

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Thursday, February 23, 2023 1:12 PM

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**Cc:** 'Finance Chair'; 'wamchair@nyassembly.gov'

**Subject:** **The duty of the Senate & Assembly governmental operations committees with respect to the Legislature's FY2023-24 budget & Gov. Hochul's Legislative/Judiciary Appropriation Bill S.4001/A.3001**

**Attachments:** [cja-feb-15-23-written-testimony-general-govt-budget-hearing.pdf](#)

TO: Senate Committee on Investigations & Government Operations

Chair: James Skoufis

Ranking Member: Thomas O'Mara, ESQ.

Members: Nathalia Fernandez; Andrew Gounardes, ESQ.;

Brad Hoylman-Sigal, ESQ.; Anthony Palumbo, ESQ.; Luis Sepulveda, ESQ.

Assembly Committee on Governmental Operations

Chair: John McDonald III

Ranking Member: Michael Durso

Members: Anil Beephan, Jr.; Rodneyse Bichotte Hermelyn; Deborah Glick;

Andy Goodell, ESQ.; Alicia Hyndman; Ron Kim; Demond Meeks;

Steven Raga; Tony Simone; Matt Slater; Monica Wallace; ESQ;

Jaime Williams

I believe your committees are "the appropriate committees of the legislature" with responsibility for the Legislature's compliance with the requirement of [Article VII, §1 of the New York State Constitution](#) that, by December 1<sup>st</sup> of each year, it transmit to the Governor "[i]temized estimates of the financial needs of the legislature, certified by the presiding officer of each house". I set this forth by questions ##10-11 of my above-attached written testimony for the Legislature's February 15, 2023 budget hearing on "Local Government Officials/General Government" – and the testimony's exclusive focus was [the Legislature's FY2023-24 budget](#) and the legislative portion of [Governor Hochul's Legislative/Judiciary Appropriation Bill #S.4001/A.3001](#).

Was my testimony distributed to you by Senate Finance Committee Chair Krueger and Assembly Ways and Means Committee Chair Weinstein, to whom, by the below e-mail, I timely sent it on February 15<sup>th</sup>, in compliance with their announced rules, [here](#) and [here](#). I have received no responses from any of you

– nor from your staff. Will your committees be calling upon Temporary Senate President Stewart-Cousins and Assembly Speaker Heastie to answer the 38 questions my testimony asks about the Legislature’s budget and Governor Hochul’s appropriation bill – and, if not, why not. What are your own answers, individually and collectively, to these 38 questions.

Based on the analysis furnished by the questions, do you agree that Governor Hochul’s duty with respect to her upcoming “30-day amendments” is:

- to amend Legislative/Judiciary Appropriation Bill #S.4001/A.3001 by REMOVING the 38 pages of “legislative reappropriations” that were inserted into the back of her bill in an out-of-sequence, mistitled §4 – as the Legislature’s FY2023-24 budget contained NO “legislative reappropriations” (testimony, questions ##30-35);
- to amend Legislative/Judiciary Appropriation Bill #S.4001/A.3001 by REMOVING the entirety of §1 of legislative appropriations, in other words, the Legislature’s budget – because it was NOT furnished to her as “itemized estimates of the financial needs of the legislature, certified by the presiding officer of each house”, as [Article VII, §1 of the New York State Constitution](#) requires (testimony, questions ##1-5);
- to amend State Operations Appropriation Bill #S.4000/A.3000 to ADD the Independent Redistricting Commission and such appropriations for it as are, in fact, necessary – because the appropriations for it in the Legislature’s FY2023-24 budget do NOT belong in the Legislature’s budget and are grossly inflated and larcenous, quite apart from the “reappropriations” for the Independent Redistricting Commission that were popped into her Legislative/Judiciary Appropriation Bill S.4001/A.3001 (testimony, questions ##16-19).

And do you agree that Governor Hochul’s “30-day amendments” are an opportunity for her to belatedly meet her constitutional duty to furnish the Legislature with “such recommendations as the governor may deem proper” with respect to the legislative and judiciary budgets (Article VII, §1) – as she made NONE on February 1, 2023 in submitting her Legislative/Judiciary Appropriation Bill #S.4001/A.3001 to the Legislature (testimony, question #36).

Time being of the essence, please advise as immediately as possible – and confirm that [my February 15<sup>th</sup> written testimony](#) will be placed on the agendas of your committees’ next meetings for discussion and vote as to your individual and collective duties with respect thereto. Likewise that [my written testimony incorporated therein and timely submitted for the Legislature’s February 7<sup>th</sup> “Public Protection” budget hearing](#) will ALSO be placed on your committees’ next meeting agendas, as it is ALSO and unquestionably within your committees’ jurisdiction.

I would be pleased to make a presentation at such committee meetings, answering all your questions, including under oath – and [Senate Rule VII, §2\(d\)](#) expressly provides for same.

Thank you.

Elena Sassower, Director  
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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Wednesday, February 15, 2023 4:25 PM  
**To:** 'Finance Chair' <[financechair@nysenate.gov](mailto:financechair@nysenate.gov)>; 'wamchair@nyassembly.gov' <[wamchair@nyassembly.gov](mailto:wamchair@nyassembly.gov)>

**Subject: Written Testimony for Legislature's Feb 15, 2023 "Local Gov't Officials/General Government" Budget Hearing**

**TO: Senate Finance Committee Chair Krueger  
Assembly Ways & Means Committee Chair Weinstein**

Attached is my timely-submission of written testimony for today's "local government officials/general government" budget hearing – for distribution to legislators and posting on the Senate and Assembly webpages for today's hearing.

I am available to answer any questions.

Thank you.

Elena Sassower, Director  
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