



Division of the Budget

KATHY HOCHUL
Governor

ROBERT F. MUJICA JR.
Director of the Budget

SANDRA L. BEATTIE
First Deputy Director

CHARLES WILLIAMS
Deputy Director

Via Electronic Mail

September 24, 2021

Ms. Elena Ruth Sassower
Director
Center for Judicial Accountability, Inc.
elena@judgewatch.org

Dear Ms. Sassower:

This is in further response to your Freedom of Information Law (“FOIL”) request to the New York State Division of the Budget (the “Division”) dated May 21, 2021, which is attached hereto, in which you seek records relating to the New York State Law Revision Commission.

The Division does not possess records responsive to the portion of your request for: “(1) records of “the amount appropriated for the commission” in each of the five subsequent fiscal years: 2017-18, 2018-19, 2019-20, 2020-21, and 2021-22, including “where, in the budget, such line-item appropriation can be found” – plus in fiscal year 2016-17;”

The below chart is partially responsive to the portion of your request for “the eight fiscal years: 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, records of the Commission’s requests for, and/or the Division of the Budget’s payments of: (1) the Commission’s “necessary expenses” of its nine members for “performance of official duty”; (2) the Commission’s “compensation” of its executive director and any other staff; and (3) other Commission expenses, as, for instance, its office at Albany Law School, its telephone, etc.”

Law Revision Expenses from FY 2009-10 through 2016-2017

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	Paterson	Paterson	Cuomo	Cuomo	Cuomo	Cuomo	Cuomo	Cuomo
PS	161,945	153,380	145,036	144,703	91,499	93,651	98,264	41,344
NPS	11,389	1,200	0	182	0	0	0	0
Total	173,334	154,580	145,036	144,885	91,499	93,651	98,264	41,344

For SFY 2009-10 through SFY 2015-16, there were no discrete appropriations for the Commission. Rather, Commission expenses were budgeted in, and paid for through General Fund appropriations for the Division. The Division does not possess any further records responsive to this portion of your request.

The Division does not possess records responsive to the portions of your request for: "records of the Commission's requests for the same three items, and/or the Division of the Budget's payments thereof, for fiscal years 2017-18, 2018-19, 2019-20, 2020-21, and 2021-22" or "records of the dates on which the five gubernatorially-appointed members of the Commission – beginning with its chair – all appointed more than five years ago, were re-appointed by Governor Cuomo."

As to the portions of your requests for "(2) the Commission's annual reports to the Legislature for each of the five subsequent years: 2016, 2017, 2018, 2019, and 2020", as well as the portions pertaining to communications between the Commission, the Governor, the Executive Chamber, the Legislature, any entity within the Albany Law School, state bar associations, as well as records possessed by the Commission, such as examinations, recommendations, meetings, activities and work-products, please be advised, the Division is not the custodial agency of the records of any other governmental entity, local, state or federal.

Pursuant to the provisions of POL Section 89(4), you have thirty (30) days, by October 25, 2021, 4pm, to submit a written appeal of the Division's determination. Should you decide to file a written appeal, please send it to the Division's designated Appeals Officer, Amy Ottaviano, at foil@budget.ny.gov.

Sincerely,



Joel C. Lombardi
FOIL Officer