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From: elena@judgewatch.org
Sent: Sunday, March 22, 2020 7:53 AM
To: 'bkalet@th-record.com'; 'dmohart@th-record.com'
Subject: Bravo & More: Your today's editorial "Pass a simple budget so real work can start"
Attachments: 3-18-20-ltr-to-gov-revised-fn1.pdf

TO: Times Herald-Record

ATT: Editors Beth Kalet and Doug Mohart

Bravo on your excellent editorial "*Pass a simple budget so real work can start*" (March 22, 2020). However, the inclusion of policy and "non-budgetary items" in the state budget is not just a manipulation by "governors and legislators, past and present", it is unconstitutional. The details are set forth in the attached March 18, 2020 letter that our non-partisan, non-profit citizens' organization sent to Governor Cuomo. Entitled "**GOOD NEWS DURING THE CORONAVIRUS EMERGENCY: You Can Chuck 6 of the 7 'Article VII Bills' Because They are Unconstitutional. Here's why...**", it analyzes the Governor's "Article VII Bills" for FY2020-21 and does so in the context of the Court of Appeals' seminal 2004 decision in *Pataki v. Assembly/Silver v. Pataki*, 4 NY3d 75, providing what appears to be the FIRST scholarship deconstructing its plurality, concurring, and dissenting opinions.

Our webpage for the March 18, 2020 letter – from which its referred-to evidentiary proof is readily accessible – is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/3-18-20-ltr-to-gov.htm> .

Below are the e-mails transmitting the letter to Governor Cuomo and to the 15 Legislative Leaders who – pursuant to the December 10, 2018 report of the Committee on Legislative and Executive Compensation -- continue to receive stipends for the "significantly more work" and "additional duties" they are expected to perform.

Why not call up the Governor – and the Legislative Leaders -- for response? Next stop are the rank-and-file legislators – such as those within your geographic area – their electoral opponents, and, of course, the few scholars of the New York State Constitution as there are.

I am available to assist you, to the max on this major story – and invite you to call me so that we can discuss it, directly.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: elena@judgewatch.org <elena@judgewatch.org>
Sent: Friday, March 20, 2020 4:00 PM

To: 'record.access@exec.ny.gov' <record.access@exec.ny.gov>
Cc: 'David.Poleto@budget.ny.gov' <David.Poleto@budget.ny.gov>; 'foil@budget.ny.gov' <foil@budget.ny.gov>;
'perez@lbdc.state.ny.us' <perez@lbdc.state.ny.us>; 'scousins@nysenate.gov' <scousins@nysenate.gov>;
'grelick@nysenate.gov' <grelick@nysenate.gov>; 'speaker@nyassembly.gov' <speaker@nyassembly.gov>;
'vargash@nyassembly.gov' <vargash@nyassembly.gov>; 'flanagran@nysenate.gov' <flanagran@nysenate.gov>;
'cmills@nysenate.gov' <cmills@nysenate.gov>; 'BarclaW@nyassembly.gov' <BarclaW@nyassembly.gov>;
'herricks@nyassembly.gov' <herricks@nyassembly.gov>; 'engelk@nyassembly.gov' <engelk@nyassembly.gov>;
'skypej@nyassembly.gov' <skypej@nyassembly.gov>; 'gianaris@nysenate.gov' <gianaris@nysenate.gov>;
'weintrau@nysenate.gov' <weintrau@nysenate.gov>; 'griffo@nysenate.gov' <griffo@nysenate.gov>;
'kinderma@nysenate.gov' <kinderma@nysenate.gov>; 'PeopleC@nyassembly.gov' <PeopleC@nyassembly.gov>;
'haltonl@nyassembly.gov' <haltonl@nyassembly.gov>; 'aubryJ@nyassembly.gov' <aubryJ@nyassembly.gov>;
'hernandezd@nyassembly.gov' <hernandezd@nyassembly.gov>; 'goodella@nyassembly.gov'
<goodella@nyassembly.gov>; 'lkrueger@nysenate.gov' <lkrueger@nysenate.gov>; 'usher@nysenate.gov'
<usher@nysenate.gov>; 'seward@nysenate.gov' <seward@nysenate.gov>; 'davie@nysenate.gov'
<davie@nysenate.gov>; 'WeinstH@nyassembly.gov' <WeinstH@nyassembly.gov>; 'wamchair@nyassembly.gov'
<wamchair@nyassembly.gov>; 'ancowitzr@nyassembly.gov' <ancowitzr@nyassembly.gov>; 'beavers@nyassembly.gov'
<beavers@nyassembly.gov>; 'peakec@nyassembly.gov' <peakec@nyassembly.gov>; 'rae@nyassembly.gov'
<rae@nyassembly.gov>; 'derocht@nyassembly.gov' <derocht@nyassembly.gov>; 'lentolj@nyassembly.gov'
<lentolj@nyassembly.gov>; 'morinelloa@nyassembly.gov' <morinelloa@nyassembly.gov>; 'webere@nyassembly.gov'
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Subject: Executive Budget ... CJA's March 18, 2020 letter to Gov. Cuomo: "GOOD NEWS DURING THE CORONAVIRUS EMERGENCY: You Can Chuck 6 of the 7 'Article VII Bills' Because They are Unconstitutional. Here's why..."

MORE GOOD NEWS DURING THE CORONAVIRUS EMERGENCY –

CJA's March 18, 2020 letter to Governor Cuomo "...GOOD NEWS DURING THE CORONAVIRUS EMERGENCY", sent to you by the below March 18, 2020 e-mail, is now posted on CJA's website – on a webpage now reflecting the March 18, 2020 date. The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/3-18-20-ltr-to-gov.htm>. According to the U.S. priority mail delivery receipt (there posted), the letter was delivered to the Governor's office this morning.

The letter, with a revised footnote 1 updating the link for the webpage, is attached. Additionally attached is the letter's single enclosure – CJA's August 21, 2013 letter to the Governor on "Achieving...a Properly Functioning Legislature..."

Thank you.

Elena Sassower, Director
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From: elena@judgewatch.org <elena@judgewatch.org>

Sent: Wednesday, March 18, 2020 11:52 AM

To: 'records.access@exec.ny.gov' <records.access@exec.ny.gov>

Cc: 'David.Poleto@budgetny.gov' <David.Poleto@budgetny.gov>; 'perez@lbdc.state.ny.us' <perez@lbdc.state.ny.us>;

'scousins@nysenate.gov' <scousins@nysenate.gov>; 'grelick@nysenate.gov' <grelick@nysenate.gov>;
'speaker@nyassembly.gov' <speaker@nyassembly.gov>; 'vargash@nyassembly.gov' <vargash@nyassembly.gov>;
'flanagan@nysenate.gov' <flanagan@nysenate.gov>; 'cmills@nysenate.gov' <cmills@nysenate.gov>;
'BarclaW@nyassembly.gov' <BarclaW@nyassembly.gov>; 'herricks@nyassembly.gov' <herricks@nyassembly.gov>;
'engelk@nyassembly.gov' <engelk@nyassembly.gov>; 'skypej@nyassembly.gov' <skypej@nyassembly.gov>;
'gianaris@nysenate.gov' <gianaris@nysenate.gov>; 'weintrau@nysenate.gov' <weintrau@nysenate.gov>;
'griffo@nysenate.gov' <griffo@nysenate.gov>; 'kinderma@nysenate.gov' <kinderma@nysenate.gov>;
'PeoplesC@nyassembly.gov' <PeoplesC@nyassembly.gov>; 'haltonl@nyassembly.gov' <haltonl@nyassembly.gov>;
'aubryJ@nyassembly.gov' <aubryJ@nyassembly.gov>; 'hernandezd@nyassembly.gov' <hernandezd@nyassembly.gov>;
'goodella@nyassembly.gov' <goodella@nyassembly.gov>; 'lkrueger@nysenate.gov' <lkrueger@nysenate.gov>;
'usher@nysenate.gov' <usher@nysenate.gov>; 'seward@nysenate.gov' <seward@nysenate.gov>; 'davie@nysenate.gov' <davie@nysenate.gov>;
'WeinstH@nyassembly.gov' <WeinstH@nyassembly.gov>; 'wamchair@nyassembly.gov' <wamchair@nyassembly.gov>;
'ancowitzr@nyassembly.gov' <ancowitzr@nyassembly.gov>; 'beavers@nyassembly.gov' <beavers@nyassembly.gov>;
'peakec@nyassembly.gov' <peakec@nyassembly.gov>; 'rae@nyassembly.gov' <rae@nyassembly.gov>;
'derocht@nyassembly.gov' <derocht@nyassembly.gov>; 'lentolj@nyassembly.gov' <lentolj@nyassembly.gov>;
'morinelloa@nyassembly.gov' <morinelloa@nyassembly.gov>; 'webere@nyassembly.gov' <webere@nyassembly.gov>

Subject: ...Executive Budget...GOOD NEWS DURING THE CORONAVIRUS EMERGENCY: You Can Chuck 6 of the 7 "Article VII BILLS" Because They are Unconstitutional. Here's why....

TO: Governor Andrew Cuomo, Esq.
Budget Director Robert Mujica, Esq.
Legislative Bill Drafting Commission
15 Stipend-Benefitting Legislative Leaders

Senate Majority Leader Andrea Stewart-Cousins
Assembly Speaker Carl Heastie
Senate Minority Leader John Flanagan, Esq.
Assembly Minority Leader William Barclay, Esq.
Deputy Senate Majority Leader Michael Gianaris, Esq.
Deputy Senate Minority Leader Joseph Griffo
Assembly Majority Leader Crystal Peoples-Stokes
Assembly Speaker *Pro Tempore* Jeffrion Aubry
Assembly Minority Leader *Pro Tempore* Andrew Goodell, Esq.
Senate Finance Committee Chair Liz Krueger
Senate Finance Committee Ranking Member James Seward
Assembly Ways and Means Committee Chair Helene Weinstein, Esq.
Assembly Ways and Means Ranking Member Edward Ra, Esq.
Assembly Codes Committee Chair Joseph Lentol, Esq.
Assembly Codes Committee Ranking Member Angelo Morinello, Esq.

Attached is my above-entitled letter of today's date to Governor Cuomo, the original of which will be mailed to him. All others are indicated recipients, for the reasons stated in the last paragraph (at p. 13).

Due to a catastrophic computer breakdown, on this end, I am presently unable to post the letter on CJA's website, www.judgewatch.org and to update the site. The webpage for the letter – which had been prepared two days ago, before the breakdown – is here – reflecting the letter's then March 16, 2020 date: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/3-16-20-ltr-to-gov.htm>. From the webpage you can access the letter's referred to-documentary proof – and its sole enclosure: my August 21, 2013 letter to the Governor, entitled "Achieving BOTH a Properly Functioning Legislature & Your Public Trust Act

(Program Bill #3) – the *Sine Qua Non* for ‘Government Working’ & ‘Working for the People’”, to which I received no response.

Thank you.

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