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April 2, 2014

TO: Assembly Records Access Officer Robin Marilla

FROM: Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: RECORDS REQUEST: The Amendment to Budget Bill #A.8551 – and the Memo appearing on the Assembly’s Webpage for Bill #A.8551A

Following up our phone conversation this morning, I would appreciate your response, at your earliest convenience, to CJA’s February 11, 2014 records request entitled:

“The Governor’s Introducer’s Memoranda for his Article VII Judiciary and Legislative Budget Bills:

#A.8551/S.6351 (2014) – third phase of the judicial salary increase;
#A.3001/S.2601 (2013) – second phase of judicial salary increase;
#A.9051/S.6251 (2012) – first phase of judicial salary increase.”

As discussed, at the time I made that February 11, 2014 records request, neither the Assembly nor Senate had any memo posted on their webpages for Budget Bill #A.8551/S.6351. Each webpage identically stated: “Memo not available”, as may be seen from the enclosed print-outs made on March 25, 2014.

As may be seen from the enclosed print-outs made today, the Assembly and Senate webpages now each identify that the bill was amended on March 28, 2014 – though not what the amendment consisted of. The Assembly webpage also now posts a memo, though it is unclear whether this is a memo for the original 8551 or for 8551A.

Pursuant to Assembly Rule VIII, “Public Access to Records”, please furnish all publicly-available records pertaining to the amendment and the memo.

The relevant Assembly Rules appear to be:

Assembly Rule III, §6 entitled “Amendments”, which states, in pertinent part:

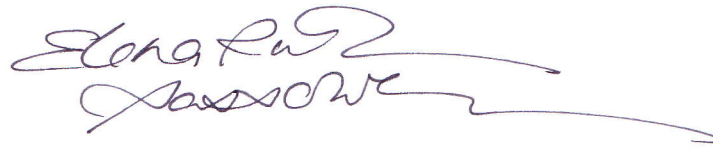
“a. No amendment to a bill may be offered unless the member proposing the amendment delivers three copies of the bill with the proposed amendment correctly marked thereon and six copies of the detailed description of such amendment to the Clerk of the Assembly.

b. A copy of each amendment offered by the sponsor of a bill shall be provided by Journal Operations to the chairperson and ranking minority member of any standing committee that previously reported such bill....”

and Assembly Rule III, §1(f) entitled “Introducer’s memorandum”, which states, in full:

“There shall be appended to every bill introduced in the Assembly, an introducer’s memorandum setting forth the purpose of the bill, a summary of its provisions, a statement of its fiscal impact on the state, a statement of its impact on the regulation of businesses and individuals and a statement as to whether the bill imposes or changes any fine, term of imprisonment, forfeiture of rights or other penal sanction, together with the nature of such imposition or change in a format and length to be prescribed by the Speaker. Whenever a bill is amended by its sponsor, it shall be the duty of the sponsor to file an amended memorandum setting forth the same material as required in the original memorandum. In addition, whenever a bill is reported by a committee as amended, it shall be the duty of the committee to submit an amended memorandum.” (underlining added).

Thank you.

A handwritten signature in blue ink, appearing to read "Elong Ruz" with a stylized flourish extending to the right.

Enclosures

A08551 Summary:

BILL NO A08551
 SAME AS SAME AS UNI.
 SPONSOR Budget
 COSPNSR
 MLTSPNSR

Makes appropriations for the support of government - Legislative and Judiciary Budget.

A08551 Actions:

BILL NO A08551
 01/21/2014 referred to ways and means

A08551 Votes:

There are no votes for this bill in this legislative session.

A08551 Memo:

Memo not available

A08551 Text:

S T A T E O F N E W Y O R K

S. 6351

A. 8551

S E N A T E - A S S E M B L Y

January 21, 2014

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government

(LEGISLATURE AND JUDICIARY BUDGET)

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 LEGISLATURE AND JUDICIARY

2 Section 1. The several amounts named in this section or so much there-
 3 of as shall be sufficient to accomplish the purposes designated by the
 4 appropriations, are hereby appropriated and authorized to be paid as
 5 hereinafter provided, to the respective public officers and for the

S06351 Summary:

BILL NO S06351
SAME AS SAME AS UNI.
SPONSOR BUDGET
COSPNSR
MLTSPNSR

Makes appropriations for the support of government - Legislative and Judiciary Budget.

S06351 Actions:

BILL NO S06351
01/21/2014 REFERRED TO FINANCE

S06351 Votes:

There are no votes for this bill in this legislative session.

S06351 Memo:

Memo not available

S06351 Text:

S T A T E O F N E W Y O R K

S. 6351

A. 8551

S E N A T E - A S S E M B L Y

January 21, 2014

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

AN ACT making appropriations for the support of government

(LEGISLATURE AND JUDICIARY BUDGET)

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 LEGISLATURE AND JUDICIARY

2 Section 1. The several amounts named in this section or so much there-
3 of as shall be sufficient to accomplish the purposes designated by the
4 appropriations, are hereby appropriated and authorized to be paid as
5 hereinafter provided, to the respective public officers and for the

A08551 Summary:

BILL NO A08551A
 SAME AS SAME AS UNI.
 SPONSOR Budget
 COSPNSR
 MLTSPNSR

Makes appropriations for the support of government - Legislative and Judicial Budget.

A08551 Actions:

BILL NO A08551A

01/21/2014 referred to ways and means
 03/28/2014 amend and recommit to ways and means
 03/28/2014 print number 8551a
 03/31/2014 reported referred to rules
 03/31/2014 reported
 03/31/2014 rules report cal.27
 03/31/2014 substituted by s6351a
 S06351 AMEND=A BUDGET
 01/21/2014 REFERRED TO FINANCE
 03/28/2014 AMEND AND RECOMMIT TO FINANCE
 03/28/2014 PRINT NUMBER 6351A
 03/31/2014 ORDERED TO THIRD READING CAL.369
 03/31/2014 PASSED SENATE
 03/31/2014 DELIVERED TO ASSEMBLY
 03/31/2014 referred to ways and means
 03/31/2014 substituted for a8551a
 03/31/2014 ordered to third reading rules cal.27
 03/31/2014 passed assembly
 03/31/2014 returned to senate
 03/31/2014 DELIVERED TO GOVERNOR

A08551 Votes:

There are no votes for this bill in this legislative session.

A08551 Memo:

BILL NUMBER:A8551A

TITLE OF BILL: An act making appropriations for the support of

government

(LEGISLATURE AND JUDICIARY BUDGET)

Summary:

This bill would enact appropriations in support of the Legislature and Judiciary for State Fiscal Year (SFY) 2014-15, and includes an All Funds appropriation of \$2.9 billion.

Justification:

Enactment of this legislation is necessary to provide for the operations of the Assembly, Senate and the Unified Court System throughout SFY 2014-15.

Fiscal Impact:

This bill authorizes disbursements of up to \$2.7 billion from the General Fund and up to \$2.9 billion on an All Funds basis.

Effective Date:

Effective immediately, and the appropriations contained in this bill shall be made for the fiscal year beginning April 1, 2014.

S06351 Summary:

BILL NO S06351A
 SAME AS SAME AS UNI.
 SPONSOR BUDGET
 COSPNSR
 MLTSPNSR

Makes appropriations for the support of government - Legislative and Judicial Budget.

S06351 Actions:

BILL NO S06351A
 01/21/2014 REFERRED TO FINANCE
 03/28/2014 AMEND AND RECOMMIT TO FINANCE
 03/28/2014 PRINT NUMBER 6351A
 03/31/2014 ORDERED TO THIRD READING CAL.369
 03/31/2014 PASSED SENATE
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 03/31/2014 ordered to third reading rules cal.27
 03/31/2014 passed assembly
 03/31/2014 returned to senate
 03/31/2014 DELIVERED TO GOVERNOR

S06351 Votes:

S06351A 03/31/2014 129/9

Abbate	Y	Corwin	Y	Glick	Y	Lavine	Y	Nolan	ER	Rozic	Y	Titus	Y
Abinant	Y	Crespo	Y	Goldfed	Y	Lentol	Y	Oaks	NO	Russell	Y	Walter	Y
Arroyo	Y	Crouch	Y	Goodell	Y	Lifton	Y	O'Donne	Y	Ryan	Y	Weinste	Y
Aubry	Y	Curran	Y	Gottfri	Y	Lopez	Y	Ortiz	Y	Saladin	Y	Weisenb	Y
Barclay	Y	Cusick	Y	Graf	Y	Lupardo	Y	Otis	Y	Santaba	Y	Weprin	Y
Barrett	Y	Cymbrow	Y	Gunther	Y	Lupinac	Y	Palmesa	Y	Scarbor	Y	Wright	Y
Benedet	Y	Davila	Y	Hawley	Y	Magee	Y	Palumbo	Y	Schimel	Y	Zebrows	Y
Blanken	Y	DenDekk	Y	Heastie	Y	Magnare	Y	Paulin	Y	Schimmi	Y	Mr Spkr	Y
Borelli	Y	Dinowit	Y	Heness	Y	Malliot	Y	Peoples	Y	Sepulve	Y		
Braunst	Y	DiPietr	NO	Hevesi	Y	Markey	Y	Perry	Y	Simanow	Y		
Brennan	Y	Duprey	Y	Hikind	Y	Mayer	Y	Pichard	Y	Simotas	Y		
Brindis	Y	Englebr	Y	Hooper	Y	McDonal	Y	Pretlow	Y	Skartad	Y		
Bronson	Y	Fahy	Y	Jacobs	Y	McDonou	Y	Quart	Y	Skoufis	Y		
Brook-K	Y	Farrell	Y	Jaffee	Y	McKevit	Y	Ra	Y	Solages	Y		

Buchwal	Y	Finch	Y	Johns	Y	McLaugh	NO	Raia	Y	Stec	Y
Butler	Y	Fitzpat	Y	Katz	NO	Miller	Y	Ramos	Y	Steck	Y
Cahill	Y	Friend	NO	Kavanag	Y	Millman	Y	Rivera	Y	Stirpe	Y
Camara	Y	Galef	Y	Kearns	Y	Montesa	Y	Roberts	Y	Sweeney	Y
Ceretto	Y	Gantt	ER	Kellner	Y	Morelle	Y	Robinso	Y	Tedisco	NO
Clark	Y	Garbari	Y	Kim	Y	Mosley	Y	Rodrigu	Y	Tenney	NO
Colton	Y	Giglio	Y	Kolb	Y	Moya	Y	Rosa	Y	Thiele	Y
Cook	Y	Gjonaj	Y	Lalor	NO	Nojay	NO	Rosenth	Y	Titone	Y

S06351 Memo:

✓ *Memo not available*