

NEGOTIATING SESSION NO. 15
December 29, 1978
10:30 A.M., Rm. 15, Capitol

Irv Anderson chaired.

Irv: The agenda continues from Dec. 27 meeting. I-R was to come forth with a proposal to the DFL proposal.

Searle: We're not going to read it word for word. We tried to bring together in one document all of the portions. Very few changes. Believe organizational majority should be 68 votes. Committee structure complexion of agreements made over the past weeks. Made a change in No. 8, members and chairmen will be chosen by the caucuses. 14 for the DFL and 8 for the IR. We have accepted your offer of taking all of the state spending. We have asked for Taxes also. What this would do is give you 14 to our 8 plus 24 subcommittees to our 6. We have backed off considerably. Important that the IR caucus have the Speakership. Willing to relinquish some of the parity we have talked about. Dispensation of the Rules Committee -- will come back to that later. Rules chaired by DFL. For the change in the number of committees, we insist that the Speakership shall be in the hands of the IR caucus. Has to be some kind of a transition term. You have experienced people to do these types of things. You have 1/2 a speaker and we have 1/2 a speaker. To be fair to the people in the House and the people in the state. If we don't make plans for organization we have to know where the document is going to fit into the realm of things. (Here Searle was talking about the 1st and 2nd days of session).

Irv: We'll do it Tuesday. It will be warm on Tuesday.

Searle: By these types of delaying tactics you're denying duly elected members to take their official position next week. It's going to make it very difficult for them. The things they're entitled to.

Irv: They have to be in the House chamber at noon.

Searle: 5 minutes after that they should have a place to hang their hats and a place to park. They should have the same experience the rest of us have had.

Irv: They ought to have the same experience I have had. I didn't have a desk or a parking place or a secretary and I still did my job.

Searle: Members of the caucus feel they're entitled to that.

Irv: It doesn't have to be done today. Can be done in an orderly manner.

Searle: I think this is still important. We brought this up 2 weeks ago. Let's see how we're going to operate on the first day of session.

Irv: I will read it at my leisure.

Sieben: Would it address the election contest.

Searle: No. We're trying to put everything here together in one document.

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Irv: Is the election contest negotiable.

Searle: That's out of our hands. It's in the judicial system.

Harry: Fairness doctrine. Is this an either or. In the past proposal you have made you were very proud of saying "if you don't like this we'll flip-flop". I'm inquiring as to whether or not the fairness doctrine is incorporated into this proposal.

Searle: Several times we have offered the either or and it was not taken up. The first time it was done one of your own members did it. We feel that that approach hasn't worked. We would consider it but it's not an inherent part.

Irv: There's no sense in talking about this today.

Searle: Any suggestions or comments on the first section.

Irv: Why the length of the agreement. Was it to confuse us.

Searle: Not to confuse you. It's a matter of getting the 2 towers built and finished off. Everything into one document so we could work off one document. We have come in with one document showing these are the items.

Irv: Committee assignments. I commend you for finally recognizing that you have a responsibility for spending. You still have not fully accepted that responsibility. School Aids Division was still not accepted by the IR.

Searle: All of Education should be kept together. With the way in which the committee makeup is the real authority on school aids. The major work is going to be done in the subcommittee but it is still going to be handled through the Education Committee. In order to keep the 2 together we have said "fine". I think it would be ludicrous for us to take all of Appropriations, Taxes and Education. We are trying to be accomodating.

Irv: Do you agree that the 2 committees have more power. You think you ought to give the chief author of a bill the power to appoint one of the conference committee members.

Searle: We shouldn't make it mandatory that the chief author be on the conference committee. On page 3 if you total up what we have offered here, we're giving you a total of 38 chairs to 14. What is your pleasure as far as our offer is concerned.

Irv: I go back. You folks raised the issue of the number of chairmanships you felt you were entitled to. The desire to have a great number of chairmanships was your desire.

Searle: Never more than 1/2.

Irv: We will caucus on this thing. There's little hope that this will be the document that we will settle on.

Searle: The number of committee chairmanships is not a negotiable item?

Irv: Everything is negotiable.

Searle: We feel that it is important enough for our caucus to have the speakership to offer you that many committees.

Irv: Let the press and the people know that it was the IR caucus that would buy the speakership. I think this is a great injustice to this negotiating table to have to buy something. We are not asking to buy something. We are asking to negotiate.

Sieben: Break for lunch and come back after lunch and respond then.

Searle: Have to be gone from 3 - 4.

Sieben: Meet at 1:30.

Doug: Concerned you just feel that this proposal is so far off base.
to have

Irv: We are going to have/a great deal of time to analyze this document.

Sieben: It's clear it's off base.

RECESS UNTIL 1:30 P.M.

2:00 P.M.

Irv: DFL apologizes for being late. Had intense discussions which relates to the IR proposal of today as to where we might proceed. We do not agree with the IR paper of this morning and so for this afternoon's session we would like to refer to the DFL proposal dated Dec. 27. Paper offered on that date fair and was an attempt on the part of the DFL provided an equal distribution of the powers. Still reasonable and fair proposal for acceptance on the part of both parties. Still seeking a method of settling this matter. p. 5 DFL member would be the speaker. IR member would be speaker pro temp. Offer this as a further concession and will serve as to a way to reach agreement.

Searle: Rather disappointed. Interesting and one that we would be glad to take under advisement. We felt that there's an obligation on your side of the table to at least react or respond to the generous and most gracious changes we have made which you are totally ignoring. In our talking about someone -- speaker pro temp, floor leader with some type of duties. You're not responding to what we gave you this morning regarding the number of committees, subcommittees. If you are going to respond or not respond to the offer we made this morning. The change in our thinking with the change in committee structure at least deserves a serious answer and it will tell us whether you are negotiating in good faith in all of the responsibilities of the House. This isn't going to unlock any new doors as far as leading to a happy solution.

Irv: Are you saying that the paper you gave this morning responded to our paper of Dec. 27.

Searle: We spent some time putting this all together today and you don't even want to talk about it.

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Irv: We could have fancied this up by retyping and incorporating some of the other things. We think that the document we gave you on Dec. 27 was fair. We have further compromised that document by inserting this new language.

Searle: If we change the names and titles -- is that fair.

Irv: I don't know what you mean.

Searle: Changing names on each page. In order to break the deadlock this morning we had to bite the bullet. We had to say there had to be some areas of compromise. We're willing to forego some of the important chairmanships and willing to relinquish some of that. We're getting no response to that. We would be giving you 38-14 in total chairmen and subcommittee chairmen as opposed to your first offer where it was a dead even split.

Carl: Where to start. Seems to me we have reached an impasse judging by the way you behave and we behave. Any merit to having a position such as you suggested. Does that solve some of the problems between the 2 caucuses when we offer floor leader, speaker pro temp and Rules Committee Chairman counter the position of Speaker. Can't both have speaker. It's kind of interesting but we hated to make another move for fear you wouldn't end up with any committee chairmen. We started feeling sorry for you. I don't know what the public says whether you have the position of speaker or what.

Searle: Speaker Pro Temp can't be floor leader at the same time if he has to be in the speaker's chair.

Irv: Couldn't the Speaker Pro Temp designate a floor leader.

Searle: On the surface, I don't know that it makes that much a difference.

Bruce: Giving responsibilities to individuals within a caucus. 3 different responsibilities that the caucus may not agree with.

Irv: Do you want to change the word "shall" to "may".

Searle: The answer to your question 'can this break the deadlock' the answer is 'no'. This paper doesn't really address itself to answering the tough question of the power structure between the speakership and of the committees and how they will be chaired and the Rules Committee. Committee structure was first. You came back and said we can't talk about that unless we talk about the speakership and the rules committee.

Irv: We have given you the answer.

Jerry: You don't think the speakership is worth anything extra to the caucus that has it.

Irv: We have told you that we felt very strongly about retaining the speakership. At that time you did not indicate that same desire to us. Your side, by various individuals, has said we have completely depleted the powers of the speaker and the powerful rules committee. It became apparent to us that the 2 positions were equal as far as power and authority were concerned. We felt strongly that we should have the speakership and since you thought the rules committee was so powerful that you should have the rules committee.

Doug: We bent over backwards as far as committee structure.

Irv: Listening to what you were saying I became of the opinion that it was more advantageous to have the rules committee than the speakership. Our proposal involves the speakership. The first major concession was by the DFL and that was the Committee on Appropriations.

Jerry: If we had the speakership what would you feel you would have to have in order to balance.

Irv: We feel very strongly that we have to have the speakership.

Searle: You're saying it's non-negotiable.

Irv: You're saying it.

Searle: We have offered 14 major committees which would take care of your long-termers. The speakership would be balanced off that way. Flip-flop.

Irv: I think you folks ought to have the Committee of Appropriations.

Searle: We have one day left. Take it. The speakership is on the table.

Irv: We have a proposal here that gives us the speakership. You just don't want to recognize it.

Searle: How much I am disappointed in the fact that we have been trying to work with you. Memo dated today that was sent to your employees and not to our employees. There was an article in the paper about a week about about the lack of compassion of Al Quie. Who's going to have charge of security, who's going to open the door. What's wrong with negotiating here today.

Irv: I was concerned about my employees. What you have told your people is up to you to decide. We told everyone.

Searle: We were concerned very early on. When we asked early on how you were going to make the transition you said this was the lowest priority.

Irv: The document we gave you on Dec. 27 was a fair one and ought to be accepted.

Bob: We felt the same way about the one we offered today.

Irv: Apparently we're deadlocked here. I've indicated to you that you should have Appropriations.

Searle: Let's start from there. If you don't like this. Let's get into hard negotiations. We have offered you something so good that you don't want to talk about it. You haven't even talked about the committee structure.

Irv: We're willing to meet tomorrow if you wish. Or Sunday, or Monday.

Bob: Let's take it right to the floor.

Irv: Agree to go to the floor for Speakership and whoever wins that vote wins it all. Lets throw it to the floor (simple majority), then assume the responsibility of organizing the House.

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Bob: 68 votes.

Irv: No, simple majority.

Searle: Joan Growe said a simple majority would elect a speaker.

Bob: First day's agenda. Can we talk about that.

Irv: The chairman has ruled that out of order.

Bob: Can't we talk about this. This document mentions committees, committee structure.

Irv: Let's recognize that we have a stale-mate and go to the House floor for the election of the Speaker.

Searle: We will give this to you either way. You are not willing to say to us as Mr. Knickerbocker asked if the speakership is negotiable, you really haven't answered that question. What do you have to have in order to give up the speakership.

Irv: We don't want to give up the speakership. We will accomodate that by offsetting so many more committees. With the speakership given why don't you draw up a package that is reasonable.

Searle: You have said consistently that it's not negotiable. We have given the first olive branch.

Irv: This proposal is unacceptable. If it is not acceptable then it cannot be used as a vehicle. This document is imminently more fair than yours and should be used.

Searle: That's not fair.

Irv: Both documents on the table in front of us.

Doug: Are you willing to change it around. We offer you to take it.

Irv: Are you willing to accept the responsibilities of allocating the state's monies.

Searle: On our latest proposal we have given you the speakership.

Irv: (talking about school aids and Approp.)

Searle: School aids bill goes through the Tax Committee

Dick: School aids doesn't go to Taxes, it goes to Appropriations.

Searle: Most people look at it as being done in the Tax Committee.

Dick: Appropriations, School Aids and Taxes and we'd have the speakership?

Searle: That's it.

Sieben: Speakership and Tax Committee. What if we started from that?

Searle: If you want to come back with a proposal, why don't you do that?

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Searle: We are receptive to any combination that will settle this.

Irv: This afternoon or tomorrow morning.

AGREED ON 7:00 P.M. tonight.

7:15 P.M.

Called back to order.

(Conversation between Irv and Searle. Irv: Simple majority of those voting in the House. Joan Growe's interpretation.)

Irv: As we left this afternoon, it was my understanding that the DFL would make a new evaluation based upon the conversations held this afternoon so we have been very busy. The proposal that we laid on the table this afternoon is hereby withdrawn. December 27 paper to be used for tonight's discussion (DFL paper). No. 3 from the I-R document is made page 2 of the DFL Dec. 27 document. IR-8 committees; DFL-14 committees. The basis by which we come to this conclusion whereby you're willing to flip-flop, we have a hang-up with the chairing of the Committee of Approp. What our proposal is that you ought to chair Approp. Giving Approp. and the Committee of Taxes to the IR. Most of the spending responsibility. You have indicated a strong desire to chair the committee that would determine what tax relief would be necessary. Our DFL document calls for a DFL speaker and the IR chair the committee of Rules. Speakership, Rules, Taxes, Appropriations. With those 4, the IR would have control of 3 of the 4. We have to say that the DFL has gone a long way to settling the difficulties between the 2 parties, by giving up the 2 big committees. If this proposal were acceptable, we would ask for one seat on the LAC. Since you would chair both important committees, we would abolish Rule 1.10 for the duration of the agreement.

Bruce: What you're saying here -- this page is the same as we gave you except for what is noted.

Irv: You will note we took your page on committee structure and made changes. Speakership to DFL, Rules to IR, omit Rule 1.10. Giving the Rules Chairman all 1.10 legislation.

Doug: Floor leader to DFL.

Irv: Yes, that's what the words of this proposal read.

Searle: In response to your offer here, I think we're getting closer. I've got a warm feeling. I would like you to answer a question. Is the speakership negotiable. You have never yet conceded it's a negotiable item.

Irv: I have told you many, many times that everything we have before us is negotiable and that included the speakership.

Searle: We would be glad to caucus on this for a few minutes and have a chance to review it. Have to go back and check on the rest of the stuff that's in your document. We are willing to offer more than 1/2. You do not seem to enjoy that same thinking. If my calculations are correct, you want the speakership; you want 14 of the major committees and divisions which would give you 24 subcommittees which gives you a total of 38. It would give us a total of 8 committees and the Rules Committee. Assuming that there's a closer relationship than that, there's at least got to be

parity on the committees with this type of arrangement. We would like the time to go over this is you would allow us that. Coming back in 1/2 hour.

Irv: Take a break, caucus and discuss the proposal thoroughly. The Speakership gave you 3 of the most 4 important positions in the House of Reps. We gave you Approp., Taxes and Rules.

Searle: Again, the speakership and the control he has over that body. Is there anything here that you can see that you would give up the speakership or negotiate for the speakership.

Irv: We told you from the beginning that the speaker was a hard spot.

Searle: Until you can give us a resonable answer to that question, it's become pretty one-sided.

Sieben: Why don't you talk this over and react to it.

RECESS.

Searle: We have had an opportunity to look over your offer. In one way, it's very difficult because you have told us of one hard spot you have and it's speakership and it's difficult for us to come back. We thought we'd paint a picture in order to give you something to think about in order to break this impasse because, up to this point we're saying that should we relinquish our 1/2 claim to the speakership these are things we feel would have to be considered in saying the importance of that position, these are our hard lines. 14 committees; 8 from this morning. We would have to have a 1-vote majority on Rules. Should have a rotation of floor leaders. Rule 1.10 should be left intact. There should be a joint appointment of conference committees by speaker and Rules. Acceptance of Casserly-Knickerbocker's election contests should be in effect. Document should be in effect for duration of session. Other than that, there would be an acceptance of our Dec. 29 document as presented this morning. If we had to give up the speakership this would mean that this proposal would be withdrawn.

Sieben: Your proposal includes those 3 committees.

Searle: Yes. I thought you might like to caucus.

Irv: WE appreciate the information you gave us tonight and are willing to meet with you at any time.

Sieben: No acceptable.

SEarle: When you get ready to tell us what the speakership is worth, then we'll talk. That the problem with you fellows -- none of you have sat on Approp.

Carl: Most of our trouble has come from the people who talk.

Irv: Do you want to meet tomorrow?

Searle: If you have some kind of a response to give.

Irv: We have given you our answer.

Searle: You have not come anywhere near on parity. That's what we have been.

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Irv: Let's at least agree that we meet on Tuesday at noon to work out the details of the opening day.

Searle: That's fine. We made an appointment with the SEcretary of State in the ATTorney General's office for that afternoon of that day.

Meet at 11:00 A.M., Tuesday.

Irv: Our proposal of tonight and Dec. 27 is withdrawn. We will meet at any time you wish.