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November 23, 2009

New York State Senator David J. Valesky

416 State Capital Building

Albany, New York 12247

New York State Senator John J. Bonacic

Room 508 Legislative Office Building

Albany, New York 12247

Dear Senators Valesky and Bonacic:

It is the understanding of the New York City Bar Association that the Senate's Temporary Committee on Rules Reform is currently considering reforms to the committee process. We commend you on tackling this extremely important topic.

As the Bar Association noted in earlier testimony to your committee, having robust committees carefully examine and develop legislation is the reform with the greatest likelihood of increasing the legislature's effectiveness and improving its standing with its constituents. As in the past, we strongly urge you to adopt new rules that will:

1. Limit Senators to serving on a maximum of three committees in any given time period;
2. Require committee members to be physically present to have their votes counted;
3. Require that all bills must be accompanied by appropriate fiscal and issue analysis before receiving a vote, and that all bills voted out of committee be accompanied by committee reports showing the work of the committee on the bill (with details similar to those issued in Congress and most other state legislatures);
4. Mandate a "mark-up" process for all bills before they are voted out of committee. The mark-up process will require bills to be publicly read and debated, and members of the committee will have an opportunity to introduce amendments to the bill for consideration, debate and vote; and

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5. Explicitly provide each committee with control over its own budget, including the hiring and firing of all committee staff.

The Association looks forward to the adoption of these changes, which will create more deliberative, representative and accountable legislative committees.

Sincerely,



Loren Gesinsky

cc: Sen. Pedro Espada
Sen. Joseph Griffo
Sen. Jeffrey Klein
Sen. Kevin Parker
Sen. John Sampson
Sen. José Serrano
Sen. Malcolm Smith
Sen. Daniel Squadron
Sen. Andrea Stewart-Cousins
Sen. George Winner