

PUBLIC PROTECTION & GENERAL GOVERNMENT

**Summary of Recommended Appropriations
By Agency**

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
Special Revenue-Other	18,480,000	22,335,000	3,855,000	20.9%
Total for AGENCY SUMMARY:	18,480,000	22,335,000	3,855,000	20.9%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
All Other Funds:	155	175	20
TOTAL:	155	175	20

Agency Mission

(Executive Budget: pp. 295-298)

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 \$3,600,000 is recommended in Special Revenue Fund-Other appropriations. This funding will be used to provide support for the implementation of legislation authorizing the sale of wine in grocery stores and drug stores, and will also be used over the next two years to improve internal licensing processes and to address technology deficiencies.

Budget Detail

The Executive proposes an All Funds State Operations appropriation of \$22,335,000 reflecting a net increase of \$3,855,000 or 20.86 percent over SFY 2009-10 funding levels.

The Executive recommends 175 full-time equivalent (FTE) employees reflecting an increase of 20 FTE positions from the SFY 2009-10 enacted budget.

State Operations

Proposed Increases

The Executive recommends the following increases:

- \$109,000 increase in funding to reflect Non Personal Service inflation costs;
- \$341,000 increase in funding to reflect Fringe and Indirect cost adjustments;
- \$2,400,000 in maintenance undistributed (MU) funding to be used for services and expenses related to improvements of licensing operations, including technology; and
- \$1,200,000 MU funding to be used over a two year period for services and expenses related to the processing of licensing applications and enforcement, including implementation of legislation authorizing the sale of wine in grocery stores and drug stores.

Proposed Decreases

The Executive proposes:

- a reduction of \$195,000 which reflects the impact of SFY 2010-11 collective bargaining savings.

Article VII

The Executive recommends Article VII legislation that would allow the sale of wine in grocery and drug stores, impose a franchise fee, and modify several sections of law governing the operation of liquor stores (Revenue Bill).

DEPARTMENT OF AUDIT AND CONTROL

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	173,482,000	173,482,000	0	0.0%
Special Revenue-Other	11,008,000	11,008,000	0	0.0%
Total for Agency:	184,490,000	184,490,000	0	0.0%
Total Contingency:	105,648,000	105,648,000	0	0.0%
Total for AGENCY SUMMARY:	290,138,000	290,138,000	0	0.0%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	1,582	1,582	0
All Other Funds:	970	970	0
TOTAL:	2,552	2,552	0

Agency Mission

(Executive Budget: pp. 299-304)

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

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

Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- The Executive recommends that the \$78,000,000 appropriated in SFY 2009-10 for payments to counties and New York City related to indigent legal services be transferred to the Division of Criminal Justice Services.

Budget Detail

The Executive proposes an All Funds appropriation of \$290,138,000, representing no change from the State Fiscal Year (SFY) 2009-10 funding level.

The Executive proposal reflects a workforce of 2,552 full-time equivalent (FTE) positions reflecting no change in FTE positions over the SFY 2009-10 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:

- funding of \$19,453,000 for the Chief Information Office Program, which maintains the SFY 2009-10 funding level;
- funding of \$43,373,000 for the State and Local Accountability Program, which maintains the SFY 2009-10 funding level;
- funding of \$49,616,000 for the State Operations Program, which maintains the SFY 2009-10 funding level;
- funding of \$8,759,000 for the Executive Direction Program, which maintains the SFY 2009-10 funding level;
- funding of \$12,572,000 for the Administration Program, which maintains the SFY 2009-10 funding level;
- funding of \$6,308,000 for the Legal Services Program, which maintains the SFY 2009-10 funding level;
- funding of \$756,000 is recommended to fund the Pension Investment and Public Finance Program, which maintains the SFY 2009-10 funding level;

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

- funding of \$5,102,000 for support of the State Operations Program, which maintains the SFY 2009-10 funding level;
- funding of \$1,018,000 for Environmental Protection and Spill Compensation, which maintains the SFY 2009-10 funding level;
- funding of \$491,000 for support of State and Local Accountability Program, which maintains the SFY 2009-10 funding level; and
- funding of \$4,397,000 for support of Office of the State Deputy Comptroller for New York City, which maintains the SFY 2009-10 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 2009-10 funding level;
- funding of \$150,000 for expenses of State Operations Program which maintains the SFY 2009-10 funding level; and
- funding of \$1,868,000 for the Executive Direction Program, an increase of \$48,000 from the SFY 2009-10 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, which maintains the SFY 2009-10 funding level; and
- a \$11,288,000 appropriation for the Pension Investment and Public Finance program, which maintains the SFY 2009-10 funding level;

DIVISION OF THE BUDGET

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	34,932,000	33,955,000	(977,000)	-2.8%
Special Revenue-Other	24,763,000	23,431,000	(1,332,000)	-5.4%
Internal Service Fund	1,650,000	1,650,000	0	0.0%
Total for AGENCY SUMMARY:	61,345,000	59,036,000	(2,309,000)	-3.8%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	288	280	(8)
All Other Funds:	53	51	(2)
TOTAL:	341	331	(10)

Agency Mission

(Executive Budget: pp.305-307)

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 \$59,036,000, reflecting a net reduction in funding of \$2,309,000 or 3.76 percent from State Fiscal Year (SFY) 2009 -10 funding levels.

The Executive recommends 331 full-time equivalent (FTE) funded positions reflecting a reduction of ten FTE positions from current staffing levels.

State Operations

The Executive continues funding for programs at the following levels:

- a General Fund appropriation of \$4,000,000 for the Cash Management Improvement Act Program, reflecting no change from the SFY 2009-10 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 2009-10. 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 as required by the federal single audit act of 1984;
- an appropriation of \$150,000 in Special Revenue Funds-Other for the purpose of making loans to eligible not-for-profit organizations; and
- a \$316,000 maintenance undistributed appropriation for services and expenses related to membership dues in various organizations including the Conference of Northeast Governors (\$90,000); Federal Funds Information for States (\$12,000) and the National Governors Association (\$214,000).

In addition, the Executive provides spending authority of \$11,000,000, as part of reappropriations totaling \$129,200,000, to allow the State to continue development of the State Financial System Project.

Proposed Decreases

The Executive proposal includes:

- a decrease of \$967,000 in the Special Revenue Funds-Other Revenue Arrearage Account from SFY 2009-10 funding levels;

- a decrease of \$365,000 in the Special Revenue Funds-Other appropriation for the Systems and Technology Account; which 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;
- a decrease of \$40,000 in Maintenance Undistributed associated with the elimination of funding for membership in the Council of Great Lakes Governors; and
- a decrease of \$510,000 in Maintenance Undistributed associated with the elimination of funding for membership in the Council of State governments.

Article VII

The Governor recommends Article VII legislation that would:

- establish the State Financial System Project which will be responsible for the development, implementation and maintenance of a single statewide financial report system. The Division of Budget and the Office of the State Comptroller shall serve jointly as appointing authority for all titles within the project.

DEPARTMENT OF CIVIL SERVICE

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	22,211,000	18,593,000	(3,618,000)	-16.3%
Special Revenue-Other	2,246,000	2,257,000	11,000	0.5%
Internal Service Fund	39,855,000	40,704,000	849,000	2.1%
Total for AGENCY SUMMARY:	64,312,000	61,554,000	(2,758,000)	-4.3%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	276	271	(5)
All Other Funds:	227	227	0
TOTAL:	503	498	(5)

Agency Mission

(Executive Budget: pp. 309-313)

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

State Operations

The Executive proposes an All Funds State Operations appropriation of \$61,554,000, a net decrease of \$2,758,000 or 4.29 percent below the SFY 2009-10 level.

Proposed Increases

The Executive proposes:

- a net increase of \$649,000 to reflect salary, fixed cost, and fringe benefit increases.

Proposed Decreases

The Executive proposes:

- reductions of \$1,610,000 related to an 11.5 percent across the board reduction in State Operations expenditures;
- reductions of \$875,000 related to employees who opted to take a severance package offered under the SFY 2009-10 Workforce Reduction Plan;
- reductions related to anticipated collective bargaining savings totaling \$666,000; and
- a reduction of \$256,000 related to State Operations expenditures decreased pursuant to the SFY 2009-10 Deficit Reduction Plan (DRP) actions.

STATE CONSUMER PROTECTION BOARD

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	3,094,000	2,508,000	(586,000)	-18.9%
Special Revenue-Other	400,000	670,000	270,000	67.5%
Total for AGENCY SUMMARY:	3,494,000	3,178,000	(316,000)	-9.0%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	26	26	0
All Other Funds:	1	1	0
TOTAL:	27	27	0

Agency Mission

(Executive Budget: pp. 315-318)

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, 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 \$3,178,000 reflecting a decrease of \$316,000 or 9.04 percent below State Fiscal Year (SFY) 2009-10 funding levels.

The Executive recommends a continuation of 27 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 \$2,508,000 reflecting a decrease of \$586,000 or 18.94 percent below SFY 2009-10 funding levels. In addition, the Executive also recommends a Special Revenue Funds – Other appropriation of \$670,000 reflecting an increase of \$270,000 or 67.50 percent above SFY 2009-10 funding levels. This funding reflects the following actions:

Proposed Increases

The Executive proposes:

- a \$62,000 increase in funding to reflect net adjustments for the cost of continuing existing programs, including fixed cost increases; and
- an increase of \$275,000 for a total appropriation of \$670,000, related to a shift of personnel from the General Fund to the Special Revenue Funds – Other account for the enforcement of the No Telemarketing Sales Call Law.

Proposed Decreases

The Executive proposes:

- a \$65,000 reduction to reflect an 11.25 percent cut related to the SFY 2009-10 Deficit Reduction Plan actions taken by the Executive;
- a \$68,000 reduction to reflect savings initiatives related to management confidential salary activities;
- a \$200,000 Personal Service reduction reflecting the elimination of 3 vacancies;
- a \$40,000 reduction reflecting collective bargaining savings related to management confidential salary actions;

- a \$275,000 decrease related to additional across-the-board reductions and a shift to a Special Revenue Fund – Other account for the enforcement of the No Telemarketing Sales Call Law; and
- a \$5,000 reduction to the Special Revenue Funds - Other related to SFY 2009-10 Deficit Reduction Plan actions taken by the Executive.

COMMISSION OF CORRECTION

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	3,011,000	2,975,000	(36,000)	-1.2%
Total for AGENCY SUMMARY:	3,011,000	2,975,000	(36,000)	-1.2%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	32	32	0
TOTAL:	32	32	0

Agency Mission

(Executive Budget: pp. 319-321)

The State Commission of Correction (SCOC) serves to promote a safe, secure, and stable correctional system and to provide for the accountability of corrections officials. The SCOC regulates and oversees the operation and management of 68 correctional facilities, 60 county jails, 16 New York City correctional facilities and 428 locally-operated police department detention facilities. The SCOC's role also includes the oversight of five secure detention facilities operated by the Office of Children and Family Services (OCFS).

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

Budget Detail

The Executive budget recommends a General Fund State Operations appropriation of \$2,975,000, a decrease of \$36,000 from State Fiscal Year (SFY) 2009-10 funding levels. The Executive proposes support for a workforce of 32 full-time equivalent (FTE) positions, unchanged from SFY 2009-10.

State Operations

Proposed Decreases

The Executive proposes:

- A decrease in General Fund support by \$36,000, attributable to the annualization of actions taken in the SFY 2009-10 Deficit Reduction Plan (Chapter 502 of the Laws of 2009) and anticipated savings related to collective bargaining.

Article VII

The Executive recommends Article VII legislation that would:

- alter the segregation rules for certain local jail inmates, expand the use of video conferencing in criminal proceedings and permit inmates to voluntarily work for non-profits.

DEPARTMENT OF CORRECTIONAL SERVICES

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	2,786,485,000	2,512,906,000	(273,579,000)	-9.8%
Special Revenue-Other	35,750,000	29,480,000	(6,270,000)	-17.5%
Special Revenue-Federal	37,300,000	38,300,000	1,000,000	2.7%
Enterprise	43,343,000	43,013,000	(330,000)	-0.8%
Correctional Facilities Capital Improvement Fund	320,000,000	320,000,000	0	0.0%
Internal Service Fund	77,976,000	73,692,000	(4,284,000)	-5.5%
Total for AGENCY SUMMARY:	3,300,854,000	3,017,391,000	(283,463,000)	-8.6%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	29,017	28,957	(60)
All Other Funds:	1,010	1,010	0
TOTAL:	30,027	29,967	(60)

Agency Mission

(Executive Budget: pp. 323-328)

The Department of Correctional Services (DOCS) is responsible for the operation of the State's 67 correctional facilities and the supervision of an under-custody population of approximately 58,400 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.

Budget Detail

The Executive Budget recommends an All-Funds appropriation of \$3,017,391,000, a decrease of \$283,463,000 or 8.6 percent from its SFY 2009-10 funding level. The Executive proposes support for a workforce of 29,967 full-time equivalent (FTE) positions, a decrease of 60 FTE positions.

State Operations

The Executive proposes an All Funds State Operations appropriation of \$2,697,191,000, a decrease of \$283,086,000 from SFY 2009-10 funding levels. The General Fund supports a total \$2,512,706,000 or 93 percent of DOCS' non-capital expenditures.

Prison Closure Proposal

The Executive Budget assumes the closure of four correctional facilities and the consolidation of several medium security dormitories to achieve a savings of \$7,000,000 in SFY 2009-10 and \$52,248,700 annually. These closures and consolidations would ultimately result in the attrition of a total 637 FTE staff positions.

The following correctional facilities have been identified for closure:

- Butler Minimum Security (Wayne County), currently staffed with 80 FTE positions;
- Lyon Mountain (Clinton County), currently staffed with 93 FTE positions;
- Ogdensburg (St. Lawrence County), currently staffed with 291 FTE positions; and
- Moriah Shock Incarceration facility (Essex County), currently staffed with 108 FTE positions.

Under the Executive plan, the Lyon Mountain and Butler correctional facilities would close in January 2011, while the Ogdensburg correctional facility and the Moriah Shock Incarceration facilities would close in April 2011. The consolidation of dormitories at medium security facilities, as determined by the Commissioner of DOCS, is anticipated to result in the attrition of 65 FTE positions and savings in SFY 2010-11 of \$3,954,000.

Proposed Increases

The Executive proposal includes support for:

- base adjustments to accommodate inflationary costs (\$35,500,000), additional corrections officer training classes (\$4,600,000), maintenance expenses

(\$3,300,000), equipment (\$1,700,000), alarms (\$1,700,000); and other expenses (3,400,000); and

- additional personal service adjustments (\$16,413,000).

Proposed Decreases

The Executive proposal would decrease support through the following actions:

- the elimination of a retroactive collective bargaining payments (\$196,190,000);
- spending reductions on energy, equipment supplies and materials (\$47,158,000);
- other personal and non-personal services savings (\$35,000,000);
- anticipated savings attributable to collective bargaining (\$33,058,000);
- savings resulting from the continued implementation of the SFY 2009-10 Deficit Reduction Plan (\$20,000,000);
- consolidation of dormitory facilities (\$3,954,000);
- lease of vehicles in lieu of purchasing new vehicles (\$3,700,000);
- closure of Lyon Mountain minimum security correctional facility (\$3,046,000); and
- seek Medicaid reimbursement for inmates who are treated in hospital settings outside prison facilities to generate \$3,000,000 in savings.

Aid to Localities

The Executive proposes an Aid to Localities appropriation of \$200,000, a decrease of \$377,000 from SFY 2009-10 funding levels, resulting from the elimination of legislative restorations.

Capital Projects

The Executive proposal includes a capital appropriation of \$320,000,000, unchanged from SFY 2009-10 funding levels.

DIVISION OF CRIMINAL JUSTICE SERVICES

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	214,845,949	185,792,000	(29,053,949)	-13.5%
Special Revenue-Other	164,806,500	169,663,000	4,856,500	2.9%
Special Revenue-Federal	132,804,000	137,154,000	4,350,000	3.3%
Internal Service Fund	890,000	890,000	0	0.0%
Total for AGENCY SUMMARY:	513,346,449	493,499,000	(19,847,449)	-3.9%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	555	592	37
All Other Funds:	107	229	122
TOTAL:	662	821	159

Agency Mission

(Executive Budget: pp. 329-336)

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.

Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- The merger of the Crime Victims Board (CVB), the Office for the Prevention of Domestic Violence (OPDV), and the Division of Probation and Correctional Alternatives (DPCA) under DCJS.
- The creation of a new Office of Indigent Defense.
- Expansion of eligible offenders who are required to submit a sample to the DNA databank.

Budget Detail

The Executive Budget recommends an All-Funds appropriation of \$493,499,000, a decrease of \$19,847,449 or -3.9 percent from its State Fiscal Year (SFY) 2009-10 funding level. The Executive proposes support for a workforce of 821 full-time equivalent (FTE) positions, an increase of 159 FTE positions.

State Operations

The Executive proposes an All Funds State Operations appropriation of \$137,009,000, a decrease of \$12,019,000 from SFY 2009-10 funding levels.

The Executive proposal includes a new Office of Indigent Defense which would be charged with the oversight of the State defense system throughout New York State. Governed by an independent board, the Office would also be responsible for the administration of \$77,000,000 in grants made to counties for delivering defense services to the indigent. The State Operations portion of the Office would be supported with an appropriation of \$3,000,000.

Proposed Increases

The Executive proposal also includes the following increases:

- an additional \$3,000,000 to access expanded data storage capacity from the Office for Technology (OFT); and
- an additional \$2,800,000 for continued debt service payments associated with the Statewide Automated Fingerprint Identification System (SABIS).

The Executive proposal further provides \$5,830,000 in increases to federal appropriations, including support for the Crime and Identification and Technology Account (\$2,500,000); the Crime Victims Assistance Program (\$1,030,000); OPDV Research, Training, Technical Assistance and Demonstrations Program (\$1,000,000); Domestic Violence Prevention

(\$500,000); STOP Violence Against Women Act (\$500,000); and Juvenile Justice and Delinquency Prevention Grants (\$300,000).

Proposed Decreases

The Executive proposal decreases appropriations by \$9,989,000 to reflect personal and nonpersonal service reductions (\$6,483,000), the annualization of Deficit Reduction Plan savings (\$2,493,000); and reductions resulting from administrative efficiencies achieved through the merger of CVB, OPDV, and DPCA into DCJS (\$1,013,000).

The Executive proposal decreases the support for Special Revenue-Other support for the Fingerprint Identification and Technology by \$2,500,000 and reduces federal appropriations accordingly:

- Violence Against Women Act support (\$1,500,000); Edward Byrne Memorial Grant Account/Justice Assistance Grant (Byrne/JAG), (\$1,475,000); and Byrne/JAG support (\$2,000,000).

Aid to Localities

The Executive proposes an All Funds Aid to Localities appropriation of \$356,490,000, a decrease of \$7,828,449 from SFY 2009-10 funding levels.

Proposed Increases

The Executive proposal includes \$8,121,000 in appropriations transferred from the Department of Health to the DCJS. Under the Governor's plan, General Public Health Works support for Medical Examiners (\$6,250,000) and support for Rape Crisis Programs (\$1,871,000) would be shifted to DCJS, which would assume all administrative responsibilities.

To provide the new Office of Indigent Defense with the means to allocate funds to localities for the provision of defense services, the Executive proposal would transfer a \$77,000,000 Indigent Legal Service Fund (ILSF) appropriation from the Office of the State Comptroller to DCJS. Under this proposal, ILSF funds would no longer be distributed pursuant to a Maintenance of Effort test, but would rather be allocated in a form prescribed by the Board with certain requirements.

Proposed Decreases

The Executive proposal reduces appropriations for several local assistance appropriations by an aggregate \$16,949,000, including reductions to:

- Local probation Aid (\$4,427,000); Operation SNUG (\$4,000,000); Operation IMPACT (\$1,743,000); Alternatives to Incarceration (ATI) initiatives (\$1,712,000); Aid to Prosecution (\$1,289,000); Aid to Crime Labs (\$801,000); Aid to Defense (\$665,000); New York State Defenders Association (\$131,000); Re-Entry Task Forces (\$370,000); New York Prosecution Training Institute (\$278,000); District Attorney Salaries (\$253,000); Westchester County Policing Program (\$240,000); and the Special Narcotics Prosecutor (\$100,000).

The Executive proposal also provides a decrease of \$940,000 to the Legal Service Assistance Account, and a decrease in federal appropriations totaling \$2,330,000, reflecting the following:

- Crime Victims Assistance Program (\$1,030,000); Juvenile Justice and Delinquency Prevention (\$300,000); STOP Violence Against Women Act (\$500,000); and Crime Identification and Technology Account support (\$500,000).

Article VII

The Executive recommends Article VII legislation that would:

- merge the operations of the CVB, OPDV, and DPCA under DCJS;
- establish the Rape Crisis Program within DCJS (formerly in DOH);
- remove certain responsibilities from local probation departments and change the method of distribution for state probation aid from a reimbursement model to a grant program;
- create the Office of Indigent Defense within the DCJS;
- authorize counties to create an office of conflict defender as part of a plan to provide representation to indigent defendants;
- expand the category of offenders that must submit a DNA sample to the DNA databank;
- allow for witnesses and respondents under the Sex Offender Management and Treatment Act to appear by video teleconference; and
- make technical corrections to the District Attorney and Indigent Legal Services Attorney Loan forgiveness Program to ensure residency requirements are met by applicants.

STATE BOARD OF ELECTIONS

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	7,395,000	6,135,000	(1,260,000)	-17.0%
Special Revenue-Other	6,000,000	500,000	(5,500,000)	-91.7%
Special Revenue-Federal	15,500,000	7,500,000	(8,000,000)	-51.6%
Total for AGENCY SUMMARY:	28,895,000	14,135,000	(14,760,000)	-51.1%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	60	60	0
All Other Funds:	3	3	0
TOTAL:	63	63	0

Agency Mission

(Executive Budget: pp. 337-340)

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.

Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- The Executive recommends \$6,500,000 in new Federal funding to support the implementation of a federally mandated statewide process ensuring absent uniform services members and overseas voters their right to vote.

Budget Detail

The Executive recommends an All Funds appropriation of \$14,135,000, reflecting a decrease of \$14,760,000 from the State Fiscal Year (SFY) 2009-10 funding level. This appropriation includes \$6,135,000 in General Fund support, \$500,000 in Special Revenue Funds – Other, and \$6,500,000 in Special Revenue Funds – Federal 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 2010-11 reflecting no change from the current fiscal year staffing level.

State Operations

The Executive recommends \$13,135,000 in State Operations funding, reflecting a net decrease of \$260,000 from 2009-10 funding levels.

The Executive proposes a \$1,260,000 decrease in General Fund spending including the following actions:

Proposed Decreases

The Executive proposes:

- a reduction of \$366,000 which reflects the impact of the SFY 2009-10 personal service savings initiatives;
- a reduction of \$307,000 which reflects the impact of the SFY 2009-10 deficit reduction plan action;
- a reduction of \$84,000 which reflects the impact of the SFY 2010-11 collective bargaining savings; and
- a reduction of \$700,000 which reflects the impact of the SFY 2010-11 additional 11.5 percent across the board personal service reductions.

Proposed Increases

The Executive proposes:

- an increase of \$197,000 in General Fund appropriation to reflect the cost of continuing current programs including other fixed costs.

The Executive also recommends an overall appropriation of \$500,000 in Special Revenue Funds – Other, reflecting the following actions:

Proposed Decreases

The Executive proposes:

- elimination of \$5,000,000 for the Voting Machine Examination Account; remaining funds from prior years are reappropriated; and
- a reduction from \$1,000,000 to \$500,000 for the Matching Funds Examination Account; remaining funds are reappropriated.

The Executive also recommends new appropriations of \$6,500,000 in Special Revenue Funds-Federal, representing the following actions:

Proposed Increases

The Executive proposes:

- a new Federal Appropriation of \$6,500,000 to accommodate the Military and Overseas Voter Empowerment Act.

Aid to Localities

The Executive recommends \$1,000,000 in Special Revenue – Federal Aid to Localities funding, reflecting a net decrease of \$14,500,000 from current year funding levels and reflecting the following actions:

Proposed Decreases

The Executive proposes:

- the elimination of \$14,500,000 for the purchase of voting machines; remaining funds are reappropriated.

The Executive provides reappropriations totaling \$192,900,000 in funding to allow the State to continue its work pertaining to the implementation of the HAVA.

OFFICE OF EMPLOYEE RELATIONS

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	3,715,000	3,100,000	(615,000)	-16.6%
Special Revenue-Other	121,000	121,000	0	0.0%
Internal Service Fund	1,789,000	3,710,000	1,921,000	107.4%
Total for AGENCY SUMMARY:	5,625,000	6,931,000	1,306,000	23.2%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	35	35	0
All Other Funds:	14	14	0
TOTAL:	49	49	0

Agency Mission

(Executive Budget: pp. 341-343)

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.

Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes funding for the development and implementation of a statewide Learning Management System (LMS) that is planned to be part of a larger single statewide human resources system (e-HR). Initially, LMS will enable employees to register for and to receive low-cost online training for first-responders while assisting State agencies in tracking the IT skills of the State's workforce.

Budget Detail

State Operations

The Executive proposes an All Funds State Operations appropriation of \$6,931,000, a net increase of \$1,306,000 or 23.2 percent above the SFY 2009-10 level.

Proposed Increases

The Executive proposes:

- an increase of \$2,000,000 to pay for the startup costs associated with the LMS, which would enable employees to register for and receive online training and State agencies to track its employees' IT skills; and
- a net increase of \$21,000 related to salary and fixed cost increases.

Proposed Decreases

The Executive proposes:

- reductions of \$403,000 related to an 11.5 percent across the board reduction in State Operations expenditures;
- a reduction of \$190,000 related to employees who opted to take a severance package offered under the SFY 2009-10 Workforce Reduction Plan;
- a reduction related to anticipated collective bargaining savings totaling \$80,000; and
- a reduction of \$42,000 related to State Operations expenditures reduced pursuant to the SFY 2009-10 Deficit Reduction (DRP) actions.

EXECUTIVE CHAMBER

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	20,397,000	20,538,000	141,000	0.7%
Special Revenue-Other	100,000	100,000	0	0.0%
Total for AGENCY SUMMARY:	20,497,000	20,638,000	141,000	0.7%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	169	171	2
TOTAL:	169	171	2

Agency Mission

(Executive Budget: pp. 345-348)

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

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

Budget Detail

The Executive proposes All Funds appropriations of \$20,638,000 to support the activities of the Office of the Governor and the Office of the Lieutenant Governor. The requested appropriation reflects an overall increase of \$141,000 or .69 percent over the current State Fiscal Year (SFY) 2009-10 base funding levels.

The Executive's recommendation for the Office of the Governor and the Office of the Lieutenant Governor reflects an overall workforce of 171 full-time equivalent (FTE) positions, representing an increase of 2 FTE positions over SFY 2009-10. Recommended FTEs for the Office of the Governor are 164, representing a decrease of 5 FTEs from the 2009-10 level. A workforce of 7 FTE funded positions is also recommended for Office of the Lieutenant Governor.

State Operations

A General Fund appropriation of \$300,000 is proposed for activities authorized pursuant to the Moreland Act.

Proposed Increases

The Executive recommends a General Fund appropriation increase of \$700,000 for support of the Office of the Lieutenant Governor now that the position is filled. In 2009-10, all appropriations and personnel in support of the Lieutenant Governor were eliminated because there was a vacancy in the position.

The \$700,000 increase reflects the following actions:

- a \$550,000 in personal service; and
- a \$150,000 in non-personal service.

Proposed Decreases

The Executive proposes:

- funding for the Executive Chamber is reduced by \$559,000 reflecting across the board personal and non-personal services spending reductions.

OFFICE OF GENERAL SERVICES

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	156,021,000	143,106,000	(12,915,000)	-8.3%
Special Revenue-Other	22,127,000	21,591,000	(536,000)	-2.4%
Special Revenue-Federal	17,540,000	11,340,000	(6,200,000)	-35.3%
Enterprise	2,014,000	2,009,000	(5,000)	-0.2%
Capital Projects Fund	74,700,000	71,050,000	(3,650,000)	-4.9%
Capital Projects Fund - Authority Bonds	23,300,000	26,950,000	3,650,000	15.7%
Internal Service Fund	610,056,000	300,720,000	(309,336,000)	-50.7%
Fiduciary	750,000	750,000	0	0.0%
Total for AGENCY SUMMARY:	906,508,000	577,516,000	(328,992,000)	-36.3%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	956	923	(33)
All Other Funds:	592	577	(15)
TOTAL:	1,548	1,500	(48)

Agency Mission

(Executive Budget: pp. 349-353)

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.

Programmatic Highlights

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

- The elimination of funding intended for centralized lease management in the amount of \$400,000,000, as agencies return renegotiated lease savings to agency revenues.
- A Power Initiative Internal Service Fund appropriation of \$90,000,000 to facilitate the direct purchase and delivery of energy to State agencies.

Budget Detail

The Executive recommends an All Funds appropriation of \$577,516,000, reflecting a decrease of \$328,992,000 or 36.3 percent from the State Fiscal Year 2009-10 funding level.

The Executive recommends funding for 1,500 full-time equivalent (FTE) positions, reflecting a decrease of 48 FTEs over SFY 2009-10 staffing levels. The elimination of 48 FTEs is attributed to attrition.

State Operations

The Executive recommends an All Funds appropriation for State Operations of \$479,516,000 representing a \$328,992,000 decrease from the SFY 2009-10 funding level.

Proposed Increases

The Executive proposes:

- a \$90,000,000 increase in the Executive Direction Internal Service Fund to facilitate in the direct purchase and delivery of energy to State agencies;
- a \$390,000 increase in the Design and Construction Internal Service Fund which reflects indirect cost adjustments, and the cost of continuing current programs;
- a \$114,000 increase in the Procurement Program Internal Service Fund to reflect the cost of continuing current programs, fringe benefit and cost adjustments;
- a \$102,000 increase in the Real Property Management and Development Program Internal Service Fund due to indirect costs and fringe benefit adjustments and the cost of continuing programs; and
- a \$58,000 increase in the Executive Direction Internal Service Fund due to the cost of continuing current programs.

Proposed Decreases

The Executive proposes:

- a \$400,000,000 reduction in the Real Property Management and Development Program Internal Service Fund intended for centralized lease management;
- a \$12,900,000 reduction in General Fund appropriations attributed to the attrition of 33 full time employees and other personal service reductions, energy savings and renegotiated lease savings;
- a \$6,200,000 reduction in the Emergency Food Assistance Program due to a one-time federal stimulus appropriation;
- a \$505,000 reduction in Real Property Management and Development Special Revenue Fund support due to personal service and indirect cost adjustments and the attrition of one full time employee ; and
- a \$31,000 reduction in Executive Direction Special Revenue Funds due to fringe benefit and indirect cost adjustments.

Capital Projects

The Executive recommends \$98,000,000 in funding for Capital projects, reflecting no change from the SFY 2009-10.

Article VII

The Executive recommends Article VII legislation that would:

- repeal the requirements that contractors collect a fee on the sales from centralized contracts administered by OGS; and
- provide additional procurement flexibility for local governments and the State in order to facilitate cost savings on behalf of the State and localities.

DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	18,222,000	11,949,000	(6,273,000)	-34.4%
Special Revenue-Other	18,471,700	99,422,700	80,951,000	438.2%
Special Revenue-Federal	503,300,000	627,474,000	124,174,000	24.7%
Enterprise	0	50,000,000	50,000,000	--
Capital Projects Fund	0	42,000,000	42,000,000	--
Internal Service Fund	1,500,000	2,000,000	500,000	33.3%
Total for AGENCY SUMMARY:	541,493,700	832,845,700	291,352,000	53.8%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	132	149	17
All Other Funds:	44	248	204
TOTAL:	176	397	221

Agency Mission

(Executive Budget: pp. 355-362)

The Executive Proposal would consolidate the State's emergency service and homeland security entities into a new Division of Homeland Security and Emergency Services (Division), which would develop and coordinate a comprehensive all-hazards strategy for disaster preparedness and response to acts of terrorism and natural disasters. The Division would maintain strong ties with Federal security-related agencies including the United States Department of Homeland Security, and would establish a statewide interoperable communications strategy. The proposed Division would consolidate several State entities under the existing Office of Homeland Security (OHS),

including the State Emergency Management Office (SEMO), the Office of Cyber Security and Critical Infrastructure Coordination (CSCIC), the State 911 Board, the interoperable communications program of the Office for Technology (OFT), and the Office of Fire Prevention and Control (OFPC).

This Agency's budget appears in the Public Protection and General Government bill.

Programmatic Highlights

- The Executive Budget consolidates several disaster preparedness and first responder agencies into a new Division of Homeland Security and Emergency Services.
- A new \$42,000,000 appropriation is provided to enhance the operations of the State Preparedness Training Center in Oriskany, New York.

Budget Detail

The Executive recommends an All Funds appropriation of \$832,845,700, a \$291,352,000, or 53.8 percent increase over SFY 2009-10 spending levels. This dramatic increase is largely related to the transfer of appropriations from State entities that are proposed to be merged into the new Division. The Executive proposes support for a workforce of 397 full-time equivalent (FTE) positions.

State Operations

The Executive recommends an All Funds State Operations appropriation of \$106,428,000, a \$77,297,000 increase from SFY 2009-10 spending levels.

The Executive proposal would merge several State entities under the existing OHS, including SEMO (currently in the Division of Military and Naval Affairs), CSCIC, OFPC (currently in the Department of State), and the State 911 Board (currently in the Department of State) in an effort to seek a more comprehensive approach to preventing and responding to emergencies. The consolidation of these entities will also produce efficiencies in coordinating federal grant applications and would build a unified interoperable communications strategy.

The activities of the new Division will rely heavily on revenue derived from an existing surcharge on wireless devices. The Executive proposal includes appropriations totaling \$82,270,000 to support the following:

- grants for the development of consolidated regional public safety communications networks (\$50,000,000);
- support for the State Preparedness Training Center (\$13,470,000);

- administrative and other non-personal service expenses (\$9,500,000);and
- reimbursement of localities for improvements to E-911 networks (\$9,300,000);

The Executive proposal also provides \$8,677,000 in cell surcharge revenue to support debt service for the E-911 expedited deployment program, a decrease of \$14,392,000 from SFY 2009-10 funding levels.

In addition, \$4,646,000 is provided to the Office of Cyber Security and Critical Infrastructure Coordination to allow for Information Technology upgrades and enhanced intrusion detection services on behalf of all State agencies.

Proposed Decreases

The Executive's agency consolidation proposal is expected to generate \$1,500,000 in savings during SFY 2009-10. Other savings measures include the annualization of reductions to the E-911 grant program as authorized in the SFY 2009-10 Deficit Reduction Plan (\$500,000), and anticipated collective bargaining savings associated with staff of OFPC (\$5,000) and the New York Fire Academy (\$8,000).

Aid to Localities

The Executive recommends an All Funds Aid to Localities appropriation of \$684,417,700, which includes an appropriation of \$600,000,000 for the Domestic Incident Preparedness Account to accept Federal homeland-security related grant funds. This represents an increase of \$100,000,000 from SFY 2009-10 spending levels.

The responsibilities of the OFT Federal Interoperable Coordinator would be transferred to the new the new Division to chair the Office for Interoperable and Emergency Communications. This office would offer grants of up to \$50 million in SFY 2010-11 for the purpose of developing regional consolidation of 911 dispatch centers. Once fully implemented, the Executive proposal would reprogram support for the existing E-911 wireless communications grant program to support this purpose.

Capital Projects

The Executive recommends a capital appropriation of \$42,000,000 for the purpose of centralizing first responder training operations in the State Preparedness Training Facility in Oriskany, New York.

Article VII

The Executive recommends Article VII legislation that would:

- consolidate several State entities under the Office of Homeland Security to create a new Division of Homeland Security and Emergency Services; and
- offer localities an opportunity to pool their finances through the Municipal Bond Bank Agency for the purpose of developing public safety communications systems.

Deficiency Request

The Executive Proposal would provide for the transfer of an additional \$50,000,000 from the Statewide Public Safety Communications Account to the General Fund.

OFFICE OF THE INSPECTOR GENERAL

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	6,825,000	6,138,000	(687,000)	-10.1%
Special Revenue-Other	100,000	100,000	0	0.0%
Total for AGENCY SUMMARY:	6,925,000	6,238,000	(687,000)	-9.9%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	62	62	0
TOTAL:	62	62	0

Agency Mission

(Executive Budget: pp. 363-366)

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 \$6,238,000 reflecting a net decrease of \$687,000 or 9.92 percent from the State Fiscal Year (SFY) 2009-10 funding level.

A workforce of 62 full-time equivalent (FTE) funded positions is recommended which reflects no change from SFY 2009-10.

State Operations

The Executive recommends \$100,000 in Special Revenue Fund-Other funding, reflecting no change from the SFY 2009-10 base funding level.

Proposed Increases

The Executive proposes:

- a net adjustment of \$356,000 to reflect the cost of continuing existing programs, including salary, rent, and other fixed costs.

Proposed Decreases

The Executive recommends State Operations General Fund appropriations of \$6,138,000, reflecting a net decrease of \$687,000 or 10.07 percent from the State Fiscal Year (SFY) 2009-10 funding level. This decrease reflects the following:

- a reduction of \$110,000 which reflects the impact of the SFY 2009-10 Deficit Reduction plan;
- a reduction of \$242,000 which reflects the impact of the SFY 2009-10 personal service management confidential savings initiative, including the elimination of one FTE position;
- a reduction of \$111,000 which reflects the impact of SFY 2010-11 collective bargaining savings; and
- a reduction of \$580,000 in additional across the board decreases taken in all Executive agencies.

NEW YORK INTEREST ON LAWYERS ACCOUNT

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
Special Revenue-Other	48,050,000	46,873,000	(1,177,000)	-2.4%
Total for AGENCY SUMMARY:	48,050,000	46,873,000	(1,177,000)	-2.4%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
All Other Funds:	8	8	0
TOTAL:	8	8	0

Agency Mission

(Executive Budget: pp. 367-369)

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.

Programmatic Highlights

The Judiciary's State Fiscal Year (SFY) 2010-11 budget, as submitted to the Governor, provides for:

- The suballocation of \$15,000,000 to the IOLA trustees for the purpose of supporting grants to provide civil legal services for the indigent.

Budget Detail

The Executive Budget recommends an All Funds State Operations appropriation of \$46,873,000, a \$1,177,000 decrease from the State Fiscal Year (SFY) 2009-10 levels. The Executive proposes support for a workforce of eight full-time equivalent (FTE) positions, representing no change from SFY 2009-10.

A \$1,000,000 appropriation made in support of civil legal services in SFY 2009-10 has not yet been allocated and thus is reappropriated at the full amount for disbursement in the current fiscal year.

State Operations

The Executive proposes an All Funds State Operations appropriation of \$1,873,000, a decrease of \$177,000 from the SFY 2009-10 funding level.

Aid to Localities

The Executive proposes an All Funds Aid to Localities appropriation of \$45,000,000, a decrease of \$1,000,000 from the SFY 2009-10 funding level. This reflects the elimination of \$1,000,000 in support for civil legal services provided in SFY 2009-10.

JUDICIAL COMMISSIONS

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	5,268,000	5,474,000	206,000	3.9%
Total for AGENCY SUMMARY:	5,268,000	5,474,000	206,000	3.9%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	49	49	0
TOTAL:	49	49	0

Agency Mission

(Executive Budget: pp. 371-373)

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 \$5,474,000 for State Fiscal Year (SFY) 2010-11, a net \$206,000 increase over SFY 2009-10 funding levels. The Executive proposal maintains a workforce of 49 full-time equivalent (FTE) positions.

State Operations

The Executive proposes an All Funds State Operations appropriation of \$5,474,000, a net increase of \$206,000 from SFY 2009-10 funding levels.

Proposed Increases

- The Executive recommendation includes an increase of \$206,000 to the Commission on Judicial Conduct (CJC) to reflect adjustments to support the cost of continuing ongoing programming.

DEPARTMENT OF LAW

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	130,466,000	114,219,000	(16,247,000)	-12.5%
Special Revenue-Other	65,593,000	59,987,000	(5,606,000)	-8.5%
Special Revenue-Federal	37,559,000	35,820,000	(1,739,000)	-4.6%
Total for AGENCY SUMMARY:	233,618,000	210,026,000	(23,592,000)	-10.1%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	1,212	1,151	(61)
All Other Funds:	635	596	(39)
TOTAL:	1,847	1,747	(100)

Agency Mission

(Executive Budget: pp. 375-379)

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 State Fiscal Year (SFY) 2010-11 Executive Budget recommends an All Funds State Operations appropriation of \$210,026,000, a decrease of \$23,592,000 or 10.1 percent from its State Fiscal Year (SFY) 2009-10 funding levels. The Executive proposes a workforce of 1,747 full-time equivalent (FTE) positions, a decrease of 100 FTE from SFY 2009-10 staffing levels.

State Operations

The Executive Budget recommends an All Funds State Operations appropriation of \$210,026,000, a decrease of \$23,592,000 from its State Fiscal Year (SFY) 2009-10 funding levels.

Proposed Decreases

The Executive proposes:

- Pursuant to the Attorney General's request, the Executive has reduced General Fund appropriations by \$16,247,000. Similarly, the Attorney General's request also reduces Special Revenue appropriations by \$5,606,000. Combined, these reductions total \$21,853,000.
- In addition, Federal appropriations made for the Medicaid Fraud Control Unit are reduced by \$1,739,000.

DIVISION OF MILITARY AND NAVAL AFFAIRS

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	115,295,000	17,755,000	(97,540,000)	-84.6%
Special Revenue-Other	18,541,000	8,741,000	(9,800,000)	-52.9%
Special Revenue-Federal	367,442,000	42,780,000	(324,662,000)	-88.4%
Enterprise	50,000,000	0	(50,000,000)	-100.0%
Capital Projects Fund	13,100,000	13,100,000	0	0.0%
Federal Capital Projects Fund	3,000,000	17,600,000	14,600,000	486.7%
Total for AGENCY SUMMARY:	567,378,000	99,976,000	(467,402,000)	-82.4%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	225	200	(25)
All Other Funds:	354	282	(72)
TOTAL:	579	482	(97)

Agency Mission

(Executive Budget: pp. 381-385)

The Division of Military and Naval Affairs' (DMNA) primary mission, through the State's militia, is to maintain a well-trained military force ready to respond to civil emergencies, natural disasters and threats to national security.

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

Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- The State Emergency Management Office (SEMO) would be merged into a new Division of Homeland Security and Emergency Services (HSES); and
- Support for Empire Shield is increased to \$19.5 million for the National Guard's rapid response and deterrence efforts in New York City.

Budget Detail

The Executive Budget recommends an All funds appropriation of \$99,976,000, a decrease of \$467,402,000, or 82.4 percent from State Fiscal Year (SFY) 2009-10 funding levels. The Executive proposal includes support for a workforce of 482 full-time equivalent (FTE) positions, a reduction of 97 positions. These reductions are almost exclusively related to the transfer of SEMO to the new HSES.

State Operations

The Executive proposal includes an All Funds State Operations appropriation of \$68,626,000, a decrease of \$70,753,000 over SFY 2009-10 funding levels.

Proposed Increases

The Executive proposal includes the following:

- the Executive makes an adjustment of \$194,000 to reflect an increase in utility costs at DMNA's armories.

Proposed Decreases

The Executive proposal includes the following:

- the transfer of SEMO to the new HSES results in a personal and non-personal service reduction of \$4,321,000;
- administrative efficiencies and other reductions that would result in savings of \$2,000,000;

- savings of \$1,229,000 as a result of \$521,000 in workforce reductions, collective bargaining savings of \$201,000 and \$507,000 from severance packages;
- the continued implementation of the SFY 2009-10 Deficit Reduction Plan would result in additional savings of \$1,000,000; and
- collective bargaining savings of \$401,000 are projected within the Military Readiness Program, Camp Smith Billeting, and the Armory Rentals Program.

Aid to Localities

The Executive proposal includes an All Funds Aid to Localities appropriation of \$650,000, a decrease of \$411,249,000 over SFY 2009-10 funding levels. This significant reduction reflects the transfer of SEMO and its responsibilities to the new HSES.

Article VII

The Executive recommends Article VII legislation that would merge SEMO, the Office of Homeland Security, the State E-911 Board, the Office of Cyber Security and Critical Infrastructure Coordination, and the Office of Fire Prevention and Control to form HSES.

DIVISION OF PAROLE

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	183,037,652	176,302,000	(6,735,652)	-3.7%
Special Revenue-Other	825,000	1,275,000	450,000	54.5%
Special Revenue-Federal	500,000	500,000	0	0.0%
Internal Service Fund	9,250,000	11,000,000	1,750,000	18.9%
Total for AGENCY SUMMARY:	193,612,652	189,077,000	(4,535,652)	-2.3%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	2,006	1,955	(51)
TOTAL:	2,006	1,955	(51)

Agency Mission

(Executive Budget: pp. 387–390)

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 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 67 correctional facilities and operate from 36 community-based field offices.

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

Budget Detail

The Executive Budget recommends an All Funds appropriation of \$189,077,000, a \$4,535,652 or a 2.3 percent decrease below its State Fiscal Year (SFY) 2009-10 funding levels. The Executive proposal includes support for a workforce of 1,955 full-time equivalent (FTE) positions, a decrease of 51 FTEs from SFY 2009-10.

State Operations

The Executive proposes funding to support State operations to the amount of \$167,106,000, a net decrease of \$11,286,000 from SFY 2009-10 funding levels.

Proposed Increases

The Executive proposal includes personal service adjustments totaling \$717,000.

Proposed Decreases

The Executive proposal provides for the following reductions:

- workforce reductions associated with a declining parole supervision population is projected to result in a savings of \$3,700,000;
- vacancy controls and overtime reductions (\$1,800,000), and the consolidation of three New York City field offices into one office in Manhattan (\$1,800,000) would result in \$3,600,000 in savings;
- anticipated savings associated with collective bargaining would net \$2,573,000 in savings;
- telecommunications savings, non-personal service efficiency efforts and other reductions account for \$1,980,000 in savings; and
- savings attributable to a proposed reduction in the number of Parole Board members from 19 to 13 would result in a savings of \$600,000.

Aid to Localities

The Executive proposes an Aid to Localities appropriation of \$21,971,000, an increase of \$6,750,348 over 2009-10 funding levels, which is comprised of the following:

Proposed Increases

The Executive proposes:

- an additional appropriation of \$5,000,000 to support payments for the housing of parole violators in local jails. Such expenses were incurred prior to the program's elimination in SFY 2009-10.

Proposed Decreases

The Executive proposes:

- continued implementation of the SFY 2009-10 Deficit Reduction Plan resulting in \$609,000 in savings taken from the Residential Stabilization Support Program.

Article VII

The Executive recommends Article VII legislation that would:

- reduce the number of the Board of Parole members by six, from 19 to 13 members, and also reduce the term of office of board members from six to five years.

PUBLIC EMPLOYEES RELATIONS BOARD

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	4,116,000	3,968,000	(148,000)	-3.6%
Special Revenue-Other	568,000	575,000	7,000	1.2%
Total for AGENCY SUMMARY:	4,684,000	4,543,000	(141,000)	-3.0%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	38	38	0
TOTAL:	38	38	0

Agency Mission

(Executive Budget: pp. 391-394)

The Public Employees Relations Board (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), currently in the Department of Labor, and to have the responsibilities of SERB be assumed by the Public Employment Relations Board. This action is proposed to produce General Fund Savings of \$1,300,000. There are two layoffs anticipated by this action.

Budget Detail

The Executive proposes an All Funds appropriation of \$4,543,000 for SFY 2010-11, a net decrease of \$141,000 or 3.0 percent below the SFY 2009-10 level. The Executive recommends funding to support 38 full-time equivalent (FTE) positions, which is unchanged from SFY 2009-10.

State Operations

The Executive proposes a General Fund appropriation of \$3,968,000, a net decrease of \$148,000 or 3.6 percent from SFY 2009-10. The Executive recommends a Special Revenue Fund - Other appropriation of \$575,000, an increase of \$7,000 or 1.2 percent over SFY 2009-10.

Proposed Increases

The Executive proposes an All Funds net increase of \$16,000 to reflect salary and fixed cost increases.

Proposed Decreases

The Executive proposes:

- a decrease of \$99,000 related to State Operations expenditures reduced pursuant to the SFY 2009-10 Deficit Reduction Plan (DRP) actions; and
- a \$58,000 reduction related to anticipated collective bargaining savings.

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 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	5,162,000	4,308,000	(854,000)	-16.5%
Total for AGENCY SUMMARY:	5,162,000	4,308,000	(854,000)	-16.5%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	50	50	0
TOTAL:	50	50	0

Agency Mission

(Executive Budget: pp. 395-398)

The Commission on Public Integrity Commission (Commission) was established in 2007 by the 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 combined all powers, duties, functions, and staff of the former 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 \$4,308,000 reflecting a net decrease of \$854,000 or 16.54 percent in State Operations funding from the State Fiscal Year (SFY) 2009-10 funding level.

The Executive recommends funding for 50 full-time equivalent (FTE) funded positions representing no change in FTE positions from the SFY 2009-10 staff level.

State Operations

Proposed Increases

- The Executive budget provides a net adjustment of \$19,000 to reflect the cost of continuing existing programs, including fixed costs increases.

Proposed Decreases

The Executive recommends the following decreases:

- a reduction of \$144,000 which reflects the impact of the SFY 2009-10 Deficit Reduction Plan action;
- a reduction of \$153,000 which reflects the impact of the SFY 2009-10 Personal Service savings initiatives;
- a reduction of \$65,000 which reflects the impact of a SFY 2010-11 Personal Service cut related to the reduction of one FTE position;
- a reduction of \$61,000 which reflects the impact of the SFY 2010-11 collective bargaining savings initiatives; and
- a reduction of \$450,000 which reflects the impact of the SFY 2010-11 11.5 percent across the board personal service reductions.

Article VII

The Governor has introduced Article VII ethics reform legislation that would:

- implement ethics reform, and consolidate all ethics-related functions into a single State Government Ethics Commission chosen by a designating panel, thereby providing a framework for making decisions on ethical conduct and evaluating potential violations. The new Commission would provide enforcement of the laws governing ethics, lobbying and campaign finance.

DIVISION OF STATE POLICE

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	540,841,000	475,957,000	(64,884,000)	-12.0%
Special Revenue-Other	244,798,000	236,350,000	(8,448,000)	-3.5%
Special Revenue-Federal	8,745,000	6,310,000	(2,435,000)	-27.8%
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%
Total for AGENCY SUMMARY:	805,884,000	730,117,000	(75,767,000)	-9.4%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	5,215	5,043	(172)
All Other Funds:	487	487	0
TOTAL:	5,702	5,530	(172)

Agency Mission

(Executive Budget: pp. 399-403)

The Division of State Police is responsible for protecting the life and property of New Yorkers by patrolling the State's highways and performing specialty and investigative police services throughout the State. The Division is also 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) 2010-11 Executive Budget includes the following:

- The establishment of a program for photo-monitoring enforcement of speed limits in work zones and designated stretches of highway.
- A deferral of State Police training classes during SFY 2010-1.
- The redeployment of 90 School Resource Officers upon the close of the 2010 school year.

Budget Detail

The Executive proposes an All Funds appropriation of \$718,617,000, a decrease of \$75,767,000, or 9.54 percent from SFY 2009-10 funding levels. The Executive recommends funding support of 5,530 full-time equivalent (FTE) positions, representing a decrease of 172 FTE positions.

State Operations

The Executive proposes an All Funds State Operations appropriation of \$718,617,000, a decrease of \$75,767,000 from the SFY 2009-10 funding levels.

Proposed Increases

The Executive proposal includes \$51,468,000 for the following:

- payments to Troopers and members of the Bureau of Criminal Investigation (BCI), pursuant to collective bargaining agreements (\$30,000,000);
- increased support for mandatory personal service increases (\$13,568,000); and
- support for the administration of an automated speed enforcement program in work zones and designated stretches of highways (\$7,900,000). These funds would support the purchase of software and equipment and would also support vendor costs. The utilization of speed enforcement cameras is expected to generate \$25 million in SFY 2010-11 and \$71 million each year thereafter.

Proposed Decreases

The Executive proposal also includes \$106,910,000 in All Funds appropriations reductions that are attributable to the following:

- a \$42,000,000 reduction from retroactive payments previously made to respective bargaining units;
- various personal and non-personal service reductions (\$16,520,000);
- the annualization of the Motor Vehicle Law Enforcement Assessment (MVLEA) fee, providing an additional General Fund offset of \$16,125,000;
- the continued implementation of a Workforce Reduction Plan (\$11,320,000);
- the annualization of Deficit Reduction Plan savings (\$10,556,000);
- anticipated concessions from collective bargaining units (\$9,889,000); and
- a \$2,435,000 reduction in Federal support for the Internet Crimes Against Children Program (\$700,000) and the National Institute of Justice DNA grant program (\$1,735,000).

Capital Projects

A capital appropriation of \$11,500,000 is advanced by the Executive, unchanged from SFY 2009-10 levels. Of these funds, \$6,000,000 would support the replacement of evidence storage facilities, \$3,500,000 would be utilized for the preservation of State Police facilities, and \$2,000,000 would be allocated for health and safety purposes.

Article VII

The Executive recommends Article VII legislation that would:

- 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 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	28,858,000	30,558,000	1,700,000	5.9%
Special Revenue-Other	20,905,000	3,445,000	(17,460,000)	-83.5%
Special Revenue-Federal	17,750,000	0	(17,750,000)	-100.0%
Capital Projects Fund	80,000,000	0	(80,000,000)	-100.0%
Internal Service Fund	405,752,000	403,165,000	(2,587,000)	-0.6%
Total for AGENCY SUMMARY:	553,265,000	437,168,000	(116,097,000)	-21.0%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	156	156	0
All Other Funds:	492	517	25
TOTAL:	648	673	25

Agency Mission

(Executive Budget: pp. 407-410)

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 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:

- Eliminates \$17,460,000 for the Statewide Technology Program Special Revenue Fund intended for the development of the Statewide Wireless Network (SWN).
- Eliminates \$80,000,000 in capital funding intended for the acquisition of property and the design and development of SWN.
- Transfers the responsibility for the implementation of the statewide interoperable communications system to the Division of Homeland Security and Emergency Services.

Budget Detail

The Executive recommends an All Funds appropriation of \$437,168,000, a \$116,097,000 decrease from SFY 2009-10 funding level. The Executive proposes support for a workforce of 673 full-time equivalent (FTE) positions, an increase of 25 over SFY 2009-10 level.

State Operations

The Executive proposes funding to support State Operations in the amount of \$437,168,000 a decrease of \$36,097,000 from SFY 2009-10 levels.

Proposed Increases

- The Executive provides a \$1,700,000 increase in General Fund support for costs associated with E-licensing, interim data center debt service and continued current programs.

Proposed Decreases

The Executive proposes:

- a \$17,750,000 decrease in funding for Broadband Infrastructure Development attributed to the discontinuation of a one-time federal stimulus appropriation. The Executive proposal maintains \$17,000,000 in reappropriation authority for the purpose of developing broadband infrastructure;
- a \$17,460,000 decrease to the Statewide Technology Program Special Revenue Fund attributed to the elimination of SWN; and

- a \$2,587,000 decrease to the Office for Technology Program Internal Service Fund attributed to fringe and indirect cost adjustments and collective bargaining savings.

Capital Projects

The Executive proposes to eliminate capital funding in the amount of \$80,000,000 for the design and development of SWN.

The Executive proposal maintains \$99,000,000 in reappropriated funding to support the financing of a public-private partnership to achieve economies of scale in the development of a consolidated data center.

DIVISION OF VETERANS' AFFAIRS

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	15,538,200	14,397,000	(1,141,200)	-7.3%
Special Revenue-Federal	2,466,000	2,466,000	0	0.0%
Total for AGENCY SUMMARY:	18,004,200	16,863,000	(1,141,200)	-6.3%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	94	92	(2)
All Other Funds:	11	11	0
TOTAL:	105	103	(2)

Agency Mission

(Executive Budget: pp. 411-416)

The Division of Veterans' Affairs (DVA) assists, counsels, and advocates for veterans, military personnel and their families. The DVA coordinates with State agencies and the federal government on programs affecting veterans. The DVA 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.

Budget Detail

The Executive recommends an All Funds appropriation level of \$16,863,000 reflecting a net decrease of \$1,141,200 below current SFY 2009-10 funding levels.

The Executive recommends funding 103 full-time equivalent (FTE) funded positions reflecting a reduction of 2 FTE funded positions from current levels.

State Operations

The Executive proposes \$8,417,000 in General Fund spending for State Operations in SFY 2010-11, which reflects a net decrease of \$844,000 or 9.11 percent from 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 Decreases

The Executive proposes the following:

- a decrease of \$368,000 in funding to reflect the SFY 2009-10 workforce plan reductions;
- a decrease of \$98,000 which reflects the impact of the SFY 2009-10 Deficit Reduction Plan;
- a decrease of \$113,000 which reflects the impact of the SFY 2010-11 collective bargaining savings;
- a decrease of \$200,000 which reflects the impact of the SFY 2010-11 additional 11.5 percent across the board personal service reductions; and
- a decrease of \$65,000 which reflects the impact of the SFY 2010-11 severance plan involving one individual.

Aid to Localities

The Executive recommends \$8,446,000 in Aid to Localities funding, representing a net decrease of \$297,200 or 3.40 percent from SFY 2009-10 funding levels. The decrease of \$297,200 reflects the elimination of Community Projects funding.

Funding is maintained to Veteran Affairs' General Fund/Aid to Localities and Federal Funds programs at the current SFY 2009-10 funding levels as follows:

- \$5,720,000 is provided for funding to maintain the Blind Veteran annuity program;
- \$1,427,000 is provided for funding to maintain payment of aid to County and City Veterans' Service Agencies (\$1,177,000) and for services and expenses of the Monroe County Veteran Outreach Center;
- \$500,000 is provided for funding to maintain payments for services and expenses related to Veterans' Counseling and Outreach; and
- \$799,000 is provided in funding to maintain payments for Gold Star Annuity Benefits to eligible families of military personnel (\$599,000) and for payment of supplemental burial benefits to eligible families of military personnel killed in combat.

WORKERS' COMPENSATION BOARD

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
Special Revenue-Other	217,405,000	202,265,000	(15,140,000)	-7.0%
Total for AGENCY SUMMARY:	217,405,000	202,265,000	(15,140,000)	-7.0%

ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
All Other Funds:	1,425	1,450	25
TOTAL:	1,425	1,450	25

Agency Mission

(Executive Budget: pp. 417-419)

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

State Operations

The Executive proposes an All Funds State Operations appropriation of \$202,265,000, a net decrease of \$15,140,000 or 7.0 percent below the SFY 2009-10 level.

Proposed Increases

The Executive proposes:

- an increase of \$6,872,000 related to salary and fixed cost increases;
- a fringe benefit increase of \$4,391,000; and
- an increase of \$1,550,000 for staff needed to implement Article VII language related to employers who self-insure for Workers' Compensation.

Proposed Decreases

The Executive proposes:

- a decrease of \$20,000,000 related to one-time revenue received pursuant to SFY 2009-10 Article VII legislation;
- reductions of \$5,844,000 related to employees who left through attrition or opted to take a severance package offered under the SFY 2009-10 Workforce Reduction Plan; and
- reductions related to anticipated collective bargaining savings totaling \$2,109,000.

Article VII

The Executive recommends Article VII legislation that would:

- collect surplus funds from Workers' Compensation Insurance carriers; and
- protect injured workers' benefits and ensure that employers who participate in self-insured groups and group administrators fully meet their future fiscal responsibilities.

Deficiency Request

In the proposed deficiency bill, the Executive recommends transferring funds in excess of \$12,000,000 from the Special Fund for Disability Benefits to the General Fund.

GENERAL STATE CHARGES

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	2,114,042,000	2,368,014,000	253,972,000	12.0%
Fiduciary	211,000,000	101,000,000	(110,000,000)	-52.1%
Total for AGENCY SUMMARY:	2,325,042,000	2,469,014,000	143,972,000	6.2%

Agency Mission

(Executive Budget: pp. 427-430)

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 option for State and local governments participating in the New York State and Local Employees' Retirement System (NYSLERS) and the New York State and Local Police and Fire Retirement System (NYSLPFRS) to amortize a portion of their pension contribution costs during a six consecutive fiscal years, beginning with the 2010-11 fiscal year. This proposal would save the State \$216,700,000 in SFY 2010-11.
- A proposal to authorize the New York State Health Insurance Plan to self-insure, which the Executive estimates would save \$15,000,000 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 action would reduce spending by \$30,000,000 in SFY 2010-11.

In addition to these actions that would directly affect General State Charges, the Executive also plans to implement workforce actions targeted to save \$250,000,000; such savings are reflected in the SFY 2010-11 Financial Plan. The Executive characterizes these proposals as requiring union agreement and include such options as:

- A proposal to defer five days of salary payments in SFY 2010-11, which would reduce All Funds spending by \$275,000,000 and General Fund spending by \$150,000,000 plus an additional \$20,000,000 from proposed sweeps.
- A proposal to delay or reduce the April 1, 2010 four percent negotiated salary increase. The Executive estimates that this would reduce All Funds spending by \$483,000,000 in SFY 2010-11, resulting in a proposed General Fund spending reduction of \$250,000,000.

Budget Detail

State Operations

The Executive proposes a SFY 2010-11 appropriation of \$2,469,014,000, an increase of \$143,972,000 over the SFY 2009-10 level.

Proposed Increases

The Executive recommends the following:

- \$245,498,000 related to pensions, which reflects a contribution rate of 9.5 percent of salary for NYSLERS and 17.5 percent of salary for NYSLPFRS as proposed in Article VII language;
- \$263,174,000 related to health insurance, a 3.3 percent increase from SFY 2009-10; and
- \$26,573,000 in Social Security costs related to a four percent salary increase scheduled to take effect April 1, 2010.

Proposed Decreases

The Executive recommends the following:

- fringe benefit offset revenue of \$241,564,000 related to increased fringe benefit rates; and
- a reduction of \$47,831,000 for Taxes on State-Owned Lands related to a return to typical spending anticipated in SFY 2010-11. In SFY 2009-10, spending was higher than normal resulting in an artificial decrease; and
- a reduction of \$2,600,000 related to a proposed reduction in the interest rate paid on judgments against the State.

Article VII

The Executive recommends Article VII legislation that would:

- provide the State and local governments participating in the New York State and Local Employees' Retirement System (NYSLERS) and the New York State and Local Police and Fire Retirement System (NYSLPFRS) with the option to amortize a portion of their pension contribution costs during a six consecutive fiscal years, beginning with the 2010-11 fiscal year;
- allow the New York State Health Insurance Plan the option to be self insured for medical, hospital, drug, and/or mental health benefits;
- require both State employees and retirees to contribute to Medicare Part B premiums. The State currently pays 100 percent of the premium; and
- reduce the rate of interest paid by the State on Court of Claims judgments from a fixed 9 percent rate to a variable market rate.

MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
AGENCY SUMMARY				
General Fund	3,879,304,772	3,458,773,698	(420,531,074)	-10.8%
Special Revenue-Other	7,547,000	7,529,000	(18,000)	-0.2%
Special Revenue-Federal	1,050,000,000	1,050,000,000	0	0.0%
Fiduciary	222,400,000	222,400,000	0	0.0%
All Funds	129,800,000	187,285,000	57,485,000	44.3%
Emergency	226,347,000	215,000,000	(11,347,000)	-5.0%
Total for AGENCY SUMMARY:	5,515,398,772	5,140,987,698	(374,411,074)	-6.8%

Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- The Executive recommends \$745,821,000 in General Fund appropriations for the Aid and Incentives for Municipalities (AIM) program. This represents a decrease of \$319,149,012 from the State Fiscal Year (SFY) 2009-10.

Deferred Compensation Board

The Executive proposes an appropriation of \$931,000, a decrease of \$30,000 or 3.1 percent below the SFY 2009-10 level. The Executive provides for a net increase of \$23,000 for salary and fixed cost increases which are offset by \$53,000 in reductions associated with anticipated collective bargaining savings, an 11.5 percent across-the-board reduction in State Operations expenditures and State Operations expenditures reduced pursuant to the SFY 2009-10 Deficit Reduction Plan (DRP) actions.

Budget Detail

State Operations

Collective Bargaining Agreements

The Executive proposes an appropriation of \$38,719,000 for Collective Bargaining Agreements, a net decrease of \$3,955,000 or 9.16 percent below the SFY 2009-10 level after taking into account a transfer from a special pay bill of \$4,674,000 after the SFY 2009-10 Enacted Budget. The Executive provides \$1,000,000 for information technology skills training for public employees, which is offset by \$281,000 related to anticipated collective bargaining savings.

Aid to Localities

Proposed Decreases

Aid and Incentives for Municipalities (AIM) Program

The Executive recommends \$745,821,000 in General Fund appropriations for the Aid and Incentives for Municipalities (AIM) program. This represents a decrease of \$319,149,012 from the SFY 2009-10. This appropriation is comprised of the following actions:

- dedication of \$734,570,882 in AIM funding to municipalities outside of the City of New York. This allocation reduces funding to individual municipalities based on their local reliance of this revenue source. Municipalities that are dependent on AIM funding for more than 10 percent of their total revenue will receive a 2 percent reduction, while those municipalities with AIM reliance below 10 percent will incur a 5 percent reduction from their SFY 2009-10 enacted budget allocation; and
- appropriates \$11,000,000 of the AIM program to support the Local Government Efficiency Grant (LGEG) program, comprised of \$10,000,000 for grants and \$1,000,000 for merger incentives. This allocation represents a \$1,975,000 decrease from the available grants in 2009-10.
- the Executive Budget eliminates AIM payments to New York City and Erie County in SFY 2010-11.

Video Lottery Terminal Aid

The Executive recommends an appropriation of \$23,841,000. This reflects a \$2,710,000 decrease, or 10 percent reduction in funding for all host municipalities. The Executive does not hold the City of Yonkers harmless in SFY 2010-11, as was done in previous budget years.

Miscellaneous Financial Aid

The Executive recommends an appropriation of \$3,920,000. This represents a \$5,000,000 reduction from SFY 2009-10. This reflects non-recurring aid to the City of Yonkers. Oneida and Madison counties will continue to receive \$1,960,000 each for interim financial assistance related to land claim settlements.

Capital Projects

State Equipment Financing Program

The Executive recommends a \$187,285,000 appropriation for the State Equipment Financing Program. This is a \$57,485,000 increase from the SFY 2009-10 budget.

Article VII

The Executive recommends Article VII legislation that would:

- authorize reduction AIM funding based on municipalities AIM reliance (i.e. their SFY 2008-09 AIM funding as a percentage of total 2008 revenues). These reductions would apply to the SFY 2009-10 Enacted Budget allocation at the following levels: 2 percent if the AIM reliance was at least 10 percent; and 5 percent if AIM reliance was less than 10 percent. Payments to New York City and Erie County would be eliminated;
- reduce Video Lottery Terminal aid to every host municipality by 10 percent;
- exempt school construction from Wicks thresholds entirely;
- provide more contracting flexibility by increasing local competitive bidding thresholds for public works contracts from \$35,000 to \$50,000 and commodities contracts from \$10,000 to \$20,000;
- allow local governments to require that bids be submitted in electronic format;
- provide for submitting the statement of non-collusion electronically;
- allow for local governments to hold reverse auctions;
- allow local governments to award contracts based on best value;
- allow local governments to “piggyback” on certain Federal General Services Administration contracts as well as other contracts let by other states and local governments;

- provide local governments with the option of advertising for bids in the Contract Reporter instead of the official newspaper;
- allow fire districts/companies to have additional members from outside of the district;
- 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;
- transfer to town boards most of the management responsibilities for town special districts providing sanitary, refuse, or garbage services but allows elected special district commissioners to continue to hold referenda on whether the level of service provided to the district should be changed;
- authorize two or more counties to enter into an inter-municipal agreement to share one director of weights and measures;
- eliminate compensation for special district commissioners;
- re-establish a process for a town board or citizens to abolish the offices of town improvement district commissioners;
- allow local governments to amortize a portion of their pension costs from SFY 2010-11 through SFY 2015-16. Municipalities would be able to amortize costs exceeding a contribution rate of 9.5 percent for State and Local Employees' Retirement System and 17.5 percent for the NYS Local Police and Fire Retirement System in SFY 2010-11. The contribution rate in future years would be increased by one percentage point each year through SFY 2015-16. Repayment would be made over a 10 year period, at an interest rate determined by the Comptroller;
- provide the City of New York with greater financing flexibility when issuing Qualified School Construction Bonds (QSCBs), authorized under the American Recovery and Reinvestment Act of 2009. This legislation would enable the New York City Transitional Finance Authority to issue QSCBs as sinking fund bonds in order to take full advantage of Qualified School Construction bonding;
- enable local governments to finance costs associated with the development of public safety communications systems through the Municipal Bond Bank Agency;
- place a four-year moratorium on new unfunded legislative mandates on local governments and school districts;

- permit local governments to make deposits in credit unions, savings banks and savings and loan associations. Currently, local governments may make deposits only in commercial bank and trust companies;
- permit local governments other than the City of New York to charge fees for ambulance services, including emergency medical services, provided by their fire departments or companies;
- authorize municipalities, at their local option, to charge for the provision of additional police protection to paid-admission events;
- authorize cities and villages to increase the local Gross Receipts Tax on utilities from 1 percent to 3 percent; and
- permit municipalities, as a local option, to charge fees for accident reports at rates not to exceed those authorized by the State Police.