

# Legislative Process

Commission on Improving Standards of Conduct

Discussion Ideas, August 17, 2022

**“Many forms of Government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed it has been said that democracy is the worst form of Government except for all those other forms that have been tried from time to time...”**

Winston S. Churchill, November 11, 1947

# Fair Consideration of Bills

# “Death by Committee Referral”

Proposal: Objective referral standards to ensure bills referred to committees fairly. Require review panel to decide all referrals.



# Power of the Chair

## Options to Ensure Fair Treatment of Bills

IDEA:	PROS:	CONS:
<b>Require Hearing for All Bills</b>	Reduces power of Chairs and related possibility of corruption; greater transparency with votes; allows bill ideas to be heard	Time consuming (not likely with current legislative calendar); may overwhelm public; & shift power to lobbying organizations; potentially sloppier decision-making
<b>Eliminate Chair's Authority to Defer Bills</b>	Reduces the potential for corruption ("power to kill a bill"); greater transparency	Politically challenging; time consuming; may reduce the number of bills heard; greater number of "bad" bills passing
<b>Term Limits for Chair Positions</b>	Prevents a "bad" chair from dominating subject matter; more ideas can be heard	May "lose" subject matter experience; increase power of lobbyists

# Rule Proposals:

- **Recall.** Lower voting threshold to pull a bill, petition, or resolution from a Committee, with an express goal of ensuring bills get fairly heard.
- **Hearings.** Reduce number of committee members necessary to require a bill hearing.



# Transparency/Public Access

## Remote Video/Access

- Support continuing remote/video access to public hearings;
- Loosen strict written testimony requirements for remote participation.

### How will you be testifying?

- In person & submitting written testimony
- Remotely via Zoom & submitting written testimony
- Written testimony only



# Access to Bill Drafts

- Require public access to all bill drafts submitted to the Legislature. Particular focus on conference committee; recognizing the abbreviated time table.
- Note author of any bill draft.
- Eliminate the ability to submit bills “by request.”

# Access to Public Testimony

- Post all timely-filed public testimony before a conference committee, with a goal of 24 hours of advance notice. Post late testimony as available.
- Ensure decisions are based on transparent testimony. Allow public testifiers to have an opportunity to address written submittals.

# Session Timing

# Legislative Calendar

Propose longer breaks between key decision-making moments, such as requiring conference committee drafts to be posted and a required 2-day period before voting on the proposed changes.

Require greater notice for all hearings.

Increasing session length addresses a number of transparency/access issues, such as allowing greater public notice and opportunity to testify.