

NEGOTIATING SESSION NO. 17

January 3, 1979, 3:00 P.M., Rm. 123, Capitol

MEMBERS PRESENT:

Anderson, I.
Patton
Casserly
Sieben
Johnson, C.

Searle
Nelsen, B.
Knickerbocker
Anderson, R.
Carlson

Rep. Irv Anderson presided.

Anderson: Once again we will try to resolve the differences between the two groups for purposes of organization of the House. Neither side has indicated a willingness when we last met we discussed about the other side making a proposal and no requirement that either side do so. We have a proposal for your consideration today that we are hopeful will set the agreement between the 2 parties (read document).

Appropriations, Taxes, Rules (1-vote majority on Rules -- Rules 1.10 left intact -- joint appointment of coordinating commission by Speaker and Rules Committee Chairman -- acceptance of Casserly-Knickerbocker document

Anderson read Jan. 3 paper of DFL. Rules Committee chairman is entitled to his appointments being read into the Journal of the Day. Provides for an I-R Speaker. Your statement required that there be 14 committees on the IR side if you were to give up the speakership. We maintain only 12 committees moving from 14-8 to 12-10. In addition, your statement of that date would have required that what I consider the 'big four' -- Speaker, Rules, Taxes and Appropriations under the guidelines you set forth -- it would have been necessary for you to have control of 3 of the 4. IR -- Speakership and Appropriations; DFL -- Rules and Taxes. We have followed the guidelines you have set forth for the one vote edge you have set on Rules. Can't see the value in rotating floor leader. Don't think it is necessary to rotate. Request that the DFL be permitted floor leader position. Rules 1.10 would remain intact. Joint appointment of coordinating commission. Question of election contests -- hasn't been brought up today. Ought to give consideration that it be brought before the House and not sent to a standing or select committee. We're not dealing with that question today. Agreeable to the election of a Speaker. Would be good as long as there are 68 votes in favor of him.

Searle: Before we respond. 2 things I would like to request consideration of if you can provide them. We asked last time whether it would be possible for you to give us an official medical report on Rep. Kostohryz.

Anderson, I: Condition is satisfactory and stable. Expected that he will have to remain in the hospital for 10 to 14 days from Monday, January 1.

Searle: It may be a little difficult to respond point by point because of what we have to do here. Only fair to say the change in approach is much more generous than we have seen before. It's true what you read earlier on the transcript. Hypothetical case "should say". It was withdrawn as was your's at the same time that day. I guess the question that I want to ask at this point would be if we exchange sides on the table at this point, would this offer be accepted by your side? What would be your reaction?

Anderson, I: Are you asking us if we would flip-flop the offer?

Searle: Not necessarily. It's the first time you have considered relinquishing your 1/2 of the speakership. There were 2 events: one unfortunate and one very happy for our side (election contest -- Pavlak). Entirely different atmosphere. We were sincere about the hypothetical case. Trying to break the stalemate. Back to that magic number of 12-10 again. Only thing that we can say to respond in full is either to take a recess and come back and respond. Going to find some things objectionable. Recess for 1/2 hour to 45 minutes. Want to talk to my negotiators.

Anderson, I: Anyone who has such a proposal placed before them would have to caucus. Had to negotiate from a standpoint of 67-67. Had to provide a vehicle for the election contest to come before the House. After meeting of Dec. 29 as I traveled home, I had the benefit of thinking about your proposal -- maybe that's the way out of this situation. On New Year's Eve my staff was called to research what, if any, powers we had negotiated within the speakership had to be changed if we went along with your proposal. Words you have spoken were listened to. Committee chairmanships had to be divided equally. We have listened to what you have said here and I think it is a reasonable method by which we can settle the differences that exist. We are divided 67-67. We have to compromise. Hope that we are not forced into a position that we would have to bring someone in on a sick bed. I will not be placed in that situation. The proposal we have laid before you is fair and reasonable and answers all the requirements you laid before us on December 29.

Knickerbocker: Number 9 on your paper. The special select committees that you're referring to -- like the Committee on Energy?

Anderson, I: Yes. I don't expect to object to the creation of a legitimate committee such as Energy. Energy Committee was a temporary committee.

Searle: Would this include a temporary select committee?

Anderson, I: I don't know what you really mean by "temporary".

Searle: Temporary committees appointed to handle election contests.

Knickerbocker: You could have a circumstance where a select committee could study something like energy or like the power line controversy for a short time which would go out of business after a very short time.

Carlson, D: At this point in time I would question your total sincerity -- about the election contest. Take it today? or are they negotiable items in here?

Sieben: Why don't you consider it before you turn it down?

Nelsen, B: Number on committees.

Searle: We have to decide. Inform the Secretary of State of time and day we adjourn the House tomorrow. We thought maybe Friday would be a more fitting time to meet. Perhaps we ought to make some agreement.

Sieben: Would you take advantage of Kostohryz's absence and try to elect a Speaker?

Searle: You shouldn't confuse me. It's a possibility, Mr. Sieben, that it's going to take a long time to get the machinery moving -- committee scheduling moving, etc. From that standpoint, should any action be taken on Friday, should there be a Speaker elected and the other orders of business that follow, it would then give that person

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and his steering committee Saturday and Sunday to get things going for Monday.

Anderson, I: How about Wednesday?

Searle: They are going to start sending messages, etc. within a week (the Senate). Joan Grove has said you can organize with a simple majority.

Anderson, I: I would never impose the 67 vote we would hold if an IR member was temporarily out of commission or unable to attend a House session. I said it at this table and to the press. We would never impose our will upon the IR when an IR member is unable to attend a House session.

Searle: What I want is a definition of "temporarily". Are we going to have a Friday meeting or a Monday meeting?

Johnson: So far you've reviewed our document. I'm here serious about sitting here. Let's get down to business here.

Casserly: Separate people from the thoughts. Certainly would be appreciated for you to look at this and give us a response.

Searle: What is a reasonable length of time? This would be more important. I don't know how long this would take us.

Anderson, I: As long a time as you want.

Searle: When we're ready to get back and talk, we'll call you.

5:40 P.M. Called back to order.

Anderson, I: IR caucus has a proposal.

Searle: We listened to words of the bargaining table. We have busted a gusset trying to get this rough draft to you this afternoon. What we would like to do tonight, because of commitments and because some of us are closer to the 2 men who are being honored at the banquet tonight, we're going to suggest that we put the date of Monday on tomorrow's agenda. We would like to suggest that the 10 of us stay here this week-end until we have a negotiated settlement. One thing I'd like to have -- I am going to ask Doug Carlson to give you an assumption. We didn't see the document or the actual statement from the doctor. We have talked to a cardiologist. Doug Carlson is a professional and is to give us a scenario on the usual time schedule on the type of problem Kostohryz has. Doug is a veterinary doctor. Might be interesting at this point.

Carlson, D: I didn't ask for this assignment. Realistically, we're concerned. Medically speaking, it would take a miracle for him to come back -- hopeful for a recovery. As a veterinarian, I have some experience along this line. It will not happen that it will be Monday, Wednesday or Friday. These types of patients are kept in the coronary care unit for about 5 days. From that point, they go to critical care unit. If everything is still normal, he will start to sit up and start walking. This is a minor attack. Rehabilitation area to see what happens. 2-3 weeks on any kind of a moderate attack. Very outside chance that we won't see him for 4-6 weeks or 6-8 weeks.

Anderson, I: Thank you. Representative Kostohryz will leave coronary care tomorrow.

Searle: We would like to leave this with you and give you as much time as you want to digest it. Set a time for tomorrow morning to meet and hopefully start drawing up negotiated papers.

Discussion of IR proposal for Jan. 3.

Anderson, I: The statement you made on Dec. 29 I took it as a very serious statement. I thought it indicated the value you placed on the speakership. I thought that it was an in-depth statement and had come to a conclusion after much study and had envisioned it not so much a political statement but one realistically. A solution to the differences that exist between us. Difficult for me to really believe that you folks are at a mind that we are still at a 67-67 position. We're still evenly tied. If you have, in the past approached this table with a firm desire that you want to be fair and reasonable then I can only conclude that the statement you issued on Dec. 29 was an effort to resolve the differences between us and that it was a fair and reasonable offer. We are not unwilling to resolve the differences between us. We will make every effort possible to resolve the differences but, at this point, the differences that exist between your side and our side are immense.

Searle: In regard to the quotation from the 29th, we had a caucus last night. It was the first time our people were together. They really wanted to come up and see if there really was going to be rooms available, parking and a session. Maybe I am beginning to find myself in a position of -- we have a group of our legislators -- are saying go -- grab it and run. You have the 67 votes -- go ahead and do it. I have said 'no, we are still bargaining in good faith with an 11-11 split and the pressure is on our caucus to go two different ways to the point of walking over there tonight. Others said "no". Out of courtesy to the health problem, we will offer to meet on Monday. You have given this about 5 minutes of perusal and you should have staff go through this whole thing and I think you should look at the entire picture. As I said earlier, we will be willing to meet whatever time you want to meet tomorrow morning or tomorrow afternoon and continue to bargain or if we have to stay until Friday, we will be willing to do that also. Staff should go through the entire thing.

Anderson, I: A number of changes within the document. Those changes may be hidden -- can't believe in the short time you had to prepare this.

Searle: We can go back and pull out and make a comparison of who has been doing what. No sense playing games and we could run those steps through. We are suggesting that you look at this in depth and we will be glad to meet you in the morning.

Anderson, I: We're most agreeable to meeting with you in the morning. I would like to get into some discussion about the comments of some of your members to "grab the whole thing and run".

Searle: Older hands are prevailing. We should negotiate.

Anderson, I: Your document is based on that type of background. The House is split 67-67. One of ours is obstructed from coming to the session. Paper isn't fair. Doesn't divide the House in an equal manner. Gives the IR caucus the edge.

Searle: We are responding to the fact that the House must get on with the business.

Anderson, I: We could if we both realized that we are evenly split at 67-67, When last you made this proposal which was not as fair as the one we laid on the table today. Most interesting to me that you continue to charge that the DFL is unwilling to compromise. We will meet you at 10:00 A.M. tomorrow morning.

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