

BRENNAN CENTER FOR JUSTICE AT NYU SCHOOL OF LAW
CITIZENS UNION
COMMON CAUSE/NY
LEAGUE OF WOMEN VOTERS OF NEW YORK STATE
NEW YORK PUBLIC INTEREST RESEARCH GROUP

December 10, 2010

RE: Recommendations for Senate Rules Reform

Dear Senator:

This coming January, the Senate will have the opportunity to vote on new rules for the chamber. The Senate made significant strides in rules reform last session. Those rules changes, if maintained, should allow the chamber to function more efficiently and with greater transparency. We are enclosing a flow chart which details the various ways Senators could ensure a hearing or vote on their bills under last year's rules (*available at <http://www.abcny.org/pdf/report/uploads/RulesReformRoadmap.pdf>*). Our organizations have praised the Senate for making important advances in distributing member resources more equitably, imposing term limits on leadership, and making other rules changes which have made it somewhat easier for individuals to bring their bills to the floor absent the approval of leadership.

While these improvements have been a step in the right direction, there is still more to be done. In the weeks prior to the new session, we encourage you to review suggestions for rules reform that we have made in the past from a new perspective, and consider reforms that will help the Senate develop a better legislative process, where Senators and their constituents – and not only the leadership – have a greater role in shaping legislation.

We strongly urge you to make the following changes to the committee process:

1. Reduce the number of legislative committees on which individual Senators may serve to no more than three, as is typical in other state legislatures (including such large states as California, Florida, Illinois, Michigan, Ohio and Pennsylvania);
2. Eliminate proxy voting in all committees by prohibiting members from casting absentee votes on official voting sheets delivered to the committee chair;
3. Require that member resources be distributed equally to all members;
4. Require committee reports issued with any bill voted out of committee to set forth the purpose of the bill, the proposed changes to existing law, section-by-section analysis, the bill's procedural history, committee or subcommittee votes, any individual members' comments on the bill, and organizations which support and oppose the bill;

5. Require a process for reading, debating and amending any bill before it receives a vote from the committee (absent a vote by the committee to forego that process for any particular bill);
6. Strengthen the ability of committee chairs to control the committee budget and make hiring and firing decisions; and
7. Institutionalize conference committees, so that when bills addressing the same subject have been passed by both chambers, a conference committee will be convened at the request of the prime sponsor from each chamber or the Speaker and Majority Leader.

We believe that an overhaul of the rules that will make the Senate a more deliberative, representative and accountable body, will help New York tackle the challenges we face in these difficult times. We look forward to working with you as you consider adopting these changes, and encourage you to have an open and public discussion of these important issues in a manner that properly takes into account the public's desire for a transparent, accountable and deliberative chamber.

Sincerely,

Brennan Center for Justice at NYU School of Law
Citizens Union
Common Cause/NY
The League of Women Voters of New York State
New York Public Interest Research Group