

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, September 16, 2019 3:30 PM
To: 'Senate Foil'
Cc: 'Robin Marilla'
Subject: FOIL/records request -- Annual Reports of the Senate Committee on Elections: 2008-2018

TO: Secretary of the Senate/Records Access Officer Alejandra Paulino

The Senate website: <https://www.nysenate.gov/> – since it was reformatted several years ago – is a nightmare, designed to inhibit access to pertinent information and documents. The situation has only gotten worse since January of this year, when the Senate switched to Democratic control.

As Senate Majority Leader Andrea Stewart-Cousins was a member of the 2009 Temporary Senate Committee on Rules and Administration Reform and signed on to its April 21, 2009 majority report, <https://www.nysenate.gov/sites/default/files/articles/attachments/Rules%20Reform%20Draft%20Report%204%2021%2009.pdf>, she well knows that the most important aspect of a functioning legislature is a functioning committee system. It is to obscure how dysfunctioning and non-functioning the Senate committees are that the Senate's website has a top tab *combining* "Senators and Committees" – and then, when one finally reaches the committees, by whatever indirect means, has NO tabs for their "reports" or their "hearings".

By contrast, the Assembly's website, <https://nyassembly.gov/>, has separate top tabs for "Assembly members" and for "Committees, Commissions & Task Forces" – and from the latter it is easy to access the webpages for the listed "Committees, Commissions & Task Forces" – each of which is built on a template having separate top panel links for "News"; "Reports" and "Hearings". The Assembly website additionally has a top tab for "Assembly Reports", whose chronological listing from 2019 to 2001 is preceded by tabs broken down into categories: "Legislative Reports"; "Ways & Means Committee Reports"; and "Committee Reports".

Although Assembly Rule IV, §9, <https://nyassembly.gov/Rules/?sec=r4#s9>, does not specify that annual reports of Assembly standing committees are to be posted on the Assembly website, its website posts them. Indeed, virtually all the Assembly's posted "Committee Reports" are the annual reports of its standing committees. This, too, presents a sharp contrast to the Senate website, where, notwithstanding Senate Rule VII, §5(d) specifies that reports of Senate standing committees "shall be posted to the Senate website", <https://legislation.nysenate.gov/pdf/bills/2019/R3>, finding them is a real challenge – if, in fact, they are posted.

Consequently, pursuant to Senate Rule XIV ("Freedom of Information"), this is to request:

- (1) the annual reports of the Senate Committee on Elections for the same 10 year period as the Assembly's website posts for its Committee on Election Law, *to wit*, from 2008 to 2018: <https://nyassembly.gov/comm/?id=13&sec=reports> – which I am unable to locate;**
- (2) records reflecting when each of these ten annual reports of the Senate Committee on Elections was posted.**

Thank you.

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