

1 NEW YORK STATE SENATE

2
3
4 THE STENOGRAPHIC RECORD

5
6
7
8
9 ALBANY, NEW YORK

10 May 10, 2011

11 3:17 p.m.

12
13
14 REGULAR SESSION

15
16
17
18 SENATOR TOM O'MARA, Acting President

19 FRANCIS W. PATIENCE, Secretary

1 P R O C E E D I N G S

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

4 Please rise and join me in the
5 Pledge of Allegiance.

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

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

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

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

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

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

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

11 Amen.

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

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

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: On page 28,

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

6 ACTING PRESIDENT O'MARA:

7 Substitution ordered.

8 THE SECRETARY: On page 30,
9 Senator Nozzolio moves to discharge, from the
10 Committee on Judiciary, Assembly Bill Number
11 6152 and substitute it for the identical
12 Senate Bill Number 4666, Third Reading
13 Calendar 449.

14 ACTING PRESIDENT O'MARA:

15 Substitution ordered.

16 THE SECRETARY: And on page 30,
17 Senator Valesky moves to discharge, from the
18 Committee on Education, Assembly Bill Number
19 5719 and substitute it for the identical
20 Senate Bill Number 3776, Third Reading
21 Calendar 455.

22 ACTING PRESIDENT O'MARA:

23 Substitution ordered.

24 Messages from the Governor.

25 Reports of standing committees.

1 The Secretary will read.

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

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

8 ACTING PRESIDENT O'MARA: Senator
9 Libous.

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

16 ACTING PRESIDENT O'MARA: Reports
17 of select committees.

18 Communications and reports from
19 state officers.

20 Motions and resolutions.

21 Senator Libous.

22 SENATOR LIBOUS: Thank you,
23 Mr. President.

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

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

3 ACTING PRESIDENT O'MARA: The
4 Secretary will read.

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

12 ACTING PRESIDENT O'MARA: Senator
13 Breslin.

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

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

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

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

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

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

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

18 Thank you, Mr. President.

19 ACTING PRESIDENT O'MARA: Senator
20 Perkins.

21 SENATOR PERKINS: Thank you very
22 much.

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

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

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

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

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

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

6 Thank you very much for the
7 opportunity to speak.

8 ACTING PRESIDENT O'MARA: Senator
9 Hassell-Thompson.

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

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

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

25 Thank you, Mr. President.

1 ACTING PRESIDENT O'MARA: Thank
2 you, Senator.

3 Senator Smith.

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

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

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

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

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

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

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

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

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

21 Thank you very much, Mr. President.

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

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

1 (Response of "Aye.")

2 ACTING PRESIDENT O'MARA: Any
3 opposed?

4 (No response.)

5 ACTING PRESIDENT O'MARA: The
6 resolution is passed.

7 Senator Libous.

8 SENATOR LIBOUS: Thank you,
9 Mr. President.

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

13 ACTING PRESIDENT O'MARA: Yes,
14 without objection.

15 SENATOR LIBOUS: Ambassador
16 Bamba.

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

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

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

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

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

1 I come before you today to invite
2 you to take part of the reconstruction of the
3 nation of Cote d'Ivoire, to develop economic
4 ties not only with Cote d'Ivoire but beyond,
5 to the West African region, which comprises
6 250 million people, 250 million consumers,
7 larger than the United States market. I'm
8 here before you to invite your business
9 community to take part of the development,
10 economic development of Cote d'Ivoire.

11 I thank you for your attention.

12 (Applause.)

13 ACTING PRESIDENT O'MARA: Senator
14 Libous.

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

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

24 ACTING PRESIDENT O'MARA: The
25 Secretary will read.

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

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

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

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

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

25 "WHEREAS, Taiwan is the ninth

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

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

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

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

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

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

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

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

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

1 Office in New York."

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

4 SENATOR DIAZ: Thank you,
5 Mr. President.

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

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

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

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

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

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

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

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

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

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

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

22 Thank you, Mr. President.

23 ACTING PRESIDENT O'MARA: Thank
24 you, Senator.

25 Senator Stavisky on the resolution.

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

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

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

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

1 district.

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

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

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

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

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

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

10 ACTING PRESIDENT O'MARA: Thank
11 you, Senator.

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

14 Senator Libous.

15 SENATOR LIBOUS: Thank you,
16 Mr. President.

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

21 ACTING PRESIDENT O'MARA: Without
22 objection.

23 Ambassador.

24 SENATOR LIBOUS: Thank you.

25 Ambassador Kao, would you at this

1 time address the Senate?

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

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

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

17 Thank you so much.

18 (Appause.)

19 ACTING PRESIDENT O'MARA: Senator
20 LaValle.

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

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

1 The Secretary will read.

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

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

7 (Applause.)

8 ACTING PRESIDENT O'MARA: Senator
9 DeFrancisco.

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

14 (Laughter.)

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

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

1 her duties.

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

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

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

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

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

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

12 Thank you.

13 ACTING PRESIDENT O'MARA: Senator
14 Griffo.

15 SENATOR GRIFFO: Thank you,
16 Mr. President.

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

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

1 (Laughter.)

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

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

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

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

25 And today, surrounded by the people

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

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

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

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

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

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

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

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

25 And she was also very smart. She

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

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

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

1 really respect that and appreciate all of that
2 hard work.

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

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

21 (Laughter.)

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

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

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

25 And I think in the end what I would

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

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

19 Congratulations, and I second the
20 nomination.

21 (Applause.)

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

24 SENATOR NOZZOLIO: Mr. President,
25 on the nomination.

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

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

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

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

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

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

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

1 Thank you, Mr. President.

2 (Appause.)

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

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

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

13 (Laughter.)

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

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

21 (Laughter.)

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

1 RoAnn.

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

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

12 (Laughter.)

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

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

21 Congratulations, RoAnn, and good
22 luck to you.

23 (Applause.)

24 ACTING PRESIDENT O'MARA: Senator
25 Marcellino.

1 SENATOR MARCELLINO: Thank you,
2 Mr. President.

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

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

12 (Laughter.)

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

18 (Laughter.)

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

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

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

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

11 So thank you, God bless you. And
12 Godspeed.

13 (Applause.)

14 ACTING PRESIDENT O'MARA: Senator
15 Breslin.

16 SENATOR BRESLIN: Thank you,
17 Mr. President.

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

1 vote.

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

9 (Laughter.)

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

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

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

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

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

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

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

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

25 (Applause.)

1 ACTING PRESIDENT O'MARA: Senator
2 Libous.

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

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

11 (Laughter.)

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

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

1 bene" -- very good, very good.

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

7 (Laughter.)

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

13 (Laughter.)

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

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

1 (Applause.)

2 ACTING PRESIDENT O'MARA: Senator
3 Smith.

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

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

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

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

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

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

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

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

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

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

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

24 (Laughter.)

25 SENATOR SMITH: And so,

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

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

20 Congratulations to you.

21 (Applause.)

22 ACTING PRESIDENT O'MARA: Senator
23 Valesky.

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

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

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

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

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

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

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

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

11 So, RoAnn, I know that back home,
12 you know, your constituents, some might be a
13 little sad to be losing you in providing
14 representation for them in the State Assembly.
15 But I know and Senator Griffo knows that the
16 19.5 million New Yorkers are the ones who are
17 gaining so much as we confirm you here today
18 on the floor of this State Senate as
19 commissioner of the Office of General
20 Services.

21 Congratulations.

22 (Applause.)

23 ACTING PRESIDENT O'MARA: Senator
24 Seward.

25 SENATOR SEWARD: Thank you,

1 Mr. President.

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

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

10 (Laughter.)

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

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

25 And I have witnessed firsthand how

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

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

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

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

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

6 (Applause.)

7 ACTING PRESIDENT O'MARA: Senator
8 Skelos.

9 SENATOR SKELOS: Thank you,
10 Mr. President.

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

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

20 (Laughter.)

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

1 the Governor has made a wonderful appointment.

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

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

14 (Applause.)

15 ACTING PRESIDENT O'MARA: Senator
16 Fuschillo.

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

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

24 (Laughter.)

25 SENATOR FUSCHILLO: I rise for no

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

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

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

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

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

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

6 (Applause.)

7 ACTING PRESIDENT O'MARA: Senator
8 Klein.

9 SENATOR KLEIN: Thank you,
10 Mr. President.

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

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

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

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

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

1 loved.

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

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

8 (Applause.)

9 ACTING PRESIDENT O'MARA: Senator
10 Gianaris.

11 SENATOR GIANARIS: Thank you.

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

17 (Laughter.)

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

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

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

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

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

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

1 (Applause.)

2 ACTING PRESIDENT O'MARA: Thank
3 you, Senator.

4 Senator Hassell-Thompson.

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

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

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

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

25 I'm going to miss her as somebody

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

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

12 (Applause.)

13 ACTING PRESIDENT O'MARA: Senator
14 Peralta.

15 SENATOR PERALTA: Thank you,
16 Mr. President.

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

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

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

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

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

14 (Laughter.)

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

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

1 a list that's growing.

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

9 I second the nomination,
10 Mr. President.

11 (Applause.)

12 ACTING PRESIDENT O'MARA: Thank
13 you, Senator.

14 Senator Larkin.

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

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

1 (Laughter.)

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

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

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

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

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

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

10 (Laughter.)

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

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

19 (Laughter.)

20 SENATOR LARKIN: Good night, and
21 God bless you.

22 (Applause.)

23 ACTING PRESIDENT O'MARA: Senator
24 Flanagan.

25 SENATOR FLANAGAN: Thank you,

1 Mr. President.

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

6 (Laughter.)

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

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

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

25 But I want to take a slightly

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

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

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

1 understand.

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

7 (Applause.)

8 ACTING PRESIDENT O'MARA: Senator
9 Savino.

10 SENATOR SAVINO: Thank you,
11 Mr. President.

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

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

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

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

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

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

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

3 (Laughter.)

4 SENATOR SAVINO: So
5 congratulations, RoAnn, congratulations to
6 your family, and congratulations to the
7 Governor.

8 (Laughter; applause.)

9 ACTING PRESIDENT O'MARA: Senator
10 Young.

11 SENATOR YOUNG: Thank you,
12 Mr. President.

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

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

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

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

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

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

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

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

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

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

25 And thank you, Mr. President.

1 (Applause.)

2 ACTING PRESIDENT O'MARA: Senator
3 Liz Krueger.

4 SENATOR KRUEGER: Thank you.

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

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

17 Thank you.

18 (Applause.)

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

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

1 years that I was there.

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

12 (Laughter.)

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

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

20 (Response of "Aye.")

21 ACTING PRESIDENT O'MARA:
22 Opposed, nay.

23 (No response.)

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

1 the New York State Office of General Services.

2 Congratulations.

3 (Cheers; extended standing
4 ovation.)

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

8 Her mother, Rose Maggiolino.

9 (Applause.)

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

12 (Applause.)

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

16 (Applause.)

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

19 (Applause.)

20 ACTING PRESIDENT O'MARA: Her
21 aunt Victoria Balzano.

22 (Applause.)

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

1 (Applause.)

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

4 (Applause.)

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

7 Welcome to all of you being here
8 today.

9 (Applause.)

10 ACTING PRESIDENT O'MARA: Senator
11 Libous.

12 SENATOR LIBOUS: Thank you,
13 Mr. President.

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

16 (Laughter.)

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

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

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

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

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

9 SENATOR LIBOUS: Thank you,
10 Mr. President.

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

14 ACTING PRESIDENT O'MARA: All in
15 favor of adopting the Resolution Calendar,
16 with the exception of resolutions 1678, 1716,
17 1726 and 1736 signify by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT O'MARA:
20 Opposed, nay.

21 (No response.)

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

24 Senator Libous.

25 SENATOR LIBOUS: Mr. President,

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

4 ACTING PRESIDENT O'MARA: The
5 Secretary will read.

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

12 ACTING PRESIDENT O'MARA: Senator
13 Peralta.

14 SENATOR PERALTA: Thank you,
15 Mr. President.

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

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

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

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

15 Since its founding as a school,
16 Lexington has evolved to offer vital services
17 in a wide range of important areas. They have
18 a Lexington Center for Mental Health Services,
19 the Lexington Vocational Services Center.
20 They have three Lexington early-intervention
21 programs. They also have a Lexington licensed
22 childcare and universal pre-K center that
23 provides full daycare for children ages
24 12 months through pre-K. And there's also the
25 Ralph and Ricky Lauren Center for the

1 Performing Arts.

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

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

14 (Laughter.)

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

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

24 (Applause.)

25 ACTING PRESIDENT O'MARA: Thank

1 you, Senator Peralta.

2 Senator Adams.

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

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

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

1 and to achieve whatever levels they desire.

2 So I thank you, Senator Peralta.

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

10 Thank you, Mr. President.

11 ACTING PRESIDENT O'MARA: Thank
12 you, Senator.

13 (Applause.)

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

17 (Response of "Aye.")

18 ACTING PRESIDENT O'MARA:
19 Opposed?

20 (No response.)

21 ACTING PRESIDENT O'MARA: The
22 resolution is adopted.

23 Senator Libous.

24 SENATOR LIBOUS: Thank you,
25 Mr. President.

1 Senator Little has a resolution
2 that was previously adopted. It's Number
3 1539. Could we have the title read and then
4 please call on Senator Little at this time.

5 ACTING PRESIDENT O'MARA: The
6 Secretary will read.

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

12 ACTING PRESIDENT O'MARA: Senator
13 Little.

14 SENATOR LITTLE: Thank you,
15 Mr. President.

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

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

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

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

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

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

1 caregivers in fibromyalgia.

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

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

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

23 Thank you very much for joining me.

24 (Applause.)

25 ACTING PRESIDENT O'MARA: This

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

3 Senator Young.

4 SENATOR YOUNG: Thank you,
5 Mr. President.

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

10 ACTING PRESIDENT O'MARA: The
11 Secretary will read.

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

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

19 SENATOR McDONALD: Thank you,
20 Mr. President.

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

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

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

15 This family stood tall, and they
16 want to share that with everybody. And the
17 Northeast March of Dimes Division made them a
18 family ambassador. Think about it: 1 pound,
19 2 ounces. Many of us are parents and
20 grandparents, nieces and nephews. The fear,
21 the sadness.

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

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

5 (Applause.)

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

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

12 (Response of "Aye.")

13 ACTING PRESIDENT O'MARA:
14 Opposed, nay.

15 (No response.)

16 ACTING PRESIDENT O'MARA: The
17 resolution is adopted.
18 Senator Young.

19 SENATOR YOUNG: Thank you,
20 Mr. President.

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

25 ACTING PRESIDENT O'MARA: The

1 Secretary will read.

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

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

10 (Response of "Aye.")

11 ACTING PRESIDENT O'MARA:
12 Opposed, nay.

13 (No response.)

14 ACTING PRESIDENT O'MARA: The
15 resolution is adopted.

16 Senator Young.

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

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

25 Senator Young.

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

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

11 SENATOR YOUNG: Thank you,
12 Mr. President.

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

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

22 SENATOR YOUNG: Thank you,
23 Mr. President.

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

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

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

8 SENATOR YOUNG: Thank you,
9 Mr. President.

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

13 ACTING PRESIDENT O'MARA: So
14 ordered.

15 SENATOR YOUNG: Thank you,
16 Mr. President.

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

21 ACTING PRESIDENT O'MARA: So
22 ordered.

23 SENATOR YOUNG: Thank you,
24 Mr. President.

25 I move that the following bill be

1 discharged from its respective committee and
2 be recommitted with instructions to strike the
3 enacting clause. And that's Senate Number
4 4853.

5 ACTING PRESIDENT O'MARA: So
6 ordered.

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

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

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

19 SENATOR YOUNG: Thank you,
20 Mr. President.

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

23 ACTING PRESIDENT O'MARA: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 264, by Senator Alesi, Senate Print 3736A, an
2 act to amend the Economic Development Law.

3 SENATOR YOUNG: Lay it aside for
4 the day.

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

7 THE SECRETARY: Calendar Number
8 353, by Senator Flanagan, Senate Print 4396,
9 an act to amend the Penal Law.

10 ACTING PRESIDENT O'MARA: Read
11 the last section.

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

14 ACTING PRESIDENT O'MARA: Call
15 the roll.

16 (The Secretary called the roll.)

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

19 ACTING PRESIDENT O'MARA: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 432, by Senator Young, Senate Print 2775, an
23 act to amend the Environmental Conservation
24 Law.

25 ACTING PRESIDENT O'MARA: Read

1 the last section.

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

4 ACTING PRESIDENT O'MARA: Call
5 the roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT O'MARA: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 433, by Senator Farley, Senate Print 3244, an
12 act to amend the Environmental Conservation
13 Law.

14 ACTING PRESIDENT O'MARA: Read
15 the last section.

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

18 ACTING PRESIDENT O'MARA: Call
19 the roll.

20 (The Secretary called the roll.)

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

24 ACTING PRESIDENT O'MARA: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 434, substituted earlier today by Member of
3 the Assembly Sweeney, Assembly Print 5971, an
4 act to amend Chapter 690 of the Laws of 1988.

5 ACTING PRESIDENT O'MARA: Read
6 the last section.

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

9 ACTING PRESIDENT O'MARA: Call
10 the roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT O'MARA: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 436, by Senator Grisanti, Senate Print 4323,
17 an act to amend the Environmental Conservation
18 Law.

19 ACTING PRESIDENT O'MARA: Read
20 the last section.

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

23 ACTING PRESIDENT O'MARA: Call
24 the roll.

25 (The Secretary called the roll.)

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

3 ACTING PRESIDENT O'MARA: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 440, by Senator Ritchie, Senate Print 4415, an
7 act to amend the Judiciary Law.

8 ACTING PRESIDENT O'MARA: Read
9 the last section.

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

12 ACTING PRESIDENT O'MARA: Call
13 the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT O'MARA: The
17 bill is passed.

18 THE SECRETARY: Calendar Number
19 449, substituted earlier today by Member of
20 the Assembly Bronson, Assembly Print 6152, an
21 act to amend Chapter 219 of the Laws of 2002.

22 ACTING PRESIDENT O'MARA: Read
23 the last section.

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

1 ACTING PRESIDENT O'MARA: Call
2 the roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT O'MARA: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 451, by Senator Diaz, Senate Print 1313A, an
9 act to amend the Penal Law.

10 ACTING PRESIDENT O'MARA: Read
11 the last section.

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

15 ACTING PRESIDENT O'MARA: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT O'MARA: Senator
19 Diaz.

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

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

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

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

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

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

25 And I hope that the other chamber,

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

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

10 Thank you.

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

13 Announce the results.

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

17 ACTING PRESIDENT O'MARA: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 453, by Senator Golden, Senate Print 3401, an
21 act to amend the Education Law.

22 ACTING PRESIDENT O'MARA: Read
23 the last section.

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

1 ACTING PRESIDENT O'MARA: Call
2 the roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT O'MARA: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 455, substituted earlier today by Member of
9 the Assembly Magee, Assembly Print 5719, an
10 act to amend Chapter 335 of the Laws of 2005.

11 ACTING PRESIDENT O'MARA: Read
12 the last section.

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

15 ACTING PRESIDENT O'MARA: Call
16 the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT O'MARA: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 456, by Senator Lanza, Senate Print 3803, an
23 act to amend the Education Law.

24 ACTING PRESIDENT O'MARA: Read
25 the last section.

1 SENATOR YOUNG: Lay it aside for
2 the day.

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

5 THE SECRETARY: Calendar Number
6 514, by Senator Saland, Senate Print 698, an
7 act to amend the Highway Law.

8 ACTING PRESIDENT O'MARA: Read
9 the last section.

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

12 ACTING PRESIDENT O'MARA: Call
13 the roll.

14 (The Secretary called the roll.)

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

17 ACTING PRESIDENT O'MARA: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 517, by Senator Lanza, Senate Print 4659, an
21 act to amend Chapter 468 of the Laws of 2006.

22 ACTING PRESIDENT O'MARA: Read
23 the last section.

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

1 ACTING PRESIDENT O'MARA: Call
2 the roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT O'MARA: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 521, by Senator LaValle, Senate Print 1457, an
9 act to amend the Public Health Law.

10 ACTING PRESIDENT O'MARA: Read
11 the last section.

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

14 ACTING PRESIDENT O'MARA: Call
15 the roll.

16 (The Secretary called the roll.)

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

20 ACTING PRESIDENT O'MARA: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 535, by Senator Flanagan, Senate Print 4393,
24 an act to amend the Executive Law.

25 ACTING PRESIDENT O'MARA: Read

1 the last section.

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

4 ACTING PRESIDENT O'MARA: Call
5 the roll.

6 (The Secretary called the roll.)

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

10 ACTING PRESIDENT O'MARA: The
11 bill is passed.

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

14 SENATOR YOUNG: Thank you,
15 Mr. President.

16 Is there any other business at the
17 desk?

18 ACTING PRESIDENT O'MARA: There
19 is none.

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

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

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

2 (Whereupon, at 5:04 p.m., the

3 Senate adjourned.)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25