

## DIVISION OF ALCOHOLIC BEVERAGE CONTROL

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	18,480,000	21,480,000	3,000,000	16.2%
<b>Total for AGENCY SUMMARY:</b>	<b>18,480,000</b>	<b>21,480,000</b>	<b>3,000,000</b>	<b>16.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
All Other Funds:	165	215	50
<b>TOTAL:</b>	<b>165</b>	<b>215</b>	<b>50</b>

#### Agency Mission

(Executive Budget: pp. 305-307)

The Division of Alcoholic Beverage Control (Division) 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 Alcoholic Beverage Control Law.

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

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes the following:

- An increase of \$3,000,000 for the Licensing and Wholesaler Services program for the implementation of a proposal to license the sale of wine in grocery stores, as well as to address an ongoing backlog in the processing of license applications faced by the agency. This proposal would support 50 additional full-time equivalent (FTE) positions.

## **Budget Detail**

The Executive proposes an All Funds State Operations appropriation of \$21,480,000 reflecting a net increase of \$3,000,000 or 16.23 percent over State Fiscal Year (SFY) 2008-09.

The Executive recommends 215 FTE employees reflecting an increase of 50 FTE positions from the SFY 2008-09 Enacted Budget.

## **State Operations**

### **Proposed Increases**

The Executive recommends \$21,480,000 in State Operations funding representing an increase of \$3,000,000 in the Special Revenue Fund-Other appropriation to support an additional 50 FTE positions and associated contractual services needed to implement the Executive proposal allowing wine to be sold in grocery stores. The funding will also support long term improvements to the agency's licensing function, including the establishment of on-line licensing application.

## **Article VII**

The Executive recommends Article VII legislation that would:

- allow the sale of wine in grocery stores upon the payment of a franchise fee;
- increase the excise tax on beer and wine; and
- provide a tax on flavored malt beverages.

## DEPARTMENT OF AUDIT AND CONTROL

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	188,164,100	173,482,000	(14,682,100)	-7.8%
Special Revenue-Other	89,246,000	89,008,000	(238,000)	0.3%
Total for Agency:	277,410,100	262,490,000	(14,920,100)	-5.4%
Total Contingency:	103,252,000	105,648,000	2,396,000	2.3%
<b>Total for AGENCY SUMMARY:</b>	<b>380,662,100</b>	<b>368,138,000</b>	<b>(12,524,100)</b>	<b>-3.3%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	1,708	1,708	0
All Other Funds:	935	935	0
<b>TOTAL:</b>	<b>2,643</b>	<b>2,643</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 309-315)

The Department of Audit and Control, also known as Office of the State Comptroller (OSC), 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 main office in Albany and regional offices in New York City, Buffalo, Rochester, Syracuse, Binghamton, Glens Falls, Newburgh, and Hauppauge.

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

### **Budget Detail**

The Executive proposes an All Funds appropriation of \$368,138,000, representing a net decrease of \$12,524,100 from the State Fiscal Year (SFY) 2008-09 funding level.

The Executive proposal reflects a workforce of 2,643 full-time equivalent (FTE) positions reflecting no change in FTE positions over the SFY 2008-09 level.

### **State Operations**

The Executive recommends an overall State Operations appropriation of \$258,113,000.

General Fund State Operations appropriations total \$141,457,000 and reflect the following actions:

#### **Proposed Increases**

- funding of \$5,900,000 for a net adjustment in personal service costs of existing programs, including salary and other fixed cost increases.

#### **Proposed Decreases**

The Executive proposes the following General Fund reductions which reflect the OSC budget request and are based on planned management efficiencies as follows:

- funding of \$19,453,000 for the Chief Information Office Program, a net decrease of \$2,064,300 from the SFY 2008-09 level;
- funding of \$43,373,000 for the State and Local Accountability Program, a net decrease of \$943,300 from the SFY 2008-09 funding level;
- funding of \$49,616,000 for the State Operations Program, a net decrease of \$4,282,700 from the SFY 2008-09 funding level;
- funding of \$9,379,000 for the Executive Direction Program, a net decrease of \$379,500 from the SFY 2008-09 funding level;
- funding of \$12,572,000 for the Administration Program, a net decrease of \$411,000 from the SFY 2008-09 funding level;
- funding of \$6,308,000 for the Legal Services Program, a net decrease of \$38,000 from the SFY 2008-09 funding level; and

- funding of \$756,000 is recommended to fund the Pension Investment and Public Finance Program, a net decrease of \$81,200 from the SFY 2008-09 funding level.

Special Revenue Fund-Other appropriations in the amount of \$11,008,000 are proposed and reflect the following actions:

#### Proposed Increases

- funding of \$5,102,000 for support of the State Operations Program, an increase of \$3,000 from the SFY 2008-09 funding level.

#### Proposed Decreases

- funding of \$1,018,000 for Environmental Protection and Spill Compensation, a decrease of \$55,000 from the SFY 2008-09 funding level;
- funding of \$491,000 for support of State and Local Accountability Program and reflects a decrease of \$54,000 from the SFY 2008-09 funding level; and
- funding of \$4,397,000 for support of Office of the State Deputy Comptroller for New York City, a decrease of \$132,000 from the SFY 2008-09 funding level.

An Internal Service Fund appropriation of \$4,258,000 is proposed and reflects the following actions:

- funding of \$2,240,000 for expenses of the Pension Investment and Public Finance Program which maintains the SFY 2008-09 funding level;
- funding of \$150,000 for expenses of State Operations Program which maintains the SFY 2008-09 funding level; and
- funding of \$1,868,000 for the Executive Direction Program, an increase of \$48,000 from the SFY 2008-09 funding level.

The Executive recommends \$101,390,000 to fund the Fiduciary activities of the OSC as follows:

- a \$90,102,000 appropriation for the Retirement Services Program, an \$2,067,400 increase from the SFY 2008-09 funding level; and
- a \$11,288,000 appropriation for the Pension Investment and Public Finance program, an \$280,600 increase from the SFY 2008-09 funding level.

## **Aid to Localities**

The Executive proposes an appropriation of \$110,025,000 in Aid to Localities which includes a decrease of \$6,482,100 in the General Fund below SFY 2008-09 funding levels.

### **Proposed Decrease**

- a General Fund Aid to Localities appropriation of \$32,025,000 ,which is a decrease of \$6,482,100 below SFY 2008-09 funding levels for the current payment of benefits to survivors of police officers and firefighters in New York City who died during the performance of their duties.

## DIVISION OF THE BUDGET

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	34,932,000	34,422,000	(510,000)	-1.5%
Special Revenue-Other	64,763,000	24,763,000	(40,000,000)	-61.8%
Internal Service Fund	1,650,000	1,650,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>101,345,000</b>	<b>60,835,000</b>	<b>(40,510,000)</b>	<b>-40.0%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	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. 317-319)

The Division of the Budget (DOB) 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.

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

## Budget Detail

The Executive recommends All Funds appropriations totaling \$60,835,000, reflecting a net reduction in funding of \$40,510,000 or 40 percent from State Fiscal Year (SFY) 2008 -09 funding levels. Reappropriations totaling \$129,200,000 are reflected in the budget to continue the development of the Statewide Financial System Program to be used by the Office of the State Comptroller, the Division of the Budget and State agencies.

The Executive recommends 365 full-time equivalent (FTE) funded positions reflecting no change in FTE positions from current staffing levels.

## State Operations

The Executive continues funding for programs at the following levels:

- a \$4,000,000 General Fund appropriation for the Cash Management Improvement Act Program, reflecting no change from the SFY 2008-09 funding level. This appropriation allows the State to accept and pay any interest liabilities owed to the federal government under the Federal Cash Management Improvement Act. The Executive also recommends \$2,000,000 in Special Revenue-Other funding, again reflecting no change in spending from SFY 2008-09. This appropriation allows the State to accept and spend any federal interest liabilities owed to the State;
- an Internal Service Fund/Federal Single Audit Account appropriation of \$1,650,000, for an annual independent audit of federal programs performed by KPMG;
- an appropriation of \$150,000 in Special Revenue Funds-Other for the purpose of making loans to eligible not-for-profit organizations; and
- a \$356,000 maintenance undistributed appropriation for services and expenses related to membership dues in various organizations including the Conference of Northeast Governors (\$90,000); Council of Great Lakes Governors (\$40,000); Federal Funds Information for States (\$12,000) and the National Governors Association (\$214,000).

## Proposed Increases

- an appropriation of \$15,117,000 in the Special Revenue Funds-Other Revenue Arrearage Account; and
- an appropriation of \$7,496,000 in Special Revenue Funds-Other to continue funding for the Systems and Technology Account. This appropriation funds expenses for the modification of statewide personnel, accounting, financial management, budgeting and related information systems to accommodate the management and information needs of the DOB.

### Proposed Decreases

- a decrease of \$510,000 in Maintenance Undistributed associated with the elimination of funding for membership in the Council of State Governments; and
- a decrease of \$40,000,000 associated with the elimination of funding for the Statewide Financial System Program. This program will continue to be funded through reappropriations totaling \$129,200,000.

## CAPITAL DEFENDER OFFICE

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	387,000	0	(387,000)	-100.0%
<b>Total for AGENCY SUMMARY:</b>	<b>387,000</b>	<b>0</b>	<b>(387,000)</b>	<b>-100.0%</b>

### Agency Mission

(Executive Budget: pp. 321-322)

The Capital Defender Office (CDO) is an independent entity which was created to provide legal, investigatory and expert services to indigent persons who are eligible to be prosecuted for murder, and to otherwise ensure that offenders who face the death penalty receive the full legal protection to which they are entitled under law.

The Capital Defender Office was closed and ceased operations on June 13, 2008.

### Budget Detail

The Executive Budget does not recommend any new appropriations to support the CDO during State Fiscal Year (SFY) 2009-10.

## DEPARTMENT OF CIVIL SERVICE

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	24,389,000	22,211,000	(2,178,000)	-8.9%
Special Revenue-Other	2,352,000	2,246,000	(106,000)	-4.5%
Internal Service Fund	37,670,000	33,355,000	(4,315,000)	-11.5%
Total for Agency:	64,411,000	57,812,000	(6,599,000)	-10.2%
Total Contingency:	6,500,000	6,500,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>70,911,000</b>	<b>64,312,000</b>	<b>(6,599,000)</b>	<b>-9.3%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	310	294	(16)
All Other Funds:	250	250	0
<b>TOTAL:</b>	<b>560</b>	<b>544</b>	<b>(16)</b>

#### Agency Mission

(Executive Budget: pp. 323-327)

The Department of Civil Service is charged with providing human resource management services to State and local governments.

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

## **Budget Detail**

The Executive proposes an All Funds appropriation of \$64,312,000, a net decrease of \$6,599,000 or 9.3 percent below the State Fiscal Year (SFY) 2008-09 level. The Executive proposes funding support 544 full-time equivalent (FTE) positions, a decrease of 16 positions.

### **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$57,812,000, a net decrease of \$6,599,999 or 10.25 percent below the SFY 2008-09 level.

#### **Proposed Increases**

The Executive proposes:

- an increase of \$1,848,000 to reflect salary and other fixed cost increases; and
- an increase of \$1,420,000 resulting from additional revenues that would be generated from an increase in exam fees and a new waiver fee.

#### **Proposed Decreases**

The Executive proposes:

- reductions of \$1,677,000 related to attrition and administrative staff efficiencies for 24 FTEs in SFY 2008-09 and a reduction of \$1,311,000 for 16 FTEs in SFY 2009-10; and
- reductions related to reductions in travel, utilization of on-line notices, paperless exams and other management efficiencies totaling \$573,000 in SFY 2008-09 and a reduction of \$290,000 in SFY 2009-10.

### **Article VII**

The Executive recommends Article VII legislation that would authorize a fee that would be imposed on local governments to cover the State cost of processing waivers under Section 211 of the Retirement and Social Security Law.

## STATE CONSUMER PROTECTION BOARD

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	3,514,000	3,094,000	(420,000)	-12.0%
Special Revenue-Other	1,796,000	400,000	(1,396,000)	-77.7%
<b>Total for AGENCY SUMMARY:</b>	<b>5,310,000</b>	<b>3,494,000</b>	<b>(1,816,000)</b>	<b>-34.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	0	32	32
All Other Funds:	33	1	(32)
<b>TOTAL:</b>	<b>33</b>	<b>33</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 329-331)

The Consumer Protection Board's (CPB) 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.

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

## Budget Detail

The Executive proposes an All Funds appropriation of \$3,494,000 reflecting a decrease of \$1,816,000 or 34.20 percent below State Fiscal Year (SFY) 2008-09 funding levels.

The Executive recommends a continuation of 33 full-time equivalent (FTE) funded positions reflecting no change in FTE positions from the current staffing levels.

## State Operations

The Executive recommends a General Fund appropriation of \$3,094,000, reflecting a fund shift from Special Revenue Funds-Other, to the General Fund, which is now the primary source of funding for this Agency. This shift represents the elimination of funding from Public Service Law Section 18-A. This funding reflects a net \$420,000 reduction from the SFY 2008-09 year General Fund appropriation of \$3,514,000 as follows:

### Proposed Increases

- a \$24,000 increase in funding to reflect net adjustments for the cost of continuing existing programs, including salary and other fixed cost increases.

### Proposed Decreases

- a \$320,000 reduction to reflect the elimination of the Office of Airline Passenger Consumer Rights;
- a \$124,000 reduction to reflect the impact of SFY 2008-09 savings initiatives including the elimination of one funded vacancy and other management efficiencies; and
- the Executive also recommends \$400,000 in a Special Revenue Fund-Other appropriation to fund expenses of this Agency associated with the enforcement of the telemarketing sales calls law and enforcement of the New York Motor Fuel Marketing Practices act. This funding reflects a reduction of \$130,000 in funding from current year funding of \$530,000 and reflects the impact of SFY 2009-10 savings initiatives including the reduction of travel and discretionary consumer public service advertising.

## COMMISSION OF CORRECTION

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,998,000	3,011,000	13,000	0.4%
<b>Total for AGENCY SUMMARY:</b>	<b>2,998,000</b>	<b>3,011,000</b>	<b>13,000</b>	<b>0.4%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	34	34	0
<b>TOTAL:</b>	<b>34</b>	<b>34</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 333-335)

The State Commission of Correction 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 428 locally-operated police department detention facilities. The Commission's role also includes the oversight of 5 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 Budget recommends a General Fund State Operations appropriation of \$3,011,000 a \$13,000 increase over State Fiscal Year (SFY) 2008-09 funding level. The Executive proposes continued support for a workforce of 34 full-time equivalent (FTE) positions.

### **State Operations**

#### **Proposed Increases**

- The Executive increases General Fund supported by \$13,000 to reflect anticipated increases salary, fringe benefits, fixed costs and the cost of continuing current programming.

### **Article VII**

The Executive recommends Article VII legislation that would modify the responsibilities of the State Commission of Correction and provide options for administrators of local jails to reduce their operating costs.

## DEPARTMENT OF CORRECTIONAL SERVICES

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,565,998,000	2,465,897,000	(100,101,000)	-3.9%
Special Revenue-Other	19,950,000	35,750,000	15,800,000	79.2%
Special Revenue-Federal	38,520,000	37,300,000	(1,220,000)	-3.2%
Enterprise	44,366,000	43,343,000	(1,023,000)	-2.3%
Correctional Facilities Capital Improvement Fund	320,000,000	320,000,000	0	0.0%
Internal Service Fund	76,385,000	77,976,000	1,591,000	2.1%
<b>Total for AGENCY SUMMARY:</b>	<b>3,065,219,000</b>	<b>2,980,266,000</b>	<b>(84,953,000)</b>	<b>-2.8%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	30,562	29,228	(1,334)
All Other Funds:	1,111	1,103	(8)
<b>TOTAL:</b>	<b>31,673</b>	<b>30,331</b>	<b>(1,342)</b>

#### Agency Mission

(Executive Budget: pp. 337-343)

The Department of Correctional Services (DOCS) is responsible for the operation of the State's 70 correctional facilities and the supervision of an under-custody population of approximately 60,500 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) 2009-10 Executive Budget includes the following:

- a savings of \$26,369,000 associated with the closure of four prison camps and various correctional facility annexes; and
- the delayed expansion of mental health programming prescribed in the recently-enacted Special Housing Unit (SHU) exclusion law.

## **Budget Detail**

The Executive Budget recommends an All-Funds appropriation of \$2,980,266,000 a decrease of \$84,953,000 from its SFY 2008-09 funding level. The Executive proposes support for a workforce of 30,331 full-time equivalent (FTE) positions, a decrease of 1,342 FTE positions.

The Executive recommends a Deficit Reduction Plan that makes adjustments to DOCS appropriations resulting in savings of \$1,021,000 for SFY 2008-09.

## **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$2,660,066,000, a decrease of \$78,877,000 from SFY 2008-09 funding levels. The General Fund supports a total \$2,465,697,000, or 93 percent of DOCS' non-capital expenditures.

## **Prison Closure Proposal**

The Executive budget assumes the closure of four correctional facilities and a number of correctional annexes to achieve a savings of \$26,369,000 in SFY 2009-10, leading to the attrition of a total 554 FTE staff positions. In conjunction with this proposal, Article VII legislation is advanced to suspend statutory closure notification requirements to allow for the closure of correctional facilities with only ninety (90) days notice in periods of an economic downturn.

The following correctional facilities have been identified for closure:

- Camp Gabriels located in Franklin County, currently staffed with 104 FTE positions;
- Camp Georgetown located in Madison County, currently staffed with 89 FTE positions;
- Camp Pharsalia in Chenango County, currently staffed with 79 FTE positions; and
- Camp McGregor located in Saratoga County, currently staffed with 50 FTE positions.

In addition to these closures, the Executive has charged the Commissioner to undertake a review of correctional annex utilization with a goal of closing some of the six existing annexes. The closure of annexes is anticipated to result in the attrition of 232 FTE positions.

All staff impacted by the prison closings will be offered jobs at other correctional facilities in accordance with civil service rules and union contractual agreements.

#### Proposed Increases

The Executive proposal seeks to increase General Fund appropriations by \$49,217,000, to accommodate negotiated salary increases (\$32,722,000) and increased costs of facility operations (\$16,495,000).

The Executive proposes an increase in Special Revenue Fund appropriations \$25,000,000 to allow DOCS to enter into contracts to house Federal or locally-sentenced prisoners in DOCS facilities. This capacity contracting initiative would result in an increase of 10 FTE positions.

The Executive proposes to increase Internal Service Fund appropriations by \$1,591,000 to allow Corcraft to begin acquiring of supplies and materials required for the re-issuance of license plates. This action would result in the creation of 10 FTE positions.

#### Proposed Decreases

The Executive recommends a Deficit Reduction Plan that proposes a 50 percent reduction to a legislative addition for correctional officer equipment, yielding \$836,000 in savings for SFY 2008-09.

The Executive would decrease the General Fund appropriations by \$143,242,000 related to the following:

- an \$81,417,000 reduction is advanced related to the continuation of DOCS' Financial Management Plan. These reductions include the cessation of farm operations at twelve (12) correctional facilities (-90 FTE), dormitory consolidations, the reduction of Information Technology (IT) projects, the shortening of "summer school" educational programming, the elimination of certain inmate program contracts and the use of bond financing to support security costs related to capital projects;
- the elimination of unnecessary capacity resulting from an ongoing population decline and the reduced demand from the enactment of various sentencing and parole reforms, resulting in \$15,000,000 in savings and the attrition of 750 FTE positions;

- a delay in the expansion of mental health programs through proposed amendments to the SHU exclusion law, yielding \$10,519,000 in savings and a reduction of 388 FTEs;
- security staffing efficiencies achieved through a reduction in annual training costs and reducing the transportation of inmates, amounting to \$3,677,000 in savings and a reduction of 75 FTEs;
- curtailment of existing programs for inmates, including further reductions to summer school, the reduction of certain contracts and the attrition of Supervising Correction Counselor positions throughout the State, amounting to \$2,759,000 in savings and a decrease of six FTEs;
- enactment of Article VII legislation to expand access to medical parole, thereby reducing pharmaceutical and outside hospital costs (\$2,000,000); and
- a re-evaluation of the staffing needs necessary to deliver in-prison sex offender treatment programming and reforms to the sex offender hearing process, yielding \$1,501,000 in savings and the attrition of 28 FTEs.

The Executive proposes a reduction in Special Revenue Fund appropriations related to the re-estimate of food production costs, resulting in savings of \$9,200,000.

Federal appropriations are reduced by \$1,220,000 to reflect a decrease in Federal awards.

The Executive proposal includes a reduction in Enterprise Fund appropriations by \$1,023,000 to reflect the elimination of farm operations and recycling endeavors.

### **Aid to Localities**

The Executive proposes an Aid to Localities appropriation of \$200,000, a decrease of \$6,076,000 from SFY 2008-09 funding levels.

#### **Proposed Decreases**

The Executive recommends a Deficit Reduction Plan that proposes a 50 percent reduction to a various legislative additions, yielding \$185,000 in savings for SFY 2008-09.

- The Executive proposal includes reductions in Aid to Localities through the elimination of legislative additions (\$396,000) and reductions to the Support Services Program (\$5,880,000)

## **Capital Projects**

The Executive proposal includes a capital appropriation of \$320,000,000, unchanged from SFY 2008-09 funding levels. This funding level reflects an ongoing need to maintain an aging infrastructure.

## **Article VII**

The Executive recommends Article VII legislation that would:

- modify the one-year prison closure notification requirement, eliminate the closure notification requirements for facility annexes and special housing units, and authorize DOCS to house local inmates and Federal prisoners;
- modify and delay the expansion of mental health programs authorized by the Special Housing Unit (SHU) exclusion law for an additional three years, from July 1, 2011 to July 1, 2014;
- expand eligibility criteria for state inmates to qualify for medical parole and streamline the medical parole application process;
- authorize the Department of Correctional Services to sell cook-chill products to not-for-profit organizations;
- expand eligibility for the Shock Incarceration Program and establish a new limited credit time allowance for inmates;
- eliminate reimbursement of local jails for the housing of parole violators and state-ready inmates, except in instances where DOCS cannot provide a general confinement bed within certain time periods; and
- encourage the adoption of graduated sanctions for parole violators and the use of a risk and needs assessment instrument.

## CRIME VICTIMS BOARD

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	37,292,000	38,241,000	949,000	2.5%
Special Revenue-Federal	38,606,000	38,554,000	(52,000)	0.1%
<b>Total for AGENCY SUMMARY:</b>	<b>75,898,000</b>	<b>76,795,000</b>	<b>897,000</b>	<b>1.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
All Other Funds:	98	98	0
<b>TOTAL:</b>	<b>98</b>	<b>98</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 345-348)

The Crime Victims Board (CVB) awards compensatory damages to victims of crime, focusing mainly on those whose victimization was violent in nature, and also 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 Budget recommends an All Funds appropriation of \$76.8 million, an \$897,000 increase over its State Fiscal Year (SFY) 2008-09 funding level. The Executive proposes continued support for a workforce of 98 full-time equivalent (FTE) positions.

### **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$10,675,000, a net increase of \$897,000 from SFY 2008-09 funding levels.

In SFY 2007-08 and SFY 2008-09, the Executive proposed to shift all operating expenses of the CVB from the General Fund to the Criminal Justice Improvement Account (CJIA); a Special Revenue Fund which is wholly supported by fines and fees remitted by convicted offenders, and whose principal use is to support crime victim programming. The Executive proposes to repeat this fund shift in SFY 2009-10.

#### **Proposed Increases**

- The Executive provides an additional \$1,672,000 in appropriations to support adjustments for fringe benefits and other indirect costs. This increase is offset by reductions in personal service (\$604,000) and non-personal service costs (\$119,000), as well as a decrease in Federal appropriations authority (\$52,000).

#### **Proposed Decreases**

- The Executive eliminates General Fund appropriations of \$4,979,000 to support the operations of the CVB, and instead proposes to support these costs wholly with proceeds from the CJIA.

### **Article VII**

The Executive recommends Article VII legislation that would:

- limit reimbursement to health care providers for performing Forensic Rape Examinations to actual costs not to exceed \$800;
- establish a one year time limit on the submission of claims for reimbursement of medical and counseling expenses; and to allow restitution to be paid by credit card; and
- to expand the use of funds deposited into the CJIA.

## DIVISION OF CRIMINAL JUSTICE SERVICES

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	154,133,053	109,075,000	(45,058,053)	-29.2%
Special Revenue-Other	50,359,200	53,209,000	2,849,800	5.7%
Special Revenue-Federal	50,166,000	46,100,000	(4,066,000)	-8.1%
<b>Total for AGENCY SUMMARY:</b>	<b>254,658,253</b>	<b>208,384,000</b>	<b>(46,274,253)</b>	<b>-18.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	618	608	(10)
All Other Funds:	109	109	0
<b>TOTAL:</b>	<b>727</b>	<b>717</b>	<b>(10)</b>

#### Agency Mission

(Executive Budget: pp. 349-354)

The Division of Criminal Justice Services (DCJS) is the administering agency for both State and Federal funds 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.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$218,384,000, a \$36,274,253 decrease from the agency's State Fiscal Year (SFY) 2008-09 funding level. The Executive proposes support for a workforce of 717 full-time equivalent (FTE) positions, a decrease of 10 FTE positions.

The Executive recommends a Deficit Reduction Plan that makes adjustments to DCJS appropriations resulting in a savings of \$3,817,699 in SFY 2008-09.

## **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$113,979,000 representing a net decrease of \$5,253,000 from the SFY 2008-09 funding level.

### **Proposed Increases**

The Executive proposal includes the following increases in General Fund appropriations:

- to provide for debt service associated with a new fingerprint identifications system, the Statewide Automated Biometric Identification System (SABIS), the Executive Budget provides an additional \$1,950,000; and
- an additional \$2,449,000 is provided for personal service adjustments (\$1,900,000), inflationary costs associated with rent and utilities (\$386,000) and other non-personal service increases (\$163,000).

The Executive proposes an increase of \$2,400,000 for the Federal Edward Byrne Memorial/Justice Assistance Grant (JAG) Program.

The Executive further proposes an increase of \$2,000,000 in Federal appropriations to reflect anticipated increases in support for the Violence Against Women Act.

### Proposed Decreases

The Executive recommends the following decreases in General Fund support:

- a \$4,711,000 reduction results from the attrition of six FTE's and through achieving operational and non-personal service efficiencies;
- information technology efficiencies and contract renegotiations would result in a savings of \$3,028,000;
- the continued implementation of a Financial Management Plan would result in savings of \$2,238,000 through the reduction of five FTE's, vacancy controls, and other operational efficiencies; and
- the reduction of an additional 10 FTE positions, yielding a savings of \$600,000.

### Aid to Localities

The Executive proposes an All Funds Aid to Localities appropriation of \$104,405,000, a decrease of \$31,021,253 from the SFY 2008-09 funding level with 72 percent of the decrease resulting from General Fund reductions to local assistance.

### Proposed Increases

- The Executive increases the Special Revenue Fund appropriation level for the Crimes Against Revenue Program by \$473,000 to restore a reduction authorized during SFY 2008-09.

### Proposed Decreases

The Executive proposes reductions in General Fund appropriations totaling \$22,383,443 in the following areas:

- General Fund support for Operation IMPACT is eliminated, and these costs are shifted to Criminal Justice Improvement Account (CJIA);
- all prior year Legislative restorations and additions are eliminated, resulting in a reduction of \$8,154,000;
- funding for the Road to Recovery program is eliminated, resulting in a savings of \$4,160,000. The Executive instead provides \$4,000,000 to the Office of Alcohol and Substance Abuse Services for the purpose of implementing a judicial diversion

program and to otherwise ensure sufficient treatment remains accessible to persons involved in the criminal justice system;

- a contingent appropriation for District Attorney salaries is eliminated (\$3,430,000);
- a reduction of six percent, or \$2,521,000 to various local assistance programs, including: Aid to Prosecution, Aid to Defense, Aid to Crime Labs, the New York Prosecutors Training Institute (NYPTI), the Witness Protection Program, District Attorney salary reimbursement, the Special Narcotics Prosecutor, the New York State Defenders Association (NYSDA), Soft Body Armor and Drug Diversion. Prior year Legislative restorations for Aid to Defense and NYSDA are further reduced by \$236,000;
- the Westchester County policing program is eliminated (\$2,395,000);
- Project INSPYRE is eliminated (\$1,842,000); and
- laboratory analysis for anti-gun trafficking is eliminated (\$500,000).

The Executive proposes the following decreases in Special Revenue Fund support in the following areas:

- the Legal Services Assistance Fund (LSAF) appropriations are decreased by \$4,900,000 to eliminate a District Attorney Recruitment and Retention initiative (\$1,500,000) and prior year Legislative restorations for civil and criminal legal service providers. Supplemental Aid to Prosecution and Aid to Defense are eliminated as well (\$200,000 and \$230,000, respectively);
- appropriations made for the CJIA are reduced by \$1,218,000, reflecting the elimination of prior year Legislative restorations for services to domestic violence victims. The Executive proposal provides a CJIA appropriation of \$9,146,000 to support Operation IMPACT; and
- the Drug Enforcement Task Force Account and the DCJS Gifts and Bequests Account are eliminated (\$392,000 and \$200,000, respectively).

The Executive proposes to reduce appropriations to accept Federal funds by a total \$5,250,000 to reflect anticipated reductions in Federal grant assistance.

The Executive recommends a Deficit Reduction Plan which reduces appropriations for Legislative additions by fifty (50) percent, yielding a savings of \$3,817,699 for SFY 2008-09.

## Article VII

The Executive recommends Article VII legislation that would:

- expand the use of funds deposited in the Criminal Justice Improvement Account;
- require applicants to be licensed as an insurance agent, broker, adjuster, consultant, or intermediaries to submit their fingerprints to the DCJS as part of a background check; and
- Extend various criminal justice programs that would otherwise sunset.

# STATE BOARD OF ELECTIONS

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	9,581,000	7,395,000	(2,186,000)	-22.8%
Special Revenue-Other	2,000,000	5,000,000	3,000,000	150.0%
Special Revenue-Federal	11,000,000	7,500,000	(3,500,000)	-31.8%
<b>Total for AGENCY SUMMARY:</b>	<b>22,581,000</b>	<b>19,895,000</b>	<b>(2,686,000)</b>	<b>-11.9%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	83	63	(20)
<b>TOTAL:</b>	<b>83</b>	<b>63</b>	<b>(20)</b>

### Agency Mission

(Executive Budget: pp. 355-358)

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 \$19,895,000, reflecting a decrease of \$2,686,000 or 11.90 percent from the State Fiscal Year (SFY) 2008-09 funding level. This appropriation includes \$7,395,000 in General Fund Support and \$5,000,000 in Special Revenue

Funds – Other to allow the State to continue its work pertaining to the implementation of the Help America Vote Act of 2002 (HAVA).

The Executive recommends funding 63 full-time equivalent (FTE) positions in SFY 2009-10 reflecting a reduction of 20 FTE positions from the current fiscal year staffing level.

### **State Operations**

The Executive recommends \$12,395,000 in State Operations funding, reflecting a net increase of \$814,000 or 7 percent above 2008-09 funding levels.

#### **Proposed Increases**

The Executive proposes the following:

- an increase of \$138,000 in General Fund spending to reflect the cost of continuing current programs, including salary and other fixed costs; and
- an increase of \$3,000,000 in Special Revenue Funds – Other appropriations, 150 percent above the current year funding of \$2,000,000 for Voting Machine Examinations.

#### **Proposed Decreases**

The Executive proposes the following:

- a reduction of \$1,382,000 to reflect the elimination of the 20 FTE funded vacancies associated with the Investigation of Campaign Financing Program; and
- a reduction of \$942,000 to reflect the impact of 2008-09 savings initiatives including in house responsibility for a formerly contracted Voter Registration Help Desk, the cancellation of a relocation and renovations, and other management efficiencies.

### **Aid to Localities**

The Executive recommends \$7,500,000 in Special Revenue – Federal Aid to Localities funding, reflecting a net decrease of \$3,500,000 or 31.82 percent from current year funding levels.

#### **Proposed Increases**

The Executive proposes the following increases:

- funding of \$7,500,000 is provided in Special Revenue - Federal as new appropriation authority to accommodate potential additional Federal funding. This

is to be used for the implementation of HAVA, including the purchase of new voting machinery and disability accessible ballot machinery devices for use by local boards of election. Up to \$6,000,000 may be transferred to the State Board for HAVA related expenditures, upon a vote by the State Board.

### Proposed Decreases

The Executive proposes the following decreases:

- a \$10,000,000 reduction is in Special Revenue - Federal funding for the purchase of voting machines. This money is reappropriated; and
- a \$1,000,000 reduction in Special Revenue - Federal funding for alteration of poll sites to provide accessibility for disabled voters. This money is reappropriated.

The Executive provides reappropriations totaling \$258,490,000 in funding to allow the State to continue its work pertaining to the implementation of the HAVA.

## OFFICE OF EMPLOYEE RELATIONS

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	4,518,000	3,715,000	(803,000)	-17.8%
Special Revenue-Other	125,000	121,000	(4,000)	-3.2%
Internal Service Fund	2,949,000	1,789,000	(1,160,000)	-39.3%
<b>Total for AGENCY SUMMARY:</b>	<b>7,592,000</b>	<b>5,625,000</b>	<b>(1,967,000)</b>	<b>-25.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	42	37	(5)
All Other Funds:	14	14	0
<b>TOTAL:</b>	<b>56</b>	<b>51</b>	<b>(5)</b>

#### Agency Mission

(Executive Budget: pp. 359-361)

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 proposes an All Funds appropriation of \$5,625,000, a net decrease of \$1,967,000 or 25.9 percent below the State Fiscal Year (SFY) 2008-09 level. This decrease is primarily due to the transfer of 12 Workforce and Organizational Development Unit positions from the agency budget to labor management committee funding for training services in the current fiscal year. The Executive proposes funding support in SFY 2009-10 of 51 full-time equivalent (FTE) positions, a decrease of 5 positions.

### **State Operations**

#### **Proposed Increases**

The Executive proposes an increase of \$39,000 to reflect salary and other fixed cost increases.

#### **Proposed Decreases**

The Executive proposes:

- savings of \$420,000 related to consolidation of functions and other administrative staff efficiencies for 5 FTEs;
- savings of \$214,000 related to attrition and administrative staff efficiencies for 1 FTE in SFY 2008-09; and
- savings related to reductions in travel, publications and other management efficiencies totaling \$56,000 in SFY 2008-09.

## EXECUTIVE CHAMBER

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	22,854,000	20,397,000	(2,457,000)	-10.8%
Special Revenue-Other	100,000	100,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>22,954,000</b>	<b>20,497,000</b>	<b>(2,457,000)</b>	<b>-10.7%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	174	169	(5)
<b>TOTAL:</b>	<b>174</b>	<b>169</b>	<b>(5)</b>

### Agency Mission

(Executive Budget: pp. 363-365)

The Executive Chamber is the Office of the Governor and includes the immediate staff of the Governor's office.

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

### Budget Detail

The Executive proposes All Funds appropriations of \$20,497,000 to support the activities of the Office of the Governor. The requested appropriation reflects a decrease of \$2,457,000 or 10.7 percent from the current State Fiscal Year (SFY) 2008-09 base funding levels.

The Executive's recommendation reflects a workforce of 169 full-time equivalent (FTE) positions, representing a reduction of 5 FTE positions from SFY 2008-09.

### **State Operations**

An appropriation of \$300,000 in the General Fund is provided for activities authorized pursuant to the Moreland Act.

#### Proposed Decreases

The Executive recommends elimination of the General Fund appropriation of \$1,378,000 for support of the Office of the Lieutenant Governor due to the current vacancy in the position of the Lieutenant Governor. The Executive's recommendation reflects the transfer of all 15 FTE positions associated with the Lieutenant Governor's Office in SFY 2008-09 to the Executive Chamber. Some positions were subsequently eliminated through attrition.

The Executive also recommends the following reductions totaling \$1,079,000:

- a \$422,000 decrease in Personal Service; and
- a \$657,000 decrease in Non-Personal Services.

## OFFICE OF GENERAL SERVICES

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	163,577,000	148,457,000	(15,120,000)	-9.2%
Special Revenue-Other	23,532,000	22,127,000	(1,405,000)	-6.0%
Special Revenue-Federal	8,230,000	8,230,000	0	0.0%
Enterprise	2,081,000	2,014,000	(67,000)	-3.2%
Capital Projects Fund	70,000,000	74,700,000	4,700,000	6.7%
Capital Projects Fund - Authority Bonds	13,140,000	23,300,000	10,160,000	77.3%
Internal Service Fund	229,709,000	610,056,000	380,347,000	165.6%
Fiduciary	750,000	750,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>511,019,000</b>	<b>889,634,000</b>	<b>378,615,000</b>	<b>74.1%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	953	850	(103)
All Other Funds:	648	648	0
<b>TOTAL:</b>	<b>1,601</b>	<b>1,498</b>	<b>(103)</b>

#### Agency Mission

(Executive Budget: pp. 91-104)

The Office of General Services (OGS) supports the operation 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) 2009-10 Executive Budget includes the following:

- A transfer of \$7,654,000 from OGS to establish a new Office of Procurement Services; and
- a Real Property Management and Development Internal Service Fund appropriation of \$400,000,000 to centrally coordinate leased space for State agencies in an effort to manage negotiations of improved rental rates, lease audits, and relocations into State owned space in order to achieve \$10,000,000 in savings for SFY 2009-10.

## **Budget Detail**

The Executive purposes an All funds appropriation of \$889,634,000, reflecting an increase of \$378,615,000 from the SFY 2008-09 funding level. The Executive recommends funding for 1,498 full-time equivalent (FTE) positions, a decrease of 103 FTEs from 2008-09 levels. This is attributable to the transfer of functions to the new Office for Procurement Services.

## **State Operations**

The Executive recommends an All Funds appropriation for State Operations of \$791,634,000 representing a \$363,755,000 increase above the SFY 2008-09 funding level.

### **Proposed Increases**

- a \$144,000 increase to the Executive Direction Internal Service Fund reflecting the cost of continuing programs including salary and other fixed costs;
- a \$550,000 increase to the Design and Construction Internal Service Fund reflecting the cost of continuing programs including salary and other fixed costs;
- a net \$174,000 increase to the Real Property Management and Development Internal Service Fund reflecting the cost of continuing programs; and
- a \$400,000,000 increase to the Real Property Management and Development Internal Service Fund from a new Lease Space Initiative which will fund all leases payments statewide from a single appropriation. An additional \$10,000,000 in General Fund Savings is budgeted for SFY 2009-10 based on savings from new lease audits, relocations of State Offices into State owned spaces, and negotiations of improved lease terms and rental agreements.

## Proposed Decreases

- a net decrease of \$1,447,000 in General Fund support reflecting an adjustment for the savings from continuing current programs;
- a decrease of \$4,000,000 in General Fund support due to initiatives including funded vacancies, attrition and administrative staffing efficiencies;
- a \$2,019,000 decrease in General Fund support due to initiatives from travel restrictions and other management efficiencies;
- a \$7,654,000 decrease due to the transfer of 103 employees to the new Office for Procurement Services;
- a \$391,000 decrease in Executive Direction Special Revenue funds due to attrition and Non-personal service cost reductions;
- a \$581,000 decrease in Real Property Management and Development Special Revenue funding reflecting an adjustment for the cost of continuing programs, including salary and other fixed costs with additional spending reductions from attrition, travel restrictions, and administrative and management staffing efficiencies;
- a \$432,000 decrease in Technology and Asset Management Special Revenue Funds funding reflecting an adjustment to the cost of continuing programs including salary and other fixed costs, with additional savings from attrition travel restrictions, and administrative and management staffing efficiencies;
- a \$36,000 decrease in the Executive Direction Internal Service Fund from initiatives from travel and other management efficiencies;
- a \$547,000 decrease in the Design and Construction Internal Service Fund reflecting savings initiatives from travel restrictions and other management efficiencies;
- a net \$19,938,000 decrease in the Technology and Asset Management Internal Service Fund due to the removal of aggregate statewide purchasing; and
- a \$67,000 decrease in the Enterprise Funds due to efficiencies and travel restrictions.

## **Capital Projects**

The Executive recommends \$98,000,000 in funding for Capital projects, reflecting an increase from SFY 2008-09 due to the following:

- a \$400,000 increase to Design and Construction Supervision to \$13,000,000 for additional construction management needs on behalf of State agencies;
- a net increase of \$1,160,000 for the Maintenance and Improvement of Real Property Facilities to \$71,700,000; and
- a \$13,300,000 appropriation for Sustainability Projects to increase environmental and energy sustainability installations and upgrades of State facilities.

## **Article VII**

The Executive recommends Article VII legislation that would establish the Office of Procurement Services.

## OFFICE OF HOMELAND SECURITY

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	11,441,000	18,102,000	6,661,000	58.2%
Special Revenue-Other	10,944,000	4,701,000	(6,243,000)	-57.0%
Special Revenue-Federal	350,216,000	500,000,000	149,784,000	42.8%
Internal Service Fund	1,500,000	1,500,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>374,101,000</b>	<b>524,303,000</b>	<b>150,202,000</b>	<b>40.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	110	99	(11)
All Other Funds:	82	87	5
<b>TOTAL:</b>	<b>192</b>	<b>186</b>	<b>(6)</b>

#### Agency Mission

(Executive Budget: pp. 375-379)

The State Office of Homeland Security (OHS) is responsible for developing and implementing 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. OHS is charged with assessing the vulnerability of critical assets, systems and material; assisting in policy development; allocating 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.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$524,303,000, a \$150,202,000 increase from the SFY 2009-10 funding level. The Executive proposes support for a workforce of 186 full-time equivalent (FTE) positions, a decrease of 6 FTE positions from SFY 2008-09.

### **State Operations**

The Executive proposal includes State Operations support in the amount of \$24,303,000, an increase of \$202,000 from SFY 2008-09 funding levels.

#### **Proposed Increases**

- The Executive proposal includes a new General Fund appropriation of \$5,121,000 to support staffing and related costs of the Cyber Security and Critical Infrastructure Coordination (CSCIC) Program. Such costs were previously supported through an assessment pursuant to Article 18-A of the Public Service Law.
- The Executive proposal also increases General Fund support for OHS in the amount of \$3,711,000 to provide for the continued expenses of the State Preparedness Training Center in Oriskany, New York. These funds would be transferred from a miscellaneous homeland security appropriation included in the Public Protection and General Government budget.
- The Executive proposal also augments General Fund appropriations by \$103,000 to reflect anticipated salary increases.

#### **Proposed Decreases**

The Executive decreases General Fund appropriations accordingly:

- an appropriation of \$6,243,000 to support staffing and related costs of CSCIC is eliminated and a portion of these costs are instead supported by General Fund receipts;
- a seven percent savings of \$1,074,000 is claimed from a proposal to delay certain construction projects at the State Preparedness Training Center and the elimination of certain information technology consultant contracts;
- the proposed attrition of 10 FTE positions would reduce spending by \$700,000;
- savings of \$400,000 would result from the limiting of overtime, travel and equipment and supply purchases; and

- the attrition of one FTE position associated with the Security Guard Tax Credit program would produce reductions of \$100,000.

### **Aid to Localities**

The Executive proposes funding to support Aid to Localities in the amount of \$500,000,000, an increase of \$150,000,000 from the SFY 2008-09 funding level. This increase reflects the addition of \$150,000,000 in appropriation authority to accept grants related to the Federal Homeland Security Grant Program.

### **Article VII**

The Executive recommends Article VII legislation that would allow the Office of Cyber Security and Critical Infrastructure Coordination to become a not-for-profit corporation.

## OFFICE OF THE INSPECTOR GENERAL

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	7,348,000	6,825,000	(523,000)	-7.1%
Special Revenue-Other	100,000	100,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>7,448,000</b>	<b>6,925,000</b>	<b>(523,000)</b>	<b>-7.0%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	66	63	(3)
<b>TOTAL:</b>	<b>66</b>	<b>63</b>	<b>(3)</b>

#### Agency Mission

(Executive Budget: pp. 381-383)

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 of \$6,925,000 reflecting a net decrease of \$523,000 or 7.12 percent from the State Fiscal Year (SFY) 2008-09 funding level. The decrease reflects the elimination of vacant positions and administrative savings initiatives.

A workforce of 63 full-time equivalent (FTE) funded positions is recommended which is a reduction of three funded positions from SFY 2008-09.

### State Operations

The Executive recommends \$100,000 in Special Revenue Fund-Other funding, reflecting no change from the SFY 2008-09 base funding level.

#### Proposed Increases

- A net adjustment of \$318,000 to reflect the cost of continuing existing programs, including salary, rental escalation for the New York City office along with additional moving costs and increases to other fixed costs.

#### Proposed Decreases

The Executive recommends State Operations General Fund appropriations of \$6,825,000, a net decrease of \$523,000 or 7.02 percent from SFY 2008-09 funding levels. This decrease reflects the following:

- a reduction of \$545,000 which reflects the impact of SFY 2008-09 savings initiatives including the partial elimination of four FTE positions; and
- a reduction of \$296,000 which reflects the impact of SFY 2009-10 savings initiatives including elimination of three additional FTE funded vacancies and other management efficiencies.

## NEW YORK INTEREST ON LAWYERS ACCOUNT

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	72,190,000	47,050,000	(25,140,000)	-34.8%
<b>Total for AGENCY SUMMARY:</b>	<b>72,190,000</b>	<b>47,050,000</b>	<b>(25,140,000)</b>	<b>-34.8%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
All Other Funds:	9	9	0
<b>TOTAL:</b>	<b>9</b>	<b>9</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 385-387)

The Interest on Lawyer Account (IOLA) Fund was established in 1983 to finance civil legal services for low-income New Yorkers. IOLA revenues are derived from the interest accrued on trust accounts in which attorneys hold certain funds for their clients. This earned interest is pooled, and a fifteen-member Board of Trustees allocates the funds to not-for-profit, tax-exempt entities who provide 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 Budget recommends an All Funds State Operations appropriation of \$47,050,000, a \$25,140,000 decrease the State Fiscal Year (SFY) 2008-09 funding level. The Executive proposes support for a workforce of 9 full-time equivalent (FTE) positions, representing no change from SFY 2008-09.

### **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$2,050,000, a decrease of \$140,000 from the SFY 2008-09 funding level.

The Executive proposal decreases appropriations for IOLA by \$140,000 to reflect inflationary cost adjustments.

### **Aid to Localities**

The Executive proposes an All Funds Aid to Localities appropriation of \$45,000,000, a decrease of \$25,000,000 from the SFY 2008-09 funding level.

#### **Proposed Decreases**

The Executive proposal decreases appropriations made to support grants to civil legal service providers by \$25,000,000. This reduction reflects the anticipated loss of a significant amount of escrow revenue in the upcoming State Fiscal Year.

# TEMPORARY STATE COMMISSION OF INVESTIGATION

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	3,866,000	0	(3,866,000)	-100.0%
Special Revenue-Other	287,000	0	(287,000)	-100.0%
<b>Total for AGENCY SUMMARY:</b>	<b>4,153,000</b>	<b>0</b>	<b>(4,153,000)</b>	<b>-100.0%</b>

### Agency Mission

(Executive Budget: pp. 389-390)

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 eliminates the All Funds appropriations of \$4,153,000, reflecting a 100 percent reduction in funding for this agency. The State Fiscal Year (SFY) 2009-10 Executive recommendation reflects the planned sunset of the Commission enabling legislation on March 31, 2009.

### State Operations

The Executive recommends the elimination of the All Funds appropriations of \$4,153,000, reflecting the following:

#### Proposed Decreases

- a reduction of \$3,866,000 in the General Fund appropriation, reflecting a 100 percent reduction in funding; and
- a reduction of \$287,000 in Special Revenue Funds – Other, reflecting a 100 percent reduction in funding.

## JUDICIAL COMMISSIONS

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	5,372,000	5,268,000	(104,000)	-1.9%
<b>Total for AGENCY SUMMARY:</b>	<b>5,372,000</b>	<b>5,268,000</b>	<b>(104,000)</b>	<b>-1.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	51	51	0
<b>TOTAL:</b>	<b>51</b>	<b>51</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 391-393)

New York State's three Judicial Commissions serve to maintain 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 proposes an All Funds appropriation of \$5,268,000 for State Fiscal Year (SFY) 2008-09, a \$104,000 decrease. The Executive proposes to continue a workforce of 51 full-time equivalent (FTE) positions.

## **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$5,268,000, a decrease of \$104,000 from SFY 2008-09 fund levels.

### **Proposed Decreases**

The Executive recommendation includes a reduction of \$104,000 to the Commission on Judicial Conduct (CJC).

## DEPARTMENT OF LAW

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	140,453,000	133,431,000	(7,022,000)	-5.0%
Special Revenue-Other	78,040,000	74,866,000	(3,174,000)	-4.1%
Special Revenue-Federal	41,083,000	41,083,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>259,576,000</b>	<b>249,380,000</b>	<b>(10,196,000)</b>	<b>-3.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	1,287	1,287	0
All Other Funds:	745	745	0
<b>TOTAL:</b>	<b>2,032</b>	<b>2,032</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 395-399)

The Department of Law 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.

## **Budget Detail**

The Executive Budget recommends an All Funds State Operations appropriation of \$249,380,000, a \$10,196,000 decrease from its State Fiscal Year (SFY) 2008-09 funding levels. The Executive proposal supports a workforce of 2,032 full-time equivalent (FTE) positions, unchanged from SFY 2008-09 funding levels.

The Executive recommends a Deficit Reduction Plan that would transfer \$91,000,000 from the Department of Law's Litigation Settlement Account to the General Fund in SFY 2008-09. Article VII legislation related to this proposal is also advanced.

### **State Operations**

The Executive Budget recommends an All Funds State Operation appropriation of \$249,380,000, a \$10,196,000 decrease from SFY 2008-09 funding levels.

#### **Proposed Decreases**

The Executive proposal includes:

- spending reductions for non-essential services totaling \$7,022,000; and
- reductions of \$3,174,000 in Special Revenue Fund-Other appropriations for non-essential services.

## DIVISION OF MILITARY AND NAVAL AFFAIRS

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	25,572,500	115,293,000	89,720,500	350.8%
Special Revenue-Other	18,120,000	18,541,000	421,000	2.3%
Special Revenue-Federal	55,776,000	367,442,000	311,666,000	558.8%
Enterprise	0	50,000,000	50,000,000	-
Capital Projects Fund	13,100,000	13,100,000	0	0.0%
Federal Capital Projects Fund	17,600,000	17,600,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>130,168,500</b>	<b>581,976,000</b>	<b>451,807,500</b>	<b>347.1%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	251	251	0
All Other Funds:	392	392	0
<b>TOTAL:</b>	<b>643</b>	<b>643</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 401-406)

The Division of Military and Naval Affairs (DMNA) has two primary missions. Through the State's militia, DMNA maintains a well-trained military force ready to respond to civil emergencies, natural disasters and threats to national security. Through the State Emergency Management Office (SEMO), DMNA prepares the State and local governments to deal effectively with potential disasters and coordinates the State's response to disasters.

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

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes the following:

- a new \$300,000,000 appropriation to accept Federal disaster assistance funds; and
- a new General Fund appropriation of \$90,000,000 to provide for the state's share of costs resulting from natural or man-made disasters.

## **Budget Detail**

The Executive Budget recommends an All-Funds appropriation of \$581,976,000 a \$451,807,500 increase from its State Fiscal Year (SFY) 2008-09 funding level. The Executive proposes support for an unchanged workforce of 643 full-time equivalent (FTE) positions.

## **State Operations**

The Executive proposal includes an All Funds State Operations appropriation of \$139,379,000, a net increase of \$49,576,000 from SFY 2008-09 funding levels.

### **Proposed Increases**

- The Executive increases General Fund appropriations by a total \$1,011,000 to support increases in utility costs at the State's armories of \$627,000 as well as negotiated salary increases of \$384,000.
- The Executive proposal augments Special Revenue Fund appropriations by \$1,350,000 to accept additional revenue associated with an increase in the Radiological Emergency Preparedness fee, pursuant to an Article VII proposal. An additional \$108,000 in Special Revenue Fund support is provided to accommodate negotiated salary increases.
- The Executive proposal includes an Enterprise Fund appropriation of \$50,000,000 to allow SEMO to offer private entities fee-based access to the New York Alert network.
- Appropriations made to accept Federal funds are increased by \$236,000 to reflect negotiated salary increases.

### **Proposed Decreases**

The Executive decreases General Fund appropriations by a total \$1,242,000, achieved through the following:

- a reduction of \$445,000 to reflect non-personal service reductions in SEMO;
- reductions to Military Readiness Program, including support for the New York Guard and the Honor Guard (\$366,000);
- reductions to the Administration Program, including the attrition of 5 FTE positions (\$206,000) and reductions to SEMO's Emergency Management Program, including the attrition of an additional 2 FTE's (\$125,000); and
- reductions in museum operations (\$100,000).

### **Aid to Localities**

The Executive proposes an All Funds Aid to Localities appropriation of \$411,897,000, a net increase of \$402,231,500 from SFY 2008-09 funding levels.

#### **Proposed Increases**

The Executive proposal includes a new General Fund appropriation of \$90,000,000 to provide for a state share of costs related to natural or man-made disasters. Executive appropriation language asserts that these funds may not be used to finance the entire match to Federal assistance, requiring the State to share these costs evenly with localities.

The Executive proposal also includes a new \$300,000,000 appropriation to accept Federal assistance related to natural or man-made disasters.

#### **Proposed Decreases**

The Executive decreases the Special Revenue Fund appropriations in the following manner:

- appropriations made for the New York Alert Account are reduced by \$800,000 to reflect the actual balance of Federal disaster assistance funds available for this purpose; and
- an additional \$237,000 in savings is achieved through nonpersonal service reductions to emergency management programs, billeting at Camp Smith and seized assets accounts.

### **Capital Projects**

The Executive recommends a capital appropriation of \$30,700,000 for continuing capital projects to replace or expand armories and equipment maintenance facilities across the State, in addition to other maintenance and rehabilitation projects. This level of support remains unchanged from SFY 2008-09.

## **Article VII**

The Executive recommends Article VII legislation that would increase the assessment on nuclear power plant facilities to support emergency preparedness planning efforts, from the present fee of \$550,000 per reactor to a new fee of \$1 million per reactor.

## DIVISION OF PAROLE

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	224,237,218	183,647,000	(40,590,218)	-18.1%
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>234,812,218</b>	<b>194,222,000</b>	<b>(40,590,218)</b>	<b>-17.3%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	2,135	2,111	(24)
<b>TOTAL:</b>	<b>2,135</b>	<b>2,111</b>	<b>(24)</b>

#### Agency Mission

(Executive Budget: pp. 407-410)

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 supervising nearly 60,000 offenders serving 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 (DOCS) 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 community-based field offices.

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

### **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes the following:

- the elimination of all funding for community-based treatment contracts; and
- the elimination of support for per-diem reimbursement for the housing parole violators in local correctional facilities.

### **Budget Detail**

The Executive Budget recommends an All Funds appropriation of \$194,222,000 a \$40,590,218 decrease below its SFY 2008-09 funding levels. The Executive proposes support for a workforce of 2,111 full-time equivalent (FTE) positions, a decrease of 24 FTEs from SFY 2008-09.

### **State Operations**

The Executive proposes funding to support State operations to the amount of \$177,067,000, a net decrease of \$7,177,000 below SFY 2008-09 funding levels.

#### **Proposed Increases**

The Executive Budget includes additional General support for the following:

- an additional \$8,640,000 is provided to accommodate negotiated salary increases; and
- an additional \$2,287,000 is provided for lease increases (\$1,657,000) and other inflationary costs (\$630,000).

#### **Proposed Decreases**

The Executive recommends the following reductions:

- a reestimate of supervision needs, efficiencies in the parole hearing process and delays in equipment purchases will result in a \$5,770,000 reduction;
- the cancellation of 2 training classes, the postponement of information technology projects and a hiring freeze will generate \$2,568,000 in reductions;
- a \$3,579,000 reduction is achieved through the use of a risk and needs assessment instrument for the supervision of parolees. Pursuant to Article VII legislation, this action would allow for the in the attrition of 60 FTE positions;

- a \$2,902,000 reduction is achieved through the re-estimation of personnel required to monitor parolees serving terms of post-release supervision and Strict and Intensive Supervision and Treatment, as required by the Sex Offender Monitoring and Treatment Act, resulting in the attrition of 133 FTE positions;
- non-personal service efficiencies would result in the reduction of \$2,500,000 in General Fund expenses; and
- a hiring freeze, including the attrition of 10 FTE positions, would result an additional \$785,000 in reductions.

### **Aid to Localities**

The Executive proposes an Aid to Localities appropriation of \$6,580,000, a decrease of \$33,414,000 from the SFY 2008-09 level:

#### **Proposed Decreases**

The Executive decreases General Fund support for Aid to Localities by \$33,414,000 through the following actions:

- the elimination of the per-diem reimbursement to localities for the housing of parole violators in local correctional facilities (\$20,090,000), except in circumstances where DOCS cannot provide a general confinement bed within ten days of local notification;
- the elimination of all community-based treatment contracts (\$8,140,000), with \$2,000,000 of these funds transferred to the Office of Alcoholism and Substance Abuse Services; and
- the elimination of funding to provide for the housing of sex offenders (\$5,184,000).

### **Article VII**

The Executive recommends Article VII legislation that would:

- encourage the adoption of graduated sanctions for parole violators and the use of a risk and needs assessment instrument for the supervision requirements of individual parolees; and
- eliminate reimbursement of local jails for the housing of parole violators and state-ready inmates, except in instances where DOCS cannot provide a general confinement bed within ten business days after notification that an inmate is state-ready.

## OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,669,180	2,343,000	(326,180)	-12.2%
Special Revenue-Other	70,000	70,000	0	0.0%
Special Revenue-Federal	118,000	100,000	(18,000)	-15.3%
Internal Service Fund	890,000	890,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>3,747,180</b>	<b>3,403,000</b>	<b>(344,180)</b>	<b>-9.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	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. 411-414)

The Office for the Prevention of Domestic Violence (OPDV) 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 OPDV is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

- The State Fiscal Year (SFY) 2009-10 Executive Budget proposes to eliminate funding for Batterers Program.

## **Budget Detail**

The Executive proposes an All Funds appropriation of \$3,403,000, a decrease of \$344,180 or 9.2 percent from SFY 2008-09. The Executive recommends funding to continue support of 33 full-time equivalent positions.

### **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$2,718,000, a decrease of \$135,000 or 4.73 percent from the SFY 2008-09 level.

### **Aid to Localities**

The Executive proposes an All Funds Aid to Localities appropriation of \$685,000, a decrease of \$209,180 or 23.29 percent from the SFY 2008-09 level as a result of the Executive's proposal to eliminate the Batterers Program.

### **Article VII**

The Executive recommends Article VII legislation that would repeal the authorization for a Batterers Program in the Executive Law.

## PROBATION AND CORRECTIONAL ALTERNATIVES, DIVISION OF

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	81,328,251	71,382,000	(9,946,251)	-12.2%
<b>Total for AGENCY SUMMARY:</b>	<b>81,328,251</b>	<b>71,382,000</b>	<b>(9,946,251)</b>	<b>-12.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	35	35	0
<b>TOTAL:</b>	<b>35</b>	<b>35</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 415-417)

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.

## **Budget Detail**

The Executive Budget recommends an All Funds appropriation of \$71,382,000, a \$9,946,251 decrease below the State Fiscal Year (SFY) 2008-09 funding level. The Executive proposes continued support for a workforce of 35 full-time equivalent (FTE) positions.

### **State Operations**

The Executive proposes a General Fund State Operations appropriation of \$3,006,000, a decrease of \$101,000 from the SFY 2008-2009 funding level.

#### **Proposed Increases**

The Executive increases the General Fund accordingly:

- the Executive recommends a Deficit Reduction Plan that reduces various legislative additions by 50 percent resulting in total agency savings of \$1,803,500 for SFY 2008-09 and no additional savings in SFY 2009-10; and
- an additional \$62,000 is provided to support inflationary costs associated with personal and non-personal service as well as lease costs.

#### **Proposed Decreases**

The Executive decreases General Fund appropriations by:

- \$163,000 resulting from the implementation of a hiring freeze, reduced funding for Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), an offender supervision tool, and other operational efficiencies.

### **Aid to Localities**

The Executive proposes an Aid to Localities appropriation of \$68,376,000, a decrease of \$9,845,000 from the SFY 2008-09 funding level.

## Proposed Decreases

The Executive proposal recommends the following General Fund reductions:

- a six percent reduction is applied to all local assistance programs, including Probation Aid, achieving \$4,383,000 in savings;
- a supplemental legislative appropriation for ATI Demonstration Projects is eliminated, resulting in \$2,928,000 in savings;
- all prior-year Legislative restorations are eliminated, totaling \$1,594,631 in savings; and
- a Global Positioning System (GPS) pilot project for the tracking of sex offenders in certain counties is also eliminated, resulting in \$940,000 in savings.

## Article VII

The Executive recommends Article VII legislation that would credit probation sentences for time served under interim supervision and implement a one-time \$25 probation registration fee.

## PROCUREMENT SERVICES, OFFICE FOR

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	0	7,564,000	7,564,000	--
<b>Total for AGENCY SUMMARY:</b>	<b>0</b>	<b>7,564,000</b>	<b>7,564,000</b>	<b>--</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	0	103	103
<b>TOTAL:</b>	<b>0</b>	<b>103</b>	<b>103</b>

#### Agency Mission

(Executive Budget: pp. 419-421)

The State Fiscal Year (SFY) 2009-10 Executive Budget proposes the establishment of a new Office for Procurement Services (OPS). OPS is charged with ensuring that the State is adhering to procurement best practices, taking full advantage of new procurement methods, and leveraging the State's purchasing power to achieve best value and price.

#### Programmatic Highlights

The SFY 2009-10 Executive Budget includes the following:

- The Executive proposes \$7,564,000 to fund 103 full-time equivalent (FTE) positions in the Office for Procurement Services.

## **Budget Detail**

The Executive Budget proposes a General Fund State Operations appropriation of \$7,564,000 for OPS. The Executive also proposes a workforce of 103 FTE which would be transferred from the Office of General Services.

### **State Operations**

#### Proposed Increases

- The Executive proposal recommends a \$7,564,000 appropriation in General Fund support for Personal Service and Non-personal service cost to fund OPS.

### **Article VII**

The Executive recommends Article VII legislation that would:

- establish the Office of Procurement Services within the Executive Department, which would assume the current responsibilities of the Procurement Service Division of the Office of General Services;
- establish a Chief Procurement Officer to head the OPS;
- designate OPS as the official procurement office for the State, and be granted powers to set policies regarding purchasing best practices, standardization of purchasing process, vendor diversity and centralized technology contracts; and
- authorize the State Procurement Council to issue guidelines for strategic partnerships between State and private entities, including joint development of commodities and services.

## PUBLIC EMPLOYEES RELATIONS BOARD

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	4,212,000	4,116,000	(96,000)	-2.3%
Special Revenue-Other	257,000	568,000	311,000	121.0%
<b>Total for AGENCY SUMMARY:</b>	<b>4,469,000</b>	<b>4,684,000</b>	<b>215,000</b>	<b>4.8%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	37	38	1
<b>TOTAL:</b>	<b>37</b>	<b>38</b>	<b>1</b>

#### Agency Mission

(Executive Budget: pp. 423-426)

The Public Employees Relations Board resolves major labor disputes between public employers and employees. The Board provides mediation, fact finding and arbitration in contract disputes for approximately 4,760 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.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes a proposal to abolish the State Employment Relations Board (SERB) and to have the responsibilities of SERB be assumed by the Public Employment Relations Board (PERB). This action is proposed to produce reductions of \$1,700,000 in the Department of Labor. No layoffs are anticipated by this action.

## **Budget Detail**

The Executive proposes an All Funds appropriation of \$4,684,000 for SFY 2009-10, a net increase of 4.81 percent above the SFY 2008-09 level. The Executive recommends funding to support 38 full-time equivalent (FTE) positions, an increase of one position.

## **State Operations**

The Executive proposes a General Fund appropriation of \$4,116,000, a net decrease of 96,000 or 2.28 percent from SFY 2008-09. The Executive recommends a Special Revenue-Other appropriation of \$568,000, an increase of 121.01 percent over SFY 2008-09.

### **Proposed Increases**

The Executive proposes:

- an increase of \$311,000 in General Fund spending to support the increased workload resulting from absorbing the responsibilities of the SERB; and
- an increase in Special Revenue-Other (SRO) funding of \$315,000 to support the increased workload resulting from assuming the responsibilities of the SERB. The SRO is funded by revenues generated by a \$50 arbitration filing fee which the Executive proposes to raise to \$60 by regulation.

### **Proposed Decreases**

The Executive proposes a decrease of \$407,000 in General Fund appropriation as a result of reductions and efficiencies taken by PERB in SFY 2008-09.

## **Article VII**

The Executive recommends Article VII legislation that would abolish the State Employment Relations Board and shift those responsibilities to the Public Employment Relations Board.

## PUBLIC INTEGRITY, COMMISSION ON

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	5,902,000	5,162,000	(740,000)	-12.5%
<b>Total for AGENCY SUMMARY:</b>	<b>5,902,000</b>	<b>5,162,000</b>	<b>(740,000)</b>	<b>-12.5%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	55	55	0
<b>TOTAL:</b>	<b>55</b>	<b>55</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 427-429)

The Commission on Public Integrity Commission (Commission) was established in 2007 and is a merger of the former State Ethics Commission and the Temporary State Commission on Lobbying. The Commission administers and enforces the State's ethics and lobbying statutes. The Commission combines all powers, duties, functions, and staff of the State Ethics Commission and the Temporary State Commission on Lobbying into a single autonomous agency to ensure compliance with the ethical standards to which public officials and lobbyists must adhere in order to promote confidence and public trust in government.

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

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$5,162,000 reflecting a net decrease of \$740,000 or 12.54 percent in State Operations funding from the State Fiscal Year (SFY) 2008-09 funding level.

The Executive recommends funding for 55 full-time equivalent (FTE) funded positions representing no change in FTE positions from the SFY 2008-09 staff level.

### **State Operations**

The Executive recommends a General Fund appropriation of \$5,162,000, reflecting a net decrease of \$740,000.

#### **Proposed Decreases**

The Executive recommends the following decreases:

- a \$28,000 reduction reflects a net adjustment to the cost of continuing existing programs, including salary and other fixed costs. SFY 2008-09 appropriations did not reflect savings recognized upon the merger of the two prior agencies;
- a \$582,000 reduction reflects the impact of SFY 2008-09 savings initiatives including the elimination of seven FTE funded vacancies in the current fiscal year along with management efficiencies; and
- a \$130,000 reduction reflecting the impact of SFY 2009-10 savings initiatives including a reduction of mailings and elimination of duplicative services.

## OFFICE OF REAL PROPERTY SERVICES

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	21,397,000	41,065,000	19,668,000	91.9%
Special Revenue-Other	48,373,000	5,457,000	(42,916,000)	-88.7%
<b>Total for AGENCY SUMMARY:</b>	<b>69,770,000</b>	<b>46,522,000</b>	<b>(23,248,000)</b>	<b>-33.3%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	0	293	293
All Other Funds:	358	35	(323)
<b>TOTAL:</b>	<b>358</b>	<b>328</b>	<b>(30)</b>

#### Agency Mission

(Executive Budget: pp. 431-435)

The Office of Real Property Services (ORPS) is responsible for supervising local real property tax administration in the State. This office is included in the Public Protection and General Government appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget proposes the following:

- eliminating the Middle Class STAR Rebate program;
- increasing the maximum allowable annual reduction in the STAR exemption benefit from 11 percent to 18 percent;
- decreasing the New York City Personal Income Tax Credit to the pre-rebate levels;
- phasing out aid for the administration of the STAR program;
- eliminating discretionary grants related to modifying local property tax administration; and,
- shifting the majority of funding for agency operations from Special Revenue Other (SRO) funds to the General Fund.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$46,522,000. This is a decrease of \$23,248,000 or 33 percent from SFY 2008-09.

The Executive recommends funding support for 328 full-time equivalent (FTE) positions, a decrease of 30 positions. The reduction of 30 FTE employees will be accomplished through attrition, leaving vacant positions unfilled and by eliminating human resources and administrative positions. The Department of Taxation and Finance will be responsible for the human resource and administrative duties of ORPS. The DOB estimates that approximately 5 percent of the positions will be eliminated via attrition (six FTEs), not filling current vacancies (four FTEs), and by eliminating the remaining positions (20 FTEs).

## **State Operations**

### **Proposed Decreases**

- The Executive proposes an appropriation of \$32,557,000, (\$27,100,000 from the General Fund and \$5,457,000 from SRO funds) for Policy and Organization Support Services, a decrease of \$15,816,000 or 33 percent from SFY 2008-09.

## Aid to Localities

### Proposed Decreases

- The Executive proposes a General Fund appropriation of \$13,965,000 for Aid to Localities, a decrease of \$7,432,000 or 35 percent from SFY 2008-09.

## Article VII

The Executive recommends Article VII legislation that would:

- eliminate the Middle Class STAR Rebate Program beginning in SFY 2009-10 and subsequent schools years. The Executive estimates that this would save \$1,400,000,000 in SFY 2009-10 and \$1,600,000,000 in SFY 2010-11;
- increase the “floor” adjustments used in the computation of the STAR exemption from 11 percent to 18 percent. The Executive projects this will provide an additional savings of \$109,000,000 in SFY 2009-10;
- decrease the NYC STAR personal income tax credit to pre-rebate levels, \$125 for married filing joint and \$62.50 for others. The Executive projects this will save the state \$112,000,000 in SFY 2009-10 and \$379,000,000 in SFY 2010-11;
- permanently shift the NYC STAR payment from December to June, beginning with the December 2009 STAR payment. The Executive estimates that this would save \$93,000,000 in SFY 2008-09, \$20,000,000 in SFY 2009-10, and \$27,000,000 in 2010-11;
- authorize an increase in the real property transfer fee for deed recording and deposit revenue from the fee in the General Fund. The Executive estimates the increase in fees will generate an additional \$14,000,000 in SFY 2009-10 and \$19,000,000 in SFY 2010-11;
- freeze payments for taxes on State owned lands at SFY 2008-09 levels. The Executive estimates this will save \$8,500,000,000 in SFY 2009-10; and
- extend the scheduled fees charged to oil and natural gas producers until March 31, 2012. The Executive projects that the continuation of these fees will generate \$43,000 in SFY 2009-10 and each year thereafter.

## DIVISION OF STATE POLICE

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	478,217,000	434,076,000	(44,141,000)	-9.2%
Special Revenue-Other	175,049,000	224,590,000	49,541,000	28.3%
Special Revenue-Federal	7,235,000	7,235,000	0	0.0%
Capital Projects Fund	5,500,000	5,500,000	0	0.0%
Capital Projects Fund - Authority Bonds	6,000,000	6,000,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>672,001,000</b>	<b>677,401,000</b>	<b>5,400,000</b>	<b>0.8%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	5,499	5,499	0
All Other Funds:	490	490	0
<b>TOTAL:</b>	<b>5,989</b>	<b>5,989</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 437-441)

The Division of State Police (Division) 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 part of several counter-terrorism initiatives.

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

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes the following:

- An increase in the Motor Vehicle Law Enforcement Account (MVLEA) Fee assessed on auto insurance premiums to provide an additional General Fund offset for the Division.

## **Budget Detail**

The Executive proposes an All Funds appropriation of \$677,401,000, an increase of \$5,400,000 over the SFY 2008-09 level. The Executive recommends funding support of 5,989 full-time equivalent (FTE) positions, including 4,939 sworn officers, representing no change from SFY 2009-10.

## **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$665,901,000, an increase of \$5,400,000 from the SFY 2008-09 funding level.

### **Proposed Increases**

The Executive increases General Fund appropriations by \$16,034,000 to reflect the following:

- an additional \$9,400,000 is provided for lease and administration costs associated with an Article VII proposal to allow for enforcement of highway and work zone speed limits using photo-monitoring technology; and
- an additional \$6,634,000 is provided to reflect negotiated salary increases.

The Executive proposal also augments Special Revenue Fund appropriations accordingly:

- a \$48,375,000 appropriation is included in order to utilize revenue generated from an increase in the MVLEA fee to offset General Fund expenses;
- a \$3,800,000 appropriation is transferred from the General Fund to accommodate a shift of 30 Troopers to Thruway Patrol detail; and
- an additional \$117,000 is included to provided for non-personal service inflationary costs.

## Proposed Decreases

The Executive reduces the following General Fund appropriations accordingly:

- a \$48,375,000 reduction in General Fund appropriations to offset the increase of Special Revenue Fund appropriation to accommodate additional MVLEA fee revenue;
- a \$6,000,000 reduction is achieved through the Division's participation in a Fleet Efficiency Initiative;
- an appropriation reduction of \$3,800,000 associated with the shift of 30 Troopers from the General Fund to the Division's Policing the Thruway Program; and
- a \$2,000,000 savings attributable to a multi-agency information technology collaboration, and a consolidation of communications services.

The Executive proposal also reduces Special Revenue Fund appropriations by \$2,862,000 to make non-personal service adjustments to the Policing the Thruway Program.

Reductions in Federal appropriation authority totaling \$5,465,000 are also recommended to reflect anticipated decreases in Federal awards for the Motor Carrier Safety Assistance Program (\$4,500,000) and National Institute of Justice DNA Grants (\$965,000).

## Capital Projects

A capital appropriation of \$11,500,000 is advanced by the Executive, with \$6,000,000 in bonding authority identified to support the consolidation of dispatch operations. The remaining appropriation authority will support the maintenance and improvement of existing facilities.

## Article VII

The Executive recommends Article VII legislation that would:

- increase the fee applied to the motor vehicle insurance policy renewals from \$5 to \$10 to support the costs of State Police operations; and
- establish a program for photo-monitoring enforcement of speed limits in work zones and designated stretches of highway. The owner of a vehicle found to be speeding would be required to pay \$100 for violations of speed limits in work zones and \$50 for violations of such limits along designated stretches of highway.

## OFFICE FOR TECHNOLOGY

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	26,228,000	28,858,000	2,630,000	10.0%
Special Revenue-Other	20,868,000	20,905,000	37,000	0.2%
Capital Projects Fund	40,000,000	80,000,000	40,000,000	100.0%
Capital Projects Fund - Authority Bonds	21,000,000	0	(21,000,000)	-100.0%
Internal Service Fund	323,555,000	405,752,000	82,197,000	25.4%
<b>Total for AGENCY SUMMARY:</b>	<b>431,651,000</b>	<b>535,515,000</b>	<b>103,864,000</b>	<b>24.1%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	158	158	0
All Other Funds:	591	591	0
<b>TOTAL:</b>	<b>749</b>	<b>749</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 443-446)

The Office for Technology (OFT) is responsible for developing the State's technology resources and policies. The mission of OFT is to provide centralized technology services, shape technology policy, and coordinate statewide technology initiatives to improve the efficiency of New York State government. OFT provides oversight of the design and construction of New York State's largest technology project, the Statewide Wireless Network (SWN).

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

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget proposal includes the following:

- The Executive provides a \$73,110,000 Internal Service Fund appropriation for the Enterprise Solutions system which facilitates centralized staffing initiatives.
- The Executive provides \$4,000,000 for the lease and utilities costs of a Disaster Recovery Center.

## **Budget Detail**

The Executive proposes an All-Funds appropriation of \$535,515,000, a \$103,864,000 increase from the SFY 2008-09 funding levels. The Executive proposes support for a workforce of 749 full-time equivalent (FTE) positions, unchanged from the 2008-09 budget.

## **State Operations**

The Executive proposes funding to support State Operations in the amount of \$455,515,000, an increase of \$84,864,000 from SFY 2008-09 levels.

### **Proposed Increases**

- The Executive provides \$4,000,000 for the lease and utilities costs of a Disaster Recovery Center;
- The Executive proposes a \$180,000 to reflect the cost of continuing current programming and other fixed cost increases.;
- The Executive proposes a \$37,000 increase to Statewide Technology Program to adjust for inflationary cost increases.;
- The Executive proposes a \$6,440,000 increase in Internal Service Funds for lease and utilities costs of the Disaster Recovery Center for other agencies;
- The Executive proposes a \$1,268,000 increase in Internal Service Fund reflecting the cost of continuing programs.;
- The Executive provides a net increase of \$1,419,000 from the reallocation of staff costs to Internal Service funds; and
- The Executive provides a \$73,110,000 Internal Service Fund appropriation for the Enterprise Solutions system which facilitates centralized staffing initiatives.

### Proposed Decreases

- The Executive proposes a \$1,550,000 decrease due to a reduction in software and Service costs, the shift of customer care operations from the General Fund to an internal service fund, and reductions in Data Center Facility costs.

### Capital Projects

The Executive provides \$80,000,000 for the costs of development of the Statewide Wireless Network, including the acquisition of property. This represents a \$40,000,000 increase provided to support system development costs to the Statewide Wireless Network.

The Executive's recommendation reflects a \$21,000,000 decrease from SFY 2008-09 capital appropriations due to the non-reoccurrence of \$11,000,000 to house an interim data center and \$10,000,000 to increase broadband access. The interim data center will renovate existing State-owned office space to accommodate current and future State data needs; and the capital appropriation to increase broadband access will enhance digital literacy and make access more affordable. Both appropriations are re-appropriated in SFY 2009-10.

## DIVISION OF VETERANS' AFFAIRS

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	18,247,550	15,241,000	(3,006,550)	-16.5%
Special Revenue-Federal	2,466,000	2,466,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>20,713,550</b>	<b>17,707,000</b>	<b>(3,006,550)</b>	<b>-14.5%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
General Fund:	96	100	4
All Other Funds:	12	12	0
<b>TOTAL:</b>	<b>108</b>	<b>112</b>	<b>4</b>

#### Agency Mission

(Executive Budget: pp. 447-452)

The Division of Veterans' Affairs (DVA) assists, counsels, and advocates for veterans, military personnel and their families. DVA coordinates with State agencies and 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, and it has regional offices in New York City and Buffalo.

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

### Programmatic Highlights

- The State Fiscal Year (SFY) 2008-09 Executive Budget includes the creation of a new outreach program and the enhancement of counseling services to veterans.

### Budget Detail

The Executive recommends an All Funds appropriation of \$17,707,000 reflecting a net decrease of \$3,006,550 below SFY 2008-09 funding levels.

The Executive recommends funding 112 full-time equivalent (FTE) funded positions reflecting four additional General Fund positions.

### State Operations

The Executive proposes \$9,261,000 for State Operations in SFY 2009-10, which reflects a net increase of \$393,000 or 4.43 percent above current year funding levels.

The Executive continues funding of \$1,966,000 in Special Revenue Funds-Federal, which reflects no change from the current year funding level.

### Proposed Increases

The Executive proposes funding of \$7,295,000 in General Fund appropriations which reflects a net increase of \$393,000 above the current year enacted and reflects the following:

- funding of \$224,000 is provided to establish a Veterans' Family Outreach Program. The funding will enable the agency to add 2 new staff to the Agency devoted to developing a comprehensive strategy for supporting returning veterans and their families; and
- funding of \$310,000 is provided to create a new Mobil Veteran Outreach Program. The program will purchase two vans and counselors to establish a mobile counseling office with the capability of providing services to veterans who reside in rural areas who otherwise may be unable to access such services.

### Proposed Decreases

- a reduction of \$141,000 in funding to reflect mid-year financial management plan reductions.

## Aid to Localities

The Executive recommends \$8,446,000 in Aid to Localities funding, representing a net decrease of \$3,399,550 or 28.70 percent below SFY 2008-09 funding levels.

### Proposed Increases

The Executive proposes the following increases:

- additional funding of \$520,000 provided to county and city veteran service agencies increasing the funding from its present funding level of \$656,000 to a new total of \$1,177,000. This additional funding will enable community-based agencies to expand services and coordinate benefits for the State's expanding population of veterans; and
- additional funding of \$239,000 provided to restore Blind Veteran program reductions.

### Proposed Decreases

The Executive proposes the following decreases:

- elimination of \$141,000 in funding is for Canine for Combat Veterans; and
- elimination of \$1,575,000 in funding to reflect the expiration of the Merchant Marines Program.

## WORKERS' COMPENSATION BOARD

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	271,538,000	217,405,000	(54,133,000)	-19.9%
<b>Total for AGENCY SUMMARY:</b>	<b>271,538,000</b>	<b>217,405,000</b>	<b>(54,133,000)</b>	<b>-19.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2008-09	Requested 2009-10	Change
All Other Funds:	1,533	1,533	0
<b>TOTAL:</b>	<b>1,533</b>	<b>1,533</b>	<b>0</b>

#### Agency Mission

(Executive Budget: pp. 453-455)

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 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.

#### Budget Detail

The Executive proposes an All Funds appropriation of \$217,405,000 a net decrease of \$54,133,000 or 19.9 percent below the State Fiscal Year (SFY) 2008-09 level. The Executive recommends the number of full-time equivalent (FTE) positions to remain at 1,533.

## State Operations

### Proposed Increases

The Executive proposes:

- an increase of \$20,000,000 resulting from revenues collected as a result of clarifications proposed to be made to insurance carrier assessments; and
- an increase of \$5,829,000 to reflect salary and other fixed cost increases.

### Proposed Decreases

The Executive proposes:

- savings of \$59,468,000 related to elimination of the contingency appropriation for the group self-insurance program;
- savings of 9,905,000 related to lower fringe benefit and indirect rates;
- savings of \$7,073,000 related to reductions in travel and purchasing, elimination of consultants, closure of Customer Service Centers and other management efficiencies; and
- savings of \$3,516,000 related to attrition and administrative staff efficiencies for 6 FTEs in SFY 2008-09.

## Article VII

The Executive recommends Article VII legislation that would clarify the basis of assessments for insurance carriers. Surplus funds collected under current law would be paid to the Workers' Compensation Board to support reform efforts and provide financial plan savings of \$50,000,000 in SFY 2008-09 and \$20,000,000 in SFY 2009-10.

## GENERAL STATE CHARGES

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	1,774,761,000	1,948,665,000	173,904,000	9.8%
Fiduciary	241,300,000	211,000,000	(30,300,000)	-12.6%
<b>Total for AGENCY SUMMARY:</b>	<b>2,016,061,000</b>	<b>2,159,665,000</b>	<b>143,604,000</b>	<b>7.1%</b>

### Agency Mission

(Executive Budget: pp. 467-470)

General State Charges are primarily the costs of providing fringe benefits to most State employees. These benefits 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) 2009-10 Executive Budget includes the following:

- the proposed creation of a new tier, Tier V, of pension benefits that would apply to State and local public employees that enter public service after the enactment of the new tier. The new Tier V would essentially reinstate Tier IV as it had existed prior to recent changes providing benefit enhancements. The new Tier V would require the continuation of a 3 percent employee contribution to the pension fund beyond the current cutoff of ten years of service; raise the minimum retirement age to 62 from the current 55; require a minimum of ten years of service rather than five in order to be eligible to draw pension benefits; exclude overtime from the calculation of pension benefits; and raise the threshold from 20 to 25 years of service for application of the two percent multiplier. The Executive estimates

that this action will reduce spending by \$10,000,000 in SFY 2009-10 and by \$30,000,000 in SFY 2010-11;

- a proposal to require both State employees and retirees to contribute to Medicare Part B premiums. The State currently pays 100 percent of the premium. The Executive estimates that this will reduce spending by \$30,000,000 in SFY 2009-10;
- a proposal to require future State retirees to contribute towards health insurance premiums on a sliding scale based on the retiree's years of service; The Executive estimates that this will reduce spending by \$8,000,000 in SFY 2009-10;
- a proposal to reduce Payment in Lieu of Taxes (PILOT) payments by 6 percent and to freeze taxes paid by the State on State owned lands at the 2008-09 level. The Executive estimates that this will reduce spending by \$9,000,000 in SFY 2009-10;
- a proposal to reduce the rate of interest paid by the State on Court of Claims judgments. The Executive estimates that this will reduce spending by \$3,000,000 in SFY 2009-10; and
- a proposal to authorize the New York State Health Insurance Plan to self insure.

Included also is a proposal to create a new Tier V for newly hired City of New York uniformed employees which has been advanced by the Executive at the request of the Mayor of the City of New York.

In addition to these actions that would directly affect General State Charges, the Executive has also proposed two actions related to the State Workforce that will have an indirect impact on General State Charges. These actions include:

- a proposal to eliminate the negotiated salary increases that are scheduled to taken effect in 2009. The Executive estimates that this will reduce All Funds spending by \$322,215,000 in SFY 2009-10, resulting in a proposed General Fund spending reduction of \$121,798,000 related to settled union contracts. The Executive anticipates another \$58,000,000 in reserve if unsettled union contracts reach a similar agreement; and
- a proposal to defer five days of salary payments in SFY 2009-10. The Executive estimates that this will reduce All Funds spending by \$263,878,528 in SFY 2009-10, resulting in a proposed General Fund spending reduction of \$120,525,082.

### **Budget Detail**

The Executive proposes a SFY 2009-10 appropriation of \$2,159,665,000, an increase of \$143,604,000 or 7.12 percent over the SFY 2008-09 level. This increase is primarily due to a \$100,000,000 increase in appropriation authority that will be transferred from SUNY.

## State Operations

### Proposed Increases

The Executive proposes the following spending increases:

- an increase of \$308,114,000 related to Medicaid restructuring action taken in SFY 2008-09;
- an increase of \$153,948,000 for health insurance costs net of savings for lower rates;
- an increase of \$63,230,000 related to pension costs despite the fact that pension costs for SFY 2009-10 are projected to be nearly \$100,000,000 lower than for SFY 2008-09. This anomaly arises from the fact that a large pre-payment for SFY 2008-09 was made at the end of the 2007-08 fiscal year thereby reducing spending in SFY 2008-09;
- a net increase of \$21,608,000 related to Workers' Compensation Reform that indexed benefits;
- a net increase of \$4,400,000 offset by \$2,600,000 in reductions related to a proposed reduction in the interest paid on judgments against the State; and
- a net increase of \$3,700,000 related to additional taxes that were not paid in SFY 2008-09 related to NYRA properties offset by savings of \$9,000,000 related to a proposed reduction in State Payments in Lieu of Taxes and taxes on State-owned lands.

### Proposed Decreases

The Executive proposes fringe benefit offset revenue at \$160,145,000 which includes \$7,300,000 in savings actions related to a reduced workforce.

## Article VII

The Executive recommends Article VII legislation that would:

- create a new Tier V pension benefit applicable to State and local employees hired subsequent to its enactment;
- allow the New York State Health Insurance Plan the option to be self insured for a variety of employee health benefits;

- require both State employees and retirees to contribute to Medicare Part B premiums. The State currently pays 100 percent of the premium;
- require future State retirees to contribute towards health insurance premiums on a sliding scale based on the retiree's years of service;
- reduce Payment in Lieu of Taxes (PILOT) payments by 6 percent and freeze taxes paid by the State on State owned lands at the 2008-09 level; and
- reduce the rate of interest paid by the State on Court of Claims judgments.

The Executive also recommends Article VII legislation that indirectly affects General State Charges that would:

- implement an additional five day deferral for all State employees in SFY 2009-10; and
- eliminate the negotiated salary increases scheduled to take effect on or after April 1, 2009.

## MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT

	Adjusted Appropriation 2008-09	Executive Request 2009-10	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	4,069,707,410	3,500,070,030	(569,637,380)	-14.0%
Special Revenue-Other	18,400,000	8,873,000	(9,527,000)	-51.8%
Special Revenue-Federal	1,053,454,000	5,050,000,000	3,996,546,000	379.4%
Enterprise	584,000	0	(584,000)	-100.0%
Capital	141,000,000	129,800,000	(11,200,000)	-7.9%
Internal Service Fund	624,000	0	(624,000)	-100.0%
Fiduciary	36,673,901,000	222,400,000	(36,451,501,000)	-99.4%
Capital Projects Fund - Other	1,916,000	0	(1,916,000)	-100.0%
Emergency	237,873,000	226,347,000	(11,526,000)	-4.8%
<b>Total for AGENCY SUMMARY:</b>	<b>42,197,459,410</b>	<b>9,137,490,030</b>	<b>(33,059,969,380)</b>	<b>-78.3%</b>

### Programmatic Highlights

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

The Executive recommends \$769,159,000 in General Fund appropriations for the AIM program. This represents a decrease of \$252,724,385 from State Fiscal Year 2008-09.

#### Budget Detail

(Executive Budget: pp. 188-237)

#### State Operations

##### Proposed Decreases

##### **Authority Budget Office**

The Executive recommends a \$1,326,000 appropriation for the Authority Budget Office for SFY 2009-10. This is a \$174,000 decrease from SFY 2008-09 primarily attributed to the completion of the Public Authorities Reporting Information System (PARIS), consolidation of training and trimming back their emergency contingency fund.

## **Collective Bargaining Agreements**

The Executive proposes an appropriation of \$38,500,000 for Collective Bargaining Agreements, a net decrease of \$730,000 or 1.86 percent below the SFY 2008-09 level. This decrease reflects the timing and amounts of funding required to finalize agreements. The Executive also recommends funding support of 106 full-time equivalent (FTE) positions, an increase of 28 positions needed to implement the latest round of collective bargaining agreements.

## **Deferred Compensation Board**

The Executive proposes an appropriation of \$961,000 for the Deferred Compensation Board which oversees public employer-sponsored deferred compensation plans, including the New York State Deferred Compensation State Plan and locally operated plans. The Executive recommends a savings of \$28,000 related to administrative savings initiatives.

## **Health Insurance Contingency Reserve**

The Executive proposes an appropriation of \$655,394,062 for the Health Insurance Contingency Reserve, a net increase of \$15,417,994 or 2.41 percent over the SFY 2008-09 level.

## **Workers' Compensation Reserve**

The Executive proposes an appropriation of \$19,800,000 for the Workers' Compensative Reserve, a net decrease of \$2,570,000 or 11.49 percent below the SFY 2008-09 level.

## **Wage Freeze**

The Executive recommends an elimination of the negotiated salary increases that are scheduled to take effect in 2009. The Executive estimates that this will reduce All Funds spending by \$322,215,000 in SFY 2009-10, resulting in a proposed General Fund spending reduction of \$121,798,000 related to settled union contracts. The Executive anticipates another \$58,000,000 in reserve if unsettled union contracts reach a similar agreement.

## **Salary Deferral**

The Executive proposal includes a provision to defer five days of salary payments in SFY 2009-10. The Executive estimates that this will reduce All Funds spending by \$263,878,528 in SFY 2009-10, resulting in a proposed General Fund spending reduction of \$120,525,082.

## Aid to Localities

### Proposed Increases

#### **Special Federal Emergency Appropriation**

The Executive recommends a \$5,000,000,000 appropriation in order to have adequate appropriation authority for requested Federal fiscal relief in the event of an unanticipated emergency. This reflects a \$4,000,000,000 increase from SFY 2008-09.

### Proposed Decreases

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

The Executive recommends \$769,159,000 in General Fund appropriations for the AIM program. This represents a decrease of \$252,724,385 from State Fiscal Year 2008-09. These appropriations are comprised of the following:

- this appropriation dedicates \$755,700,000 to municipalities outside of New York City in SFY 2009-10. Funding levels remain unchanged from SFY 2008-09 for most municipalities except for 33 cities that were eligible to receive \$11,600,000 in Special Aid in SFY 2008-09. These cities will no longer receive Special Aid in SFY 2009-10; and
- the remaining \$13,500,000 of the AIM program appropriation supports the Local Government Efficiency Grant (LGEG) program, including \$11,500,000 for grants and \$2,000,000 for merger incentives. This allocation eliminates new funding for technical assistance and State agency assistance.

The Executive Budget eliminates AIM payments to New York City in SFY 2009-10. New York City was scheduled to receive an AIM payment of \$327,900,000 in SFY 2009-10, an increase of \$82,000,000 from SFY 2008-09.

The Executive proposal includes a Deficit Reduction Plan that makes the following reductions:

- Local Government Efficiency Grants for localities are reduced by 50 percent and the administrative expenses are reduced by 80 percent for a new appropriation of \$13,975,000 in SFY 2008-09;
- Special Aid to 33 eligible cities is reduced by 50 percent, or \$5,800,000 in SFY 2008-09;

- Efficiency Incentive Grants for the Erie County Fiscal Stability Authority (EFSA) and the Buffalo Fiscal Stability Authority (BFSA) are eliminated, reducing State aid by \$9,800,000 in SFY 2008-09; and
- funding for two new villages is reduced by 50 percent, or \$24,463 in SFY 2008-09.

### **Municipal Assistance Tax Fund, Municipal Assistance State Aid Fund, and Stock Transfer Tax Fund**

The Executive recommends Fiduciary Fund appropriations of \$30,000,000 for the Municipal Assistance Corporation (MAC) of Troy pursuant to Section 92-e. This represents a decrease of \$36,700,000,000, since the City of New York Municipal Assistance Corporation has fulfilled its obligations.

### **Video Lottery Terminal Aid**

The Executive recommends a General Fund appropriation of \$26,551,000. This reflects a \$6,965,000, or 50 percent reduction in funding for all host municipalities except for the City of Yonkers.

### **Contingency Appropriation for the City of New York**

The Executive eliminates the appropriation of \$302,355,000 in SFY 2008-09 since the City of New York Municipal Assistance Corporation has met the debt service and other obligations related to New York City.

## **Capital Projects**

### **State Equipment Financing Program**

The Executive recommends a \$129,800,000 appropriation for the State Equipment Financing Program. This is an \$11,200,000 decrease from the SFY 2008-09 budget, which is a result of the Executive prioritizing capital projects and cutting projects that are not core and critical.

## **Article VII**

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

The Executive would amend the AIM program to:

- eliminate the aid increases for municipalities outside of the City of New York that are currently authorized in law for the next two years;
- eliminate aid to the City of New York under the AIM program starting in SFY 2009-10;

- preserve the current-law requirement that cities, as well as villages meeting all four fiscal distress indicators under the AIM program, must develop multi-year financial plans;
- simplify the municipal merger incentives offered under the Local Government Efficiency Grant Program; and
- expand eligibility for Local Government Efficiency Grants to include association libraries, municipal public libraries and school district public libraries.

### **Mandate Relief**

The Executive advances proposals that:

- raise the Wicks Law multiple bidding thresholds in New York City from \$3,000,000 to \$10,000,000;
- exempt school construction from Wicks thresholds entirely (including the NYC School Construction Fund);
- remove apprenticeship requirements from Project Labor Agreement provisions;
- extend New York City's School Construction Authority Wicks exemption until 2014;
- provide more contracting flexibility by increasing local competitive bidding thresholds;
- reform collateral source offsets in personal injury and wrongful death actions against local governments and the State;
- set the interest rate paid on judgments against local governments and the State at market rates with a nine percent cap, rather than the existing nine percent interest rate maximum;
- unify the Transitional Finance Authority's (TFA) statutory bonding authority with New York City's general obligation (GO) debt limit; and
- allow New York City to issue bond anticipation notes (BANS) with a longer maturity period.

### **Local Revenue Proposals**

The Executive proposes additional revenue opportunities to local governments that include:

- collection of a utilities gross receipts tax to telecommunications is estimated to provide \$12,500,000 for cities and villages outside of New York City;

- expansion of revenue by \$48,300,000 through the Red Light Traffic Safety Program to include the cities of Buffalo, Yonkers, Rochester, and Syracuse, as well as Nassau and Suffolk counties; and
- removal of sales tax exemptions for cable television, satellite television and radio, store coupons, digital products, motor fuel costing more than \$ 2 per gallon and transportation and entertainment related consumer spending. This is estimated to provide \$627,000,000 in additional revenue to local governments in their 2010 local fiscal years.

### **Video Lottery Terminal (VLT) Municipal Aid**

The Executive Budget proposes:

- a reduction of VLT Aid by 50 percent, or \$7,000,000 in SFY 2009-10 for 17 host municipalities. Yonkers is held harmless against the reductions because its \$19,600,000 payment is used to directly support the city's school district; and
- limiting aid to local governments where video lottery gaming facilities are currently operating. This makes New York City ineligible for an estimated \$19,600,000 payment when a video lottery gaming facility opens at Aqueduct.

### **Commission on Local Government Efficiency and Competitiveness Recommendations**

The Executive proposes certain statutory changes including:

- modification of the requirements for forming municipal health benefit plan cooperatives;
- authorization for counties to enter into intermunicipal agreements to share one individual Director of Weights and Measures;
- authorization for shared service agreements between municipalities and State agencies for highway maintenance and other related services; creation of a new municipal merger process;
- authorization to convert certain town offices from elected to appointed;
- elimination of compensation for special district commissioners; and
- transfer of the management of sanitary districts to town boards.