



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

September 30, 2019

Via Email: elena@judgewatch.org

Elena Sassower
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, New York 10602

FOIL Request: #2615

Dear Elena Sassower:

The Executive Chamber acknowledges receipt of your FOIL request dated September 23, 2019, seeking:

the following with respect to the foregoing - and with respect to the Legislative Bill Drafting Commission and its budget:

(1) all records pertaining to the definition of "Appropriations Bill"; "Article VII Bill"; and "Free-Standing Article VII Bill";

(2) all records pertaining to the determination(s) made:

(i) by the Division of the Budget, on behalf of the Governor, that each of the six bills that became 5.1505/A.2005 - S.1510/A.2010 could not be directly submitted by the Governor to the Legislature "pursuant to article seven of the Constitution";

(ii) by the Legislative Bill Drafting Commission that each of the six bills that became 5.1505/A.2005 - 5.1510/A.2010 could not be directly submitted by the Governor to the Legislature "pursuant to article seven of the Constitution";

(iii) by the Senate and Assembly that each of the six bills that became s.1505/A.2005 - s.1510/A.2010 could be directly submitted by the Governor to the Legislature "pursuant to article seven of the Constitution";

(3) records establishing the Legislative Bill Drafting Commission's role with respect to each "amended" budget bill, including the "amended" "Appropriations Bills", as well as the original "Appropriations Bills"s;

(4) the joint certificates of the Temporary Senate President and Assembly Speaker, appointing you as the two commissioners of the Legislative Bill Drafting Commission- and any record reflecting an oath of office to which you were required to swear;

(5) records establishing that the \$13,941,116 in appropriations for the Legislative Bill Drafting Commission sought by the Legislature's December 1, 2018 proposed budget for this 2019-2020 fiscal year (Exhibit D) were based on itemized estimates of the Commission's financial needs, certified or signed by you as its commissioners;

(6) records identifying the cumulative dollar total in reappropriations for the Legislative Bill Drafting Commission sought for fiscal year 2019-2020 by pages 45-47 of the Governor's combined Legislative/Judiciary Budget Bill #S. I 50 I /A.200 I (Exhibit E) - and substantiating the allied subtotals, including certification thereof;

(7) records identifying the cumulative dollar total in reappropriations for the Legislative Bill Drafting Commission sought for fiscal year 2019-2020 by pages 44-46 of the "three-men-in-a-room" 'amended" combined Legislative/Judiciary Budget Bill #S.1501a/A.2001a - and reflecting the basis for the changes in the untallied subtotals (Exhibit F), including certification thereof;

(8) records reflecting who is responsible for the changes in the untallied subtotals of Legislative/Judiciary Budget Bill #S.1501a/A.2001a pertaining to the Legislative Bill Draft Commission's reappropriations at pages 44-46 (Exhibit F) and why they are not highlighted consistent with the first page "EXPLANATION - Matter in italics (underscored) is new; matter in brackets [] is old law to be omitted.";

(9) records establishing that you certified that the monies sought to be reappropriated for the Legislative Bill Drafting Commission were consistent with the definition of funds suitable for reappropriation, such as in the Citizen's Guide on the Division of Budget Website, <https://www.budget.nj.gov/citizenfinancial/glossary-all.html#r>, to wit, "in the case of federally funded programs and capital projects, where the funding amount is intended to support activities that may span several fiscal years";

(10) the Legislative Bill Drafting Commission's bi-annual "expenditure reports", beginning with the most recent and spanning back to either October 15, 2009, the date the Senate began posting its "expenditure reports", containing none for the Commission, or February 28, 2013, the date the Assembly began posting its "expenditure reports", containing none for the Commission.

We are conducting a search for records that respond to your request and, if applicable, will review them for appropriate exemptions under FOIL. We will provide you with a status update on or before October 29, 2019.

If any documents are located that respond to your request, you will be charged \$.25 per page for photocopies. If the response to your request will be provided in another media, we will notify you of any charges.

Very truly yours,

A handwritten signature in black ink, appearing to read "Valerie Lubanko". The signature is written in a cursive style with a large, stylized initial "V".

Valerie Lubanko
FOIL Counsel
Records Access Officer