

**From:** elena@judgewatch.org  
**Sent:** Saturday, March 21, 2020 12:20 PM

**To:** susan.arbetter@charter.com; cbragg@timesunion.com; rcabral-mota@univision.net; jcampbell1@gannett.com; ccappabianca@news10.com; DanClarkReports@gmail.com; kclukey@bloomberglaw.com; gwen@adirondackexplorer.org; kdewitt@wxxi.org; danieleick@statewatch.org; luis.ferre@nytimes.com; zack.fink@charter.com; news@cbs6albany.com; mfrench@politico.com; afries@TimesUnion.com; michael.gormley@newsday.com; agronewold@politico.com; cayla.harris@timesunion.com; tessa.hickey@charter.com; bhogan@nypost.com; khughes@nysnys.com; shaneking@statewatch.com; editor@cityandstateny.com; klisa@columbiagreenemedia.com; David.lombardo@wcnny.org; BLyons@TimesUnion.Com; Jmahoney@cnhi.com; billmahoney@politico.com; morgan.mckay@charter.com; jemcki@nytimes.com; mmikati@columbiagreenemedia.com; FMogul@wnyc.org; kim@statewatch.com; nniedzwiadek@politico.com; mikep@statewatch.com; tprecious@buffnews.com; nick.reisman@charter.com; yancey.roy@newsday.com; dslattery@nydailynews.com; jspector@gannett.com; maryfrancis.stout@charter.com; rtarinelli@alm.com; 1234@ap.org; JVelasquez@thecity.nyc; jimmy.vielkind@wsj.com

**Subject:** Gov & Legislative Leaders get GOOD NEWS during this Coronavirus Emergency: Simplifying the policy-packed NYS budget is EASY, as 6 of the Gov's 7 "Article VII Bills" are UNCONSTITUTIONAL

**Attachments:** [3-18-20-ltr-to-gov-revised-fn1.pdf](#)

**TO: Albany Legislative Correspondents Association Reporters**

**It's EASY for Governor Cuomo and Legislators to simplify the policy-packed NYS budget during this coronavirus emergency.** This is laid out by the Center for Judicial Accountability's attached March 18, 2020 letter to the Governor 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.

CJA's 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 the Governor 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.

I am available to assist you, to the max. Please feel free to call me anytime, during the weekend and at night.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200

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**From:** [elena@judgewatch.org](mailto:elena@judgewatch.org) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Friday, March 20, 2020 4:00 PM  
**To:** 'record.access@exec.ny.gov' <[record.access@exec.ny.gov](mailto:record.access@exec.ny.gov)>  
**Cc:** 'David.Poleto@budget.ny.gov' <[David.Poleto@budget.ny.gov](mailto:David.Poleto@budget.ny.gov)>; 'foil@budget.ny.gov' <[foil@budget.ny.gov](mailto:foil@budget.ny.gov)>; 'perez@lfdc.state.ny.us' <[perez@lfdc.state.ny.us](mailto:perez@lfdc.state.ny.us)>; 'scousins@nysenate.gov' <[scousins@nysenate.gov](mailto:scousins@nysenate.gov)>; 'grelick@nysenate.gov' <[grelick@nysenate.gov](mailto:grelick@nysenate.gov)>; 'speaker@nyassembly.gov' <[speaker@nyassembly.gov](mailto:speaker@nyassembly.gov)>; 'vargash@nyassembly.gov' <[vargash@nyassembly.gov](mailto:vargash@nyassembly.gov)>; 'flanagran@nysenate.gov' <[flanagran@nysenate.gov](mailto:flanagran@nysenate.gov)>; 'cmills@nysenate.gov' <[cmills@nysenate.gov](mailto:cmills@nysenate.gov)>; 'BarclaW@nyassembly.gov' <[BarclaW@nyassembly.gov](mailto:BarclaW@nyassembly.gov)>; 'herricks@nyassembly.gov' <[herricks@nyassembly.gov](mailto:herricks@nyassembly.gov)>; 'engelk@nyassembly.gov' <[engelk@nyassembly.gov](mailto:engelk@nyassembly.gov)>; 'skypej@nyassembly.gov' <[skypej@nyassembly.gov](mailto:skypej@nyassembly.gov)>; 'gianaris@nysenate.gov' <[gianaris@nysenate.gov](mailto:gianaris@nysenate.gov)>; 'weintrau@nysenate.gov' <[weintrau@nysenate.gov](mailto:weintrau@nysenate.gov)>; 'griffo@nysenate.gov' <[griffo@nysenate.gov](mailto:griffo@nysenate.gov)>; 'kinderma@nysenate.gov' <[kinderma@nysenate.gov](mailto:kinderma@nysenate.gov)>; 'PeopleC@nyassembly.gov' <[PeopleC@nyassembly.gov](mailto:PeopleC@nyassembly.gov)>; 'haltonl@nyassembly.gov' <[haltonl@nyassembly.gov](mailto:haltonl@nyassembly.gov)>; 'aubryJ@nyassembly.gov' <[aubryJ@nyassembly.gov](mailto:aubryJ@nyassembly.gov)>; 'hernandezd@nyassembly.gov' <[hernandezd@nyassembly.gov](mailto:hernandezd@nyassembly.gov)>; 'goodella@nyassembly.gov' <[goodella@nyassembly.gov](mailto:goodella@nyassembly.gov)>; 'lkrueger@nysenate.gov' <[lkrueger@nysenate.gov](mailto:lkrueger@nysenate.gov)>; 'usher@nysenate.gov' <[usher@nysenate.gov](mailto:usher@nysenate.gov)>; 'seward@nysenate.gov' <[seward@nysenate.gov](mailto:seward@nysenate.gov)>; 'davie@nysenate.gov' <[davie@nysenate.gov](mailto:davie@nysenate.gov)>; 'WeinstH@nyassembly.gov' <[WeinstH@nyassembly.gov](mailto:WeinstH@nyassembly.gov)>; 'wamchair@nyassembly.gov' <[wamchair@nyassembly.gov](mailto:wamchair@nyassembly.gov)>; 'ancowitzr@nyassembly.gov' <[ancowitzr@nyassembly.gov](mailto:ancowitzr@nyassembly.gov)>; 'beavers@nyassembly.gov' <[beavers@nyassembly.gov](mailto:beavers@nyassembly.gov)>; 'peakec@nyassembly.gov' <[peakec@nyassembly.gov](mailto:peakec@nyassembly.gov)>; 'rae@nyassembly.gov' <[rae@nyassembly.gov](mailto:rae@nyassembly.gov)>; 'derocht@nyassembly.gov' <[derocht@nyassembly.gov](mailto:derocht@nyassembly.gov)>; 'lentolj@nyassembly.gov' <[lentolj@nyassembly.gov](mailto:lentolj@nyassembly.gov)>; 'morinelloa@nyassembly.gov' <[morinelloa@nyassembly.gov](mailto:morinelloa@nyassembly.gov)>; 'webere@nyassembly.gov' <[webere@nyassembly.gov](mailto:webere@nyassembly.gov)>

**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  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200

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**From:** [elena@judgewatch.org](mailto:elena@judgewatch.org) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Wednesday, March 18, 2020 11:52 AM  
**To:** 'records.access@exec.ny.gov' <[records.access@exec.ny.gov](mailto:records.access@exec.ny.gov)>  
**Cc:** 'David.Poleto@budgetny.gov' <[David.Poleto@budgetny.gov](mailto:David.Poleto@budgetny.gov)>; 'perez@lbdc.state.ny.us' <[perez@lbdc.state.ny.us](mailto:perez@lbdc.state.ny.us)>; 'scousins@nysenate.gov' <[scousins@nysenate.gov](mailto:scousins@nysenate.gov)>; 'grelick@nysenate.gov' <[grelick@nysenate.gov](mailto:grelick@nysenate.gov)>; 'speaker@nyassembly.gov' <[speaker@nyassembly.gov](mailto:speaker@nyassembly.gov)>; 'vargash@nyassembly.gov' <[vargash@nyassembly.gov](mailto:vargash@nyassembly.gov)>; 'flanagan@nysenate.gov' <[flanagan@nysenate.gov](mailto:flanagan@nysenate.gov)>; 'cmills@nysenate.gov' <[cmills@nysenate.gov](mailto:cmills@nysenate.gov)>; 'BarclaW@nyassembly.gov' <[BarclaW@nyassembly.gov](mailto:BarclaW@nyassembly.gov)>; 'herricks@nyassembly.gov' <[herricks@nyassembly.gov](mailto:herricks@nyassembly.gov)>; 'engelk@nyassembly.gov' <[engelk@nyassembly.gov](mailto:engelk@nyassembly.gov)>; 'skypej@nyassembly.gov' <[skypej@nyassembly.gov](mailto:skypej@nyassembly.gov)>; 'gianaris@nysenate.gov' <[gianaris@nysenate.gov](mailto:gianaris@nysenate.gov)>; 'weintrau@nysenate.gov' <[weintrau@nysenate.gov](mailto:weintrau@nysenate.gov)>; 'griffo@nysenate.gov' <[griffo@nysenate.gov](mailto:griffo@nysenate.gov)>; 'kinderma@nysenate.gov' <[kinderma@nysenate.gov](mailto:kinderma@nysenate.gov)>; 'PeoplesC@nyassembly.gov' <[PeoplesC@nyassembly.gov](mailto:PeoplesC@nyassembly.gov)>; 'haltonl@nyassembly.gov' <[haltonl@nyassembly.gov](mailto:haltonl@nyassembly.gov)>; 'aubryJ@nyassembly.gov' <[aubryJ@nyassembly.gov](mailto:aubryJ@nyassembly.gov)>; 'hernandezd@nyassembly.gov' <[hernandezd@nyassembly.gov](mailto:hernandezd@nyassembly.gov)>; 'goodella@nyassembly.gov' <[goodella@nyassembly.gov](mailto:goodella@nyassembly.gov)>; 'lkrueger@nysenate.gov' <[lkrueger@nysenate.gov](mailto:lkrueger@nysenate.gov)>; 'usher@nysenate.gov' <[usher@nysenate.gov](mailto:usher@nysenate.gov)>; 'seward@nysenate.gov' <[seward@nysenate.gov](mailto:seward@nysenate.gov)>; 'davie@nysenate.gov' <[davie@nysenate.gov](mailto:davie@nysenate.gov)>; 'WeinstH@nyassembly.gov' <[WeinstH@nyassembly.gov](mailto:WeinstH@nyassembly.gov)>; 'wamchair@nyassembly.gov' <[wamchair@nyassembly.gov](mailto:wamchair@nyassembly.gov)>; 'ancowitzr@nyassembly.gov' <[ancowitzr@nyassembly.gov](mailto:ancowitzr@nyassembly.gov)>; 'beavers@nyassembly.gov' <[beavers@nyassembly.gov](mailto:beavers@nyassembly.gov)>; 'peakec@nyassembly.gov' <[peakec@nyassembly.gov](mailto:peakec@nyassembly.gov)>; 'rae@nyassembly.gov' <[rae@nyassembly.gov](mailto:rae@nyassembly.gov)>; 'derocht@nyassembly.gov' <[derocht@nyassembly.gov](mailto:derocht@nyassembly.gov)>; 'lentolj@nyassembly.gov' <[lentolj@nyassembly.gov](mailto:lentolj@nyassembly.gov)>; 'morinelloa@nyassembly.gov' <[morinelloa@nyassembly.gov](mailto:morinelloa@nyassembly.gov)>; 'webere@nyassembly.gov' <[webere@nyassembly.gov](mailto: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](http://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.

Elena Sassower, Director  
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