

Coverage of Albany and New York State government – February 17, 2012

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State Budget Update

The Legislature concluded its Joint Legislative Budget hearings this week, hearing testimony on the human services, housing and mental hygiene aspects of the budget.

This week, the Governor defended his Executive budget proposals that would allow him to transfer money between state agencies outside of the normal state budget process. The Governor responded by saying that the language is necessary to enable him to find efficiencies within state government, and that critics of the proposal were simply seeking to maintain the status quo.

Late on Thursday, the Governor submitted his 30-day amendments to the Legislature. The most high-profile change to the Executive Budget is language relating to the teacher evaluation process, which is described in greater detail below.

The Legislature's schedule for the budget process is as follows:

On or before:

February 29	Joint Revenue Forecasting Conference
February 29	Senate/Assembly Fiscal Committee Economic & Revenue Reports Released
March 1	Revenue Consensus Report
March 12	Senate & Assembly one-house budget actions
March 13	Joint Senate/Assembly budget conference committees commence

March 19-20
March 19-22

Final Report of Joint Conference Committee
Joint Legislative budget bills taken up by Senate & Assembly

Redistricting Update

On Monday, a federal judge called for the appointment of a "special master" to redraw the state legislative and congressional district boundaries. Noting that Congressional primaries are scheduled for June, the judge, Dora Irizarry of Federal District Court in Brooklyn, said it was time for the federal courts to take charge of ensuring that New York has an election process that complies with state and federal law.

Her ruling came in response to a lawsuit filed in November by a group of civic leaders who asserted that the redistricting process for the state Assembly and Senate, as well as the state's Congressional delegation, had stalled.

Congressional and state legislative lines must be redrawn in time for the November elections based on data from the 2010 Census. The line drawing effort is complicated by the state's need to eliminate two congressional districts, as well as disagreement over when the state will hold its primaries.

New York's Presidential primary is scheduled for April 24. A federal judge has ordered the state to hold its congressional primaries on June 26 in order to comply with a federal law relating to overseas voters. The state legislative primaries are currently scheduled for September 11. Gov. Cuomo and Speaker Silver have said they prefer not to hold three separate primary elections, citing the cost to the state and local governments.

Now that the (LATFOR) has completed its public hearings on its draft state legislative lines, it is likely that the draft lines will be revised, introduced in bill form and taken up by the Legislature in early March.

Governor Announces *New New York Leaders Initiative*

On Wednesday, Gov. Cuomo [announced](#) the *New New York Leaders Initiative*, a program to recruit talented young professionals and college students to serve in state government. The initiative includes the Empire State Fellows Program and the Student Intern Program, both of which are designed to prepare people to become the next generation of state policy makers.

The Governor said:

"The New New York Leaders Initiative will help shape tomorrow's leaders by giving young New Yorkers from every community an opportunity to work in the

highest levels of state government. I invite students and talented professionals who are interested in working for the people to apply to these programs and be a part of building a New New York with us."

The program's web site can be found [here](#).

Governor Appoints Former Monroe County DA to DCJS Post

On Monday, Governor Cuomo [announced](#) the appointment of former Monroe County District Attorney Michael Green to serve as Executive Deputy Commissioner of the Division of Criminal Justice Services and as senior counsel for criminal justice policy.

Green served as Monroe County District Attorney from 2003 through 2011, and he served in that office for 17 years. He was nominated by President Barack Obama to serve as a federal judge in the Western District of New York last year, but the Senate blocked his nomination in December.

In a statement, Governor Cuomo said:

"With 25 years of experience as a prosecutor, Mike Green will bring valuable expertise in fighting crime and protecting New Yorkers to state government. His knowledge and understanding of the challenges in reducing violent crime in Rochester and Monroe County will help us make communities across New York State a safer place to live."

Agreement Reached on Teacher Evaluations

On Thursday, Governor Cuomo [announced](#) that New York State education officials and the teachers union reached an agreement on a new teacher evaluation system, resolving a dispute over how much weight should be given to the state's standardized tests.

The agreement allows school districts to base up to 40% of a teacher's annual review on student performance on state standardized tests, as long as half of that portion is used to analyze the progress of specific groups of students, like those who are not proficient in English or have special needs. The remaining 60% is to be based on subjective measures, like classroom observations and professional development projects.

The agreement settles a lawsuit filed by the New York State United Teachers and clears the way for the state's 700 school districts to iron out the specifics of their own evaluation systems with local teachers' unions, as required under a 2010 state law. That law was the result of an earlier

compromise between unions and the state to help New York secure \$700 million in education funding through the federal Race to the Top program.

Chief Judge Delivers State of the Judiciary Address

On Tuesday, Chief Judge Jonathan Lippman delivered his annual State of the Judiciary Address in Albany. The full address, entitled *Balancing the Scale of Justice*, can be found here.

Judge Lippman acknowledged the “undeniable and unprecedented challenges” facing the court system, and characterized them as an “opportunity an opportunity to change our court system for the better.” He echoed Governor Cuomo’s call to “reinvent government and to work smarter,” saying that the court system must “not just to find ways to reduce costs, but more importantly, to rethink and fundamentally transform the way we do business.”

He expressed his gratitude to the judges and staff of the court system, and his expectation that a judicial pay increase will be approved as part of this year’s state budget.

He also laid out the court system’s 2012 legislative priorities, which include reforming the State’s juvenile justice system; preventing wrongful convictions; enhancing indigent legal defense; guaranteeing civil legal services; responding to the foreclosure crisis; reinvigorating the commercial division; and expanding e-filing.

Attorney General Proposes Non-Profit Reform Initiative

On Thursday, Attorney General Eric Schneiderman [announced](#) what he called the “most significant reform effort in decades” to eliminate outdated and costly burdens on non-profits, and to strengthen oversight and accountability in the non-profit sector.

He released the report of his [Committee for Nonprofit Revitalization](#), proposed the *Nonprofit Revitalization Act*, and announced new partnerships with the business and academic communities that are intended to improve non-profit governance and encourage volunteerism.

Staten Island Assemblyman Will Not Seek Re-Election

[Assemblyman Lou Tobacco](#) (R-Staten Island) announced this week that he will not run for reelection. Tobacco was first elected in a 2007 special election to replace now-Councilman Vincent Ignizio in the State Assembly.

He told a local newspaper that supporting his family on his \$88,500 annual salary as an Assembly member is “difficult.”

New Group Launched to Support Campaign Finance Reform

A new coalition endorsing Governor Cuomo's [call](#) for reforming the state's campaign finance laws announced its launch this week in Albany.

New York Leadership for Accountable Government ([NY LEAD](#)) describes itself as "a bipartisan group of New York business, civic, and philanthropic leaders" advocating for "comprehensive reform to the way elections are funded in the Empire State" to "restore fairness and integrity to New York's political process."

The group is pushing for a [public funding proposal](#) modeled on New York City's program. They also support lower contribution limits, reducing contribution limits for those who do business with the state even further, and an independent enforcement unit within the State Board of Elections.

Coming Up

The Senate and Assembly take a break next week, and do not return to Albany for session until Wed., Feb. 29.

The [New York State Association of Black and Puerto Rican](#) Legislators holds its 41st Annual Legislative Conference this weekend in Albany. Ambassador Andrew Young will deliver the keynote address at the 2012 Scholarship Gala Dinner.

The [Mandate Relief Council](#) holds public hearings in Central New York on Thurs., Feb. 23 and in the Mohawk Valley on Fri., Feb. 24

Special Elections to fill four vacant Assembly seats and one vacant Senate seat will be held on Tues., March 20.

The state's 2012-13 fiscal year begins on April 1.

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