

D05E01
Board of Public Works

Operating Budget Data

(\$ in Thousands)

	<u>FY 02</u> <u>Actual</u>	<u>FY 03</u> <u>Approp.</u>	<u>FY 04</u> <u>Allowance</u>	<u>FY 03 - 04</u> <u>Change</u>	<u>FY 03 - 04</u> <u>% Change</u>
General Funds	\$6,151	\$5,576	\$5,453	-\$123	-2.2%
Back of Bill Reductions	0	0	-5	-5	
Special Funds	1,125	2,125	1,125	-1,000	-47.1%
Adjusted Total	\$7,276	\$7,701	\$6,572	-\$1,128	-14.7%

- The \$2.0 million State subsidy for regional air service is not continued.
- The \$2.0 million operating grant to the Maryland Technology Development Corporation moved to the Board of Public Works from the Department of Business and Economic Development (DBED). See DBED budget analysis (T00) for discussion of this grant.
- The \$1.0 million special fund grant to the Baltimore City State's Attorney for handgun enforcement is not continued.

Personnel Data

	<u>FY 02</u> <u>Actual</u>	<u>FY 03</u> <u>Working</u>	<u>FY 04</u> <u>Allowance</u>	<u>Change</u>
Regular Positions	9.00	9.00	9.00	0.00
Contractual FTEs	0.00	0.00	0.00	0.00
Total Personnel	9.00	9.00	9.00	0.00

Vacancy Data: Regular Positions

Budgeted Turnover: FY 04	0.00	0.00%
Positions Vacant as of 12/31/02	0.00	0.00%

- There are no vacancies, and no new positions are requested.

Note: Numbers may not sum to total due to rounding.

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Analysis in Brief

Issues

Pass-through Grants: The State Firemen’s Emergency Assistance grant should be merged with the other revolving loan programs to volunteer fire companies, and several other grants should be deleted due to fiscal constraints.

Recommended Actions

	<u>Funds</u>
1. Reduce administrative operating expenses.	\$ 5,000
2. Amend budget bill language to delete or reduce State grants to private and nonprofit groups.	
3. Reduce appropriation to delete or reduce State grants to private nonprofit groups.	1,002,828
4. Reduce operating grant to the Maryland Technology Development Corporation.	250,000
Total Reductions	\$ 1,257,828

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Board of Public Works

Operating Budget Analysis

Program Description

The Board of Public Works (BPW) comprises the Governor, Comptroller, and Treasurer. The board approves the expenditure of all sums appropriated through State loans authorized by the General Assembly and funds appropriated for capital improvements, except construction contracts for State roads, bridges, and highways. The board approves leases and contracts executed by State agencies. It adopts and promulgates rules, regulations, and procedures for the administration of the State's procurement law. The board approves certain actions of the State Public School Construction Program, including the allocations, which are paid to each county and to Baltimore City. The board also approves the amount and timing of bond sales.

The board is also responsible for the issuance of licenses to people seeking to dredge in or to place fill on State tidal wetlands. The Wetlands Administration is a division of the board which conducts public hearings, prepares written recommendations, and issues licenses after approval by the board. This program also coordinates the State's wetlands licensing program with other governmental agencies, landowners, and the general public.

The budget for BPW contains funds for the administrative staff of the board, a contingency fund to supplement general fund appropriations when necessary, grant funds for private nonprofit groups, funds to pay settlements and judgments against the State, and funds for certain capital purposes including the State Public School Construction Program.

Performance Analysis: Managing for Results

The nature of the BPW administrative agency is to support the BPW's agenda, which meets bi-weekly. **Exhibit 1** provides the key indicators of BPW administrative support to the members of BPW. Quantitatively assessing the quality of BPW decision-making as it relates to BPW performance is difficult. Instead BPW has chosen measures that demonstrate the board's ability to prepare its members and provide open timely access to information on the State's procurement actions. All agendas, schedules, and records are accessible on the agency Internet web site. In addition, the board's Wetland Administration has identified measures that relate to the processing time of licenses and the board's approval of the recommended action.

Exhibit 1

Key Indicators

	<u>FY 01</u> <u>Actual</u>	<u>FY 02</u> <u>Actual</u>	<u>FY 03</u> <u>Est.</u>	<u>FY 04</u> <u>Est.</u>	<u>FY 02 - 03</u> <u>% Change</u>	<u>FY 03 - 04</u> <u>% Change</u>
Web site hits	136,000	181,000	210,000	225,000	16.0%	7.1%
BPW meetings	23	22	23	23	4.5%	0.0%
<i>Wetland Applications</i>						
Applications submitted to BPW	194	171	200	200	17.0%	0.0%
% processed within 30 days	90%	66%	90%	90%	n/a	n/a
% recommendations upheld	99%	100%	95%	95%	n/a	n/a
Acreage planted through permitting process	12.24	7.22	10	10	38.5%	0.0%

Source: Board of Public Works Managing for Results submission in budget books.

Fiscal 2003 Actions

Fiscal 2003 cost containment reflects the reversion of appropriations to support free transit ridership for State employees, contingent upon enactment of a provision in the Budget Reconciliation and Financing Act (BRFA) of 2003. BPW has \$396 in the fiscal 2003 appropriation for this item.

No additional cost containment action was taken that impacted the administrative activities of the Board of Public Works or the grant programs in fiscal 2003.

Governor's Proposed Budget

There are two types of appropriations made in the BPW budget: funds to support the operations of the agency and funds for pass-through accounts or grants. **Exhibit 2** indicates that the 2004 adjusted allowance decreases \$1,128,557, or 12.14% below the fiscal 2003 adjusted appropriation. Administrative expenses increase \$18,163, or 2.3% over adjusted fiscal 2003. The budget allowance maintains the \$750,000 existing level of the contingency fund. The contingency fund is used to supplement appropriations of State agencies.

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Exhibit 2

**Governor's Proposed Budget
Board of Public Works
(\$ in Thousands)**

	<u>FY 02</u>	<u>FY 03</u>	<u>FY 04</u>	<u>FY 03 - 04</u>	<u>FY 03 - 04</u>
	<u>Actual</u>	<u>Approp.</u>	<u>Allowance</u>	<u>Change</u>	<u>% Change</u>
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Where It Goes:

Personnel Expenses

Health insurance.....	\$12
401(k) match.....	-5
Other adjustments.....	1

Contractual

Court reporter at BPW meetings.....	3
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Operating Expenses

Contractual services.....	-3
Paper and supplies.....	2
Information technology equipment.....	7
Office equipment.....	3
Building interior alterations.....	-1

State Grants

Council of State Government.....	8
Maryland Historical Trust.....	-88
Maryland Agriculture, Education, and Rural Development assistance.....	-67
Regional air service subsidy eliminated.....	-2,000
Maryland Technology Development Corporation.....	2,000
Baltimore City State's Attorney grant.....	-1,000

Total	-\$1,128
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Note: Numbers may not sum to total due to rounding.

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Impact of Cost Containment

The fiscal 2004 allowance reflects the elimination of the appropriation for matching employee deferred compensation contributions up to \$600, contingent upon enactment of a provision in the BRFA of 2003. The fiscal allowance includes \$5,400 for this item.

Pass-through Accounts or Grants

Exhibit 3 indicates that the proposed list of pass-through grants for fiscal 2004 compared to fiscal 2002 and 2003. It should be noted that the \$2.0 million operating grant to the Maryland Technology Development Corporation (TEDCO) was previously funded in the Department of Business and Economic Development (DBED) grant from the Enterprise Fund in fiscal 2003. There is no increase in the TEDCO \$2.0 million grant level. The TEDCO program is discussed in the DBED analysis (T00).

Exhibit 3

Grants to Private Nonprofit Groups

<u>General Fund Grants – Private Nonprofit Groups</u>	<u>FY 02 Actual</u>	<u>FY 03 Estimated</u>	<u>FY 04 Allowance</u>	<u>DLS Recomm. Reduction</u>
Maryland State Firemen's Association				
Emergency Assistance Trust Fund	\$416,244	\$403,744	\$403,744	\$403,744
Administrative Expenses	150,000	150,000	150,000	
Firefighters' Widows and Orphans Fund	125,000	125,000	125,000	
Subtotal Firemen's Association	\$691,244	\$678,744	\$678,744	
Council State Governments	113,218	109,335	116,835	
Maryland Wing Civil Air Patrol	45,000	38,700	38,700	23,700
Maryland Historic Trust	262,500	87,500	0	
Historic Annapolis Foundation	476,874	476,874	476,874	
Maryland Agriculture Education and Rural Development Assistance Program	422,000	347,000	279,884	279,884
Regional Air Service Development Program	1,250,000	2,000,000	0	
Connect Maryland (UMB Well Mobile)	300,000	295,500	295,500	295,500
Maryland – Israeli Visiting Fellowship Program (AIDS/HIV)	100,000	0	0	
Maryland Technology Development Corp.	0	0	2,000,000	250,000
Total General Fund Grants	\$3,660,836	\$4,033,653	\$3,886,537	\$1,252,828
Special Fund				
Fire Truck Loan Repayment Fund	\$125,000	\$125,000	\$125,000	
Volunteer Company Assistance	1,000,000	1,000,000	1,000,000	
Total Special Funds	\$1,125,000	\$1,125,000	\$1,125,000	
Grand Total	\$4,785,836	\$5,158,653	\$5,011,537	\$1,252,828

Source: Governor's Budget Books

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The State anticipates a small increase in dues for the Council of State Governments, currently at \$109,335. The Council of State Governments provides the State with statistical data series and other useful services to the legislative and executive branches of State government.

The \$88,000 grant to the Maryland Historic Trust was eliminated. Fiscal 2003 was the final installment of the second phase of the State House restoration project.

The allowance reflects the elimination of the \$1 million grant to the Baltimore City State's Attorney to fund the Baltimore City State's Attorney handgun program.

Finally, the \$2 million regional air subsidy is not provided in fiscal 2004. Chapter 325, Acts of 2000 stipulated that funds would be provided for fiscal 2001, 2002, and 2003. This means that scheduled air service between Baltimore/Washington International (BWI) airport, Hagerstown, and Cumberland will not be continued unless the regional air carrier that currently provides the service elects to continue the service without State subsidy.

Issues

1. Pass-through Grants

Despite the State deficit, Exhibit 3 indicates that State grants to the State Firemen's Association, Civil Air Patrol, Historic Annapolis Foundation, the Maryland Agriculture Rural Education and Assistance, and the Connect Maryland Program are continued without reduction. The grants do not have a statutorily required funding level.

Maryland State Firemen's Association Grants

The grants to the Maryland State Firemen's Association (MSFA) are covered in Article 38A Section 46 of the annotated code. The Emergency Assistance Trust Fund, under Section 46A and B, provides grants or loans for apparatus equipment that includes tankers, pumpers, ladder trucks, ambulances, and rescue vehicles. A volunteer company is required to provide a 30% match for any other equipment or fire stations to house fire equipment of volunteer fire companies. Section 46B requires that all requests for assistance from the trust fund must be submitted to the MSFA for review before it is submitted to BPW for approval. A volunteer company must certify that financial assistance from local government has been denied. Typically the volunteer companies that receive assistance from this fund are in rural areas of the State.

The special fund for Volunteer Company Assistance under Section 46E-46G currently provides \$1,000,000 for low interest revolving fund loans for essentially the same purposes as provided by the Emergency Assistance Trust Fund discussed above. In addition, the Senator Amoss Fire, Rescue and Ambulance Fund makes grants – not loans – that are distributed to the counties based on the percentage of assessed property in the county compared to the total of all assessed property in the State. The Maryland Emergency Medical System Operations Fund (MEMSOF) provides \$10,000,000 for the Senator Amoss fund, and \$1,000,000 for the Low Interest Revolving Loan Account. All of the funds noted can be used for essentially the same purpose as the general funds for the Emergency Assistance Trust Fund discussed above.

It is recommended that the general fund appropriation for the Emergency Assistance Trust Fund be deleted as cost containment and the assistance be consolidated with the MEMSOF-funded programs to provide all the funds for equipment grants or loans.

Other Miscellaneous Grants

The \$476,874 Historic Annapolis Foundation grant covers the operating and maintenance expenses of the Paca House and Gardens and other historic treasures in Annapolis for which the State has assumed an obligation to support. **It is recommended that the remaining grants be eliminated or reduced due to fiscal constraints.**

Connect Maryland University of Maryland Baltimore Well Mobile Grant: The University of Maryland Baltimore (UMB) School of Nursing has operated the Connect Maryland (CM) Well Mobile

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program since 1994 as a public/private partnership. The program operates four well mobile units, throughout the State, staffed by the UMB School of Nursing. Legislation enacted as HB 433 in the 2000 legislative session (Chapter 376) formalized the program under Subtitle 10 of the Health General Article. The purpose of the program is to provide primary and preventive health care to geographically underserved communities and to provide training opportunities for the UMB School of Nursing.

The first year that the program received direct State support was in fiscal 2001 with a UMB \$400,000 deficiency appropriation. In fiscal 2003, CM received \$200,000 from UMB, \$295,000 as a matching BPW grant and \$295,000 from private funds for a total operating budget of \$791,000. Operating costs for CM are approximately \$200,000 for each well mobile. Without the State grant UMB may have to curtail the operation of one vehicle and perhaps a second vehicle for part of the year absent additional local, university, or private funds. The statute does not mandate a specific level of State support.

Maryland Agriculture Education and Rural Development Assistance Program (MAERDA): MAERDA was established under SB 679 in 2000 (Chapter 552) (State Finance & Procurement Article Sec 2-206). The program is administered under the Department of Business and Economic Development with sub-grants to Maryland's Department of Agriculture, Department of Natural Resources, and Department of Housing and Community Development. The purpose of the fund is to provide grants to rural regional planning and economic development organizations, rural community development programs, and advanced technologies that serve agriculture and natural resources based small business in rural areas. The fund received a \$347,000 BPW grant in fiscal 2003 and has a current fund balance of \$454,345. The funds would allow MAERDA to make a number of small grants to various rural assistance and education entities. For instance, in the past, the fund has provided grants to install stand-pipes (dry hydrants) near streams or ponds for fire protection. The program supplements federal agriculture assistance programs and the Department of Agriculture assistance. The program sunsets June 30, 2004. **It is recommended that no funds be provided in the fiscal 2004 budget and that the program utilize its current fund balance for any fiscal 2004 grants.**

Maryland Wing of the Civil Air Patrol: The Civil Air Patrol (CAP) has no statutory basis. CAP began receiving a State grant over 20 years ago. The fiscal 2003 grant made \$38,700 available to CAP with documented expenditures of \$13,500 representing 331.4 hours flight time at \$40.75 an hour in 2002. The allowance includes \$38,700 for the 2003 summer boating season. The CAP is based out of Lee Airport in Edgewater and provides nonmission specific safety patrols over the bay to assist people and boaters in distress on the bay from late May to mid-September during the prime boating season. The CAP patrols are limited to weekends and holidays. The U.S. Coast Guard Auxiliary provides extensive patrols on the bay, many of which are search and rescue missions under the operational control of Group Baltimore or Station Annapolis, without State subsidy.

Maryland Technology Development Corporation (TEDCO) Grant: A reduction of \$250,000 is recommended in the \$2.0 million TEDCO grant. See DBED analysis (T00) for a discussion of this issue.

Recommended Actions

	<u>Amount</u>	
	<u>Reduction</u>	
1. Reduce the transcription budget to \$16,300 (the fiscal 2003 level, actual expenditures were \$13,688 in fiscal 2002), and eliminate out-of-state conferences.	\$ 5,000	GF
2. Amend the following language:		
Maryland State Firemen’s Association.....	1,803,744	<u>1,400,000</u>
Council of State Governments.....	116,835	
Maryland Agriculture Education and Rural Development Assistance Program.....	279,884	<u>0</u>
Maryland Wing Civil Air Patrol.....	38,700	<u>15,000</u>
Historic Annapolis Foundation (Paca House).....	476,800	
Connect Maryland (UMB Wellmobile Program).....	295,500	<u>0</u>
Maryland Technology Development Corporation.....	2,000,000	<u>1,750,000</u>

Explanation: This action eliminates the general fund \$403,744 Emergency Assistance Trust Account Grant to the Maryland State Firemen’s Association (MSFA). The Department of Legislative Services recommends amending the Budget Reconciliation and Financing Act of 2003 to provide funding for the Emergency Assistance Trust Account through the Maryland Emergency Medical System Operations Fund. The remaining \$1.4 million funds the Low Interest Revolving Loan Account (\$1.0 million SF), MSFA administrative expenses (\$150,000 GF), the fire truck loan fund (\$125,000 SF), and the widows and orphans fund (\$125,000 GF). The action also eliminates or reduces grants to several programs that are not mandated. This action also reduces the grant to the Maryland Technology Development Corporation.

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- | | <u>Amount
Reduction</u> | |
|---------------------------------------------------------------------------------------|------------------------------------|----|
| 3. Reduce appropriation to delete or reduce State grants to private nonprofit groups. | 1,002,828 | GF |

This action eliminates the general funded Maryland State Firemen’s Association Emergency Assistance \$403,744 grant. The Department of Legislative Services recommends that the Emergency Assistance Trust Fund be funded through the Maryland Emergency Medical System Operations Fund. The Civil Air Patrol grant (\$38,700) is reduced to \$15,000, the documented expenses in fiscal 2002. In addition, general fund grants to the Maryland Agriculture and Rural Development Program (\$279,884) and the Connect Maryland (UMB Wellmobile program) are eliminated. The State does not provide a grant to the U.S. Coast Guard Auxiliary, which provides similar but more extensive search and rescue services. Since September 11, 2001, private plane flights are restricted in the vicinity of Washington, DC. The agriculture grant program is deleted because the federally funded agriculture extension program and the Maryland Department of Agriculture provide assistance and agriculture education.

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----|
| 4. Reduce operating grant to the Maryland Technology Development Corporation (TEDCO). The corporation intends to utilize \$500,000 of its appropriation to pilot a new patent program in cooperation with the University System of Maryland (USM). TEDCO’s objective is to fund the new program at \$500,000 for each of the next three fiscal years. These funds would be matched by the USM to create a pool of funds to assist university faculty and researchers obtain patents for their inventions and increase the commercialization of research conducted at the State’s universities. The reduction would provide \$250,000 for this new initiative for fiscal 2004 for a total funding of \$500,000 after accounting for the USM match. | 250,000 | GF |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----|

Total General Fund Reductions	\$ 1,257,828	
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Current and Prior Year Budgets

Current and Prior Year Budgets Board of Public Works (\$ in Thousands)

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2002					
Legislative Appropriation	\$9,278	\$1,125	\$0	\$0	\$10,403
Deficiency Appropriation	-1,977	0	0	0	-1,977
Budget Amendments	-1,143	0	0	0	-1,143
Reversions and Cancellations	-7	0	0	0	-7
Actual Expenditures	\$6,151	\$1,125	\$0	\$0	\$7,276
Fiscal 2003					
Legislative Appropriation	\$5,576	\$1,125	\$0	\$0	\$6,701
Budget Amendments	0	1,000	0	0	1,000
Working Appropriation	\$5,576	\$2,125	\$0	\$0	\$7,701

Note: Numbers may not sum to total due to rounding.

Fiscal 2002 General Fund Adjustments

The general fund (\$1,976,566) deficiency appropriation removed funds anticipated to be transferred to MEMSOF.

There were transfers of \$742,923 from the contingency fund, \$200,000 for the George Meany Center for Labor Studies, \$200,000 for the Department of Public Safety and Correctional Services Information Technology and Communications Division Security consultant, \$88,607 reinstatement expenses of an employee in the Department of State Police in settlement of litigation in *Brenneman v. State Fire Marshal*, and \$54,316 for expenses incurred by the Attorney General's Office associated with legislative redistricting. The balance of \$5,577 remaining in the contingency fund was reverted.

There was a \$2,000 cost containment reduction in BPW administrative expenses.

Fiscal 2003 Special Fund Adjustments

The \$1,000,000 reflects the transfer of special funds from the State Reserve Fund in accordance with enactment of the BRFA, Chapter 440, Acts of 2002 to provide a grant to the Office of the State's Attorney for Baltimore City for gun prosecution cases.

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Appendix 2

Object/Fund Difference Report
Board of Public Works

Object/Fund	FY 03			FY 04 Allowance	FY 03 – FY 04 Amount Change	Percent Change
	FY 02 Actual	Working Appropriation				
Positions						
01 Regular	9.00	9.00	9.00	0	0%	
Total Positions	9.00	9.00	9.00	0	0%	
Objects						
01 Salaries and Wages	\$ 632,148	\$ 647,085	\$ 660,338	\$ 13,253	2.0%	
02 Technical & Spec Fees	14,688	17,550	19,800	2,250	12.8%	
03 Communication	3,925	11,409	11,362	-47	-0.4%	
04 Travel	6,798	7,300	6,798	-502	-6.9%	
08 Contractual Services	71,320	80,871	78,314	-2,557	-3.2%	
09 Supplies & Materials	14,491	12,950	14,450	1,500	11.6%	
10 Equip - Replacement	11,200	4,700	11,370	6,670	141.9%	
11 Equip - Additional	6,550	3,550	6,550	3,000	84.5%	
12 Grants, Subsidies, Contr	6,509,690	6,908,579	5,761,463	-1,147,116	-16.6%	
13 Fixed Charges	4,600	6,056	5,448	-608	-10.0%	
14 Land & Structures	607	1,000	2,000	1,000	100.0%	
Total Objects	\$ 7,276,017	\$ 7,701,050	\$ 6,577,893	-\$ 1,123,157	-14.6%	
Funds						
01 General Fund	\$ 6,151,017	\$ 5,576,050	\$ 5,452,893	-\$ 123,157	-2.2%	
03 Special Fund	1,125,000	2,125,000	1,125,000	-1,000,000	-47.1%	
Total Funds	\$ 7,276,017	\$ 7,701,050	\$ 6,577,893	-\$ 1,123,157	-14.6%	

Note: Fiscal 2003 appropriations and fiscal 2004 allowance do not include cost containment and contingent reductions.

Fiscal Summary
Board of Public Works

<u>Unit/Program</u>	FY 02		FY 03		FY 03		FY 02 – FY 03		FY 03 – FY 04	
	<u>Actual</u>		<u>Legislative Appropriation</u>	<u>Working Appropriation</u>	<u>Appropriation</u>	<u>% Change</u>	<u>Allowance</u>	<u>% Change</u>		
01 Administration Office	\$ 619,286		\$ 641,904	\$ 641,904	\$ 641,904	3.7%	\$ 662,215	3.2%		
02 Contingent Fund	1,500		750,000	750,000	750,000	49,900.0%	750,000	0%		
05 Wetlands Administration	147,041		150,567	150,567	154,215	2.4%	154,215	2.4%		
10 Miscellaneous grants to Private nonprofit groups	4,785,836		5,158,579	5,158,579	5,011,463	7.8%	5,011,463	-2.9%		
11 Miscellaneous Grants to local governments	1,722,354		0	1,000,000	0	-41.9%	0	-100.0%		
Total Expenditures	\$ 7,276,017		\$ 6,701,050	\$ 7,701,050	\$ 6,577,893	5.8%	\$ 6,577,893	-14.6%		
General Fund	\$ 6,151,017		\$ 5,576,050	\$ 5,576,050	\$ 5,452,893	-9.3%	\$ 5,452,893	-2.2%		
Special Fund	1,125,000		1,125,000	2,125,000	1,125,000	88.9%	1,125,000	-47.1%		
Total Appropriations	\$ 7,276,017		\$ 6,701,050	\$ 7,701,050	\$ 6,577,893	5.8%	\$ 6,577,893	-14.6%		

Note: Fiscal 2003 appropriations and fiscal 2004 allowance do not include cost containment and contingent reductions.