

## The Legislative History of a New York State Law: A Tutorial and Guide to Library Sources

This tutorial was prepared by librarians at the State Library as a guide for anyone seeking to compile a legislative history of a New York State law. It provides a summary of appropriate reference sources and materials, most of which are available at the State Library. These materials, except for fragile items, may be photocopied for a fee. Items that the Library allows to circulate may be loaned to those with borrowing privileges at this Library or may be borrowed through interlibrary loan. The reference librarians will provide assistance in any aspect of this tutorial.

For more information on legislative history and New York State Library services, see the [Legislative Intent page](#), or contact:

Reference Services  
New York State Library  
Cultural Education Center  
Albany, NY 12230

Phone: (518) 474-5355

Fax: (518) 474-5786

E-Mail: [Contact Us](#)

Last Updated: January 16, 2013

## Compiling the Legislative History of a New York State Law

### Outline:

The [Basic Steps](#) explain how to locate the Governor's bill jacket and sponsors' memoranda. Although a legislative history starts with a bill jacket, there are qualifications. "While sometimes limited or even useless, bill jackets are nevertheless important, since they often contain the only available material on legislative intent. They are especially important when only one or two sections of a particular law are amended or added, and conversely, become less helpful in regard to extensive revisions" (Carter, *Legislative Intent in New York State*, p.9). Begin your search by determining the session law citation, that is, the year and chapter number of the law. *McKinney's Consolidated Laws of New York* contains the session law citation. McKinney's provides annotations to each article of the law, for example, "Historical Note" and "Library References", which are useful for compiling a legislative history and in understanding the law and its applications.

The [Intermediate Steps](#) explain how to collect a wide range of material needed for a comprehensive legislative history of the law. The Session Laws record changes in wording of the original law by later amendments. *McKinney's Session Laws* includes the texts of executive, legislative and judicial memoranda. *The Legislative Digest* lists committee actions. Any New York State documents relating to your law should be identified.

The [Advanced Steps](#) explain approaches for finding scholarly studies of a law. Such studies involve searching legal periodicals and newspapers, collecting material from bar associations, obtaining Legislative hearings and debates, and finding relevant records and briefs.

### Finding Aid:

Carter, Robert Allan. *Legislative Intent in New York State; Cases, and Annotated Bibliography*, 2nd ed. (Albany: The University of the State of New York, 2001). 34pp. D, LIB 460-4 LEGIN, 81-71478 2001. Also available online through the Library's online catalog.

### Steps:

*Basic:*

[Step 1.](#) Determine the Session Law Citation of the law, i.e., its year and chapter number.

[Step 2.](#) Review "Historical Note", "Library References" and other commentaries and annotations in *McKinney's Consolidated Laws of New York*.

[Step 3.](#) Obtain a copy of the governor's Bill Jacket.

[Step 4.](#) Find Memoranda using *The Legislative Annual* and *McKinney's Session Laws of New York*.

[Step 5.](#) Obtain a copy of the sponsor's memorandum.

*Intermediate:*

[Step 6.](#) Note changes in wording of the original law in the *Session Laws*.

[Step 7.](#) Identify appropriate Legislative committees by determining bill numbers from *The Legislative Digest*; obtain their reports.

[Step 8.](#) Collect documents on this law, published by the executive departments (Governor, State agencies), the Legislature, and the Judiciary.

*Advanced:*

[Step 9.](#) Obtain published transcripts of Legislative hearings and debates.

[Step 10.](#) Search indexes to legal periodicals and newspapers; search NYSL catalog for books.

[Step 11.](#) Collect material from bar associations.

[Step 12.](#) Check reports, records, and briefs of court cases dealing with this law.

Last Updated: April 6, 2011

## Step 1. Session Law Citation

1. Find your law by subject in the "General Index" of the *Consolidated Laws*. The entry is to a section of the law. For example, the entry, " **VILL 14-1434**" is found in topic volume, "Village Law" at "Article 14. Sewers" and Section 1434, "Assessments...".
2. The session law citation is in parentheses at the end of the section text. For **VILL 14-1434**, it is "(L.1972, c. 892, § 3; amended L.1980, c. 388, § 23.)".
3. The bill jacket for this law is requested from this Library by citing the year and chapter number. In this example, request as "1972 Chap 892."
4. You can identify the law by searching the *McKinney's Consolidated Laws* CD-ROM at the Computer/Internet Sign-Up area at the Library (Station #28).
5. You can also identify the law by searching these online databases by keyword: *Loislaw* or *State Capital Universe*. Databases are available at any Internet computer in the Computer/Internet Sign-Up area at the Library.

We have two sets of annotated New York State statutes:

- *McKinney's Consolidated Laws of New York Annotated*. RT-LAW/NYS.
- *Consolidated Laws Service (CLS) New York Statutes Annotated*. LAW/NYS.

Last Updated: April 6, 2011

## Step 2. Annotations to the Law in McKinney's or CLS.

These annotations are useful in compiling a legislative history. They indicate the derivation of the law from prior law, its effective date, and its subsequent amendment. Sometimes they include a note, "Legislative Histories." If these annotations appear incomplete, it may be necessary to go back through the superseded volumes. Previous editions of McKinney's are stored near the Reference Area and are retrieved by staff at the Reference desk.

Check all the amendments to your law to see if your particular subject matter, for example, the definition of a word in the law, is contained among them. The original bills for amendments should be reviewed for changes and compromises in wording.

Annotations of the Consolidated Laws are described in the "Explanation" preface, and may include the following:

1. **Session Law Citation.** It consists of the year and chapter number of the law and those of its amendments.
2. **Historical and Statutory Notes.** Includes amendments and derivation of the law; effective dates.
3. **Cross References.** Refers to other sections of the Consolidated Law.
4. **Legislative Histories.** Lists memoranda published in *McKinney's Session Laws of New York*.
5. **Library References.** Provides references to legal encyclopedias, WESTLAW, American Digest System.
6. **Notes of Decisions.** Provides abstracts of reported decisions of New York courts.
7. **Practice Commentaries.** These are usually several- page essays about the law.
8. **Law Review Commentaries.** List of journal references.
9. **New York Codes, Rules, and Regulations.** Contains any State regulations based on this law.

Last Updated: April 6, 2011

## Step 3. Governor's Bill, Veto and Recall Jackets

The Governor's Counsel's Office maintains files for bills passed both by the Senate and the Assembly, and awaiting the Governor's approval or disapproval. A file consists of a copy of the bill and of material submitted to the Governor's Office, which may be for or against the bill. In particular, the file may contain sponsors' memoranda, commission and agency position statements, and study group comments. Also, it may contain the views of bar associations, lobbyists, and concerned organizations and individuals. These files almost never contain committee or commission reports, or transcripts of debates and hearings of testimony. However, they are useful for finding any references to reports of committees, task forces, or other groups named in memoranda or correspondence.

After the Governor has signed a bill into law, or vetoed it, this material becomes available to the public as a bill or veto jacket.

There are three types of bill jackets:

1. **Approval Jackets.** These files contain material for bills signed into law. They are called bill jackets.

Request bill jackets from this Library by giving the year of passage and the chapter number. For example, "Bill jacket, 1980 chap 301."

### Holdings:

The Library has a collection of bill jackets on microform or CD-ROM, with a three to four year lag. Our holdings include:

- 1905, 1921-1958 microfilm
- 1959-1974 - microfiche
- 1975-1982 - microfilm
- 1983-2001 - microfiche
- 2002-2004 - CD-ROM

2. Request bill jackets at the Circulation Desk, or through interlibrary loan at your library. Telephone service: call the Reference Desk at (518) 474-5355.

The Archives retains the original bill jackets, holding 1905, 1921-2006. Telephone service: call the Archives Reference desk at (518) 474-8955.

The Governor's Counsel's Office keeps bill jackets for the current session. Telephone service: (518) 474-7182.

The [New York Public Library](#) has the same holdings as the New York State Library. Telephone service: (212) 592-7082.

The [State University of New York at Buffalo Charles B. Sears Law Library](#) has the same holdings as the New York State Library. Telephone service: (716) 645-2047.

3. **Veto Jackets.** These files contain material for bills vetoed by the Governor, and include the Governor's veto message.

Request microfilm copies of veto jackets from this Library by year and either the Bill Introduction Number (1926-1963) or Veto Number (1964-current year).

4. **Recall Jackets.** These files contain material for bills which had been returned to the Legislature at its or the Governor's request to correct a defect, but which were never returned to the Governor for consideration. In 1993 recall jackets were discontinued by order of the State Court of Appeals, its having declared the concept unconstitutional (see *King v. Cuomo*, 81 N.Y.2d 247).

Request microform copies of recall jackets from this Library by year and Bill Introduction Number, 1936-1954. For 1954-1993 recall jackets may be filmed with the veto jackets-- check the Library microfilm. The Archives may also have copies for 1954-1993.

Last Updated: April 6, 2011

## Step 4. The New York State Legislative Annual

The sponsor's memorandum and the Governor's approval memorandum, also in the bill jacket, have been reprinted in *The New York State Legislative Annual* (New York: New York Legislative Service, Inc.). This set, 1946 to current, files at R, 328.747 N555. The *Legislative Annual* is "a compilation of Sponsor's Memoranda for *all* Chapter Laws of the given year... When no such memorandum is obtainable, the New York Legislative Service strives to present the most relevant material of this nature" (p. iv, 1995 ed.).

The "Main Index" of the *Legislative Annual* is an alphabetical list by subject and by the section of the Chapter Law. This index is followed by a "Governor's Veto Memoranda Index" and a "Governor's Approval Memoranda Number Index."

The footnotes to the memoranda may refer to reports from commissions, task forces, and other groups interested in this law. This material is available variously from this Library, the State Archives and the New York Legislative Service.

Last Updated: April 6, 2011

## Step 5. Sponsor's Memorandum

Legislators who sponsor bills often provide a memorandum giving their justifications for introducing the bill. As mentioned in previous steps these memoranda are included in the bill jackets and in *The New York State Legislative Annual*. These memoranda can be found in *McKinney's Session Laws* (1951 to current), interfiled with *Laws of New York* in the "Law/NYS" collection. Recent editions refer to the sponsor's memorandum as "Memorandum in Support, New York Senate" (or Assembly). Also check the Public Papers of the Governors series.

The Library has a collection of these memoranda on microfiche:

*New York State Senate and Assembly Sponsor's Memoranda*. 1983-1990, 1997-2002 (as of 9/07). MA/FF, LEG 481-2 ASSM 87-001170 (or LEG 795.8-3 SENSM 87-001171). Files in Microform Area.

Sponsors' memoranda are also available for many bills in the *Legislative Retrieval System*, which is available at any Internet computer in the Computer/Internet Sign-Up area at the Library. Search by bill number or keyword.

Last Updated: April 6, 2011

## Step 6. Session Laws

Session laws are the laws of each annual session of the Legislature. In New York State new laws are called chapter laws, as federal laws are called public laws. Thus cite by year and chapter number.

Three consolidations of New York State session laws:

1. *Laws of New York* (Albany: The New York State Legislative Bill Drafting Commission, 1777- ). Files in "LAW/NYS". The official publication. Contains the major budget bills not found in the two commercial compilations.
2. *McKinney's Session Laws of New York* (St. Paul, MN: West Publishing Co., 1951- ). Interfiles with *Laws of New York*. Monthly updates: *Session Law News*.
3. *New York Consolidated Law Service (CLS) Session Laws* (Rochester: Lawyers Cooperative Publishing, 1977- ). Interfiles with *Laws of New York*.

The McKinney's and CLS session laws contain memoranda of the Legislature and the Governor, as well as the reports of the Chief Administrator of the Courts and the Law Revision Commission.

Recent amendments to a session law:

1. *McKinney's Session Law News of New York*. Files in LAW/NYS at end of *Laws of New York*. Tables arranged by topic and section.
2. *Legislative Retrieval System*. The LRS database is available at any Internet computer in the Computer/Internet Sign-Up area at the Library. Browse by chapter or search laws by keyword.
3. [Senate Home Page](#). Click on "Bills and Laws." The chapter number assigned to the revision is needed to search here.

Since some laws have been amended, it may be necessary to refer to an earlier version mentioned in the Historical Notes of the Consolidated Laws. The time when a specific word or phrase was first used can be determined, which will establish a specific time period for checking other sources of legislative history. So session laws are important in determining legislative intent because they indicate what words were added and what words were taken out. It may be necessary to consult all the session laws listed in the amendments to the consolidated laws, because it is often impossible to determine which session laws are pertinent to your history by simply examining the current consolidated laws.

## Step 7. Indexes for Legislative Bills

A complete history of each bill introduced in the Legislature is found in the following indexes:

- *New York Legislative Record and Index* (Albany: Legislative Index Publishing Co., 1907-1984; title varies: 1907-1912, "New York Legislative Index"). R, 328.747 qN549 for 1907- 1984.
- *State of New York Legislative Digest* (Albany: Legislative Bill Drafting Commission, 1985- current). R, LEG 006.8-3 LEGDI 83-25. *The Legislative Digest* for the current legislative session is published in paper copy, and is cumulated. After the annual volume has been delivered to the publisher a small "Supplemental Pocket Part" is published containing material received too late for inclusion in the bound volume. Last four years on "RT/LAW" table.
- "Legislative Digest-Bill Summaries" are received daily, and kept at the "RT/LAW" table on clipboards-one for the Assembly and one for the Senate.

*The Legislative Digest* is a sequential arrangement of Senate and Assembly bill summaries. It includes dates of legislative action for each bill, and the names of the Committees to which the bill was referred. The Governor's approval and veto messages are printed in full. Proposed bills and enacted laws are listed under the appropriate sections in the consolidated laws, if applicable. A list of bills sponsored by each Legislator is recorded. A table of laws amended or repealed , and cross reference tables by chapter number and bill number are provided.

If your legislative history involves a relatively recent bill or statute, there are additional sources of information besides *The Legislative Digest*:

- Contact the appropriate Legislative Committee.
- *Legislative Retrieval System* database. Full text. Covers 1994-present. Includes status of bills and governor's approval and veto messages. Search by keyword or bill number. Access at any Internet computer at the Electronic Reference Station.
- *State Capital Universe* database. Full text. Covers 1993-present. Search by keyword or bill number. Access at any Internet computer in the Computer/Internet Sign-Up area at the Library.
- [Senate Home Page](#). Full text. Covers current year only. Includes status of bills and governor's approval and veto messages. Search by bill number.
- Legislative Assistance and Service Office (Senate).  
Legislative Office Building, Room 214.  
Telephone: (518) 455-3216.

They will inform you of the status of a bill in the current session, and the bill number if

it is not known. They supply bill memos.

Last Updated: April 6, 2011

## Step 8. Official Documents of the New York State Government

**Contents:** [General Comments](#) | [Governor's Office](#) | [State Agencies](#) | [Legislature](#) | [Judiciary](#)

---

### A. General Comments.

Since its establishment in 1818 the State Library has been a repository for the official publications of the executive, legislative, and judicial branches, commissions, public authorities, and other agencies of the State government.

- Availability.  
Many New York State documents may be used at the State Library or borrowed from here. Request such material through your library. New York State government employees, residents of New York State, licensed physicians who are residents of this state, local historians in New York State, retired New York State government employees and duly admitted attorneys who are residents of this State can be issued a borrower's card. Some public and academic libraries are designated as limited depositories for State documents.
- Finding aids.
  - Butch, Dorothy. *New York State Documents: an Introductory Manual* (Albany: The University of the State of New York, 1987). R, LIB 132-4 NEWYS 87-02992.
- Online catalog.  
All the State documents in the Library's collection are cataloged by corporate and personal author, title, and subject. Search these documents on the Library's [online catalog](#), *Excelsior*, at our web site. These entries are also on OCLC, the national online union catalog.
- Printed indexes by time period.
  - 1789-1904. Adelaide R. Hasse, [Index of Economic Material in Documents of the States of the United States](#) (Washington, D.C.: Carnegie Institution, 1907). Volume 31, New York. R, 016.3 qH35, v.31. Also available online through the Library's online catalog.
  - 1905-1946. A gap in printed indexes. See Butch, pp.5-6.
  - 1947-1973. [Checklist of Official Publications of the State of New York](#) (Albany: The University of the State of New York, 1947- ). Cumulations: 1947-1962; 1962-1967; 1968-1973. Author index: 1947-1969. Serials: 1947-1969. R, LIB 132-3 CHEOP 79-390. Also available online on the Library's website (annual cumulation 1989-present, monthly issues 1994-2007).

- 1973-1991. *Dictionary Catalog of Official Publications of the State of New York* (Albany: The University of the State of New York, 1973-1991). R, LIB 132-3 DICCO 77-54091. Includes in a single listing corporate authors, personal authors, titles, subjects.

Return to [Contents](#)

## B. Governor's Office.

### a. Governor Spitzer.

- The web site, [Office of the Governor](#), has the Governor's important public papers in full text. Some documents on this web site:
  - Executive Budget.
  - State of the State address, speeches, briefing papers in "Key Documents."
  - Press releases in "Press Releases."
- Bill jackets. Call the Office of the Counsel to the Governor, (518) 474-7182.
- Approval and veto messages for bills are printed in *The Legislative Digest*.

### b. Previous Governors.

- This Library has some public papers of Governor Pataki in its collection. Search variously by corporate author, i.e., name of commission or task force, personal author of the report, title, keywords in title, or subject of report. Examples:
  - *State of New York Executive Budget*. D, GOV 075.0-3 EXEBU 76-59709.
  - *Message to the Legislature*. D, GOV 075.0-3 MESLE 76-59892.
  - "Executive Orders" in Title 9A, *Official Compilation of Codes, Rules, and Regulations of the State of New York*. RT, LAW 671-4 OFFCC 78-71087.
- The official papers of governors have been published in yearly compilations. Thus the papers of Governor Cuomo are in *Public Papers of Governor Mario M. Cuomo*, D, GOV 075.0-4 PUBPA 1983 88-4571.
- Reports of a governor's commissions, task forces, etc., can be searched in the Library's [online catalog](#).
- The [New York State Archives and Records Administration](#) has collections of papers from several governors, including Smith, Roosevelt, Dewey, and Rockefeller. See *Guide to Records in the New York State Archives* (Albany: The University of the State of New York, 1993), R, ARC 952-4 GUIRN 93-14436 and *Guide to Records of the Governor's Office in the New York State Archives* (Albany: The University of the State of New York, 1995), R, ARC 952-4 GUIRG 97-7141.
- **Indexes:** *Annotated List and Indexes of Reports of New York State Governors' Committees and Task Forces, 1925-1985* (Albany: The University of the State of New York, 1986). Compiled by Robert Allan Carter. D, LIB 460-4 ANNLI 86-11690.

Return to [Contents](#)

### C. State Agencies.

State agencies present reports, sometimes in the form of annual reports, to the Legislature, in which they may discuss proposed legislation, or comment on existing laws. Agencies often prepare bills they want introduced. They may oppose a specific bill, or criticize a federal mandate.

State agencies usually are advised by legal counsels. Their counsels issue opinions on the law, and may comment on proposed legislation. These opinions are recognized as primary sources for legislative history by their rendering of legal interpretation of a law.

Web-site. Current publications, such as annual reports, are often listed on State agencies' web-sites. State agencies' home pages can be reached from the [NYS Government Information Locator Service](#).

State Library [online catalog](#). State agency reports in the Library's collection can be searched in its catalog.

Return to [Contents](#)

### D. Legislature.

Standing committees and sub-committees of the Legislature occasionally issue reports on specific topics. These reports are difficult to locate because there are few finding aids.

Joint legislative committees and temporary commissions issue annual reports, usually held by this library. Their additional reports may be published separately. Also these reports are included in the following document series.

- Document Series.
  - 1789-1904. See Adelaide R. Hasse, [Index of Economic Material in Documents of the States of the United States](#) (Washington, D.C.: Carnegie Institution, 1907). Volume 31, New York. R,016.3 qH35, v.31. Also available online through the Library's online catalog.
  - 1831-1918. *Documents of the Assembly of the State of New York* (Albany: J.B. Lyon, 1831- 1918). D, LEG 481.2- 3 DOCAS 1059138.
  - 1831-1918. *Documents of the Senate of the State of New York* (Albany: J.B. Lyon, 1831- 1918). D, LEG 795.8-3 DOCSS 87-95.

**Indexes:** *Annotated Lists and Indexes of the New York State Assembly and Senate Document Series, 1831- 1918* (Albany: The University of the State of New York, 3 vols., 1992). Compiled by Robert Allan Carter. Volume I, Part 1- Assembly Separate Documents. Volume II, Part 2- Senate Separate Documents. Volume III, Parts 3- 11, Indexes, Minor and Annual Reports. R, LIB 460-4 ANNLI 86-11287.

- 1919- 1976. *Legislative Documents* (Albany, 1919-1976). D, LEG 011.9-3 LEGDO 78-766.

**Indexes.** *Annotated List and Indexes of the New York State Legislative Document Series, 1919- 1976* (Albany: The University of the State of New York, 7 vols., 1986). Compiled by Robert Allan Carter. Volume I, Reports of Temporary

Commissions, Joint Legislative Committees, Governor's Messages, etc., 1919-1935. Volume II, 1936-1948. Volume III, 1949-1960. Volume IV, 1961-1976. Volume V, Subject Index. Volume VI, Index by Key Word/ Index by Chairpersons. Volume VII, Annual Reports of Permanent State Agencies, the Legislature and the Courts, and Annual Message of the Governor/ Annual Reports of Public Authorities, Semi-Official State Agencies, State and Private Institutions, Schools and Private Organizations. R, LIB 460-4 ANCLI 86-11287.

Note: These indexes by Carter include the material in *Cumulative Index to Joint Legislative Committees and Selected Temporary State Commissions and Alphabetical List of Chairmen and Vice-Chairmen Thereof, 1900-1950* (Albany: The University of the State of New York, rev. ed., 1966). Prepared by William S. King, Secretary of the Senate. Bound with *1951-1965 Supplement*. R, LEG 795.8-4 CUMIJ 1302385.

- 1976-current. The *Legislative Documents* series was discontinued in 1976. Search these documents as separate entries in the Library's [online catalog](#).
- Public Hearings.

See [Step 9. Legislative Hearings and Debates](#).

Return to [Contents](#)

## E. Judiciary.

The State judiciary and members of the legal profession have been able to recommend changes in State laws and court procedures by participating in two advisory bodies: the Judicial Conference and the Law Revision Commission (abolished 1995).

- Judicial Conference (1934- present). The Conference was established in 1934 as the Judicial Council for the purpose of surveying current practice in the administration of the State's courts, compiling statistics, and suggesting legislation. Members include the Chief Judge of the Court of Appeals and judges from the Appellate Divisions. In 1955 it was reorganized and renamed the Judicial Conference. In later years, in addition to general legislation, it has proposed specific recommendations concerning civil practice laws and rules, criminal law and procedure, and the Family Court.
  - Finding aids.
    - Butch, *New York State Documents*. op. cit.
  - Reports.
    - 1934-1954. New York (State) Judicial Council. *Annual Report of the Judicial Council of the State of New York* (Albany: J. B. Lyon/ Williams Press, 1935-1955). D, JUD 770-1 76-59233.
    - 1955-1962. New York (State) Judicial Conference. *Annual Report of the Judicial Conference of the State of New York* (New York: Herald Square Press/Albany: 1955-1962). D, JUD 320-1 846363.
    - 1963-1977. New York (State) Administrative Board of the Judicial Conference. *Report of the Administrative Board of the Judicial Conference of the State of New York* (Albany: 1962/63-1977). D, JUD 410-1 77-51144.
    - 1978-2005. New York (State) Chief Administrative Judge of the Courts.

*Annual Report of the Chief Administrator of Courts* (Albany: 1978-2005).  
D, COU 010-1 83-15.

These Annual Reports up to 1976 are included in the *Legislative Documents* series. Reports included in the Annual Reports and also Judicial Memoranda are published in *McKinney's Session Laws of New York* (annual), files at LAW/NY. Reports are also published in *New York Consolidated Laws Service* (annual), at LAW/NY.

- Law Revision Commission (1934-1995). Established in 1934 for the purpose, among other things, to "examine the common law and statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms." Members included faculty of law schools and attorneys. Abolished in 1995.
  - Finding aids.
    - Butch, *New York State Documents*. op. cit.
  - Reports.
    - New York (State). Law Revision Commission, *Report of the Law Revision Commission* (Albany: J.B. Lyon/ Albany:, 1935-1994). D, LAW 395-1 77-51360. The [1994 report](#) is also available online.
  - Indexes.
    - 1935-1951. *Cumulative Index to the Reports, Recommendations and Studies of the Law Revision Commission for 1935-1951 with Cumulative Table of Cases and Statutory References* (Albany: n.d.). Files with the *Report of the Law Revision Commission*.
    - 1952-1977. *Cumulative Topical Index, 1952-1977* (Albany: n.d.). Files with *Report of the Law Revision Commission*.

Last Updated: July 5, 2011

## Step 9. Legislative Hearings and Debates

### A. Public Hearings.

A legislative committee may hold public hearings on bills before it, although such hearings are not required. Transcripts of hearings are generally difficult to obtain. A copy of a hearing is available only if the committee tapes or transcribes it, and sends this copy to the Legislative Library, the State Library, or the State Archives.

- 1900-present (as of 9/07). Both the State Archives and the Library have some Assembly and Senate public hearings. Search these hearings as separates in the Library's online catalog. The Library also has some uncataloged public hearings. Call the reference desk at (518) 474-5355 for assistance in locating these. The Legislature is not legally required to send their documents and records to the Archives and the Library, so this collection is not complete. From about 1980 the Legislative Library has been receiving the public hearings and microfilming them.

Microfiche Collection: 1980-1989, 1995, 1997 (as of 9/07). Hearings are filed by date in the Microform Area, MA, 348.74701 qN532 91-27872. The Legislative Library intends to film the hearings in five year batches, and will probably provide a copy to the State Library.

- Index by date. RR, 348.74701 qN532 91-27872.

### B. Floor Debates.

These collections of debates are untranscribed tapes of the session. Order debates by bill number and date passed.

- Assembly debates.
  - 1973-present. Order from:  
NYS Assembly Public Information Office (518) 455-4218  
Room 202, Legislative Office Building  
Albany, NY 12248
- Senate debates.
  - Current session. Order from:  
NYS Senate Communications Office (518) 455-2264  
Room 416, State Capitol  
Albany, NY 12224
  - 1960 to year prior to the current session. Order from:

NYS Senate Microfilm and Records Room (518) 455-3200  
Room 500GA, State Capitol  
Albany, NY 12224

- o 1974-1976 debates are held by the [State Archives](#).

Last Updated: April 6, 2011

## Step 10. Literature Searches

Scholarly studies of New York State laws are published in law reviews and monographs. Newspapers, like *The New York Times*, cover the political, social, economic and legal aspects of society. Observations of editors and columnists may be useful in providing background information on State legislation.

### Indexes to Legal Periodicals.

NOTE: To find where a law journal is indexed consult *Ulrich's International Periodicals Directory* (New Providence, NJ: R.R. Bowker, annual). RR, 016.05 qP44.

#### A. Printed indexes.

- c. 1790-1937. *An Index to Legal Periodical Literature* (Boston: Boston Book Co./ Los Angeles: Parker and Baird Co./ rpt. Buffalo: Dennis). "To Dec. 1886-1937". L, 016.34 I387 202-10492.
- 1926-present. *Index to Legal Periodicals and Books* (Buffalo: Dennis/ New York: H.W. Wilson). Monthly issues, annual cumulations. L, 016.34705 I38.

#### B. Online databases.

- 1980-present (the beginning date varies with serial title). *LegalTrac* (Farmington Hills, MI: Gale Group). Available at any Internet computer in the Computer/Internet Sign-Up area at the Library.

This database indexes over 800 English- language legal publications. It includes law-related articles from over 1,000 business and general periodicals.

Search your topic by subject heading or keywords. This database indexes a journal article by assigning it a subject heading. These headings are found in an online thesaurus, "The Subject Guide." Also, the database enhances the title of the article with descriptors and jurisdiction. If the subject is not known, type a keyword in the keyword search mode, "Basic Search." Scan the resulting list for relevant articles. Click on the icon, "Explore," to display subject headings in the "Search Guide," and continue your search with these subject headings and divisions. For example, to find law review articles on reforming rights of petition within New York State jurisdiction, type "petition and new york."

If you are searching a specific law journal in a given year, use the field search mode, "Publication Search."

- 1980- present. *Legal Resource Index* (DIALOG, File 150). We search this commercial database for the public for a fee; the search is free of charge for State government.

- o 1980 (or later)- present. "Law Reviews & Journals" in LEXIS-NEXIS.
  - a. Includes *Index to Legal Periodicals* and *Legal Resource Index*.
  - b. "Law Reviews by Jurisdiction". Includes "New York Law Reviews Combined."
  - c. "Law Reviews by Area of Law."
  - d. "Individual Law Reviews and Journals." Each article is full-text. A search fee is charged, except for State government.

## Background Material for New York State Laws.

A. *New York Times Index* (New York: R.R. Bowker/ New York Times). This newspaper is on microfilm in the Microform Area, from 1851 to current with about a two month lag. Current paper editions available at the Circulation Desk.

- o Printed index.
  - 1851-present. Printed index at R, 071 qN5492. Semimonthly updates/ quarterly cumulations.
- o Online indexes. Available at any Internet computer in the Computer/Internet Sign-Up area at the Library.
  - 1857-2004. *Proquest Historical Newspapers*. Full text.
  - 1980-present. *National Newspaper Index* (Farmington Hills, MI: Gale Group).
  - 1994-present. *Newspaper Source* in EBSCOhost. Index.
  - 1995-present. *America's Newspapers* (Newsbank). Full text.
  - 1995-present. *Infotrac Custom Newspapers* (Gale Group). Full text.

B. Public Affairs Information Services.

- o Printed indexes.
  - 1915-1990. *PAIS Bulletin* (New York: H.W. Wilson/ Public Affairs Information Services). "Cumulative Subject Index, 1915-1974." R, 016.3 qP97.
  - 1991-present. *PAIS International in Print*. Monthly/ interim cumulations. R, 016.3 qP147 91-12335.
- o Online index. Available at any Internet computer in the Computer/Internet Sign-Up area at the Library.
  - 1972-present. *PAIS International* (Bethesda, MD: Proquest-CSA). Index.

Last Updated: April 6, 2011

## Step 11. Bar Associations

Bar associations may propose legislation, supported by explanatory memoranda, recommendations, and reports. Such material is sometimes included in bill jackets. Reports may be issued regularly in association newsletters, journals, and report series. They supply commentary on legislation by setting up committees of expert lawyers. Use the Library's online catalog to find these reports listed by subject or author.

The Library has publications from the following:

- [New York State Bar Association](#)  
1 Elk Street  
Albany, NY 12207  
  
Telephone: (518) 463-3200
- [The Association of the Bar of the City of New York](#)  
42 West 44th Street  
New York, NY 10036- 6690  
  
Telephone: (212) 382-6600
- [New York County Lawyers' Association](#)  
14 Vesey Street  
New York, NY 10007  
  
Telephone: (212) 267-6646

Last Updated: April 6, 2011

## Step 12. Court Decisions

Decisions of appealed cases at the level of appellate courts, which involve difficult interpretations of the law, occasionally provide material useful in compiling a legislative history. See a section "Legislative Background" in the reports of these courts.

Specific court cases especially illustrating a law are found in the case notes often following sections of the consolidated law. See "Notes of Decisions" in *McKinney's Consolidated Laws of New York* and *New York Consolidated Laws Service (CLS)*. Also, the following references may provide examples of court cases involving your law:

- *New York Jurisprudence 2d* (Rochester: The Lawyers Cooperative Publ. Co., 1979), and "Quarterly Update Service." LAW/NYS.
- *Words and Phrases* (St. Paul, MN: West Publ. Co.). 46 vols, and "Cumulative Annual Pocket Part." RL, 340.7303 W924 92-46001.

Parties in a lawsuit have avenues for appealing a decision to an appellate court. In New York these courts are the Supreme Court Appellate Division and the Court of Appeals. The historical development of these courts from British colonial courts is described in *Guide to Records in the New York Archives* (Albany: The University of the State of New York, 1993), pp. 387-398.

Cases considered by the Supreme Court Appellate Division are reported in *Appellate Division Reports*; those considered by the Court of Appeals are reported in *New York Reports*. The official citation of a case refers to these volumes. For example, "50 AD2d 211" indicates volume 50 of the *Appellate Division Reports*, second series, beginning on p. 211. "26 NY2d 478" indicates volume 26, second series, of *New York Reports*. Several volumes are published in a calendar year.

To translate names of parties in a lawsuit to the corresponding official citation, use the "Table of Cases" in *West's New York Digest*, LAW/NYS. The Library has digests from 1794 under various titles.

The Library has the following appellate reports:

a. Court of Appeals.

o **Reports;**

- 1847-1956. *New York Reports* (New York: The Banks Law Publ. Co., 5th ed., 1907-/ Albany: Williams Press). Vols. 1-309. LAW/NYS.
- 1956-present. *New York Reports, 2d series* (Albany: Williams Press/Rochester: Lawyers Cooperative Publ.). Second series. Vols. 1- . LAW/NYS.

o **Records and Briefs.**

- 1847-1956. *Cases and Briefs*. 1NY-309NY. In storage at the "Warehouse"

in the Education Building. Request by citation. The old Law Library catalog, a wooden cabinet near the Document Delivery Unit, has entries for cases to 202NY in "Cases and Briefs" drawers, giving volume and case number.

- 1956-present. *Cases and Briefs*. 2d series.
  - 1NY2d-41NY2d. Bound volumes in basement. Request by citation.
  - 1NY2d-73NY2d. Microfiche. MB/FF, 347.747 N532 84-56020. Request by citation.
  - 74NY2d- current term. Microfiche. MA/FF, 347.747 N532. Request by citation. Microform Area.
- The Archives has "Cases and briefs on appeal" from this court, 1847-1983 in bound volumes.

b. Supreme Court Appellate Division.

○ **Reports.**

- 1896-1955. *Appellate Division Reports* (Albany: Banks and Co., 1908-/Albany: Williams Press). Vols. 1-286. LAW/NYS.
- 1956- present. *Appellate Division Reports* (Albany: Williams Press/Rochester: Lawyers Cooperative Publ.). Second series. Vols. 1-. LAW/NYS. Includes the four judicial departments of the State.

○ **Records and Briefs.**

- 1896-1955. *Cases and Briefs*. 1AD-286AD. In storage at the Warehouse.
- 1955-present. *Cases and Briefs*.
  - 1AD2d-53AD2d. Bound volumes in basement. Request by citation.
  - 54AD2d-99AD2d (partial). Microfiche. MB/FF, 347.74708 N532 84-57270. Request by citation.
  - 99AD2d (partial)- present. Microfiche. MB/FF, 347.74708 N532 84-57270. Request by FID number. See "Finding Aid" by department in Microform Area or check the [New York State Unified Court System Appellate Division Records and Briefs Index](#) (1984, 1988-2005). For recent cases not indexed check packing slips in the Ready Reference (RR) area.
  - Last four years are filed by department and FID number in Microform Area.

For a list of Law Libraries in the State holding records and briefs see:

*Union List of Cases and Points/ Records and Briefs in New York State Law Libraries*, 3rd ed. (Buffalo: Hodgson et al., 1987), compiled by Joan T. White and Dawn M. Tybur. RR, 061.3477313 qW585 90-8362.