

From: NYS Executive Chamber Records Access Office <governorny@govqa.us>
Sent: Monday, February 5, 2024 9:19 AM
To: elena@judgewidth.org
Subject: FOIL Records Request :: R000985-020524



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

Dear Elena Sassower:

This message acknowledges receipt of your request. Your request was received in this office on 2/5/2024 and given the reference number R000985-020524 for tracking purposes.

Records Requested: Pursuant to FOIL,1 this is to request: (1) records reflecting how Governor Hochul's five so-called "FY 2024 Article VII Bills", requiring Senate and Assembly sponsors – and so-posted on her Division of the Budget webpage of "FY2025 Executive Budget Legislation" as proposed bills of the Legislative Bill Drafting Commission, accompanied by supporting memoranda and preceded by a "Summary", to wit "Summary of Article VII Legislation Required For the Budget" Education, Labor and Family Assistance (ELFA) Bill & Memorandum in Support Health and Mental Hygiene (HMH) Bill & Memorandum in Support Public Protection and General Government (PPGG) Bill & Memorandum in Support Transportation, Economic Development and Environmental Conservation (TED) Bill & Memorandum in Support Revenue (REV) Bill & Memorandum in Support – became five actual bills without Senate and Assembly sponsors, bearing combined Senate-Assembly bill numbers S.8305/A.8805 to S.8309/A.8809, a January 17, 2024 date of introduction, and purporting to be "submitted by the Governor pursuant to article seven of the Constitution"; (2) records reflecting why Governor Hochul's Division of the Budget website does NOT post these five actual bills, to wit: Public Protection & General Government Budget Bill #S.8305/A.8805 Education, Labor & Family Assistance Budget Bill #S.8306/A.8806 Health & Mental Hygiene Budget Bill #S.8307/A.8807 Transportation, Economic Development & Environmental Conservation Budget Bill #S.8308/A.8808 Revenue Budget Bill #S.8309/A.8809. (3) records reflecting findings of fact and conclusions of law made with respect to CJA's March 18, 2020 letter to then Governor Cuomo, entitled: "...GOOD NEWS DURING THIS CORONAVIRUS EMERGENCY – You Can Chuck Six of Your Seven 'Article VII Bills' Because They are Unconstitutional. Here's why based on the Court of Appeals' 2004 plurality, concurring, and dissenting opinions in Pataki v. Assembly/Silver v. Pataki, 4 N.Y.3d 75." – a letter CJA simultaneously sent to Governor Cuomo's budget director, the Legislative Bill Drafting Commission, and Senate and Assembly leadership – and to legislators repeatedly thereafter,2 (2 On June 23, 2022 Governor Hochul, legislative leaders, and the Senate and Assembly were furnished with hard copies of the letter, annexed as Exhibit A-5 to the June 6, 2022 verified petition in the lawsuit CJA v. JCOPE, et. al., to which they are respondents.) most recently as part of CJA's written testimony for the Legislature's February 7, 2023 "public protection" budget hearing, linked-to by CJA's written testimony for the Legislature's January 25, 2024 "public protection" budget hearing, describing the situation (at p. 4) as "unchanged this year, as well".

We will provide you with a status update on or before 3/5/2024.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

New York State Executive Chamber Records Access Office

To monitor the progress or update this request please log into the [Records Access Center](#)

