

EXHIBIT E

NYS Senate Debate Transcript of 4/3/09

8 reduced by 8 percent over last year.

9 Is that correct? And was that
10 done?

11 SENATOR CARL KRUGER: Yes, it
12 was.

13 SENATOR DeFRANCISCO: So it is
14 correct, and it was done?

15 SENATOR CARL KRUGER: Yes.

16 SENATOR DeFRANCISCO: Thank you.

17 If Senator John Sampson, chair of
18 Judiciary, could answer a question, I'd
19 appreciate it.

20 ACTING PRESIDENT VALESKY:
21 Senator DeFrancisco, the rules prohibit the
22 chair from asking a member to yield to a
23 question who has not spoken on the bill
24 already.

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1 SENATOR DeFRANCISCO: All right,
2 point of order. I used to, during the course
3 of the prior proceedings, the Judiciary chair
4 would always be available for questions --

5 ACTING PRESIDENT VALESKY: Excuse

6 me, Senator DeFrancisco.

7 Could we have some order, please,
8 in the chamber. Shhh.

9 Thank you.

10 SENATOR DeFRANCISCO: Excuse me.
11 Point of order.

12 I could always ask Senator Sampson
13 to explain the judiciary budget, but I'm not
14 so sure everybody wants to hear it. And all
15 I'm requesting is that in lieu of that that he
16 answer one area of questions for me. And if
17 he consents, I think he could do that.

18 ACTING PRESIDENT VALESKY:
19 Senator Sampson, do you consent to yield for
20 Senator DeFrancisco?

21 SENATOR SAMPSON: Anytime for
22 Senator DeFrancisco.

23 ACTING PRESIDENT VALESKY:
24 Proceed, Senator DeFrancisco.

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1 SENATOR DeFRANCISCO: Thank you.

2 Senator Sampson, in the Governor's
3 proposed budget there was a pot of money

4 designated for judicial salaries. And the
5 understanding was out of the judiciary budget
6 that was submitted by the judiciary and
7 submitted by the Governor, that out of that
8 money there was enough money available for a
9 salary increase for the judiciary.

10 I understand that the language
11 authorizing such an increase is not in the
12 final budget; is that correct?

13 SENATOR SAMPSON: That's correct.

14 SENATOR DeFRANCISCO: All right.

15 Would he answer one last question?

16 ACTING PRESIDENT VALESKY:

17 Senator Sampson, do you continue to yield?

18 SENATOR SAMPSON: Of course.

19 ACTING PRESIDENT VALESKY: The

20 Senator yields.

21 SENATOR DeFRANCISCO: In order
22 for the judiciary to receive a salary increase
23 from this budget, is it correct that there
24 would have to be a separate bill authorizing

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1 such an increase separate and apart from this

2 budget?

3 SENATOR SAMPSON: That's correct,
4 Senator. Through you, Mr. Chair, that is
5 correct, Senator DeFrancisco.

6 SENATOR DeFRANCISCO: One last
7 question, I'm sorry, just to be clear.

8 ACTING PRESIDENT VALESKY:
9 Senator Sampson, do you continue to yield?

10 SENATOR SAMPSON: Through you,
11 Mr. President, yes, I do.

12 ACTING PRESIDENT VALESKY: The
13 Senator yields.

14 SENATOR DeFRANCISCO: Stated
15 another way, the only mechanism for a judicial
16 salary increase would be through a separate
17 piece of legislation. And just because the
18 same money is in the budget, that would not
19 authorize, for example, the head of the Office
20 of Court Administration or the Chief Judge of
21 the Court of Appeals to simply grant an
22 increase?

23 SENATOR SAMPSON: Through you,
24 Mr. President, you are correct, Senator

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1 DeFrancisco.

2 SENATOR DeFRANCISCO: Thank you.

3 I have no further questions.

4 ACTING PRESIDENT VALESKY: Thank
5 you, Senator DeFrancisco.

6 The Secretary will ring the bells.

7 I ask all Senators to proceed to the chamber
8 for purposes of a roll call.

9 The Secretary will read the last
10 section.

11 THE SECRETARY: Section 2. This
12 act shall take effect immediately.

13 SENATOR SKELOS: Slow roll call,
14 please.

15 ACTING PRESIDENT VALESKY: The
16 Secretary will proceed with a slow roll call.

17 THE SECRETARY: Senator Adams.

18 SENATOR ADAMS: Aye.

19 THE SECRETARY: Senator Addabbo.

20 SENATOR ADDABBO: Yes.

21 THE SECRETARY: Senator Alesi.

22 SENATOR ALESI: No.

23 THE SECRETARY: Senator

24 Aubertine.