number 1736, by Senator Fuschillo. May we please have the title read and move for its immediate adoption.

ACTING PRESIDENT O'MARA: The

Secretary will read.

THE SECRETARY: Legislative Resolution Number 1736, memorializing Governor Andrew M. Cuomo to proclaim May of 2011 as Skin Cancer Detection and Prevention Month in the State of New York.

ACTING PRESIDENT O'MARA: The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Opposed, nay.

(No response.)

ACTING PRESIDENT O'MARA: The resolution is adopted.

Senator Young.

SENATOR YOUNG: Mr. President, I wanted to let you know that Senator Fuschillo has asked that if anyone would like to be a cosponsor, we'll put them on. Basically what we'll do is if anybody doesn't want to be a cosponsor, just let the desk know.

ACTING PRESIDENT O'MARA: Thank you, Senator Young.

Senator Young.

SENATOR YOUNG: Mr. President, on page number 24 I offer the following amendments to Calendar Number 396, Senate Print Number 2399A, and ask that the bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT O'MARA: The amendments are received and adopted, and the bill retain its place on the Third Reading Calendar.

SENATOR YOUNG: Thank you, Mr. President.

On page number 32 I offer the following amendments to Calendar Number 477, Senate Print Number 3996, and ask that the bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT O'MARA: The amendments are received and adopted, and the bill retain its place on the Third Reading Calendar.

SENATOR YOUNG: Thank you, Mr. President.

On page number 16 I offer the following amendments to Calendar Number 260,

Senate Print Number 4054, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT O'MARA: The amendments are received and adopted, and the bill retain its place on the Third Reading Calendar.

SENATOR YOUNG: Thank you, Mr. President.

I move to commit Senate Print Number 4268, Calendar Number 512 on order of third reading, to the Committee on Finance.

ACTING PRESIDENT O'MARA: So ordered.

SENATOR YOUNG: Thank you, Mr. President.

I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Number 5011.

ACTING PRESIDENT O'MARA: So ordered.

SENATOR YOUNG: Thank you, Mr. President.

I move that the following bill be

discharged from its respective committee and be recommitted with instructions to strike the enacting clause. And that's Senate Number 4853.

ACTING PRESIDENT O'MARA: So ordered.

SENATOR YOUNG: Thank you, Mr. President. We're getting toward the end here.

On page number 30 I offer the following amendments to Calendar Number 450, Senate Print Number 592, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT O'MARA: The amendments are received and adopted, and the bill will retain its place on the Third Reading Calendar.

SENATOR YOUNG: Thank you, Mr. President.

At this time may we please take up the noncontroversial reading of the calendar.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Calendar Number

264, by Senator Alesi, Senate Print 3736A, an act to amend the Economic Development Law.

SENATOR YOUNG: Lay it aside for the day.

ACTING PRESIDENT O'MARA: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 353, by Senator Flanagan, Senate Print 4396, an act to amend the Penal Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 432, by Senator Young, Senate Print 2775, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT O'MARA: Read

the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 433, by Senator Farley, Senate Print 3244, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 3. Senators Duane, Parker and Perkins recorded in the negative.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 434, substituted earlier today by Member of the Assembly Sweeney, Assembly Print 5971, an act to amend Chapter 690 of the Laws of 1988.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 6. This act shall take effect upon the enactment.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 436, by Senator Grisanti, Senate Print 4323, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 440, by Senator Ritchie, Senate Print 4415, an act to amend the Judiciary Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 449, substituted earlier today by Member of the Assembly Bronson, Assembly Print 6152, an act to amend Chapter 219 of the Laws of 2002.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 451, by Senator Diaz, Senate Print 1313A, an act to amend the Penal Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of November.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT O'MARA: Senator Diaz.

SENATOR DIAZ: Yes, Mr. President. I just would like to express my appreciation to Senator Skelos and to this chamber.

On January 2nd there was an article in the New York Times about the condition of

prostitution near a school. The article said: "At all hours of the day, prostitutes roam the streets around the school waiting for cars entering and leaving the Cross-Bronx Expressway. They bend over car windows and climb inside in plain view of students walking to and from the school.

"The prostitutes also have sex inside a tent on top of a boulder directly below the school. Students, from prekindergarten to fifth graders, can see mattresses, cushions and sheets strewn about the rock. Custodians often have to sweep condoms and hypodermic needles from the school grounds."

That was January 2nd. On January 7th, the Daily News also wrote about the condition.

When I read about it, I came to Senator Skelos and I met with him and I asked him for his help in moving this bill. And today I'm proud that this bill is being made a reality, and I express my appreciation to all of you.

And I hope that the other chamber,

the Assembly -- and the one that carries the bill in the Assembly is Assemblyman Michael Crespo -- and that the Speaker and the other house move this bill and that the Governor signs it. Because this is a serious condition.

And I thank all of you and especially Senator Skelos for his help in moving this bill.

Thank you.

ACTING PRESIDENT O'MARA: Senator Diaz will be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 2. Senators Duane and Parker recorded in the negative.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 453, by Senator Golden, Senate Print 3401, an act to amend the Education Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 455, substituted earlier today by Member of the Assembly Magee, Assembly Print 5719, an act to amend Chapter 335 of the Laws of 2005.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 456, by Senator Lanza, Senate Print 3803, an act to amend the Education Law.

ACTING PRESIDENT O'MARA: Read the last section.

SENATOR YOUNG: Lay it aside for the day.

ACTING PRESIDENT O'MARA: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 514, by Senator Saland, Senate Print 698, an act to amend the Highway Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 4. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60. Nays, 1. Senator Perkins recorded in the negative.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 517, by Senator Lanza, Senate Print 4659, an act to amend Chapter 468 of the Laws of 2006.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 521, by Senator LaValle, Senate Print 1457, an act to amend the Public Health Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 3. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 5. Senators Farley, Griffo, Little, Maziarz and Ritchie recorded in the negative.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 535, by Senator Flanagan, Senate Print 4393, an act to amend the Executive Law.

ACTING PRESIDENT O'MARA: Read

the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Duane and Montgomery recorded in the negative.

ACTING PRESIDENT O'MARA: The bill is passed.

Senator Young, that completes the noncontroversial reading of the calendar.

SENATOR YOUNG: Thank you, Mr. President.

Is there any other business at the desk?

ACTING PRESIDENT O'MARA: There is none.

SENATOR YOUNG: Mr. President, there being no further business to come before the Senate, I move we adjourn until Wednesday, May 11th, at 11:00 a.m.

ACTING PRESIDENT O'MARA: On motion, the Senate stands adjourned until

Wednesday, May 11th, at 11:00 a.m.

(Whereupon, at 5:04 p.m., the Senate adjourned.)