

***PART III***



***APPROPRIATIONS REQUESTED BY  
THE JUDICIARY AND  
THE LEGISLATURE***



## **COMMENTARY OF THE GOVERNOR ON THE JUDICIARY**

In accordance with Article VII, Section 1 of the State Constitution, I am transmitting herewith the appropriations requested by the Judiciary for fiscal year 2009-10. As required by the Constitution, I am presenting the Judiciary budget as it has been submitted by the Chief Judge.

The Judiciary has requested appropriations totaling over \$2.5 billion. This reflects a change of \$2.3 million from the prior year, after adjusting for the elimination of non-recurring collective bargaining costs. This “no growth” budget is mindful of the State’s financial condition, and responsive in light of my call for all Executive Branch agencies to restrain spending.

The Judiciary will face twin challenges in the coming year – an austere budget, coupled with growing caseloads. The economic downturn is already increasing cases related to mortgage foreclosures, consumer debt, evictions and family matters. To meet this anticipated growth in the courts’ workload, the Chief Judge must carefully manage existing resources.

Despite these pressures, I am pleased to note that the Judiciary’s proposed budget reflects a continuing commitment to the improvement of the Justice Courts, an integral part of the delivery of justice in our communities across the State. In addition, the Judiciary is increasing its reliance on technology, e.g. electronic filing, video appearances, remote learning, and acceptance of online credit card payments for fees and fines, thereby both reducing costs and demonstrating a commitment to environmental responsibility.

To its credit, the Judiciary has submitted a request that does not appeal for an increase in resources, but rather seeks to better utilize existing funding to meet its core constitutional mission. Notably, the proposed budget once again seeks to address judicial salary compensation, but does so within available appropriations, including a reappropriation of 2008-09 funding enacted for this purpose.

The Chief Judge is to be commended for her thoughtfulness in preparing this proposal, and I wish her well in her future endeavors.



# **JUDICIARY**

## **2009-10 BUDGET REQUEST**

### **INTRODUCTION**

#### **THE UNIFIED COURT SYSTEM**

The Judiciary is one of the three branches of New York State Government. Article VI of the State Constitution establishes a Unified Court System, defines the organization and jurisdiction of the courts and provides for the administrative supervision of the courts by a Chief Administrator on behalf of the Chief Judge of the State of New York.

The objectives of the Judiciary are to: (1) provide a forum for the peaceful, fair and prompt resolution of civil claims and family disputes, criminal charges and charges of juvenile delinquency, disputes between citizens and their government, and challenges to government actions; (2) supervise the administration of estates of decedents, consider adoption petitions, and preside over matters involving the dissolution of marriages; (3) provide legal protection for children, mentally ill persons and others entitled by law to the special protection of the courts; and, (4) regulate the admission of lawyers to the Bar and their conduct and discipline.

The New York State court system is one of the largest and busiest in the Western World. It consists of nearly 1,300 state-paid judges, 2,300 town and village justices and approximately 17,000 nonjudicial employees. Pursuant to the Unified Court Budget Act, the cost of operating the Unified Court System, excluding town and village courts, is borne by the State.

#### **STRUCTURE AND JURISDICTION OF THE COURTS**

The Unified Court System is structured as follows:

##### **APPELLATE COURTS**

Court of Appeals  
Appellate Divisions  
of the Supreme Court  
Appellate Terms of the  
Supreme Court  
County Courts (acting as  
appellate courts)  
Statewide:

##### **TRIAL COURTS OF SUPERIOR JURISDICTION**

Supreme Court  
Court of Claims  
Family Court  
Surrogate's Court  
Outside New York City:

##### **TRIAL COURTS OF LIMITED JURISDICTION**

County Court  
New York City:  
Criminal Court  
Civil Court  
Outside New York City:  
City Courts  
District Courts  
Town Courts\*  
Village Courts\*

\*Locally funded courts

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The jurisdiction of each court is established by Article VI of the Constitution or by statute. The Courts of Original Jurisdiction, or trial courts, hear cases in the first instance, and the appellate courts hear and determine appeals from the decisions of the trial courts.

The Court of Appeals, the State's highest court, hears cases on appeal from the other appellate courts and, in some instances, from the Courts of Original Jurisdiction. The jurisdiction of the Court is established in section 3 of Article VI of the Constitution. In most cases, its review is limited to questions of law. The Court also reviews determinations of the Commission on Judicial Conduct.

There are four Appellate Divisions of the Supreme Court, one in each of the State's four judicial departments. The Appellate Divisions hear appeals from judgements or orders in civil and criminal cases. In the First and Second Departments, Appellate Terms have been established to hear appeals in criminal and civil cases determined in the Criminal and Civil Courts of the City of New York and civil and criminal cases determined in district, city, town, and village courts outside the City. In the Third and Fourth Departments, appeals from city, town and village courts are heard initially in the appropriate County Court.

The Supreme Court, which functions in each of the State's twelve judicial districts, is a trial court of unlimited, original jurisdiction, but it generally hears cases outside the jurisdiction of other courts. It exercises its civil jurisdiction statewide; in the City of New York and some other parts of the State, it also exercises jurisdiction over felony charges.

The Court of Claims is a statewide court having jurisdiction over claims for money damages against the state. Certain judges of the Court of Claims; i.e., judges appointed pursuant to paragraphs (b), (d), and (e) of subdivision 2 of section 2 of the Court of Claims Act, are assigned temporarily to the Supreme Court, primarily as trial justices in the criminal terms.

There are three county-level superior courts. The County Court is established in each county outside the City of New York. It is authorized to handle the prosecution of crimes committed within the county. In practice, however, arraignments and other preliminary proceedings on felonies, misdemeanors and minor offenses are handled by courts of limited jurisdiction, while the County Court presides over felony trials and supervises the Grand Jury. The County Court also has limited jurisdiction in civil cases with authority to entertain those involving contested amounts of up to \$25,000.

The Family Court is established in each county and in the City of New York. It has jurisdiction over matters involving children and families. Its caseload consists largely of proceedings involving support of dependent relatives, juvenile delinquency, child protection, persons in need of supervision, review and approval of foster-care placements, paternity determinations, and family offenses.

The Surrogate's Court is established in every county and hears cases involving the affairs of decedents, including the probate of wills and the administration of estates. Family Court and Surrogate's Court have concurrent jurisdiction in adoption proceedings.

The Civil Court of the City of New York tries civil cases involving amounts up to \$25,000 and other civil matters referred to it by the Supreme Court (pursuant to section 325 of the CPLR). It includes a Housing Part for landlord-tenant matters and housing code violations. It also includes a Small Claims Part and a Commercial Small Claims Part for matters not exceeding \$5,000.

The Criminal Court of the City of New York has jurisdiction over all violations, infractions and misdemeanor offenses committed within the City of New York, as well as pre-indictment processing in felony matters. Judges of the Criminal Court also act as arraigning magistrates and conduct preliminary hearings in felony cases.

There are four kinds of courts of limited jurisdiction outside the City of New York: District (established in Nassau County and in the five western towns of Suffolk County), City, Town and Village Courts. All have jurisdiction over minor criminal matters. They also have jurisdiction over minor civil matters, including small claims and summary proceedings, although their monetary ceilings vary: \$15,000 in District and City Courts, and \$3,000 in Town and Village Courts.

The civil courts of limited jurisdiction in 31 counties are making use of compulsory arbitration with lawyer arbitrators to resolve minor civil disputes, that is, civil actions where the amount sought is \$6,000 or less in courts outside the City of New York and \$10,000 or less in courts in the City.

To address significant delays in the processing and resolution of criminal cases, the Unified Court System has undertaken an experimental reorganization of the courts of criminal jurisdiction within Bronx County. This initiative, commenced during 2004, consolidated the judicial and nonjudicial personnel resources of both the Criminal Court and the Supreme Court, Criminal Term to address both felony and misdemeanor caseloads. This reorganization has significantly reduced the backlog of misdemeanor matters in the Bronx and has shortened the time required to resolve cases. This consolidation of court parts has also resulted in various operating efficiencies with corresponding financial savings.

Over the past decade, the court system has been incorporating a variety of problem-solving strategies into mainstream court operations in the areas of Drug Treatment Courts, Integrated Domestic Violence Courts, Community Courts, Mental Health Courts and Sex Offense Courts. These problem-solving courts feature the active involvement of judges in collaboration with criminal justice, treatment and social services agencies. By addressing, and seeking to resolve the underlying problems that bring people into the justice system, the courts have demonstrated that they can provide significant savings to state and local governments with regard to incarceration, public assistance and other societal costs.

## **ADMINISTRATIVE STRUCTURE OF THE UNIFIED COURT SYSTEM**

Section 28 of Article VI of the State Constitution provides that the Chief Judge of the Court of Appeals is the Chief Judge of the State and its chief judicial officer. The Chief Judge appoints a Chief Administrator of the Courts (who is called the Chief Administrative Judge of the Courts if the appointee is a judge) with the advice and consent of the Administrative Board of the Courts. The Administrative Board consists of the Chief Judge, as chair, and the Presiding Justices of the four Appellate Divisions of the Supreme Court.

The Chief Judge establishes statewide standards and administrative policies after consultation with the Administrative Board of the Courts and promulgates them after approval by the Court of Appeals.

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The Chief Administrative Judge, on behalf of the Chief Judge, is responsible for supervising the administration and operation of the trial courts and for establishing and directing an administrative office for the courts, called the Office of Court Administration (OCA). In this task, the Chief Administrative Judge is assisted by an Administrative Director and Chief of Operations; a Deputy Chief Administrative Judge for Matrimonial Matters; two Deputy Chief Administrative Judges, who supervise the day-to-day operations of the trial courts in New York City and in the rest of the State, respectively; a Deputy Chief Administrative Judge for Justice Initiatives; a Deputy Chief Administrative Judge for Court Operations and Planning; and a Counsel, who directs the legal and legislative work of the Counsel's Office.

The Office of Court Administration consists of operational divisions, with overall policy guidance and management directed by the Chief Administrative Judge, assisted by the Chief of Operations and the Administrative Director of the Courts. The Division of Human Resources is responsible for the administration of the Unified Court System's workforce diversity programs; labor management relations; career development services; employee benefits administration; and a broad range of personnel services dealing with job classification, compensation and examination issues. The Division of Financial Management coordinates the preparation and implementation of the Judiciary Budget and is responsible for payroll processing, as well as for promulgation of fiscal policies and procedures; revenue and expenditure monitoring, control and reporting; and the coordination of the fiscal aspects of the Court Facilities Aid Program. The Division of Technology is responsible for the development, implementation and oversight of all central and local automation and telecommunication services which support court operations and administrative functions. The Division of Court Operations provides centralized support for day-to-day court operations through its oversight of streamlining initiatives, procedural manual development and training programs, alternative dispute resolution programs and oversight of legal and records management services. The Division of Administrative Services provides a broad range of general support services to the courts including, but not limited to, central accounting and revenue management; attorney registration administration, centralized procurement, supply and printing, and professional development. The Division of Grants and Program Development supports the Unified Court System in the design, development, funding and evaluation of innovative, collaborative justice initiatives.

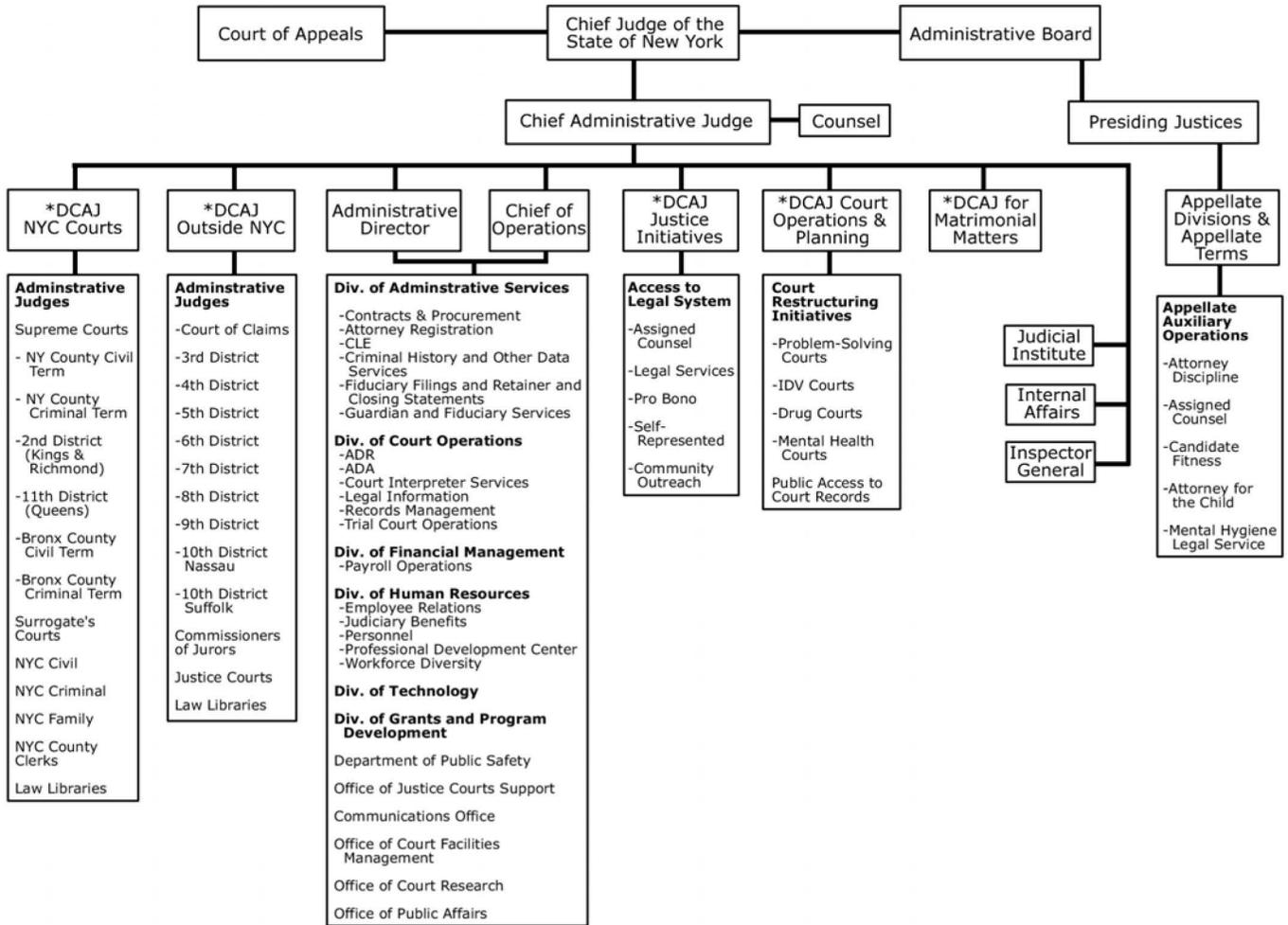
The services provided by these operational divisions are further supplemented by a Public Affairs Office which coordinates communications with other governmental entities, the press, public and bar. The Office of Court Research compiles UCS workload statistics for the courts, management and the public and conducts operational improvement studies. The Office of Justice Courts Support provides oversight of local Town and Village Courts. The Education and Training Office administers educational programs and oversees the operation of the Judicial Training Institute at Pace University. The Office of Public Safety administers the Judiciary's court security and disaster preparedness activities. The Inspector General's Office is responsible for the investigation and elimination of infractions of discipline standards, conflicts of interest, and criminal activities on the part of nonjudicial employees and persons or corporations doing business with the court system. Finally, an Office of Internal Affairs, reporting directly to the Chief Administrative Judge, conducts internal audits and investigations to support the attainment of management's long term goals and priorities.

Counsel's Office prepares and analyzes legislation, represents the Unified Court System in litigation, and provides various other forms of legal assistance to the Chief Administrative Judge.

Responsibility for on-site management of the trial courts and agencies is vested with the Administrative Judges. Upstate, in each of the eight judicial districts established outside the City of New York, there is a District Administrative Judge who is responsible for all the courts and agencies operating within their respective districts except in the Tenth Judicial District, where a separate Administrative Judge is appointed for Nassau and Suffolk Counties. In the City of New York, Administrative Judges supervise each of the major trial courts, and the Deputy Chief Administrative Judge provides for management of the complex of courts and court agencies within the City. The Administrative Judges manage not only court caseload, but are responsible as well for general administrative functions including personnel and budget administration.

The Appellate Divisions are responsible for the administration and management of their respective courts, and of the several Appellate Auxiliary Operations: Candidate Fitness, Attorney Discipline, Assigned Counsel, Attorney for the Child, and Mental Hygiene Legal Service.

**Unified Court System Administrative Structure**



\*DCAJ - Deputy Chief Administrative Judge

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## **EXECUTIVE SUMMARY**

In preparing this budget request, the Judiciary has been mindful of the extraordinary events unfolding in the broader economy and of their impact on the State's fiscal health. The Judiciary is committed to working with the Executive and Legislative Branches to address the grave situation facing New York State government. At the same time the Judiciary must continue to fulfill its constitutional duties, especially now, as the economic downturn itself brings more and more New Yorkers into the courts.

The Judiciary's fiscal year 2009-2010 budget request seeks to balance these competing obligations. It is an austere request that provides the minimum resources essential to meeting the Judiciary's core mission. The General Fund State Operations and Aid to Localities portion of the request totals \$2.27 billion. This represents no increase over the current year. The Judiciary's All Funds budget request totals \$2.5 billion, an increase of just \$2.3 million, or one-tenth of one percent over the current year appropriation. This small increase comes not from the General Fund but from fees paid by attorneys and others who utilize court services.

The Judiciary's zero-growth General Fund budget request will require that the Judiciary continue the spending controls instituted earlier this year in response to the State's worsening fiscal condition. Because so much of the Judiciary budget is for personnel-related expenses, meaningful spending controls must focus there. For this reason, the centerpiece of the Judiciary's spending control program is a freeze on filling administrative vacancies and a strict review of vacancies in court operational positions. The Judiciary has also imposed restrictions on travel and purchases, and will continue to rely on technology, including expanded use of video-conferencing, remote court appearances, and electronic filing, to make court operations more efficient and cost-effective.

The Judiciary submits this austere budget request at a time when the courts' workload continues at record levels, with more than four million new cases having been filed in both 2006 and 2007.

It is expected that the economic downturn will bring additional work to the courts. Like court systems around the nation, New York's courts are experiencing a surge in residential mortgage foreclosure filings. In some counties, filings have risen more than 200% in the past few years. In response, the Judiciary announced a program to facilitate settlement of these cases and to ensure that homeowners are aware of available legal services and mortgage counselors. To date, over 25,000 notices have been sent to homeowners informing them of available services and inviting them to attend an early court conference to explore settlement possibilities. These early settlement conferences, which in many counties across the State will be held in dedicated parts presided over by specially-trained referees and staff, will soon be mandatory under recently-enacted legislation (chapter 472 of the Laws of 2008).

Other areas in which the courts anticipate increased filings include consumer debt, evictions, and family-related matters. The Judiciary is closely monitoring caseload trends in these and other areas, and is preparing to handle increased filings by shifting existing resources and implementing targeted programs, such as our mortgage foreclosure program, to more effectively manage and resolve particular case types. The needs of self-represented litigants are receiving special attention, as they comprise a large percentage of the litigants in housing, consumer debt and other case types that are particularly affected by the broader economic conditions.

The Family Court caseload continues its steady growth, particularly in the areas of child protection, custody and visitation, and child support. The increase in child protective proceedings has been dramatic, with neglect cases in New York City doubling over the past five years, and abuse cases increasing by more than 35% over that period. The Judiciary has initiated a new collaboration, bringing together foster care agencies, counsel for parents and children, and various city and state government agencies, to develop a comprehensive plan for improving how these cases are handled and resolved, with continuous trials, and fewer and shorter adjournments, toward the goal of speeding permanent placement.

The courts are also beginning to see a new category of filings pursuant to chapter 326 of the Laws of 2008, which authorized family and criminal courts to issue orders of protection to persons involved in an “intimate relationship,” enabling domestic violence victims who are not married or related to their abusers, such as dating partners and unmarried couples, to seek civil orders of protection. Since it took effect in July 2008, this legislation has resulted in a 12% increase in family offense matters Statewide, including a 16% increase in the New York City Family Court. As appropriate, based on local needs, Family Courts are responding to this increased workload by shifting existing resources and implementing new procedures, including the creation of dedicated parts for family offense cases in those counties with a large number of such new filings.

Family and Supreme Courts are also preparing to implement chapter 595 of the Laws of 2008, which, effective January 23, 2009, requires that prior to issuing a temporary, permanent or successive custody or visitation order, the court review various databases for information, including the statewide domestic violence registry, the sex offender registry, and the court system’s family court case management system for “related decisions” in child abuse and neglect proceedings. Within the parameters of the zero-growth budget, the Judiciary is preparing to absorb this work with existing resources using technology changes to expedite the searches.

The Judiciary’s proposed budget continues funding to implement the Action Plan for the Justice Courts. The local Town and Village Courts, which each year handle more than two million cases, including arraignment of serious felonies, trials of other crimes, and a broad range of civil matters, have historically operated with limited support and assistance from the State Judiciary. Recognizing the critical role of these courts in the State’s overall justice system, the Action Plan set forth a range of State Judiciary initiatives to support these locally-administered courts and ensure that they are equipped to fulfill their important duties. In the two years since its release in November 2006, the Action Plan has improved the Justice Courts in concrete ways that can be felt by the justices who serve in these courts as well as the public they serve. Key achievements include expansion and strengthening of training for local justices, enhanced automation support, acceptance of credit card payments of fees and fines, and the requirement, for the first time, that Justice Court proceedings be on the record.

While the function of the Judiciary is to adjudicate cases rather than generate funds for the State, the courts do in fact collect significant revenues. In fiscal year 2007-2008, the courts collected more than \$102 million in various administrative fees, principally attorney registration fees, bar examination fees and charges for criminal history searches. These fees fund a very small part of court operations, as well as a variety of criminal justice initiatives, including indigent defense, civil legal services, and the Lawyers’ Fund for Client Protection. The Judiciary also collected nearly \$230 million in court filing fees during fiscal 2007-2008, \$155 million of which was credited to the State’s General Fund and \$75 million of which funded an aid to localities program. In addition, the courts

collected more than \$228 million in fines and surcharges, \$43 million of which went to the State and \$186 million was remitted to local governments. (In addition to these revenues collected by the state-paid courts, more than \$215 million in additional fines and surcharges are collected by the local Town and Village Courts.) The Judiciary is implementing new procedures to enhance collection of fines and surcharges imposed to ensure that the State and its localities receive the funds to which they are entitled.

The recently announced Green Justice initiative represents another effort by the Judiciary to carefully manage its resources. The primary focus of Green Justice is reducing the environmental impact of the judicial system, through such measures as a greater reliance on electronic filing, video appearances and conferences, remote learning, and acceptance of online credit card payments for fees and fines. Experience has shown that environmental responsibility and economic responsibility go hand in hand, and Green Justice will therefore not only lighten the court system's environmental footprint, but also enhance the efficiency of court operations and the prudent use of limited resources.

Finally, it is once again necessary to address the need for a salary increase for the judges of the Unified Court System. Within two months it will be the tenth anniversary of the last cost-of-living adjustment received by New York's judges. The Judiciary budget bill includes language that would raise judicial compensation in New York, retroactive to April 1, 2005, and the budget provides for appropriate funding. Equally important is reform of the way in which the salaries of judges are set. New York State needs an open and accountable process for adjusting salaries of its judges on a regular basis. The Judiciary has submitted a proposal to establish a mechanism for the regular review of judicial salaries and will continue to urge enactment of this much-needed reform.

This budget reflects the Judiciary's commitment to working with the Executive and Legislative branches to address the grave challenges facing the State. The budget is the product of difficult choices that were made to fulfill that commitment while also meeting the Judiciary's constitutional obligations.

## ***THE 2009-2010 JUDICIARY BUDGET REQUEST***

The budget request for the Judiciary General Fund State Operations and Aid to Localities for fiscal year 2009-2010 totals \$2.3 billion, no change from the current appropriation. The All Funds request totals \$2.5 billion, an increase of \$2.3 million, or .1% over the current year.

### ***KEY ELEMENTS OF CHANGE***

Significant elements of change in the Judiciary's 2009-2010 General Fund State Operations and Aid to Localities budget request include the following:

- \$40.7 million in net increases for increments, salary increases, longevity bonuses and other mandated collective bargaining costs.
- \$9.0 million to annualize the costs of current year line adjustments, including approved temporary service conversions and transfers from local to state-paid public safety services.
- \$6.3 million in baseline overtime personal service increases, primarily attributable to public safety-related staffing.

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- (\$20.1) million in personal service savings attributable to a vacancy control program.
- \$1.8 million in real estate rental costs, including costs for additional court support office space, chambers and courtroom space for Court of Claims Judges, and space for Mental Hygiene Legal Service staff needed to implement chapter 7 of the Laws of 2007 (civil confinement of sex offenders).
- \$6.6 million in child legal representation costs, including full-year funding to implement law guardian caseload caps established pursuant to chapter 626 of the Laws of 2007.
- \$12.4 million attributable to increased employee fringe benefit costs, including projected health insurance premium increases.
- (\$4.1) million in nonpersonal service savings attributable to the elimination of planned public safety enhancements, including conversions from local to state-paid security in various upstate localities.
- (\$4.6) million in nonpersonal service savings attributable to a variety of cost savings measures, including, but not limited to, reductions in legal reference materials, business-related travel and equipment.

# JUDICIARY

**Unified Court System  
2009-10 Budget Request  
All Funds Appropriation Requirements  
Major Purpose/Fund Summary**

Category / Fund / Major Purpose	2008-2009 Available	2009-2010 Requested	Change
<b><u>Court &amp; Agency Operations:</u></b>			
<i>Courts of Original Jurisdiction</i>	1,517,587,227	1,540,679,957	23,092,730
<i>Court of Appeals</i>	16,043,599	16,308,446	264,847
<i>Appellate Court Operations</i>	73,270,318	76,936,614	3,666,296
<i>Appellate Auxiliary Operations</i>	112,549,703	119,593,807	7,044,104
<i>Administration &amp; General Support</i>	24,837,266	24,670,698	(166,568)
<i>Judiciary Wide Maintenance Undistributed</i>	53,146,675	6,816,964	(46,329,711)
<b><u>Court &amp; Agency Operations - General Fund Total</u></b>	<b><u>1,797,434,788</u></b>	<b><u>1,785,006,486</u></b>	<b><u>(12,428,302)</u></b>
<b><u>Special Revenue Fund - Federal</u></b>	9,100,000	9,100,000	0
<b><u>Special Revenue Fund - Other</u></b>			
<i>NYC County Clerks Operations Offset Fund</i>	23,763,203	24,094,357	331,154
<i>Judiciary Data Processing Offset Fund</i>	17,537,374	18,064,995	527,621
<i>Miscellaneous Special Revenue</i>	1,500,000	1,500,000	0
<i>Attorney Licensing Fund</i>	24,730,413	25,615,035	884,622
<i>Indigent Legal Services Fund</i>	25,000,000	25,000,000	0
<i>Court Facilities Incentive Aid Fund</i>	2,152,022	2,351,976	199,954
<b><u>Court &amp; Agency Operations - All Funds Total</u></b>	<b><u>1,901,217,800</u></b>	<b><u>1,890,732,849</u></b>	<b><u>(10,484,951)</u></b>
<b><u>General State Charges</u></b>			
<i>General Fund</i>	466,904,283	479,332,585	12,428,302
<i>Lawyers' Fund for Client Protection</i>	98,000	98,000	0
<i>Attorney Licensing Fund</i>	4,407,721	4,525,020	117,299
<i>Court Facilities Incentive Aid Fund</i>	453,134	465,192	12,058
<i>New York City County Clerks' Offset Fund</i>	5,396,366	5,539,579	143,213
<i>Judiciary Data Processing Offset Fund</i>	3,789,816	3,890,675	100,859
<b><u>General State Charges - All Funds Total</u></b>	<b><u>481,049,320</u></b>	<b><u>493,851,051</u></b>	<b><u>12,801,731</u></b>
<b><u>Lawyers' Fund for Client Protection</u></b>			
<i>Lawyers' Fund for Client Protection</i>	12,888,555	12,901,577	13,022
<b><u>Lawyers' Fund for Client Protection - Total</u></b>	<b><u>12,888,555</u></b>	<b><u>12,901,577</u></b>	<b><u>13,022</u></b>
<b><u>Aid to Localities</u></b>			
<i>General Fund - Courts of Original Jurisdiction</i>	4,718,700	4,718,700	0
<i>Court Facilities Incentive Aid</i>	123,553,284	123,553,284	0
<b><u>Aid to Localities - All Funds Total</u></b>	<b><u>128,271,984</u></b>	<b><u>128,271,984</u></b>	<b><u>0</u></b>
<b><u>Capital Projects</u></b>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Funds</i>	0	0	0
<b><u>Capital Construction - All Funds Total</u></b>	<b><u>0</u></b>	<b><u>0</u></b>	<b><u>0</u></b>
<b><u>Grand Total All Funds</u></b>	<b><u>2,523,427,659</u></b>	<b><u>2,525,757,461</u></b>	<b><u>2,329,802</u></b>
<b><u>Retroactive Collective Bargaining</u></b>	<b><u>65,000,000</u></b>		
<b><u>Black Book Total</u></b>	<b><u>2,588,427,659</u></b>		

# JUDICIARY

**Unified Court System**  
**2009-10 Budget Request**  
**All Funds Appropriation Requirements**  
**Major Purpose/Fund Summary**  
**(Fund Detail)**

<u>Category/Fund/Major Purpose</u>	<u>2008-2009 Available</u>	<u>2009-2010 Requested</u>	<u>Change</u>
<b><u>Court &amp; Agency Operations:</u></b>			
Courts of Original Jurisdiction			
<i>General Fund</i>	1,517,587,227	1,540,679,957	23,092,730
<i>Special Revenue Funds</i>	52,568,569	53,472,023	903,454
<b>Total - All Funds</b>	<b>1,570,155,796</b>	<b>1,594,151,980</b>	<b>23,996,184</b>
Court of Appeals			
<i>General Fund</i>	16,043,599	16,308,446	264,847
<i>Special Revenue Funds</i>	0	0	0
<b>Total - All Funds</b>	<b>16,043,599</b>	<b>16,308,446</b>	<b>264,847</b>
Appellate Court Operations			
<i>General Fund</i>	73,270,318	76,936,614	3,666,296
<i>Special Revenue Funds</i>	0	0	0
<b>Total - All Funds</b>	<b>73,270,318</b>	<b>76,936,614</b>	<b>3,666,296</b>
Appellate Auxiliary Operations			
<i>General Fund</i>	112,549,703	119,593,807	7,044,104
<i>Special Revenue Funds</i>	46,406,048	47,427,221	1,021,173
<b>Total - All Funds</b>	<b>158,955,751</b>	<b>167,021,028</b>	<b>8,065,277</b>
Administration & General Support			
<i>General Fund</i>	24,837,266	24,670,698	(166,568)
<i>Special Revenue Funds</i>	2,882,601	2,966,339	83,738
<b>Total - All Funds</b>	<b>27,719,867</b>	<b>27,637,037</b>	<b>(82,830)</b>
Judiciary Wide Maintenance Undistributed			
<i>General Fund</i>	53,146,675	6,816,964	(46,329,711)
<i>Special Revenue Funds</i>	1,925,794	1,860,780	(65,014)
<b>Total - All Funds</b>	<b>55,072,469</b>	<b>8,677,744</b>	<b>(46,394,725)</b>
<b><u>Court &amp; Agency Operations - Total</u></b>			
<i>General Fund</i>	1,797,434,788	1,785,006,486	(12,428,302)
<i>Special Revenue Funds</i>	103,783,012	105,726,363	1,943,351
<b>Total - All Funds</b>	<b>1,901,217,800</b>	<b>1,890,732,849</b>	<b>(10,484,951)</b>
<b><u>General State Charges</u></b>			
<i>General Fund</i>	466,904,283	479,332,585	12,428,302
<i>Special Revenue Funds</i>	14,145,037	14,518,466	373,429
<b>Total - All Funds</b>	<b>481,049,320</b>	<b>493,851,051</b>	<b>12,801,731</b>
<b><u>Lawyers' Fund for Client Protection</u></b>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Funds</i>	12,888,555	12,901,577	13,022
<b>Total - All Funds</b>	<b>12,888,555</b>	<b>12,901,577</b>	<b>13,022</b>
<b><u>Aid to Localities</u></b>			
<i>General Fund</i>	4,718,700	4,718,700	0
<i>Special Revenue Funds</i>	123,553,284	123,553,284	0
<b>Total - All Funds</b>	<b>128,271,984</b>	<b>128,271,984</b>	<b>0</b>
<b><u>Capital Projects</u></b>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Fund</i>	0	0	0
<b>Total - All Funds</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Grand Total - All Funds</b>	<b>2,523,427,659</b>	<b>2,525,757,461</b>	<b>2,329,802</b>

**Unified Court System  
2009-10 Budget Request  
All Funds Disbursement Requirements  
(Millions \$)**

<b>Category / Fund</b>	<b>2008 - 2009 Projected</b>	<b>2009 - 2010 Projected</b>	<b>Change</b>
<b><u>Court &amp; Agency Operations:</u></b>			
<b>General Fund</b>	1,725.3	1,765.1	39.8
<b>Special Revenue Federal</b>	6.1	6.3	0.2
<b>Special Revenue Funds - Other</b>			
NYC County Clerks Operations Offset Fund	24.1	24.8	0.7
Judiciary Data Processing Offset Fund	17.0	17.8	0.8
Miscellaneous Special Revenue	25.6	26.3	0.7
Indigent Legal Services Fund	25.0	25.0	0.0
Court Facilities Incentive Aid Fund	1.7	1.8	0.1
<b><i>Court &amp; Agency Operations - All Funds Total</i></b>	<b>1,824.8</b>	<b>1,867.1</b>	<b>42.3</b>
<b><u>General State Charges</u></b>			
General Fund	467.1	475.5	8.4
NYC County Clerks' Operations Offset Fund	5.3	5.5	0.2
Judiciary Data Processing Offset Fund	3.7	3.8	0.1
Miscellaneous Special Revenue	0.0	4.5	4.5
Court Facilities Incentive Aid Fund	0.4	0.5	0.1
Lawyers' Fund for Client Protection	0.1	0.1	0.0
<b><i>General State Charges - All Funds Total</i></b>	<b>476.6</b>	<b>489.9</b>	<b>13.3</b>
<b><u>Lawyers' Fund for Client Protection</u></b>			
Lawyers' Fund for Client Protection	7.9	8.0	0.1
<b><i>Lawyers' Fund for Client Protection - Total</i></b>	<b>7.9</b>	<b>8.0</b>	<b>0.1</b>
<b><u>Aid to Localities</u></b>			
General Fund - Courts of Original Jurisdiction	6.9	4.8	(2.1)
Court Facilities Incentive Aid Fund	113.7	117.5	3.8
<b><i>Aid to Localities - All Funds Total</i></b>	<b>120.6</b>	<b>122.3</b>	<b>1.7</b>
<b><u>Capital Projects</u></b>			
Courthouse Improvements	3.0	16.5	13.5
<b><i>Capital Construction - All Funds Total</i></b>	<b>3.0</b>	<b>16.5</b>	<b>13.5</b>
<b><i>All Funds Total</i></b>	<b>2,432.9</b>	<b>2,503.8</b>	<b>70.9</b>



# ***THE LEGISLATURE***

The New York State Constitution vests the State's law-making power in a two-house Legislature composed of a 62-member Senate and a 150-member Assembly. Each representative is elected for two-year terms, with all 212 being elected every two years. The Legislature convenes annually on the first Wednesday after the first Monday in January and remains in session until it concludes its business.

The Legislature has many powers set by the State Constitution. These responsibilities include:

- ◆ the ability to propose laws;
- ◆ the power to override a gubernatorial veto if two-thirds of the Senate and Assembly vote to do so;
- ◆ the reapportionment of legislative and congressional districts every ten years after the national census;
- ◆ the confirmation by the Senate of gubernatorial appointments of non-elected state officials and court judges;
- ◆ the proposition of amendments to the State Constitution;
- ◆ voting on ratification of proposed amendments to the Federal Constitution; and
- ◆ the creation, regulation and, in some limited cases, abolition of local governments.

Subject to the limitations and prohibitions imposed by the Federal Constitution, certain Federal statutes and treaties, and the State Constitution, the law-making powers of the Legislature are practically unlimited. The principal purposes of bills considered by the Legislature are to:

- ◆ enact or amend laws relating to the government of the State and its various subdivisions;
- ◆ appropriate funds for the operation of the various agencies and functions of State government and for State aid to local governments, and to provide adequate revenue-producing sources for these purposes;
- ◆ provide for and regulate the operation of a judicial system, including the practices and procedures for the system;
- ◆ define acts or omissions that constitute crimes, and to provide penalties for these crimes;
- ◆ promote the public welfare, including the care of the State's indigent, mentally ill, unemployed, etc.; and
- ◆ correct, clarify, amend or repeal obsolete, conflicting, uncertain or invalidated statutes.

In addition to the Senate and Assembly, the Legislature's Budget authorizes funding for several other components, which support the operations of the two houses, including:

- ◆ part of the Lieutenant Governor's office;
- ◆ fiscal committees operating in each house; and
- ◆ joint entities, including the Legislative Ethics Committee, Legislative Library, Legislative Health Services, Legislative Messenger Service, Legislative Bill Drafting Commission and the Legislative Task Force on Demographic Research and Reapportionment.

Each of these Legislative components, excluding the Senate, will be discussed in separate sections below.

## **LIEUTENANT GOVERNOR**

The Lieutenant Governor serves as the Senate's President and has a casting vote. The Lieutenant Governor's salary of \$151,500 would usually appear as part of the Legislative Budget. The Legislature also funds a part of the Lieutenant Governor's Office.

### **Budget Highlights**

The recommended appropriation of \$0 for FY 2009-10 for the Lieutenant Governor represents a decrease of \$277,409 below the amount appropriated for FY 2008-09. This recommendation reflects the current vacancy in the Lieutenant Governor's office.

## **SENATE**

The Senate is composed of 62 Members elected for two-year terms from districts around the state. Each Senator represents approximately 306,000 constituents. The Senate conducts its legislative business through the operation of 31 Standing Committees.

The Senate elects from among its Members for a two-year term a Temporary President who directs and guides the business of the Senate, appoints Members to Senate Standing Committees, and appoints the Senate's staff. The Temporary President serves as the presiding officer in the absence of the Lieutenant Governor or may delegate this duty to another Member. In addition, the Temporary President serves as the Majority Leader of the majority party, while the minority party of the Senate chooses a Minority Leader from among its membership.

Senate Members have staff to assist them in carrying out their legislative duties, delivering constituent services and, where applicable, in fulfilling their responsibilities as committee chairs or leaders of the Senate. Members are also provided with office space both in Albany and the district, as well as office equipment, furnishings and supplies, in order to serve their constituents. Travel expenses for approved official Senate business are reimbursable. The Majority and Minority Leaders each have staff to provide counsel, policy analysis and program development. The Temporary President, through the Secretary of the Senate, employs staff to operate the Senate Chamber during session and to handle the legislative process during the remainder of the year, furnish research and computer services, and provide administrative services such as personnel, fiscal, maintenance, and printing services for the Senate. The Temporary President also has staff to deliver communications services for the Senate. Finally, the Senate operates a program for college students which includes a Session Assistant program for undergraduates and a Student Fellows program for post-graduates who wish to learn about and experience the legislative process by working with Senate Members.

In addition to the Senate's General Fund appropriation, a Special Revenue Fund (Senate Recyclable Materials, Information Services and Conference Fund) has been established to collect revenues from the sale of recyclable materials, distribution of documents, materials and computerized information, and fees charged for conferences sponsored by the Senate. These revenues may be used to pay for waste disposal, production and distribution of Senate documents, materials and computerized information, and expenses related to conferences sponsored by the Senate. A Grants and Bequests Fund has also been established to receive non-state grants which may be used to pay for services and expenses related to the restoration of the Senate Chamber.

**Budget Highlights**

The recommended appropriation for the Senate of \$86,942,625 for FY 2009-10 represents a decrease of \$8,578,296 in the amount appropriated for FY 2008-09. This decrease is the result of moving \$5,889,349 in funding to the Senate Finance Committee (detailed later in this narrative) and then taking a 3% reduction (\$2,688,947) from the remaining 2008-09 appropriation.

As detailed in the Table below, the Senate (including the 2009-10 Senate Finance Committee appropriation so the numbers are comparable) has seen its budget increase by \$8,996,891 or 10.7 percent from the \$83,835,083 appropriated in FY 2000-01. Over the same nine year period, the consumer price index has increased by 32.1 percent. This is consistent with an eighteen year trend that has seen the Senate’s budget grow at just over one-third of the overall rate of inflation.

In the past 14 years, the Senate has reduced its staff by 436 employees or 23.8%, eliminated its Washington, D.C. and New York City office leases, closed many district offices, and reduced the number of district-wide mailings allowed each Member. The Senate continued to tightly control its non-personal service expenses in other ways while the costs of these have continued to rise, often above the rate of inflation.

**Senate Budget History  
(including Senate Finance Committee)  
Fiscal Year 2000-01 to 2009-10  
General Fund Appropriations**

	<b>FY 00-01 <u>Approp.</u></b>	<b>FY 08-09 <u>Available</u></b>	<b>FY 09-10 <u>Recommended</u></b>	<b>Change from FY 08-09 (%)</b>	<b>Change from FY 00-01 (%)</b>
Senate Budget (incl. Senate Finance)	83,835,083	95,520,921	92,831,974	-2,688,947 (-2.8%)	8,996,891 (+10.7%)

**SENATE FINANCE COMMITTEE**

The Governor's annual budget bills and the budgetary proposals for the Legislature and Judiciary are referred to the Senate Finance Committee when introduced and are reported by them, with recommendations, to the Senate. Designated representatives of the committee are entitled, by constitutional provisions, to attend the required hearings for the preparation of the budget and to make inquiry concerning any part thereof. The Senate Finance Committee also considers all bills introduced in the Legislature carrying appropriations or providing for the expenditures of public money.

In addition, pursuant to the provisions of section 122-a of the State Finance Law, the Chair and ranking Minority Member of the Senate Finance Committee serve on an Audit Committee. The responsibilities of the Audit Committee include the selection of an independent certified public accountant to conduct an independent audit of the state's annual financial statements, receiving the results of such independent audit, and submitting the certification received from the independent certified public accountant to the State Comptroller for inclusion in the annual financial report required pursuant to section 8 of the State Finance Law.

## **Budget Highlights**

The Senate is re-establishing an independent Senate Finance Committee in this budget. The recommended appropriation of \$5,889,349 for fiscal year 2009-10 for the Committee is funded by a like reduction in the requested appropriation for the Senate and therefore represents no change from the total amount appropriated for the Senate and Senate Finance Committee for FY 2008-09.

## **ASSEMBLY**

The Assembly is composed of 150 members elected for two-year terms from districts around the state. Each Member of Assembly represents approximately 127,000 constituents. The Assembly conducts its legislative business through the operation of 38 standing committees.

The Assembly elects from among its members a Speaker who directs and guides the business of the Assembly, and appoints members to Assembly Standing Committees and Assembly leadership positions. The Speaker serves as the presiding officer of the Assembly. The minority party of the Assembly chooses a Minority Leader from their membership.

Each Member of Assembly is entitled to employ staff to assist them in carrying out their legislative duties and, where applicable, their responsibilities as Committee Chairs or leadership. Members are also provided with office space both in Albany and the district, as well as office equipment, furnishings and supplies, in order to serve their constituents. The State Constitution provides for reimbursement to Assembly Members for travel to the Capitol from their district, and Members and staff are also eligible for reimbursement of other travel related to legislative business. The Speaker of the Assembly and the Assembly Minority Leader employ staff to provide counsel, legislative program development and policy analysis. The Assembly also employs staff to serve the needs of the house, including the operation of the Assembly Chamber during session, the management of the legislative process, and research, communications and administrative services. The Assembly also administers an Intern Program to provide opportunities to undergraduate and graduate college students to learn about the legislative process while utilizing their skills to assist the Assembly Members in fulfilling their constitutional responsibilities.

In addition to the Assembly's General Fund appropriation, a Special Revenue Fund (Assembly Recyclable Materials, Information Services and Conference Fund) has been established to collect revenues from the sale of recyclable materials, distribution of documents, materials and computerized information, and fees charged for conferences sponsored by the Assembly. These revenues may be used to pay for waste disposal, production and distribution of Assembly documents, materials and computerized information, and expenses related to conferences sponsored by the Assembly. A Grants and Bequests Fund has also been established to receive non-state grants which may be used to pay for services and expenses related to the restoration of the Assembly Chamber.

## **Budget Highlights**

The recommended appropriation for FY 2009-10 of \$103,329,789 represents a decrease of \$3,195,767 (3.0%) below the amount appropriated for FY 2008-09. Over the past nine years, as detailed below, the Assembly's budget has increased by 10.5 percent while over the same period,

the Consumer Price Index has increased by 32.1 percent. Over the past nineteen years, the growth of the Assembly's budget has been approximately 30% of the overall rate of inflation. During this period, the Assembly has controlled its spending by reducing the payroll for Assembly controlled entities by over 500 positions and implementing other operational savings.

**Assembly Budget History  
Fiscal Year 2000-01 to 2008-2009  
General Fund Appropriations**

	<u>FY 00-01 Approp.</u>	<u>FY 08-09 Available</u>	<u>FY 09-10 Recommended</u>	<b>Change from FY 08-09 (%)</b>	<b>Change from FY 00-01 (%)</b>
<b>Assembly Budget</b>	\$93,492,920	\$106,525,556	\$103,329,789	(\$3,195,767) (-3.0%)	9,836,869 (+10.5%)

**ASSEMBLY WAYS AND MEANS COMMITTEE**

The Governor's annual budget bills and the budgetary proposals for the Legislature and Judiciary are referred to the Ways and Means Committee when introduced and are reported by them, with recommendations, to the Assembly. Designated representatives of the committee are entitled, by constitutional provisions, to attend the required hearings for the preparation of the budget and to make inquiry concerning any part thereof. The Ways and Means Committee also considers all bills introduced in the Legislature carrying appropriations or providing for the expenditures of public money.

In addition, pursuant to the provisions of section 122-a of the State Finance Law, the Chair and Ranking Minority Member of the Assembly Ways and Means Committee serve on an Audit Committee. The responsibilities of the Audit Committee include the selection of an independent certified public accountant to conduct an independent audit of the state's annual financial statements, receiving the results of such independent audit, and submitting the certification received from the independent certified public accountant to the State Comptroller for inclusion in the annual financial report required pursuant to section 8 of the State Finance Law.

**Budget Highlights**

The recommended appropriation of \$5,889,349 for fiscal year 2009-10 for the Assembly Ways and Means Committee represents no change from the amount appropriated for FY 2008-09.

## **JOINT ENTITIES AND DUES PAYMENTS**

### **LEGISLATIVE ETHICS COMMISSION**

The Legislative Ethics Commission was created as the Legislative Ethics Committee by Chapter 813 of the laws of 1987 (and renamed the Legislative Ethics Commission by Chapter 14 of the laws of 2007) and is a joint bipartisan commission authorized by law to act on matters arising out of Public Officers Law Sections 73, 73-a and 74, as applied to the legislative branch, and carry out the provisions of Section 80 of the Legislative Law. The Commission is authorized by law to distribute, collect and review financial disclosure statements from legislators, employees and candidates for legislative office. The Commission renders formal advisory opinions, investigates violations of the law, and assesses civil penalties for applicable violations. The Legislative Ethics Commission is also required to adopt policies, rules, and regulations for its operations, develop educational materials and training with regard to legislative ethics for Members of the Legislature and legislative employees, and prepare an annual report to the Governor and Legislature as prescribed by Section 80 of the Legislative Law. The nine-member commission is comprised of one member each from the Senate and Assembly majority and minority parties, and five other members who are not legislators or lobbyists, with one member appointed by each legislative leader, and one appointed jointly by the Speaker of the Assembly and Majority Leader of the Senate.

#### **Budget Highlights**

The recommended appropriation of \$380,757 for FY 2009-10 for the Legislative Ethics Commission represents no change from the amount appropriated for FY 2008-09.

### **LEGISLATIVE HEALTH SERVICE**

Section 7-b of the Legislative Law provides for a legislative emergency health station for the use of members and employees of the Legislature and legislative correspondents. This station is to be under the direction of a registered nurse and suitably and adequately equipped to administer first aid whenever needed.

#### **Budget Highlights**

The recommended appropriation of \$213,400 for FY 2009-10 for the Legislative Health Service represents no change from the amount appropriated for FY 2008-09.

### **LEGISLATIVE LIBRARY**

Section 7-a of the Legislative Law provides for a Legislative Library to be located in the State Capitol, conveniently accessible to the members of both houses of the Legislature. The Legislative Library is the Library of Record for the Legislature. The Legislative Library is open throughout the year and all hours that the Legislature is actively in session, and provides general information services to legislators and their staffs with a collection emphasis on legal materials.

**Budget Highlights**

The recommended appropriation of \$806,284 for FY 2009-10 for the Legislative Library represents no change from the amount appropriated for FY 2008-09.

**LEGISLATIVE MESSENGER SERVICE**

The Legislative Messenger Service provides a communications network throughout the Empire State Plaza and neighboring state buildings for Senate and Assembly legislators and their staffs. The service employs and trains individuals with disabilities as office personnel and messengers, and is located in the Legislative Office Building.

**Budget Highlights**

The recommended appropriation of \$917,000 for FY 2009-10 represents no change from the amount appropriated for FY 2008-09.

**LEGISLATIVE BILL DRAFTING COMMISSION**

The Legislative Bill Drafting Commission is composed of two commissioners jointly appointed by the Temporary President of the Senate and the Speaker of the Assembly. The Commission is mandated to draft or aid in the drafting of legislative bills and resolutions at the request of members or committees of either house of the Legislature. The Commission, upon research and examination, may advise as to the constitutionality, consistency or effect of proposed legislation upon request of a member or committee of either house of the Legislature. The Commissioners direct a legal staff of attorneys and are supported by a data processing and technical staff.

The Commission also maintains and operates centralized data processing systems, programs and equipment for the operation of a bill status and statutory and other miscellaneous information retrieval system for the Legislature, including the creation of a databank containing the official statutes of the state and the text of the rules and regulations of state agencies as filed with the Secretary of State. The Commission's budget is used to pay for the cost of the Legislature's printing contract for the printing of bills, session laws, Senate and Assembly Journals, and the printing, publication and distribution of the Legislative Digest.

The Commission receives revenues from the private sale of subscriptions to the Legislative Digest and to the Legislative Retrieval Service (LRS), which are deposited in a Special Revenue Fund known as the Legislative Computer Services Fund. These revenues are used to offset the costs of operating the Commission's data processing systems.

## **Budget Highlights**

The recommended appropriation of \$13,140,891 for fiscal year 2009-10 for the Legislative Bill Drafting Commission represents no change from the amount appropriated for FY 2008-09.

An appropriation of \$1,500,000 for FY 2009-10 is recommended for the Legislative Computer Services Fund. This recommended appropriation represents no change from the amount appropriated for FY 2008-09. No tax revenues are required for this Fund.

## **LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT**

The Task Force on Demographic Research and Reapportionment was established by Chapter 45 of the laws of 1978 to research and study the techniques and methodologies used by the U.S. Commerce Departments' Bureau of the Census in carrying out the decennial federal census. The Task Force aids the Legislature by providing technical plans for meeting the requirements of legislative timetables for the reapportionment of Senate, Assembly and Congressional districts. Using its Geographic Information System database, it also conducts research projects relating to the collection and use of census data and other statistical information.

The Task Force is also authorized to receive revenues from the sale of computer-generated data and services for deposit in the Special Revenue Fund known as the Legislative Computer Services Fund. These funds may be used to offset the Task Force's cost of operating its data processing systems.

## **Budget Highlights**

The total recommended appropriation of \$1,877,534 for fiscal year 2009-10 for the Legislative Task Force on Demographic Research and Reapportionment represents no change from the amount appropriated for FY 2008-09.

## **NATIONAL CONFERENCE OF STATE LEGISLATURES DUES**

The National Conference of State Legislatures (NCSL) is a bi-partisan organization created to serve the legislators and staff of each State Legislature. NCSL provides research, technical assistance and the opportunity for policy makers to exchange ideas on the most pressing state issues.

New York's involvement with the NCSL is through the Assembly on the Legislature (AOL) and State-Federal Assembly (SFA). The AOL promotes the exchange of ideas and information on state issues among state legislatures. SFA informs legislators of developments in state-federal relations, identifies issues of critical concern and serves as a forum for discussion among its 50-state membership. All state legislators and their staff members are eligible to participate in the Conference and are entitled to the full use of its services.

NCSL is supported from dues assessed to each State Legislature, on the basis of state population totals.

**Budget Highlights**

The recommended appropriation of \$380,867 for fiscal year 2009-10 for the National Conference of State Legislatures dues represents no change from the amount appropriated for FY 2008-09.

# LEGISLATURE

## ALL FUNDS REQUIREMENTS FOR THE LEGISLATURE

<u>FUND/ENTITY/MAJOR PURPOSE</u>	<u>AVAILABLE 2008-2009</u>	<u>REQUESTED 2009-2010</u>	<u>CHANGE FROM 2008-2009</u>
General Fund:			
Lt. Governor	\$277,409	\$0	(\$277,409)
Senate	95,520,921	86,942,625	(8,578,296)
Senate Finance	0	5,889,349	5,889,349
Assembly	106,525,556	103,329,789	(3,195,767)
Assembly Ways and Means Committee	5,889,349	5,889,349	0
Joint Entities:			
Legislative Ethics Commission	380,757	380,757	0
National Conference of State Legislatures Dues	380,867	380,867	0
Legislative Health Service	213,400	213,400	0
Legislative Library	806,284	806,284	0
Legislative Messenger Service	917,000	917,000	0
Legislative Bill Drafting Commission	13,140,891	13,140,891	0
Legislative Task Force on Demographic Research and Reapportionment	<u>1,877,534</u>	<u>1,877,534</u>	<u>0</u>
<b>Joint Entities Total</b>	<b><u>\$17,716,733</u></b>	<b><u>\$17,716,733</u></b>	<b><u>\$0</u></b>
<b>GENERAL FUND TOTAL</b>	<b>\$225,929,968</b>	<b>\$219,767,845</b>	<b>(\$6,162,123)</b>
Special Revenue Fund - Other:			
Legislative Computer Services Fund	\$1,500,000	\$1,500,000	\$0
Senate Recyclable Materials, Information Services and Conference Fund	50,000	50,000	0
Assembly Recyclable Materials, Information Services and Conference Fund	<u>50,000</u>	<u>50,000</u>	<u>0</u>
<b>SPECIAL REVENUE FUND TOTAL</b>	<b>\$1,600,000</b>	<b>\$1,600,000</b>	<b>\$0</b>
Grants and Bequests Fund:			
Restoration of Senate Chamber	250,000	250,000	0
Restoration of Assembly Chamber	<u>250,000</u>	<u>250,000</u>	<u>0</u>
<b>GRANTS AND BEQUESTS FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$0</b>

# SCHEDULE OF APPROPRIATIONS

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
<b>OFFICE OF THE LIEUTENANT GOVERNOR</b>			
<b>Administration Program--Personal Service</b>			
For personal service of employees and for temporary and expert services:			
Personal Service Regular	\$262,500	\$0	(\$262,500)
<b>Administration Program--Nonpersonal Service</b>			
Supplies and materials (including liabilities incurred prior to April 1, 2009)			
	<u>\$14,909</u>	<u>\$0</u>	<u>(\$14,909)</u>
Total--Office of Lieutenant Governor	\$277,409	\$0	(\$277,409)

## THE SENATE

### Personal Service

For payment of salaries to members, 62, pursuant to section five of the legislative law	\$4,929,000	\$4,929,000	\$0
For payment of allowances to members designated by the temporary president, pursuant to the schedule of such allowances set forth in section 5-a of the legislative law	\$1,289,500	\$1,289,500	\$0
For personal service of employees and for temporary and expert services of majority leader and minority leader operations:			
Personal Service Regular	\$13,932,104	\$8,188,318	(\$5,743,786)
Temporary Service	\$463,500	\$352,595	(\$110,905)
For personal service of employees and for temporary and expert services of members' offices and of standing committees:			

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
Personal Service Regular	\$30,490,686	\$29,575,965	(\$914,721)
Temporary Service	\$927,000	\$899,190	(\$27,810)
For personal service of employees and for temporary and expert services for administrative support operations:			
Personal Service Regular	\$17,330,265	\$16,810,357	(\$519,908)
Temporary Service	\$103,000	\$99,910	(\$3,090)
For personal service of employees and for temporary and expert services for the senate student program office:			
Personal Service Regular	\$184,500	\$178,965	(\$5,535)
Temporary Service	\$482,047	\$467,586	(\$14,461)
For personal service of employees and for temporary and expert services for the senate select committee on interstate cooperation:			
Personal Service Regular	\$75,601	\$73,333	(\$2,268)
Temporary Service	\$2,000	\$1,940	(\$60)
For personal service of employees and for temporary and expert services for the senate special committee on the culture industry:			
Personal Service Regular	\$75,601	\$73,333	(\$2,268)
Temporary Service	\$2,000	\$1,940	(\$60)
For personal service of employees and for temporary and expert services for the senate select committee on the disabled:			
Personal Service Regular	\$109,117	\$105,843	(\$3,274)
Temporary Service	<u>\$5,000</u>	<u>\$4,850</u>	<u>(\$150)</u>
Total Personal Service	\$70,400,921	\$63,052,625	(\$7,348,296)

### **Nonpersonal Service**

For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2009)

Non-employee services	\$40,000	\$40,000	\$0
Supplies and materials	\$4,300,000	\$4,000,000	(\$300,000)
Travel	\$1,400,000	\$1,300,000	(\$100,000)

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
Rentals	\$1,200,000	\$1,100,000	(\$100,000)
Equipment maintenance and repairs	\$3,450,000	\$3,300,000	(\$150,000)
Office and space leases	\$3,350,000	\$3,250,000	(\$100,000)
Utilities	\$400,000	\$400,000	\$0
Postage and shipping	\$5,900,000	\$5,700,000	(\$200,000)
Printing	\$100,000	\$100,000	\$0
Telephone and telegraph	\$1,500,000	\$1,500,000	\$0
Miscellaneous contractual services	\$1,500,000	\$1,300,000	(\$200,000)
Equipment	<u>\$1,980,000</u>	<u>\$1,900,000</u>	<u>(\$80,000)</u>
Total Nonpersonal Service	<u>\$25,120,000</u>	<u>\$23,890,000</u>	<u>(\$1,230,000)</u>
Grand Total--The Senate	\$95,520,921	\$86,942,625	(\$8,578,296)

### **SENATE FINANCE COMMITTEE**

#### **Personal Service**

For personal service, temporary and special services (including liabilities incurred prior to April 1, 2009):

Personal Service Regular	\$0	\$5,499,349	\$5,499,349
Temporary Service	<u>\$0</u>	<u>\$100,000</u>	<u>\$100,000</u>
Total Personal Service	\$0	\$5,599,349	\$5,599,349

#### **Nonpersonal Service**

Supplies and Materials	\$0	\$100,000	\$100,000
Travel	\$0	\$30,000	\$30,000
Contractual Services	\$0	\$110,000	\$110,000
Equipment	<u>\$0</u>	<u>\$50,000</u>	<u>\$50,000</u>
Total Nonpersonal Service	<u>\$0</u>	<u>\$290,000</u>	<u>\$290,000</u>
Total--Senate Finance Committee	\$0	\$5,889,349	\$5,889,349

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
<b>THE ASSEMBLY</b>			
<b>Personal Service</b>			
Members, 150, payment of salaries pursuant to section five of the legislative law	\$11,925,000	\$11,925,000	\$0
For payment of allowances to members designated by the speaker	\$1,592,500	\$1,592,500	\$0
For personal service of employees and for temporary and expert services of members' offices and of standing committees and subcommittees:			
Personal Service Regular	\$24,104,551	\$23,381,090	(\$723,461)
Temporary Service	\$2,359,046	\$2,288,275	(\$70,771)
For personal service of employees and for temporary and expert services for administrative and program support operations:			
Personal Service Regular	\$40,434,865	\$39,221,819	(\$1,213,046)
Temporary Service	\$480,690	\$466,269	(\$14,421)
For the Assembly Intern and Youth Participation Program for personal service of employees and for temporary and expert services:			
Personal Service Regular	\$233,159	\$226,164	(\$6,995)
Temporary Service	<u>\$735,745</u>	<u>\$713,672</u>	<u>(\$22,073)</u>
Total Personal Service	\$81,865,556	\$79,814,789	(\$2,050,767)

### **Nonpersonal Service**

For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2009)			
Non-employee services	\$20,000	\$20,000	\$0
Supplies and materials	\$2,100,000	\$2,100,000	\$0
Travel	\$2,750,000	\$2,750,000	\$0

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
Rentals	\$700,000	\$700,000	\$0
Equipment maintenance and repairs	\$800,000	\$800,000	\$0
Office and space leases	\$6,450,000	\$6,450,000	\$0
Utilities	\$600,000	\$600,000	\$0
Postage and shipping	\$5,250,000	\$5,250,000	\$0
Printing	\$40,000	\$40,000	\$0
Telephone and telegraph	\$1,800,000	\$1,800,000	\$0
Miscellaneous contractual services	\$1,650,000	\$1,650,000	\$0
Equipment	<u>\$2,500,000</u>	<u>\$1,355,000</u>	<u>(\$1,145,000)</u>
Total Nonpersonal Service	<u>\$24,660,000</u>	<u>\$23,515,000</u>	<u>(\$1,145,000)</u>
Grand Total--The Assembly	\$106,525,556	\$103,329,789	(\$3,195,767)

## **ASSEMBLY WAYS & MEANS COMMITTEE**

### **Personal Service**

For personal service, temporary and special services (including liabilities incurred prior to April 1, 2009):

Personal Service Regular	\$5,344,349	\$5,344,349	\$0
Temporary Service	<u>\$160,000</u>	<u>\$160,000</u>	<u>\$0</u>
Total Personal Service	\$5,504,349	\$5,504,349	\$0

### **Nonpersonal Service**

Supplies and Materials	\$190,000	\$190,000	\$0
Travel	\$30,000	\$30,000	\$0
Contractual Services	\$115,000	\$115,000	\$0
Equipment	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$385,000</u>	<u>\$385,000</u>	<u>\$0</u>
Total--Assembly Ways & Means Committee	\$5,889,349	\$5,889,349	\$0

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
<b>LEGISLATIVE ETHICS COMMISSION</b>			
For services and expenses of the legislative ethics commission pursuant to section 80 of the legislative law			
<b>Personal Service</b>			
Personal Service Regular	\$363,090	\$363,090	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$373,090	\$373,090	\$0
<b>Nonpersonal Service</b>			
Supplies and Materials	\$5,667	\$5,667	\$0
Contractual Services	\$1,000	\$1,000	\$0
Equipment	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$7,667</u>	<u>\$7,667</u>	<u>\$0</u>
Total--Legislative Ethics Commission	\$380,757	\$380,757	\$0

### NATIONAL CONFERENCE OF STATE LEGISLATURES

For a contribution to the National Conference of State Legislatures:

Supplies and Materials	<u>\$380,867</u>	<u>\$380,867</u>	<u>\$0</u>
Total--National Conference of State Legislatures	\$380,867	\$380,867	\$0

### LEGISLATIVE HEALTH SERVICE

For services and expenses for the operation of the legislative health service

<b>Personal Service</b>			
Personal Service Regular	<u>\$185,400</u>	<u>\$185,400</u>	<u>\$0</u>
Total Personal Service	\$185,400	\$185,400	\$0

### Nonpersonal Service

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
Supplies and Materials	\$26,000	\$26,000	\$0
Contractual Services	\$1,000	\$1,000	\$0
Equipment	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$28,000</u>	<u>\$28,000</u>	<u>\$0</u>
Total--Legislative Health Service	\$213,400	\$213,400	\$0

### **LEGISLATIVE LIBRARY**

For services and expenses and for temporary and special services for the operation of the legislative library

#### **Personal Service**

Personal Service Regular	\$413,484	\$413,484	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$423,484	\$423,484	\$0

#### **Nonpersonal Service**

Supplies and Materials	\$250,000	\$250,000	\$0
Contractual Services	\$100,000	\$100,000	\$0
Equipment	<u>\$32,800</u>	<u>\$32,800</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$382,800</u>	<u>\$382,800</u>	<u>\$0</u>
Total--Legislative Library	\$806,284	\$806,284	\$0

### **LEGISLATIVE MESSENGER SERVICE**

For services and expenses for the operation of the legislative messenger service

#### **Personal Service**

Personal Service Regular	\$905,000	\$905,000	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$915,000	\$915,000	\$0

#### **Nonpersonal Service**

Supplies and Materials	\$2,000	\$2,000	\$0
Equipment	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$2,000</u>	<u>\$2,000</u>	<u>\$0</u>

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
Total--Legislative Messenger Service	\$917,000	\$917,000	\$0

### **LEGISLATIVE BILL DRAFTING COMMISSION**

For services and expenses, temporary and special services, and for expenses of maintenance and operation

#### **Personal Service**

Personal Service Regular	\$10,695,644	\$10,695,644	\$0
Temporary Service	<u>\$170,950</u>	<u>\$170,950</u>	<u>\$0</u>
Total Personal Service	\$10,866,594	\$10,866,594	\$0

#### **Nonpersonal Service**

Supplies and Materials	\$335,375	\$335,375	\$0
Travel	\$51,088	\$51,088	\$0
Contractual Services	\$1,727,437	\$1,727,437	\$0
Equipment	<u>\$160,397</u>	<u>\$160,397</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$2,274,297</u>	<u>\$2,274,297</u>	<u>\$0</u>

Total--Legislative Bill Drafting Commission	\$13,140,891	\$13,140,891	\$0
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### **LEG. TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT**

For services and expenses (including liabilities incurred prior to April 1, 2009) of the task force for senate purposes

#### **Personal Service**

Personal Service Regular	\$350,542	\$350,542	\$0
Temporary Service	<u>\$5,000</u>	<u>\$5,000</u>	<u>\$0</u>
Total Personal Service	\$355,542	\$355,542	\$0

#### **Nonpersonal Service**

Travel	\$3,000	\$3,000	\$0
Contractual Services	<u>\$3,402</u>	<u>\$3,402</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$6,402</u>	<u>\$6,402</u>	<u>\$0</u>

Total--Senate	\$361,944	\$361,944	\$0
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<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
For services and expenses (including liabilities incurred prior to April 1, 2009) of the task force for assembly purposes			
<b>Personal Service</b>			
Personal Service Regular	\$340,542	\$340,542	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$350,542	\$350,542	\$0
<b>Nonpersonal Service</b>			
Travel	\$1,000	\$1,000	\$0
Contractual Services	<u>\$10,402</u>	<u>\$10,402</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$11,402</u>	<u>\$11,402</u>	<u>\$0</u>
Total--Assembly	\$361,944	\$361,944	\$0
For services and expenses (including liabilities incurred prior to April 1, 2009) of the task force for joint operations			
<b>Personal Service</b>			
Personal Service Regular	\$803,601	\$803,601	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$813,601	\$813,601	\$0
<b>Nonpersonal Service</b>			
Supplies and Materials	\$15,000	\$15,000	\$0
Travel	\$5,000	\$5,000	\$0
Contractual Services	\$110,045	\$110,045	\$0
Equipment	<u>\$210,000</u>	<u>\$210,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$340,045</u>	<u>\$340,045</u>	<u>\$0</u>
Total--Joint Operations	<u>\$1,153,646</u>	<u>\$1,153,646</u>	<u>\$0</u>
Total--Task Force on Demographic Research and Reapportionment	<u>\$1,877,534</u>	<u>\$1,877,534</u>	<u>\$0</u>
Grand Total--Senate and Assembly Joint Entities	\$17,716,733	\$17,716,733	\$0

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
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**SPECIAL REVENUE FUND - OTHER**

**LEGISLATIVE COMPUTER SERVICES FUND**

For services and expenses of the legislative computer services fund

**Nonpersonal Service**

Contractual Services	\$1,000,000	\$1,000,000	\$0
Equipment	<u>\$500,000</u>	<u>\$500,000</u>	<u>\$0</u>
Total Nonpersonal Service	\$1,500,000	\$1,500,000	\$0
 Total--Legislative Computer Services Fund	 \$1,500,000	 \$1,500,000	 \$0

**SENATE RECYCLABLE MATERIALS, INFORMATION SERVICES  
AND CONFERENCE FUND**

For services and expenses of the senate recyclable materials, information services and conference fund

**Nonpersonal Service**

Supplies and Materials	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$0</u>
Total Nonpersonal Service	\$50,000	\$50,000	\$0
 Total--Senate Recyclable Materials, Information Services and Conference Fund	 \$50,000	 \$50,000	 \$0

**ASSEMBLY RECYCLABLE MATERIALS, INFORMATION SERVICES  
AND CONFERENCE FUND**

For services and expenses of the assembly recyclable materials, information services and conference fund

**Nonpersonal Service**

Supplies and Materials	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$0</u>
Total Nonpersonal Service	\$50,000	\$50,000	\$0
 Total--Assembly Recyclable Materials, Information Services and Conference Fund	 \$50,000	 \$50,000	 \$0

<u>Title of Appropriation</u>	<u>Appropriated for 2008-09</u>	<u>Requested for 2009-10</u>	<u>Change</u>
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**GRANTS AND BEQUESTS FUND - LEGISLATURE**

**SENATE**

For services and expenses relative to restoration of the Senate Chamber and other purposes as funded by non-state grants

**Nonpersonal Service**

Contractual Services	<u>\$250,000</u>	<u>\$250,000</u>	<u>\$0</u>
Total Nonpersonal Service	\$250,000	\$250,000	\$0
 Total--Senate Grants and Bequests Fund	 \$250,000	 \$250,000	 \$0

**ASSEMBLY**

For services and expenses relative to restoration of the Assembly Chamber and other purposes as funded by non-state grants

**Nonpersonal Service**

Contractual Services	<u>\$250,000</u>	<u>\$250,000</u>	<u>\$0</u>
Total Nonpersonal Service	\$250,000	\$250,000	\$0
 Total--Assembly Grants and Bequests Fund	 \$250,000	 \$250,000	 \$0