

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 Assembly Rules Reform

Dear Assembly Member:

As you prepare for a new legislative session in January, we write to encourage you to make a top priority the passage of new legislative rules to create a more deliberative, representative and accountable chamber. We encourage you to begin the new session with a fresh set of rules that will impact the way business is done in Albany during your next two years in office. We urge you to pass new rules which increase transparency and make it easier for rank and file members to move bills to the floor for debate, and mandate hearings and public comment on important bills.

We recognize that since 2005, important progress in the area of rules reform has been made. Notably, we have praised the Assembly for reforms which have ended empty seat voting, obligated standing committees to meet once a month, made attendance mandatory at committee meetings, and reduced the maximum number of committees on which a member can serve.

While these reforms are commendable, there is more work to be done to develop a better legislative process, where rank and file members of the Assembly and their constituents play a greater role in shaping legislation.

Last year, your colleagues in the Senate passed several notable rules reforms, in light of which we encourage the Assembly to review them and consider adopting rules that will go further in:

1. Making the distribution of member resources more equitable by distributing funding for members using standard formulas, publicly provided in the operating rules;
2. Allowing members to force committee hearings on specific bills, giving power to rank and file members to hold public hearings on legislation over the objection of leadership;
3. Enabling members to bring bills with sufficient support to the floor for a vote, allowing popular bills that lack the support of leadership to survive past committee; and

4. Making the legislature's proceedings completely public, and record and report attendance, votes, minutes, and debates, allowing citizens to obtain records without the expense and delay of a Freedom of Information Law request.

In addition to the reforms the Senate has undertaken, we urge you to take initiative on the following rules changes:

1. Further reduce the number of legislative committees on which an individual member may serve during a legislative session;
2. 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;
3. 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);
4. Strengthen the ability of committee chairs to control the committee budget and make hiring and firing decisions; and
5. 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 Assembly a more open, democratic and accountable chamber, will help New York tackle the challenges we face in these difficult times. We are anxious to work with you in passing these reforms, 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