



Institute of Governmental Advocates

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December 16, 2010

The Honorable Darrell Steinberg
Chairman
Senate Committee on Rules
PO Box 942848
Sacramento, CA 94248-0001

Dear Senator Steinberg:

I write to follow-up my previous conversations and correspondence with Secretary Schmidt on the concern that our organization has expressed relative to the increasingly limited ability of the public to offer substantive testimony before Senate policy committees. Mr. Schmidt has raised our concern with committee staff for which we are greatly appreciative.

We were hopeful that as the previous Session unfolded that the increasing propensity of some Senate policy committee chairs to limit the number of witnesses would fade away. To our dismay, exactly the opposite occurred. In one week of July alone, the committees shown below established limitations on the number of members of the public (usually two) who would be allowed to provide information beyond their names, organization(s) represented, and position.

- Natural Resources and Water
- Public Safety
- Judiciary
- Education
- Health

I, for one, was present at the June 29, 2010 hearing of the Committee on Natural Resources and Water. I can attest to the fact that most, if not all, water resources issues cannot be easily slotted into two voices. And you as a former chair of the committee can certainly appreciate the nuanced positions which should be allowed to present comments. However, a strict limitation on two witnesses who could offer

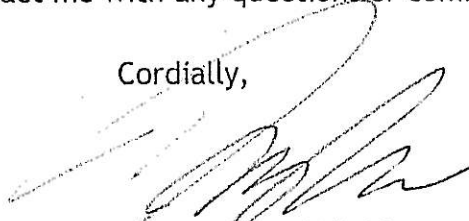
substantive testimony on each side was enforced. For those who travel from out of town to the Capitol to make a statement it is a rude awakening to find out that by virtue of the "2 by 2 rule" they are reduced to only offering name, rank, and serial number. As a result, the Legislature is denied the valuable perspectives of the California public and the public is denied the full ability to petition its state government.

We are hopeful that as you lay out your expectations for the operation of the committees of the Senate that you will send a clear signal that arbitrary limits on the number of witnesses are not to be imposed.

IGA encourages the Senate to adopt a rule or policy that bans constraints on the number of witnesses and the scope of their testimony and instead provides the chairs with the ability to impose reasonable time limits on witnesses as is the case with local governments and many State regulatory hearing bodies.

We would be delighted to discuss this further with you and the Senate leadership. Please do not hesitate to contact me with any questions or comments.

Cordially,



JACKSON R. GUALCO
President

cc: Vice President DiCaro and the IGA Board of Directors
Mr. Greg Schmidt
Mr. Ted Machado
Mr. Tom Hiltachk



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December 10, 2010

The Honorable John A. Pérez
Speaker of the Assembly
PO Box 942849
Sacramento, CA 94249-0001

Attention: Ms. Sara Ramirez and Mr. Rick Simpson

Dear Mr. Speaker:

I write to express our organization's concern about the increasingly limited ability of the public to offer substantive testimony before some Assembly policy committees.

We are hopeful that as you lay out your expectations for the operation of the committees of the house that you will send a clear signal that arbitrary limits on the number of witnesses are not to be imposed.

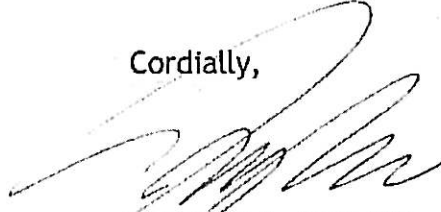
As we have mentioned to you in the past, a strict limitation of two witnesses on "each side" who may offer substantive testimony has become more the norm than the exception. As you already appreciate, the complexity of the issues, especially when amendments are being sought, renders a bifurcated and limited approach impractical and unfair. Moreover, for those who travel from out of town to the Capitol to make a statement it is a rude awakening to find out that by virtue of the "2 by 2 rule" they are reduced to only offering name, rank, and serial number. As a result, the Legislature is denied the valuable perspectives of the California public and, in turn, the public is denied the full ability to petition its state government.

IGA respectfully encourages the Assembly to adopt a rule or policy that bans constraints on the number of witnesses and the scope of their testimony. Instead the chairs could impose reasonable time limits on witnesses as is the case with local governments and many State regulatory hearing bodies.

We would be delighted to discuss this further with you and your leadership team.
Please do not hesitate to contact me with any questions or comments.

Thank you for your consideration of IGA's perspective on this matter.

Cordially,



Happy holidays!

JACKSON R. GUALCO
President

cc: Mr. Jonathon Waldie
Vice-President Christina DiCaro and the IGA Board of Directors
Mr. Ted Machado
Mr. Tom Hiltachk