

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 2008-09. 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 nearly \$2.5 billion. This includes amounts necessary to provide salary increases to judges. When adjusted for \$106 million in retroactive judicial salary payments and non-recurring capital appropriations in the current year, the increase over the current- year is \$90 million, or 3.8 percent.

The budget request submitted by the Chief Judge reflects a salary increase of 21 percent retroactive for three years, to April 1, 2005. More recently, the Chief Judge proposed new legislation providing for pay increases retroactive to April 1, 2005, with additional increases tied to the salaries of federal court judges, and a quadrennial salary commission.

Judicial salaries have remained unchanged since 1999, and establishing new compensation levels for judges is a high priority of the Chief Judge. In recognition of the importance of this issue, which has languished too long, and in support of the Chief Judge, the Executive Budget includes Article VII legislation to provide for a judicial salary increase.

The Article VII legislation I am submitting includes a judicial pay increase retroactive to April 1, 2006, at the same level recommended by the Chief Judge. In addition, my bill would increase salaries another 2.5 percent on April 1, 2008, in recognition that judicial salaries at the Federal level were raised by that amount on January 1, 2008. I strongly urge the Legislature to take action on this proposal.

I also support the Chief Judge's Action Plan for Town and Village Courts, which will provide training, technology, and security for these courts. A total of \$17 million is provided to support a multi-year plan to strengthen this part of our justice system. Ensuring that justice is fairly done within these small, community courts is a laudable goal and I am pleased to see it remain a top priority of the Chief Judge.

JUDICIARY

2008-09 BUDGET REQUEST

INTRODUCTION

THE UNIFIED COURT SYSTEM

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

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

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

STRUCTURE AND JURISDICTION OF THE COURTS

The Unified Court System is structured as follows:

APPELLATE COURTS

TRIAL COURTS OF SUPERIOR JURISDICTION

TRIAL COURTS OF LIMITED JURISDICTION

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

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

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

*Locally funded courts

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.

JUDICIARY

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

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

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

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

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

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

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

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

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

There are four kinds of courts of limited jurisdiction outside the City of New York: District (established in Nassau County and in the five western towns of Suffolk County), City, Town and Village Courts. All have jurisdiction over minor criminal matters. They

also have jurisdiction over minor civil matters, including small claims and summary proceedings, although their monetary ceilings vary: \$15,000 in District and City Courts, and \$3,000 in Town and Village Courts.

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

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

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

ADMINISTRATIVE STRUCTURE OF THE UNIFIED COURT SYSTEM

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

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

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

JUDICIARY

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

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

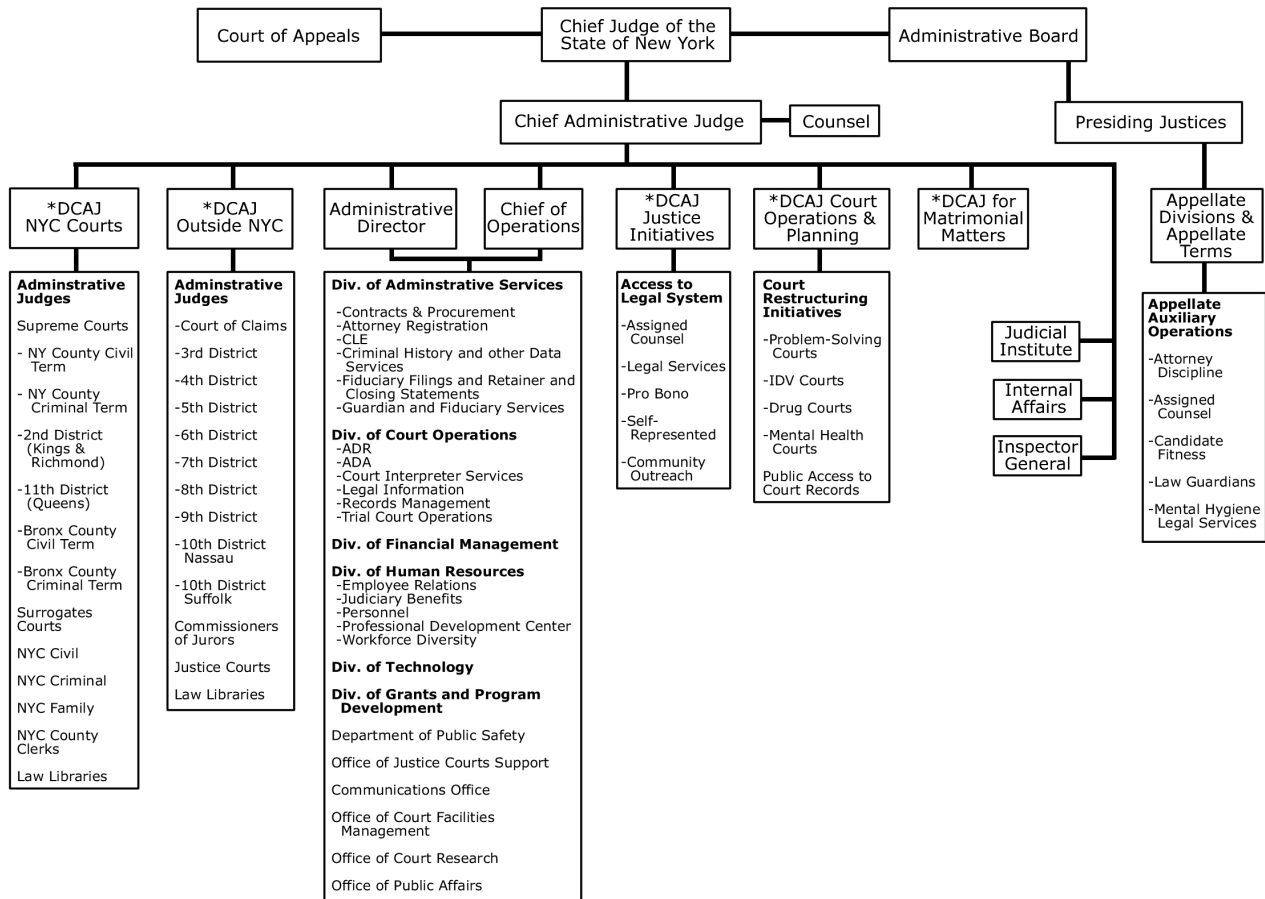
Counsel's Office prepares and analyzes legislation, represents the Unified Court System in litigation, and provides various other forms of legal assistance to the Chief Administrative Judge.

Responsibility for on-site management of the trial courts and agencies is vested with the Administrative Judges. Upstate, in each of the eight judicial districts established outside the City of New York, there is a District Administrative Judge who is responsible for all the courts and agencies operating within their respective districts except in the Tenth Judicial District, where a separate Administrative Judge is appointed for Nassau and Suffolk Counties. In the City of New York, Administrative Judges supervise each of the major trial courts, and the Deputy Chief Administrative Judge provides for management of the

complex of courts and court agencies within the City. The Administrative Judges manage not only court caseload, but are responsible as well for general administrative functions including personnel and budget administration.

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

Unified Court System Administrative Structure



*DCAJ - Deputy Chief Administrative Judge

EXECUTIVE SUMMARY

This budget requests the resources necessary for the New York State Judiciary to fulfill its constitutional duty to resolve all disputes brought before the courts in a fair and timely manner. The ongoing challenge is to fulfill this mission in the face of an ever-increasing caseload. In 2006, the total caseload of the New York courts again set a new record, with nearly 4.6 million new cases filed. Despite this workload, requests for new resources have been held to a minimum, as the courts continue to creatively and efficiently manage existing resources.

The Judiciary's General Fund State Operations and Aid to Localities request for fiscal year 2008-09 totals \$2.27 billion, an increase of approximately \$196.8 million, or 9.5% over the current year appropriation. The All Funds budget request totals \$2.52 billion, an increase of \$115.9 million, or 4.8%.

Nearly seven percent of the requested General Fund increase is attributable solely to funding for an increase in judicial compensation retroactive to April 1, 2005, the first increase in judicial salaries in nine years. Excluding funding for increased judicial compensation, the total General Fund increase is \$53.8 million, an increase of just 2.6% over the current year.

JUDICIAL SALARY REFORM

As of January 2008, it will be a full nine years since the Judges of this State last received a salary increase. During that time, the compensation of New York's judges, measured by actual buying power, has plummeted to the bottom of the rankings of judicial compensation in the nation. New York's judges have gone longer than any other judges in the country without even a cost-of-living adjustment.

Since 1999, when judicial salaries were last adjusted, the cost of living has increased over 30%, and the salaries of many State employees have risen by over 33%.

This situation is palpably unfair, imposing real hardships on Judges and their families. New York's pattern of long periods without any adjustment in compensation, followed by large and politically difficult catch-up adjustments, is just poor public policy. After nine years of stagnant salaries, the very institution of the Judiciary is in danger.

The 2008-09 Judiciary budget includes \$143 million for increased judicial compensation retroactive to April 1, 2005. Equally important, a permanent mechanism for the regular adjustment of judicial salaries should be enacted promptly.

COURT WORKLOAD AND STAFFING RESOURCES

Resources are also included in the Judiciary's budget request to address the court system's operational needs. The 4,546,080 new cases filed in the New York State courts in 2006 represent an increase of 6% over the previous year, and an increase of over 25% since 1996. In 2006, case dispositions also reached an all-time high of 4,157,643, a 9% increase over 2005.

The work of the Family Courts continues its steady growth. At the same time that the number of new cases is increasing, the Family Courts must also comply with additional statutory mandates imposed by the State's Permanency Planning Legislation and the Federal Adoption and Safe Families Act.

Felony criminal cases in the Supreme and County Courts have also increased, with a growth of 7% over 2005. Within the Criminal Courts, caseload growth in the Integrated Domestic Violence (IDV) parts has been particularly significant. New cases increased 31% (from 11,679 to 15,265) in 2006, and the number of families involved in those cases increased 24% (from 2,324 to 2,875) as the number of IDV parts has continued to increase.

Growth in new cases was most dramatic in the City and District Courts which have experienced, over the past few years, a sharp increase in no-fault auto insurance and consumer credit debt cases. While each individual case is not major or complex, in the aggregate these cases impose a significant and growing burden on the courts.

In response to this ever-mounting workload, the Judiciary will continue to make the most effective and efficient use of its existing resources. It has, however, become apparent that limited staffing increases are necessary. Accordingly, this budget request includes funding to fill 100 existing vacancies and to establish 139 new court operations positions. This funding will be used for additional staff in the most burdened courts, primarily the Family Courts and the City and District Courts, as well as for additional court security staff and staff to implement the Judiciary's expanded support of the Local Justice Courts.

LOCAL JUSTICE COURTS

New York State's Justice Courts—comprising nearly 1,300 town and village courts, presided over by nearly 2,000 judges—is a critical part of the State's justice system. Collectively, these courts handle approximately two million proceedings annually, and collect well over \$2 million in fines and fees each year.

While the town and village courts are locally funded, staffed and administered, they are constitutionally part of the Unified Court System (UCS) and are an essential element of the State's justice system. Over the years, the State Judiciary has provided increasing assistance and support to these important local courts.

A milestone in the relationship between the State Judiciary and the local Justice Courts occurred in November 2006, with the issuing of the Office of Court Administration's Action Plan for the Justice Courts. The Action Plan, developed in consultation with an advisory committee that included town and village court judges and leaders of the New York State Magistrates Association, set forth a comprehensive series of steps that the State Judiciary would take, within the existing legal structure of the Justice Courts, to ensure that these courts and their Justices have the training, resources, and other assistance necessary to fulfill the pivotal role the Justice Courts play in New York's justice system.

Using fiscal year 2007-08 resources provided by the Legislature, the Judiciary has been implementing key provisions of the Action Plan. Among the steps already taken or currently underway are:

- Supervising judges have been appointed in all judicial districts to oversee the Justice Courts;
- Recording equipment is being installed, at State expense, to ensure for the first time the electronic recording of all Justice Court proceedings;
- The training curriculum for local Justices has been revised and expanded;
- Teams of specially trained court officers are conducting on-site security and physical assessments, providing written reports and recommendations to the local courts;
- UCS has undertaken direct responsibility for providing automation services to the Justice Courts, is integrating these courts into the UCS email system, and has expanded the on-line legal research capabilities available to these courts;

JUDICIARY

- The Town and Village website has been significantly expanded and enhanced;
- With the assistance of the Executive Branch, a Justice Court credit card system for the payment of fees and fines is being implemented at no cost to local governments or litigants;
- The local assistance program for Town and Village Courts has been expanded to provide increased financial aid for facility-related projects, particularly those which enhance the security of these local courts;
- On a pilot basis, a remote court interpreting pilot is being initiated in selected Justice Courts, with UCS staff interpreters providing interpreting services by telephone; and
- The Office of Court Administration has expanded its auditing staff to enhance its capacity to audit the Justice Courts.

The 2008-09 Judiciary budget includes a total of \$17 million to address the needs of these local courts, an increase of \$7 million over the current year. This sum includes \$12 million in General Fund State Operations appropriations and \$5 million in Local Assistance funding. The additional funds requested are necessary to annualize the staffing and ongoing operating costs initiated in the current year and to provide additional staffing and equipment that will be needed to continue the efforts now underway.

FAMILY JUSTICE REFORM

Some of the most sensitive and complex cases in the court system are those heard by the Family Court. The difficulty of adjudicating these cases is compounded by the fact that many Family Court litigants are self-represented.

Finding ways of better serving families in crisis has been an ongoing priority of the New York Judiciary, and a number of successful Family Court reforms have been implemented over the years. This budget request seeks funds to further assist these families through the use of case management techniques that have proven successful for other case types. Family services coordinators would be assigned to ensure that cases progress in accordance with judicial orders and family service plans. These social work/mental health professionals would utilize screening tools to assess families and to provide the Court with information critical in tailoring orders that appropriately address the specific and unique needs of each family. The family services coordinators would maintain contact with the families between court appearances, tracking progress and compliance with Court orders, appraising the Court of progress or problems and helping to prepare the parties for their next court date. The goal is to make each court appearance as effective and meaningful as possible, to eliminate unnecessary, unproductive court appearances, and to free judges to concentrate on the resolution of legal issues.

In addition to these case management services, family law resource centers would be established to provide self-represented litigants with free, limited-scope legal representation and procedural assistance.

The 2008-09 budget includes a total \$1.8 million to address these new Family Justice initiatives. The initiatives would be introduced in the Kings Family Court, the busiest Family Court in New York State, with approximately 16,000 custody and visitation and 4,000 child protective cases annually.

PUBLIC SAFETY

Security and emergency preparedness for the courts, as for all government institutions, have become an integral part of our daily operations and planning.

In 2005, a Task Force on Court Security was convened to make recommendations for enhancing the security of New York’s courts. Its recommendations were intended to ensure that security personnel are effectively trained, equipped and deployed, that appropriate and standardized public safety procedures are implemented, that courthouses and other justice system facilities are designed and maintained in a manner which facilitates safety against any foreseeable risk and to improve the court system’s capabilities to quickly and adequately respond to emergencies of any type. Implementation of the Task Force’s recommendations is ongoing.

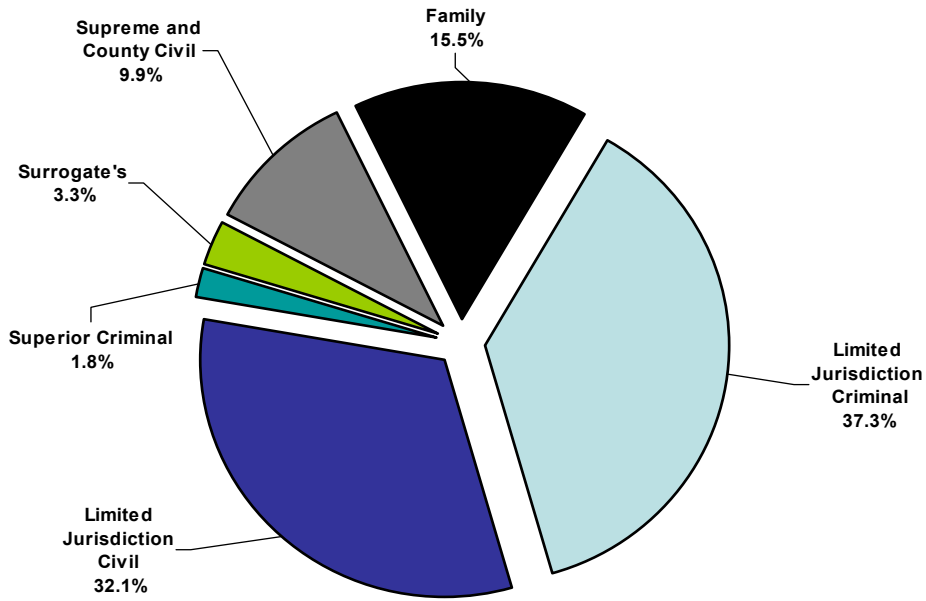
The Judiciary is also continuing its assessment of the security arrangements in each court facility of the State, and where appropriate, locally-furnished court security personnel provided pursuant to contract with the county sheriff or city police is being replaced with UCS trained and paid court security staff. During fiscal 2008-09, it is anticipated that additional conversions will be undertaken in various locales.

In recognition of the importance played by security services in overall court operations, and for purposes of budgeting transparency, the UCS resources that are committed to public safety have now been consolidated into their own budget component. This budget includes a total of \$321 million for personal service costs, for local government security contracts and other nonpersonal services related to the Judiciary’s public safety programs. The requested amount represents an increase of \$.5 million over current year resources. The total includes \$2 million to continue implementation of the recommendations of the Task Force on Court Security. Funding for additional security staffing resources is also included in the trial court maintenance undistributed portion of the budget request.

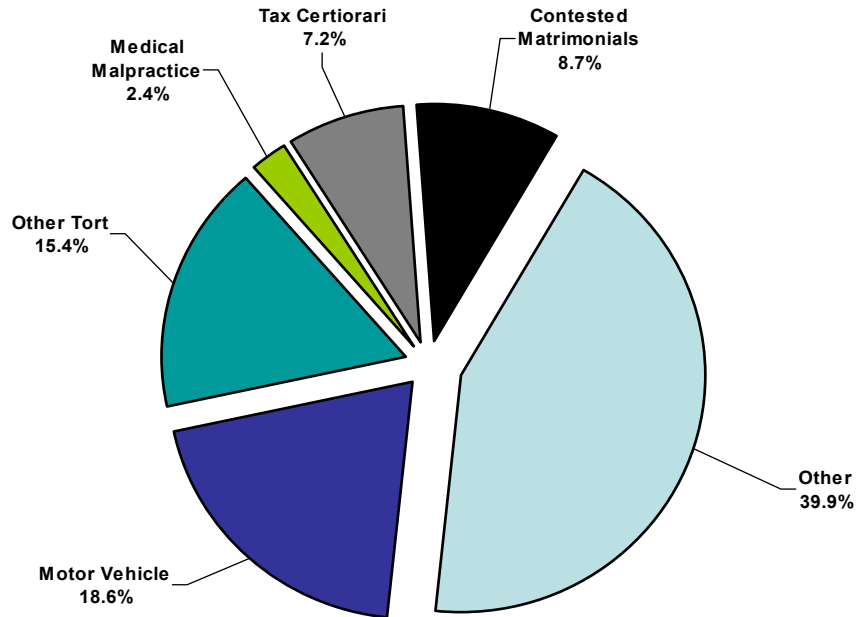
COURT SYSTEM WORKLOAD

Trial Court Proceeding Type	2005 Filings	2006 Filings	Change	% Change
Supreme and County Criminal	74,412	80,210	5,798	8%
Criminal Court of the City of New York	872,927	854,918	(18,009)	-2%
City and District Courts Outside New York City	769,870	784,518	14,648	2%
Parking Tickets	147,870	154,139	6,269	4%
Criminal Total	1,865,079	1,873,785	8,706	0%
Supreme Court Civil	402,318	408,756	6,438	2%
Civil Court of the City of New York	820,355	969,654	149,299	18%
City and District Courts Outside New York City	325,149	361,475	36,326	11%
County Courts Civil	30,812	27,532	(3,280)	-11%
Court of Claims	1,591	1,482	(109)	-7%
Small Claims Assessment Review	51,527	78,057	26,530	51%
Civil Total	1,631,752	1,846,956	215,204	13%
Family Courts	665,970	680,791	14,821	2%
Surrogate Courts	145,492	144,548	(944)	-1%
Grand Total	4,308,293	4,546,080	237,787	6%

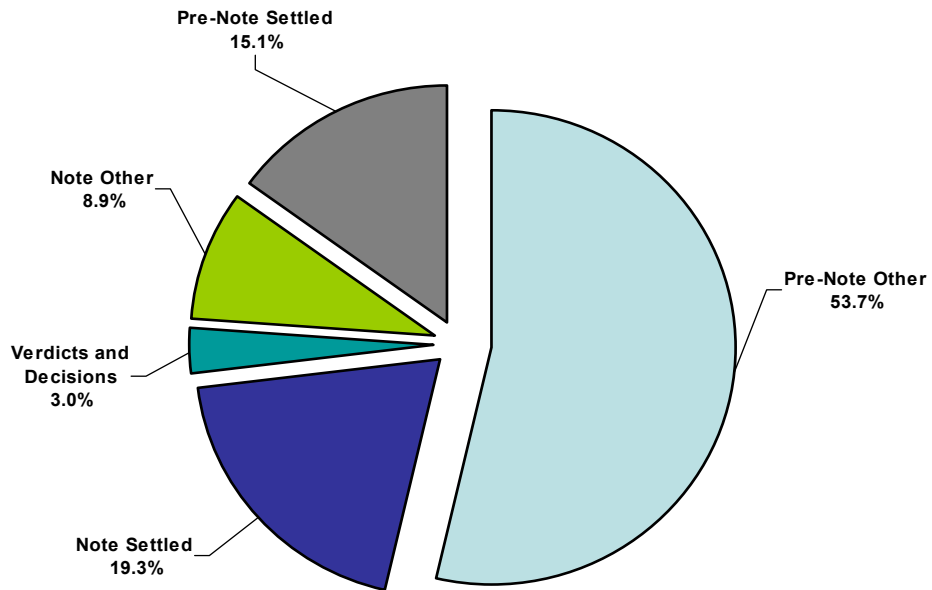
Trial Court Filings by Case Type - 2006



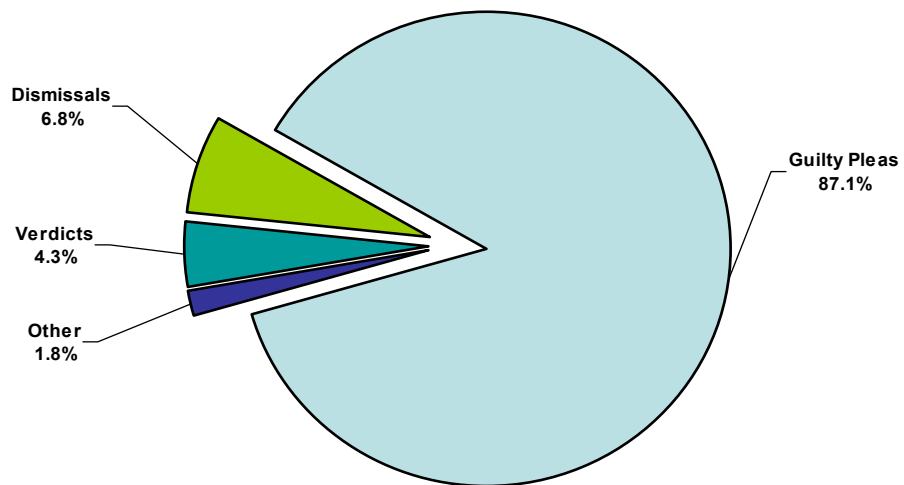
Supreme Civil Filings by Case Type - 2006



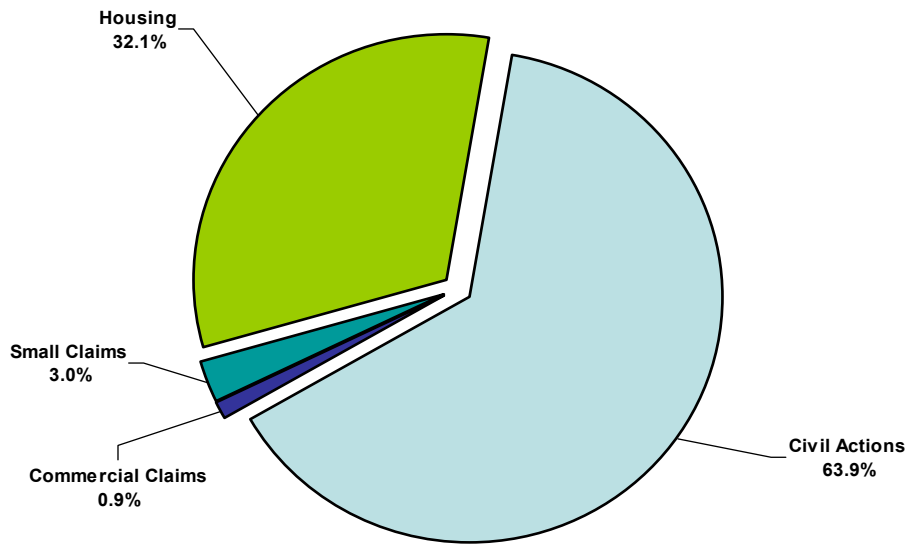
Supreme Civil Dispositions by Type - 2006



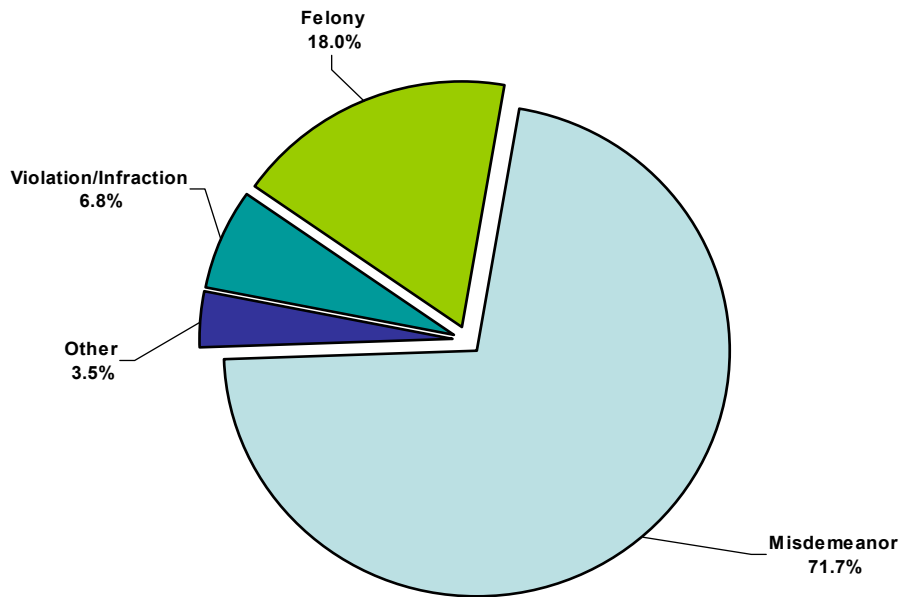
Supreme Criminal Felony Dispositions - 2006



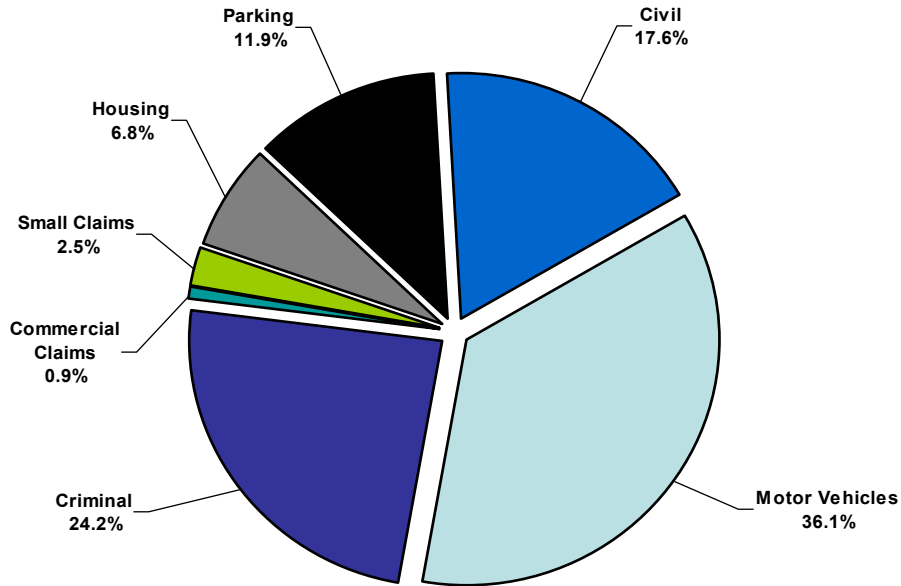
NYC Civil Court Filings by Case Type - 2006



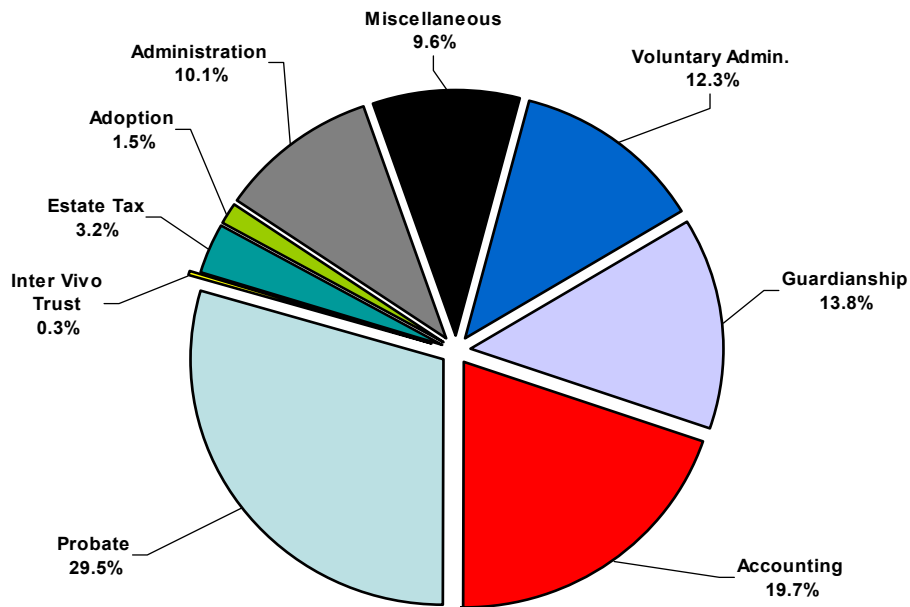
NYC Criminal Court Filings by Case Type - 2006



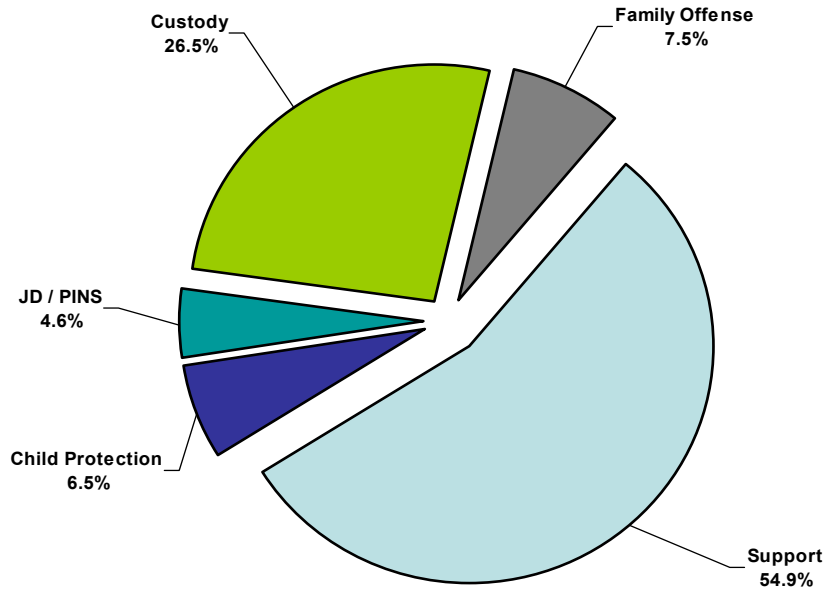
City and District Court Filings by Case Type - 2006



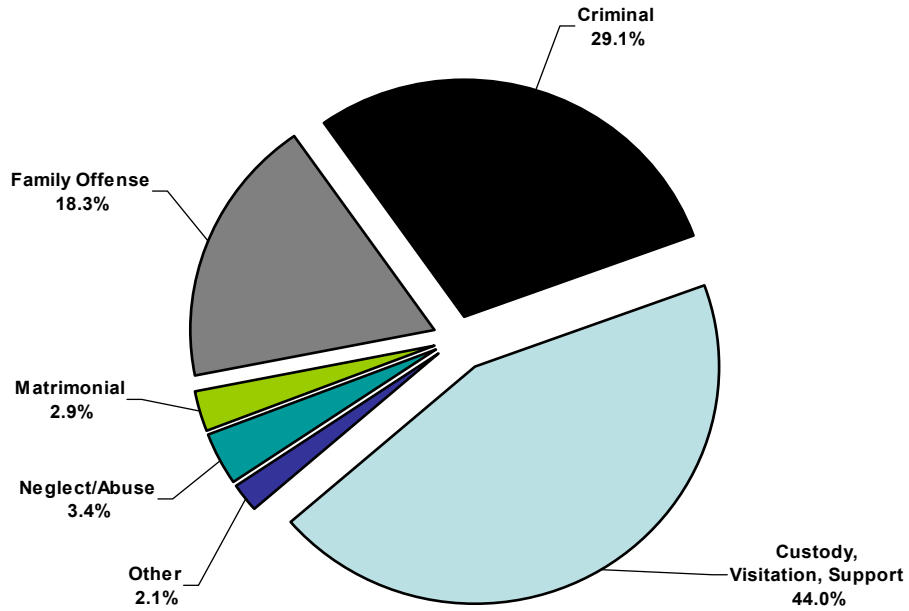
Surrogate's Court Filings by Case Type - 2006



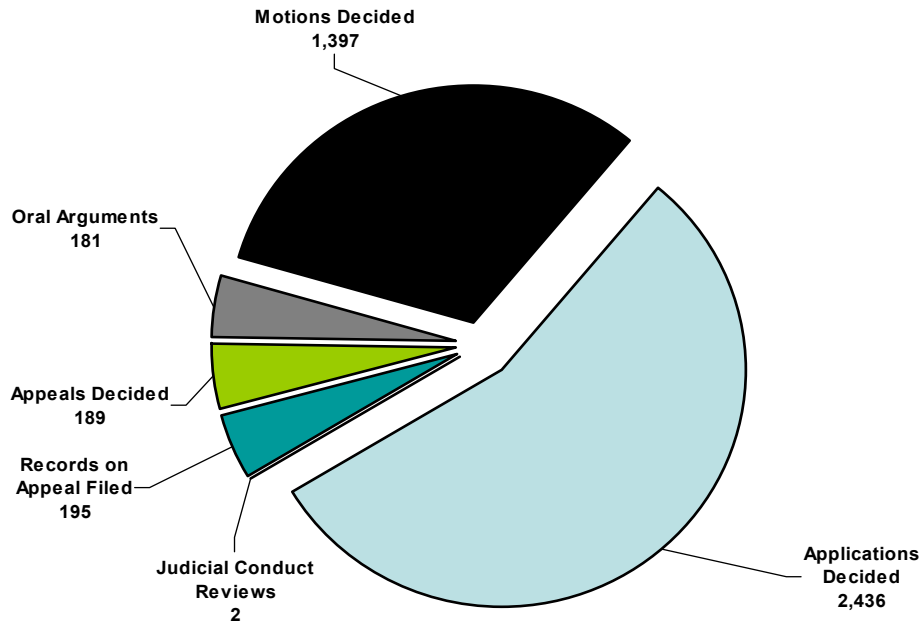
Family Court Filings by Case Type - 2006



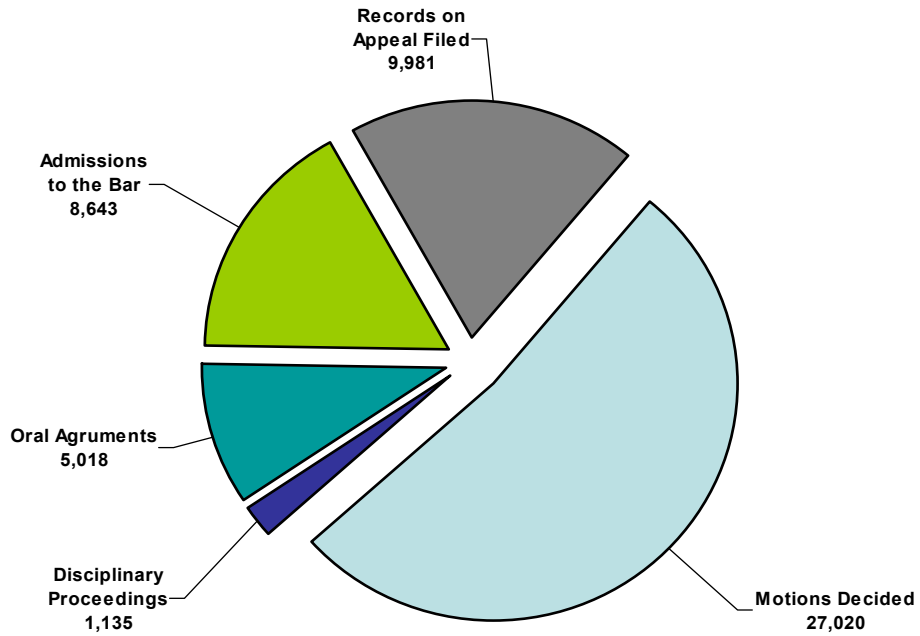
Integrated Domestic Violence Filings by Case Type - 2006



Caseload Activity in the Court of Appeals - 2006



Caseload Activity in the Appellate Divisions - 2006



2008-09 BUDGET REQUEST

The budget request for the Judiciary General Fund State Operations and Aid to Localities for fiscal year 2008-09 totals \$2.27 billion, an increase of \$196.8 million, or 9.5% over the current year appropriation. The All Funds Court and Agency portion of the request, including General Fund resources, is \$2.52 billion, an increase of \$115.9 million, or 4.8%.

ANALYSIS OF CHANGE

The components of the Judiciary's 2008-09 General Fund State Operations and Aid to Localities budget increase of \$196.8 million are as follows:

- \$143 million for increased judicial compensation retroactive to April 1, 2005, including \$32.7 million for 2005-06, \$36.3 million for 2006-07 and \$37 million each for fiscal years 2007-08 and 2008-09.
- \$6.7 million in net increases for increments, longevity bonuses, and other mandated collective bargaining costs.
- \$3.1 million for partial year funding for a total of 139 essential new positions, primarily public safety and other court operations positions in the Family, City and District Courts.
- \$9.8 million to annualize the costs of essential current year employment increases, including approved conversions from local to state-paid security.
- \$2.5 million for partial year funding for essential employment target increases in fiscal year 2008-09.
- \$.8 million in overtime increases, primarily attributable to public safety-related positions.
- \$2.0 million reflective of the annualized cost of temporary service positions created in the current year, positions created in response to the mandates of chapter 7 of the Laws of 2007 (civil confinement of sexual predators).
- \$2.4 million in legal research increases reflecting the terms of the recently negotiated contract with West Publishing.
- \$1.9 million in travel and training increases, due in significant part to expansion of judicial training seminars.
- \$5.5 million in real estate rental costs, the largest component of which reflects the transfer of the lease for 25 Beaver Street in New York City from the budget of the Office of General Services to the Judiciary budget.
- \$1.1 million attributable to data processing telecommunication cost increases reflective of the ongoing expansion of CourtNet, the Judiciary's statewide computer network.
- \$7.9 million in Law Guardian representation costs, including \$5 million attributable to the anticipated impact of the attorney caseload caps as provided by chapter 626 of the Laws of 2007.
- \$6.4 million in State Operations funds to allow for continued implementation of the Action Plan for Town and Village Courts.
- \$1.8 million for Family Justice initiatives, including funding for the establishment of up to thirty-five Family Court caseload coordinator positions at various pilot sites around the State.

- (\$1.0) million reflecting a year-to-year reduction in equipment purchases.
- (\$1.2) million offset for non-recurring contractual services costs.
- \$1.0 million increase in employee fringe benefit costs, attributable primarily to increased employer social security contributions.
- \$2.3 million in other nonpersonal service increases attributable to general inflation and mandatory contractual increases.

THE JUDICIARY BUDGET - 2008-09

The following is a summary of the 2008-09 fiscal requirements of the Judiciary including the legislative appropriation bill and financial plan in support of the budget proposals.

JUDICIARY

**Unified Court System
2008-2009 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary**

Category / Fund / Major Purpose	2007-2008	2008-2009	Change
<u>Court & Agency Operations:</u>			
<i>Courts of Original Jurisdiction</i>	1,401,218,437	1,441,354,667	40,136,230
<i>Court of Appeals</i>	14,925,900	15,364,793	438,893
<i>Appellate Court Operations</i>	67,593,485	69,695,336	2,101,851
<i>Appellate Auxiliary Operations</i>	102,117,345	110,982,991	8,865,646
<i>Administration & General Support</i>	22,528,962	23,518,525	989,563
<i>Judiciary Wide Maintenance Undistributed</i>	4,919,541	148,110,717	143,191,176
<i>Court & Agency Operations - General Fund Total</i>	1,613,303,670	1,809,027,029	195,723,359
<hr/>			
<i>Special Revenue Fund – Federal</i>	8,800,000	9,100,000	300,000
<hr/>			
<u>Special Revenue Fund – Other</u>			
<i>NYC County Clerks Operations Offset Fund</i>	23,215,213	22,415,168	(800,045)
<i>Judiciary Data Processing Offset Fund</i>	16,186,209	16,511,267	325,058
<i>Miscellaneous Special Revenue</i>	6,500,000	1,500,000	(5,000,000)
<i>Attorney Licensing Fund</i>	23,263,533	23,636,470	372,937
<i>Indigent Legal Services Fund</i>	25,000,000	25,000,000	0
<i>Court Facilities Incentive Aid Fund</i>	2,118,623	2,058,336	(60,287)
<i>Court & Agency Operations - All Funds Total</i>	1,718,387,248	1,909,248,270	190,861,022
<hr/>			
<u>General State Charges</u>			
<i>General Fund</i>	455,197,681	456,225,492	1,027,811
<i>Lawyers' Fund for Client Protection</i>	98,000	98,000	0
<i>Attorney Licensing Fund</i>	4,306,931	4,306,931	0
<i>Court Facilities Incentive Aid Fund</i>	442,772	442,772	0
<i>New York City County Clerks' Offset Fund</i>	5,272,969	5,272,969	0
<i>Judiciary Data Processing Offset Fund</i>	3,703,156	3,703,156	0
<i>General State Charges - All Funds Total</i>	469,021,509	470,049,320	1,027,811
<hr/>			
<u>Lawyers' Fund for Client Protection</u>			
<i>Lawyers' Fund for Client Protection</i>	10,897,039	12,858,084	1,961,045
<i>Lawyers' Fund for Client Protection – Total</i>	10,897,039	12,858,084	1,961,045
<hr/>			
<u>Aid to Localities</u>			
<i>General Fund - Courts of Original Jurisdiction</i>	5,000,000	5,000,000	0
<i>Court Facilities Incentive Aid</i>	123,553,284	123,553,284	0
<i>Aid to Localities - All Funds Total</i>	128,553,284	128,553,284	0
<hr/>			
<u>Capital Projects</u>			
<i>General Fund</i>	77,900,000	0	(77,900,000)
<i>Special Revenue Funds</i>	0	0	0
<i>Capital Construction - All Funds Total</i>	77,900,000	0	(77,900,000)
<hr/>			
<i>Grand Total All Funds</i>	2,404,759,080	2,520,708,958	115,949,878

JUDICIARY

**Unified Court System
2008-2009 Budget Request
All Funds Appropriation Requirements
Major Purpose/Fund Summary
(Fund Detail)**

<u>Category/Fund/Major Purpose</u>	<u>2007-2008 Available</u>	<u>2008-2009 Requested</u>	<u>Change</u>
<u>Court & Agency Operations:</u>			
Courts of Original Jurisdiction			
<i>General Fund</i>	1,401,218,437	1,441,354,667	40,136,230
<i>Special Revenue Funds</i>	50,366,379	50,154,400	(211,979)
Total - All Funds	1,451,584,816	1,491,509,067	39,924,251
Court of Appeals			
<i>General Fund</i>	14,925,900	15,364,793	438,893
<i>Special Revenue Funds</i>	0	0	0
Total - All Funds	14,925,900	15,364,793	438,893
Appellate Court Operations			
<i>General Fund</i>	67,593,485	69,695,336	2,101,851
<i>Special Revenue Funds</i>	0	0	0
Total - All Funds	67,593,485	69,695,336	2,101,851
Appellate Auxiliary Operations			
<i>General Fund</i>	102,117,345	110,982,991	8,865,646
<i>Special Revenue Funds</i>	45,019,208	45,445,855	426,647
Total - All Funds	147,136,553	156,428,846	9,292,293
Administration & General Support			
<i>General Fund</i>	22,528,962	23,518,525	989,563
<i>Special Revenue Funds</i>	2,770,662	2,776,793	6,131
Total - All Funds	25,299,624	26,295,318	995,694
Judiciary Wide Maintenance Undistributed			
<i>General Fund</i>	4,919,541	148,110,717	143,191,176
<i>Special Revenue Funds</i>	6,927,329	1,844,193	(5,083,136)
Total - All Funds	11,846,870	149,954,910	138,108,040
<u>Court & Agency Operations – Total</u>			
<i>General Fund</i>	1,613,303,670	1,809,027,029	195,723,359
<i>Special Revenue</i>	105,083,578	100,221,241	(4,862,337)
Total - All Funds	1,718,387,248	1,909,248,270	190,861,022
<u>General State Charges</u>			
<i>General Fund</i>	455,197,681	456,225,492	1,027,811
<i>Special Revenue</i>	13,823,828	13,823,828	0
Total - All Funds	469,021,509	470,049,320	1,027,811
<u>Lawyers' Fund for Client Protection</u>			
<i>General Fund</i>	0	0	0
<i>Special Revenue Funds</i>	10,897,039	12,858,084	1,961,045
Total - All Funds	10,897,039	12,858,084	1,961,045
<u>Aid to Localities</u>			
<i>General Fund</i>	5,000,000	5,000,000	0
<i>Special Revenue Funds</i>	123,553,284	123,553,284	0
Total - All Funds	128,553,284	128,553,284	0
<u>Capital Projects</u>			
<i>General Fund</i>	77,900,000	0	(77,900,000)
<i>Special Revenue Fund</i>	0	0	0
Total - All Funds	77,900,000	0	(77,900,000)
Grand Total - All Funds	2,404,759,080	2,520,708,958	115,949,878

**Unified Court System
2008-2009 Budget Request
All Funds Disbursement Requirements
(Millions \$)**

Category / Fund	2007- 2008 Projected	2008- 2009 Projected	Change
<u>Court & Agency Operations:</u>			
General Fund	1,604.3	1,784.8	180.5
Special Revenue Federal	6.3	6.4	0.1
Special Revenue Funds – Other			
NYC County Clerks Operations Offset Fund	22.6	23.1	0.5
Judiciary Data Processing Offset Fund	15.9	16.4	0.5
Miscellaneous Special Revenue	24.2	25.1	0.9
Indigent Legal Services Fund	25.0	25.0	0.0
Court Facilities Incentive Aid Fund	1.6	1.7	0.1
Legal Services Assistance Fund	5.0	0.0	(5.0)
<i>Court & Agency Operations - All Funds Total</i>	1,704.9	1,882.5	177.6
<u>General State Charges</u>			
General Fund	446.3	449.0	2.7
NYC County Clerks Operations Offset Fund	5.0	5.0	0.0
Judiciary Data Processing Offset Fund	3.5	3.5	0.0
Miscellaneous Special Revenue	4.1	4.1	0.0
Court Facilities Incentive Aid Fund	0.4	0.4	0.0
Lawyers' Fund for Client Protection	0.1	0.1	0.0
<i>General State Charges - All Funds Total</i>	459.4	462.1	2.7
<u>Lawyers' Fund for Client Protection</u>			
Lawyers' Fund for Client Protection	9.4	10.4	1.0
<i>Lawyers' Fund for Client Protection - Total</i>	9.4	10.4	1.0
<u>Aid to Localities</u>			
General Fund - Courts of Original Jurisdiction	2.5	7.0	4.5
Court Facilities Incentive Aid	110.0	115.0	5.0
<i>Aid to Localities - All Funds Total</i>	112.5	122.0	9.5
<u>Capital Projects</u>			
Courthouse Improvements	1.1	15.4	14.3
<i>Capital Construction - All Funds Total</i>	1.1	15.4	14.3
<i>All Funds Total</i>	2,287.3	2,492.4	205.1

THE LEGISLATURE

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

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

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

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

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

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

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

Each of these Legislative components will be discussed in separate sections below.

LEGISLATURE

LEGISLATIVE BUDGET HIGHLIGHTS

The recommended General Fund appropriation of \$225,929,968 for FY 2008-09 for the Legislature represents an increase of \$6,621,785 (3.0%) above the amount appropriated for FY 2007-08, and follows an overall increase of 6.09% over the prior six fiscal years. The Legislature's budget request for FY 2008-09 represents an overall increase of 13.7 percent over the past eight years. Over this same period, the Consumer Price Index will have increased by 28.6 percent. Over the past eighteen years, the Legislative Budget has grown at approximately one third of the rate of inflation.

Legislative Budget Summary General Fund Appropriations

Entity	Available FY 07-08	Recommended FY 08-09	Change
Lt. Governor	\$277,409	\$277,409	\$0
Senate (incl. Senate Finance)	\$92,738,758	\$95,520,921	2,782,163
Assembly	\$103,422,870	\$106,525,556	3,102,686
Assembly Ways & Means	\$5,715,815	\$5,889,349	171,534
Joint Legislative Entities	\$17,151,331	\$17,716,733	565,402
LEGISLATURE TOTAL	\$219,308,183	\$225,929,968	\$6,621,785

Legislative Budget History Fiscal Year 2000-01 to 2008-09 General Fund Appropriations

FY 2000-01 Approp.	FY 07-08 Approp.	FY 08-09 Recommended	Change from FY 07-08 Approp. (%)	Change from FY 2000-01 Approp. (%)
\$198,669,846	\$219,308,183	\$225,929,968	\$6,621,785 (+3.0%)	+\$27,260,122 (+13.7%)

Legislative Budget General Fund Appropriations Comparison to Consumer Price Index Fiscal Year 2000-01 through Fiscal Year 2008-2009

	FY 2000-01	FY 2007-08	FY 2008-09	% Change 00-01 to 08-09
Legislative Budget	\$198,664,846	\$219,308,183	\$225,929,968	+13.7%
Consumer Price Index	182.5	227.2*	234.7*	+28.6%

* estimated

The recommended Special Revenue Fund-Other appropriation of \$1,600,000 for FY 2008-09 represents no change from the amount appropriated for FY 2007-08. No tax revenues are required for Special Revenue Funds.

The recommended Grants and Bequests Fund appropriation of \$500,000 for FY 2008-09 represents no change from the amount appropriated for FY 2007-08. 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 2008-09 for the Lieutenant Governor represents no change from the amount appropriated for FY 2007-08.

SENATE

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

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

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

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

LEGISLATURE

BUDGET HIGHLIGHTS

The recommended appropriation for the Senate and Senate Finance Committee of \$95,520,921 for FY 2008-09 represents an increase of \$2,782,163 (3.0%) above the amount appropriated for FY 2007-08. This modest budget increase follows an overall increase of 6.4% over the prior six fiscal years.

As detailed in the Table below, the Senate has seen its budget increase by \$11,685,838 or 13.9 percent from the \$83,835,083 appropriated in FY 2000-01. Over the same eight year period, the consumer price index has increased by 28.6 percent. This is consistent with a eighteen year trend that has seen the Senate's budget grow at approximately 38% of the overall rate of inflation.

In the past 13 years, the Senate has reduced its staff by 409 employees or 22.4%, eliminated its Washington, D.C. and New York City office leases, closed many district offices, and reduced the number of district-wide mailings allowed each Member. The Senate continued to tightly control its non-personal service expenses by restraining the purchasing of office supplies and furnishings, severely restricting travel, delaying essential equipment upgrades and reducing expenditures in other ways while the costs of these have continued to rise, often above the rate of inflation.

Senate Budget History
Fiscal Year 2000-01 to 2008-09
General Fund Appropriations

	FY 00-01 Approp.	FY 07-08 Available	FY 08-09 Recommended	Change from FY 07-08 (%)	Change from FY 00-01 (%)
Senate Budget (incl. Senate Finance)	83,835,083	92,738,758	95,520,921	2,782,163 (+3.0%)	11,685,838 (+13.9%)

ASSEMBLY

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

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

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

Assembly also administers an Intern Program to provide opportunities to undergraduate and graduate college students to learn about the legislative process while utilizing their skills to assist the Assembly Members in fulfilling their constitutional responsibilities.

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

BUDGET HIGHLIGHTS

The recommended appropriation for FY 2008-09 of \$106,525,556 represents an increase of \$3,102,686 (3.0%) above the amount appropriated for FY 2007-08. This modest budget increase follows an overall increase of 6.4% over the previous six fiscal years.

Over the past eight years, as detailed below, the Assembly's budget has increased by 13.9 percent while over the same period, the Consumer Price Index has increased by 28.6 percent. Over the past eighteen years, the growth of the Assembly's budget has been approximately 38% of the overall rate of inflation. During this period, the Assembly has controlled its spending by reducing the payroll for Assembly controlled entities by over 500 positions and implementing other operational savings.

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

	FY 00-01 Approp.	FY 07-08 Available	FY 08-09 Recommended	Change from FY 07-08 (%)	Change from FY 00-01 (%)
Assembly Budget	\$93,492,920	\$103,422,870	\$106,525,556	3,102,686 (+3.0%)	13,032,636 (+13.9%)

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.

LEGISLATURE

BUDGET HIGHLIGHTS

The recommended appropriation of \$5,889,349 for fiscal year 2008-09 for the Assembly Ways and Means Committee represents an increase of \$171,534 above the amount appropriated for FY 2007-08. The Senate Finance Committee appropriation for FY 2008-09 is included within the Senate's appropriation total.

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 2008-09 for the Legislative Ethics Commission represents an increase of \$11,090 above the amount appropriated for FY 2007-08.

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 2008-09 for the Legislative Health Service represents an increase of \$17,979 above the amount appropriated for FY 2007-08.

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 2008-09 for the Legislative Library represents an increase of \$23,484 above the amount appropriated for FY 2007-08.

LEGISLATIVE MESSENGER SERVICE

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

BUDGET HIGHLIGHTS

The recommended appropriation of \$917,000 for FY 2008-09 represents an increase of \$49,894 above the amount appropriated for FY 2007-08.

LEGISLATIVE BILL DRAFTING COMMISSION

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

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

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

BUDGET HIGHLIGHTS

The recommended appropriation of \$13,140,891 for fiscal year 2008-09 for the Legislative Bill Drafting Commission represents an increase of \$382,744 above the amount appropriated for FY 2007-08.

An appropriation of \$1,500,000 for FY 2008-09 is recommended for the Legislative Computer Services Fund. This recommended appropriation represents no change from the amount appropriated for FY 2007-08. 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 2008-09 for the Legislative Task Force on Demographic Research and Reapportionment represents an increase of \$54,685 above the amount available for FY 2007-08.

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 2008-09 for the National Conference of State Legislatures dues represents an increase of \$25,526 above the amount appropriated for FY 2007-08.

LEGISLATURE

ALL FUNDS REQUIREMENTS FOR THE LEGISLATURE

FUND/ENTITY/MAJOR PURPOSE	AVAILABLE 2007-2008	REQUESTED 2008-2009	CHANGE FROM 2007-2008
General Fund:			
Lt. Governor	\$277,409	\$277,409	\$0
Senate (incl. Senate Finance)	92,738,758	95,520,921	2,782,163
Assembly	103,422,870	106,525,556	3,102,686
Assembly Ways and Means Committee	5,717,815	5,889,349	171,534
Joint Entities:			
Legislative Ethics Commission	369,667	380,757	11,090
National Conference of State Legislatures Dues	355,341	380,867	25,526
Legislative Health Service	195,421	213,400	17,979
Legislative Library	782,800	806,284	23,484
Legislative Messenger Service	867,106	917,000	49,894
Legislative Bill Drafting Commission	12,758,147	13,140,891	382,744
Legislative Task Force on Demographic Research and Reapportionment	1,822,849	1,877,534	54,685
Joint Entities Total	\$17,151,331	\$17,716,733	\$565,402
GENERAL FUND TOTAL	\$219,308,183	\$225,929,968	\$6,621,785
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	50,000	50,000	0
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	250,000	250,000	0
GRANTS AND BEQUESTS FUND TOTAL	\$500,000	\$500,000	\$0

SCHEDULE OF APPROPRIATIONS

Title of Appropriation	Appropriated for 2007-08	Requested for 2008-09	Change
OFFICE OF THE LIEUTENANT GOVERNOR			
Administration Program--Personal Service			
For personal service of employees and for temporary and expert services:			
Personal Service Regular	\$262,500	\$262,500	\$0
Administration Program--Nonpersonal Service			
Supplies and materials (including liabilities incurred prior to April 1, 2008)	\$14,909	\$14,909	\$0
Total--Office of Lieutenant Governor	\$277,409	\$277,409	\$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 majority leader and minority leader operations:			
Personal Service Regular	\$13,526,315	\$13,932,104	\$405,789
Temporary Service	\$450,000	\$463,500	\$13,500
For personal service of employees and for temporary and expert services of members' offices and of standing committees:			
Personal Service Regular	\$29,601,991	\$30,490,686	\$888,695
Temporary Service	\$900,000	\$927,000	\$27,000
For personal service of employees and for temporary and expert services for administrative support operations:			
Personal Service Regular	\$16,825,500	\$17,330,265	\$504,765
Temporary Service	\$100,000	\$103,000	\$3,000
For personal service of employees and for temporary and expert services for the senate student program office:			
Personal Service Regular	\$150,000	\$184,500	\$34,500
Temporary Service	\$497,133	\$482,047	-\$15,086
For personal service of employees and for temporary and expert services for the senate select committee on interstate cooperation:			
Personal Service Regular	\$75,601	\$75,601	\$0
Temporary Service	\$2,000	\$2,000	\$0
For personal service of employees and for temporary and expert services for the senate special committee on the culture industry:			
Personal Service Regular	\$75,601	\$75,601	\$0
Temporary Service	\$2,000	\$2,000	\$0
For personal service of employees and for temporary and expert services for the senate select committee on the disabled:			
Personal Service Regular	\$109,117	\$109,117	\$0
Temporary Service	\$5,000	\$5,000	\$0
Total Personal Service	\$68,538,758	\$70,400,921	\$1,862,163

LEGISLATURE

Title of Appropriation	Appropriated for 2007-08	Requested for 2008-09	Change
Nonpersonal Service			
For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2008)			
Non-employee services	\$300,000	\$40,000	-\$260,000
Supplies and materials	\$3,000,000	\$4,300,000	\$1,300,000
Travel	\$1,500,000	\$1,400,000	-\$100,000
Rentals	\$1,400,000	\$1,200,000	-\$200,000
Equipment maintenance and repairs	\$1,400,000	\$3,450,000	\$2,050,000
Office and space leases	\$3,700,000	\$3,350,000	-\$350,000
Utilities	\$1,300,000	\$400,000	-\$900,000
Postage and shipping	\$5,700,000	\$5,900,000	\$200,000
Printing	\$200,000	\$100,000	-\$100,000
Telephone and telegraph	\$2,400,000	\$1,500,000	-\$900,000
Miscellaneous contractual services	\$300,000	\$1,500,000	\$1,200,000
Equipment	\$3,000,000	\$1,980,000	-\$1,020,000
Total Nonpersonal Service	\$24,200,000	\$25,120,000	\$920,000
Grand Total--The Senate	\$92,738,758	\$95,520,921	\$2,782,163
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	\$23,261,000	\$24,104,551	\$843,551
Temporary Service	\$2,276,500	\$2,359,046	\$82,546
For personal service of employees and for temporary and expert services for administrative and program support operations:			
Personal Service Regular	\$39,020,000	\$40,434,865	\$1,414,865
Temporary Service	\$463,870	\$480,690	\$16,820
For the Assembly Intern and Youth Participation Program for personal service of employees and for temporary and expert services:			
Personal Service Regular	\$225,000	\$233,159	\$8,159
Temporary Service	\$710,000	\$735,745	\$25,745
Total Personal Service	\$79,473,870	\$81,865,556	\$2,391,686
Nonpersonal Service			
For services and expenses of maintenance and operations (including liabilities incurred prior to April 1, 2008)			
Non-employee services	\$20,000	\$20,000	\$0
Supplies and materials	\$2,100,000	\$2,100,000	\$0
Travel	\$2,750,000	\$2,750,000	\$0
Rentals	\$700,000	\$700,000	\$0
Equipment maintenance and repairs	\$800,000	\$800,000	\$0
Office and space leases	\$6,200,000	\$6,450,000	\$250,000
Utilities	\$600,000	\$600,000	\$0
Postage and shipping	\$4,900,000	\$5,250,000	\$350,000
Printing	\$40,000	\$40,000	\$0
Telephone and telegraph	\$1,800,000	\$1,800,000	\$0
Miscellaneous contractual services	\$1,600,000	\$1,650,000	\$50,000
Equipment	\$2,439,000	\$2,500,000	\$61,000
Total Nonpersonal Service	\$23,949,000	\$24,660,000	\$711,000

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2007-08</u>	<u>Requested for 2008-09</u>	<u>Change</u>
Grand Total--The Assembly	\$103,422,870	\$106,525,556	\$3,102,686

ASSEMBLY WAYS & MEANS COMMITTEE

Personal Service

For personal service, temporary and special services (including liabilities incurred prior to April 1, 2008):

Personal Service Regular	\$5,172,815	\$5,344,349	\$171,534
Temporary Service	\$160,000	\$160,000	\$0
Total Personal Service	\$5,332,815	\$5,504,349	\$171,534

Nonpersonal Service

Supplies and Materials	\$190,000	\$190,000	\$0
Travel	\$30,000	\$30,000	\$0
Contractual Services	\$115,000	\$115,000	\$0
Equipment	\$50,000	\$50,000	\$0
Total Nonpersonal Service	\$385,000	\$385,000	\$0

Total--Assembly Ways & Means Committee \$5,717,815 \$5,889,349 \$171,534

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	\$352,000	\$363,090	\$11,090
Temporary Service	\$10,000	\$10,000	\$0
Total Personal Service	\$362,000	\$373,090	\$11,090

Nonpersonal Service

Supplies and Materials	\$5,667	\$5,667	\$0
Contractual Services	\$1,000	\$1,000	\$0
Equipment	\$1,000	\$1,000	\$0
Total Nonpersonal Service	\$7,667	\$7,667	\$0

Total--Legislative Ethics Commission \$369,667 \$380,757 \$11,090

NATIONAL CONFERENCE OF STATE LEGISLATURES

For a contribution to the National Conference of State Legislatures:

Supplies and Materials	\$355,341	\$380,867	\$25,526
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Total--National Conference of State Legislatures \$355,341 \$380,867 \$25,526

LEGISLATIVE HEALTH SERVICE

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

Personal Service

Personal Service Regular	\$180,000	\$185,400	\$5,400
Total Personal Service	\$180,000	\$185,400	\$5,400

Nonpersonal Service

Supplies and Materials	\$13,421	\$26,000	\$12,579
Contractual Services	\$1,000	\$1,000	\$0
Equipment	\$1,000	\$1,000	\$0
Total Nonpersonal Service	\$15,421	\$28,000	\$12,579

Total--Legislative Health Service \$195,421 \$213,400 \$17,979

LEGISLATURE

Title of Appropriation	Appropriated for 2007-08	Requested for 2008-09	Change
LEGISLATIVE LIBRARY			
For services and expenses and for temporary and special services for the operation of the legislative library			
Personal Service			
Personal Service Regular	\$390,000	\$413,484	\$23,484
Temporary Service	\$10,000	\$10,000	\$0
Total Personal Service	<u>\$400,000</u>	<u>\$423,484</u>	<u>\$23,484</u>
Nonpersonal Service			
Supplies and Materials	\$250,000	\$250,000	\$0
Contractual Services	\$100,000	\$100,000	\$0
Equipment	\$32,800	\$32,800	\$0
Total Nonpersonal Service	<u>\$382,800</u>	<u>\$382,800</u>	<u>\$0</u>
Total--Legislative Library	\$782,800	\$806,284	\$23,484
LEGISLATIVE MESSENGER SERVICE			
For services and expenses for the operation of the legislative messenger service			
Personal Service			
Personal Service Regular	\$850,000	\$905,000	\$55,000
Temporary Service	\$10,000	\$10,000	\$0
Total Personal Service	<u>\$860,000</u>	<u>\$915,000</u>	<u>\$55,000</u>
Nonpersonal Service			
Supplies and Materials	\$6,106	\$2,000	-\$4,106
Equipment	\$1,000	\$0	-\$1,000
Total Nonpersonal Service	<u>\$7,106</u>	<u>\$2,000</u>	<u>-\$5,106</u>
Total--Legislative Messenger Service	\$867,106	\$917,000	\$49,894
LEGISLATIVE BILL DRAFTING COMMISSION			
For services and expenses, temporary and special services, and for expenses of maintenance and operation			
Personal Service			
Personal Service Regular	\$10,280,829	\$10,695,644	\$414,815
Temporary Service	\$269,263	\$170,950	-\$98,313
Total Personal Service	<u>\$10,550,092</u>	<u>\$10,866,594</u>	<u>\$316,502</u>
Nonpersonal Service			
Supplies and Materials	\$325,607	\$335,375	\$9,768
Travel	\$49,600	\$51,088	\$1,488
Contractual Services	\$1,677,123	\$1,727,437	\$50,314
Equipment	\$155,725	\$160,397	\$4,672
Total Nonpersonal Service	<u>\$2,208,055</u>	<u>\$2,274,297</u>	<u>\$66,242</u>
Total--Legislative Bill Drafting Commission	\$12,758,147	\$13,140,891	\$382,744
LEG. TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT			
For services and expenses (including liabilities incurred prior to April 1, 2008) of the task force for senate purposes			
Personal Service			
Personal Service Regular	\$340,000	\$350,542	\$10,542
Temporary Service	\$5,000	\$5,000	\$0
Total Personal Service	<u>\$345,000</u>	<u>\$355,542</u>	<u>\$10,542</u>

Title of Appropriation	Appropriated for 2007-08	Requested for 2008-09	Change
Nonpersonal Service			
Travel	\$3,000	\$3,000	\$0
Contractual Services	\$3,402	\$3,402	\$0
Total Nonpersonal Service	<u>\$6,402</u>	<u>\$6,402</u>	<u>\$0</u>

Total--Senate \$351,402 \$361,944 \$10,542

For services and expenses (including liabilities incurred prior to April 1, 2008) of the task force for assembly purposes

Personal Service			
Personal Service Regular	\$330,000	\$340,542	\$10,542
Temporary Service	\$10,000	\$10,000	\$0
Total Personal Service	<u>\$340,000</u>	<u>\$350,542</u>	<u>\$10,542</u>

Nonpersonal Service			
Travel	\$1,000	\$1,000	\$0
Contractual Services	\$10,402	\$10,402	\$0
Total Nonpersonal Service	<u>\$11,402</u>	<u>\$11,402</u>	<u>\$0</u>

Total--Assembly \$351,402 \$361,944 \$10,542

For services and expenses (including liabilities incurred prior to April 1, 2008) of the task force for joint operations

Personal Service			
Personal Service Regular	\$770,000	\$803,601	\$33,601
Temporary Service	\$10,000	\$10,000	\$0
Total Personal Service	<u>\$780,000</u>	<u>\$813,601</u>	<u>\$33,601</u>

Nonpersonal Service			
Supplies and Materials	\$15,000	\$15,000	\$0
Travel	\$5,000	\$5,000	\$0
Contractual Services	\$110,045	\$110,045	\$0
Equipment	\$210,000	\$210,000	\$0
Total Nonpersonal Service	<u>\$340,045</u>	<u>\$340,045</u>	<u>\$0</u>

Total--Joint Operations \$1,120,045 \$1,153,646 \$33,601

Total--Task Force on Demographic Research and Reapportionment \$1,822,849 \$1,877,534 \$54,685

Grand Total--Senate and Assembly Joint Entities \$17,151,331 \$17,716,733 \$565,402

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	\$500,000	\$500,000	\$0
Total Nonpersonal Service	<u>\$1,500,000</u>	<u>\$1,500,000</u>	<u>\$0</u>

Total--Legislative Computer Services Fund \$1,500,000 \$1,500,000 \$0

LEGISLATURE

<u>Title of Appropriation</u>	<u>Appropriated for 2007-08</u>	<u>Requested for 2008-09</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	\$50,000	\$50,000	\$0
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	\$50,000	\$50,000	\$0
Total Nonpersonal Service	\$50,000	\$50,000	\$0
Total--Assembly Recyclable Materials, Information Services and Conference Fund	\$50,000	\$50,000	\$0

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	\$250,000	\$250,000	\$0
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	\$250,000	\$250,000	\$0
Total Nonpersonal Service	\$250,000	\$250,000	\$0
Total--Assembly Grants and Bequests Fund	\$250,000	\$250,000	\$0