

DIVISION OF TAX APPEALS

MISSION

The Division of Tax Appeals provides taxpayers with a system of due process for resolving disputes with the Department of Taxation and Finance. The separation of tax administration from tax adjudication promotes the impartial and timely hearing of taxpayer disputes.

ORGANIZATION AND STAFFING

The Division of Tax Appeals is headed by the Tax Appeals Tribunal, which is comprised of three commissioners appointed by the Governor and confirmed by the Senate. Under the direction of the Tax Tribunal, dispute adjudication is provided through small claims hearings, formal hearings and the Tribunal appeals process. The Division holds formal hearings and Tax Tribunal oral arguments in Troy, New York City and Buffalo, while small claims hearings are conducted throughout the State. The Division will have a workforce of 37 positions for 1999-2000.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Division's activities are supported entirely with State tax dollars, which finance the Tribunal's staff and other expenses such as rent and supplies.

The Executive Budget recommends \$3.176 million in annual General Fund support for the Division. This recommendation will enable the Tribunal to continue to provide for the timely resolution of taxpayer disputes with the Department of Taxation and Finance.

PROGRAM HIGHLIGHTS

The Division's hearing process has been substantially improved in recent years to benefit taxpayers. These improvements have allowed taxpayers more flexibility in scheduling hearings, thus minimizing delays caused by sudden cancellations. In addition, there has been a 16.3 percent increase in the immediate disposition of cases, and a reduction from 33 to 19.8 months in the amount of time between the filing of a petition and the issuance of a determination. Since 1997-98, there has been an 11 percent reduction in case inventory.

Since January 1997, the Division has been conducting formal hearings in New York City to provide easier access for taxpayers in the New York City metropolitan area. Recently, the Division expanded this initiative to Buffalo. At both the New York City and Buffalo locations, the Division utilizes existing State office space, thus providing improved service at nominal additional cost.

Category	ALL FUNDS APPROPRIATIONS			
	Available 1998-99	Appropriations Recommended 1999-00	Change	Reappropriations Recommended 1999-00
State Operations	\$3,316,000	\$3,176,000	-\$140,000	. . . .
Aid To Localities . . . . .	. . . .	. . . .	. . . .	. . . .
Capital Projects . . . . .	. . . .	. . . .	. . . .	. . . .
Total	<u>\$3,316,000</u>	<u>\$3,176,000</u>	<u>-\$140,000</u>	<u>. . . .</u>

TAX APPEALS

ALL FUND TYPES LEVELS OF EMPLOYMENT BY PROGRAM ANNUAL SALARIED POSITIONS

Program	1999-00 Recommended Average Fill Level				Change
	Available 1998-99	Personal Service (Regular)	Maintenance Undistributed	Total Recommended 1999-00	
Administration General Fund	40	37	....	37	-3
Total	40	37	....	37	-3

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS

Fund Type	Available 1998-99	Recommended 1999-00	Change
General Fund	\$3,316,000	\$3,176,000	-\$140,000
Total	\$3,316,000	\$3,176,000	-\$140,000

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS

Program	Available 1998-99	Recommended 1999-00	Change
Administration General Fund	\$3,316,000	\$3,176,000	-\$140,000
Total	\$3,316,000	\$3,176,000	-\$140,000

STATE OPERATIONS — GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 1999-00 RECOMMENDED

Program	Total Personal Service		Personal Service Regular (Annual Salaried)		Temporary Service (Nonannual Salaried)	
	Amount	Change	Amount	Change	Amount	Change
Administration	\$2,681,000	-\$140,000	\$2,525,000	-\$140,000	\$156,000	....
Total	\$2,681,000	-\$140,000	\$2,525,000	-\$140,000	\$156,000	....

**STATE OPERATIONS — GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
1999-00 RECOMMENDED**

<u>Program</u>	<u>Amount</u>	<u>Total</u>		<u>Supplies and Materials</u>	
		<u>Amount</u>	<u>Change</u>	<u>Amount</u>	<u>Change</u>
Administration	\$495,000		. . . .	\$38,000	. . . .
Total	<u>\$495,000</u>		<u>. . . .</u>	<u>\$38,000</u>	<u>. . . .</u>

<u>Program</u>	<u>Amount</u>	<u>Travel</u>		<u>Contractual Services</u>	
		<u>Amount</u>	<u>Change</u>	<u>Amount</u>	<u>Change</u>
Administration	\$55,000		. . . .	\$344,000	. . . .
Total	<u>\$55,000</u>		<u>. . . .</u>	<u>\$344,000</u>	<u>. . . .</u>

<u>Program</u>	<u>Amount</u>	<u>Equipment</u>	
		<u>Amount</u>	<u>Change</u>
Administration	\$58,000		. . . .
Total	<u>\$58,000</u>		<u>. . . .</u>