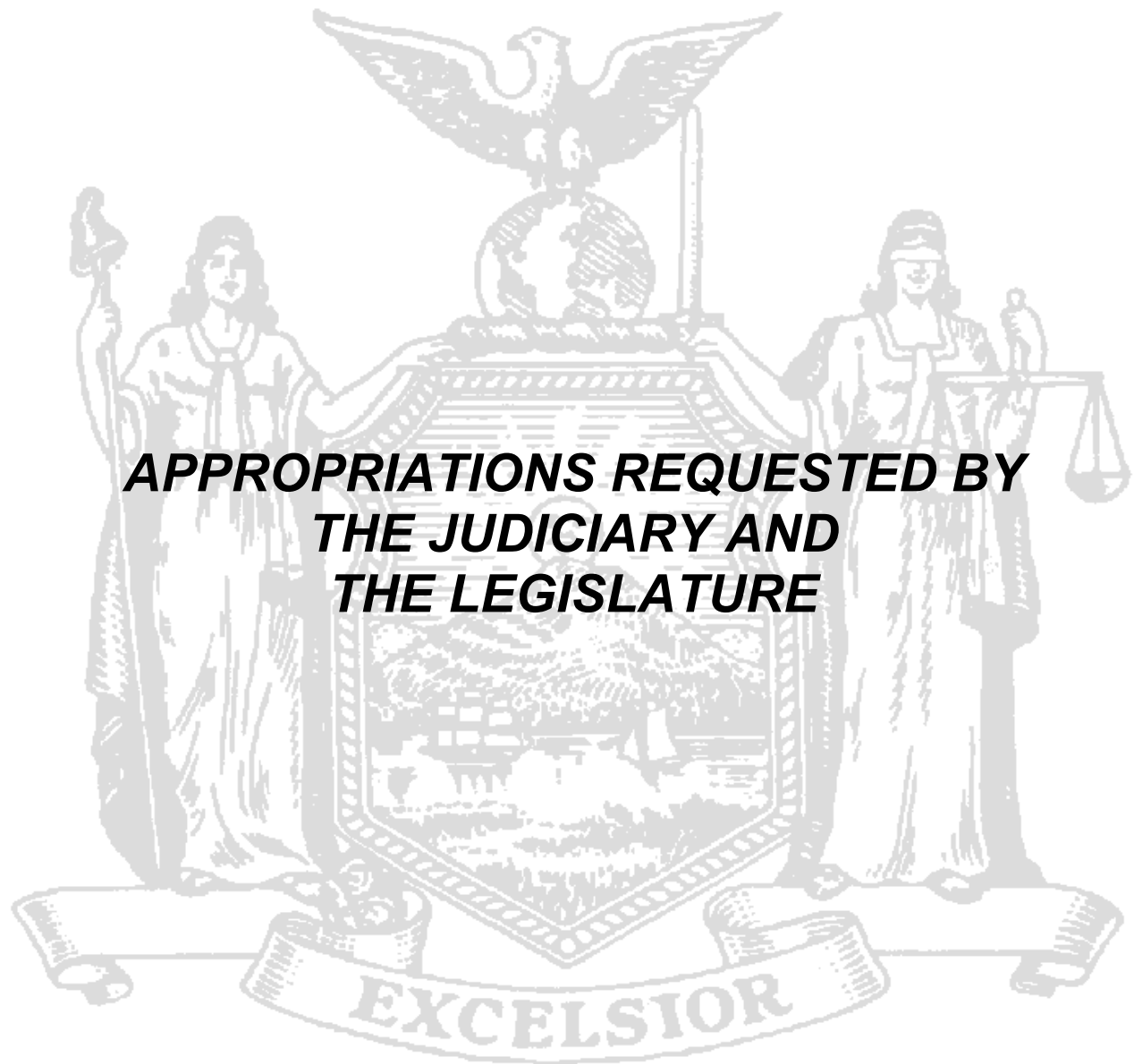


PART III



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 2010-11. 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 \$2.7 billion, which reflects an increase of \$183.5 million, or 7.3 percent, from the prior year. A portion of this growth is attributable to an \$84.6 million increase in the Judiciary's contribution to the State's pension fund. However, even after excluding this increase that is arguably beyond the control of the Judiciary, support for court operations is still projected to grow by 3.9 percent. This increase stands in contrast to the recommended overall budget increase for State Funds of 1.8 percent.

The Judiciary advances at least three new initiatives that result in increased costs.

First, the proposed budget contains language authorizing an increase in judicial salaries retroactive to April 1, 2005. Under the proposal, judicial salaries would increase by approximately 31 percent in the coming fiscal year at an annual cost of \$48 million. While it is regrettable that judges have not received a salary increase since 1999, the size of the increase is quite large given the current economic climate.

Second, the Chief Judge has doubled the amount judges receive annually from the Judicial Supplemental Support Fund as a supplement to their salaries. Under this proposal, each judge receives \$10,000 to compensate for the cost of goods and services purchased "in the performance of their judicial responsibilities". There appears to be little restriction on how these funds are spent.

Third, the proposed budget includes a new \$15 million subsidy for civil legal services, a program for which the Judiciary has no direct responsibility. While I have long been a staunch supporter of adequate funding for civil legal services, I believe it is inappropriate to include this funding as part of the Judiciary budget. Indeed, I requested that the Judiciary not include it, as I believe the action runs contrary to the Executive Budget process as outlined in the State Constitution.

I recognize that the economic climate has severely reduced the interest earnings upon which this program relies. Therefore, after much consideration, I have chosen to submit legislation to increase certain court fees. By increasing fees charged at the initiation of a case or a motion, sufficient revenue is generated to support not only the \$15 million subsidy for civil legal services contained in this request, but a \$10 million investment in improving indigent legal services as well. The fees are designed to provide disincentives for the filing of frivolous cases and motions, while not creating access to justice concerns. It is my hope that the proposed fee structure will assist in reducing the backlog in our courts, while also funding legal services for those to whom justice might otherwise be denied.

Aside from these three specific initiatives, the Judiciary budget appears to lack initiatives to restrain spending or consolidate operations. Admittedly, the operation of the courts and their reform is no simple matter; but it must also be acknowledged that the \$2.7 billion Judiciary budget is a significant part of the overall State budget. The Judiciary must accept that each branch of government can no longer conduct "business as usual", and that all branches share an obligation to taxpayers to restructure government in light of the State's new fiscal reality. For example, adherence by the Judiciary to my proposed spending cap would have generated savings of \$132 million.

COMMENTARY

Given the serious fiscal situation in which the State finds itself, I am transmitting the Judiciary's budget submission along with a strong charge to the Legislature to evaluate this request carefully. I also call upon the Chief Judge to revisit this request and offer suggestions for how it may be reduced. Although the court's workload has indeed increased, my Executive branch agencies are facing similar challenges to maintain or improve the quality of their services – and must do so with budgets that are smaller than they were a year ago.

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2010-11 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 (UCS), 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 UCS, 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)

TRIAL COURTS OF SUPERIOR JURISDICTION

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

TRIAL COURTS OF LIMITED JURISDICTION

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 judgments or orders in civil and criminal cases. In the 1st and 2nd 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 3rd and 4th 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 thirteen 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 UCS 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

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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.

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, Chief of Operations and a Chief of Policy and Planning; 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; and a Counsel, who directs the legal and legislative work of the Counsel's Office.

OCA 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 UCS'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 UCS 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

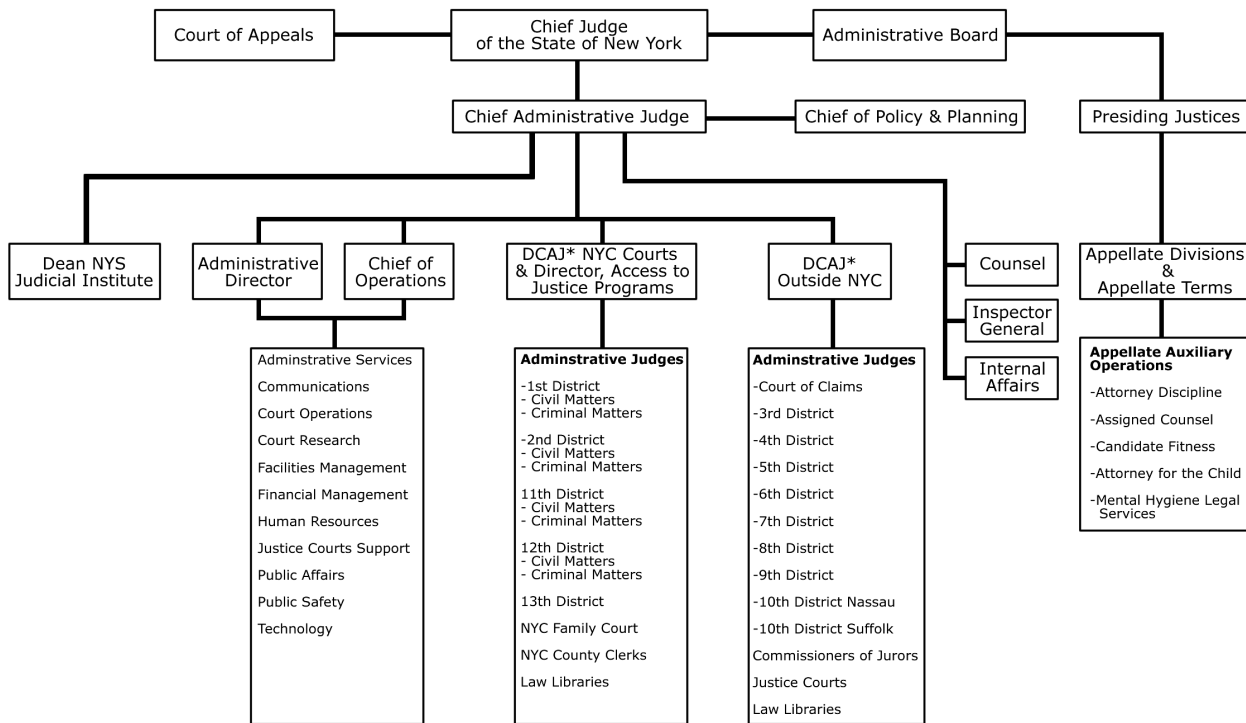
preparedness activities. The Inspector General's Office is responsible for the investigation and elimination of infractions of discipline standards, conflicts of interest, and criminal activities on the part of nonjudicial employees and persons or corporations doing business with the court system. Finally, 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 UCS 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, the day-to-day management of Civil and Criminal Courts has been incorporated into a new county-based system. Each county, except for Richmond, has a separate Administrative Judge for civil and criminal matters. New York City Family Court continues to have a citywide Administrative Judge overseeing supervising judges in each of the five counties. A Deputy Chief Administrative Judge coordinates citywide policies and initiatives for the Civil and Criminal Courts and provides general oversight of all the courts in New York City.

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

EXECUTIVE SUMMARY

Last year, in response to the events unfolding in the economy and their impact on the State's fiscal condition, the Judiciary submitted a zero-growth budget request. That austere budget required that the Judiciary adopt stringent spending controls, including a freeze on filling administrative vacancies and strict review of vacancies in court operational positions. The court system also undertook a program to encourage targeted nonjudicial employees to leave State service. As a result of these efforts, the court system's nonjudicial workforce will be reduced by more than 200 positions by the end of the fiscal year. Other measures that the Judiciary undertook include a bar on all but essential travel, a sharp reduction in the purchase of equipment, and strict control of overtime.

In preparing the budget request for the next fiscal year, the Judiciary is acutely aware that the State's fiscal crisis persists, and the Judiciary remains committed to working with the Executive and Legislative Branches to address the serious challenges facing New York State. Toward that end, the Judiciary will continue its cost-containment programs and carefully manage its resources. However, the Judiciary cannot submit another zero-growth budget request.

Next year, the Judiciary budget must accommodate extraordinary mandatory cost increases, none of which will provide enhanced support or resources for court operations. At the same time, the workload of the Judiciary has reached historic levels. In light of these twin forces – the magnitude of the mandatory cost increases and the growing press of the courts' work – the Judiciary cannot do as it did this year and absorb these increases within existing resources.

The only discretionary increase the Judiciary seeks is \$6.3 million for the Judicial Supplemental Support Fund, which provides judges assistance with certain work-related expenses. With the approaching eleventh anniversary of the last cost-of-living adjustment received by New York's judges, this request is appropriate and necessary. This additional funding represents only a one-quarter of one percent increase in the Judiciary budget.

With the exception of this modest amount, all other cost increases facing the Judiciary are mandatory, and exceed a total of \$160 million. The single largest such increase that the Judiciary faces in the coming fiscal year is due entirely to the recent historic decline in the stock market. Because of those market losses, next fiscal year, the Judiciary will be required to increase its contribution to the pension fund by \$84.6 million. An increase of another \$7.5 million is required to cover mandatory increases in health insurance and other fringe benefit costs. These increases must be included in the Judiciary budget request, but are not included in Executive agency requests, because these so-called "General State Charges" are handled centrally for Executive agencies, rather than in each agency budget.

These mandatory increases thus uniquely inflate the Judiciary budget request, without providing any additional resources to support court operations. Other looming mandatory increases that provide no additional resources for the courts include \$58.4 million for

nonjudicial salary increases required by collective bargaining agreements. The budget request also includes significant increases in response to statutory mandates. Pursuant to chapter 56 of the Laws of 2009, the request includes \$10 million for implementation of caseload standards for criminal defense attorneys in New York City. Another \$4.1 million covers increased costs of legal representation for children, including full-year funding to implement the attorney for the child caseload caps established pursuant to chapter 626 of the Laws of 2007.

At the same time that these large mandatory cost increases are being imposed on the Judiciary, the courts' work has increased to record levels. Over the past four years, the work of the courts statewide has increased by more than 10 percent. For the current calendar year, the total caseload of the New York courts will, for the first time, exceed 4.7 million filings. It is expected that the economic downturn, and the resulting social dislocations, will continue to bring additional work to the courts.

As it has year after year, the work of the Family Court continues to grow. Statewide, the Family Court caseload has increased 16 percent since 2005. In the current calendar year, the Family Court caseload is expected to reach a record level of nearly 800,000 filings. Family offense cases are up sharply, with a 27 percent increase over 2008. More than 10,000 individuals have sought orders of protection under the "intimate relationship" legislation enacted (L.2008, c. 326). Over the first six months of 2009, there was a 17 percent increase in the number of orders of protection issued over the comparable period in 2008. The filing statistics alone do not tell the full story of the crushing work of the Family Courts. For example, since the enactment of the record-checking legislation (L. 2008, c. 595), court staff have conducted more than 1.5 million background checks, and the courts have reviewed the search results before issuing orders in custody and visitation cases.

Civil filings in Supreme Court are up more than 14 percent since 2005, with the sharpest increase coming, not surprisingly, in foreclosure cases, where filings have doubled since 2005. In five downstate counties alone, the courts have already scheduled more than 10,000 settlement conferences in subprime foreclosure cases. The work of the lower civil courts also continues its steady increase. The caseload of the New York City Civil Court has risen 13 percent since 2005, and the civil caseload of the city courts outside of New York City has risen by 17 percent over the same period. The Judiciary expects that conditions in the broader economy will lead to increased civil filings across the State, particularly in such areas as consumer debt and evictions.

The criminal caseload is also growing, with felony filings climbing back to 2006 peak levels and the workload of the New York City Criminal Court up 20 percent over 2005.

The Judiciary is closely monitoring these caseload trends, shifting resources and implementing targeted programs, such as the mortgage foreclosure initiative, to more effectively manage and resolve cases. In addition, special attention is being given to the needs of self-represented litigants, whose cases comprise a large percentage of those matters that are particularly affected by the economy, such as consumer debt, evictions, and foreclosures.

The Judiciary will continue these efforts into the next fiscal year. However, in the face of this ever-mounting workload, the Judiciary cannot absorb the looming mandatory increases within existing resources. There are no discretionary programs to cut and no nonessential initiatives to defer. The Judiciary budget is overwhelmingly dedicated to the salaries and other direct expenses of the nonjudicial personnel who manage and the Judges who decide the cases brought before the courts. Reducing the budget request to accommodate the mandatory cost increases facing the Judiciary would deprive the courts of the resources essential to meet their constitutional duty to the people of New York.

The Judiciary recognizes its duty to work with the Executive and Legislative branches to address the fiscal crisis that confronts the State. For that reason, last year, the Judiciary submitted a zero-growth budget, requiring that unavoidable cost increases be absorbed within stagnant fiscal resources. With this budget, the Judiciary is again seeking no additional operational resources, despite the ever-growing workload of the courts, much of it driven by the economy itself. However, this budget reflects the Judiciary's judgment that its constitutional obligation to hear and decide all cases brought before the courts precludes a reduction in support for core court operations to accommodate the extraordinary increases that will be imposed on the Judiciary next year, all of which are beyond the Judiciary's control and none of which support court operations.

The General Fund State Operations and Aid to Localities portion of the fiscal year 2010-11 request totals \$2.44 billion, which represents a \$168 million, or 7.4 percent increase over the prior year. With the single, modest exception of the increase for the Judicial Supplemental Support Fund, this entire increase is mandatory, and beyond the control of the Judiciary.

As with recent past budget requests, this request addresses the critical matter of judicial compensation. The budget bill includes a reappropriation for that purpose and language that would raise judicial compensation, retroactive to April 1, 2005.

Finally, at the request of legislative leaders, the Judiciary budget request addresses the shortfall in IOLA funding for civil legal services. The Judiciary experiences, first-hand, on a daily basis, the growing need for these vital services. The same forces in the economy that are propelling litigants into the courts are making legal services for the poor more critical than ever before. As a result of a decline in interest rates, as well as, to a lesser extent, a diminution in the total amount of funds that lawyers have deposited in escrow accounts, there has been a sharp drop in funding available to support indigent civil legal services, with the shortfall next year anticipated to be \$15 million. A supplemental appropriation for that amount is included in the Judiciary budget bill, separate from the funding requested to support court operations, and would be transferred to the IOLA Board for distribution to civil legal services providers.

THE 2010-11 JUDICIARY BUDGET REQUEST

The budget request for the Judiciary General Fund State Operations and Aid to Localities for fiscal year 2010-11 totals \$2.4 billion, an increase of \$168.2 million, or 7.4%, over the current year appropriation. The All Funds request totals \$2.7 billion, an increase of \$183.5 million, or 7.2% over the current year.

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KEY ELEMENTS OF CHANGE

Significant elements of change in the Judiciary's 2010-11 General Fund State Operations and Aid to Localities budget request include the following:

- \$58.5 million in net increases for increments, salary increases, longevity bonuses and other mandated collective bargaining costs.
- \$4.9 million to annualize the costs of current year line adjustments, including approved temporary service conversions and changes in certificated justice staffing.
- (\$2.0) million in miscellaneous personal service reductions.
- (\$2.8) million in baseline overtime savings resulting from administrative controls in this object.
- (\$3.6) million in temporary service reductions attributable to approved temporary service conversions.
- \$10.0 million for implementation of caseload standards for attorneys assigned to represent indigent criminal defendants in New York City pursuant to chapter 56 of the Laws of 2009.
- \$4.1 million in child legal representation costs, including full-year funding to fully implement attorney for the child caseload caps established pursuant to chapter 626 of the Laws of 2007.
- \$4.9 million in nonpersonal service increases related to inflation; real estate rental costs for additional court support office space; contractual increases for nondiscretionary obligations such as security, telecommunications charges, information technology services and computer assisted legal research; and workload-based increases for transcripts, judicial hearing officers and per diem interpreting services.
- (\$4.6) million in nonpersonal service savings attributable to a variety of cost savings measures including, but not limited to, reductions in travel and elimination of discretionary contractual obligations and services.
- \$92.1 million attributable to increased employee fringe benefit costs, including projected health insurance premium increases.
- \$6.3 million to increase the Judicial Supplemental Support Fund payments to judges.

**Unified Court System
2010-11 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary**

<u>Category/Fund/Major Purpose</u>	<u>2009-10 Available</u>	<u>2010-11 Requested</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
Courts of Original Jurisdiction	1,543,829,911	1,599,844,300	56,014,389
Court of Appeals	16,064,636	16,269,002	204,366
Appellate Court Operations	74,735,935	77,634,262	2,898,327
Appellate Auxiliary Operations	119,327,309	134,859,209	15,531,900
Administration & General Support	24,231,731	18,025,478	(6,206,253)
Judiciary Wide Maintenance Undistributed	6,816,964	7,942,766	1,125,802
<i>Court & Agency Operations - General Fund Total</i>	1,785,006,486	1,854,575,017	69,568,531
<hr/>			
<u>Special Revenue Fund - Federal</u>	9,100,000	9,100,000	0
<hr/>			
<u>Special Revenue Fund - Other</u>			
NYC County Clerks Operations Offset Fund	24,094,357	25,309,351	1,214,994
Judiciary Data Processing Offset Fund	18,064,995	19,167,697	1,102,702
Miscellaneous Special Revenue	1,500,000	1,500,000	0
Attorney Licensing Fund	25,615,035	26,315,696	700,661
Indigent Legal Services Fund	25,000,000	25,000,000	0
Court Facilities Incentive Aid Fund	2,351,976	2,520,877	168,901
<i>Court & Agency Operations - All Funds Total</i>	1,890,732,849	1,963,488,638	72,755,789
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<u>General State Charges</u>			
General Fund	479,332,585	577,720,268	98,387,683
Lawyers' Fund for Client Protection	98,000	98,000	0
Attorney Licensing Fund	4,525,020	7,198,294	2,673,274
Court Facilities Incentive Aid Fund	465,192	744,651	279,459
New York City County Clerks' Offset Fund	5,539,579	11,386,957	5,847,378
Judiciary Data Processing Offset Fund	3,890,675	7,167,267	3,276,592
<i>General State Charges - All Funds Total</i>	493,851,051	604,315,437	110,464,386
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<u>Lawyers' Fund for Client Protection</u>			
Lawyers' Fund for Client Protection	12,901,577	12,944,281	42,704
<i>Lawyers' Fund for Client Protection - Total</i>	12,901,577	12,944,281	42,704
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<u>Aid to Localities</u>			
General Fund - Courts of Original Jurisdiction	4,718,700	5,000,000	281,300
Court Facilities Incentive Aid	123,553,284	123,553,284	0
<i>Aid to Localities - All Funds Total</i>	128,271,984	128,553,284	281,300
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<u>Capital Projects</u>			
General Fund	0	0	0
Special Revenue Funds	0	0	0
<i>Capital Construction - All Funds Total</i>	0	0	0
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<i>Grand Total All Funds</i>	2,525,757,461	2,709,301,640	183,544,179

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Unified Court System
2010-11 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary
(Fund Detail)

<u>Category/Fund/Major Purpose</u>	<u>2009-10 Available</u>	<u>2010-11 Requested</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
Courts of Original Jurisdiction			
General Fund	1,543,829,911	1,599,844,300	56,014,389
Special Revenue Funds	53,472,023	55,850,341	2,378,318
Total - All Funds	1,597,301,934	1,655,694,641	58,392,707
Court of Appeals			
General Fund	16,064,636	16,269,002	204,366
Special Revenue Funds	0	0	0
Total - All Funds	16,064,636	16,269,002	204,366
Appellate Court Operations			
General Fund	74,735,935	77,634,262	2,898,327
Special Revenue Funds	0	0	0
Total - All Funds	74,735,935	77,634,262	2,898,327
Appellate Auxiliary Operations			
General Fund	119,327,309	134,859,209	15,531,900
Special Revenue Funds	47,427,221	47,963,344	536,123
Total - All Funds	166,754,530	182,822,553	16,068,023
Administration & General Support			
General Fund	24,231,731	18,025,478	(6,206,253)
Special Revenue Funds	2,966,339	3,167,697	201,358
Total - All Funds	27,198,070	21,193,175	(6,004,895)
Judiciary Wide Maintenance Undistributed			
General Fund	6,816,964	7,942,766	1,125,802
Special Revenue Funds	1,860,780	1,932,239	71,459
Total - All Funds	8,677,744	9,875,005	1,197,261
<u>Court & Agency Operations - Total</u>			
General Fund	1,785,006,486	1,854,575,017	69,568,531
Special Revenue	105,726,363	108,913,621	3,187,258
Total - All Funds	1,890,732,849	1,963,488,638	72,755,789
<u>General State Charges</u>			
General Fund	479,332,585	577,720,268	98,387,683
Special Revenue	14,518,466	26,595,169	12,076,703
Total - All Funds	493,851,051	604,315,437	110,464,386
<u>Lawyers' Fund for Client Protection</u>			
General Fund	0	0	0
Special Revenue Funds	12,901,577	12,944,281	42,704
Total - All Funds	12,901,577	12,944,281	42,704
<u>Aid to Localities</u>			
General Fund	4,718,700	5,000,000	281,300
Special Revenue Funds	123,553,284	123,553,284	0
Total - All Funds	128,271,984	128,553,284	281,300
<u>Capital Projects</u>			
General Fund	0	0	0
Special Revenue Fund	0	0	0
Total - All Funds	0	0	0
Grand Total - All Funds	2,525,757,461	2,709,301,640	183,544,179

**Unified Court System
2010-11 Budget Request
All Funds Disbursement Requirements
(Millions \$)**

<u>Category/Fund</u>	<u>2009-10 Projected</u>	<u>2010-11 Projected</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
General Fund	1,786.3	1,808.2	21.9
Special Revenue Federal	6.3	6.5	0.2
Special Revenue Funds - Other			
NYC County Clerks Operations Offset Fund	24.8	25.7	0.9
Judiciary Data Processing Offset Fund	17.8	19.2	1.4
Miscellaneous Special Revenue	26.3	27.8	1.5
Indigent Legal Services Fund	25.0	25.0	0.0
Court Facilities Incentive Aid Fund	1.8	2.5	0.7
<u>Court & Agency Operations - All Funds Total</u>	<u>1,888.3</u>	<u>1,914.9</u>	<u>26.6</u>
<u>General State Charges</u>			
General Fund	496.3	577.7	81.4
NYC County Clerks' Operations Offset Fund	5.2	5.5	0.3
Judiciary Data Processing Offset Fund	7.6	7.2	(0.4)
Miscellaneous Special Revenue	3.7	4.5	0.8
Court Facilities Incentive Aid Fund	0.4	0.4	0.0
Lawyers' Fund for Client Protection	0.1	0.1	0.0
<u>General State Charges - All Funds Total</u>	<u>513.3</u>	<u>595.4</u>	<u>82.1</u>
<u>Lawyers' Fund for Client Protection</u>			
Lawyers' Fund for Client Protection	8.0	10.5	2.5
<u>Lawyers' Fund for Client Protection - Total</u>	<u>8.0</u>	<u>10.5</u>	<u>2.5</u>
<u>Aid to Localities</u>			
General Fund - Courts of Original Jurisdiction	4.8	5.0	0.2
Court Facilities Incentive Aid Fund	117.5	120.0	2.5
<u>Aid to Localities - All Funds Total</u>	<u>122.3</u>	<u>125.0</u>	<u>2.7</u>
<u>Capital Projects</u>			
Courthouse Improvements	16.5	18.0	1.5
<u>Capital Construction - All Funds Total</u>	<u>16.5</u>	<u>18.0</u>	<u>1.5</u>
<u>All Funds Total</u>	<u>2,548.4</u>	<u>2,663.8</u>	<u>115.4</u>

JUDICIARY

2010-11 Budget Request Fund Appropriation Requirements

IOLA SUPPORT

<u>Category Fund/Major Purpose</u>	<u>2009-10 Available</u>	<u>2010-11 Requested</u>	<u>Change</u>
<u>Aid to Localities</u>			
General Fund - IOLA	0	15,000,000	15,000,000
<u>Aid to Localities - General Fund Total</u>	0	15,000,000	15,000,000

2010-11 Budget Request IOLA Support Disbursement Requirements (Millions \$)

<u>Category/Fund</u>	<u>2009-10 Projected</u>	<u>2010-11 Projected</u>	<u>Change</u>
<u>Aid to Localities</u>			
General Fund - IOLA	0.0	15.0	15.0
<u>Aid to Localities - General Fund Total</u>	0.0	15.0	15.0

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

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- ♦ 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 will be discussed in separate sections below.

Legislative Budget Highlights

The recommended General Fund appropriation of \$220,045,254 for FY 2010-11 for the Legislature represents an increase of \$277,409 from the amount appropriated for FY 2009-10, reflecting virtually no change other than the restoration of the appropriation for the Lieutenant Governor's Office, and follows a decrease of 2.73% in the previous fiscal year. The Legislature's budget request for FY 2010-11 represents an overall increase of 10.8 percent over the past ten years. Over this same period, the Consumer Price Index will have increased by 32.2 percent. Over the past twenty years, the Legislative Budget has grown at slightly over one-fourth of the rate of inflation.

Legislative Budget Summary General Fund Appropriations

<u>Entity</u>	<u>Available FY 09-10</u>	<u>Recommended FY 10-11</u>	<u>Change</u>
Lt. Governor	\$0	\$277,409	277,409
Senate (incl. Senate Finance)	\$92,831,974	\$92,831,974	0
Assembly	\$103,329,789	\$103,329,789	0
Assembly Ways & Means	\$5,889,349	\$5,889,349	0
Joint Legislative Entities	\$17,716,733	\$17,716,733	0
LEGISLATURE TOTAL	\$219,767,845	\$220,045,254	\$277,409

Legislative Budget History Fiscal Year 2000-01 to 2010-11 General Fund Appropriations

<u>FY 2000-01 Approp.</u>	<u>FY 09-10 Approp.</u>	<u>FY 10-11 Recommended</u>	<u>Change from FY 09-10 Approp. (%)</u>	<u>Change from FY 2000-01 Approp. (%)</u>
\$198,669,846	\$219,767,845	\$220,045,254	\$277,409 (+0.1%)	+\$21,375,408 (+10.8%)

Legislative Budget General Fund Appropriations Comparison to Consumer Price Index Fiscal Year 2000-01 through Fiscal Year 2010-2011

	<u>FY 2000-01</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>% Change 00-01 to 10-11</u>
Legislative Budget	\$198,669,846	\$219,767,845	\$220,045,254	+10.8%
Consumer Price Index	182.5	236.4*	241.3*	+32.2%

* estimated

The recommended Special Revenue Fund-Other appropriation of \$1,600,000 for FY 2010-11 represents no change from the amount appropriated for FY 2009-10. No tax revenues are required for Special Revenue Funds.

The recommended Grants and Bequests Fund appropriation of \$500,000 for FY 2010-11 represents no change from the amount appropriated for FY 2009-10. No tax revenues are required for Grants and Bequests Funds.

LIEUTENANT GOVERNOR

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

Budget Highlights

The recommended appropriation of \$277,409 for FY 2010-11 for the Lieutenant Governor represents an increase of \$277,409 from the amount appropriated for FY 2009-10. In FY 2009-10, this appropriation had been eliminated due to the vacancy in the office of the Lieutenant Governor; this funding is now restored as the position has been filled by gubernatorial appointment.

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 32 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. 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 Temporary President and Minority Leader 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

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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 and Senate Finance Committee of \$92,831,974 for FY 2010-11 represents no change from the amount appropriated for FY 2009-10. This follows a decrease of 2.82% in the previous fiscal year.

As detailed in the Table below, the Senate 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 ten year period, the consumer price index has increased by 32.2 percent. This is consistent with a twenty year trend that has seen the Senate's budget grow at approximately 31% of the overall rate of inflation.

In the past 15 years, the Senate has controlled its spending by reducing its staff by 429 employees or 23.5%, eliminating its Washington, D.C. office lease, closing many district offices, reducing the number of district-wide mailings allowed each Member, delaying essential equipment upgrades and implementing other operational savings.

Senate Budget History
(including Senate Finance Committee)
Fiscal Year 2000-01 to 2010-11
General Fund Appropriations

	FY 00-01 <u>Approp.</u>	FY 09-10 <u>Available</u>	FY 10-11 <u>Recommended</u>	Change from FY 09-10 (%)	Change from FY 00-01 (%)
Senate Budget (incl. Senate Finance)	83,835,083	92,831,974	92,831,974	0 (0.0%)	8,996,891 (+10.7%)

ASSEMBLY

The Assembly is composed of 150 members elected for two-year terms from districts around the state. Each Member of the 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 2010-11 of \$103,329,789 represents no change from the amount appropriated for FY 2009-10. Over the past ten 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 32.2 percent. Over the past twenty years, the growth of the Assembly's budget has been approximately three-tenths 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.

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Assembly Budget History Fiscal Year 2000-01 to 2010-2011 General Fund Appropriations

	<u>FY 00-01 Approp.</u>	<u>FY 09-10 Available</u>	<u>FY 10-11 Recommended</u>	Change from FY 09-10 (%)	Change from FY 00-01 (%)
Assembly Budget	\$93,492,920	\$103,329,789	\$103,329,789	(\$0) (0.0%)	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 2010-11 for the Assembly Ways and Means Committee represents no change from the amount appropriated for FY 2009-10.

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 2010-11 for the Legislative Ethics Commission represents no change from the amount appropriated for FY 2009-10.

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 2010-11 for the Legislative Health Service represents no change from the amount appropriated for FY 2009-10.

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 2010-11 for the Legislative Library represents no change from the amount appropriated for FY 2009-10.

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.

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Budget Highlights

The recommended appropriation of \$917,000 for FY 2010-11 represents no change from the amount appropriated for FY 2009-10.

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 printing legislative 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 2010-11 for the Legislative Bill Drafting Commission represents no change from the amount appropriated for FY 2009-10.

An appropriation of \$1,500,000 for FY 2010-11 is recommended for the Legislative Computer Services Fund. This recommended appropriation represents no change from the amount appropriated for FY 2009-10. 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 2010-11 for the Legislative Task Force on Demographic Research and Reapportionment represents no change from the amount appropriated for FY 2009-10.

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 2010-11 for the National Conference of State Legislatures dues represents no change from the amount appropriated for FY 2009-10.

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ALL FUNDS REQUIREMENTS FOR THE LEGISLATURE

<u>FUND/ENTITY/MAJOR PURPOSE</u>	<u>AVAILABLE 2009-2010</u>	<u>REQUESTED 2010-2011</u>	<u>CHANGE FROM 2009-2010</u>
General Fund:			
Lt. Governor	\$0	\$277,409	277,409
Senate (incl. Senate Finance)	92,831,974	92,831,974	0
Assembly	103,329,789	103,329,789	0
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>
Joint Entities Total	<u>\$17,716,733</u>	<u>\$17,716,733</u>	<u>\$0</u>
GENERAL FUND TOTAL	\$219,767,845	\$220,045,254	\$277,409
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>
SPECIAL REVENUE FUND TOTAL	\$1,600,000	\$1,600,000	\$0
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>
GRANTS AND BEQUESTS FUND TOTAL	\$500,000	\$500,000	\$0

SCHEDULE OF APPROPRIATIONS

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
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OFFICE OF THE LIEUTENANT GOVERNOR**Administration Program--Personal Service**

For personal service of employees and for temporary and expert services:

Personal Service Regular	\$0	\$262,500	\$262,500
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Administration Program--Nonpersonal Service

Supplies and materials (including liabilities incurred prior to April 1, 2010)

\$0	\$14,909	\$14,909
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Total--Office of Lieutenant Governor

\$0	\$277,409	\$277,409
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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
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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
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For personal service of employees and for temporary and expert services of majority leader and minority leader operations:

Personal Service Regular	\$25,513,474	\$25,513,474	\$0
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<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
For personal service of employees and for temporary and expert services of members' offices and of standing committees:			
Personal Service Regular	\$34,500,000	\$34,500,000	\$0
For personal service of employees and for temporary and expert services for the senate student program office:			
Personal Service Regular	\$160,000	\$160,000	\$0
Temporary Service	<u>\$600,000</u>	<u>\$600,000</u>	<u>\$0</u>
Total Personal Service	\$66,991,974	\$66,991,974	\$0
Nonpersonal Service			
For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2010)			
Supplies and materials	\$4,300,000	\$4,300,000	\$0
Travel	\$1,600,000	\$1,600,000	\$0
Miscellaneous contractual services	\$17,240,000	\$17,240,000	\$0
Equipment	<u>\$2,700,000</u>	<u>\$2,700,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$25,840,000</u>	<u>\$25,840,000</u>	<u>\$0</u>
Grand Total--The Senate	\$92,831,974	\$92,831,974	\$0

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
THE ASSEMBLY			
Personal Service			
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	\$23,381,090	\$23,381,090	\$0
Temporary Service	\$2,288,275	\$2,288,275	\$0
For personal service of employees and for temporary and expert services for administrative and program support operations:			
Personal Service Regular	\$39,221,819	\$39,221,819	\$0
Temporary Service	\$466,269	\$466,269	\$0
For the Assembly Intern and Youth Participation Program for personal service of employees and for temporary and expert services:			
Personal Service Regular	\$226,164	\$226,164	\$0
Temporary Service	<u>\$713,672</u>	<u>\$713,672</u>	<u>\$0</u>
Total Personal Service	\$79,814,789	\$79,814,789	\$0

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<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
Nonpersonal Service			
For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2010)			
Supplies and materials	\$2,100,000	\$2,100,000	\$0
Travel	\$2,750,000	\$2,750,000	\$0
Miscellaneous contractual services	\$17,310,000	\$17,310,000	\$0
Equipment	<u>\$1,355,000</u>	<u>\$1,355,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$23,515,000</u>	<u>\$23,515,000</u>	<u>\$0</u>
Grand Total--The Assembly	\$103,329,789	\$103,329,789	\$0

ASSEMBLY WAYS & MEANS COMMITTEE

Personal Service

For personal service, temporary and special services
(including liabilities incurred prior to April 1, 2010):

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

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
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SENATE AND ASSEMBLY JOINT ENTITIES**LEGISLATIVE ETHICS COMMISSION**

For services and expenses of the legislative ethics
commission pursuant to section 80 of the legislative law

Personal Service

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

Nonpersonal Service

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
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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

Personal Service

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

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
Nonpersonal Service			
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

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
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>
 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

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
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LEG. TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT

For services and expenses (including liabilities incurred prior to April 1, 2010) 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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For services and expenses (including liabilities incurred prior to April 1, 2010) of the task force for assembly purposes

Personal Service

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

Nonpersonal Service

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
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LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
For services and expenses (including liabilities incurred prior to April 1, 2010) of the task force for joint operations			
Personal Service			
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
Nonpersonal Service			
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

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

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</u>	<u>Change</u>
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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

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2009-10</u>	<u>Requested for 2010-11</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