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Friday, December 10, 2021

To: House Speaker-designee Todd Gilbert Senate President Pro Tempore Louise Lucas
Majority Leader-designee Terry Kilgore Majority Leader Dick Saslaw
Minority Leader-designee Eileen Filler-Corn Minority Leader Tommy Norment

From: Transparency Virginia
Re: Legislative transparency in 2022

Dear Honorable Members of the Virginia General Assembly:

When the all-volunteer watchdog group Transparency Virginia launched in 2015, it found a General Assembly that held meetings with little or no notice, left bills in committee without being heard or acted upon, and defeated hundreds of bills without any individual legislator being on the record.

The House implemented a comprehensive notification system for its committee and subcommittee dockets and meetings. It forbade the practice of holding meetings on the floor of the House chamber after adjournment, and it adopted a rule requiring votes by name on all motions.

Also since our first report, both the House and Senate enhanced several tools to assist citizens trying to engage with and monitor the legislative process: committee meetings are live-streamed and floor sessions are recorded and archived.

The anomalous 2021 all-virtual session was a boon to citizens who could comment from the safety of their homes, but not being in person negatively impacted the essential back-and-forth that is the foundation of effective public policy.

As we gratefully return to an in-person session, there is still work to be done. As noted by Transparency Virginia in its 2021 report, the General Assembly could build on the progress it's made by:

- **Tamping down on the ever-growing percentage of bills that are left in committee without consideration or a vote.** During the 2015 House session, 16% of bills defeated in committee were those left without action. That percentage has grown every year since to

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42% in 2021; the Senate has seen an 18-point increase during that time, from 6% to 24% of all defeated bills.

- **Adopting a unified meeting notification system.** The Senate should use a similar automatically updated and tailored notification system like the one the House has used. The House system has worked well, however, as of Fall 2021, the House system does not show past meeting dates on LIS as the Senate does. The systems should be closely aligned so that the public does not have to hunt multiple sites to find relevant information.
- **Making past Senate floor session and committee meetings searchable by keyword.** As with the meeting notification, the public suffers from dual systems. Philosophical disagreements about how and why one chamber's way is preferable to the other's are largely lost on the public;
- **Continuing to live-stream subcommittee meetings.** The real meat of the House work in particular is at the subcommittee level. The public should have electronic access to the action; and
- **Incorporating virtual public testimony into in-person meetings.** The so-called hybrid meeting as a public expectation will be a legacy of the Zoom pandemic. The House should use the Senate's in-person/Zoom sign-up system used in 2021.

Improvements can also be made to the way committee meetings are run by making sure legislators turn on their microphones, holding meetings in rooms large enough to accommodate the public, and being as consistent as possible when taking public comment on bills.

TVa encourages the leadership of both parties in both chambers, as well as the chairs of the committees and subcommittees, to hold steady on existing improvements, augment and improve where possible, and generally embrace the spirit of legislative transparency, recognizing that such measures benefit the citizens every legislator was elected to serve.

Respectfully submitted,

Transparency Virginia

Contact: Megan Rhyne, 540-353-8264

cc: Clerk of the House of Delegates, Suzette Denslow

cc: Clerk of the House of Delegates-designee, Paul Nardo

cc: Clerk of the Senate, Susan Schaar