

**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 • Tri-State Transportation Campaign**

March 8, 2012

Governor Andrew Cuomo  
Executive Chamber  
New York State Capitol  
Albany, NY 12224

Dear Governor Cuomo:

The undersigned organizations write to document concerns regarding language in your January 17, 2012 Executive Budget proposal to the New York State Legislature. Despite the fact that our organizations are tasked with very different missions and serve diverse constituencies of New Yorkers, we are united in our concerns regarding this language, which in essence cuts the public out of decisions regarding the use of taxpayer money. We respectfully ask that you remove the following language from the Final Enacted Budget:

*“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.”*

This language ostensibly eliminates the State Legislature’s role in finalizing the state budget.

While the undersigned recognize your stated intention to make New York State government more transparent and accountable to New Yorkers, including the transfer language essentially nullifies the democratic process provided by the Legislature, reduces to one the number of people with meaningful oversight of decisions with regard to taxpayer money, and is therefore not in the best interest of the Empire State.

Additionally, the transfer of special revenue and federal funds to purposes other than those for which they are earmarked should not be authorized. In the past year, New York State was under threat of losing matching federal funds because of general sweeps language in the 2011-2012 budget. The state cannot afford to lose any federal funds in the current fiscal climate. State agencies also need confidence they have 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 undersigned organizations respectfully request an opportunity to discuss these concerns with your office as soon as possible. New York has the potential to serve as a national model regarding how to carefully and responsibly manage state resources during fiscally challenging times. We believe it is worth taking the time to find another way to address your concerns regarding efficiency, rather than granting final and complete budget authority to your office. Please reconsider the consequences of this language and the precedent it would set and instead promote the transparent and accountable budget New Yorkers deserve.

Sincerely,

Scott Lorey  
Legislative Director  
Adirondack Council

Sarah Eckel  
Legislative & Policy Director  
Citizens Campaign for the Environment

Barbara Warren  
Executive Director  
Citizens' Environmental Coalition

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Paul Gallay  
President and Hudson Riverkeeper  
Riverkeeper

Kate Slevin  
Executive Director  
Tri-State Transportation Campaign

Leon Heagle  
Chair  
Salmon Rivers Council of Governments

cc: Lawrence Schwartz, Secretary to the Governor  
Robert Megna, Budget Director  
Howard Glaser, Director of State Operations