

1 BEFORE THE NEW YORK STATE SENATE
2 TEMPORARY COMMITTEE ON RULES AND
3 ADMINISTRATION REFORM

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4 Committee Meeting

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6 Room 124
7 The Capitol
8 Albany, NY

9 March 25, 2009
10 12:10 p.m.

11 PRESIDING:

12 Senator David J. Valesky
13 Cochair

14 Senator John J. Bonacic
15 Cochair

16 PRESENT:

17 Senator Jeffrey D. Klein

18 Senator George H. Winner, Jr.

19 Senator Jose M. Serrano

20 Senator Joseph A. Griffo

21 Senator Andrea Stewart-Cousins

22 Senator Daniel L. Squadron

23 Senator Kevin Parker

24

1 CHAIRMAN BONACIC: Good afternoon.
2 This is our third meeting of the Temporary
3 Committee on Rules and Administration. And
4 without saying too much, I'd like to use the
5 time to get into the open issues.

6 David, is there anything you want to
7 share with the committee?

8 CHAIRMAN VALESKY: No, I think let's
9 move right into -- pick up where we left off
10 yesterday.

11 CHAIRMAN BONACIC: There was one
12 thing that I wanted to make sure was clear,
13 and that is if a member prepares a bill,
14 there's a "99" process in which that
15 member's bill will be voted up or down in
16 committee. And if that bill passes the
17 committee, then it gets -- sometime during
18 the year, it gets voted on on the floor.

19 And if we can agree to that principle,
20 then we don't have -- we're not involved
21 with motions to discharge. We're done with
22 it. So -- yes, George?

23 SENATOR WINNER: Motions to discharge
24 from committee.

1 CHAIRMAN BONACIC: Well, yeah, in
2 committee. Yeah, in committee.

3 SENATOR KLEIN: Meaning they won't be
4 done on the floor.

5 CHAIRMAN BONACIC: No, no, let's --
6 if a member files a 99 to a particular
7 committee for their bill, we're saying that
8 committee must vote up or down on that
9 member's bill. Okay? Amended, you know,
10 whatever.

11 If it passes the committee, we want to
12 ensure that it gets to the active list that
13 year and voted on the floor. If we can
14 ensure that process for a member's bill to
15 be heard, then there's no need for a motion
16 to discharge or a petition process.

17 Because you were -- I got the flavor
18 that you were not high on the petition
19 process. I liked it; I thought it was more
20 democracy. But lookit, we can always
21 revisit that down the road if we see what
22 we're doing and how it works out.

23 But does anyone have a problem with
24 that concept?

1 SENATOR WINNER: No, I just wanted to
2 clarify that you're not suggesting that we
3 eliminate -- we still have the motion to
4 discharge procedure in the rules, but you
5 wouldn't have to use it if your bill is
6 considered.

7 CHAIRMAN VALESKY: There would be no
8 need for it.

9 SENATOR BONACIC: That's what I'm
10 saying.

11 SENATOR WINNER: But I mean there's
12 still a motion to discharge procedure in the
13 rules in the event that the committee
14 doesn't takes the bill up.

15 CHAIRMAN BONACIC: Well, then we'd be
16 violating our own rules. So in other
17 words --

18 SENATOR WINNER: It's chicken soup.
19 It doesn't hurt.

20 CHAIRMAN BONACIC: Okay. I guess I
21 don't have a problem with it, but I was just
22 saying --

23 SENATOR WINNER: Obviously a motion
24 to discharge will not be in order if the

1 bill is being considered by the committee.

2 CHAIRMAN BONACIC: That's the better
3 way to say it, Senator Winner. Thank you.
4 Better way to say it.

5 The committee votes on the bill, then
6 you can't use the motion to discharge. That
7 tool has been taken away from you.

8 And if it's voted down in committee,
9 that's the end of it. That's the end of it.
10 It's pretty simple. It's pretty simple.

11 CHAIRMAN VALESKY: Any thoughts? I
12 mean, which is where we left off yesterday.

13 CHAIRMAN BONACIC: Right. No, I just
14 wanted to make sure. But I added another
15 element just -- and the other element was it
16 gets voted on the floor, it gets to the
17 active list. The majority leader doesn't
18 hold it. The Rules Committee doesn't hold
19 it, the killing fields. That member's bill
20 gets voted on on an active calendar. Okay?

21 Now, when you do a calendar, let's say
22 I'm No. 100, because that's where I had it
23 printed; there were people ahead of me. And
24 as we get into June, you have time-sensitive

1 bills that have more of an urgency. But
2 their number may be 200. I think there the
3 majority leader has the discretion of
4 putting bills forward that are of urgency,
5 that are more time-sensitive. But Bill No.
6 100 gets voted on at some time, whether it's
7 on the back end or -- that's our thinking.

8 And what I did in this little punch
9 list was -- and we apologize to Mr. Stengel,
10 but, you know, I only got one staffer. And
11 that punch list that you have there was a
12 cap on how many bills a senator could put
13 in, not counting home rule bills. There's
14 nothing magical about 50. I had seen a
15 good-government bill talked about before.
16 I'll leave it to everybody's discretion what
17 that number should be.

18 But if we leave it unlimited, I could
19 just see somebody trying to sabotage the
20 legislative process by putting in a thousand
21 bills.

22 SENATOR SQUADRON: I think that part
23 of the reason why you don't have -- and
24 again, if you look at all the other states,

1 including the states that are not nearly as
2 dysfunctional as ours, a lot of them have
3 some sort of a gate. Now, it's not a single
4 gate, but, you know, some sort of gate on
5 bills going to committee, bills actually
6 going to the floor.

7 And part of the reason for that is for
8 the reason you talked about, every single
9 bill has to get considered. Then you can
10 print a thousand bills, and you really gum
11 it up.

12 You know, I'm not sure whether I'll
13 have 50 good ideas this session, but I have
14 a colleague on the Assembly side who, you
15 know, believes in passing almost every bill
16 he puts in, and I think he's put in 129 so
17 far this year. And he's dead serious about
18 that. I mean, he works -- his focus is on
19 making legislation; you know, bills into
20 law. And different members I think have
21 different focus -- you know, focus on one
22 sort of big bill, several small bills.

23 So I worry about capping the number of
24 bills we can put in. I do think that the

1 obligation to the bills that we consider,
2 really think through them, is one we need to
3 have. But I worry about saying, you know,
4 you can't do more bills than this equally.

5 CHAIRMAN BONACIC: I'll leave it, you
6 know, if a member gets tagged in putting in
7 a lot of frivolous bills, you know they're
8 going to be -- they're not going to pass
9 committees. They're going to be dismissed.

10 SENATOR KLEIN: And what you just
11 said is the reason why I don't think we need
12 a cap on the number of bills.

13 CHAIRMAN BONACIC: Well, I just
14 suggested it, but it's not critical. I'll
15 just throw it out there if you think it
16 serves a purpose. Okay?

17 Okay, where else are we -- go ahead,
18 David. You want to go through something
19 else?

20 CHAIRMAN VALESKY: I think we have
21 to -- I mean, we didn't talk -- the issue of
22 calendaring the bills.

23 CHAIRMAN BONACIC: Okay, let's talk
24 about that.

1 CHAIRMAN VALESKY: I think we -- you
2 know, we may have to revisit the issue of a
3 petition process or something. I mean, what
4 we were talking about was mandatory
5 consideration in committee of bills.

6 CHAIRMAN BONACIC: Okay. Let me ask
7 you this. If the members don't want to
8 ensure that if a bill passes committee and
9 doesn't get to the active list, it gets
10 voted on -- if that's a problem, you know,
11 maybe somebody could explain why that's a
12 problem.

13 CHAIRMAN VALESKY: I'd just like to
14 see what other states do in regard to
15 calendaring procedures of bills. I don't
16 know off the top of my head what other
17 legislatures do in terms of flow of
18 legislation on the calendar itself. I think
19 that would be helpful.

20 CHAIRMAN BONACIC: Well, okay. If
21 it's our goal to empower members, I think
22 that bills should be able to be voted on.
23 If for some reason you don't want to do that
24 on the floor of the Senate, then our

1 fallback position is there should be a
2 petition process to guarantee that it goes
3 to the floor. And in that case, we would
4 argue 51 percent, not 60, because it takes
5 51 percent now for a motion to discharge.

6 I think it's cleaner, just to make sure
7 members get a vote on the floor. But again,
8 you know, if it passes committee and the
9 majority leader says it's never going to
10 come to the floor, I mean, you know --

11 SENATOR WINNER: It's sort of a
12 hollow promise if in fact you got led down
13 the road here, you got your bill out of
14 committee, and then it's never going to see
15 the light of day. Once again, you've got an
16 autocratic roadblock in the form of a
17 majority leader just basically saying,
18 arbitrarily and capriciously, that the bill
19 is not -- notwithstanding the fact that the
20 committee approved it, the bill is never
21 going to see the light of day.

22 SENATOR KLEIN: But unlike the
23 Assembly's 99, where they have, you know,
24 the hold or kill calendar, this is going to

1 force individual members who are on that
2 committee to cast a vote on that specific
3 legislation, be it a Republican or a
4 Democratic bill. It's not, you know --

5 CHAIRMAN VALESKY: It's significant.

6 SENATOR KLEIN: It's a significant
7 step.

8 SENATOR WINNER: Well, I'm not saying
9 it isn't significant. But it's a step --

10 SENATOR KLEIN: What happens next.

11 And I think that's what we have to
12 determine, what happens next. I mean, what
13 other states do as far as, you know, now,
14 you know, you had your day, you had members
15 of that committee vote on the bill, the bill
16 passed, you know, even though not everyone
17 was for the bill.

18 Now, what's your next step? How does
19 it ensure its place on the A calendar to
20 ensure that everyone gets to vote on it?

21 SENATOR SQUADRON: With the chair's
22 indulgence, although obviously -- I would be
23 interested in hearing from any of the staff.
24 If you do know offhand what they do in other

1 states or in Congress, I think it might --

2 CHAIRMAN BONACIC: Before we give the
3 floor over, if -- the committee process is
4 where the pros are, where there's the
5 counsel and the special help. The merits of
6 that bill, I think if it gets past that
7 committee, it deserves a vote on the floor.
8 Because that's where most of the brains and
9 the debate and the hearings and the speakers
10 may be called in.

11 So to deprive it of an active vote on
12 the calendar, it frustrates the member. It
13 lessens the member's empowerment. And
14 believe me, it cuts both ways. It will
15 probably cut more for the majority, hurting
16 the majority, than it will anybody.

17 But it's the most pure process.
18 There's no deviant plan here. Either you're
19 going to allow democracy to work -- and I
20 suggest to you, I think a lot of bills will
21 not pass committee. Because whether it's
22 technical changes -- you're going to have
23 debates like you never had before. It's
24 going to be the think-tank process, the

1 filter process. Just a suggestion.

2 SENATOR SQUADRON: I mean, I think it
3 makes a valid point, but I'd be interested,
4 if that's okay with the chairs.

5 CHAIRMAN BONACIC: It's fine, go
6 ahead.

7 MR. STENGEL: Most other states have
8 a mix, including the U.S. House, of the
9 discretion being the majority leader's.
10 Some few states have automatic calendaring,
11 like Vermont's.

12 But for example, the U.S. House, the
13 speaker retains, as far as I understand, the
14 right to, as we call it, put a bill on the
15 active list.

16 If it pleases the committee, I can do
17 more research and give you that specific --

18 SENATOR KLEIN: Yeah, I'd like to
19 see, besides definitively what the House of
20 Representatives does, what other states have
21 done. Especially considering -- also take
22 into account that we're now substantially
23 changing our committee process.

24 SENATOR SQUADRON: I would say,

1 though, that I share Senator Bonacic's view
2 that there needs to be a process for this.
3 This needs to be possible. I think the
4 question is, you know, what -- rather than
5 reinvent the wheel, let's see how it's done
6 and let's see what the best process is.

7 CHAIRMAN BONACIC: We can do that.
8 But I come back to the core question: Do
9 you want to empower the members, or do you
10 want to keep the majority leader controlling
11 everything? It goes back to our core
12 question.

13 CHAIRMAN VALESKY: Well, I think no
14 matter what happens on this particular
15 question, we have significantly empowered
16 the members in everything we've already
17 reached consensus on. Dramatically
18 empowered the members on things we've
19 reached consensus on.

20 CHAIRMAN BONACIC: If we believe that
21 process affects policy, you're cutting off
22 process to affect the policy by not letting
23 bills get voted on on the floor.

24 SENATOR SQUADRON: You know, I think

1 that -- as I say, I think that that's a
2 process we need to -- in my view, it's a
3 very, very important process to put in
4 place. I agree; I've said it long before I
5 was employed.

6 But what's the process by which we put
7 it in? It's got to be real. It can't be a
8 sham. But I think we need to figure out how
9 other states do it -- quickly, you know, if
10 possible -- and how the House does it, so
11 that we can do it in a way it's functional.

12 CHAIRMAN BONACIC: I will say to you
13 that this is the first real stumbling block
14 on reform if this doesn't get done. If a
15 member can't get a bill to the floor after
16 it passes committee, then we're getting into
17 the pretense of reform and not real reform.
18 This issue.

19 And if we go -- it's not a do-or-die,
20 because I never want to stop the progress of
21 everything we've accomplished. But -- I'll
22 wait until Mr. Stengel is finished talking
23 to you. Okay.

24 If for some reason you want to hold

1 this sacred, then there should be a petition
2 process of, I would say, 51 percent to allow
3 a bill to get to the floor. So there's got
4 to be a method of actually having bills
5 voted on. I put a lot of confidence in that
6 committee.

7 SENATOR GRIFFO: Is there any
8 objection from any member here to that
9 concept of letting votes on bills on the
10 floor? I haven't heard anybody object to
11 that.

12 CHAIRMAN VALESKY: I would just like
13 to see how other legislatures handle the
14 traffic cop.

15 SENATOR GRIFFO: But you're not
16 objecting to the concept.

17 SENATOR KLEIN: I want to see -- you
18 know, we threw out Vermont. Does Vermont
19 have the 99 process where someone has to
20 actually vote -- not the Assembly 99
21 process, but this new and improved one where
22 they actually have to vote on specific
23 legislation? I don't know that.

24 You know, how many bills do they take

1 up? Maybe it's just easier to have a direct
2 route to the A calendar and take a full
3 vote. I think we really need to look at
4 this.

5 SENATOR SQUADRON: And I do think
6 that -- it's a concept I agree with
7 strongly, but I also think we should look at
8 it and do it the right way. I mean, this is
9 the essential function of how the floor is
10 going to work. And my view is we should do
11 it, but let's do it the right way.

12 CHAIRMAN BONACIC: Okay. We had
13 suggested -- we heard in the public hearings
14 that if a bill is proposed, it results in a
15 new mandate or a new tax, that that should
16 be stamped on the bill.

17 And you know how we go to active list,
18 first, second and third reading? Maybe we
19 should have a tax mandate calendar. It's
20 just a way of alerting all the members --

21 CHAIRMAN VALESKY: Some kind of a
22 notification.

23 CHAIRMAN BONACIC: Yeah, that maybe
24 you should look at this a little more

1 be wrong on this; I'll have to ask Mike
2 Fallon, who's our floor counsel.

3 Any tax measure that we take up is
4 subject to a 3/5 quorum anyway, right, isn't
5 it?

6 MR. FALLON: Yes.

7 CHAIRMAN VALESKY: So there's an
8 additional requirement in terms of -- I just
9 suggest that that is in part a function of
10 what you're suggesting.

11 CHAIRMAN BONACIC: Well, that's
12 budget. And I'm not talking --

13 CHAIRMAN VALESKY: Well, no, any tax.
14 Any local tax bill. Right, Senator Winner?
15 Any measure that --

16 SENATOR WINNER: Yes.

17 CHAIRMAN VALESKY: Right? For
18 example, your county wants to raise their
19 county sales tax. Home rule, but that's
20 also subject to the 3/5 quorum; correct?

21 SENATOR WINNER: I'm just hearing
22 that from you.

23 CHAIRMAN VALESKY: No, no, no, I'm
24 asking. I'm asking. I honestly don't know

1 the answer to that.

2 MR. FALLON: I think the 3/5 quorum
3 requirement applies to appropriations bills,
4 budget bills. But --

5 CHAIRMAN VALESKY: All right. My
6 mistake.

7 MR. FALLON: But many of the bills
8 that you're talking about do come with a
9 home rule request, so that's a request by
10 the county --

11 SENATOR WINNER: Michael, what was
12 that you were just saying?

13 MR. FALLON: I was just saying,
14 Senator, I was just clarifying Senator
15 Valesky's understanding of the 3/5 quorum
16 requirement applies to appropriation bills
17 and what we would commonly understand as
18 budget-related bills; it doesn't apply to
19 non-budget matters.

20 SENATOR WINNER: I thought it was any
21 bill that imposes or implies a tax requires
22 a 3/5 quorum.

23 MR. FALLON: Yes. Again, most of the
24 bills that we do, often at the request of

1 localities, to extend local taxes I don't
2 believe fit into that category, because we
3 are not taking that action. It's a local
4 action.

5 SENATOR WINNER: Okay. Okay. So
6 we're still on the same page.

7 MR. FALLON: Yes. Yes, I think so.

8 CHAIRMAN BONACIC: Ours was a
9 suggestion. It's a good practice what
10 you're doing, Senator Klein.

11 SENATOR KLEIN: Is that what you're
12 proposing?

13 SENATOR WINNER: Yeah. If I may make
14 a suggestion that the rule be sort of a
15 little bit expanded here, your internal rule
16 not only be codified for the membership
17 but -- you know, for the rules, but that it
18 be a little bit expanded to just say, in
19 addition to having a comprehensive fiscal
20 note, that if in fact it is imposed as a tax
21 or a mandate, that it so states.

22 CHAIRMAN VALESKY: Yeah, I think we
23 just need to make sure we're enforcing the
24 rule to a greater degree. Section 7 --

1 MR. FALLON: Section 7 of Rule --

2 SENATOR SQUADRON: Perhaps we should
3 have a rules enforcement committee.

4 CHAIRMAN VALESKY: Yes.

5 SENATOR SQUADRON: I am not
6 volunteering to sit on this.

7 (Laughter.)

8 MR. FALLON: We are requiring bills
9 before they are considered by the Finance
10 Committee to have a fiscal note to be
11 received --

12 CHAIRMAN VALESKY: Let me just read.
13 "Such an estimate must be secured by the
14 sponsor from the Division of the Budget or
15 the department or agency of state government
16 charged with the fiscal duties, functions or
17 powers provided in such bill in the name of
18 such department or agency must be stated in
19 such note."

20 So it may be an enforcement issue or
21 lack thereof.

22 SENATOR GRIFFO: To go further on
23 with what Senator Bonacic was saying,
24 though, on the mandate component, there may

1 be cases where the mandate doesn't carry a
2 fiscal implication but there may be an
3 administrative mandate. And he's just
4 saying we should acknowledge the fact that
5 you're imposing something on an organization
6 or a community or . . .

7 CHAIRMAN VALESKY: Makes sense.

8 CHAIRMAN BONACIC: This isn't
9 earth-shattering, it's just a notification
10 on a bill.

11 Okay, can I get to the issue of equal
12 access to equal services? We had talked
13 about not having two workforces doing the
14 same thing and to unite them.

15 Senator Parker, good afternoon. Nice
16 to see you.

17 It would be a suggestion that there'd
18 only be one. And I say civil service
19 principles, but not a civil service job.
20 We've identified those services. And if I
21 may just talk out loud to you. And the
22 secretary of the Senate would have the
23 responsibility of hiring these people, so
24 nothing changes there.

1 Printing, supplies, the common rooms of
2 the Capitol. If you wanted to use the Well
3 or the gallery, you can't now. You have to
4 get permission from the majority leader.
5 Common areas should be accessible to all
6 senators. But if they're in use, you don't
7 get it. So, I mean, I'm just elaborating
8 things that are elementary.

9 Media services. Satellite offices.
10 Equal services provided by media and
11 administrative staff. Maintenance. All of
12 this goes to administration, not policy.
13 None of this is policy. So we're saying
14 let's just have one workforce that takes
15 care of us both.

16 SENATOR KLEIN: Senator, can you
17 explain that? You start off with a civil
18 service --

19 CHAIRMAN BONACIC: No, no, I
20 suggested -- in other words, if you hire a
21 media person, maybe they should have a
22 background in media. Or a photographer
23 should have photography experience. That's
24 all I meant. But -- not a civil service

1 test, but the idea of --

2 SENATOR GRIFFO: Minimum
3 qualifications.

4 CHAIRMAN BONACIC: Yeah,
5 independence, you know, qualified in the
6 area that you're picking. A printer knows
7 how to print. That's the concept. Okay?

8 SENATOR KLEIN: I thought you were
9 advocating a Tier Five, actually.

10 (Laughter.)

11 CHAIRMAN BONACIC: No, no, we're not
12 going there. I can get in enough trouble by
13 myself, Senator.

14 (Laughter.)

15 CHAIRMAN BONACIC: So does anyone
16 have a problem with that concept?

17 CHAIRMAN VALESKY: Administrative
18 functions of the house.

19 SENATOR SQUADRON: These seem to be
20 in the category of righting past egregious
21 wrongs. Right? I mean, it seems to me.
22 This strikes me as people who are hired for
23 jobs shouldn't be hired for jobs because of
24 their last names but because they're

1 qualified for those jobs. I know it's not
2 only that, but clearly that's the case,
3 right?

4 CHAIRMAN BONACIC: The secretary of
5 the Senate will be hiring these people.

6 SENATOR GRIFFO: And beyond that,
7 though, I think John is stating you would
8 have -- this would be almost a -- this would
9 be a nonpartisan type of appointment in
10 these areas, and every member would have
11 equal access and things of that nature.

12 SENATOR KLEIN: I think that makes
13 sense.

14 SENATOR PARKER: Let me suggest that
15 we actually already have moved -- most of us
16 agree that we're already moving in that
17 direction. So if you look at media
18 services, for instance, it has become
19 essentially a shop open to every legislator.
20 There are no longer Democratic and
21 Republican photographers, for instance.
22 Right? So we're already taking steps
23 towards that.

24 SENATOR GRIFFO: I think the

1 illustration that Senator Stewart-Cousins
2 made yesterday was a good illustration.

3 SENATOR STEWART-COUSINS: It's that
4 petty --

5 SENATOR GRIFFO: That is what should
6 never have existed and must stop.

7 CHAIRMAN BONACIC: You know, let me
8 just continue. Payroll and personnel
9 office, accounting, technology. Again, we
10 should have one. Again, nonpartisan, hired
11 by the secretary of the Senate. Again,
12 anything that's administrative, that is
13 recordkeeping, not policymaking.

14 So I just -- these were the other
15 categories. Okay? So we agree in concept.
16 If there's any category gets you concerned,
17 come back to it.

18 SENATOR KLEIN: This is something I
19 think we need to look into, because I don't
20 want to get into the minutiae of what's
21 happened internally. But it's my
22 understanding that most of the previous
23 staff that was on with the majority is still
24 on. And it's going to continue to be on in

1 a lot of those personnel jobs.

2 So, you know, again, I think that
3 whatever they're doing is a transition. I
4 think some of these -- I think some of these
5 people are going to stay on because of the
6 institutional knowledge and their ability.
7 So, you know, I think this is something that
8 we should kind of wait to see what happens
9 as far as our transition is taking place.

10 CHAIRMAN BONACIC: Well, I don't want
11 to get bogged down with who's going to get
12 let go or -- these are as we move forward,
13 whoever the employees are. That they're
14 independent, bipartisan, and they take care
15 of all of us.

16 SENATOR KLEIN: I just was given some
17 information. Supposedly, according to our
18 research, 70 percent of the people that were
19 there are being retained. Again, because of
20 expertise --

21 SENATOR SQUADRON: I think that's
22 fair. And I think there's a question we
23 might want to get to, which is which of
24 these things are in the rules, right, and

1 which of these things are important, you
2 know, values for us to state as a committee,
3 now and in the future. So I would just -- I
4 think that's a broader question, perhaps for
5 the end of this meeting, if we have time.

6 I would also say the fact that some
7 people are going to be let go might be a
8 symbol that a mere -- what happened might
9 also be, again, righting a wrong. You know,
10 certain people's relatives who were on the
11 staff under the prior majority shouldn't be
12 anymore, for example.

13 SENATOR KLEIN: Or it's a reduction
14 in staffing.

15 SENATOR SQUADRON: Right. And either
16 one of those scenarios in the short term
17 over the course of this year isn't a sign of
18 a political purge, it's a sign of a move
19 towards exactly what you're talking about.

20 SENATOR GRIFFO: But the concept is
21 an important part of the structured
22 administration of the Senate and should be a
23 part of rules. It should be, as we look at
24 reforming the body and the institution, that

1 this is incorporated, what structure would
2 look like and how that structure would be
3 administrated. And I think that is
4 important for the future.

5 CHAIRMAN BONACIC: Okay? We agree on
6 the concept?

7 SENATOR KLEIN: Yeah, we do.

8 (General agreement.)

9 CHAIRMAN BONACIC: Okay, I don't have
10 many other areas. And I'll just talk a
11 little bit about -- do you want to go on --
12 anything here that you want to finish on?

13 CHAIRMAN VALESKY: I think we've
14 covered -- we've covered it all, I think.

15 CHAIRMAN BONACIC: I don't think
16 we've covered -- do you want to get into
17 majority leader term --

18 CHAIRMAN VALESKY: Oh, term limits.

19 CHAIRMAN BONACIC: -- term limits
20 for --

21 CHAIRMAN VALESKY: -- which Senator
22 Griffo has sponsored in relation to
23 chairmanships.

24 CHAIRMAN BONACIC: We're talking

1 about chairmanships.

2 SENATOR SQUADRON: In fairness, for
3 the majority and the minority, as Senator
4 Griffo has talked about.

5 SENATOR GRIFFO: That's right.
6 That's right.

7 I would vote that we would consider
8 that as a part of what we had already talked
9 about and that there was general agreement
10 on conceptually relative to chairs of
11 committees, which follows the congressional
12 model. The number of years I'd leave to the
13 discretion here; it could be eight years,
14 six years.

15 But I do believe that all of the
16 offices, the leadership offices, should be
17 subjected to those terms because that truly
18 would change culture and empower members, in
19 my opinion, because there would be a term of
20 office. I would hope that we would at least
21 consider that.

22 SENATOR PARKER: I think we should
23 consider it. But just for the record,
24 because I think that everything should be

1 considered and talked about. I'm somebody
2 who's on the record against term limits on
3 every level. Despite the fact that I have a
4 bill that actually people talk about as term
5 limits, but it's actually not a term limits
6 bill. It's actually a referendum bill.

7 But I'm actually, you know, against
8 term limits, just period. I think that we
9 have natural term limits. You know, we have
10 every opportunity to elect a majority
11 leader, just like, you know, we all come up
12 for reelection every two years. And you
13 have no need for term limits. If they don't
14 want Senator Parker in my district anymore,
15 every two years, you know, people have an
16 opportunity to make their choices known.

17 And so I think that we do something to
18 the democratic system by eliminating that
19 choice, maybe actually throw the baby out
20 with the bathwater.

21 SENATOR GRIFFO: But I don't think
22 we're eliminating it from the standpoint of
23 the electorate allowing the opportunity --
24 that's a grander issue, as you indicated,

1 Kevin.

2 But we're talking about the institution
3 itself. And I think that what you're
4 saying, there are a number of pressures that
5 are put on members that are outside of what
6 the electorate may have intended in electing
7 them. This is just the nature of the place.

8 And I think that if there was a limit
9 on leadership, I don't think it's really
10 contrary to your philosophy, it's just
11 saying that internally, as part of the rules
12 of this body, the leader will serve a term
13 of office.

14 SENATOR PARKER: Right. But we
15 already have that limit, is what I'm saying.
16 I'm saying that leaders don't -- you know,
17 for instance, Joe Bruno, who served 15 years
18 as leader, he was reelected every two years.
19 So there was seven times that he had
20 opportunity -- and, frankly, there are
21 opportunities in most of our rules to bring
22 the leader up for review even outside the
23 context of those opportunities.

24 So I'm saying that at any point that

1 the former majority wanted to have another
2 leader, they had an opportunity to do that.
3 And I think that we do a disservice to our
4 body by throwing the baby out with the
5 bathwater.

6 CHAIRMAN BONACIC: Let me just jump
7 in here. We'll leave to that to your
8 discretion on majority leader. Are your
9 remarks appropriate to chairmen of
10 committees? Is that -- because we're saying
11 there should be a term limit on chairmen of
12 committees, assuming they keep getting
13 reelected and the majority leader keeps
14 reappointing them.

15 SENATOR SQUADRON: Committee chairmen
16 aren't elected to their seats, to their
17 chairs.

18 CHAIRMAN BONACIC: No, I mean if they
19 get voted out of office, they lose their
20 chairmanship. That's all I meant.

21 SENATOR SQUADRON: And I can see both
22 sides of this one. And I have a term limit
23 problem when you have an engaged electorate.
24 I think the members of the Senate are a

1 pretty engaged electorate. You know, you
2 say there's some competition on the one
3 hand, but then you don't see practical
4 competition. But there's a difference
5 between the committee chairs and the --

6 CHAIRMAN BONACIC: Again, we're
7 suggesting that it might be good to turn
8 chairs every six or eight years. But --

9 SENATOR SQUADRON: Those are
10 appointed positions.

11 CHAIRMAN BONACIC: Right. And it
12 gives opportunity to other members.

13 SENATOR STEWART-COUSINS: Right. I
14 know that when we had a discussion, I guess
15 it was last week or whatever, I said,
16 similarly, I think that because they're
17 appointed, there could be a term limit on
18 that.

19 Again, I sort of concur in terms of the
20 majority leader. I think because we as an
21 electorate have an opportunity to vote for a
22 majority leader, then we should be able to
23 make that decision and not feel somehow --
24 especially, again, in the context of reform,

1 in the context of more membership
2 empowerment, in the context of everything
3 that we're doing here, we should, I would
4 think, feel very clear about our ability to
5 decide that some leader is -- should be a
6 good leader or should step down.

7 But in terms of the chairs, because
8 they are appointed by the leader, I have no
9 problem, again, six, eight years or whatever
10 it is.

11 SENATOR PARKER: I still have a
12 problem. Because, again, I think we
13 shouldn't throw the baby out with the
14 bathwater.

15 Let me just say this. You know, my
16 background in this field is I'm a public
17 policy analyst. That's what I've done
18 through my whole life; I have a master's
19 degree in public policy, I'm a Ph.D.
20 candidate in public policy.

21 People spend their entire lives on
22 policy issues and barely understand --
23 that's how people become experts in the
24 state. If you look at many of the people

1 who are sitting on committees as chairs or
2 even as rankers, they've developed
3 expertises over years. You take, for
4 instance, Dick Gottfried in the Assembly
5 who, you know, has developed an expertise in
6 healthcare where he is known, you know, far
7 and wide, almost, frankly, nationally.

8 But, you know, something like
9 healthcare policy you can't frankly master
10 in, you know, six years. You know, it just
11 doesn't happen. I think that we do a
12 disservice and have an opportunity to harm
13 our public policymaking process by not
14 giving members enough time to become real
15 experts on their committees and on the
16 committee issues, more importantly.

17 Particularly because you sometimes have
18 people who have come in and they develop
19 their expertise while they're here. I mean,
20 so sometimes you have people who -- you
21 know, somebody's a doctor and winds up on
22 the Health Committee and then they're
23 chairing, but they came with the expertise
24 and so they're sometimes able to jump right

1 in.

2 You know, I'm the chair of the Energy
3 Committee. I was a ranker before that for
4 six years. But I didn't have the expertise
5 in energy and telecommunications prior to me
6 coming to the Senate. I mean, some of this
7 took long, hard work. And literally by the
8 day, I'm learning.

9 Somebody having to be thrown into the
10 conversations that are now happening
11 vis-a-vis alternative energy and some of the
12 things that are happening now without having
13 an expertise, and having to be thrown in as
14 a chair, I think is not necessarily the
15 greatest thing for the public policy
16 outcomes and the legislative outcomes that
17 we're looking to have.

18 (Senator Golden enters the room.)

19 SENATOR PARKER: So again, I think
20 that, you know, you always have
21 opportunities to change these things and
22 building in something that throws the baby
23 out with the bathwater frankly I don't think
24 is necessary.

1 any of the staff in the room.

2 The other thing that you wind up
3 happening when you have term limits, and
4 this is both whether you have term limits in
5 the larger body or you have term limits in
6 the context of a committee, is you actually
7 make the staff more important than the
8 decision-makers. And again, that's no
9 disrespect to staff, because half the staff
10 are smarter than us.

11 But, you know, you don't even get a
12 chance to have any parity in terms of
13 expertise when you have different people
14 making those choices. And without, you
15 know, creating a permanent governmental
16 staff, you know, that -- I think, again, the
17 danger in that is that staffers aren't
18 elected.

19 And we are elected, and ultimately we
20 need to be the ones who are making the
21 decisions. And I certainly want somebody
22 who is the best-qualified and has the most
23 information and the most knowledge on the
24 issue making those decisions.

1 CHAIRMAN BONACIC: Okay, I think
2 we've exhausted this subject, if we may.

3 Senator Golden, welcome. I just want
4 to say that it's the policy of our committee
5 that only the members would speak. We've
6 got a time constraint. So you're welcome to
7 stay. I only say that because of the next
8 subject that I'm going to bring up. Okay?

9 SENATOR GOLDEN: I only came because
10 of this new day has dawned and I want to see
11 how this new day is dawning and I want to
12 see this partisanship ended and to see some
13 real positive government come out of this.
14 That's the only reason I'm here, sir.

15 CHAIRMAN BONACIC: And thank you for
16 being here, by the way.

17 SENATOR GOLDEN: Thank you, both
18 chairmen.

19 CHAIRMAN BONACIC: I know this is a
20 sensitive subject, and I just want to throw
21 it out there. Indicted members. And it's
22 happened to other members on both sides of
23 the aisle in both houses.

24 I thought Malcolm Smith handled the

1 recent indictment of Senator Monserrate
2 properly. And I think we should have
3 something formal down the road that if a
4 senator gets indicted for a felony, he will
5 step aside as far as his chairmanship and
6 his staff will then report to the majority
7 leader, the minority leader, until there's a
8 disposition of the case.

9 That senator who is indicted has a
10 constitutional right to vote on the floor,
11 and he should. And I understand he's
12 innocent until proven guilty. But I think
13 we have to hold elected officials to a
14 higher standard.

15 And I throw that out to you. And I'm
16 not asking for you to rule on it. And as
17 I've said to you, I thought it was handled
18 appropriately in your house. And I don't
19 want to focus on this senator, because there
20 have been many elected officials.

21 So enough said on this subject. If you
22 want to formalize a rule, we think it's
23 appropriate down the road. Okay?

24 CHAIRMAN VALESKY: Mm-hmm.

1 CHAIRMAN BONACIC: I saved the
2 toughest subject for last, because I knew
3 Senator Parker was going to be here and I
4 wanted him to weigh in on this.

5 (Laughter.)

6 CHAIRMAN BONACIC: And I'd like to go
7 back to staffing allocations of committee.
8 Senator Klein had suggested that when we
9 empower staffs, we have a staff allocation
10 equally for the chairs and the rankers but
11 the clerk would be hired by the chairman.
12 So that's extra money.

13 We had suggested -- and this is
14 critical, because to talk generically and
15 not have numbers is just leaving it out
16 there. It was our thinking that there would
17 be a base of \$150,000 per committee -- per
18 chairman, per ranker. And that would hire
19 an attorney, a director that's a specialist
20 in that area, and the clerk is hired by the
21 chairman. So that ranker in all reality
22 would get two people, the chairperson would
23 get three.

24 Now, in my analysis of this -- you take

1 used the term "bland," or less high
2 maintenance. I'll just taking Housing,
3 because I've worked on it for so long. If I
4 had a director and counsel, it's enough for
5 me to know this field. And there's a lot of
6 them like that, Tourism or something else.
7 But that's our suggestion.

8 And in terms of central staff, I think
9 we're going to have to take money away from
10 central staff in order to fund the
11 committees. But we need money for central
12 staff for government operations not covered
13 by committee. We have suggestions, but I
14 don't want to bog our meeting down by trying
15 to work numbers -- it gets confusing.

16 CHAIRMAN VALESKY: Right.

17 CHAIRMAN BONACIC: But we should have
18 a work session and try to do this honestly,
19 and with the help of other members.

20 CHAIRMAN VALESKY: No, I think you're
21 right. I think we should go back and put
22 some of these numbers together.

23 I think also, from the perspective of
24 numbers for committees, it has a lot to do

1 with how we collapse the committees. For
2 example, if Education and Higher Education
3 is actually one committee in the future,
4 that's a very different situation than if
5 they're two separate committees. Tourism
6 you had mentioned; it may not even be a
7 committee. It may be folded in with other
8 areas --

9 SENATOR SERRANO: Hey. Hey.

10 (Laughter.)

11 CHAIRMAN VALESKY: Oh, Senator
12 Serrano, the chair.

13 SENATOR SERRANO: Not so fast,
14 Senator Valesky.

15 (Laughter.)

16 CHAIRMAN BONACIC: It was our
17 thinking that every senator and ranker that
18 has a position for which they are paid, in
19 the new structure, with subcommittees and
20 all, that would be left intact. I don't
21 know what committees and subcommittees they
22 serve on, but they will have a role, and
23 those reimbursements or stipends will be
24 kept intact.

1 SENATOR KLEIN: I just want to add
2 something.

3 You know, I brought up and I agree with
4 the concept of allowing both committee
5 chairs and the ranker to have staff members.
6 I would be reluctant at putting amounts in
7 rules. I mean, you know, these are going to
8 change. Let's face it, you know, what you
9 would pay an attorney may be different this
10 year than what you're paying that attorney
11 next year.

12 And so I think that needs to be left to
13 the discretion of some kind of working rule
14 that's ongoing or --

15 CHAIRMAN VALESKY: Also, John, only
16 in -- particularly every year when we pass a
17 legislature and judiciary budget, the
18 funding of the legislature itself fluctuates
19 from year to year.

20 CHAIRMAN BONACIC: No, I understand.

21 CHAIRMAN VALESKY: So I think it
22 would be difficult to lock in specific --

23 CHAIRMAN BONACIC: I'm not locking
24 these in. I just did an analysis of rough

1 numbers for us to take back. They're not
2 fixed in stone. They have to be flexible
3 because things change, both with the
4 committee structure, smaller, and --

5 CHAIRMAN VALESKY: And with the
6 overall legislative budget.

7 CHAIRMAN BONACIC: -- the cost of
8 inflation, I understand that.

9 SENATOR SQUADRON: If you look at --
10 and this goes back to what I said before.
11 The idea, and I think Senator Klein said it,
12 of putting this -- of codifying in rules the
13 staff allocations is not something that
14 we've ever done. I haven't read the rules
15 at every stage, you know, but I read the
16 rules at some stage, and I haven't seen that
17 in the rules I read.

18 I do think that in rules what we can
19 and I would support defining would be
20 something very transparent and some
21 guidelines for, you know, how this stuff is
22 defined and overseen or made public to see
23 whether those guidelines are being met.

24 And perhaps in round two we can define

1 some secondary set of guidelines, not in
2 rules, but that we agree should be followed.
3 You know, and then the rules refer to that.

4 CHAIRMAN BONACIC: We're not going to
5 agree on numbers today. It's just that in
6 keeping with the concept of a ranker and a
7 chairman, who they will need, we're only
8 sharing what we've seen in the past.

9 And by the way, the specialty of the
10 committee needs to be beefed up. I have one
11 staffer that does everything. In the new
12 committee, though, I want a pro that knows
13 housing issues and a director that can do
14 research. Just two people.

15 And I think most committees, for the
16 most part, will need one or two. Except the
17 high-maintenance committees, and you may
18 need five. And I don't know what those
19 numbers are.

20 SENATOR SQUADRON: Can I suggest that
21 we might want to, for the rules, say
22 something to the effect of, you know, there
23 should be allocations that allow both chairs
24 and rankers to do their -- you know, to do

1 substantive work. Those should be -- and
2 those allocations of those staff members
3 should be published regularly or
4 continuously available. You know, and then
5 sort of from there see if that solves it.

6 CHAIRMAN BONACIC: Everything is
7 always public.

8 SENATOR SQUADRON: In terms of how
9 many -- but maybe not easily accessible. A
10 lot of this stuff is very hard to track
11 down.

12 SENATOR WINNER: Is this committee
13 going to make the recommendations with
14 respect to what committees are consolidated?

15 CHAIRMAN VALESKY: That would be the
16 longer-term intent of the committee. I
17 don't think that we're anticipating having
18 those new committee definitions in the
19 report that's due in two weeks. Is that
20 correct?

21 CHAIRMAN BONACIC: Yes.

22 SENATOR WINNER: Well, what is your
23 intentions with regard to the effectiveness
24 of the new committee structure? Would it be

1 for the commencement of the 2010 session, or
2 is it going to be subsequent to the 2010
3 elections?

4 I think that those have some
5 significant implications due to what Senator
6 Bonacic raised as to stipends and to --
7 because that stuff is in statute.

8 CHAIRMAN VALESKY: Right. Right.
9 Good point.

10 SENATOR WINNER: And it's my
11 understanding that you can't change the
12 terms of compensation within the terms of --

13 CHAIRMAN VALESKY: Within the term of
14 the length of --

15 SENATOR WINNER: -- the year, so
16 there may be some dislocation in that event.

17 So perhaps you have to be somewhat
18 creative as it relates to those statutory
19 authorizations as to whether or not they
20 actually reflect a real committee in order
21 to maintain them until the end of the
22 2010 --

23 CHAIRMAN VALESKY: The calendar year.

24 SENATOR WINNER: -- calendar year,

1 yeah, until they could be changed in statute
2 to be reflective of a new compensation in
3 January 1 of 2011. Because you have those
4 restrictions on --

5 CHAIRMAN VALESKY: Good point, yeah.

6 CHAIRMAN BONACIC: The only principle
7 I was getting at was equal staffing for
8 rankers and chairs. The chair gets a clerk
9 in addition. That's why I threw those
10 numbers out.

11 And the reason the numbers in our
12 analysis of what was paid to central and
13 member staff in the past -- I believe when
14 you do the analysis, do it fairly, it's
15 going to be close to what I suggested. But
16 again, I'm not -- let's leave the numbers
17 alone. We're going to get bogged down.

18 SENATOR GRIFFO: You could delineate
19 the structure based on what you're
20 advocating, Senator Bonacic, right now, if I
21 understand you correctly.

22 If you indicate that every committee
23 will have a clerk, a research analyst and a
24 counsel, and then the ranker would also have

1 that, at least you'd have the composition,
2 the structure of the committee put in place.
3 And then the funding can be allocated
4 accordingly.

5 CHAIRMAN BONACIC: I think that's
6 what we have a consensus on. And with the
7 high-maintenance committees, they may need
8 more than what you've just suggested. And
9 we have no problem with that. I don't think
10 anybody does. Because it's very
11 sophisticated issues, and you might need
12 more research people.

13 SENATOR SQUADRON: And I'm not
14 sure -- I agree with you on some of these
15 principles. I'm not sure the principle of
16 exactly equal staffing for the chair and the
17 ranker -- close, certainly. Something
18 that's real and accountable, certainly.

19 I mean, there are -- and I vice-chair
20 one committee; I chair another. And do we
21 really believe that the ranker and the chair
22 have truly the same amount of work and,
23 driving forward, that those should really be
24 identical?

1 CHAIRMAN BONACIC: I do. Because
2 under the new system, you're going to work,
3 both those rankers and chairpeople. Because
4 this is where it all happens.

5 SENATOR SQUADRON: I mean, I know
6 that neither in the U.S. House nor the U.S.
7 Senate is it done that way. It's a whole
8 hell of a lot better than the New York State
9 Senate has been over the last 70 years, but
10 it's not a straight down. Because the chair
11 does have the administrative duty, does need
12 to drive the agenda. You know, that's sort
13 of generally the role of the majority and
14 minority.

15 CHAIRMAN BONACIC: Well, aren't the
16 members driving the bills? See, the members
17 are driving the bills. Not the majority
18 leader, not the chairmen. The members are,
19 with the 99 process. Which requires that
20 committee to analyze everything to see
21 whether those bills get killed or they have
22 enough merit as amended.

23 That's where all the work is, quite
24 frankly, on the committee system. That's

1 what I got out of these hearings from the
2 Brennan Institute and others, that that is
3 the beefed-up area. And I think rankers are
4 going to work just as hard as chairpeople if
5 it's true to the task.

6 SENATOR SQUADRON: Again, I think
7 we're talking about difference between the
8 split and something reasonable. But, you
9 know, it does seem there's enormous -- and I
10 may be the only one who's buried in
11 administrative work there. I'm a freshman,
12 and -- but it does seem like there's
13 seriously, under the kind of system we're
14 talking about, a real administrative burden
15 for the chair.

16 You know, you're running a fairly
17 complex operation, with all these -- for
18 99s, these markups, you know, moving --
19 hopefully you have a system that can move
20 the bill to the floor. You know, quite
21 frankly, it does seem to be -- you wouldn't
22 want the chairman to have less ability to do
23 some of the substantive work because of
24 being buried in administration.

1 CHAIRMAN BONACIC: No, I respect what
2 you say. But I think what we're proposing
3 is totally different than your experience
4 and how the committees have been working.

5 SENATOR STEWART-COUSINS: Well, I
6 think what he did was suggest, based on what
7 we're talking about, what the
8 responsibilities would be.

9 And I think that maybe what we could do
10 is at least decide on a minimum. A ranker
11 should have a minimum of this type of staff
12 and that, and the chair should have a
13 minimum of this and that. And then, you
14 know, it can be -- at least if we have a
15 floor. And it goes back to the --

16 SENATOR SQUADRON: And parity --

17 SENATOR STEWART-COUSINS: It goes
18 back to, again, the same basic thing about
19 what does any senator need in order to even
20 begin to be a senator representing their --
21 they definitely need this, this, this, this.
22 And I think we should treat the ranker in
23 the same way and the chair in the same way;
24 at least establish the basic minimum.

1 And then as things, you know, flesh
2 themselves out, we can determine if the
3 ranker needs more, if the chair needs more,
4 and then we can go from there.
5 Transparently.

6 CHAIRMAN BONACIC: Rather than -- I
7 think we're all saying the same thing. And
8 I don't mean --

9 SENATOR STEWART-COUSINS: Well, I
10 just didn't want to say, well, the ranker
11 should have three, the chair should have
12 four. I mean, I just think that in this
13 context of developing what we are becoming,
14 if we set minimums and then we can, you
15 know, take a look as the structure actually
16 grows.

17 CHAIRMAN BONACIC: I piggybacked over
18 Senator Klein's remarks at the last meeting
19 about equal resources in committee, plus the
20 clerk is under the chairman. That's why I
21 said it. I mean, it -- and I think it works
22 better.

23 But lookit, let's -- lookit. We're not
24 going to get it resolved today. That's

1 something we've got to address. And if
2 we're people all of goodwill, we're going to
3 work it out. It's not -- you know, they're
4 not killers. These are not killer issues,
5 we hope.

6 The last thing I have on here, and not
7 to be facetious, was budget reform. You
8 know, I've been here now 20 years, and, you
9 know, I don't like when any one party
10 controls everything. I just don't. And
11 especially when it's from one region, I
12 really get concerned.

13 And we all talk of sunlight. We
14 believe that we would like a majority leader
15 not to go to closed doors, in secret,
16 unless -- it should be negotiated in open,
17 an open and transparent process with five
18 leaders. Don't be afraid of criticism on
19 proposals; that's democracy. We're asking
20 Malcolm Smith and this committee to state
21 that in the rules in the future. Because
22 really, this is not good, what's happening
23 to democracy.

24 SENATOR KLEIN: I'm not saying we're

1 not all on the same page about budget
2 reform. But certainly our working rules
3 reform committee is not the area to take
4 that up. As a matter of fact, Senator Liz
5 Krueger was appointed by the majority leader
6 to chair a committee or I think a --

7 CHAIRMAN VALESKY: A budget reform
8 committee?

9 SENATOR KLEIN: Yes, a budget reform
10 committee, on not only budget reform but
11 also reforming the tax system. And that
12 would certainly be something that would be
13 taken up by her hearings, whatever. I don't
14 think it's something that should be codified
15 in the rules.

16 CHAIRMAN BONACIC: I don't want to
17 embarrass anybody or dance on this issue.
18 If you believe that process affects
19 policy -- and I do, I said that from day
20 one -- a majority leader who agrees not to
21 negotiate in secret on a budget is a huge
22 step in changing the culture of this
23 institution and will affect the other two
24 branches.

1 Now, you can call it any way you want.
2 You can say a task force on budget reform.
3 But I believe it belongs in this committee.
4 If you want to punt on it, that's your
5 prerogative. But I raised it; I would like
6 to see it addressed in this committee.

7 I think I'm done. I have no other
8 issues other than the timing, the
9 continuation.

10 CHAIRMAN VALESKY: Right. And we're
11 up against 1 o'clock, and I know the members
12 have appointments.

13 I think obviously there's a lot of
14 material for staff to put together in the
15 form of a report. If any members have
16 additional suggestions over the next several
17 days, they're simply welcome to bring them
18 to the attention of either of us.

19 But as I indicated yesterday, I think
20 from a timeline perspective we're looking to
21 get together week after next, April 6th or
22 7th before we leave for the break, and have
23 a report in front of us to hopefully
24 recommend to the two legislative leaders, as

1 per the charge of the original resolution.

2 SENATOR WINNER: Should we have
3 another meeting next week? Do we need to
4 have another meeting next week?

5 CHAIRMAN BONACIC: I think we should
6 have a meeting to review the draft, all the
7 members. In other words, have my counsel
8 and --

9 SENATOR GRIFFO: Well, if you're
10 going bring that on the 6th, even, that
11 Monday, we should have an opportunity to
12 meet that day to discuss and -- we may have
13 some issues with it, and then to go to
14 rewrite.

15 SENATOR WINNER: I'd kind of like to
16 have another meeting next week, if we can.

17 SENATOR KLEIN: Well, I think we
18 certainly discussed this in the hearings. I
19 mean, can't be this be done internally with
20 staff?

21 CHAIRMAN BONACIC: You know, as a
22 lawyer, you and I, we have --

23 SENATOR KLEIN: Well, I'm not saying
24 we're going to present it without showing it

1 to the full committee. But, I mean, I think
2 most of the discussion can take place as far
3 as internally with staff.

4 SENATOR WINNER: Well, let's go
5 back --

6 SENATOR KLEIN: I think we've
7 discussed, you know, every possible option.

8 SENATOR GRIFFO: Well, we have, but I
9 don't know what the final report -- and I
10 may disagree with some of the things that
11 are being put in. I don't think that we
12 voted on things here. We didn't say are we
13 up or down on this issue.

14 I asked for a number of resources
15 identified. I hope that you're doing that,
16 right, Andrew, probably identifying -- like
17 yesterday, when I had made a request. And I
18 hope that's going to be honored and
19 fulfilled.

20 So, I mean, I just want to know -- I
21 think we ought to have an opportunity to
22 take a look at a document and determine
23 whether or not going to approve this as a
24 whole or not. I think that's the whole

1 idea.

2 It would be nice if we could go forward
3 with a bipartisan vote saying this is the
4 recommendation of the committee, Special
5 Temporary Committee on Rules Reform. And I
6 don't know how you're doing to do that if we
7 rely on staff just to do that.

8 CHAIRMAN VALESKY: Well, I mean, how
9 much time does staff think they need to put
10 together a report? Next week is budget
11 week, obviously. We have some very
12 important business to take care of. No one
13 is suggesting that someone have a report
14 placed on their desks and asked to vote on
15 it. So -- the same way that you have an
16 opportunity to review a piece of legislation
17 this afternoon before you vote on it in the
18 Senate.

19 So, I mean, we look at the staff and
20 ask for a recommendation. Mike?

21 CHAIRMAN BONACIC: Well, what strikes
22 me is that we have made progress. And I
23 don't know if it's substantive enough if we
24 don't agree in conclusion on certain things.

1 And the minority always has the right to
2 agree on the positive steps and to point out
3 what was not done as part of the report.
4 And I was hopeful that that wouldn't happen,
5 but we reserve that right. So . . .

6 CHAIRMAN VALESKY: Okay. We always
7 have the opportunity to have another
8 meeting. If we determine that we want to
9 meet again after they put something
10 together, then we'll meet again.

11 CHAIRMAN BONACIC: My thinking is if
12 we can get the draft to us by Monday or
13 Tuesday and read it, and then Dave and I
14 will get together and he'll get the input
15 from his members, I'll get it from mine.
16 And if we feel it's necessary to have
17 another meeting and how far we're apart,
18 let's do it.

19 SENATOR STEWART-COUSINS: That sounds
20 good.

21 CHAIRMAN BONACIC: Let's do it.

22 SENATOR SQUADRON: That seems like a
23 good process. That seems like a good
24 process.

1 CHAIRMAN BONACIC: I think so.

2 Can I just make one final suggestion?

3 This is easy. We extend the Rules
4 Committee. We probably should meet monthly
5 to talk about implementation and the
6 monitoring of how it's working.

7 Just because we have three or four
8 meetings doesn't mean all of this gets done,
9 and it may take a while to implement. And I
10 would welcome the monitoring of we nine
11 members and see how we're doing, how things
12 are getting implemented on a continuing
13 basis.

14 SENATOR PARKER: I agree with you. I
15 agree with you in principle. I'm not that
16 monthly, necessarily, concerned, but we
17 ought to look at some time period.

18 CHAIRMAN BONACIC: Yeah, okay. I
19 said monthly. If you have another
20 suggestion -- but the.

21 SENATOR SQUADRON: I'd do it weekly,
22 but I don't think it's productive.

23 I think that the concept is a great
24 one. I do think that we're going to have

1 convince our members we're consolidating
2 committees and making this one continue,
3 so --

4 SENATOR PARKER: Exactly.

5 SENATOR SQUADRON: But that's
6 something that we'll --

7 SENATOR WINNER: When we get a big
8 stipend, then we'll worry about it.

9 SENATOR GRIFFO: We have some dates
10 that we have to continue to meet. I think
11 there were some additional dates. So I
12 think perhaps we were looking at it
13 yesterday; there was a May 1st date or
14 something.

15 SENATOR SQUADRON: I think continued
16 meetings is part of the definition of what
17 it means for this committee to continue.
18 Great.

19 SENATOR PARKER: Well, when we
20 continue to meet, we're no longer a
21 temporary committee.

22 CHAIRMAN VALESKY: The only way we
23 can do that is to extend the authority of
24 the committee.

1 SENATOR GRIFFO: Right. To the end
2 of session, if that's what you feel. I
3 mean, that's up to you. It doesn't matter
4 to me.

5 Point of clarification. When you say
6 Monday, I think Andrew cringed. I think you
7 mean the 6th; right? Not this Monday
8 coming, so that people realize that. You
9 don't mean this Monday, because it's only
10 four days away. You've got to give -- I'm
11 trying to help you Andrew.

12 CHAIRMAN BONACIC: I think if we can
13 get the report out, both of them get the
14 report out --

15 SENATOR GRIFFO: But April 6th we're
16 talking about.

17 CHAIRMAN BONACIC: No, no.

18 SENATOR GRIFFO: This Monday?

19 CHAIRMAN BONACIC: We're talking of a
20 draft for everyone to review.

21 SENATOR GRIFFO: Maybe we should ask
22 the staff if they're capable of doing that.

23 CHAIRMAN BONACIC: My counsel says --

24 MR. CHAPMAN: I can do whatever my

1 boss tells me to do.

2 (Laughter.)

3 CHAIRMAN BONACIC: He says he can
4 have it done in two days, my counsel.

5 But Andrew is -- you know, he has more
6 knowledge and he may want to refine it a
7 little better, based on the states, and he
8 may need a little more time. But by Monday
9 or Tuesday?

10 SENATOR SQUADRON: Andrew is not just
11 staff, he's also a constituent. So in the
12 interest of workers' rights --

13 (Laughter.)

14 SENATOR SQUADRON: -- I mean, would
15 Wednesday or Thursday -- would Thursday be
16 okay? If it's --

17 CHAIRMAN BONACIC: Yeah, yeah. We'll
18 work it out. Just so we can have it before
19 we go. Thank you, Andrew.

20 Meeting adjourned. Thank you, members.

21 (Whereupon, at 1:11 p.m., the
22 committee meeting adjourned.)

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