



December 20, 2022

Andrea Stewart-Cousins  
Senate Majority Leader

Robert Ortt  
Senate Minority Leader

Carl Heastie  
Assembly Speaker

William Barclay  
Assembly Minority Leader

**Re: Updates to Legislative Rules that can help your ongoing efforts to improve the Senate and Assembly**

Dear Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, Senate Minority Leader Ortt, and Assembly Minority Leader Barclay:

Congratulations on your selections to lead your respective conferences. When you convene in January and adopt new operating rules, you will again have an important opportunity to show New Yorkers your commitment to making the Legislature more representative, deliberative, accountable, and efficient.

We ask that you adopt the following proposals as part of voting on new rules:

**1. Increase the strength and efficiency of committees by:**

- a. Reducing the number of standing committees, and the number upon which individual members can sit;
- b. Giving each committee the power to hire and fire members of committee staff, independently of leadership preferences;
- c. Allowing Senate members to vote in committee only if they are physically present or present by teleconference or videoconference;
- d. Requiring a public reading and markup process for bills before they can be passed through committee; and
- e. Requiring that all bills that pass out of committee include reports that set forth the purpose of the bill, proposed changes to existing law, a section-by-section explanation of the bill, a cost-benefit-analysis, the bill's

procedural and voting history, and any individual members' comments on the bill.

- 2. Ensure that all procedures concerning the introduction of bills are formalized in the public rules of each house**, rather than developed by legislative leaders in separate guidelines or procedures.
- 3. Provide the opportunity for a significant number of members to bring any bill to the floor for consideration** and a vote in *both* houses, regardless of leadership objections.
- 4. Foster equity and comity through the fair allocation of resources between the majority and minority parties** by ensuring that funding for central staff is proportionate to a conference's size and tightening rules that prohibit the use of resources for political purposes.
- 5. Make access to information on the Legislative Retrieval Service (LRS) free.** Currently, this service is only available through a paid subscription operated by the Legislative Bill Drafting Commission, a joint body of the Senate and Assembly. The free legislative search tools on the Senate and Assembly website lack timely access to information, and the more sophisticated search, bill tracking, and email alert tools that are available on LRS.
- 6. Increase transparency by ensuring a presumption of access to legislative records under the Freedom of Information Law (FOIL).** Though covered by provisions of FOIL, the Legislature has wider discretion than the Executive branch in deciding which records are made available upon request. We urge the Senate to bring its records disclosure rules in line with the Assembly's so there is consistency for the public, instead of having different rules for each house.<sup>1</sup> There should be an equal presumption of access to records for both houses.
- 7. Create the State Government Public Affairs Channel (often referred to as "NYSPAN").**

We also urge you to adopt a resolution regarding implementing the new Open Meetings Law requirements to ensure that all legislative proceedings, including committee meetings, are webcast.

We also hope that you will establish an ongoing public process to further strengthen the rules of the Legislature, seeking public input and examining best practices.

We welcome the opportunity to discuss these proposals with you in greater detail in the coming weeks. Your leadership and support for a strong, participatory democracy remains crucial as the State government continues to confront serious challenges.

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<sup>1</sup> For more information, see "Legislative FOIL: a Tale of Two Houses." Reinvent Albany, December 2020. <https://reinventalbany.org/wp-content/uploads/2020/12/Reinvent-Albany-Legislative-FOIL-Report-Tale-of-Two-Houses-December-2020.pdf>

Sincerely,

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