

## DIVISION OF ALCOHOLIC BEVERAGE CONTROL

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	14,929,000	19,782,000	4,853,000	32.5%
<b>Total for AGENCY SUMMARY:</b>	<b>14,929,000</b>	<b>19,782,000</b>	<b>4,853,000</b>	<b>32.5%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
All Other Funds:	156	184	28
<b>TOTAL:</b>	<b>156</b>	<b>184</b>	<b>28</b>

#### Agency Mission

(Executive Budget: pp. 335 - 336)

The Division of Alcoholic Beverage Control (ABC) regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Division also issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers and works with local law enforcement agencies to ensure compliance with the ABC law.

This agency is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

- The Executive Budget proposes doubling the number of investigators from 28 to 56 in order to ensure compliance with provisions of the Alcohol Beverage Control Law.

## **Budget Detail**

The Executive proposes an All Funds State Operations appropriation of \$19,782,000 reflecting an increase of \$4,853,000 or 32.51 percent over State Fiscal Year (SFY) 2005-06.

The Executive's SFY 2006-07 budget recommendation for ABC assumes a workforce of 184 full-time equivalent (FTE) positions, reflecting an increase of 28 FTE funded positions over the current level.

## **State Operations**

### **Proposed Increases**

The Executive's proposal includes Special Revenue Fund-Other appropriations of \$19,782,000 reflecting an increase of \$4,853,000 or 32.51 percent over SFY 2005-06. This increase includes the following actions:

- \$2,170,000 for enhanced enforcement and compliance with requirements of the Alcohol Beverage Control Law by doubling the number of beverage investigators from 28 to 56;
- \$2,044,000 for information technology enhancements to increase on-line transactions by licensees and submission of data such as price postings;
- \$115,000 for relocation costs of ABC from the Donovan Building (Buffalo);
- \$47,000 in nonpersonal services costs for per-diem Administrative Law Judges to reduce the backlog of cases requiring review by the State Liquor Authority (SLA); and
- \$477,000 for general salary increases and fringe benefit adjustments.

## **Article VII**

The Executive recommends Article VII legislation that would:

- require that the mandatory price schedule be filed electronically by manufacturers and wholesalers;

- increase the maximum penalty that the SLA could impose on licensees that violate the Alcoholic Beverage Control Law; and
- permit the SLA to adopt, amend or repeal such rules and regulations as it may deem necessary.

## DEPARTMENT OF AUDIT AND CONTROL

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	167,967,000	170,042,000	2,075,000	1.2%
Special Revenue-Other	65,838,000	85,838,000	20,000,000	30.4%
Internal Service Fund	3,487,000	3,487,000	0	0.0%
Total for Agency:	237,292,000	259,367,000	22,075,000	9.3%
Total Contingency:	83,085,000	83,085,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>320,377,000</b>	<b>342,452,000</b>	<b>22,075,000</b>	<b>6.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	1,478	1,478	0
All Other Funds:	891	891	0
<b>TOTAL:</b>	<b>2,369</b>	<b>2,369</b>	<b>0</b>

#### **Agency Mission**

(Executive Budget: pp. 337 - 343)

The Department of Audit and Control is responsible for paying the State's bills and payrolls, verifying all financial transactions of the State, reviewing the financial and management practices of State agencies, supervising the fiscal affairs of local governments, investing State funds and issuing bonds and notes, and administering the retirement program for State and most local government employees. The Department has its head office in Albany and regional offices in New York City, Buffalo, Rochester, Syracuse, Binghamton, Glens Falls, Newburgh and Hauppauge.

The Department is headed by the State Comptroller and is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive proposes an All Funds appropriation of \$342,452,000, representing a net increase of \$22,075,000 over the current State Fiscal Year (SFY) 2005-06 funding level.

No increase in full-time equivalent funded positions from SFY 2005-06 is recommended.

### **State Operations**

The Executive maintains a State Operations appropriation of \$222,452,000, which includes the following:

- General Fund appropriations totaling \$130,042,000;
- Special Revenue-Other appropriations in the amount of \$5,838,000;
- Internal Service Fund appropriations of \$3,487,000; and
- Fiduciary Fund appropriations in the amount of \$83,085,000.

### **Aid to Localities**

#### **Proposed Increases**

- The Executive proposes a General Fund Aid to Localities appropriation of \$40,000,000, a \$2,075,000 or 5.47 percent increase in funding from SFY 2005-06. This increase represents adjustments made to reflect actuarial estimates of funding needed for payment of benefits to survivors of police officers and firefighters in New York City who died during the performance of their duties.
- The Executive also recommends a Special Revenue Funds-Other Aid to Localities appropriation of \$80,000,000, representing a \$20,000,000 or 33.33 percent increase in funding from SFY 2005-06. The proposed increased funding reflects adjustments to the Indigent Legal Services estimate of receipts in calendar year 2006.

### **Article VII**

The Executive recommends Article VII legislation that would provide joint custody of the Abandoned Property Fund by the Office of the State Comptroller (OSC) and the Commissioner of Taxation and Finance; currently the Fund is administered solely by OSC.

## Deficiency Request

The Executive recommends the following deficiency requests:

- an Aid to Localities General Fund deficiency appropriation of \$600,000 to cover a shortfall in local assistance funding for special accidental death benefits to beneficiaries of first responders to the World Trade Center attack for SFY 2005-06; and
- an Aid to Localities Special Revenue Funds-Other deficiency appropriation of \$23,000,000 to cover a shortfall in funding for Indigent Legal Services for SFY 2005-06. This funding reflects full statutory reimbursement to localities.

## PUBLIC EMPLOYMENT RELATIONS BOARD

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	3,694,000	3,665,000	(29,000)	-0.8%
Special Revenue-Other	257,000	482,000	225,000	87.5%
<b>Total for AGENCY SUMMARY:</b>	<b>3,951,000</b>	<b>4,147,000</b>	<b>196,000</b>	<b>5.0%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	37	37	0
<b>TOTAL:</b>	<b>37</b>	<b>37</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 439 - 441)

The Public Employment Relations Board (PERB) resolves major labor disputes between public employers and employees. The Board provides mediation, fact-finding and arbitration in contract disputes for approximately 4,750 negotiating units in New York State. In addition, the Board settles questions of union representation, conducts hearings on charges of improper practices, designates Management/Confidential positions, and acts as a clearinghouse for information on wages, benefits and employment practices.

The Board is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive proposes appropriations of \$4,147,000 in State Fiscal Year (SFY) 2006-07, an increase of \$196,000, or five percent, from State Fiscal Year (SFY) 2005-06. There are 37 full-time equivalent (FTE) positions within the Board. The Executive recommends no net change to staffing levels; however, there is an anticipated decrease of one FTE in Administration and an anticipated increase of one FTE to perform law duties.

### **State Operations**

#### **Proposed Increases**

- \$225,000 to support maintenance for the Board's informational database, which holds contract and other information for public employers and employee organizations. There is a proposed fee of \$75 on employers and employee organizations to support this increase.

#### **Proposed Decreases**

- \$29,000 related to savings due to shared services. The Executive anticipates that the Division of the Budget will administer certain Human Resources functions, resulting in one less FTE.

### **Article VII**

The Executive recommends Article VII legislation that would:

- establish a new annual registration fee of \$75 to be paid by public employers and employee organizations; and
- make the financial ability of the employer to pay the primary factor used by an arbitration panel to arrive at determinations in disputes instead including it in several factors as it is under current law.

## DIVISION OF THE BUDGET

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	33,470,000	33,470,000	0	0.0%
Special Revenue-Other	25,704,000	27,204,000	1,500,000	5.8%
Internal Service Fund	1,650,000	111,650,000	110,000,000	6,666.7%
<b>Total for AGENCY SUMMARY:</b>	<b>60,824,000</b>	<b>172,324,000</b>	<b>111,500,000</b>	<b>183.3%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	297	297	0
All Other Funds:	68	68	0
<b>TOTAL:</b>	<b>365</b>	<b>365</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 345 -346)

The Division of the Budget prepares the Governor's proposed budget and executes the budget as enacted by the Legislature. The Division also serves as the Governor's primary advisor on such fiscal matters as local government and public authority finances.

The Division of the Budget is included in the Public Protection and General Government bill.

### **Programmatic Highlights**

- The establishment of a new Financial Management System Program with a Maintenance Undistributed (MU) appropriation of \$110,000,000. Twenty five full time equivalent (FTE) positions are recommended to be assigned to this Program.
- The establishment of a Public Authority Budget Office Program pursuant to the Public Authority Accountability Act of 2005 with an appropriation of \$1,500,000. Ten FTEs are recommended to be assigned to this program in SFY 2006-07.

### **Budget Detail**

The Executive recommends All Funds appropriations totaling \$172,324,000, representing a net increase of \$111,500,000 or 183.32 percent from State Fiscal Year (SFY) 2005-06.

The Executive's recommendation reflects a workforce of 365 FTEs, representing no changes from the current level.

### **State Operations**

The Executive continues funding for the following programs at the 2005-06 level:

- A \$150,000 Maintenance Undistributed (MU) appropriation for the Law Revision Commission;
- \$150,000 for the Special Revenue Funds-Other/Not-For-Profit Account;
- \$16,354,000 for the Special Revenue-Other (SRO) Revenue Arrearage Account; and
- an Internal Service Fund/Federal Single Audit Account appropriation of \$1,650,000, for an annual independent audit of federal programs performed by KPMG.

### **Proposed Increases**

- a new Internal Service Funds – State Operations Maintenance Undistributed (MU) appropriation of \$110,000,000 to establish a Financial Management Systems Program in the DOB. The funding would support services and expenses related to the development of enterprise technology solutions, including the statewide financial management system (FMS) that will interface with Office of State Comptroller's new Central Accounting System.
- \$7, 200,000 is recommended to fund the Systems and Technological Account reflecting an increase of \$5,200,000 over the current year's funding level. This appropriation will help fund the modification of statewide personnel, accounting,

financial management, budgeting and related information systems to accommodate the management and information needs of the DOB. These funds are intended to pay for personnel, hardware and software contracting services.

- a new Special Revenue Funds – Other State Operations appropriation of \$1,500,000 to establish a Public Authority Budget Office Program pursuant to the Public Authority Accountability Act of 2005. The funding is for services and expenses related to the operations, maintenance and responsibilities of this new office.
- \$29,470,000 in General Fund appropriations for the State Purposes Account, mirroring an overall increase of \$1,500,000 or 5.36 percent. This appropriation reflects an increase of \$1,000,000 or four percent for Personal Services funding and an increase of \$486,000 in Non-Personal service funding. The net adjustments reflect the cost of continuing current programs, including negotiated salary increases and fixed cost increases.
- a \$861,000 Maintenance Undistributed (MU) appropriation reflecting an increase of \$14,000 from current funding level associated with services and expenses related to membership dues in various organizations such as Conference of Northeast Governors (\$90,000); Council of Great Lakes Governors (\$30,000); Council of State Governors (\$391,000) and National Governors Association (\$200,000).

#### Proposed Decreases

- a \$4,000,000 General Fund appropriation for the Cash Management Improvement Act Program, reflecting a decrease of \$1,500,000 from the SFY 2005-06 funding level. This appropriation allows the state to accept and pay any State interest liabilities owed to the Federal Government under the Federal Cash Management Improvement Act (CMIA). The Executive also recommends \$2,000,000 Special Revenue-Other (SRO) appropriation reflecting a \$4,000,000 reduction in spending from the SFY 2005-06 funding level. This appropriation allows the State to accept and spend any Federal interest liabilities owed to the State.

## CAPITAL DEFENDER OFFICE

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	12,277,000	6,100,000	(6,177,000)	-50.3%
<b>Total for AGENCY SUMMARY:</b>	<b>12,277,000</b>	<b>6,100,000</b>	<b>(6,177,000)</b>	<b>-50.3%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	7	7	0
<b>TOTAL:</b>	<b>7</b>	<b>7</b>	<b>0</b>

### Agency Mission

(Executive Budget: pp. 347 - 349)

The Capital Defender Office (CDO) is an independent entity which was created to ensure that offenders who face the death penalty receive the full legal protection to which they are entitled under law. The Office is responsible for providing legal, investigative and expert services to indigent persons who are eligible to be prosecuted for capital murder. Since not all defendants in capital cases will be represented by the CDO, the law requires the Office to set minimum standards for lawyers appointed to defend such cases, to provide training and assistance to these attorneys and to provide judges with a list of qualified lawyers.

This agency is included in the Public Protection and General Government appropriation bill.

### **Programmatic Highlights**

- The State Fiscal Year (SFY) 2006-07 Executive Budget includes a reduction in appropriations made in support of the Office in the event that a chapter reestablishing the death penalty is not enacted before June 30, 2006.

A chapter to reestablish the death penalty was not adopted by June 30, 2005, so that CDO spending was capped at \$3,683,000 of the original SFY 2005-06 appropriation.

### **Budget Detail**

The Executive recommends a \$6,100,000 All Funds appropriation, a decrease of \$6,177,000 from SFY 2005-06. The Office will support a workforce of seven full-time equivalent (FTE) positions, representing no decrease from year-end SFY 2005-06 staffing levels.

### **State Operations**

#### **Proposed Decreases**

- The Executive recommends that the CDO's appropriation be decreased by \$6,177,000. If the Legislature fails to enact a chapter to reestablish the death penalty by June 30, 2006, no more than \$1,200,000 would be made available resulting in an additional \$4,900,000 decrease.

## DEPARTMENT OF CIVIL SERVICE

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	26,555,000	23,836,000	(2,719,000)	-10.2%
Special Revenue-Other	1,400,000	2,300,000	900,000	64.3%
Internal Service Fund	28,706,000	32,960,000	4,254,000	14.8%
Total for Agency:	56,661,000	59,096,000	2,435,000	4.3%
Total Contingency:	6,500,000	6,500,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>63,161,000</b>	<b>65,596,000</b>	<b>2,435,000</b>	<b>3.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	344	341	(3)
All Other Funds:	231	231	0
<b>TOTAL:</b>	<b>575</b>	<b>572</b>	<b>(3)</b>

#### Agency Mission

(Executive Budget: pp. 351 - 355)

The Department of Civil Service (Department) is the central personnel agency for New York State government. The Department also provides testing and other support services to local governments.

The Department is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive proposes a State Fiscal Year (SFY) 2006-07 appropriation of \$65,596,000, an increase of \$2,435,000, or 3.9 percent, compared to SFY 2005-06 levels. The Executive proposal also includes a net reduction of 3 full-time equivalent (FTE) positions due to attrition, resulting in 572 positions for the Department.

### **State Operations**

#### **Proposed Increases**

The Executive proposes to increase spending from Internal Service Funds by \$4,254,000, and to increase Special Revenue Funds spending by \$900,000, including the following:

- \$1,000,000 for the discovery phase of a lawsuit filed against the Department regarding the battery tests;
- \$100,000 for a health insurance study pursuant to Collective Bargaining Agreements; and
- \$3,800,000 for salary and fixed cost increases, as well as budgeted expenses for the Employee Health Service Division's move from the Harriman State Campus to a new location.

#### **Proposed Decreases**

The Executive proposes a net reduction in General Fund spending of \$2,719,000, including the following decreases:

- \$2,000,000 in savings resulting from non-recurring costs of the Department's move to the Alfred E. Smith Building; and
- \$1,200,000 in savings attributed to vacancy control and the attrition of 3 FTEs.

### **Article VII**

The Executive recommends Article VII legislation that would:

- Permit appointments without examinations of up to 5 years for certain information technology employees and provide them with a defined contribution pension benefit.

# STATE CONSUMER PROTECTION BOARD

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	3,792,000	4,357,000	565,000	14.9%
<b>Total for AGENCY SUMMARY:</b>	<b>3,792,000</b>	<b>4,357,000</b>	<b>565,000</b>	<b>14.9%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
All Other Funds:	32	32	0
<b>TOTAL:</b>	<b>32</b>	<b>32</b>	<b>0</b>

### Agency Mission

(Executive Budget: pp. 357 - 358)

The Consumer Protection Board's (CPB) current mission is to protect and advance the rights of New York State's consumers. The CPB handles consumer complaints and mediates consumer disputes, engages in consumer education activities and fraud prevention, and represents consumer interests in utility rate cases before the Public Service Commission (PSC).

This agency is included in the Public Protection and General Government appropriation bill.

### Budget Detail

The Executive proposes an All Funds appropriation of \$4,357,000 reflecting an increase of \$565,000 or 14.90 percent over State Fiscal Year (SFY) 2005-06 funding levels.

The Executive recommends no changes in full-time equivalent (FTE) funded positions.

## **State Operations**

### **Proposed Increases**

The Executive recommends \$4,357,000 in Special Revenue-Other appropriation representing a \$565,000 or 14.90 percent increase over the current funding levels and representing the following actions:

- a \$215,000 net adjustment, which reflects the cost of continuing current programs including negotiated salary increases; and
- a \$350,000 increase in spending, reflecting the cost of funding for enhanced consumer complaint mediation, consumer utility intervention and fixed cost increases.

## **Article VII**

The Executive recommends Article VII legislation that would:

- make the Motor Fuel Marketing Practices Act (MFMPA), which expires on October 21, 2006, permanent and also authorizes the Attorney General to repay the CPB for its ordinary costs and administrative expenses related to an investigation when consumer complaints are successfully prosecuted or settled.

## COMMISSION OF CORRECTION

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,577,000	2,607,000	30,000	1.2%
<b>Total for AGENCY SUMMARY:</b>	<b>2,577,000</b>	<b>2,607,000</b>	<b>30,000</b>	<b>1.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	32	32	0
All Other Funds:	3	3	0
<b>TOTAL:</b>	<b>35</b>	<b>35</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 359 - 361)

The State Commission of Correction (Commission) serves to promote a safe, secure and stable correctional system and to provide for the accountability of corrections officials. The Commission regulates and oversees the operation and management of 70 State correctional facilities, 60 county jails, 16 New York City correctional facilities and 267 locally-operated police department detention facilities. The Commission's role also includes the oversight of 4 secure detention facilities operated by the Office of Children and Family Services.

The Commission is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive recommends an All Funds State Operations appropriation of \$2,607,000, a 1.2 percent increase above State Fiscal Year (SFY) 2005-06 funding levels. The Governor proposes continued support for a workforce of 32 full-time equivalent (FTE) positions.

## **State Operations**

### Proposed Increases

- The Executive proposes a \$30,000 increase in appropriations to support salary adjustments and fixed cost increases.

## DEPARTMENT OF CORRECTIONAL SERVICES

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,099,745,000	2,185,398,000	85,653,000	4.1%
Special Revenue-Other	1,000,000	3,850,000	2,850,000	285.0%
Special Revenue-Federal	36,600,000	35,700,000	(900,000)	-2.5%
Correctional Facilities Capital Improvement Fund	205,000,000	245,000,000	40,000,000	19.5%
Internal Service Fund	75,011,000	71,245,000	(3,766,000)	-5.0%
Enterprise	58,957,000	59,046,000	89,000	0.2%
<b>Total for AGENCY SUMMARY:</b>	<b>2,476,313,000</b>	<b>2,600,239,000</b>	<b>123,926,000</b>	<b>5.0%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	30,232	30,128	(104)
All Other Funds:	1,240	1,240	0
<b>TOTAL:</b>	<b>31,472</b>	<b>31,368</b>	<b>(104)</b>

#### Agency Mission

(Executive Budget: pp. 363 - 368)

The Department of Correctional Services (DOCS) is responsible for the operation of 70 correctional facilities and the supervision of an under-custody population of approximately 63,000 inmates who have been sentenced to a term of incarceration which is greater than one year.

DOCS is included in the Public Protection and General Government Budget appropriation bill.

## Programmatic Highlights

The State Fiscal Year (SFY) 2006-07 Executive Budget includes the following:

- closure of Camp Pharsalia in Chenango County by July 1, 2006 and transfer of such facility to the Office of Mental Health (OMH) to create a new facility for the civil confinement of sexual predators; and
- a \$3.00 increase in the *per diem* reimbursement rate paid to localities for housing prisoners awaiting *coram nobis* proceedings and a \$6 increase in the per diem rate for housing felony prisoners awaiting transport to DOCS.

## Budget Detail

The Executive proposes All Funds appropriations in the amount of \$2,600,239,000, an increase of \$123,926,000 over SFY 2005-06 funding levels. Recommended appropriations will support a workforce of 31,368 full-time equivalent (FTE) positions in SFY 2006-07.

### State Operations

The Executive proposes All Funds—State Operations appropriations totaling \$2,346,239,000, representing a \$82,926,000, or 3.6 percent increase from SFY 2005-06 spending levels. The Executive proposes to increase General Fund spending by \$87,653,000, totaling \$2,179,398,000 in SFY 2006-07. The Governor reduces Special Revenue—Other appropriations by \$150,000 and Federal appropriations by \$900,000. Internal Service Fund appropriations are advanced at \$71,245,000, a \$3,766,000 reduction from SFY 2005-06 levels. Appropriations made for Enterprise Funds are increased by \$89,000.

### Proposed Increases

The Executive proposes the following increases to General Fund spending in the SFY 2006-07 Budget:

- \$31,500,000 to support increased energy costs;
- \$28,214,000 to support fixed costs and inflationary increases throughout the DOCS system;
- \$19,190,000 to accommodate personal service/salary increases including funding for 103 new FTE positions to implement mental health program expansions throughout SFY 2006-07. DOCS' personal service appropriations will also support 27 FTE positions for mental health expansions that began in SFY 2005-06 and 39 FTE positions for a new Alzheimer's Unit at the Fishkill Correctional Facility;

- \$7,413,000 to support increased costs associated with inmates who are hospitalized outside DOCS facilities;
- an additional \$4,336,000 to accommodate inflationary costs expected with the purchase of pharmaceuticals;
- \$1,200,000 to expand DOCS' Central Pharmacy, to streamline the process of dispensing medications to inmates and to reduce reliance on outside contractors to perform this function; and
- an additional \$1,000,000 in General Fund support is added to provide for HIV/AIDS pharmaceuticals which were previously paid for through revenue generated by the Family Benefit Fund. As a result of this action, the Family Benefit Fund will no longer support the purchase of HIV/AIDS medications.

#### Proposed Decreases

- The Executive seeks to close the minimum security facility, Camp Pharsalia, during SFY 2006-07 and transfer it to the Office of Mental Health (OMH), so that OMH may construct a new facility on that site to house civilly-committed sexual offenders. At present, DOCS staffs Camp Pharsalia at a level of 92 FTE positions. Upon closure of the Camp, all employees would be offered reassignment throughout the DOCS system. The Executive seeks to achieve \$5,200,000 in savings as a result of this closure. Appropriations made for the construction of the new facility are located in the Health and Mental Hygiene Budget bill.

#### Aid to Localities

The Executive would raise the reimbursement rate paid for the housing of State-ready prisoners in local jails from the current \$34 to \$40, allowing the maximum reimbursement rate to meet 1988 reimbursement levels, as provided for in subdivision 2 of Section 601-c of the Correction Law. Additionally, the *per diem* rate payable to localities for housing prisoners who await *coram nobis* proceedings would rise from \$17 to \$20 to comply with rates as determined by section 601-b of the Correction Law.

#### Proposed Decreases

- The Executive recommends a General Fund Aid to Localities appropriation of \$6,000,000 for reimbursement to localities for the housing of State-ready inmates and inmates who await *coram nobis* proceedings, a decrease of \$2,000,000 from SFY 2005-06 funding levels.

## **Capital Projects**

The Executive recommends an All Funds Capital appropriation of \$248,000,000 for the ongoing maintenance and rehabilitation of existing correctional facilities, an increase of \$43,000,000 over SFY 2005-06 funding levels. The Executive seeks the increased appropriation because of the rising costs of construction materials, its need to maintain an aging infrastructure and a desire to process necessary projects in a more timely manner.

## **Article VII**

The Executive recommends Article VII legislation that would:

- exempt correctional facilities from a closure notification process, provided such facility is recommended to be closed and re-used for another purpose; and
- raise the DOCS bond cap by an additional \$345,000,000.

## CRIME VICTIMS BOARD

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	3,332,000	4,282,000	950,000	28.5%
Special Revenue-Other	32,018,000	32,018,000	0	0.0%
Special Revenue-Federal	38,448,000	38,448,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>73,798,000</b>	<b>74,748,000</b>	<b>950,000</b>	<b>1.3%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	64	70	6
All Other Funds:	39	33	(6)
<b>TOTAL:</b>	<b>103</b>	<b>103</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 369 - 372)

The Crime Victims Board (CVB) awards compensatory damages to victims of crime, focusing mainly on those whose victimization was violent in nature and serves as the State's advocate for crime victims' rights, needs and interests. Damages are awarded to victims for loss of earnings, essential property loss and costs associated with medical treatment or counseling services. The CVB currently administers approximately 200 contracts with other State agencies, local governments and not-for-profit agencies to provide direct services to crime victims and witnesses.

The CVB is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$74,748,000 for the operations of the CVB, an increase of \$950,000 over SFY 2005-06 funding levels. Appropriations will support 103 full-time equivalent (FTE) positions.

### **State Operations**

The Executive proposes General Fund—State Operations appropriations in amount of \$7,134,000, an increase of \$950,000 over SFY 2005-06 funding levels. Special Revenue Fund appropriations are maintained at \$927,000 and appropriations made to accept federal funds are also maintained at \$1,925,000.

#### **Proposed Increases**

The Executive proposes the following General Fund increases for SFY 2006-07:

- \$570,000 to support expedited claims processing, as the Executive budget proposal removes appropriation language allowing the CVB to retain a portion of Special Revenue Funds to support such processing;
- \$300,000 to support the Business Process Improvement Project which seeks to facilitate the speedy processing of claims through automation; and
- \$80,000 to support salary adjustments and fixed cost increases.

### **Aid to Localities**

The Executive proposes Special Revenue Fund—Aid to Localities appropriations totaling \$31,091,000, representing no change from SFY 2005-06 funding levels. Federal appropriations are maintained at \$36,523,000.

In SFY 2006-07, the Executive proposes Article VII legislation to increase a criminal history search fee, resulting in a \$2,500,000 increase in deposits made to the Criminal Justice Improvement Account (CJIA). Since the CJIA currently supports victim services exclusively, the Executive also proposes legislation to allow the CJIA to support expanded uses, including \$43,306,000 in law enforcement programming appropriated in the Division of Criminal Justice Services (DCJS). The Executive recommendation does not propose a corresponding increase in appropriation levels in support of crime victim services or benefits.

## **Article VII**

The Executive recommends Article VII legislation that would:

- expand the use of funds deposited into the Criminal Justice Improvement Account (CJIA) to offset General Fund spending in support of various crime justice initiatives other than criminal victims' services; and
- increase the Office of Court Administration (OCA) Criminal History Search Fee from \$52 to \$60, with \$5 of the increase directed for deposit in the CJIA to be utilized for a General Fund offset, district attorney salary enhancements, Operation IMPACT and Aid to Crime Labs.

## DIVISION OF CRIMINAL JUSTICE SERVICES

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	105,934,000	83,042,000	(22,892,000)	-21.6%
Special Revenue-Other	36,350,000	94,056,000	57,706,000	158.8%
Special Revenue-Federal	148,360,000	83,060,000	(65,300,000)	-44.0%
<b>Total for AGENCY SUMMARY:</b>	<b>290,644,000</b>	<b>260,158,000</b>	<b>(30,486,000)</b>	<b>-10.5%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	539	553	14
All Other Funds:	153	153	0
<b>TOTAL:</b>	<b>692</b>	<b>706</b>	<b>14</b>

#### Agency Mission

(Executive Budget: pp. 373 - 378)

The Division of Criminal Justice Services (DCJS) is the administering agency for both State and Federal monies that support programs designed to combat crime, drug abuse and violence across the State. DCJS maintains criminal history and statistical data for Federal, State and local law enforcement agencies, identifies criminals through fingerprints, maintains the sex offender registry and provides training and management services to local law enforcement agencies.

This agency is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget includes the following:

- a significant expansion of Operation IMPACT, which supports and supplements local law enforcement efforts in high crime non-NYC counties;
- increased local capability to process DNA through additional Aid to Crime Labs;
- a new program to assist counties in District Attorney recruitment and retention;
- a new anti-gun trafficking initiative is funded by aid to local police departments and district attorneys' offices; and
- a new DNA training program for law enforcement to be conducted by the John Jay School of Criminal Justice.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$260,158,000, a decrease of \$30,486,000, or 10.5 percent from SFY 2005-06 spending levels. This large year-to-year decrease is attributable to a 44 percent reduction in appropriations made for Federal funds. The Division will support 706 full-time equivalent (FTE) positions.

## **State Operations**

The Executive proposal includes \$128,567,000 in All Funds—State Operations appropriation authority, a 10.3 percent decrease from SFY 2005-06. General Fund appropriations are advanced at \$55,907,000, a 31 percent increase over SFY 2005-06 levels. Special Revenue Funds are increased by \$12,000,000.

### **Proposed Increases**

The Executive proposes the following increases in General Fund—State Operations spending:

- \$4,912,000 to support costs associated with storage of data through the State Office for Technology (OFT) Data Center. The amount appropriated reflects increased costs and reconciles costs incurred in SFY 2005-06;
- \$4,592,000 to support personal service and fixed cost increases;

- \$3,000,000 to administer an Automated Speed Enforcement Program, pursuant to Article VII legislation. This Article VII proposal will result in the issuance of nearly one million additional speeding tickets when fully implemented; and
- \$904,000 to support staffing costs associated with the completion of criminal justice technology initiatives—including an update to the inquiry capacity of the sex offender database and eJustice—resulting in an increase of 14 FTE positions.

#### Proposed Decreases

- The Executive proposes a net \$40,300,000 reduction in Federal appropriations made for State Operations programs and initiatives in SFY 2005-06, largely attributable to a corresponding reduction to a single discretionary appropriation.

### **Aid to Localities**

#### Proposed Increases

The Governor recommends the addition of \$6,300,000 in General Fund support for the following new initiatives:

- \$2,000,000 for an Illegal Gun Trafficking Initiative, with such funding made available for prosecutors and law enforcement agencies;
- \$2,000,000 for a John Jay College of Criminal Justice DNA Training program, to train law enforcement personnel and prosecutors in techniques of the handling and collecting of DNA evidence and the use of such evidence in criminal prosecutions;
- \$1,800,000 for “license plate readers”, used by law enforcement to scan vehicle license plates to detect stolen vehicles and other violations of law; and
- \$500,000 for services and expenses of a local prisoner re-entry task force.

For SFY 2006-07, the Executive proposes to shift \$55,306,000 in General Fund expenses in support of criminal justice programming to various Special Revenue Funds, subject to the enactment of two Article VII provisions. Article VII legislation is introduced which would allow for the Criminal Justice Improvement Account (CJIA) to support such programs. At present, the CJIA exclusively funds crime victims’ services. The Executive recommendation calls for the CJIA to support \$43,306,000 in additional expenditures in support of the following initiatives:

- a \$15,459,000 appropriation for Operation IMPACT, representing a \$7,000,000 increase from SFY 2005-06;

- a \$12,600,000 appropriation to provide an offset to General Fund expenses for an array of local assistance grants;
- a \$10,247,000 appropriation for Aid to Crime Labs, representing a \$6,000,000 increase;
- a \$5,000,000 appropriation for a new District Attorney recruitment and retention program; and
- a \$2,600,000 appropriation for the Westchester County Policing Program.

The Executive proposes to generate additional revenue for deposit to the CJIA by increasing a fee to access criminal history abstracts from the Office of Court Administration from \$52 to \$60. Of this \$8 increase, \$5 will be deposited to the CJIA to partially support the criminal justice programs noted above, and \$3 will be deposited to the Legal Services Assistance Account, appropriated in DCJS at \$18,000,000. For SFY 2006-07, the Executive recommends that the Legal Services Assistance Account continue to provide \$6,000,000 in support of services and expenses of civil or criminal legal services providers; however, the Executive recommendation also includes appropriations to support the following initiatives:

- \$6,000,000 for Aid to Prosecution; and
- \$6,000,000 for Aid to Defense.

#### Proposed Decreases

- The Executive decreases General Fund support for Aid to Localities by a net \$36,300,000, attributable to a proposal to off-load expenses to the Special Revenue Funds noted above. Also eliminated is \$5,294,000 in local program assistance provided for in the SFY 2005-06 Budget.
- The Executive recommendation reduces various appropriations made to accept Federal funds by \$25,000,000, a 43 percent decrease. Notably, appropriations recommended for Edward Byrne Memorial/Justice Assistance Grants are reduced by \$4,550,000 and Violence Against Women Act appropriations are reduced by \$1,000,000, reflecting projected decreases in Federal funding for these initiatives.

#### **Article VII**

The Executive recommends Article VII legislation that would:

- expand the use of funds deposited into the Criminal Justice Improvement Account (CJIA), to allow for revenue to offset General Fund spending in support of various criminal justice initiatives (Part M);

- authorize the use of automated cameras at 20 work zones and 10 “dangerous stretches of highway” to reduce speeding (Part N); and
- Increase the Office of Court Administration (OCA) Criminal History Search Fee from \$52 to \$60, with \$5 of the increase directed for deposit in the CJIA (Part P).

# STATE BOARD OF ELECTIONS

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	4,109,000	4,688,000	579,000	14.1%
Special Revenue-Other	7,820,000	200,000	(7,620,000)	-97.4%
Special Revenue-Federal	220,000,000	10,000,000	(210,000,000)	-95.5%
<b>Total for AGENCY SUMMARY:</b>	<b>231,929,000</b>	<b>14,888,000</b>	<b>(217,041,000)</b>	<b>-93.6%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	43	53	10
All Other Funds:	4	9	5
<b>TOTAL:</b>	<b>47</b>	<b>62</b>	<b>15</b>

### Agency Mission

Executive Budget: pp. 379 - 381)

The State Board of Elections executes and enforces the Election Law and oversees the disclosure of campaign financing practices. This agency is in the Public Protection and General Government appropriation bill.

### Budget Detail

The Executive recommends an All Funds appropriation of \$14,888,000 or a 93.6 percent decrease from the State Fiscal Year (SFY) 2005-06 funding level of \$231,929,000. This appropriation includes \$4,688,000 in General Fund Support, \$10,000,000 in Special Revenue Funds – Federal

and \$200,000 in Special Revenue Funds – Other to enable the State to carry out its work related to the implementation of the Help America Vote Act of 2002 (HAVA).

An increase of 15 full-time equivalent (FTE) funded positions is recommended in SFY 2006-07.

### **State Operations**

The Executive budget provides reappropriations of federal funds for the implementation of HAVA activities in the amount of \$20,000,000 for State Operations for costs associated with work related to the voter database, and \$7,700,000 in Special Revenue Funds – Other to meet federal matching requirements.

#### **Proposed Increases**

- A \$579,000 increase in General Fund spending over the SFY 2005-06 level to reflect the cost of continuing current programs, including salary and other fixed costs, and \$200,000 in personal service costs associated with 4 additional FTEs to accommodate the increased HAVA workload; and
- an appropriation of \$10,000,000 in federal funds, which would provide authority to further assist the State Board of Elections with the implementation of HAVA.

#### **Proposed Decreases**

- The Executive proposes an appropriation of \$200,000 in the Special Revenue Fund - Other, reflecting a net decrease of \$7,620,000 from the SFY 2005-06 funding level of \$7,820,000. This will be used for examination and certification of voting machines.

### **Aid to Localities**

The Executive budget includes a reappropriation of \$200,000,000 of Special Revenue Federal Funds needed to implement provisions of the HAVA, which will be used to purchase new voting machines and assist local voting districts with implementation of that Act.

### **Deficiency Request**

The Executive recommends a deficiency of \$500,000 in a General Fund appropriation for the Regulation of Election program. This appropriation is needed to fund additional costs due to the enactment of Chapter 406 of the Laws of 2005 related to implementation of HAVA activities including the creation of a statewide database for local campaign finance filings.

# OFFICE OF EMPLOYEE RELATIONS

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	3,559,000	4,020,000	461,000	13.0%
Special Revenue-Other	479,000	479,000	0	0.0%
Internal Service Fund	2,470,000	2,470,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>6,508,000</b>	<b>6,969,000</b>	<b>461,000</b>	<b>7.1%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	39	45	6
All Other Funds:	33	27	(6)
<b>TOTAL:</b>	<b>72</b>	<b>72</b>	<b>0</b>

### Agency Mission

(Executive Budget: pp. 383 - 385)

In accordance with the Public Employees' Fair Employment Act (the Taylor Law), the Office of Employee Relations (OER) represents the Governor in collective bargaining with public employee unions and directs the State's employee relations policies so that agencies and employees provide high quality, uninterrupted State government services.

The OER is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive recommends a State Fiscal Year (SFY) 2006-07 appropriation of \$6,969,000, representing an increase of \$461,000, or 7.1 percent, over SFY 2005-06 levels. The Executive proposes to maintain the 72 full-time equivalent (FTE) positions for the Office.

### **State Operations**

#### **Proposed Increases**

The Executive proposes to increase General Fund spending by a total of \$461,000 to accomplish the following:

- transfer FTEs to the General Fund from the Internal Service Fund within the Contract Negotiation Program; and
- maintain State Fiscal Year (SFY) 2005-06 funding levels for the Internal Service Fund to accommodate increases in salary and higher non-personal service costs due to inflation.

## EXECUTIVE CHAMBER

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	15,624,500	15,625,000	500	0.00%
Special Revenue-Other	100,000	100,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>15,724,500</b>	<b>15,725,000</b>	<b>500</b>	<b>0.00%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	158	158	0
<b>TOTAL:</b>	<b>158</b>	<b>158</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 387 - 388)

The Executive Chamber is the Office of the Governor and includes the immediate staff that assists him in developing Executive policies.

The Executive Chamber is included in the Public Protection and General Government appropriation bill.

#### Budget Detail

The Executive proposes All Funds appropriations of \$15,725,000 to support the activities of the Office of the Governor and the Office of the Lieutenant Governor. The requested appropriation reflects a net increase of \$500, or zero percent change in funding over the current State Fiscal Year (SFY) 2005-06 funding levels.

The Executive's recommendation reflects a workforce of 158 full-time equivalent (FTE) positions, representing no changes from the current level.

### **State Operations**

A General Fund appropriation of \$15,216,000 is recommended for the Office of the Governor, reflecting flat year-to-year funding level. There is an appropriation of \$100,000 to fund the Special Revenue Other (SRO) Community Relations Account to permit the use of private grants within the Office of Community Affairs. A General Fund appropriation of \$300,000 is provided for the activities under the Moreland Act.

## OFFICE OF GENERAL SERVICES

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	148,003,000	158,127,000	10,124,000	6.8%
Special Revenue-Other	18,910,000	16,246,000	(2,664,000)	-14.1%
Special Revenue-Federal	7,700,000	7,730,000	30,000	0.4%
Capital Projects Fund	96,250,000	97,000,000	750,000	0.8%
Capital Project Fund - Elk Street Garage - Authority Bonds	4,000,000	0	(4,000,000)	-100.0%
Capital Projects Fund - Advances	0	5,800,000	5,800,000	-
Capital Projects Fund - Authority Bonds	0	20,000,000	20,000,000	-
Internal Service Fund	225,413,000	267,274,000	41,861,000	18.6%
Enterprise	1,371,000	2,121,000	750,000	54.7%
Total for Agency:	501,647,000	574,298,000	72,651,000	14.5%
Total Contingency:	250,000	250,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>501,897,000</b>	<b>574,548,000</b>	<b>72,651,000</b>	<b>14.5%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	1,071	1,093	22
All Other Funds:	648	658	10
<b>TOTAL:</b>	<b>1,719</b>	<b>1,751</b>	<b>32</b>

#### Agency Mission

(Executive Budget: pp. 389 - 396)

The Office of General Services (OGS) supports the operations of State agencies by providing space planning and leasing; real property management and maintenance; centralized contracting for

commodities, printing and equipment maintenance services; employee and visitor parking management; and interagency mail and courier assistance. OGS also provides a number of smaller agencies with various centralized administrative and information processing services.

This agency is included in the Public Protection and General Government Budget Bill.

### **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget includes the following:

- a new \$93,000,000 appropriation to support the proposed Bulk Buying Power Initiative;
- a transfer of Homeland Security funding in order to fund increased security measures at the Empire State Plaza; and
- a long-term maintenance and repair program for State facilities.

### **Budget Detail**

The Executive proposes an All Funds increase of \$72,651,000 from SFY 2005-06 levels. This includes a net increase of \$50,101,000 in State Operations funding and a \$22,550,000 increase in Capital Funding. The agency currently employees 1,719 full-time equivalent (FTE) positions, there is a proposed increase of 32 FTE positions.

### **State Operations**

The Executive proposes a net increase of \$50,101,000 in State Operations Funding. The Agency total reflects an additional 32 additional positions to be added within SFY 2006-07 comprised of the following:

- 12 FTE positions are directly attributed to the Aggregate Buy/Procurement Program Staff; five are existing positions that will be moved from IT Procurement; five will be new procurement staff positions and the remaining two are additional councils for the Program;
- five FTE positions are anticipated in the Surplus Personal Property program; an increase in funding is not reflected in the Personnel Services increase; increased revenue from property sales will support these positions;
- three FTE positions are anticipated in the Centralized Services Program to support the ongoing bulk electricity purchase pilot and the proposed Bulk Power Initiative;
- five FTE positions are anticipated in the Centralized Services Program to include two energy and efficiency consultants, one employee for the Veterans Affairs, and two employees to assist small agencies with administrative needs;

- two FTE positions are anticipated in Building Administration Internal Services to provide increase building support and maintenance staff at Department of Labor (DOL) buildings. These positions are supported by federal funds received by DOL and billed back to OGS, therefore there is no funding provided; and
- five FTE positions are anticipated at the Alfred E. Smith building/Corning Tower. These positions would be Building Greeters relieving the State Police of non-security responsibilities.

### Proposed Increases

The Executive provides a \$12,409,000 increase above SFY 2005-06 levels in General Fund State Operations to including:

- \$4,191,000 in net adjustments to reflect the cost of continuing current programs, including salary and other fixed cost increases;
- \$3,553,000 for energy cost increases;
- \$2,285,000 in a transfer of Homeland Security funding to be used for enhanced security measures at the Empire State Plaza;
- \$680,000 in funding to support additional staff for the Aggregate Buy/Procurement Program;
- \$162,000 in funding to support additional staff for the Alfred E. Smith Building/Corning Tower Reception Services; and
- \$238,000 in funding to support centralized services for other State agencies, including energy consultation and a host of various administrative functions.

The Executive proposal also includes the following increases:

- \$109,106,000 in Nonpersonal Service funding attributed to cost associated with cost inflation including \$93,000,000 for the Bulk Power Initiative which would enable OGS in making consolidated energy purchase on behalf of other State agencies; and
- \$4,744,000 net increase in Personal Service funding attributed to annual salary increases and performance incentives.

## Proposed Decreases

- \$34,000 from State Operation funding, eliminating support for the Asset Preservation Account; and
- \$200,000 from State Operation funding, eliminating support for the preservation and maintenance of Cuba Lake.

## Capital Projects

The Executive has proposed \$80,800,000 in Capital Projects funding to support the following:

- \$26,000,000 for the Alterations and Improvements of the Capitol Building;
- \$12,600,000 for Design and Construction Supervision of State Facilities;
- \$11,000,000 for New Facilities Purposes, including funding for the African Burial Ground Memorial;
- \$10,700,000 for the Health and Safety of Existing Facilities;
- \$8,800,000 for the Preservation of Facilities;
- \$8,700,000 for Preventative Maintenance on State Facilities; and
- \$3,000,000 for Energy Conservation Purposes.

In addition, the Executive proposes \$42,000,000 in Capital Projects funding to support the following new projects:

- \$20,000,000 for Alternations and Improvements of the Empire State Plaza;
- \$10,000,000 for Harriman State Office Building;
- \$6,200,000 for rehabilitation of the Binghamton Governmental Complex and Garage; and
- \$5,800,000 for rehabilitation of the Binghamton Governmental Complex and Garage.

## Article VII

The Executive recommends Article VII legislation that would:

- authorize OGS to centrally purchase electricity and other commodities and services for use by State agencies, authorities and localities; and
- extend and amend the 1995 Procurement Stewardship Act.

## Deficiency Request

The Executive requests a deficiency appropriation of \$16,595,000 in order to fund energy cost increases.

# OFFICE OF HOMELAND SECURITY

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	8,590,000	8,849,000	259,000	3.0%
Special Revenue-Other	7,418,000	7,418,000	0	0.0%
Special Revenue-Federal	350,000,000	350,000,000	0	0.0%
Internal Service Fund	1,500,000	1,500,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>367,508,000</b>	<b>367,767,000</b>	<b>259,000</b>	<b>0.1%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	42	79	37
All Other Funds:	68	68	0
<b>TOTAL:</b>	<b>110</b>	<b>147</b>	<b>37</b>

### Agency Mission

(Executive Budget: pp. 397 - 400)

The State Office of Homeland Security (Office) is responsible for the development and implementation of a comprehensive statewide strategy to detect, protect against and respond to terrorist threats and events. The Office maintains strong ties with federal security-related agencies including the United States Department of Homeland Security. The Office is charged with assessing the vulnerability of critical assets, systems and material; assisting in policy development; the allocation of Federal homeland security and related funds; and detecting and preventing cyber events.

This agency's budget is located in the Public Protection and General Government bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget includes a \$350,000,000 appropriation to accept new federal homeland security grants.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$367,767,000, an increase of \$259,000 over SFY 2005-06 appropriation levels. A staff of 147 full-time equivalent (FTE) positions in SFY 2006-07 will be supported by the Office.

## **State Operations**

The Executive recommends an appropriation of \$17,767,000 for All Funds State Operations. General Fund support is recommended at \$8,849,000, an increase of \$259,000 over SFY 2005-06 levels. Recommended appropriations for Special Revenue-Other remain constant at \$7,418,000 and Internal Services Fund appropriations of \$1,500,000 remain unchanged.

### **Proposed Increases**

- The Executive proposes an additional \$259,000 to reflect the cost of continuing current programming, and to reflect salary and fixed cost increases.

## **Aid to Localities**

The Executive recommends a \$350,000,000 appropriation to accept Homeland Security Grant Program (HSGP) funds to be allocated by the federal Department of Homeland Security during Federal Fiscal Year (FFY) 2006. This appropriation remains unchanged from SFY 2005-06 levels.

In FFY 2006, the United States Department of Homeland Security will award \$2.5 billion in HSGP funds nationwide. As allocations have yet to be made, New York State's share of such funding is unknown at this time.

# OFFICE OF THE INSPECTOR GENERAL

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	4,606,000	4,779,000	173,000	3.8%
Special Revenue-Other	1,934,000	2,236,000	302,000	15.6%
<b>Total for AGENCY SUMMARY:</b>	<b>6,540,000</b>	<b>7,015,000</b>	<b>475,000</b>	<b>7.3%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	50	50	0
All Other Funds:	20	20	0
<b>TOTAL:</b>	<b>70</b>	<b>70</b>	<b>0</b>

### Agency Mission (Executive Budget: pp. 401 - 403)

The Office of the Inspector General is responsible for investigating instances of fraud, abuse, criminal activity, and corruption in State agencies.

This agency is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive recommends an All Funds appropriation in the amount of \$7,015,000 reflecting a \$475,000 increase or 7.26 percent change over State Fiscal Year (SFY) 2005-06 funding levels.

The Executive recommends no change to full-time equivalent (FTE) positions for this agency in State Fiscal Year (SFY) 2006-07.

### **State Operations**

#### **Proposed Increases**

- The State Operations General Fund appropriation of \$4,779,000 reflects a \$173,000 or 3.76 percent increase over SFY 2005-06 funding levels. This increase reflects the cost of continuing current programs, including salary and other fixed costs; and
- The Executive also recommends \$2,236,000 in Special Revenue-Other funding. This amount reflects an increase of \$302,000 or 15.62 percent over the SFY 2005-06 funding level which provides for the cost of continuing current programs, including salary and other fixed costs.

## NEW YORK INTEREST ON LAWYERS ACCOUNT

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	12,661,000	14,747,000	2,086,000	16.5%
<b>Total for AGENCY SUMMARY:</b>	<b>12,661,000</b>	<b>14,747,000</b>	<b>2,086,000</b>	<b>16.5%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
All Other Funds:	9	9	0
<b>TOTAL:</b>	<b>9</b>	<b>9</b>	<b>0</b>

#### **Agency Mission**

(Executive Budget: pp. 405 - 406)

The Interest on Lawyer Account (IOLA) Fund finances civil legal services for the indigent. Revenues are derived from the interest earned on small trust accounts in which attorneys hold certain funds for their clients. Banks transfer the interest earned on these IOLA escrow accounts to the Interest on Lawyer Account to fund grants to not-for-profit, tax-exempt entities providing civil legal services to the indigent, elderly, disabled, and others.

This agency is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive recommends a State Fiscal Year (SFY) 2006-07 appropriation of \$14,747,000, which is \$2,086,000, or 16.5 percent, above the State Fiscal Year 2005-06 appropriation. The Executive recommends no change to the 9 full-time equivalent (FTE) positions for IOLA.

### **State Operations**

#### **Proposed Increases**

- The Executive recommends increases in the administrative expenses of IOLA totaling \$86,000. This reflects salary increases and increases in non-personal service costs.

### **Aid to Localities**

#### **Proposed Increases**

- Due to anticipated higher interest rates, the Executive recommends increasing local assistance grants by \$2,000,000.

# TEMPORARY STATE COMMISSION OF INVESTIGATION

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	3,486,000	3,498,000	12,000	0.3%
Special Revenue-Other	192,000	287,000	95,000	49.5%
<b>Total for AGENCY SUMMARY:</b>	<b>3,678,000</b>	<b>3,785,000</b>	<b>107,000</b>	<b>2.9%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	31	31	0
<b>TOTAL:</b>	<b>31</b>	<b>31</b>	<b>0</b>

### Agency Mission

(Executive Budget: pp. 407 - 408)

The Temporary State Commission of Investigation is a bipartisan fact-finding agency which investigates and reports on organized crime, racketeering, the conduct of public officers, and other matters affecting public peace, safety and justice.

This agency is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive proposes an All Funds State Operations appropriation of \$3,785,000, reflecting an increase of \$107,000 or 2.91 percent over State Fiscal Year (SFY) 2005-06 funding levels. The Executive recommends no changes in full-time equivalent (FTE) funded positions from the current level.

### **State Operations**

#### **Proposed Increases**

- A General Fund appropriation of \$3,498,000 reflects a \$12,000 or 0.3 percent increase from SFY 2005-06. This net increase in reflects an adjustment to support the cost of continuing existing programs, including salary, inflation and other fixed cost increases; and
- a State Operations Special Revenue Fund-Other appropriation of \$287,000, which reflects a \$95,000 or 49.5 percent net increase from current year funding levels for the cost of continuing existing programs.

## JUDICIAL COMMISSIONS

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,769,000	2,933,000	164,000	5.9%
<b>Total for AGENCY SUMMARY:</b>	<b>2,769,000</b>	<b>2,933,000</b>	<b>164,000</b>	<b>5.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	28	28	0
<b>TOTAL:</b>	<b>28</b>	<b>28</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 409 - 411)

New York State's three Judicial Commissions play important roles in maintaining the integrity of the court system. The Commission on Judicial Nomination and the Governor's Judicial Screening Committees screen potential nominees for high-level judicial appointments by the Governor. The Commission on Judicial Conduct investigates and acts upon allegations of judicial misconduct.

The Commissions are included in the Public Protection and General Government bill.

#### Budget Detail

The Executive recommends a State Fiscal Year (SFY) 2006-07 appropriation of \$2,933,000, representing an increase of \$164,000, or 5.9 percent, over SFY 2005-06 levels. The number of full-time equivalent (FTE) positions is projected to remain at 28.

## State Operations

### Proposed Increases

- The Executive recommends a General Fund increase of \$164,000 based on salary increases and higher non-personal service costs related to supplies, travel, and equipment.

## DEPARTMENT OF LAW

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	124,678,000	124,678,000	0	0.0%
Special Revenue-Other	65,756,000	65,756,000	0	0.0%
Special Revenue-Federal	32,738,000	32,716,000	(22,000)	-0.1%
<b>Total for AGENCY SUMMARY:</b>	<b>223,172,000</b>	<b>223,150,000</b>	<b>(22,000)</b>	<b>-0.01%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	1,123	1,123	0
All Other Funds:	629	629	0
<b>TOTAL:</b>	<b>1,752</b>	<b>1,752</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 413 - 416)

The Department of Law (Department) provides legal counsel to the State and represents the State in many court proceedings. The Department protects State agencies and citizens through the investigation of organized and white-collar crime as well as Medicaid fraud. It also protects consumers from fraudulent business practices and brings civil and/or criminal actions against violators of anti-trust laws. The Department defends the public interest through protecting charitable donors and beneficiaries, enforcing laws that prohibit discrimination, and pursuing actions against violators of environmental law.

This agency is included in the Public Protection and General Government bill.

### **Programmatic Highlights**

- The State Fiscal Year (SFY) 2006-07 Executive Budget includes no increase in funding for the Department.

### **Budget Detail**

The Executive recommends a SFY 2006-07 All Funds appropriation of \$223,150,000, representing a .01 decrease from SFY 2005-06 spending levels. The Department will have a workforce of 1,752 full-time equivalent (FTE) positions in SFY 2006-07.

### **State Operations**

The Executive request provides \$124,678,000 in General Fund support, unchanged from SFY 2005-06 funding levels. Appropriations for Special Revenue Funds are proposed at \$65,756,000, also unchanged from SFY 2005-06.

Although the federal government has awarded the Department additional funding for the operations of the Medicaid Fraud Control Unit (MFCU), the Executive recommendation includes no increase in appropriation authority to support such funding. As a result, the Department will be unable to carry out a federal recommendation to hire additional medically-trained personnel to analyze questionable claims.

The Executive recommendation includes federal appropriations totaling \$32,716,000, representing a \$22,000 decrease from SFY 2005-06 funding levels.

### **Proposed Decreases**

- The Executive recommends a reduction in federal appropriations of \$22,000 to reflect a non-recurring money laundering grant.

## TEMPORARY STATE COMMISSION ON LOBBYING

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	1,474,000	2,348,000	874,000	59.3%
Special Revenue-Other	540,000	668,000	128,000	23.7%
<b>Total for AGENCY SUMMARY:</b>	<b>2,014,000</b>	<b>3,016,000</b>	<b>1,002,000</b>	<b>49.8%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	15	28	13
All Other Funds:	3	6	3
<b>TOTAL:</b>	<b>18</b>	<b>34</b>	<b>16</b>

#### Agency Mission

(Executive Budget: pp. 417 - 419)

The Temporary State Commission on Lobbying monitors, maintains, and publicly discloses the identities, activities, and expenditures of lobbyists in their efforts to influence the legislative process. The Commission also collects, maintains, and discloses the records of appearance before State regulatory agencies. It is empowered to hold hearings and may impose civil penalty fines on lobbyists for violations of the Lobbying Law.

This agency is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget includes a significant expansion of personnel to address the expanded oversight and responsibility for the enforcement and implementation of the Omnibus Lobbying Reform Act of 2005.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$3,016,000 for State Fiscal Year 2006-07, reflecting an increase of \$1,002,000 or 49.75 percent over the SFY 2005-06 funding level. Sixteen new full-time equivalent (FTE) positions are recommended to address the expanded oversight responsibility of the Commission to implement and enforce the Omnibus Lobbying Reform Act.

## **State Operations**

The Executive recommends a General Fund appropriation of \$2,348,000 for SFY 2006-07 representing a net increase of \$874,000 or 59.29 percent above the SFY 2005-06 funding level.

### **Proposed Increases**

- A \$984,000 increase in General Fund spending is proposed for the annualized cost of additional staff necessary for implementing the activities outlined in the Omnibus Lobbying Reform Act. This increase in funding will enable the agency to expand its services to lobbyists including:
  - streamlining electronic filings;
  - implementing an electronic check payment for filing fees;
  - providing ongoing training; and
  - advising lobbyists and State and Local officials on the specific aspects of the new law.
  
- The Executive also recommends an increase of \$128,000 in the Special Revenue Fund-Other appropriation reflecting the shift of three positions from the General Fund to this SRO.

### Proposed Decreases

- A \$110,000 decrease in General Fund appropriations is recommended reflecting the shift of three General Fund positions to Special Revenue Other.

### **Deficiency Request**

The Executive recommends \$500,000 to cover the costs of the following:

- Modification of the Commission's computer system to accept the submission of documents required as of January 2006;
- Production of a set of guidelines for use by lobbyists;
- Provision of training; and
- Development of a curriculum for training programs for lobbyists and State and local officials on the implementation of the new law.

## DIVISION OF MILITARY AND NAVAL AFFAIRS

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	68,230,000	22,269,000	(45,961,000)	-67.4%
Special Revenue-Other	11,720,000	12,597,000	877,000	7.5%
Special Revenue-Federal	44,272,000	56,988,000	12,716,000	28.7%
Capital Projects Fund	8,000,000	14,500,000	6,500,000	81.2%
Federal Capital Projects Fund	40,800,000	33,000,000	(7,800,000)	-19.1%
<b>Total for AGENCY SUMMARY:</b>	<b>173,022,000</b>	<b>139,354,000</b>	<b>(33,668,000)</b>	<b>-19.5%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	247	250	3
All Other Funds:	337	351	14
<b>TOTAL:</b>	<b>584</b>	<b>601</b>	<b>17</b>

#### Agency Mission

(Executive Budget: pp. 421 - 425)

The Division of Military and Naval Affairs (DMNA) supports a military force ready to respond to civil emergencies and natural disasters at the call of the Governor. National Guard troops are also available for national service at the call of the President. DMNA General Fund spending primarily covers the administration and operational expenses of the State's 58 armories and an estimated 15,700 New York based National Guard troops who are paid directly by the federal government. DMNA is also charged, through the State Emergency Management Office, with the coordination of the State's response to natural and man-made disasters.

This agency is included in the Public Protection and General Government appropriation bill.

## Budget Detail

The Executive recommends an All Funds appropriation of \$139,354,000, which reflects a net decrease of \$33,668,000 from State Fiscal Year (SFY) 2005-06 funding levels. This appropriation reflects an increase of \$13,477,000 in State Operations funding; a decrease of \$45,845,000 in Aid to Localities; and a decrease of \$1,300,000 in Capital Projects funding.

The Executive's SFY 2006-07 budget recommendation for DMNA assumes a workforce of 601 Full-Time Equivalent (FTE) positions, reflecting an increase of 17 FTE funded positions from the current level.

### State Operations

The Executive recommends overall funding of \$78,904,000 in State Operations, requesting an increase of \$13,477,000 over 2005-06.

#### Proposed Increases

The Governor proposes a General Fund appropriation of \$22,269,000 for SFY 2006-07, representing a net increase of \$1,651,000 including:

- \$1,612,000 reflecting the transfer of Homeland Security funding to the State Emergency Management Office (SEMO);
- \$309,000 reflecting adjustments associated with the cost of continuing current programs including salary and other fixed costs;
- \$130,000 reflecting the increased cost of energy needed to heat the armories; and
- \$50,000 for administration.

The Governor proposes an overall Special Revenue Funds–Federal appropriation of \$45,688,000, representing a net increase of \$12,561,000 including:

- \$11,026,000 for transfer of National Guard Air base Security operations to the State;
- \$625,000 for Army National Guard Store Front Recruiting leases;
- \$325,000 reflecting a federal requirement for Air Base Guard Resource Managers; and
- \$585,000 reflecting a net adjustment associated with the cost of continuing current programs including salary and other fixed costs.

The Governor also proposes Special Revenue Funds–Other appropriations of \$10,947,000, representing a net increase of \$877,000 or 8.71 percent for the cost of continuing current services including the Armory Rental and Disaster Emergency Preparedness Programs

#### Proposed Decreases

- \$450,000 General Fund decrease for a non-recurring appropriation for security boats.

#### **Aid to Localities**

The Executive recommends a \$1,650,000 Special Revenue Funds - Other appropriation representing no change from SFY 2005-06. Fees generated under the Radiological Emergency Preparedness Program are deposited into this Fund.

#### Proposed Increases

- \$155,000 in Special Revenue Funds – Federal for the cost of continuing current programs including salary and other fixed costs in the Emergency Management Program.

#### Proposed Decreases

- \$46,000,000 in General Fund appropriations for non-recurring Disaster Assistance Programs.

#### **Capital Projects**

The Executive recommends Capital Projects appropriations of \$47,500,000, reflecting a \$1,300,000 decrease in funding from SFY 2005-06. The appropriations provide State and federal support for a multi-year federal military construction plan which includes replacing or expanding armories and equipment maintenance facilities across the State, as well as various maintenance and rehabilitation projects.

#### **Article VII**

The Executive recommends Article VII legislation that would:

- extend the applicability of a Patriot Plan provision allowing for temporary suspension of public retirement system loan repayments while members are on active military duty; and
- authorize members of the New York National Guard who are activated by the federal government to subtract compensation received for their active duty from their adjusted gross income on their tax forms.

## Deficiency Request

The Executive recommends two deficiency appropriations which provide increases of:

- \$45,000,000 in 2005-06 General Fund appropriation authority (\$35,000,000 cash) for the Disaster Assistance Program. This funding will allow reimbursement to New York City and State agencies for Emergency Management Assistance Compact (EMAC) disaster assistance to Louisiana and Mississippi following Hurricane Katrina in late August, 2005. Cash reimbursement is expected to be received and deposited to the General Fund in SFY 2007-08; and
- \$1,067,000 in SFY 2005-06 General Fund appropriation for the Military Readiness Program to accommodate increased energy costs.

## DIVISION OF PAROLE

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	185,790,000	200,919,000	15,129,000	8.1%
Special Revenue-Other	825,000	825,000	0	0.0%
Special Revenue-Federal	500,000	500,000	0	0.0%
Internal Service Fund	9,250,000	9,250,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>196,365,000</b>	<b>211,494,000</b>	<b>15,129,000</b>	<b>7.7%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	2,069	2,029	(40)
<b>TOTAL:</b>	<b>2,069</b>	<b>2,029</b>	<b>(40)</b>

### Agency Mission

(Executive Budget: pp. 427 - 430)

The Division of Parole, which consists of the Board of Parole and its staff, is responsible for preparing inmates for release from prison and for the supervision of nearly 60,000 offenders who serve a term of community based supervision. Offenders are released from prison and placed under parole supervision by Parole Board action, conditional release, a presumptive release determination by the Department of Correctional Services or when determinately-sentenced inmates reach their maximum expiration date of sentence. Parole operations staff are located throughout the State's 70 correctional facilities and operate from 38 field offices.

This agency is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget includes the following:

- a \$3,000,000 appropriation to support a new offender re-entry initiative, providing vocational development, residential stabilization and relapse prevention programming;
- a reallocation of existing resources to support an intensified sex offender supervision caseload and regional teams to administer polygraphs to sexual offenders; and
- a \$6 increase in the per-diem reimbursement rate paid to localities for housing parole violators in local jails.

## **Budget Detail**

The Executive recommendation includes an All Funds appropriation of \$211,494,000, representing a \$15,129,000 or 7.7 percent increase from SFY 2005-06 levels. Recommended appropriations for the Division will support a workforce of 2,029 full-time equivalent (FTE) positions.

## **State Operations**

The Executive proposes All Funds—State Operations appropriations totaling \$158,348,000, a net increase of \$6,422,000 over SFY 2005-06 spending levels. The year-to-year change is attributable exclusively to an increase in General Fund expenses. Special Revenue—Other appropriations totaling \$825,000 and a \$500,000 appropriation made for the federal projects account remain at SFY 200-05-06 levels.

### **Proposed Increases**

In SFY 2006-07, The Executive proposes to reallocate \$1,900,000 and 38 FTE positions to support an intensified sex offender supervision program. The Executive contends that resources identified for reallocation are no longer necessary to supervise a declining parolee population.

In SFY 2006-07, the Executive proposes General Fund increases attributable the following:

- personal service costs adjustments resulting in \$2,176,000 in new costs;
- inflationary, fixed and travel cost increases requiring a \$1,591,000 increase;
- increases in field offices' rent/leases, requiring \$1,469,000 in additional funding;
- fuel and utility increases resulting in \$1,271,000 in increased expenses; and
- technology enhancement initiatives, including case management system improvements and teleconferencing, requiring \$1,215,000 in additional funding.

### Proposed Decreases

- The Executive proposal includes Article VII language which would eliminate the authorization for conditional release for locally-sentenced inmates. Following the 2005 expiration of a law which authorized Local Conditional Release Commissions to administer this program, this responsibility was reverted to the Division of Parole. Under the Executive proposal, conditional release will no longer be an option for inmates in local jails and the Division will avoid costs totaling \$2,150,000.
- The Executive also proposes the elimination of a total of 40 FTE positions through attrition. Included in this total are 20 FTEs which supported ACCESS, a program which provides assessments and referrals to treatment and 20 FTEs which performed clerical duties. Attrition of these positions are expected to result in \$1,300,000 in savings.

### Aid to Localities

The Executive includes All Funds Aid to Localities appropriations totaling \$53,146,000, a \$8,707,000 increase over SFY 2005-06 spending levels. This year-to-year increase is exclusively attributable to an increase in General Fund expenses. Internal Service appropriations supporting the Neighborhood Work Project remain at \$9,250,000, unchanged from SFY 2005-06.

### Proposed Increases

The Executive proposes to augment General Fund spending through the following actions:

- Appropriation language is provided which would increase the reimbursement rate paid for the housing of parole violators in local jails from \$34 to \$40; allowing the maximum reimbursement rate to meet 1988 reimbursement levels, as provided for in subdivision 3 of Section 259-i of the Executive Law. The Executive projects this increase will result in an additional \$4,516,000 in new spending.
- \$3,000,000 is proposed for the operation of a new not-for-profit consortium that will assist parolees in obtaining substance abuse treatment, housing and employment. This offender re-entry initiative will be jointly administered by Parole and the Office of Alcoholism and Substance Abuse (OASAS). The Executive includes an additional \$3,000,000 for this same purpose in the OASAS budget recommendation.
- \$1,191,000 is provided to accommodate increase costs associated with existing treatment contracts.

### Proposed Decreases

- eliminates \$900,000 in funding for the Center for Employment Opportunities, a not-for-profit entity which provides vocational and employment skills training to parolees.

### Article VII

The Executive recommends Article VII legislation that would eliminate the authorization for local conditional release (Part S).

## PROBATION AND CORRECTIONAL ALTERNATIVES, DIVISION OF

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	70,437,000	71,557,000	1,120,000	1.6%
<b>Total for AGENCY SUMMARY:</b>	<b>70,437,000</b>	<b>71,557,000</b>	<b>1,120,000</b>	<b>1.6%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	28	28	0
<b>TOTAL:</b>	<b>28</b>	<b>28</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 431 - 433)

The Division of Probation and Correctional Alternatives (DPCA) oversees county probation departments, providing them with training and technical assistance related to the supervision and treatment of offenders who are serving a term of community-based supervision.

The Division is included in the Public Protection and General Government appropriation bill.

#### Programmatic Highlights

The State Fiscal Year (SFY) 2006-07 Executive Budget includes a new appropriation of \$1,300,000 in new funding for county probation departments to provide intensive supervision of sexual offenders.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$71,557,000, representing a \$1,120,000 increase from SFY 2005-06 funding levels which supports a workforce of 28 full-time equivalent (FTE) positions.

### **State Operations**

The Executive proposes General Fund support for State Operations totaling \$1,954,000, a 3.5 percent increase from SFY 2005-06 funding levels.

#### **Proposed Increases**

- The Executive recommends an increase in General Fund support of \$66,000 to reflect the cost of continuing current programs and to provide for salary and fixed costs increases.

### **Aid to Localities**

The Executive proposes General Fund support in Aid to Localities totaling \$69,603,000, a 1.5 percent increase from SFY 2005-06 funding levels.

#### **Proposed Increases**

- The Executive recommends a new \$1,300,000 appropriation to be utilized by county probation departments in support of the intensive supervision of sexual offenders.

#### **Proposed Decreases**

- The Executive recommends a reduction in funding by \$246,000 for Alternatives To Incarceration (ATI) programs which provide alcohol and substance abuse treatment programs and services pursuant to Article 13-A of the Executive Law.

### **Article VII**

The Executive recommends Article VII legislation that would allow county probation departments to impose various fees on offenders.

## OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,440,000	2,513,000	73,000	3.0%
Special Revenue-Other	70,000	70,000	0	0.0%
Special Revenue-Federal	100,000	100,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>2,610,000</b>	<b>2,683,000</b>	<b>73,000</b>	<b>2.8%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	15	15	0
All Other Funds:	18	18	0
<b>TOTAL:</b>	<b>33</b>	<b>33</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 435 - 437)

The Office for the Prevention of Domestic Violence develops statewide policies to protect victims of domestic violence, and provides domestic violence training and information to judges, attorneys, law enforcement officers, and social services and health care providers.

The agency is included in the Public Protection and General Government appropriation bill.

### **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget continues funding for the Battering Prevention Program at the SFY 2005-06 level of \$210,000.

### **Budget Detail**

The Executive proposes a total All Funds appropriation for the Office of \$2,683,000, an increase of \$73,000, or 2.8 percent, to support a workforce of 33 full time equivalent (FTE) positions.

### **State Operations**

#### **Proposed Increases**

- The Executive proposes a State Operations General Fund appropriation of \$1,586,000, an increase of \$73,000, or 4.82 percent, which reflects an increase in personal service costs pursuant to collective bargaining agreements, as well as other fixed cost increases related to inflation.

### **Aid to Localities**

The Executive recommends level funding of \$927,000 in General Fund Aid to Localities. This represents continued funding of \$210,000 for the Battering Prevention Program for which base funding was restored by the Legislature in the current fiscal year; \$547,000 for support of the operation of the hotlines for victims of domestic violence; and \$170,000 for the Capital District domestic violence law clinic and the Western New York family violence clinic and regional resource center.

## DIVISION OF STATE POLICE

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	442,387,200	449,527,000	7,139,800	1.6%
Special Revenue-Other	179,064,800	178,426,000	(638,800)	-0.4%
Special Revenue-Federal	4,709,000	4,621,000	(88,000)	-1.9%
Misc. Capital Projects	0	1,500,000	1,500,000	-
Capital Projects Fund	3,500,000	6,200,000	2,700,000	77.1%
Capital Projects Fund - Authority Bonds	15,700,000	12,400,000	(3,300,000)	-21.0%
<b>Total for AGENCY SUMMARY:</b>	<b>645,361,000</b>	<b>652,674,000</b>	<b>7,313,000</b>	<b>1.1%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	5,129	5,361	232
All Other Funds:	600	616	16
<b>TOTAL:</b>	<b>5,729</b>	<b>5,977</b>	<b>248</b>

#### Agency Mission

(Executive Budget: pp. 443 - 446)

The Division of State Police is responsible for protecting the life and property of New Yorkers by patrolling the State's highways and performing specialty and investigative police services throughout the State. The Division is also involved in several initiatives designed to counter terrorist activities.

This agency is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget includes the following:

- deployment of 100 State Police Investigators to support an illegal gun trafficking initiative;
- new funding for expanded use of forensic DNA analysis to property crimes and other lower level crimes;
- a new State University of New York (SUNY) forensic DNA training academy;
- an expansion of the State Police Computer Crimes Unit; and
- capital appropriations to support the building of a new Troop L facility in Nassau County and to construct evidence storage facilities throughout the State.

## **Budget Detail**

The Executive recommendation includes an All Funds appropriation of \$652,674,000 representing a \$7,313,000 increase from SFY 2005-06 levels. Recommended appropriations for the Division will support a workforce of 5,977 full-time equivalent (FTE) positions in SFY 2006-07, a net increase of 248 FTE positions. The Executive proposal supports 4,884 sworn police officers.

## **State Operations**

The Executive proposes All Funds State Operations appropriations totaling \$632,574,000; a net increase of \$6,413,000 over SFY 2005-06 spending levels. Special Revenue—Other appropriations are proposed at \$178,426,000, a decrease of \$638,800. Appropriations made to support the expenditure of Federal funds are proposed at \$4,621,000, representing an \$88,000 decrease from SFY 2005-06 spending levels.

### **Proposed Increases**

The Executive recommendation includes the following increases in spending for SFY 2006-07:

- \$14,991,000 to support salary increases and other fixed costs; and
- \$8,310,000 to accommodate higher fuel costs.

The Executive Budget proposal also includes \$30,739,000 for the following new initiatives:

- \$16,000,000 to combat illegal gun trafficking and gun violence in New York State. This initiative calls for 100 new State Police Investigators to work in cooperation with Federal and local law enforcement agencies to remove illegal guns from communities with high incidences of gun violence and to reduce the illegal transport of guns from other states into New York;

- \$9,113,000 to expand the use of forensic DNA analysis to property crimes and to other lower level crimes. Specifically, \$5,913,000 is included to support 33 FTE positions to process an increased level of DNA samples collected at the scene of property crimes and lesser crimes. The remaining \$3,200,000 would accommodate an additional 18 FTE positions to analyze an increased number of DNA samples pursuant to Executive Order 5.143, which requires additional convicted offenders to submit DNA samples as a condition of participation in voluntary programming in the Department of Correctional Services (DOCS) release to parole, probation supervision or pursuant to plea agreements;
- \$3,126,000 to expand the Division's Computer Crime Unit, supporting 34 FTEs;
- \$2,000,000 to create a new forensic training program at SUNY at Albany, offering training and support to crime lab scientists throughout the State; and
- \$500,000 to provide security at the Alfred E. Smith Building in Albany, supporting 10 positions.

In addition to the FTE increases noted above, the Executive recommendation includes funding for 39 FTE positions at various Video Lottery Terminal (VLT) sites throughout the State, 6 FTE positions to support compliance with the recently-enacted methamphetamine enforcement statute pursuant to a Tribal-State compact and 24 FTE positions to support State Police presence at the Seneca Nation casino in Buffalo.

### Proposed Decreases

For SFY 2006-07, the Executive recommends the following reductions:

- \$44,700,000 to reflect non-recurring spending associated with a special pay bill which was incorporated in the SFY 2005-06 Budget.
- \$1,200,000 in funding that would support the continued employment of 16 "Special Troopers" who were assigned to security detail at the Capitol and Empire State Plaza.
- The Executive claims \$1,000,000 in savings from an Article VII provision which would adopt a universal "aggregate weight" standard in the measurement of illegal drugs.

### Capital Projects

The Executive proposes an All Funds Capital appropriation of \$20,100,000, representing a \$900,000 increase from SFY 2005-06 spending levels. Capital appropriations will support the following projects through bond proceeds:

- \$8,400,000 for the construction of new evidence storage facilities at five State Police Headquarters throughout the State; and
- \$4,000,000 will support the construction of a new Zone Headquarters on Long Island.

An additional \$7,700,000 in hard-dollar financing is provided to support the preservation and improvement of existing facilities.

## **Article VII**

The Executive recommends Article VII legislation that would:

- adopt a universal “aggregate weight” standard in the measurement of illegal drugs;
- extend the authorization to fund public safety efforts with the Motor Vehicle Law Enforcement fee;
- increase the Division’s cap on bond financing to \$52,100,000, a \$36,400,000 increase; and
- authorize the State Comptroller to deposit moneys from the sale of surplus State Police facilities into a new State Police miscellaneous capital projects account. Deposits into this new account would support future capital needs of the Division.

## OFFICE FOR TECHNOLOGY

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	21,953,000	23,095,000	1,142,000	5.2%
Capital Projects Fund	0	75,000,000	75,000,000	--
Internal Service Fund	249,000,000	256,500,000	7,500,000	3.0%
<b>Total for AGENCY SUMMARY:</b>	<b>270,953,000</b>	<b>354,595,000</b>	<b>83,642,000</b>	<b>30.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	127	135	8
All Other Funds:	594	594	0
<b>TOTAL:</b>	<b>721</b>	<b>729</b>	<b>8</b>

#### Agency Mission

(Executive Budget: pp. 447 - 449)

The Office for Technology (OFT) is responsible for the development of the State's technology resources and policies. The mission of the OFT is to provide centralized technology related programs to improve efficiency in New York State government.

The Office is included in the Public Protection and General Government appropriation bill.

## Programmatic Highlights

The State Fiscal Year (SFY) 2006-07 Executive Budget proposal includes a Capital appropriation for the lease-purchase or construction of a new Consolidated Data Center to house mainframe computers and servers in a single location.

## Budget Detail

The Executive recommends a SFY 2006-07 appropriation of \$354,595,000, compared to \$270,953,000 in SFY 2005-06, an increase of \$83,642,000, or 30.9 percent. The Executive proposes eight new full-time equivalent (FTE) positions, bringing the total to 729. The eight new FTEs would work on projects dealing with access management and server consolidation.

## State Operations

### Proposed Increases

The Executive proposes a net General Fund increase of \$1,142,000, based on the following:

- an increase of \$3.8 million for an Identity and Access Management project that includes the use of consultants and 5 FTE positions;
- an increase of \$1 million for a Server Consolidation project that includes the use of consultants and 3 FTE positions;
- an increase of \$850,000 to reflect salary and other fixed cost increases; and

The Executive also proposes a \$7.5 million increase in Internal Service Funds for new initiatives related to disaster recovery, storage capability, e-mail backup, and security.

### Proposed Decreases

The Executive proposes a General Fund decrease of \$4.5 million related to a raised floor project at Executive Park Plaza that ended in 2005.

## Capital Projects

The Executive provides \$75 million for the lease, purchase or new construction of a consolidated data center facility. The proposed funds could be used for property acquisition, studies, appraisals, surveys, testing, environmental impact statements, design, and construction. The cost of this proposal assumes an exemption from Wicks Law provisions.

## DIVISION OF VETERANS' AFFAIRS

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	12,342,000	12,560,000	218,000	1.8%
Special Revenue-Federal	2,275,000	2,300,000	25,000	1.1%
<b>Total for AGENCY SUMMARY:</b>	<b>14,617,000</b>	<b>14,860,000</b>	<b>243,000</b>	<b>1.7%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	101	100	(1)
All Other Funds:	12	12	0
<b>TOTAL:</b>	<b>113</b>	<b>112</b>	<b>(1)</b>

#### Agency Mission

(Executive Budget: pp. 451 - 454)

The Division of Veterans' Affairs (DVA) assists, counsels and advocates for veterans, military personnel and their families. DVA coordinates with other State agencies as well as the federal government on programs affecting veterans. The Division serves more than 1,100,000 New Yorkers who are veterans, including their dependents and those on active duty. The DVA's central office is located in Albany, with regional offices in New York City and Buffalo.

This agency is included in the Public Protection and General Government appropriation bill.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$14,860,000 reflecting a net increase of \$243,000 over State Fiscal Year (SFY) 2005-06 funding levels.

One full-time equivalent (FTE) position is eliminated bringing the total FTE positions in the agency to 112.

### **State Operations**

#### **Proposed Increases**

The Executive proposes \$8,530,000 for State Operations in SFY 2006-07, which reflects a net increase of \$43,000 or .51 percent over the current year funding level. This increase is attributable to the following:

- an increase of \$65,000 in General Fund spending reflecting a non-personal services funding adjustment, including cable internet for counseling offices; and
- an increase of \$25,000 in Special Revenue – Federal Funds for the Veteran's Education Program reflecting the cost of continuing current programs.

#### **Proposed Decreases**

- The Executive proposes a net personal service decrease of \$47,000 reflecting the transfer of one FTE funded position to the Office of General Services for hosted services.

### **Aid to Localities**

#### **Proposed Increases**

- The Executive proposes overall funding of \$6,330,000 which is an increase of \$200,000 or 3.26 percent over SFY 2005-06 funding levels. As a result, funding for the Blind Veteran Annuity Assistance program would increase to \$5,200,000 in 2006-07.

## WORKERS' COMPENSATION BOARD

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	184,196,600	190,046,000	5,849,400	3.2%
<b>Total for AGENCY SUMMARY:</b>	<b>184,196,600</b>	<b>190,046,000</b>	<b>5,849,400</b>	<b>3.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
All Other Funds:	1,539	1,539	0
<b>TOTAL:</b>	<b>1,539</b>	<b>1,539</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 455 - 457)

The Workers' Compensation Board is responsible for safeguarding the well-being of New York's labor force. The Board reviews claims for workers' compensation benefits, reports of injuries filed by employers and medical reports from physicians and other health care providers. The Board also investigates fraudulent claims and assists in resolving disputed claims.

The Board is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2006-07 Executive Budget includes a proposal to reform the Workers' Compensation system. Highlights of the proposal include a benefit increase from \$400 to \$500 per week over four years and a tiered benefit level for permanent partial disability.

## **Budget Detail**

### **State Operations**

The Governor recommends an All Funds-State Operations appropriation of \$190,046,000, an increase of 3.2 percent compared to the SFY 2005-06 \$184,196,000 appropriation. The Executive recommends no change to the 1539 full-time equivalent positions currently in the workforce of the Board.

### **Proposed Increases**

- The Executive proposal reflects a \$5,849,000 increase for salary and nonpersonal service.

### **Article VII**

The Executive recommends Article VII legislation that would make various reforms to the Workers' Compensation system. The proposal includes a benefit increase from \$400 to \$500 per week over four years and a tiered benefit level for permanent partial disability. The proposal is anticipated to result in cumulative savings of \$653.2 million.

## GENERAL STATE CHARGES

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,779,769,225	3,010,409,000	230,639,775	8.3%
<b>Total for AGENCY SUMMARY:</b>	<b>2,779,769,225</b>	<b>3,010,409,000</b>	<b>230,639,775</b>	<b>8.3%</b>

### Agency Mission

(Executive Budget: pp. 466 - 468)

General State Charges are primarily the costs of providing those fringe benefits to most State employees which are authorized in collective bargaining agreements and various statutes. The General State Charges budget also includes miscellaneous fixed costs such as litigation settlements and taxes on State-owned lands.

The General State Charges budget is included in the Public Protection and General Government appropriation bill.

### Programmatic Highlights

The State Fiscal Year (SFY) 2006-07 Executive Budget includes the following:

- a targeted retirement incentive for certain local public employees and Executive-branch State employees;
- full funding for pension obligations; and
- a health insurance appropriation of \$1.78 billion, based on an 8.6 percent increase in premiums.

## Budget Detail

The Executive proposes a SFY 2006-07 appropriation of \$3,010,409,000, compared to \$2,779,769,225 in SFY 2005-06, an increase of \$230,639,775 or 8.3 percent.

### State Operations

#### Proposed Increases

The Executive proposes the following increases:

- \$112,700,000 for pension costs which includes full funding for the upcoming pension obligations;
- \$115,800,000 for health insurance costs, representing an increase in premiums of 8.6 percent;
- \$31,200,000 for Social Security payments based on the expectation of higher payroll costs; and
- \$8,700,000 for taxes on State-owned lands due to property tax increases and the continued State acquisition of public lands, offset by savings related to a proposal to contain the taxes on and prevent inequitable assessments of State-owned lands.

#### Proposed Decreases

The Executive proposes the following decreases:

- \$16,100,000 of which \$7,000,000 is attributable to a proposed change in the interest rate paid on court judgments and \$9,100,000 is attributable to a base level adjustment; and
- \$4,000,000 for State payments of Workers' Compensation benefits to the State Insurance Fund based on the expectation that claims will be lower.

### Article VII

The Executive recommends Article VII legislation that would:

- provide a targeted, optional retirement incentive program for certain local public employees and Executive branch State employees;
- change the interest rate paid by the State and other governmental jurisdictions in court judgments from a fixed nine percent to a variable market-based index;

- establish a State Task force on Pension Reform to examine alternative benefit designs and funding methodologies;
- authorize interest earnings on the Health Insurance Fund to be used as a credit to offset costs for State and local government public employees and retirees;
- make permanent the provision to allow the Department of Civil Service to make payments from the Health Insurance Fund for premium and subscription payments without an appropriation;
- permit appointments of up to five years for certain information technology employees;
- contain the taxes on and prevent inequitable assessments of State-owned lands by creating one standard whereby localities can only increase the assessed value of State-owned lands as part of a locality-wide assessment; and
- amend the payments-in-lieu-of-taxes (PILOT) payment to the City of Albany for the Empire State Plaza by providing an additional \$6 million in SFY 2006-07 and revising the schedule in the future years to provide increased funding overall.

## MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT

	Adjusted Appropriation 2005-06	Executive Request 2006-07	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	3,699,402,580	3,653,534,360	(45,868,220)	-1.2%
Special Revenue-Other	35,942,000	32,893,000	(3,049,000)	-8.5%
Special Revenue-Federal	1,050,000,000	1,050,000,000	0	0.0%
Federal Capital Projects Fund	0	265,000,000	265,000,000	-
Fiduciary	28,970,700,000	31,571,200,000	2,600,500,000	9.0%
Emergency	232,199,000	182,685,000	(49,514,000)	-21.3%
<b>Total for AGENCY SUMMARY:</b>	<b>33,988,243,580</b>	<b>36,755,312,360</b>	<b>2,767,068,780</b>	<b>8.1%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2005-06	Requested 2006-07	Change
General Fund:	53	53	0
All Other Funds:	66	66	0
<b>TOTAL:</b>	<b>119</b>	<b>119</b>	<b>0</b>

### Programmatic Highlights (Executive Budget: pp. 461 - 486)

#### **Aid and Incentives for Municipalities (AIM) Program**

The Executive recommends \$1,144,701,000 in General Fund appropriations for the AIM Program. This represents an increase of \$72,249,600 from State Fiscal Year (SFY) 2005-06.

## Budget Detail

### State Operations

#### Proposed Increases

##### **Homeland Security**

The Executive recommends \$65,639,000 in All Funds appropriations in SFY 2006-07 for payments related to security measures implemented to prevent, deter or respond to acts of domestic terrorism. This represents a decrease of \$12,468,000 from SFY 2005-06 funding levels. The Executive recommends \$79,396,000 in reappropriations for this purpose; with \$4,500,000 allocated to allow the New York State Preparedness Training Center in Oneida County to become operational during SFY 2006-07.

The Executive recommends a \$75,000,000 Contingency appropriation for payments related to security measures implemented in response to heightened security threat alerts or domestic terrorism incidents.

##### **Reserve for Federal Audit Disallowances**

The Executive recommends a General Fund State Operations appropriation of \$100,000 for transfer by the director of the budget to the local assistance account of the general fund or the state purposes account of the general fund to supplement appropriations for services and expenses of any state department or agency to provide such agency with spending authority necessary to replace anticipated revenue denied such agency and department as a result of federal audit disallowances which reduce available grant awards.

##### **Transition of Government**

The Executive recommends a General Fund State Operations Maintenance Undistributed appropriation of \$500,000 to cover anticipated personal service and non personal service costs related to the efficient and effective transition of government.

##### **Health Insurance Contingency Reserve**

The Executive proposes a General Fund State appropriation of \$522,977,000, an increase of \$48,672,000 over SFY 2005-06.

## Proposed Decreases

### **Statewide Wireless Network**

The Executive recommends a Special Revenue—Other appropriation of \$25,549,000, representing a \$2,251,000 decrease from SFY 2005-06 funding levels. This appropriation, along with \$14,000,000 in reappropriation authority will support costs associated with the design, construction, operation, maintenance and administration of the Statewide Wireless Network (SWN). A workforce consisting of 45 full-time equivalent positions is dedicated to the SWN project.

### **Automated External Defibrillators**

The Executive has eliminated funding for automated external defibrillators, reflecting a reduction of \$45,000,000 from SFY 2005-06 levels.

### **Workers Compensation Reserve**

The Executive proposes an appropriation of \$25,126,000, a decrease of \$3,922,000 from SFY 2005-06.

### **Commission on Public Authority Reform**

The Executive recommends a Special Revenue Funds – Other appropriation of \$150,000 to cover anticipated expenses of the Commission including, but not limited to development of a report on public authority governance. This represents a \$850,000 decrease from SFY 2005-06.

## Aid to Localities

### Proposed Increases

#### **Aid and Incentives for Municipalities (AIM) Program**

- The Executive recommends an increase of \$48,100,000 for all 61 cities outside of New York City. The increases will vary from 3.25 percent to 11 percent of each city's SFY 2005-06 base funding, with the size of the increase based upon per capita property value segmentation. For all 61 cities, these increases will be contingent on their own cost and tax containment.
- The Executive recommends an increase of \$1,900,000 for all towns and villages. These increases represent 3.25 percent of each town and village's SFY 2005-06 base funding, provided however, that no town or village shall receive an increase of less than \$100.

- The Executive recommends an increase of \$22,249,600 for the Shared Municipal Services Incentive Award program, a grant pool funded and managed by the Department of State (DOS) to fund cooperative service efforts by multiple municipalities, including school districts, counties, and special purpose districts, but excluding New York City. Of this appropriation, a total of \$1,300,000 is suballocated with \$1,180,000 suballocated to DOS for administrative expenses.

### **Efficiency Incentive Grants**

The Executive recommends a General Fund appropriation of \$20,000,000 for the Erie County Fiscal Stability Authority (EFSA) and the Buffalo Fiscal Stability Authority (BFSA) pursuant to Chapter 182 of the Laws of 2005. Under this appropriation, EFSA and BFSA would receive \$18,000,000 and \$2,000,000 respectively.

### **Municipal Assistance Tax Fund**

The Executive recommends a Fiduciary Fund appropriation of \$17.8 billion for the Municipal Assistance Corporations (MAC's) of New York City and Troy pursuant to Section 92-d of the State Finance Law. This represents an increase of \$1.6 billion from SFY 2005-06 related to additional sales tax revenue and increased activity in the financial markets.

### **Nassau County Interim Finance Authority**

The Executive recommends a decrease of \$7,500,000 in Nassau County Interim Finance Authority Transitional State Aid through the scheduled end of the program.

### **Stock Transfer Tax Fund**

The Executive recommends a Fiduciary Fund appropriation of \$13.0 billion for the Municipal Assistance Corporation of New York City pursuant to Section 92-i of the State Finance Law. This represents an increase of \$1.0 billion from SFY 2005-06 related to increased activity in the financial markets.

### Proposed Decreases

#### **Yonkers Settlement**

The Executive recommends a General Fund appropriation of \$20,000,000. This represents a decrease of \$25,000,000 from SFY 2005-06.

## Capital Projects

### **World Trade Center**

The Executive proposes a new capital appropriation of \$265,000,000 to support additional highway funds provided to the State following the terrorist attacks of September 11, 2001. This appropriation will supplement a proposed reappropriation in the amount of \$257,648,000 to assist in the rebuilding of New York Route 9-A, the West Side Highway.

## Article VII

### **Aid and Incentives for Municipalities (AIM) Program**

The Executive proposes to amend the State Finance Law by repealing Sections 54 and 54-c and adding a new Section 54. For State Fiscal Year (SFY) 2006-07, all cities outside of New York City would be eligible for additional aid based on relative property values and compliance with fiscal performance requirements (property tax relief, submission of three year financial plans, and cost efficiencies). For cities with populations under 125,000, additional aid eligibility would be based on their full (taxable) value per capita relative to the average for all such cities. The additional aid would be derived as one of three set percentages of the base level funding for each municipality. All towns and villages would be eligible for additional aid as well. The additional apportionments would be distributed as follows:

- cities with a population greater than 125,000 would be eligible for a SFY 2006-07 increase of 11 percent;
- cities with a population under 125,000 and a full value per capita under 75 percent of the average for such cities, would be eligible for a SFY 2006-07 increase of 11 percent;
- cities with a population under 125,000 and a full value per capita between 75 percent and 125 percent of the average for such cities would be eligible for a SFY 2006-07 increase of 6.5 percent;
- cities with a population under 125,000 and a full value per capita at or greater than 125 percent of the average for such cities would be eligible for a SFY 2006-07 increase of 3.25 percent; and
- towns and villages would be eligible for a SFY 2006-07 increase of 3.25 percent.

This legislation would make the AIM program permanent. Beginning in SFY 2007-08, local aid would shift to a primarily performance based (rather than unrestricted) basis. Under next year's format all municipalities outside of New York City would each year receive an automatic 2.5 percent increase. However, those cities that were eligible for SFY 2006-07 additional apportionments of 11 percent or 6.5 percent would be eligible for fiscal performance awards of

7.5 percent or 5 percent respectively. To receive fiscal performance awards eligible cities would have to submit fiscal performance reports documenting that the city has:

- limited spending growth to the lesser of 120 percent of the Consumer Price Index or 4 percent;
- implemented cost saving efficiencies; and
- offered health benefits equal to or less than the State's per employee benefits.

This legislation also expands the Shared Municipal Services Incentive Award programs, under which the Secretary of State may award competitive grants to cover feasibility studies, capital improvements, and consultant or legal services related to municipal consolidations, dissolutions, cooperative agreements, and shared services. New competitive grant pools within the Program offer incentives related to shared highway services, local employee health benefit cost containment, countywide shared service initiatives, and initial costs of local mergers and consolidations.

### **Mandate Relief and Local Financial Flexibility**

The Governor's proposals would:

- make ability to pay the primary consideration in arbitration awards;
- repeal multiple bidding requirements at all levels on government and public authority construction contracts;
- authorize offsetting of judgment awards with past and future collateral source compensation;
- establish a market based method of interest calculation in court judgments;
- confer Court of Claims jurisdiction on certain local government matters;
- authorize and clarify statutes for inter-municipal agreements on consolidated services and shared revenues, as well as remove residency requirements;
- authorize local governments to consider best value in lieu of lowest bid for procurement; and
- authorize local governments to piggyback onto Federal information technology contracts.

## **Local Government Mergers and Consolidations**

The Executive proposes to amend the General Municipal Law by adding a new Article 17-A. This legislation establishes a procedure for locally initiated mergers between any adjoining categories of municipality other than New York City. Each participating municipality must adopt a plan of merger specifying the municipal class and name of the new entity; the disposition of assets, departments, and employees of the constituent municipalities; and a plan for the payment of outstanding obligations and the levying of taxes and assessments. Such plans must be approved by electors in each constituent municipality.