

**PRAYER FOR RELIEF**

WHEREFORE, plaintiffs respectfully pray:

1. **For a declaratory judgment pursuant to State Finance Law §123 et seq. – Article 7-A, “Citizen-Taxpayer Actions”:**

A. that the Legislature’s proposed budget for fiscal year 2014-2015, embodied in Budget Bill #S.6351/A.8551, is a wrongful expenditure, misappropriation, illegal, and unconstitutional because it is not based on “itemized estimates of the financial needs of the legislature, certified by the presiding officer of each house”, as Article VII, §1 of the State Constitution expressly mandates; is missing “General State Charges”; and because its budget figures are contrived by the Temporary Senate President and Assembly Speaker to fortify their power and deprive members and committees of the monies they need to discharge their constitutional duties;

B. that the Judiciary’s proposed budget for fiscal year 2014-2015, embodied in Budget Bill #S.6351/A.8551, is a wrongful expenditure, misappropriation, illegal and unconstitutional because it conceals the third phase of the judicial salary increase, its cost, and the prerogative of the Legislature and Governor to strike it; that this prerogative is a duty based on plaintiffs’ October 27, 2011 Opposition Report because the recommendation on which the salary increase is based is statutorily-violative, fraudulent, and unconstitutional; that the Judiciary budget is so incomprehensible that the Governor, Budget Director, and Legislature cannot agree on its cumulative cost and percentage increase; and that its reappropriations are not certified, including as to their suitability for that purpose, and violate State Finance Law §25, Article VII, §7; Article III, §16;

C. that Budget Bill #6351/A.8551 is a wrongful expenditure, misappropriation, illegal and unconstitutional by its inclusion of reappropriations for the Legislature that were not part of its proposed budget and not certified by the Legislature as funds properly designated for reappropriation;

D. that Budget Bill #6351/A.8551 is a wrongful expenditure, misappropriation, illegal and unconstitutional because nothing lawful or constitutional can emerge from a legislative process that violates its own statutory & rule safeguards, *inter alia*, Legislative Law §32-a (public hearings); Senate Rule VIII, §7, Senate Rule VII, §1, and Assembly Rule III, §1(f) (fiscal notes and introducer’s memoranda); Senate Rule VII, §4 (“Title and body of bill”); Assembly Rule III, 1, 8) “Contents”; “Revision and engrossing”; Senate Rule VIII, §§3, 4, 5; Assembly Rule IV (committee meetings, hearings, reports, votes); Senate Rule VII, 9 (resolutions); New York Constitution, Article III, §10 “... The doors of each house shall be kept open...” ; Public Officers Law, Article VI “The legislature therefore declares that government is the public’s business...”; Senate Rule XI, §1 “The doors of the Senate shall be kept open”; Assembly Rule II, §1 “A daily stenographic record of the proceedings of the House shall be made and copies thereof shall be available to the public”, etc.

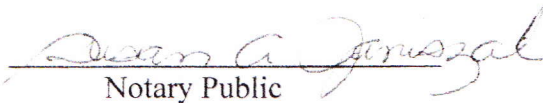
2. **Pursuant to State Finance Law §123-e, for entry of a judgment permanently enjoining defendants from taking any action to enact Budget Bill #S.6351/A.8551**, by voting on, signing, and disbursing monies for Budget Bill #S.6351/A.8551, or, at least, for the entirety of the Legislative portion, both its appropriations and reappropriations (pp. 1-9; 27-46); and, with respect to the Judiciary portion, the unitemized funding for the unidentified third phase of the judicial salary increase and the reappropriations (at pp. 24-26).

3. Pursuant to State Finance Law §123-g, for costs and expenses, including attorneys' fees;

4. For such other and further relief as may be just and proper, including referral to the Commission to Investigate Public Corruption of this "matter" within its "mandate", as well as to appropriate state and federal criminal authorities, such as the Albany County District Attorney and the U.S. Attorney for the Northern District of New York.

  
ELENA RUTH SASSOWER

Sworn to before me this  
28<sup>th</sup> day of March 2014

  
Notary Public

Susan A. Janiszak  
Notary Public-State of New York  
04JA6209391  
Qualified in Albany County  
Commission expires 07/27/20 17