



NEWS RELEASE

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TALE OF THE TAPE: NYPIRG's 2016 LEGISLATIVE REVIEW & RELEASE OF "LEGISLATIVE PROFILES"

"LEGISLATIVE PROFILES" SHOW LAWMAKERS' OUTSIDE INCOME, SIGNIFICANT CAMPAIGN CONTRIBUTORS AND LEGISLATIVE DISTRICT DEMOGRAPHICS

As part of NYPIRG's ongoing review of legislative activity, this analysis examines the 2016 New York legislative session to date. This analysis does not draw conclusions on the substance of bills or the overall legislative output, since "productivity" is more complicated and subjective than simple numbers. It is up to New Yorkers to assess the Legislature's effectiveness and impact. In order to be informed, however, New Yorkers deserve information on the functioning of their Legislature. We hope that the following information will stimulate dialogue between lawmakers and their constituents.

Unless otherwise noted, the following information is based on data compiled by the Legislative Bill Drafting Commission. Most of this data was obtained between July 29 and August 8, and subsequent revisions made to publicly-released voting results might not be reflected. Numbers are subject to revision in the event of a special or extraordinary session.

2016 saw a decline in the number of bills passed by both houses and was among the sessions that saw the least number of legislative agreements as evidenced by identical bills passing on the floor of both houses. This decrease is consistent with the overall historical trend: Fewer bills are being passed.

As seen in **Chart 1**, the number of bills passed in 2016 represents another year of decline of this metric. Since 1995, the five years that saw the fewest bills pass both houses are 2009, 2012, 2013, 2014 and 2016. An examination of the number of two-house bills passed over a longer period of time, legislative actions by governor since 1920 (**Chart 2**), makes the historical trend quite clear: Legislative agreements have declined over time.

In addition, we are providing New Yorkers with background information on their elected representatives, see: http://www.nypirg.org/goodgov/2016_Legislative_Profiles/. These "profiles" offer information on lawmakers' committee assignments, outside employment, election results, significant campaign contributors, as well as partisan and demographic information on the relevant legislative district.

Chart 1: Bills Passing Both Houses 1995-2016

| Year | Passed Assembly Jan-July | Passed Senate Jan-July | Passed both Jan-July | Passed Assembly Full Year | Passed Senate Full Year | Passed both Full Year | Number of bills introduced in both houses during 2 year session |
|-------------------|--------------------------|------------------------|----------------------|---------------------------|-------------------------|-----------------------|---|
| 2016 ¹ | 1041 | 1752 | 618 | TBD | TBD | TBD | 16608 |
| 2015 | 1065 | 1637 | 718 | 1065 | 1637 | 718 | |
| 2014 | 1143 | 1460 | 658 | 1143 | 1460 | 658 | 15971 |
| 2013 | 1071 | 1408 | 650 | 1071 | 1408 | 650 | |
| 2012 | 1056 | 1256 | 571 | 1056 | 1256 | 571 | 15945 |
| 2011 | 999 | 1289 | 677 | 1001 | 1291 | 679 | |
| 2010 | 1196 | 1124 | 700 | 1210 | 1143 | 716 | 18079 |
| 2009 | 1242 | 640 | 554 | 1256 | 694 | 588 | |
| 2008 | 1641 | 1794 | 811 | 1645 | 1822 | 830 | 18294 |
| 2007 | 1531 | 1770 | 847 | 1538 | 1828 | 861 | |
| 2006 | 1961 | 1842 | 958 | 1965 | 1848 | 963 | 17770 |
| 2005 | 1628 | 1603 | 882 | 1630 | 1619 | 890 | |
| 2004 | 1702 | 1522 | 777 | 1793 | 1607 | 879 | 17214 |
| 2003 | 1403 | 1366 | 761 | 1408 | 1374 | 768 | |
| 2002 | 1654 | 1294 | 745 | 1654 | 1314 | 755 | 16892 |
| 2001 | 1283 | 1050 | 549 | 1394 | 1149 | 662 | |
| 2000 | 1537 | 1424 | 711 | 1537 | 1424 | 711 | 16995 |
| 1999 | 1470 | 1317 | 607 | 1586 | 1412 | 732 | |
| 1998 | 1547 | 1369 | 674 | 1563 | 1391 | 694 | 16106 |
| 1997 | 1132 | 1234 | 475 | 1469 | 1408 | 758 | |
| 1996 | 1580 | 1543 | 813 | 1585 | 1558 | 830 | 15670 |
| 1995 | 1362 | 1401 | 776 | 1362 | 1407 | 782 | |

Chart 2: Comparing Passage of Two House Bills During Gubernatorial Administrations 1920 through 2016²

| Governor | Average Two House Bills per Year |
|-----------------|----------------------------------|
| Miller | 908 |
| Smith 1923-1928 | 936.17 |
| FDR | 1047.25 |
| Lehman | 1214.1 |
| Dewey | 1189 |
| Harriman | 1289.25 |
| Rockefeller | 1356.2 |
| Wilson | 1348 |
| Carey | 1041.38 |
| Cuomo, M. | 941.75 |
| Pataki | 785.33 |
| Spitzer | 861 |
| Paterson | 711.33 |
| Cuomo, A. | 649 |

¹ All 2016 bill passage data as of July 29, 2016.

² Historic totals from 1920 through 1994 were obtained from the New York State Red Book.

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Messages of Necessity continue to be less frequent than in years past.

In the six years of Governor Cuomo's tenure, an average of 12.8 bills have passed both houses per year with a message of necessity, compared to his immediate predecessors the Spitzer/Paterson Administration (41) and the Pataki Administration (89.2).

Chart 3: Annual messages of necessity, 1995 through 2016

| Year | Bills Passing With Either House With Message of Necessity |
|------|---|
| 2016 | 13 |
| 2015 | 10 |
| 2014 | 17 |
| 2013 | 3 |
| 2012 | 5 |
| 2011 | 29 |
| 2010 | 57 |
| 2009 | 43 |
| 2008 | 41 |
| 2007 | 23 |
| 2006 | 39 |
| 2005 | 34 |
| 2004 | 84 |
| 2003 | 58 |
| 2002 | 102 |
| 2001 | 80 |
| 2000 | 83 |
| 1999 | 118 |
| 1998 | 100 |
| 1997 | 109 |
| 1996 | 144 |
| 1995 | 119 |

Little change in the number of bills approved by the Governor, but vetoes are increasing, having roughly doubled during his tenure.

As seen in **Chart 4** below, there has been little change in the number of bills approved by the Governor. However, there has been an increase in the number of bills vetoed by Governor Cuomo. Note the combined total of bills that have been approved or vetoed does not exactly match the total number of bills passing both houses. Due to the Governor’s line-item power, many appropriation bills fall into both categories. Also, many of the bills passed are in the flurry of June, 2016 activity and the vast majority of those bills have not yet been acted upon by the Governor.

Chart 4: Percentage of two-house bills approved or vetoed, 1995 through 2016

| Year | Chaptered | Vetoed |
|-------------------|-----------|--------|
| 2016 ³ | 286 | 4 |
| 2015 | 589 | 133 |
| 2014 | 552 | 109 |
| 2013 | 558 | 87 |
| 2012 | 505 | 61 |
| 2011 | 610 | 68 |
| 2010 | 567 | 150 |
| 2009 | 507 | 79 |
| 2008 | 652 | 177 |
| 2007 | 691 | 164 |
| 2006 | 750 | 219 |
| 2005 | 770 | 119 |
| 2004 | 750 | 132 |
| 2003 | 755 | 69 |
| 2002 | 698 | 55 |
| 2001 | 591 | 70 |
| 2000 | 609 | 101 |
| 1999 | 657 | 70 |
| 1998 | 656 | 46 |
| 1997 | 686 | 69 |
| 1996 | 721 | 94 |
| 1995 | 694 | 83 |

³ As of August 25, 2016.

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Legislative activity by month.

Legislative activity increases each month that lawmakers are in session, culminating with the overwhelming number of bills being approved in final scheduled session month of June. Note that March is the biggest month for campaign fundraisers, coinciding with the run up to the acknowledged deadline for budget passage by April 1st.

Chart 5: Monthly legislative and campaign fundraising activity, session 2016⁴

| Month | Senate passage of bills | Assembly passage of bills | Campaign fundraisers⁵ | Number of scheduled session days |
|--------------|--------------------------------|----------------------------------|---|---|
| January | 29 | 30 | 18 | 7 ⁶ |
| February | 60 | 37 | 36 | 7 ⁷ |
| March | 177 | 151 | 71 | 16 |
| April | 65 | 37 | 8 | 6 |
| May | 343 | 166 | 21 | 12 |
| June | 1130 | 635 | 16 | 9 |

Constitutional Amendments were approved.

After two years of not passing a constitutional amendment, two were approved this session.

Chart 6: Annual approvals of constitutional amendments, 2002 through 2016

| Year | Constitutional Amendments Passing Both Houses |
|-------------|--|
| 2016 | 2 |
| 2015 | 0 |
| 2014 | 0 |
| 2013 | 8 |
| 2012 | 6 |
| 2011 | 2 |
| 2010 | 1 |
| 2009 | 2 |
| 2008 | 1 |
| 2007 | 5 |
| 2006 | 3 |
| 2005 | 3 |
| 2004 | 1 |
| 2003 | 2 |
| 2002 | 2 |

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⁴ These month-to-month totals when aggregated for the session exceed the amount in Chart 1 because some bills are recalled and can be approved a second time.

⁵ List of 2016 fundraisers collected by NYPIRG. Fundraiser information was collected from cooperative lobbyists, thus may not include all fundraisers. Does not include fundraisers held within lawmakers’ districts, does include all known fundraisers held in Albany and by the governor, legislative leaders and political parties anywhere in the state.

⁶ January saw three additional legislative days for budget hearings, but were not listed as “session days.”

⁷ February saw five additional legislative days for budget hearings, but were not listed as “session days.”