



NEW YORK STATE SENATOR

James L. Seward

## Senate Reform Coalition Operating Agreement Would Allow Session To Move Forward In Bipartisan Fashion

JAMES L. SEWARD June 22, 2009

ALBANY, 06/22/09 - The Senate Reform Coalition today proposed a new governing structure that provides for the bipartisan designation of committee co-chairs, equal membership on committees, equal resources for both conferences and a jointly prepared active list of legislation. The plan was developed in an effort to forge a bipartisan compromise that will enable the Senate session to move forward.

The plan mirrors bipartisan operating agreements for tied legislatures in other states, that senate Democrats posted on the senate web site. The bipartisan operating agreement recognizes that the rules reforms and leadership changes approved on June 8th are legal and binding and proposes new reforms.

**"The plan allows the senate to move forward and complete the work of the people,"** said Senator James L. Seward (R/C/I - Oneonta). **"This will expand on the historic reforms adopted on June 8th, clearing the way for openness and transparency in the state senate."**

"My sole purpose on June 8th was to win real reform and a true bipartisan, coalition senate. That was achieved. The governing structure we are proposing further provides the most bipartisan senate in the history of state government. The next meeting we have should be in the senate chamber convening session and conducting the business of the people," said

Senate President Pro Tempore Pedro Espada, Jr.

“Our plan to govern the senate going forward is a true, bipartisan operating plan that calls for an even split of committee chairs, jointly prepared active lists and real reforms that empower members to bring bills to the floor for a vote,” Senate Majority Leader Dean Skelos said. “We have a bipartisan governing plan that will enable the senate to conduct orderly sessions, and do the people’s business going forward.

“The senate Democrat leadership put forward a so-called ‘power sharing agreement’ that contains no real reforms and would expire after one day,” Senator Skelos said. “It is solely based on their desire to hold on to complete and total power and get out of town.”

A Siena College poll released today found that half of those polled would like to see the senate controlled by a coalition of both parties, as proposed by the Reform Coalition, rather than having power entirely in the hands of one side or the other, as called for in the plan of the senate Democrat leadership.

The bipartisan operating agreement proposed by the Senate Reform Coalition includes the following provisions:

- > The Temporary President would be established as provided for under the State Constitution;
- > Co-Chairs of senate committees and equal membership of both parties on all committees;
- > Equal resources for members of both conferences, as well as equal resources for committee staffs and central staffs;
- > Eight year term limits for senate leaders and six year term limits for committee chairmen;

- > Allow individual members to petition to move bills from the calendar to the active list for a vote by the full senate;
- > The active list would be jointly prepared by the Temporary President and conference leaders;
- > This agreement would remain in place for the remainder of the two-year legislative session through the end of 2010.

These provisions expand on the rules reforms put in place by the Senate Reform Coalition on June 8th that have drawn a positive response in news reports across the state over the past two weeks, including:

Laura Seago of the Brennan Center for Justice said the senate Democrat leadership “failed to enact significant reforms,” and said, “They put out a report with good recommendations, but they didn’t enact them. As we saw dramatically, you can enact rules reform at any time.”

Political scientist Gerald Benjamin of SUNY New Paltz said the reforms passed by the coalition are important, “I think they will stick, or many will stick,” he said.

Independence Party Chairman Frank MacKay said: “the current drive toward a more democratic coalition government represents the best hope we have for reforming the draconian senate rules of the past. The reforms are necessary regardless of who initiated them.”

NYPIRG Legislative Director Blair Horner said: “we believe, on first cut, the new rules are another step in the right direction.”

A Newsday editorial said: “The coalition wants term limits for committee chairs and equal

resources – for Democrats and Republicans alike – in staff and member items. The coalition is pledging more power for individual members to bring bills to a floor vote. These reforms would be welcome and carry on where the recently deposed Democratic majority led by Senator Malcolm Smith stopped short. Long Island may be better off if the coalition stands.”

Larry Norden of the Brennan Center for Justice praised a number of the reforms passed by the Senate Reform Coalition, including:

- > Equitable distribution of resources for senators and staff: “that’s good for taking control from leadership, but also it’s just more fair.”
- > Empowering individual senators to petition to get bills to the floor for a vote: “there’s more power for members to make sure that bills get to the floor for a vote, whether or not leadership wants them to.”
- > Limiting use of messages of necessity to emergencies: “they basically got rid of the message of necessity, which has been abused in New York for a long time. It’s been used to push things through without consideration.”

Norden also praised the coalition reform that placed six year term limits on committee chairs.

Norden said the Republicans went further than the Democrats did, saying “I have to give the Republicans credit. They went further in many areas than the Democrats. The Democrats didn’t pass any rules changes. The fact of the matter is, in the end, the Republicans actually passed rules changes and the Democrats didn’t pass anything.”

Democrat senator Liz Krueger of Manhattan agreed with Norden in a letter to her constituents that said: “I believe the biggest failure of my conference was that it was not aggressive enough in advancing a reform agenda. I believe that many of my colleagues adopted a ‘to the victor goes the spoils’ model, and while I repeatedly argued against this, in the end, the conference was not willing to go as far down the reform road as they should

have.”

Many of the coalition reforms match up with the reform priorities of the Urban Justice Center, such as reforms relating to motions to discharge, equitable resources and use of messages of necessity.