

OPPOSING THE 2004-2005 NEW YORK STATE BUDGET REGARDING
DISPOSITION OF JUSTICE COURT FINES

Legislators Aiello, Alfonso, Bartels, Berardi, Busick, Cummings, Dart, DePew, Donaldson, Every, Feldmann, Felicello, Gerentine, Harris, Hathaway, Hyatt, Kraft, Lomita, Loughran, Maloney, McAfee, Meyer, Noonan, Richard Parete, Robert Parete, Provenzano, Roberti, Rodriguez, Shapiro, Stock, Stoeckeler, Tipp and Zimet offer the following:

WHEREAS, town budgets rely on fine revenue distributed pursuant to provisions of section 1803 of the Vehicle and Traffic Law to cover a large share of the costs of justice court operations, and

WHEREAS, the 2004-2005 New York State Budget (S.6056/A.9556; Part Z, §1, pg. 73, lines 39 and 40) provides that only fines or penalties associated with a violation “with which the defendant was originally charged” are returned to a city, town, or village, and

WHEREAS, this would shift more than \$12.5 million in fine monies to the State – monies which have historically been returned to local government by the Justice Court Fund as a result of the justice court adjudication process, and

WHEREAS, to compensate for the lost income, the budget authorizes towns, cities, and villages to impose an additional ticket charge of up to \$10.00, and

WHEREAS, this law repeals any surcharges that local governments put in place by September, 2005, and

WHEREAS, to make up for the lost revenues, local governments may need to increase real property taxes.

RESOLVED, that the Ulster County Legislature opposes the 2004-2005 New York State Budget regarding disposition of Justice Court fines, and urges that the fines be returned to the local towns, cities, or villages that imposed the fines.

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor George E. Pataki, Comptroller Alan Hevesi, Senate Majority Leader Joseph Bruno, Senate Minority Leader David A. Paterson, Assembly Speaker Sheldon Silver, Assembly Minority Leader Charles Nesbitt, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin Cahill, Clifford Crouch, Daniel Hooker and Thomas Kirwan, and the New York State Association of Counties,

RESOLUTION NO. 276 SEPTEMBER 9, 2004

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 0
(Absent: Legislators Aiello,
Hyatt, and Stoeckeler)

FINANCIAL IMPACT:
NONE

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