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**Groups Call on Governor Cuomo to Drop Transfer Language from NYS Budget  
*Transfer Language Undercuts Legislative Authority***

(ALBANY, NY)—Seventeen groups delivered a letter to Governor Andrew Cuomo today asking him to drop language included hundreds of times in his executive budget proposal for 2012-2013. The organizations believe the language effectively removes the public from decisions regarding the use of taxpayer money by giving the Governor power to move money between state agencies without oversight.

“Governor Cuomo’s intentions may be good, but the transfer language in his budget proposal essentially reduces three men in a room to one,” said Alison Jenkins, Fiscal Policy Program Director, Environmental Advocates of New York. “Budget-making in New York State needs to become more transparent, less like sausage and more like apple pie.”

“In establishing a meaningful system of checks and balances, the New York State Constitution provides that ‘no money shall ever be paid out of the state treasury or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law,’” said Ron Deutsch, executive director of New Yorkers for Fiscal Fairness. “The proposed transfer language, however, would make the appropriations, as passed by the Legislature, virtually meaningless.”

Echoing Deutsch’s remarks, Frank Mauro of the Fiscal Policy Institute said, “Even if the proposed transfer language only allowed interchanges between appropriations of the same type—for example, between two different General Fund state operations appropriations for wages and salaries—it would still negate the relevance of the enacted appropriations. But the proposed transfer language goes even further than that—authorizing suballocations from ‘on budget’ state agencies to ‘off budget’ public authorities.”

If included in the final state budget, the transfer language will essentially nullify the democratic process provided by the State Legislature and reduce to one—Governor Cuomo—the number of people with meaningful oversight of decisions with regard to taxpayer money.

“This dangerous budgetary language could enable projects, like the Tappan Zee Bridge, to be financed by siphoning money from every agency in the state. Transparency, checks and balances—that’s what the public expects, and that’s what a line item budget is for. Governor Cuomo should reconsider his proposal,” said Kate Slevin, Executive Director, Tri-State Transportation Campaign.

“While the Governor maintains this new authority will be used to responsibly consolidate agency redundancies, we fear that it could result in the gutting of crucial environmental programs or the construction a \$100 million fracking program out of thin air—all without the Legislature’s consent,” said Roger Downs, Conservation Program Manager. “The Legislature needs to achieve transparent government efficiency without compromising basic democratic principles.”

The language in the Executive budget Proposal is as follows:

*“Notwithstanding any other provision of law to the contrary, for the purpose of planning, developing and/or implementing the consolidation of administration, business services, procurement, information technology and/or other functions shared among agencies to improve the efficiency and effectiveness of government operations, the amounts appropriated herein may be (i) interchanged without limit, (ii) transferred between any other state operations appropriations within this agency or to any other state operations appropriations of any state department, agency or public authority, and/or (iii) suballocated to any state department, agency or public authority with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.”*

The groups noted concerns regarding the impact of the transfer language on federal funds earmarked for specific purposes, particularly given the current fiscal climate. In the past year, New York State was under threat of losing matching federal funds because of general sweeps language in the 2011-12 budget. State agencies also need confidence of authority to spend funds without worrying such monies could be transferred to another agency. State business will grind to a halt if spending authority is held up to allow for transfers.

The organizations have requested a meeting with the Governor and his staff to discuss the removal of the transfer language and include Adirondack Council, Citizens Campaign for the Environment, Citizens’ Environmental Coalition, Clean & Healthy New York, Cooperative Tug Hill Council, Empire State Consumer Project, Environmental Advocates of New York, Fiscal Policy Institute, New Yorkers for Fiscal Fairness, New York Public Interest Research Group, North Shore Council of Governments, Northern Oneida County Council of Governments, River Area Council of Governments, Riverkeeper, Salmon Rivers Council of Governments, Sierra Club Atlantic Chapter, and Tri-State Transportation Campaign.

Letter to Governor: [http://fiscalpolicy.org/LetterToGov\\_TransferAuthority\\_20120308.pdf](http://fiscalpolicy.org/LetterToGov_TransferAuthority_20120308.pdf).