

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, December 4, 2019 3:49 PM
To: 'bmax@gothamgazette.com'
Cc: 'harrysiegel@gmail.com'
Subject: Request for contact info & reporting -- "Seeds of Campaign Finance Commission Debacle Planted in Broken State Budget Process" (today's Gotham Gazette)
Attachments: 12-3-19-handout-fairmediacouncil.pdf

TO: Ben Max/Gotham Gazette

Bravo on your publication today of the opinion piece "["Seeds of Campaign Finance Commission Debacle Planted in Broken State Budget Process"](#) by Empire State Indivisible co-lead organizer Ricky Silver. Can you give me Mr. Silver's phone number and e-mail, as he appears unaware that what he decries – the state budget, the Court of Appeals' 2004 decision in *Silver v. Pataki*, legislative dysfunction, and three-men-in-a-room – have been litigated, for years, by CJA's citizen-taxpayer action, *CJA v. Cuomo, et al.* – unreported by the press, for years.

Indeed, I want to explain to Mr. Silver that the Court of Appeals' plurality *Silver v. Pataki* decision actually helps anyone wanting to knock out the December 1, 2019 report of the Public Campaign Finance and Election Commission him, because it recognized that policy unconnected with particular appropriations would be an unconstitutional rider, violating Article VII, §6. That is precisely what Part XXX – the budget provision establishing the Public Campaign Financing and Election Commission – is: an unconstitutional rider, unconnected to any appropriation, inserted into revenue budget bill S.1509-C/A.2009-C, in violation of Article VII, §6.

Needless to say, today's opinion piece is yet another reason why Gotham Gazette – and other press – should finally report on the *CJA v. Cuomo* citizen-taxpayer action – the necessity of which I spoke about at yesterday's Fair Media Council conference session on "Money, Power, and Politics", furnishing you, Harry Siegel, and the other participants with my above-attached August 21, 2019 New York Law Journal letter about the case. The direct link to the case record, at the Court of Appeals, is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/record-ct-of-appeals.htm>. Let me know if you want the cites to my discussions of *Pataki v. Silver*, Part XXX, or anything else.

Thank you.

Elena Sassower, Director
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