

**Temporary Senate Committee on Rules & Administration Reform**

**3<sup>rd</sup> Hearing: February 26, 2009, New York City**

Co-Chairs: Senators Valesky & Bonacic;

Members: Senators Klein, Stewart-Cousins, Parker, Serrano, Squadron, Griffio, Winner

Senator Krueger present & participating from the dais.

*transcribed by Elena Sassower on March 25, 2013  
to assist Senator Krueger & other Senators  
in "Standing up for Legislative Law 54 & 'Process'"*

01:30:42

Senator Valesky: “....if we step back for a moment and look at the work that the legislature does. The 11 budget bills, I guess, four appropriations, four language bills, the debt service, the Legislative, Judiciary, and revenue bill. From the perspective of what we do that affects people’s daily lives the most, I think we can all agree, by far, it’s the budget. \$124 billion taxpayer-supported budget.”

We have, as a result of budget reform legislation from a couple of years ago, requirements to do fiscal hearings. Those requirements, Senator Liz Krueger is the co-chair, and just conducted those, finished conducting those hearings a couple of weeks ago. They are only required to be in Albany, but they do bring the commissioners in of all the agencies so to the point of administrative oversight. I don’t know if you’ve thought about, I know your recommendations in regard to hearings have been, I don’t think you’ve focused exclusively on the budget itself. But I might suggest, we tried, by the way, as you know, to lengthen the budget process in this state. Voters defeated it, the ballot proposition to move the start of the fiscal year to May 1<sup>st</sup>, so I’m not even sure with an April 1<sup>st</sup> fiscal year whether we’d have enough time to take fiscal committee hearings to other parts of the state, but I would, I guess, request from the Center for you to look at, specifically, at the question of, because clearly those, and, in this year, in particular, I’m sure I speak for every member of the Legislature who is here. From the perspective of constituents who are coming to see us and calling our offices and e-mailing us, given the difficult budget proposal that we face, you know, that, that I think, the elements in those budgets probably affect people in their daily lives more than anything else that we’ll consider throughout the remainder of the entire legislative session. So maybe you could advise us at some point in the future as the committee continues to do its work as to ways we might continue to, in the spirit of reform of the legislative process, actually, additionally, reform the budget process.

Jeremy Creelan: I’d just like, one comment on that. When we issued the report originally, one of the criticisms of the report was that it didn’t focus enough on the budget process and it was one of the few criticisms that I actually thought was quite fair. Um, not to say that the rest of the report, I thought, it didn’t render it, you know, unhelpful. But, it was an important aspect of it in focusing just on that we didn’t, you know, we didn’t. We included it in the analysis but we didn’t break it out separately and really discuss the unique dynamics of it. But the, in that, in the 2005 changes, such as they were, um, the, was it 6, 2005, um, it’s ancient history. One of the changes was conference committees were really implemented in the budget process to really try to make them real. And a lot of people said, you know, some people said they’re just window dressing. The other people said, well, they’re very

substantive. It was a range of opinion. But, I think the budget process, at least from my perspective, hearings are critically important and I recognize that they occur, but I think the conference committees are actually, in some ways the place that, really, should be the focus, and I don't know right now, I'm interested in, I'm not here to question you, but I'm interested, in this stage of our history, whether those ever really took root in a meaningful way or not. I mean I think it's probably a mixed, a mixed bag. Compared to the way it used to be, it probably is better. But, and, it's a new world now with the Senate changing hands and I assume that this year is a different world and we'll see how that plays out. But I suspect that that's really the place where the focus should be.

Professor Eric Lane: Could I just add one point to that. I mean yes, we will do, we would love to work on the issues of budget reform. But, I want to just point out though, and I'm not sure this is, well, it's whatever it is. So, all of these budget expenditures are subject to, effectively, what we call authorization legislation. So, you have to have the policy in place before you spend the money, particularly in New York State in recent years that you can't put any policy in the budget, I guess unless you are the governor in some way or another, but you know, after those court cases that came, those crazy court cases that came down. So, the point still remains you need to have the hearings on the big bills ultimately which then lead to budget expenditures going down the road. So, I mean, yes, and I, the Assembly, we were criticized by the Assembly this year because they do these hearings and some of those hearings are actually very good which they do. They do, they, you know, they, they each are supposed to take one program under their auspices and actually have a budget hearing on it and they bring in the commissioner and sometimes they do them well and sometimes they don't. And they are worthy of praise but, you know it's, it's – and that is a good reform. But, you know, there's a lot of effort that needs to be made to really make this work, I think.