

**BI-PARTISAN AGREEMENT AND RESOLUTION
ON THE LEADERSHIP, RULES AND RESOURCES OF THE STATE SENATE**

In order to create a functional, fair and equitable State Senate, in which all members, and both conferences, are able to fully represent their districts, their constituents and their interests, the below-signed Senators agree to the following:

To enter the chamber at noon on the next calendar day after 32 Senators have signed and agree to be bound by this agreement, under the following procedure:

1. Senators selected by different conferences will serve as Presiding Officer and Floor Leader.
2. Notwithstanding any other Rules of the Senate, the first order of business will be to take up the attached Resolution. Each of the signatories will vote against any attempt to take up any other order of business.
3. Each of the signatories will vote in favor of the attached Resolution and will not consider any other Resolution that considers issues of leadership, rules or resources of the Senate.

Draft Resolution On the Leadership, Rules and Resources of the State Senate

WHEREAS, the two conferences in the State Senate are split at 31-31, creating a stalemate that has prevented the Senate from acting on the people's business; and

WHEREAS, at least 32 Senators have signed an agreement to create a fair and equitable State Senate, in which all members, and both conferences, are able to fully represent their districts, their constituents and their interests; and

WHEREAS, in order to enable the Senate to continue the work of the 2009 legislative session, the Senate must adopt rules governing its proceedings; therefore

WE HEREBY ADOPT the following agreement to enable the immediate consideration of legislation critical to the State of New York and create a legislative body with shared leadership, reformed rules and resources divided in a fair and equitable manner:

Term of the Resolution

1. This Resolution will be binding and in effect until the earlier of December 31, 2010, or the election of a new member to the State Senate which gives either conference a majority.

Leadership

2. The position(s) of President Pro Tempore, Majority Leader and Minority Leader will be vacated and left vacant, until the Senate duly and properly chooses a President Pro Tempore in a manner consistent with the provisions of this agreement.
3. There will be two Conference Leaders, positions created with powers defined in this resolution:
Senator John Sampson selected by the Democratic Conference.
_____ selected by the Republican Conference.

Rules of the Senate

4. Regular Senate sessions will be called by mutual agreement of the Conference Leaders. Two Presiding Officers of the Senate shall be designated to serve during each Session day.
 - The Democratic Conference shall nominate three Senators from their conference and the Republican Conference shall nominate three Senators from their conference.
 - The Republican Conference shall choose one Senator from the list provided by the Democratic Conference. The Democratic Conference

- shall choose one Senator from the list provided by the Republican Conference.
- Such Presiding Officers shall alternate on an hourly basis.
5. The parties agree to alternate Floor Leaders during Senate Sessions, one each to be designated by the Democratic Conference and the Republican Conference, respectively. Whenever the Presiding Officer is a Democrat, the Floor Leader shall be a Republican, and whenever the Presiding Officer is a Republican, the Floor Leader shall be a Democrat.
 6. The Democratic Conference shall appoint four members and the Republican Conference shall appoint four members to a Bi-Partisan Committee to determine which bills and resolutions will be placed on the active list and to resolve all procedural conflicts. Bills shall only be placed on the active list by this bi-partisan committee with unanimous consent of its members. Additionally, each conference leader shall be entitled to place two bills on the active list for consideration each day without the consent of the bi-partisan committee.
 7. Notwithstanding the above paragraphs, bills will be given consideration on the floor seven legislative days following the presentation to the desk of a Petition for Consideration signed by a majority of members elected.
 8. A Rules Resolution, developed by a bi-partisan committee comprised of four members chosen by each Conference Leader, and co-sponsored by both of the Conference Leaders, will be presented to the Senate no later than January 8, 2010.
 - a. If there is a conflict between this agreement and any rules resolutions adopted during the period of this agreement, this agreement will control.
 - b. During the period of this agreement, the signatories agree not to consider any resolution that alters the provisions of this agreement unless mutually agreed by both Conference Leaders.
 9. No later than January 8, 2010 the Conference Leaders will jointly appoint standing committees, with proportional representation from each conference. The Conference Leaders will propose rules to operate Committees in a more democratic manner, with transparent budgets, increased oversight hearings, committee mark-ups and other reforms.

Resources (Staff, Legislative Grants, Offices, etc.) and the Secretary

10. Legislative grants will be allocated equitably between conferences and distributed equitably to the members by the Conference Leaders.
11. Each Senator will receive an annual base staff allocation of \$500,000.

July 8, 2009

12. Each Committee Chair and Leadership Position will receive an additional staff allocation, the amount for each position to be mutually agreed upon by the Conference Leaders and published on the Internet.
13. All of the powers and duties of the Secretary of the Senate will be given to a Non-Partisan Secretary, appointed by mutual agreement of the Conference Leaders, and terminable by either for cause.
14. The budget of the Non-Partisan Secretary will be mutually agreed upon by the Conference Leaders and the amount published on the Internet.
15. The Non-Partisan Secretary will administer the operations of the Senate without regard to party or conference affiliation. This will include:
 - a. The chamber
 - b. Member office space and office supplies
 - c. Member mailings
 - d. Payroll and reimbursements
 - e. Any other operations of the Senate mutually agreed upon by the Conference Leaders
16. The remaining budget and resources of the Senate will be divided by the Conference Leaders, with the amount(s) published on the Internet.