

Center for Judicial Accountability, Inc. (CJA)

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Sent: Tuesday, April 18, 2017 12:48 PM
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Subject: RE: In search of scholarship: "Budgets and the Balance of Power: The Lasting Impact of Silver v. Pataki and How It Shapes the Future of Government in New York State"-- June 16, 2015 forum

Some may not know that Richard and I go back a long way and that the mutual respect is real. And I, for one, enjoy the great gift he has for farce; I've never seen that gift shine as brightly as it does in his email (saving, of course, the first sentence).

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From: Richard Brodsky [mailto:RichardBrodsky@msn.com]
Sent: Tuesday, April 18, 2017 12:27 PM
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I stand second to no one in admiration for the intellect and integrity of Jim McGuire, That he is the architect of an undemocratic, dysfunctional and failed system of budgeting is also true, or at least arguable. And to pooh-pooh a suggestion that it is a subject ripe for academic and public research and debate does little to advance his arguments. What are you afraid of? Surely Pataki v. Silver is not chiseled in stone. Surely, the fact that all we have is plurality opinions leaves scope for debate. Surely the language in the opinions suggesting that executive overreach could be re-litigated has current application. Surely a budget system that distinguishes between appropriations and public policy can be maintained without return to legislative budgeting as it existed a century ago.