

# **PUBLIC PROTECTION & GENERAL GOVERNMENT**

**Summary of Recommended Appropriations  
By Agency**

# DIVISION OF ALCOHOLIC BEVERAGE CONTROL

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
Special Revenue-Other	13,856,000	14,929,000	14,929,000	0
<b>Total for STATE OPERATIONS</b>	<b>13,856,000</b>	<b>14,929,000</b>	<b>14,929,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# DEPARTMENT OF AUDIT AND CONTROL

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	127,142,000	127,142,000	130,042,000	2,900,000
Special Revenue-Other	5,544,000	5,838,000	5,838,000	0
Internal Service Fund	3,362,900	3,487,000	3,487,000	0
Total for Agency	136,048,900	136,467,000	139,367,000	2,900,000
Total Contingency	78,856,200	83,085,000	83,085,000	0
<b>Total for STATE OPERATIONS</b>	<b>214,905,100</b>	<b>219,552,000</b>	<b>222,452,000</b>	<b>2,900,000</b>
<b>AID TO LOCALITIES</b>				
General Fund	39,824,000	37,325,000	37,325,000	0
Special Revenue-Other	52,000,000	37,000,000	37,000,000	0
<b>Total for AID TO LOCALITIES</b>	<b>91,824,000</b>	<b>74,325,000</b>	<b>74,325,000</b>	<b>0</b>

## LEGISLATIVE ACTION

The Legislature modifies the Executive's budget recommendation by adding \$2,900,000 in funding for audits of school districts, boards of cooperative educational services and charter schools pursuant to a chapter of the laws of 2005.

### Legislative Additions

The Legislature adds \$2,900,000 for services and expenses associated with school districts, boards of cooperative educational services and charter school audits pursuant to a chapter of the laws of 2005.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SCHOOL AUDITS	\$2,900,000

# PUBLIC EMPLOYMENT RELATIONS BOARD

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	3,509,000	0	3,694,000	3,694,000
Special Revenue-Other	257,000	0	257,000	257,000
<b>Total for STATE OPERATIONS</b>	<b>3,766,000</b>	<b>0</b>	<b>3,951,000</b>	<b>3,951,000</b>

## LEGISLATIVE ACTION

The Legislature restores the appropriation for the Public Employment Relations Board (PERB) at a level of \$3,951,000, an increase of \$185,000 over the State Fiscal Year (SFY) 2004-05 appropriation. The appropriation increase is attributable to negotiated pay agreements.

### Article VII

The Legislature rejects the Executive proposal to merge PERB and the State Employment Relations Board (SERB) into a newly created State Labor Relations Board (SLRB).

The Legislature rejects the Executive proposal to establish a filing fee and information requirement on employee organizations and public employers.

The Legislature rejects the Executive proposal to make the financial ability of the public employer to pay the primary factor that an arbitration panel uses in arriving at determinations in disputes instead of one of several factors as it is under current law.

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
DENIAL OF MERGING PERB INTO AN EXECUTIVE PROPOSED "SLRB"	\$3,694,000
DENIAL OF MERGING PERB INTO AN EXECUTIVE PROPOSED "SLRB"	\$257,000

## DIVISION OF THE BUDGET

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	36,360,000	33,470,000	33,470,000	0
Special Revenue-Other	19,460,000	25,704,000	25,704,000	0
Internal Service Fund	1,550,000	1,650,000	1,650,000	0
<b>Total for STATE OPERATIONS</b>	<b>57,370,000</b>	<b>60,824,000</b>	<b>60,824,000</b>	<b>0</b>

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### LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# CAPITAL DEFENDER OFFICE

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	12,825,000	12,277,000	18,415,500	6,138,500
<b>Total for STATE OPERATIONS</b>	<b>12,825,000</b>	<b>12,277,000</b>	<b>18,415,500</b>	<b>6,138,500</b>

## LEGISLATIVE ACTION

The Legislature provides \$18,415,000 on an All Funds basis, an increase of \$6,138,500 over the Executive budget submission.

### Legislative Changes

The Legislature augments the Executive proposal for the Capital Defender Office (CDO) by \$6,138,500 to allow for the CDO to spend a full 50 percent of appropriations originally proposed in the Executive budget in the event that a chapter to reestablish the death penalty is not enacted by June 30, 2005. As a result of the an Executive veto of this appropriation, the CDO may only spend "up to" 30 percent of available appropriations if a death penalty statute is not reenacted by June 30, 2005 (line veto #1; Chapter 50 of the Laws of 2005, line 20 through line 27, inclusive).

Since the Executive proposed no year-to-year change in State support for capital prosecution in the Division of Criminal Justice Services (DCJS), the Legislature provided an appropriation to reduce the capital prosecution appropriation by 50 percent if a chapter to reestablish the death penalty is not enacted by June 30, 2005. This contingent appropriation was also vetoed (see DCJS narrative).

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION	VETO#
TO ALLOW FOR THE CDO TO ACCESS ONE-HALF OF FUNDING PROPOSED IN THE EXECUTIVE BUDGET.	\$6,138,500	1

# DEPARTMENT OF CIVIL SERVICE

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	22,995,000	26,455,000	26,455,000	0
Special Revenue-Other	1,400,000	1,400,000	1,400,000	0
Internal Service Fund	27,621,500	28,706,000	28,706,000	0
Total for Agency	52,016,500	56,561,000	56,561,000	0
Total Contingency	6,500,000	6,500,000	6,500,000	0
<b>Total for STATE OPERATIONS</b>	<b>58,516,500</b>	<b>63,061,000</b>	<b>63,061,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# STATE CONSUMER PROTECTION BOARD

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	386,000	0	0	0
Special Revenue-Other	3,120,000	3,792,000	3,792,000	0
<b>Total for STATE OPERATIONS</b>	<b>3,506,000</b>	<b>3,792,000</b>	<b>3,792,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

### Article VII

The Legislature rejects the Executive's Article VII proposal to increase the maximum civil penalty for engaging in unfair and deceptive business practices from \$500 to \$5,000.

# COMMISSION OF CORRECTION

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	2,517,000	2,577,000	2,577,000	0
<b>Total for STATE OPERATIONS</b>	<b>2,517,000</b>	<b>2,577,000</b>	<b>2,577,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# DEPARTMENT OF CORRECTIONAL SERVICES

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	2,009,939,000	2,067,345,000	2,089,745,000	22,400,000
Special Revenue-Other	16,000,000	3,000,000	3,000,000	0
Special Revenue-Federal	37,087,600	36,600,000	36,600,000	0
Internal Service Fund	72,771,300	75,011,000	75,011,000	0
Enterprise	65,650,700	58,957,000	58,957,000	0
<b>Total for STATE OPERATIONS</b>	<b>2,201,448,600</b>	<b>2,240,913,000</b>	<b>2,263,313,000</b>	<b>22,400,000</b>
<b>AID TO LOCALITIES</b>				
General Fund	11,400,000	8,000,000	8,000,000	0
<b>Total for AID TO LOCALITIES</b>	<b>11,400,000</b>	<b>8,000,000</b>	<b>8,000,000</b>	<b>0</b>
<b>CAPITAL PROJECTS</b>				
Correctional Facilities Capital Improvement Fund	205,107,000	205,000,000	205,000,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>205,107,000</b>	<b>205,000,000</b>	<b>205,000,000</b>	<b>0</b>

## LEGISLATIVE ACTION

The Legislature provides \$2,263,313,000 on an All Funds basis, an increase of \$22,400,000 over the Executive budget submission.

### Legislative Changes

The Legislature provides additional appropriations of \$22,400,000 to deny the Executive's prison closure proposals and provides funding for the continued operation of the following correctional facilities throughout State Fiscal Year (SFY) 2005-06:

- Groveland Annex Correctional Facility;
- Greene Correctional Facility Special Housing Unit (SHU);
- Camp Pharsalia Correctional Facility;
- Camp McGregor Correctional Facility;
- Fulton Correctional Facility; and
- Watertown Correctional Facility SHU.

### Article VII

The Legislature accepts an Article VII proposal to compensate State employees and victims who were killed or injured during the 1971 inmate uprising at the Attica Correctional Facility.

The Legislature amends the Correction Law to direct the Commissioner of the Department of Correctional Services to provide an annual report containing an array of detailed information related to the staffing of correctional facilities.

The Legislature includes language that would require one year notice prior to closure of any correctional facility, annex or special housing unit and requires the Department to undertake certain actions prior to such closure pursuant to an adaptive reuse plan.

### **Legislative Additions**

The Legislature provides funding for the following:

<b>PROGRAM</b>	<b>APPROPRIATION</b>
DENIAL OF CLOSURE - CAMP PHARSALIA	\$7,000,000
DENIAL OF CLOSURE - FULTON CORRECTIONAL FACILITY (BRONX)	\$6,700,000
DENIAL OF CLOSURE - CAMP MCGREGOR	\$6,000,000
DENIAL OF CLOSURE - GROVELAND ANNEX	\$1,800,000
DENIAL OF CLOSURE - GREENE SPECIAL HOUSING UNIT	\$500,000
DENIAL OF CLOSURE - WATERTOWN SPECIAL HOUSING UNIT	\$400,000

# CRIME VICTIMS BOARD

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	3,056,000	3,332,000	3,332,000	0
Special Revenue-Other	857,000	927,000	927,000	0
Special Revenue-Federal	1,925,000	1,925,000	1,925,000	0
<b>Total for STATE OPERATIONS</b>	<b>5,838,000</b>	<b>6,184,000</b>	<b>6,184,000</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
Special Revenue-Other	26,623,000	31,091,000	31,091,000	0
Special Revenue-Federal	36,523,000	36,523,000	36,523,000	0
<b>Total for AID TO LOCALITIES</b>	<b>63,146,000</b>	<b>67,614,000</b>	<b>67,614,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

## DIVISION OF CRIMINAL JUSTICE SERVICES

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	44,046,000	45,499,000	40,611,000	(4,888,000)
Special Revenue-Other	10,658,200	10,650,000	10,650,000	0
Special Revenue-Federal	275,465,000	90,310,000	90,310,000	0
<b>Total for STATE OPERATIONS</b>	<b>330,169,200</b>	<b>146,459,000</b>	<b>141,571,000</b>	<b>(4,888,000)</b>
<b>AID TO LOCALITIES</b>				
General Fund	113,744,000	127,644,000	63,435,000	(64,209,000)
Special Revenue-Other	16,100,000	17,900,000	25,700,000	7,800,000
Special Revenue-Federal	144,298,000	58,050,000	58,050,000	0
<b>Total for AID TO LOCALITIES</b>	<b>274,142,000</b>	<b>203,594,000</b>	<b>147,185,000</b>	<b>(56,409,000)</b>

### LEGISLATIVE ACTION

The Legislature provides \$288,756,000 on an All Funds basis, a decrease of \$61,297,000 from the Executive budget submission.

#### Legislative Reductions

The Legislature denies an Executive proposal to merge the Department of Probation and Correctional Alternatives (DPCA) into the Division of Criminal Justice Services (DCJS). As a result, the Executive recommendation for General Fund spending in DCJS is reduced by \$70,191,000.

In addition, spending in DCJS is reduced by \$3,800,000 to deny an Executive proposal to use General Fund support to fund Alternatives to Incarceration (ATI) programs for eligible public assistance recipients. Instead, the Legislature provides \$4,000,000 in Federal Temporary Assistance for Needy Families (TANF) funds to support this initiative under the Office of Temporary and Disability Assistance (OTDA).

The Legislature denies a \$3,000,000 appropriation following a rejection of an Executive Article VII proposal to implement a system of automated photo-monitoring in highway work zones and "dangerous stretches of highway" to reduce speeding. A proposal to authorize localities to employ red light cameras and to increase the number of cameras in the New York City red light camera program is rejected as well.

The Legislature also made an appropriation for capital prosecution contingent upon enactment of a chapter which reestablishes the death penalty. Under the Legislative proposal, if no chapter to reestablish the death penalty was reenacted by June 30, 2005, no more than 50 percent of the Executive-proposed appropriations for capital prosecution may have been utilized. This provision was subsequently vetoed (line veto #2; Chapter 50 of the Laws of 2005, page 55 line 49 through bill page 56 line 4).

## Legislative Changes

The Legislature augments the Executive proposal by providing for an additional \$7,894,000 in General Fund support for local criminal justice initiatives (Westchester County Policing: \$2,600,000; Indigent Parolee Representation Program: \$580,000; New York Prosecutors Training Institute: \$134,000; The Lifespan Elder Abuse Program: \$100,000; Education Assistance Corporation: \$500,000; Erie County District Attorney Comprehensive Assault Abuse Rape Program: \$75,000; Monroe County Forensic Crime Laboratory: \$200,000; Onondaga County District Attorney Witness Protection Program: \$50,000; Onondaga County District Attorney Information Technology Case Management and Regional Police Information Sharing: \$184,000; Manhattan District Attorney Crimes Against Revenue Program: \$196,000; Oneida County District Attorney: \$98,000; and \$3,177,000 to support the restoration of funding for Anti-drug, Anti-violence, Crime Control, Prevention and Treatment Programming).

The Legislature also included a requirement for a three-way Memorandum of Understanding to determine the distribution of funds deposited into the Legal Services Assistance Account. An appropriation of \$6,000,000 will support both a District Attorney Tuition Reimbursement Program and assistance to civil or criminal legal service providers. Also, the Legislature accepts the allocation of \$1.8 million from the Legal Services Assistance Account to support retroactive sex offender risk-level determination hearings.

## Article VII

The Legislature accepts an Executive Article VII proposal to extend the motor vehicle law enforcement fee for one year.

The Legislature amends an Executive Article VII proposal which authorizes the Division of Criminal Justice Services (DCJS) to post information regarding all registered sex offenders on the Internet and to annually update photos for all registered sex offenders. The Legislature defers for the present time the posting of all sex offenders' photos on the Internet and enacts legislation to require updated photos for registered sex offenders (annually for level 3 offenders and once every three years for level 1 and 2 sex offenders), with an agreement that additional revisions to Megan's Law will be discussed between the respective houses during this legislative session.

The Legislature enacts the Executive Article VII proposal to extend various criminal justice programs and fees that are due to expire in 2005. The Legislature extends these programs and fees for two years, while a determinate sentencing provision is extended for four years.

The Legislature rejects the Executive Article VII proposals to:

- Merge DPCA into DCJS;
- Permit business records to be presented as evidence in grand jury proceedings by means of an affidavit; and,
- Authorize DCJS to implement a system of automated photo monitoring at work zones and "dangerous stretches of highways". A local option permitting the use of red light cameras and the expansion of New York City's red light camera program was also denied.

## Legislative Additions

The Legislature provides funding for the following:

<b>PROGRAM</b>	<b>APPROPRIATION</b>
ADDITIONAL APPROPRIATION AUTHORITY FOR THE LEGAL SERVICES ASSISTANCE FUND	\$7,800,000
FOR RESTORATION OF ANTI-DRUG, ANTI-VIOLENCE, CRIME CONTROL, PREVENTION AND TREATMENT PROGRAMS	\$3,177,000
WESTCHESTER COUNTY POLICING PROGRAM - STATE SUPPORT	\$2,600,000
INDIGENT PAROLEES REPRESENTATION	\$580,000
EDUCATION AND ASSISTANCE CORPORATION	\$500,000
MONROE COUNTY FORENSIC CRIME LAB	\$200,000
MANHATTAN DA CRIMES AGAINST REVENUE PROGRAM	\$196,000
ONONDAGA COUNTY DISTRICT ATTORNEY - INFORMATION TECHNOLOGY CASE MANAGEMENT	\$184,000
NEW YORK PROSECUTOR'S TRAINING INSTITUTE (NYPTI)	\$134,000
LIFESPAN ELDER ABUSE PREVENTION PROJECT	\$100,000
AID TO PROSECUTION - ONEIDA COUNTY	\$98,000
ERIE COUNTY DISTRICT ATTORNEY - COMPREHENSIVE ASSAULT ABUSE RAPE PROGRAM	\$75,000
ONONDAGA COUNTY DISTRICT ATTORNEY - WITNESS PROTECTION PROGRAM	\$50,000

# STATE BOARD OF ELECTIONS

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	3,745,000	3,609,000	3,609,000	0
Special Revenue-Other	120,000	7,820,000	7,820,000	0
Special Revenue-Federal	0	40,000,000	20,000,000	(20,000,000)
<b>Total for STATE OPERATIONS</b>	<b>3,865,000</b>	<b>51,429,000</b>	<b>31,429,000</b>	<b>(20,000,000)</b>
<b>AID TO LOCALITIES</b>				
Special Revenue-Federal	0	180,000,000	10,000,000	(170,000,000)
<b>Total for AID TO LOCALITIES</b>	<b>0</b>	<b>180,000,000</b>	<b>10,000,000</b>	<b>(170,000,000)</b>

## LEGISLATIVE ACTION

The Legislature provides \$41,429,000 on an All Funds basis, a decrease of \$190,000,000 from the Executive submission.

### Legislative Reductions

The Legislature reduces the Executive's recommended appropriation to this agency by \$190,000,000 to \$41,429,000.

The Legislature provides an appropriation of \$20,000,000 in Special Revenue Fund - Federal State Operations for work on the voter registration database and other costs associated with implementation of Help America Vote Act (HAVA). Any contract, expenditure, interchange or transfer of the amounts appropriated must be approved by the State Board of Elections pursuant to subdivision 4 of section 3-100 of the Election Law. Any interchange or transfer must also be approved by the director of the Division of the Budget (DOB).

The Legislature provides an appropriation of \$10,000,000 in Special Revenue Fund - Federal Aid to Localities funding for poll worker training and voter education activities related to the implementation of HAVA pursuant to a chapter of the laws of 2005.

The Legislature accepts the Executive's proposal to establish a Special Revenue Funds – Other State Operations fund in order to deposit locally generated revenues to pay for the required five percent State match of \$7.7 million for implementation of HAVA. Any expenditure or contract made from this appropriation must be approved by the State Board of Elections pursuant to subdivision 4 of section 3-100 of the Election Law.

The Legislature omits the remaining funding of \$190,000,000 in Special Revenue Fund - Federal Aid to Localities monies related to HAVA implementation for the purchase of new voting machines which will be addressed in separate HAVA related implementing legislation.

# OFFICE OF EMPLOYEE RELATIONS

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	3,439,000	3,559,000	3,559,000	0
Special Revenue-Other	479,000	479,000	479,000	0
Internal Service Fund	1,998,000	2,470,000	2,470,000	0
<b>Total for STATE OPERATIONS</b>	<b>5,916,000</b>	<b>6,508,000</b>	<b>6,508,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

## EXECUTIVE CHAMBER

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	14,884,500	15,624,500	15,624,500	0
Special Revenue-Other	100,000	100,000	100,000	0
<b>Total for STATE OPERATIONS</b>	<b>14,984,500</b>	<b>15,724,500</b>	<b>15,724,500</b>	<b>0</b>

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### LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# OFFICE OF GENERAL SERVICES

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	144,382,000	129,123,000	129,123,000	0
Special Revenue-Other	16,238,000	18,910,000	18,910,000	0
Special Revenue-Federal	7,600,000	7,700,000	7,700,000	0
Internal Service Fund	164,518,200	335,413,000	225,413,000	(110,000,000)
Enterprise	1,217,000	1,371,000	1,371,000	0
Total for Agency	333,955,200	492,517,000	382,517,000	(110,000,000)
Total Contingency	250,000	250,000	250,000	0
<b>Total for STATE OPERATIONS</b>	<b>334,205,200</b>	<b>492,767,000</b>	<b>382,767,000</b>	<b>(110,000,000)</b>
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	43,450,000	100,250,000	100,250,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>43,450,000</b>	<b>100,250,000</b>	<b>100,250,000</b>	<b>0</b>

## LEGISLATIVE ACTION

The Legislature reduces the Executive's All Funds request of \$592,767,000 by \$110,000,000. This decrease reflects the rejection of the Executive's Article VII proposal to purchase electricity in bulk for State agencies. State Fiscal Year (SFY) 2005-06 appropriations for the Office of General Services total \$482,767,000 an increase of \$105,361,800 or 27.8 percent over SFY 2004-05.

### Article VII

The Legislature rejects the Executive's Article VII proposal to permit State agencies, certain public authorities and municipalities to use owner-controlled "wrap up" insurance on public construction projects.

The Legislature also rejects an Executive Article VII proposal to authorize OGS to purchase electricity in bulk for State agencies.

The Legislature amends the following Executive Article VII proposals to permanently extend:

- OGS authority to enter into emergency construction contracts of up to \$200,000 without complying with formal bidding requirements by two years.
- The Commissioner of OGS authority to enter into lease agreements with fifteen year terms for State buildings or premises by five years.
- OGS authority to centrally purchase commodities and certain services for State agencies, other entities, local governments and school districts by one year.

# OFFICE OF HOMELAND SECURITY

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	7,315,000	8,590,000	8,590,000	0
Special Revenue-Other	6,730,000	7,418,000	7,418,000	0
Special Revenue-Federal	1,000,000	0	0	0
Internal Service Fund	0	1,500,000	1,500,000	0
<b>Total for STATE OPERATIONS</b>	<b>15,045,000</b>	<b>17,508,000</b>	<b>17,508,000</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
Special Revenue-Federal	0	350,000,000	350,000,000	0
<b>Total for AID TO LOCALITIES</b>	<b>0</b>	<b>350,000,000</b>	<b>350,000,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# OFFICE OF THE INSPECTOR GENERAL

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	4,308,000	4,606,000	4,606,000	0
Special Revenue-Other	1,779,000	1,934,000	1,934,000	0
<b>Total for STATE OPERATIONS</b>	<b>6,087,000</b>	<b>6,540,000</b>	<b>6,540,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# NEW YORK INTEREST ON LAWYERS ACCOUNT

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
Special Revenue-Other	1,633,000	1,661,000	1,661,000	0
<b>Total for STATE OPERATIONS</b>	<b>1,633,000</b>	<b>1,661,000</b>	<b>1,661,000</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
Special Revenue-Other	12,000,000	11,000,000	11,000,000	0
<b>Total for AID TO LOCALITIES</b>	<b>12,000,000</b>	<b>11,000,000</b>	<b>11,000,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# TEMPORARY STATE COMMISSION OF INVESTIGATION

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	3,351,000	3,486,000	3,486,000	0
Special Revenue-Other	186,000	192,000	192,000	0
<b>Total for STATE OPERATIONS</b>	<b>3,537,000</b>	<b>3,678,000</b>	<b>3,678,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

### Article VII

The Legislature modifies the Executive proposal for an extension of the Temporary State Commission of Investigation and approves an extension for two years until September 1, 2007.

## JUDICIAL COMMISSIONS

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	2,619,000	2,769,000	2,769,000	0
<b>Total for STATE OPERATIONS</b>	<b>2,619,000</b>	<b>2,769,000</b>	<b>2,769,000</b>	<b>0</b>

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### LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# DEPARTMENT OF LAW

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	115,978,000	115,978,000	124,678,000	8,700,000
Special Revenue-Other	54,411,000	65,756,000	65,756,000	0
Special Revenue-Federal	32,067,000	32,738,000	32,738,000	0
<b>Total for STATE OPERATIONS</b>	<b>202,456,000</b>	<b>214,472,000</b>	<b>223,172,000</b>	<b>8,700,000</b>

## LEGISLATIVE ACTION

The Legislature provides \$223,172,000 on an All Funds basis, and increase of \$8,700,000 over the Executive budget submission.

### Legislative Changes

The Legislature augments the Executive proposal by providing \$4,200,000 for additional personal service, \$1,000,000 for additional nonpersonal service costs and \$3,500,000 to support services and expenses associated with a document management system.

### Article VII

The Legislature rejects an Article VII provision that would increase the maximum civil penalty for violations of Article 22-A of the General Business Law, relating to unfair and deceptive business practices.

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NEGOTIATED SALARY INCREASES - STATE SUPPORT	\$4,200,000
DOCUMENT MANAGEMENT SYSTEM INITIATIVE	\$3,500,000
ADDITIONAL RESOURCES FOR EFFECTIVE PROSECUTION OF ANTI-CRIME AND ANTI-FRAUD INITIATIVES	\$1,000,000

# TEMPORARY STATE COMMISSION ON LOBBYING

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	1,040,000	974,000	974,000	0
Special Revenue-Other	300,000	540,000	540,000	0
<b>Total for STATE OPERATIONS</b>	<b>1,340,000</b>	<b>1,514,000</b>	<b>1,514,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

## DIVISION OF MILITARY AND NAVAL AFFAIRS

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	16,779,000	18,548,000	18,948,000	400,000
Special Revenue-Other	11,722,000	10,070,000	10,070,000	0
Special Revenue-Federal	35,759,000	33,127,000	33,127,000	0
<b>Total for STATE OPERATIONS</b>	<b>64,260,000</b>	<b>61,745,000</b>	<b>62,145,000</b>	<b>400,000</b>
<b>AID TO LOCALITIES</b>				
General Fund	0	0	1,000,000	1,000,000
Special Revenue-Other	1,650,000	1,650,000	1,650,000	0
Special Revenue-Federal	23,495,000	11,145,000	11,145,000	0
<b>Total for AID TO LOCALITIES</b>	<b>25,145,000</b>	<b>12,795,000</b>	<b>13,795,000</b>	<b>1,000,000</b>
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	7,000,000	8,000,000	8,000,000	0
Federal Capital Projects Fund	39,000,000	40,800,000	40,800,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>46,000,000</b>	<b>48,800,000</b>	<b>48,800,000</b>	<b>0</b>

### LEGISLATIVE ACTION

#### Legislative Reductions

The Legislature reduces the Executive's proposed non-personal service appropriations in the Administration Program by \$50,000 to reflect a spending re-estimate.

#### Legislative Changes

The Legislature adds \$450,000 in new appropriation authority to fund the purchase of marine security patrol boats, to be stationed at nuclear power facilities.

General Fund support of \$1,000,000 is also included to support flood related disaster relief, pursuant to Executive Order 5.136, in Broome, Chenango, Cortland, Delaware, Greene, Montgomery, Orange, Otsego, Rensselaer, Schenectady, Schoharie, Sullivan, Tioga and Ulster counties.

#### Article VII

The Legislature concurs with the Executive's Article VII proposal to extend the Tuition Recruitment and Incentive program for members of the State's organized militia until 2011.

The Legislature rejects the Executive's five year proposal to extend the authority of the agency to deposit money into the Armory Rental Account and instead extends for two years, until July 31, 2007, the practice of depositing all revenues derived from rentals of armories into the Armory Rental Account.

**Legislative Additions**

The Legislature provides funding for the following:

<b>PROGRAM</b>	<b>APPROPRIATION</b>
DISASTER ASSISTANCE PROGRAM	\$1,000,000
DEEP WATER HULL SECURITY PATROL BOATS	\$450,000

# DIVISION OF PAROLE

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	148,369,000	148,301,000	150,601,000	2,300,000
Special Revenue-Other	825,000	825,000	825,000	0
Special Revenue-Federal	500,000	500,000	500,000	0
<b>Total for STATE OPERATIONS</b>	<b>149,694,000</b>	<b>149,626,000</b>	<b>151,926,000</b>	<b>2,300,000</b>
<b>AID TO LOCALITIES</b>				
General Fund	35,809,000	35,189,000	35,189,000	0
Internal Service Fund	7,250,000	9,250,000	9,250,000	0
<b>Total for AID TO LOCALITIES</b>	<b>43,059,000</b>	<b>44,439,000</b>	<b>44,439,000</b>	<b>0</b>

## LEGISLATIVE ACTION

The Legislature provides \$196,365,000 on an All Funds basis, an increase of \$2,300,000 over the Executive budget submission.

### Legislative Changes

The Legislature augments the Executive proposal by \$2,300,000. Of this amount, \$2,100,000 will be utilized to restore forty-seven (47) Full Time Equivalent (FTE) staff positions, and \$200,000 will support the restoration of funding for expenses associated with the execution of warrants lodged against out-of-state parole violators.

### Article VII

The Legislature rejects an Executive Article VII proposal to extend the period in which the Division can process parole violation warrants for certain out-of-state parole violators.

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
DENY THE ATTRITION OF 47 FULL TIME EQUIVALENT POSITIONS	\$2,100,000
DENIAL OF ART. VII PROVISION TO EXTEND TIME IN WHICH PAROLE WARRANTS MUST BE EFFECTUATED	\$200,000

# PROBATION AND CORRECTIONAL ALTERNATIVES, DIVISION OF

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	0	0	1,888,000	1,888,000
<b>Total for STATE OPERATIONS</b>	<b>0</b>	<b>0</b>	<b>1,888,000</b>	<b>1,888,000</b>
<b>AID TO LOCALITIES</b>				
General Fund	0	0	68,549,000	68,549,000
<b>Total for AID TO LOCALITIES</b>	<b>0</b>	<b>0</b>	<b>68,549,000</b>	<b>68,549,000</b>

## LEGISLATIVE ACTION

The Legislature provides \$70,437,000 on an All Funds basis, an increase of \$70,437,000 over the Executive budget submission.

### Legislative Changes

The Legislature rejects an Executive proposal to merge the Division of Probation and Correctional Alternatives (DPCA) into the Division of Criminal Justice Services (DCJS). As a result, \$70,191,000 to support Probation Aid and Alternatives to Incarceration (ATI) programming is removed from DCJS and the same amount of funding is appropriated under DPCA. In addition, the Legislature provides \$246,000 in additional funding for ATI programs that provide alcohol and substance abuse treatment programs and services pursuant to Article 13-A of the Executive Law.

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
TO ALLOW A RESTORED DPCA TO SUPPORT PROBATION AID AND ALTERNATIVES TO INCARCERATION GRANTS	\$68,303,000
TO SUPPORT CONTINUED DPCA STATE OPERATIONS EXPENSES	\$1,888,000
ALTERNATIVES TO INCARCERATION - ARTICLE 13A PROGRAMMING - SUPPLEMENTAL AID	\$246,000

# OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	1,435,000	1,513,000	1,513,000	0
Special Revenue-Other	70,000	70,000	70,000	0
Special Revenue-Federal	100,000	100,000	100,000	0
<b>Total for STATE OPERATIONS</b>	<b>1,605,000</b>	<b>1,683,000</b>	<b>1,683,000</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
General Fund	717,000	717,000	927,000	210,000
<b>Total for AID TO LOCALITIES</b>	<b>717,000</b>	<b>717,000</b>	<b>927,000</b>	<b>210,000</b>

## LEGISLATIVE ACTION

The Legislature appropriates \$2,610,000 on an All Funds basis, an increase of \$210,000 above the Executive budget submission.

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
BATTERER PREVENTION	\$210,000

# DIVISION OF STATE POLICE

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	333,366,000	354,382,000	356,582,000	2,200,000
Special Revenue-Other	162,190,000	164,388,000	164,388,000	0
Special Revenue-Federal	16,427,000	4,709,000	4,709,000	0
<b>Total for STATE OPERATIONS</b>	<b>511,983,000</b>	<b>523,479,000</b>	<b>525,679,000</b>	<b>2,200,000</b>
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	2,800,000	19,200,000	19,200,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>2,800,000</b>	<b>19,200,000</b>	<b>19,200,000</b>	<b>0</b>

## LEGISLATIVE ACTION

The Legislature provides \$544,879,000 on an All Funds basis, an increase of \$2,200,000 over the Executive budget submission.

### Legislative Changes

The Legislature provides \$1,200,000 in additional funding for the continued employment of 16 "Special Troopers" to provide security at the State Capitol and Empire State Plaza facility throughout State Fiscal Year (SFY) 2005-06.

The Legislature also provides \$1,000,000 following the rejection of an Executive Article VII proposal that would implement a universal "aggregate weight" standard for the measurement of seized drugs.

### Article VII

The Legislature accepts an Executive proposal to raise the annual compensation of the Superintendent of State Police.

The Legislature rejects an Executive proposal that would implement a universal "aggregate weight" standard for lab analysis of illegal drug evidence instead of using the current pure weight standard.

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
RESTORATION OF FUNDING - TROOPERS AT THE CAPITOL AND PLAZA	\$1,200,000
DENIAL OF IMPLEMENTATION OF AN AGGREGATE WEIGHT STANDARD	\$1,000,000

# OFFICE FOR TECHNOLOGY

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	23,000,000	21,953,000	21,953,000	0
Internal Service Fund	234,436,500	249,000,000	249,000,000	0
<b>Total for STATE OPERATIONS</b>	<b>257,436,500</b>	<b>270,953,000</b>	<b>270,953,000</b>	<b>0</b>

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## LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

## DIVISION OF VETERANS' AFFAIRS

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	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	5,471,000	6,212,000	6,212,000	0
Special Revenue-Federal	2,356,000	2,275,000	2,275,000	0
<b>Total for STATE OPERATIONS</b>	<b>7,827,000</b>	<b>8,487,000</b>	<b>8,487,000</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
General Fund	5,775,000	6,130,000	6,130,000	0
<b>Total for AID TO LOCALITIES</b>	<b>5,775,000</b>	<b>6,130,000</b>	<b>6,130,000</b>	<b>0</b>

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### LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

# WORKERS' COMPENSATION BOARD

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	0	0	184,196,000	184,196,000
Special Revenue-Other	170,257,000	0	0	0
<b>Total for STATE OPERATIONS</b>	<b>170,257,000</b>	<b>0</b>	<b>184,196,000</b>	<b>184,196,000</b>

## LEGISLATIVE ACTION

### Article VII

The Legislature rejects the Executive proposal to merge the Workers' Compensation Board into the Department of Labor and fully restores funding for the Board as a separate entity.

### Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
WORKERS' COMPENSATION PROGRAM - PS	\$72,558,000
WORKERS' COMPENSATION PROGRAM - FRINGE	\$32,843,000
WORKERS' COMPENSATION PROGRAM - NPS	\$31,317,000
WORKERS' COMPENSATION BOARD SYSTEMS MODERNIZATION - NPS	\$29,898,000
WORKERS' COMPENSATION SYSTEMS MODERNIZATION PROGRAM - PS	\$4,646,000
WORKERS' COMPENSATION BOARD DISABILITY BENEFITS FUND - PS	\$3,856,000
WORKERS' COMPENSATION PROGRAM - INDIRECT	\$2,461,000
WORKERS' COMPENSATION BOARD SYSTEMS MODERNIZATION - FRINGE	\$2,096,000
WORKERS' COMPENSATION BOARD DISABILITY BENEFITS FUND - NPS	\$1,791,000
WORKERS' COMPENSATION BOARD DISABILITY BENEFITS FUND - FRINGE	\$1,740,000
WORKERS' COMPENSATION BOARD - MU	\$703,000
WORKERS' COMPENSATION BOARD SYSTEMS MODERNIZATION - INDIRECT	\$158,000
WORKERS' COMPENSATION BOARD DISABILITY BENEFITS FUND - INDIRECT	\$129,000

## GENERAL STATE CHARGES

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	2,613,116,000	2,602,310,000	2,771,510,000	169,200,000
<b>Total for STATE OPERATIONS</b>	<b>2,613,116,000</b>	<b>2,602,310,000</b>	<b>2,771,510,000</b>	<b>169,200,000</b>

### LEGISLATIVE ACTION

The Legislature appropriates \$2,771,510,000 on an All Funds basis, an increase of \$169,200,000 from the Executive budget submission.

#### Legislative Changes

The Legislature provides \$153,300,000 to fund the difference between the cost of rejecting the Executive's pension proposal and the savings that will result from amortization, and to make a June 1<sup>st</sup> rather than a September 1<sup>st</sup> payment. The Legislature also provides an additional \$15,900,000 in appropriation authority at the request of the Division of the Budget to allow for some flexibility in the payment date.

#### Article VII

The Legislature rejects the Executive proposal to require the Comptroller to reconsider his State Fiscal Year (SFY) 2005-06 bill for the pension costs of State and local governments, establish a board to review pension funding changes, and allow for public comment on those changes. Instead, the Legislature provides authorization for the State to amortize the portion of its pension costs that are above 9.5 percent of salary over a ten year period.

The Legislature rejects the Executive proposal to change the interest rate used to calculate the value of unpaid judgments and accrued claims involving municipal corporations, authorities, public corporations, and the State from a fixed 9 percent interest rate to a variable market based rate.

The Legislature rejects the Executive proposal to permanently authorize the Department of Civil Service to make payments without an appropriation for State employee health insurance premiums using dividends earned from such premiums. Instead, the Legislature extends such authorization for a period of one year.

The Legislature accepts the Executive proposal to provide a new fee schedule for the Albany payment-in-lieu-of-taxes (PILOT) for the Empire State Plaza.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
RESTORATION OF PENSION PAYMENT	\$169,200,000

## MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>STATE OPERATIONS</b>				
General Fund	132,623,100	88,442,600	88,442,600	0
Special Revenue-Other	29,444,200	34,942,000	34,942,000	0
Special Revenue-Federal	125,000,000	50,000,000	50,000,000	0
Fiduciary	3,201,600	0	0	0
All Funds	53,943,000	70,153,000	70,153,000	0
Emergency	0	45,000,000	45,000,000	0
<b>Total for STATE OPERATIONS</b>	<b>344,211,900</b>	<b>288,537,600</b>	<b>288,537,600</b>	<b>0</b>
Homeland Security				
Special Revenue-Other	3,000,000	3,000,000	3,000,000	0
Special Revenue-Federal	125,000,000	50,000,000	50,000,000	0
All Funds	53,943,000	70,153,000	70,153,000	0
Total for Program	181,943,000	123,153,000	123,153,000	0
Statewide Wireless Network				
Special Revenue-Other	22,324,000	27,800,000	27,800,000	0
Total for Program	22,324,000	27,800,000	27,800,000	0
Fiduciary	3,201,600	0	0	0
Total for Program	3,201,600	0	0	0
Automated External Defibrillators				
Emergency	0	45,000,000	45,000,000	0
Total for Program	0	45,000,000	45,000,000	0
Collective Bargaining Agreements				
General Fund	68,470,100	38,285,600	38,285,600	0
Special Revenue-Other	250,000	250,000	250,000	0
Total for Program	68,720,100	38,535,600	38,535,600	0
Deferred Compensation Board				
General Fund	153,000	157,000	157,000	0
Special Revenue-Other	601,000	649,000	649,000	0
Total for Program	754,000	806,000	806,000	0
Reserve for Federal Audit Disallowance				
General Fund	50,000,000	50,000,000	50,000,000	0
Total for Program	50,000,000	50,000,000	50,000,000	0
Stock Workmen's Compensation Security Fund				
General Fund	14,000,000	0	0	0
Total for Program	14,000,000	0	0	0

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
New York State Financial Control Board				
Special Revenue-Other	3,269,200	3,243,000	3,243,000	0
Total for Program	3,269,200	3,243,000	3,243,000	0
<b>AID TO LOCALITIES</b>				
General Fund	1,247,395,002	1,295,884,000	1,301,083,000	5,199,000
Fiduciary	26,578,300,000	28,778,300,000	28,778,300,000	0
Community Projects Fund	100,000,000	0	0	0
<b>Total for AID TO LOCALITIES</b>	<b>27,925,695,002</b>	<b>30,074,184,000</b>	<b>30,079,383,000</b>	<b>5,199,000</b>
Grants-In-Aid				
Community Projects Fund	100,000,000	0	0	0
Total for Program	100,000,000	0	0	0
Local Government Assistance Tax Fund				
General Fund	170,000,000	170,000,000	170,000,000	0
Total for Program	170,000,000	170,000,000	170,000,000	0
Stock Transfer Incentive Fund				
Fiduciary	11,000,000,000	12,000,000,000	12,000,000,000	0
Total for Program	11,000,000,000	12,000,000,000	12,000,000,000	0
Municipal Assistance Tax Fund				
Fiduciary	15,015,000,000	16,215,000,000	16,215,000,000	0
Total for Program	15,015,000,000	16,215,000,000	16,215,000,000	0
Municipal Assistance State Aid Fund				
Fiduciary	563,300,000	563,300,000	563,300,000	0
Total for Program	563,300,000	563,300,000	563,300,000	0
Miscellaneous Financial Assistance				
General Fund	111,000	4,000,000	4,000,000	0
Total for Program	111,000	4,000,000	4,000,000	0
Nassau County Interim Finance Authority				
General Fund	7,500,000	7,500,000	7,500,000	0
Total for Program	7,500,000	7,500,000	7,500,000	0
Yonkers Settlement				
General Fund	55,000,000	45,000,000	45,000,000	0
Total for Program	55,000,000	45,000,000	45,000,000	0
Small Government Assistance				
General Fund	1,068,900	1,068,900	1,068,900	0
Total for Program	1,068,900	1,068,900	1,068,900	0
Aid to Municipalities				
General Fund	1,013,715,102	1,068,315,100	1,073,514,100	5,199,000
Total for Program	1,013,715,102	1,068,315,100	1,073,514,100	5,199,000

**MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT 32-2**

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	5,000,000	0	0	0
<b>Total for CAPITAL PROJECTS</b>	<b>5,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
Homeland Security				
Capital Projects Fund	5,000,000	0	0	0
Total for Program	5,000,000	0	0	0
<b>CONTINGENCY</b>				
Special Revenue-Federal	1,000,000,000	1,000,000,000	1,000,000,000	0
All Funds	125,000,000	125,000,000	125,000,000	0
General Fund	2,047,178,000	2,108,353,000	2,108,353,000	0
Fiduciary	192,400,000	192,400,000	192,400,000	0
<b>Total for CONTINGENCY</b>	<b>3,364,578,000</b>	<b>3,425,753,000</b>	<b>3,425,753,000</b>	<b>0</b>
Homeland Security				
All Funds	75,000,000	75,000,000	75,000,000	0
Total for Program	75,000,000	75,000,000	75,000,000	0
Aggregate Trust Fund				
General Fund	220,000,000	220,000,000	220,000,000	0
Total for Program	220,000,000	220,000,000	220,000,000	0
Health Insurance Contingency Reserve				
General Fund	410,184,000	474,305,000	474,305,000	0
Total for Program	410,184,000	474,305,000	474,305,000	0
Health Insurance Reserve Receipts Fund				
Fiduciary	192,400,000	192,400,000	192,400,000	0
Total for Program	192,400,000	192,400,000	192,400,000	0
Special Emergency Appropriations				
All Funds	50,000,000	50,000,000	50,000,000	0
Total for Program	50,000,000	50,000,000	50,000,000	0
Worker's Compensation Reserve				
General Fund	31,994,000	29,048,000	29,048,000	0
Total for Program	31,994,000	29,048,000	29,048,000	0
State Insurance Fund				
General Fund	1,295,000,000	1,295,000,000	1,295,000,000	0
Total for Program	1,295,000,000	1,295,000,000	1,295,000,000	0
Property/Casualty Insurance Security Fund				
General Fund	90,000,000	90,000,000	90,000,000	0
Total for Program	90,000,000	90,000,000	90,000,000	0

	Adjusted Appropriation 2004-05	Executive Request 2005-06	Legislative Appropriation 2005-06	Change
Special Federal Emergency Appropriation				
Special Revenue-Federal	1,000,000,000	1,000,000,000	1,000,000,000	0
Total for Program	1,000,000,000	1,000,000,000	1,000,000,000	0

## LEGISLATIVE ACTION

### Legislative Changes

#### Aid & Incentives for Municipalities

The Legislature concurs with the Executive's request to consolidate all existing revenue sharing programs going to municipalities into Aid and Incentives for Municipalities (AIM). The Legislature appropriates \$1,073,514,100 in AIM, an increase of \$5,199,000 from the Executive budget submission. This increase represents the net of an additional \$7,949,000 in local assistance grants over the Executive Budget, and a \$2,750,000 reduction in the Executive's proposed Shared Municipal Services Initiative (SMSI) program.

#### Article VII

The Legislature rejects Article VII legislation to revise provisions related to collection and use of wireless surcharge revenue.

The Legislature amends the Executive's AIM proposal as follows:

- All cities will receive an additional 12.75 percent over their aggregate SFY 2004-05 amount. The Executive's proposal recommended an increase in local assistance to cities with the amount based on a city's full valuation of property.
- Included in the base aid amount is \$100,000 to each of the seven cities (Glens Falls, Watervliet, Saratoga Springs, Sherrill, Rye, Ithaca and Little Falls) that had not been included in the former Supplemental Municipal Aid category that all other cities received.
- The Executive had included criteria cities would have to achieve in order to receive their additional aid. The SFY 2005-06 Adopted Budget amends the requirements for these municipalities. Cities will have to complete three-year financial plans and minimize property tax growth through the use of additional revenue sharing funds appropriated in SFY 2005-06. Each city will have to submit written certification to the Division of the Budget that the city has complied with such conditions by March 31, 2006. If a city does not submit certification, additional revenue sharing could be withheld beginning in SFY 2006-07.
- Towns and villages will receive an additional 3.75 percent in revenue sharing and no village or town will receive less than a \$500 increase. Under the Executive's proposal, only 85 percent of towns and villages would have received a 2.5 percent increase and many towns and villages would have received less than a \$50 increase.
- Last year, due to fiscal constraints, many localities with tax exempt forest property received only half of what they should have received based on the value of this property. The Executive's SFY 2005-06 Budget

maintained this level of funding. The Legislature included the full amount of the tax exempt forest property reimbursement to localities in their base aid amount for SFY 2005-06.

- SMSI funding is decreased from \$5.5 million to \$2.75 million. This program will be operated by the Department of State and will provide grants up to \$100,000 per municipality. Grants will be awarded to localities that share services or merge with other municipalities. Local governments must match up to 10 percent of the total cost of the project. Authorized costs are limited to legal and consultant services, feasibility studies, capital improvements and other necessary expenses, with the exception of salaries and other recurring expenses.

The Legislature denies Article VII legislation that would:

- Make the ability to pay the primary factor in binding arbitration decisions.
- Authorize intermunicipal agreements in instances where only one municipality has the power to provide a service.
- Repeal in its entirety the multiple contract requirement provisions for construction projects, known as the Wicks Law.
- Authorize tort awards against municipalities and the State to be offset by collateral source payments.
- Require interest on unpaid judgments to be based on a market rate.
- Transfer jurisdiction in suits against public corporations to the State Court of Claims.
- Establish Co-STAR program.
- Establish statutory guidelines for local government mergers and consolidations.

## Legislative Additions

The Executive budget proposed funding the Shared Municipal Services Initiative (SMSI) program at \$5,500,000. The Legislature denied this program in the Legislative budget. In subsequent chapter amendments, the Legislature added this program back at \$2,750,000.

The Legislature provides funding for the following:

<b>PROGRAM</b>	<b>APPROPRIATION</b>
AID & INCENTIVES FOR MUNICIPALITIES (AIM) - ADDITIONAL PAYMENTS TO COUNTIES, CITIES, TOWNS, VILLAGES, AND SCHOOL DISTRICTS	\$7,949,000
AID & INCENTIVES FOR MUNICIPALITIES (AIM)- SHARED MUNICIPAL SERVICES INCENTIVE (SMSI) AWARDS	\$2,750,000