

COMMENTARY OF THE GOVERNOR ON THE JUDICIARY

In accordance with Article VII, Section 1 of the State Constitution, I transmit herewith the appropriations requested by the Judiciary for fiscal year 2011-12. As required by the Constitution, I present the Judiciary budget as it has been submitted by the Chief Judge.

The Judiciary has requested appropriations that total over \$2.7 billion. This reflects an increased appropriation of 1.9 percent, or \$50 million, from last year. The proposed Judiciary budget also reflects, on a cash basis, a spending increase of 5.3 percent, or \$140 million.

In this economy, New York State government must recalibrate, redesign and rebuild. We cannot afford spending increases. Indeed, the State must reduce spending. I have proposed a ten percent General Fund reduction for all State agency operations from 2010-11; the Comptroller and the Attorney General have proposed the same reduction in their spending.

In order to address the fiscal realities confronting the State, I respectfully ask the Judicial Branch to reduce its spending while continuing to serve those who seek justice.

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2011-12 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.

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.

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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 such as 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 Dean of the NYS Judicial Institute oversees the Education and Training Office which administers educational programs and the operation of the Judicial Training Institute at Pace University. The Office of Public Safety

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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.

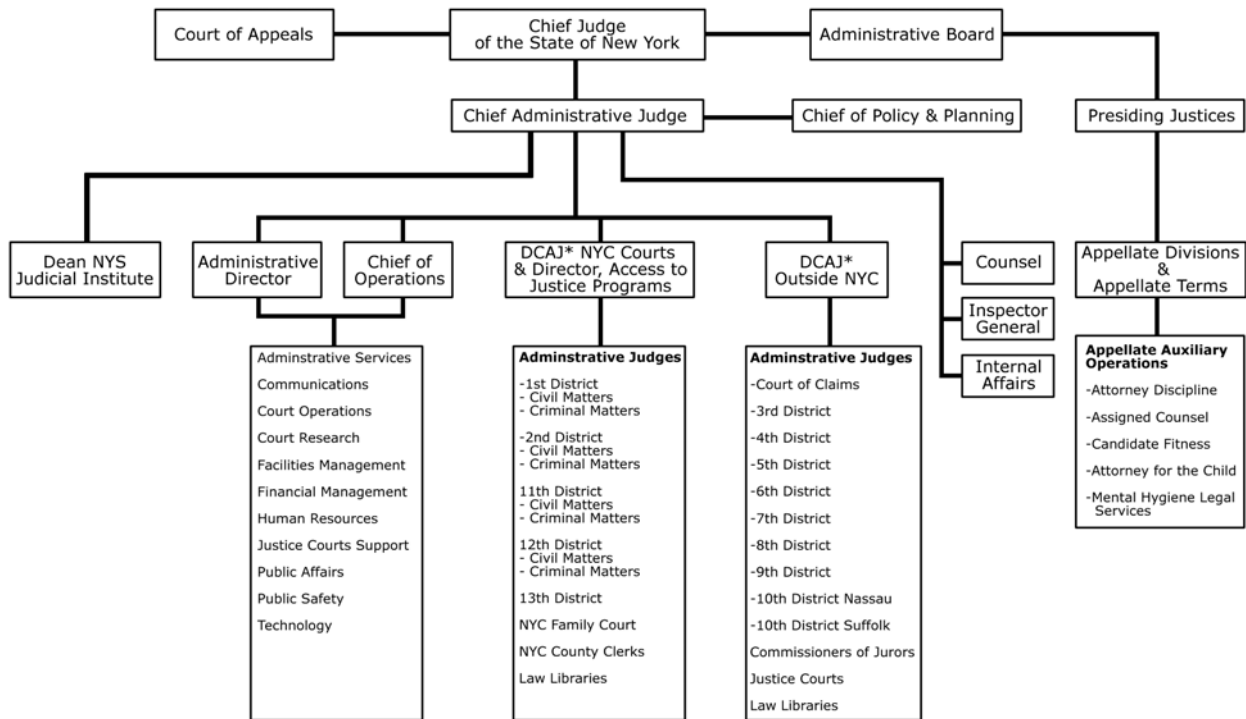
Counsel's Office prepares and analyzes legislation, represents the UCS in litigation, and provides various other forms of legal assistance to the Chief Administrative Judge.

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.

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Unified Court System Administrative Structure



*DCAJ - Deputy Chief Administrative Judge

EXECUTIVE SUMMARY

In the current economic recession, as never before, the New York State courts have become the emergency room for New Yorkers in crisis. In every courtroom throughout the State, the volume of new cases has dramatically increased, the number of litigants appearing without counsel is unprecedented, and the complexity of cases, including foreclosures, has risen to new levels. We have met this challenge through the commitment, intelligence and energy of our Judiciary, who labor, daily and diligently, to meet the vast justice needs of those who seek justice in our courts.

It is the fundamental obligation of the Judiciary to ensure that each New Yorker's most basic right to justice is met. At the same time, we recognize our obligation to ensure that resources are used wisely and efficiently, and to do our part to address the State's fiscal crisis. The Judiciary's budget request reflects a careful balancing of these principles, identifying the resources necessary for the courts to fulfill their constitutional duty while reducing costs wherever possible.

The challenges we face are daunting:

- The total caseload of the courts Statewide has risen sharply, growing by 12 percent since 2001.
- Foreclosure filings continue their dramatic increase, with 50,000 filings expected in 2010; more than double the number in 2005. The courts have held more than 90,000 settlement conferences in foreclosure cases thus far in 2010.
- Family offense cases are up sharply, with a 32 percent increase over 2006.
- The caseload of the New York City Civil Court has increased by 92 percent since 2001, and the civil caseload of city courts outside of New York City has risen by 99 percent over the same period, with much of the growth due to consumer debt cases.
- New York City arrest cases are nearing the levels seen in the late 1990's, with filings up 19 percent since 2005.

Despite this record workload, as the result of an aggressive cost-control program, the Judiciary has been able to hold the line on its operating budget. Indeed, the General Fund - Court and Agency Operations and Aid to Localities portion of the Judiciary budget request is \$1.8 billion, .02 percent less than the current year.

The Judiciary is able to present this negative-growth budget, despite both the courts' record-level workload and a number of mandatory cost increases (including \$20.2 million for salary adjustments required by law for nonjudicial personnel), by undertaking a variety of cost-saving measures, as well as a comprehensive review of operations.

The Judiciary's participation in the Early Retirement Incentive program will produce significant cost savings. Approximately 1,800 nonjudicial employees participated in the Program. Each office and court was asked to view the Incentive Program as an opportunity to rethink their operations, and to develop plans to improve efficiencies and reduce costs. As a result, a significant number of positions, particularly in administrative

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areas, will not be refilled. Even positions that must be refilled, such as those in courtrooms and chambers, will result in saving because of lower salaries paid to new employees.

The Judiciary will also continue to carefully monitor all expenditures, limiting overtime, barring all but essential travel, reducing the purchase of print legal reference materials in favor of flat-rate online legal research, restricting equipment purchases, and increasing the use of web-based remote training. Across these categories, the court system reduced spending by more than 16 percent over the past two years.

Beyond these specific cost-cutting measures, the Judiciary has undertaken a comprehensive, system-wide re-engineering effort, examining every aspect of its operations, to identify ways to improve efficiency and cost-effectiveness, for the benefit both of the court system itself and court users. In this effort, the court system is partnering with the National Center for State Courts to bring the broadest possible experience and expertise to New York.

Automation continues to play a key role in rethinking the way the courts do business. For example, this year the court system initiated pilot projects in mandatory electronic filing (authorized by L.2009, c.416), an innovation that will transform the justice system, and offer significant savings, convenience and other benefits not just to the courts, but also to County Clerks, the Bar and litigants. Similarly, this year the court system inaugurated online attorney registration, and continued a number of innovative joint projects with a variety of government agencies, to improve inter-agency electronic transmission of data, in order to increase efficiency, enhance services and reduce costs.

The re-engineering initiative will also look for ways to streamline processes, eliminate duplicative functions, and consolidate services. A number of such changes have already been implemented. For example, the courts in Nassau County consolidated two separate law libraries and a Help Center for self-represented litigants into a single site, saving thousands of dollars in annual costs while improving operations. The use of public access computer terminals in remote locations ensured that there was no reduction in service to the public, while the consolidation at a single site has led to increased efficiencies and permitted a reduction in staffing levels. Similarly, we have consolidated administrative functions, so that, for example, a single chief clerk now manages the Putnam County Family, County, and Supreme Courts. In addition, the court system has automated all personnel functions, including time and leave transactions and the civil service examination and application processes. The result is a more efficient, greener system, that provides better service with fewer staff. The project with the National Center for State Courts is expected to identify other such opportunities to improve efficiencies and produce savings.

These steps – both the specific cost-containment measures and the broad rethinking and re-engineering of how the courts do business – produce significant savings, and enable the Judiciary to present a negative-growth operating budget that still provides the resources necessary for the courts to fulfill their constitutional role.

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Included among the resources necessary to assure the long-term health of our court system is funding to address the critical matter of judicial compensation. Judges in New York now have gone more than 12 years without a cost-of-living increase, facing extraordinary caseloads that have only grown over the years. The budget bill includes a reappropriation for that purpose and language that would raise judicial compensation, retroactive to April 1, 2005. Equally important is reform of the manner in which judicial salaries are set. New York State should have, as most other states do, an open and accountable system for adjusting judicial salaries on a regular basis.

Finally, the Judiciary's negative-growth budget also addresses one of the most troubling issues that faces the courts – the record number of litigants without legal representation in housing, consumer debt, and other cases involving the essentials of life. In May 2010, the Chief Judge convened a Task Force to Expand Access to Civil Legal Services in New York, to assess the need for civil legal services and to recommend steps to improve access to justice in civil matters. Through hearings, surveys and other data-gathering, the Task Force documented a substantial unmet need for civil legal services in New York, and found that the lack of representation imposes a profound human and social cost.

The Task Force also found that the impact goes far beyond the non-represented parties. Judges, both in a survey and through testimony at hearings, spoke of the significant burdens – including longer court appearances and more appearances – they bear in cases where a party is not represented. Business leaders, including representatives of property owners and the banking industry, echoed this concern, asserting that it is more difficult and costly for them to litigate a case against a non-represented party. Indeed, business leaders testified that provision of counsel at an early stage would often avoid entirely the need to initiate litigation. The Task Force also found that the provision of adequate civil legal services will result in a substantial economic benefit to State and local governments, by preventing evictions and foreclosures, avoiding foster care placements, and obtaining federal benefits in place of State and local assistance benefits. The proposed budget includes \$25 million to begin implementation of the recommendations of the Task Force.

In sum, the proposed budget reflects a thoughtful balancing of the Judiciary's obligation, as a separate and independent branch of government, to work with the other Branches in addressing the State's continuing fiscal crisis, while also ensuring that the courts can meet their constitutional duty to provide fair and timely justice for every New Yorker, now and in the years ahead.

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THE 2011-12 JUDICIARY BUDGET REQUEST

The budget request for the Judiciary General Fund Court and Agency Operations and Aid to Localities for fiscal year 2011-12 totals \$1.8 billion, a decrease of \$0.36 million, or -0.02%, from the current year appropriation. The All Funds request totals \$2.1 billion, a decrease of \$0.72 million, or -0.03%, from the current year.

KEY ELEMENTS OF CHANGE

Significant elements of change in the Judiciary's 2011-12 General Fund State Operations and Aid to Localities budget request include the following:

- \$20.2 million increase for salary increments required by law for nonjudicial personnel.
- - \$11.52 million in savings related to salary adjustments and lump sum payouts for separation from service.
- \$5.71 million related to contractual and workload increases in payments for attorneys representing children in the Attorney for the Child Program.
- \$11.8 million for continued 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.
- \$4.07 million to meet contractually obligated increases for security services, real estate rentals, computer assisted legal research, and contracts for community courts, alternative dispute resolution and court improvement projects.
- \$2.06 million in net increases necessary to meet the operational needs of the courts including, but not limited to: per diem interpreters, judicial hearing officers, technology services, expert witnesses, printing, postage and transcripts.
- - \$11.09 million in nonpersonal service savings attributable to a variety of cost saving measures including reductions in travel and elimination of targeted training programs, legal reference print materials, and temporary service and overtime not directly related to court operations. Additional savings are being realized from the transition to IP telephones, the reduced expansion of redundant wiring for Courtnet, and stringent control of the purchase of equipment.
- - \$46.59 million net increase in savings related to the Vacancy Control Program instituted in fiscal year 2008-09 and the Early Retirement Incentive Program authorized in 2010.
- \$25.0 million for civil legal services to address the urgent problem of the growing need for civil legal assistance for low income New Yorkers.

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Unified Court System
2011-12 Budget Request
All Funds Appropriation Requirements
Major Purpose / Fund Summary

	2010-11	2011-12	
	<u>Available</u>	<u>Requested</u>	<u>Change</u>
Court and Agency Operations - General Fund			
Courts of Original Jurisdiction	\$1,585,477,286	\$1,543,573,556	(\$41,903,730)
Court of Appeals	\$16,145,965	\$15,652,618	(\$493,347)
Appellate Court Operations	\$76,973,855	\$79,904,356	\$2,930,501
Appellate Auxilliary Operations	\$134,700,963	\$154,264,475	\$19,563,512
Administration and General Support	\$17,934,182	\$18,314,008	\$379,826
Judiciary Wide Maintenance Undistributed	\$7,942,766	\$27,109,985	\$19,167,219
Court and Agency Operations - General Fund Total	\$1,839,175,017	\$1,838,818,998	(\$356,019)
Special Revenue Funds - Federal	\$9,100,000	\$10,500,000	\$1,400,000
Special Revenue Funds - Other			
NYC County Clerks Operations Offset Fund	\$25,309,351	\$24,816,259	(\$493,092)
Judiciary Data Processing Offset Fund	\$19,167,697	\$18,367,438	(\$800,259)
Miscellaneous Special Revenue	\$1,500,000	\$1,500,000	\$0
Attorney Licensing Fund	\$26,315,696	\$25,941,104	(\$374,592)
Indigent Legal Services Fund	\$25,000,000	\$25,000,000	\$0
Court Facilities Incentive Aid Fund	\$2,520,877	\$2,454,836	(\$66,041)
Special Revenue Funds - Other - Total	\$99,813,621	\$98,079,637	(\$1,733,984)
Lawyers' Fund for Client Protection	\$12,944,281	\$12,915,110	(\$29,171)
Aid to Localities			
General Fund	\$4,945,584	\$4,945,584	\$0
Court Facilities Incentive Aid	\$123,377,787	\$123,377,787	\$0
Aid to Localities - All Funds Total	\$128,323,371	\$128,323,371	\$0
Capital Projects			
General Fund	\$0	\$0	\$0
Special Revenue Funds	\$0	\$0	\$0
Capital Projects Total			
Grand Total All Funds	\$2,089,356,290	\$2,088,637,116	(\$719,174)

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Unified Court System
2011-12 Budget Request
All Funds Appropriation Requirements
Major Purpose Summary by Fund Category

	2010-11 Available	2011-12 Required	Change
Courts of Original Jurisdiction			
General Fund	\$1,585,477,286	\$1,543,573,556	(\$41,903,730)
Special Revenue Funds	\$55,850,341	\$55,970,092	\$119,751
Total	\$1,641,327,627	\$1,599,543,648	(\$41,783,979)
Court of Appeals			
General Fund	\$16,145,965	\$15,652,618	(\$493,347)
Special Revenue Funds	\$0	\$0	\$0
Total	\$16,145,965	\$15,652,618	(\$493,347)
Appellate Court Operations			
General Fund	\$76,973,855	\$79,904,356	\$2,930,501
Special Revenue Funds	\$0	\$0	\$0
Total	\$76,973,855	\$79,904,356	\$2,930,501
Appellate Auxilliary Operations			
General Fund	\$134,700,963	\$154,264,475	\$19,563,512
Special Revenue Funds	\$47,963,344	\$47,475,317	(\$488,027)
Total	\$182,664,307	\$201,739,792	\$19,075,485
Administration & General Support			
General Fund	\$17,934,182	\$18,314,008	\$379,826
Special Revenue Funds	\$3,167,697	\$3,165,970	(\$1,727)
Total	\$21,101,879	\$21,479,978	\$378,099
Judiciary Wide Maintenance Undistributed			
General Fund	\$7,942,766	\$27,109,985	\$19,167,219
Special Revenue Funds	\$1,932,239	\$1,968,258	\$36,019
Total	\$9,875,005	\$29,078,243	\$19,203,238
Lawyers' Fund for Client Protection			
General Fund	\$0	\$0	\$0
Special Revenue Funds	\$12,944,281	\$12,915,110	(\$29,171)
Total	\$12,944,281	\$12,915,110	(\$29,171)
Aid to Localities			
General Fund	\$4,945,584	\$4,945,584	\$0
Special Revenue Funds	\$123,377,787	\$123,377,787	\$0
Total	\$128,323,371	\$128,323,371	\$0
Grand Total General Fund	\$1,844,120,601	\$1,843,764,582	(\$356,019)
Grand Total Special Revenue	\$245,235,689	\$244,872,534	(\$363,155)
Grand Total All Funds	\$2,089,356,290	\$2,088,637,116	(\$719,174)

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Unified Court System
2011-12 Budget Request
All Funds Appropriation Requirements - General State Charges

General State Charges	2010-11 <u>Available</u>	2011-12 <u>Requested</u>	<u>Change</u>
General Fund	\$541,226,701	\$592,524,090	\$51,297,389
Lawyers' Fund for Client Protection	\$87,731	\$98,000	\$10,269
Miscellaneous Special Revenue	\$6,900,508	\$7,489,664	\$589,156
Court Facilities Incentive Fund	\$713,845	\$779,886	\$66,041
New York City County Clerks' Offset Fund	\$10,915,889	\$8,586,149	(\$2,329,740)
Judiciary Data Processing Offset Fund	\$6,870,763	\$7,908,265	\$1,037,502
General State Charges - All Funds	\$566,715,437	\$617,386,054	\$50,670,617

Fiscal Year 2011-12
Appropriation Requirements
IOLA Support

Aid to Localities	2010-11 <u>Available</u>	2011-12 <u>Requested</u>	<u>Change</u>
General Fund - IOLA	\$14,835,000	\$15,000,000	\$165,000
Aid to Localities - General Fund Total	\$14,835,000	\$15,000,000	\$165,000

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**Unified Court System
2011-12 Budget Request
All Funds Disbursement Requirements
(Millions \$)**

Category / Fund	2010-11 <u>Projected</u>	2011-12 <u>Projected</u>	<u>Change</u>
<u>Court & Agency Operations</u>			
General Fund	1,787.8	1,873.0	85.2
Special Revenue - Federal	6.5	6.5	0.0
NYC County Clerks' Operations Offset Fund	25.7	24.9	(0.8)
Judiciary Data Processing Offset Fund	19.2	18.4	(0.8)
Miscellaneous Special Revenue	27.8	27.4	(0.4)
Indigent Legal Services Fund	25.0	25.0	0.0
Court Facilities Incentive Aid Fund	2.5	2.5	0.0
<u>Court & Agency Operations - All Funds Total</u>	<u>1,894.5</u>	<u>1,977.7</u>	<u>83.2</u>
<u>Lawyers' Fund for Client Protection</u>			
	<u>10.5</u>	<u>11.5</u>	<u>1.0</u>
<u>Aid to Localities</u>			
General Fund	4.9	4.9	0.0
Court Facilities Incentive Aid Fund	120.0	120.0	0.0
<u>Aid to Localities - All Funds Total</u>	<u>124.9</u>	<u>124.9</u>	<u>0.0</u>
<u>Capital Projects - Courthouse Improvements</u>			
	<u>16.0</u>	<u>16.0</u>	<u>0.0</u>
<u>All Funds Total</u>	<u>2,045.9</u>	<u>2,130.1</u>	<u>84.2</u>

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**Unified Court System
2011-12 Budget Request
All Funds Disbursement Requirements
General State Charges
(Millions \$)**

<u>General State Charges</u>	<u>2010-11 Projected</u>	<u>2011-12 Projected</u>	<u>Change</u>
General Fund	540.1	592.5	52.4
Lawyers' Fund for Client Protection	0.2	0.1	-0.1
Miscellaneous Special Revenue	11.4	7.5	-3.9
Court Facilities Incentive Fund	1.1	0.8	-0.3
New York City County Clerks' Offset Fund	0.0	10.9	10.9
Judiciary Data Processing Offset Fund	10.7	7.9	-2.8
<u>General State Charges - All Funds</u>	<u>563.5</u>	<u>619.7</u>	<u>56.2</u>

**Fiscal Year 2011-12
Disbursement Requirements
IOLA Support
(Millions \$)**

<u>Aid to Localities</u>	<u>2010-11 Projected</u>	<u>2011-12 Projected</u>	<u>Change</u>
General Fund - IOLA	14.8	15.0	0.2
<u>Aid to Localities - General Fund</u>	<u>14.8</u>	<u>15.0</u>	<u>0.2</u>

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 \$217,844,801 for FY 2011-12 for the Legislature represents no change from the amount appropriated for FY 2010-11, and follows two previous years of consecutive budget decreases totaling 3.6%. The Legislature's budget request for FY 2011-12 represents an overall increase of 9.65 percent over the past eleven years. Over this same period, the Consumer Price Index will have increased by 34.5 percent. Over the past twenty-one years, the Legislative Budget has grown at less than one-fourth of the rate of inflation.

Legislative Budget Summary General Fund Appropriations

<u>Entity</u>	<u>Available FY 10-11</u>	<u>Recommended FY 11-12</u>	<u>Change</u>
Lt. Governor	\$274,635	\$274,635	0
Senate	\$86,073,198	\$86,073,198	0
Senate Finance	\$5,830,456	\$5,830,456	0
Assembly	\$102,296,491	\$102,296,491	0
Assembly Ways & Means	\$5,830,456	\$5,830,456	0
Joint Legislative Entities	\$17,539,566	\$17,539,566	0
LEGISLATURE TOTAL	\$217,844,801	\$217,844,801	\$0

Legislative Budget History Fiscal Year 2000-01 to 2011-12 General Fund Appropriations

<u>FY 2000-01 Approp.</u>	<u>FY 10-11 Approp.</u>	<u>FY 11-12 Recommended</u>	<u>Change from FY 10-11 Approp. (%)</u>	<u>Change from FY 2000-01 Approp. (%)</u>
\$198,669,846	\$217,844,801	\$217,844,801	\$0 (0%)	+\$19,174,955 (+9.65%)

Legislative Budget General Fund Appropriations Comparison to Consumer Price Index Fiscal Year 2000-01 through Fiscal Year 2011-2012

	FY 2000-01	FY 2010-11	FY 2011-12	% Change 00-01 to 11-12
Legislative Budget	\$198,669,846	\$217,844,801	\$217,844,801	+9.65%
Consumer Price Index	182.5	240.9*	245.4*	+34.5%

* estimated

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The recommended Special Revenue Fund-Other appropriation of \$1,600,000 for FY 2011-12 represents no change from the amount appropriated for FY 2010-11. No tax revenues are required for Special Revenue Funds.

The recommended Grants and Bequests Fund appropriation of \$500,000 for FY 2011-12 represents no change from the amount appropriated for FY 2010-11. 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 \$274,635 for FY 2011-12 for the Lieutenant Governor represents no change from the amount appropriated for FY 2010-11.

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 undergraduates and a Student Fellows program for post-graduates who wish to learn about and experience the legislative process by working with Senate Members.

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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 \$86,073,198 for FY 2011-12 represents no change from the amount appropriated for FY 2010-11. This follows two consecutive years of budget decreases.

As detailed in the Table below, the Senate has seen its budget increase by \$7,406,697 or 9.4 percent from the amount of \$78,666,501 appropriated in FY 2000-01. Over the same eleven year period, the consumer price index has increased by 34.5 percent. This is consistent with a twenty-one year trend that has seen the Senate's budget grow at approximately 28% of the overall rate of inflation.

In the past 16 years, the Senate has controlled its spending by reducing its staff by 327 employees or 17.9%, 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 Fiscal Year 2000-01 to 2011-12 General Fund Appropriations

	FY 00-01	FY 10-11	FY 11-12	Change from FY 10-11	Change from FY 00-01
	<u>Approp.</u>	<u>Available</u>	<u>Recommended</u>	<u>(%)</u>	<u>(%)</u>
Senate Budget	\$78,666,501	\$86,073,198	\$86,073,198	\$0 (0.0%)	\$7,406,697 (+9.4%)

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.

LEGISLATURE

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 2011-12 of \$102,296,491 represents no change from the amount appropriated for FY 2010-11. Over the past eleven years, as detailed below, the Assembly's budget has increased by 9.4 percent while over the same period, the Consumer Price Index has increased by 34.5 percent. Over the past twenty-one years, the growth of the Assembly's budget has been less than 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 570 positions and implementing other operational savings.

Assembly Budget History Fiscal Year 2000-01 to 2011-2012 General Fund Appropriations

	FY 00-01 <u>Approp.</u>	FY 10-11 <u>Available</u>	FY 11-12 <u>Recommended</u>	Change from FY 10-11 <u>(%)</u>	Change from FY 00-01 <u>(%)</u>
Assembly Budget	\$93,492,920	\$102,296,491	\$102,296,491	(\$0) (0.0%)	8,803,571 (+9.4%)

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FISCAL COMMITTEES

The Governor's annual budget bills and the budgetary proposals for the Legislature and Judiciary are referred to these committees when introduced and are reported by them, with recommendations, to the Legislature. Designated representatives of the committees are entitled, by constitutional provisions, to attend the required hearings for the preparation of the budget and to make inquiry concerning any part thereof. These committees also consider 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 Chairmen and ranking Minority Members of the Senate Finance Committee and the Assembly Ways and Means Committee function as 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 \$5,830,456 for fiscal year 2011-12 for both the Senate Finance Committee and the Assembly Ways and Means Committee represents no change from the amount appropriated for FY 2010-11.

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.

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Budget Highlights

The recommended appropriation of \$376,949 for FY 2011-12 for the Legislative Ethics Commission represents no change from the amount appropriated for FY 2010-11.

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 \$211,266 for FY 2011-12 for the Legislative Health Service represents no change from the amount appropriated for FY 2010-11.

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 \$798,221 for FY 2011-12 for the Legislative Library represents no change from the amount appropriated for FY 2010-11.

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 \$907,830 for FY 2011-12 represents no change from the amount appropriated for FY 2010-11.

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.

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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 \$13,009,482 for fiscal year 2011-12 for the Legislative Bill Drafting Commission represents no change from the amount appropriated for FY 2010-11.

An appropriation of \$1,500,000 for FY 2011-12 is recommended for the Legislative Computer Services Fund. This recommended appropriation represents no change from the amount appropriated for FY 2010-11. 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.

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Budget Highlights

The total recommended appropriation of \$1,858,759 for fiscal year 2011-12 for the Legislative Task Force on Demographic Research and Reapportionment represents no change from the amount appropriated for FY 2010-11.

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 \$377,058 for fiscal year 2011-12 for the National Conference of State Legislatures dues represents no change from the amount appropriated for FY 2010-11.

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ALL FUNDS REQUIREMENTS FOR THE LEGISLATURE

<u>FUND/ENTITY/MAJOR PURPOSE</u>	<u>AVAILABLE 2010-2011</u>	<u>REQUESTED 2011-2012</u>	<u>CHANGE FROM 2010-2011</u>
General Fund:			
Lt. Governor	\$274,635	\$274,635	\$0
Senate	86,073,198	86,073,198	0
Assembly	102,296,491	102,296,491	0
Senate Finance Committee	5,830,456	5,830,456	0
Assembly Ways and Means Committee	5,830,456	5,830,456	0
Joint Entities:			
Legislative Ethics Commission	376,949	376,949	0
National Conference of State Legislatures Dues	377,058	377,058	0
Legislative Health Service	211,266	211,266	0
Legislative Library	798,221	798,221	0
Legislative Messenger Service	907,830	907,830	0
Legislative Bill Drafting Commission	13,009,482	13,009,482	0
Legislative Task Force on Demographic Research and Reapportionment	<u>1,858,759</u>	<u>1,858,759</u>	<u>0</u>
Joint Entities Total	<u>\$17,539,565</u>	<u>\$17,539,565</u>	<u>\$0</u>
GENERAL FUND TOTAL	<u>\$217,844,801</u>	<u>\$217,844,801</u>	<u>\$0</u>
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	<u>\$1,600,000</u>	<u>\$1,600,000</u>	<u>\$0</u>
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	<u>\$500,000</u>	<u>\$500,000</u>	<u>\$0</u>

LEGISLATURE

SCHEDULE OF APPROPRIATIONS

<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
OFFICE OF THE LIEUTENANT GOVERNOR			
Administration Program--Personal Service			
For personal service of employees and for temporary and expert services:			
Personal Service Regular	\$260,000	\$260,000	\$0
Administration Program--Nonpersonal Service			
Supplies and materials (including liabilities incurred prior to April 1, 2011)	<u>\$14,635</u>	<u>\$14,635</u>	<u>\$0</u>
Total--Office of Lieutenant Governor	\$274,635	\$274,635	\$0

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 members' offices and of standing committees:			
Personal Service Regular	\$28,702,765	\$28,702,765	\$0
For personal service of employees and for temporary and expert services of majority leader and minority leader operations:			
Personal Service Regular	\$25,255,762	\$25,255,762	\$0

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<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
For personal service of employees and for temporary and expert services for the senate student program office:			
Personal Service Regular	\$158,384	\$158,384	\$0
Temporary Service	<u>\$593,939</u>	<u>\$593,939</u>	<u>\$0</u>
Total Personal Service	\$60,929,350	\$60,929,350	\$0
Nonpersonal Service			
For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2011)			
Supplies and materials	\$4,068,485	\$4,068,485	\$0
Travel	\$1,554,141	\$1,554,141	\$0
Miscellaneous contractual services	\$16,897,989	\$16,897,989	\$0
Equipment	<u>\$2,623,233</u>	<u>\$2,623,233</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$25,143,848</u>	<u>\$25,143,848</u>	<u>\$0</u>
Grand Total--The Senate	\$86,073,198	\$86,073,198	\$0

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	\$23,112,207	\$23,112,207	\$0
Temporary Service	\$2,261,960	\$2,261,960	\$0

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<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
For personal service of employees and for temporary and expert services for administrative and program support operations:			
Personal Service Regular	\$38,770,768	\$38,770,768	\$0
Temporary Service	\$460,907	\$460,907	\$0
For the Assembly Intern and Youth Participation Program for personal service of employees and for temporary and expert services:			
Personal Service Regular	\$223,563	\$223,563	\$0
Temporary Service	<u>\$705,586</u>	<u>\$705,586</u>	<u>\$0</u>
Total Personal Service	\$79,052,491	\$79,052,491	\$0
Nonpersonal Service			
For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2011)			
Supplies and materials	\$2,075,000	\$2,075,000	\$0
Travel	\$2,719,000	\$2,719,000	\$0
Miscellaneous contractual services	\$17,111,000	\$17,111,000	\$0
Equipment	<u>\$1,339,000</u>	<u>\$1,339,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$23,244,000</u>	<u>\$23,244,000</u>	<u>\$0</u>
Grand Total--The Assembly	\$102,296,491	\$102,296,491	\$0

SENATE FINANCE COMMITTEE

Personal Service

For personal service, temporary and special services (including liabilities incurred prior to April 1, 2011):

Personal Service Regular	\$5,291,456	\$5,291,456	\$0
Temporary Service	<u>\$159,000</u>	<u>\$159,000</u>	<u>\$0</u>
Total Personal Service	\$5,450,456	\$5,450,456	\$0

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<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
Nonpersonal Service			
Supplies and Materials	\$188,000	\$188,000	\$0
Travel	\$29,000	\$29,000	\$0
Contractual Services	\$114,000	\$114,000	\$0
Equipment	<u>\$49,000</u>	<u>\$49,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$380,000</u>	<u>\$380,000</u>	<u>\$0</u>
 Total--Senate Finance Committee	 \$5,830,456	 \$5,830,456	 \$0

ASSEMBLY WAYS & MEANS COMMITTEE

Personal Service

For personal service, temporary and special services (including liabilities incurred prior to April 1, 2011):

Personal Service Regular	\$5,291,456	\$5,291,456	\$0
Temporary Service	<u>\$159,000</u>	<u>\$159,000</u>	<u>\$0</u>
Total Personal Service	\$5,450,456	\$5,450,456	\$0

Nonpersonal Service

Supplies and Materials	\$188,000	\$188,000	\$0
Travel	\$29,000	\$29,000	\$0
Contractual Services	\$114,000	\$114,000	\$0
Equipment	<u>\$49,000</u>	<u>\$49,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$380,000</u>	<u>\$380,000</u>	<u>\$0</u>
 Total--Assembly Ways & Means Committee	 \$5,830,456	 \$5,830,456	 \$0

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	\$359,282	\$359,282	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$369,282	\$369,282	\$0

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<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
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	\$376,949	\$376,949	\$0

NATIONAL CONFERENCE OF STATE LEGISLATURES

For a contribution to the National Conference
of State Legislatures:

Supplies and Materials	<u>\$377,058</u>	<u>\$377,058</u>	<u>\$0</u>
Total--National Conference of State Legislatures	\$377,058	\$377,058	\$0

LEGISLATIVE HEALTH SERVICE

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

Personal Service

Personal Service Regular	<u>\$183,566</u>	<u>\$183,566</u>	<u>\$0</u>
Total Personal Service	\$183,566	\$183,566	\$0

Nonpersonal Service

Supplies and Materials	\$25,700	\$25,700	\$0
Contractual Services	\$1,000	\$1,000	\$0
Equipment	<u>\$1,000</u>	<u>\$1,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$27,700</u>	<u>\$27,700</u>	<u>\$0</u>
Total--Legislative Health Service	\$211,266	\$211,266	\$0

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
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LEGISLATIVE LIBRARY

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

Personal Service

Personal Service Regular	\$409,221	\$409,221	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$419,221	\$419,221	\$0

Nonpersonal Service

Supplies and Materials	\$247,500	\$247,500	\$0
Contractual Services	\$99,000	\$99,000	\$0
Equipment	<u>\$32,500</u>	<u>\$32,500</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$379,000</u>	<u>\$379,000</u>	<u>\$0</u>

Total--Legislative Library	\$798,221	\$798,221	\$0
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LEGISLATIVE MESSENGER SERVICE

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

Personal Service

Personal Service Regular	\$895,830	\$895,830	\$0
Temporary Service	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u>
Total Personal Service	\$905,830	\$905,830	\$0

Nonpersonal Service

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

Total--Legislative Messenger Service	\$907,830	\$907,830	\$0
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LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
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LEGISLATIVE BILL DRAFTING COMMISSION

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

Personal Service

Personal Service Regular	\$10,588,688	\$10,588,688	\$0
Temporary Service	<u>\$169,240</u>	<u>\$169,240</u>	<u>\$0</u>
Total Personal Service	\$10,757,928	\$10,757,928	\$0

Nonpersonal Service

Supplies and Materials	\$332,021	\$332,021	\$0
Travel	\$50,577	\$50,577	\$0
Contractual Services	\$1,710,163	\$1,710,163	\$0
Equipment	<u>\$158,793</u>	<u>\$158,793</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$2,251,554</u>	<u>\$2,251,554</u>	<u>\$0</u>

Total--Legislative Bill Drafting Commission	\$13,009,482	\$13,009,482	\$0
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LEG. TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT

For services and expenses (including liabilities incurred prior to April 1, 2011) of the task force for senate purposes

Personal Service

Personal Service Regular	\$346,923	\$346,923	\$0
Temporary Service	<u>\$5,000</u>	<u>\$5,000</u>	<u>\$0</u>
Total Personal Service	\$351,923	\$351,923	\$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	\$358,325	\$358,325	\$0
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LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</u>	<u>Change</u>
For services and expenses (including liabilities incurred prior to April 1, 2011) of the task force for assembly purposes			
Personal Service			
Personal Service Regular	\$338,125	\$338,125	\$0
Temporary Service	<u>\$9,000</u>	<u>\$9,000</u>	<u>\$0</u>
Total Personal Service	\$347,125	\$347,125	\$0
Nonpersonal Service			
Travel	\$1,000	\$1,000	\$0
Contractual Services	<u>\$10,200</u>	<u>\$10,200</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$11,200</u>	<u>\$11,200</u>	<u>\$0</u>
Total--Assembly	\$358,325	\$358,325	\$0
For services and expenses (including liabilities incurred prior to April 1, 2011) of the task force for joint operations			
Personal Service			
Personal Service Regular	\$797,109	\$797,109	\$0
Temporary Service	<u>\$9,000</u>	<u>\$9,000</u>	<u>\$0</u>
Total Personal Service	\$806,109	\$806,109	\$0
Nonpersonal Service			
Supplies and Materials	\$14,000	\$14,000	\$0
Travel	\$5,000	\$5,000	\$0
Contractual Services	\$109,000	\$109,000	\$0
Equipment	<u>\$208,000</u>	<u>\$208,000</u>	<u>\$0</u>
Total Nonpersonal Service	<u>\$336,000</u>	<u>\$336,000</u>	<u>\$0</u>
Total--Joint Operations	<u>\$1,142,109</u>	<u>\$1,142,109</u>	<u>\$0</u>
Total--Task Force on Demographic Research and Reapportionment	<u>\$1,858,759</u>	<u>\$1,858,759</u>	<u>\$0</u>
Grand Total--Senate and Assembly Joint Entities	\$17,539,565	\$17,539,565	\$0

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</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

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2010-11</u>	<u>Requested for 2011-12</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	<u>\$250,000</u>	<u>\$250,000</u>	<u>\$0</u>
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	<u>\$250,000</u>	<u>\$250,000</u>	<u>\$0</u>
Total--Assembly Grants and Bequests Fund	\$250,000	\$250,000	\$0

USER'S GUIDE

Shortfall refers to a situation where actual revenues collected are less than those that had been projected.

A **sole-custody fund** is administered by an individual State agency official and is not under the joint custody of the State Comptroller and the Commissioner of Taxation and Finance. Sole-custody funds are usually fiduciary in nature. Examples include assets held for wards of the State.

A **surplus**, for purposes of the cash-basis Financial Plan, is an excess of receipts over disbursements at the end of a fiscal year. On a GAAP basis, a surplus is an excess of revenues over expenditures or expenses at the end of a fiscal year.