

Bill to allow public comment meets resistance in Trenton

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STAR-LEDGER STAFF

You can talk to your school trustees, town council members and freeholders at public meetings -- so why not to lawmakers in Trenton?

Jon Bramnick (R-Union) wants to allow a chunk of time to any New Jerseyan with something to say -- right on the floor of the Senate and Assembly.

"The more open you make this system, the better the Legislature is going to perform," Bramnick said. "Under that gold dome you have a certain amount of insulation. Why can't the public say, 'What are you doing about property taxes?'"

Bramnick submitted the proposal in February, and the bill has sat in the Assembly State Government Committee ever since. He renewed his call for such legislation last week, when he asked Assembly leaders to call a special session for New Jerseyans to air their gripes about corruption and other issues.

Assembly Speaker Joseph J. Roberts Jr. (D-Camden), who presides over that house, said a comment period would be unnecessary.

"The public has always been able to speak with their legislators and express their feelings by calling and e-mailing them and visiting their offices, where many concerns are dealt with more sensitively and effectively than they would be in a public session," Roberts said. "Plus, why force people to come to Trenton when members are also regularly attending meetings and going door-to-door and are in their districts to hear the views of their constituents?"

Michelle Cadwell Blackston, a spokeswoman for the National Conference of State Legislatures, said the organization was not aware of any state house that allows public comment in chambers.

Alan Rosenthal, an Eagleton Institute of Politics professor who has studied state legislatures extensively, said such a rule would disrupt the lawmaking process.

"The committee is the workplace, where the bills are reviewed and amended. That's where the craftsmanship takes place," Rosenthal said. "From the committee it goes to caucus for review and then to the floor. Usually what's brought up on the floor is things that have been

already worked out. If constituents were testifying or speaking on the floor, the process would have to run backward. It isn't an idea that fits in with any legislative process in the states or the Congress that I know of."

But Bramnick said the committees' hearing process is flawed.

"The only time the public knows about a hearing is about three business days prior, and it's limited to the bill that's introduced," he said. "If someone speaks generally about property taxes, they're going to be off the bill."

Bramnick's bill, an update of the Open Public Meetings Act of 1975, would require a public-comment period at least four times a year in each house. It would be up to leaders to adopt "reasonable rules" on time, order and decorum. And they would have to ban comments on details of proposed public-worker contracts, public-safety issues, litigation and personnel issues.

Tina Renna, president of the Union County Watchdog Association, said more public input leads to better government.

In June, she was kicked out of a Union County freeholders meeting for using the public-comment period to inquire about possible nepotism on the county payroll. Another activist, Bruce Paterson, was told he could not ask similar questions.

The incident led to involvement by the American Civil Liberties Union, and two months later the freeholder board apologized and said it would uphold speakers' First Amendment rights.

"It's a great idea," she said of Bramnick's bill. "You feel so disconnected from the process. Lawmakers are here to represent us. They should listen to us."

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