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CALIFORNIA CITIZENS COMPENSATION COMMISSION

TRANSCRIPTION OF RECORDED
CALIFORNIA CITIZENS COMPENSATION COMMISSION MEETING
VIA VIDEO CONFERENCING

MAY 28, 2020

TRANSCRIBED BY: DONNA K. NICHOLS, RPR, CSR NO. 5660

1 MR. NIPPER: -- session is being recorded and will be
2 available for watching. Within about 48 hours we'll have
3 this recording available and we'll get it out to the -- the
4 folks who need to -- who can post it and let you know where
5 you can view it.

6 So we've got about a minute before we'll get started.

7 COMMISSIONER RICE: Hi, Tom. I had a clarifying
8 question.

9 MR. NIPPER: You mean Scott. I don't see Tom on
10 yet.

11 COMMISSIONER RICE: I'm sorry, Scott, that's right.

12 MR. NIPPER: Yes.

13 COMMISSIONER RICE: I'm sorry about that.

14 MR. NIPPER: Sure.

15 COMMISSIONER RICE: Scott, I was referring to your
16 point about the asking questions.

17 Were you inferring the panelists, if we have
18 questions we should type those into the chat?

19 MR. NIPPER: No. The panelists will all be unmuted
20 and they'll be free to talk amongst -- you know, and -- to
21 talk. And I'll leave it to -- to all of you to sort of
22 manage not speaking over each other and that sort of thing.

23 COMMISSIONER RICE: Great. Thank you for clarifying.

24 MR. NIPPER: Sure. Okay, well, it's 1:30. Why don't
25 we go ahead and get started.

1 I am looking at who is here. And, Nicole, I see you
2 from the panel on. And let me just check here.

3 So I'm going to end this slide show. I'm going to
4 stop sharing my screen for a moment. We'll be sharing
5 something else in a -- in a moment. And then I'm looking to
6 see who -- so Tom, Margaret, Laura, and Marian.

7 So Nicole and Laura, I'm going to give the floor over
8 to you two. So why don't you go ahead and take it away.

9 COMMISSIONER RICE: Are Tom and Margaret not on the
10 call?

11 MR. NIPPER: I don't see Margaret. I'm looking
12 through the list of attendees here.

13 I don't see Tom. I don't see Margaret. And I don't
14 see Marian.

15 MS. SNARR: Scott?

16 MR. NIPPER: Yes.

17 MS. SNARR: I'm here now.

18 MR. NIPPER: Okay. And how is --

19 MS. SNARR: Sorry, it's Angelina.

20 MR. NIPPER: Okay.

21 MS. SNARR: Just one second. So I did receive -- so
22 Marian, Margaret, and Tom are having issues.

23 MR. NIPPER: Okay. Marian just joined. I see that.

24 MS. SNARR: Okay.

25 MR. NIPPER: Okay.

1 MS. SNARR: Let's see, so Tom and Margaret are still
2 having some issues.

3 MR. NIPPER: Okay.

4 MS. SNARR: I gave them the link.
5 Tom said he left a message for you.

6 MR. NIPPER: Okay.
7 Oh. All right. And I need to run get my cell phone.
8 I'll be back in 30 seconds.

9 FEMALE SPEAKER: Okay.

10 FEMALE SPEAKER: Okay.

11 (Pause)

12 MR. NIPPER: All right. I apologize for that. I'm
13 back. I was so occupied with getting this going that I
14 didn't have my cell phone with me.

15 FEMALE SPEAKER: (Unintelligible).

16 MR. NIPPER: Okay. And then as -- wouldn't you know
17 it, anything that can go wrong does go wrong. And I had my
18 phone out in my car, and of course it's 104 degrees out
19 there.

20 FEMALE SPEAKER: Huh-oh.

21 MR. NIPPER: Now my phone says temperature, my phone
22 needs to cool down before you can use it. So Murphy --
23 Murphy is with us today. So --

24 FEMALE SPEAKER: I (unintelligible) Murphy.

25 MR. NIPPER: Hello, Murphy. So I will get to Tom as

1 quickly as I can. I realize he's the chairperson and he's
2 an important attendee here.

3 MS. SNARR: Yes.

4 MR. NIPPER: He didn't happen to say what kind of --
5 oh. Okay.

6 Tom says I can hear you, you don't hear me.

7 MS. SNARR: Tom's on now?

8 MR. NIPPER: So sent from his -- his iPhone.
9 So . . . Let me check.

10 Attendees. So he must be one of the call-in users.
11 And I have several of them. So I'm just going to have to
12 unmute them and see.

13 So let me . . . Tom, try talking now.

14 MALE SPEAKER: (Unintelligible).

15 MR. NIPPER: That wasn't Tom.

16 Tom, can you say a few words for us?

17 All right. That doesn't look like it's Tom either.

18 Tom, are you . . .

19 CHAIRMAN DALZELL: This is Tom.

20 MR. NIPPER: Okay. Hi Tom. We can hear you now.

21 CHAIRMAN DALZELL: Great. Well, I think that
22 there's -- there's a corollary of -- of Murphy's law, and
23 that is if something can go wrong, Tom Dalzell will find out
24 a way it to go wrong and (unintelligible). So thank you
25 Mr. Murphy.

1 So -- and we have -- we have Margaret, Laura, and
2 Nicole are all on?

3 MR. NIPPER: I --

4 MS. SNARR: (Unintelligible). I don't believe
5 Margaret is on yet.

6 MR. NIPPER: Margaret -- yeah, Margaret is not on.
7 We have Marian, Laura, and Nicole.

8 CHAIRMAN DALZELL: I believe that we need Margaret to
9 proceed.

10 Marian?

11 MS. JOHNSTON: Correct. Yes.

12 CHAIRMAN DALZELL: Do we have a contact number for
13 her that we can reach out to her?

14 MS. SNARR: Scott, I gave her -- (unintelligible)
15 password. She's asking for a password. So there's no --
16 there shouldn't be any password, right?

17 MR. NIPPER: She can type in CCCC.

18 MS. SNARR: Okay. Okay, I just emailed her.

19 MR. NIPPER: Okay.

20 MS. SNARR: But I gave her the panelist link. So --

21 MR. NIPPER: Yeah, there should -- shouldn't be a
22 password.

23 MS. SNARR: Yeah.

24 COMMISSIONER WONG: Hello.

25 MR. NIPPER: Hi.

1 MS. SNARR: Margaret?

2 MR. NIPPER: There's Margaret.

3 COMMISSIONER WONG: Yeah, I'm having difficulty in
4 getting on my -- I'm using my phone and it's working now,
5 but I don't know why when I use my monitor it doesn't work.

6 MS. JOHNSTON: Same thing happened with me.

7 Yeah, so I -- I -- can you (unintelligible)?

8 MR. NIPPER: Yes, we can hear you.

9 COMMISSIONER WONG: Okay, good, good. At least I'm
10 using my phone. I don't now why I cannot use it on my
11 (unintelligible).

12 CHAIRMAN DALZELL: All right. So I -- I think that I
13 am ready to call to -- call to order the first and with any
14 luck final meeting of the California Citizens Compensation
15 Commission for 2020.

16 This is Tom Dalzell. I am the Chairman.

17 And can we have the -- the roll call, please.

18 MS. SNARR: Yes, absolutely.

19 Tom -- Tom Dalzell.

20 CHAIRMAN DALZELL: Yep.

21 MS. SNARR: Margaret . . . Margaret Wong.

22 COMMISSIONER WONG: Yes.

23 MS. SNARR: Margaret Wong.

24 Laura Horrocks.

25 Nicole Rice.

1 COMMISSIONER RICE: Present.

2 CHAIRMAN DALZELL: Our -- our next housekeeping order
3 of business is to approve the Minutes from the June 21,
4 2019, Commission meeting. Those Minutes were included in
5 the binder that we -- I hope were all mailed and which is or
6 shortly will be posted on the Commission's website.

7 Do the other three Commission members have that
8 packet, the -- the binder?

9 COMMISSIONER RICE: This is Nicole Rice. I have the
10 binder electronically.

11 CHAIRMAN DALZELL: Yes.

12 COMMISSIONER WONG: I also have it electronically.

13 CHAIRMAN DALZELL: All right. And miraculously we
14 were -- we were all -- the four of us were the four last
15 year.

16 I have read it, I see no corrections that are
17 necessary.

18 Do any of the commissioners have any suggested
19 corrections or -- or edits of the transcript?

20 FEMALE COMMISSIONER: I do not.

21 COMMISSIONER WONG: No.

22 CHAIRMAN DALZELL: Hearing none, is there a motion to
23 approve the Minutes from the June 21, 2019, Commission
24 meeting?

25 COMMISSIONER RICE: So moved.

1 COMMISSIONER WONG: Could you identify the --

2 COMMISSIONER RICE: Absolutely. Nicole Rice. So
3 moved.

4 CHAIRMAN DALZELL: Is there a second?

5 COMMISSIONER WONG: I -- I second.

6 CHAIRMAN DALZELL: Motion and second. Let's -- let's
7 go in alphabetical order so we don't step on each other. So
8 we will vote. So -- or actually I'll ask that the -- that
9 the roll be called and we will -- you -- you can enforce
10 order on this. Go ahead.

11 MS. SNARR: Margaret Wong.

12 COMMISSIONER WONG: Yes. I second.

13 MS. SNARR: Laura Horrocks.

14 COMMISSIONER HORROCKS: Approve. Second.

15 MS. SNARR: Nicole Rice?

16 COMMISSIONER RICE: Aye.

17 MS. SNARR: And Tom Dalzell.

18 CHAIRMAN DALZELL: Aye.

19 So we have approved the Minutes from our 2019
20 meeting.

21 We now come to opening comments by Commission
22 members.

23 And shall we begin with Commissioner Wong?

24 COMMISSIONER WONG: Though what is this about? I
25 can't -- I can't hear you. What did you say?

1 CHAIRMAN DALZELL: Opening comments that you may have
2 as you see the issues before us today.

3 COMMISSIONER WONG: Yes. You know, my comment is,
4 you know, everybody knows that (unintelligible) which is
5 something totally (unintelligible) and it's
6 (unintelligible) the State of California. So
7 (unintelligible) look at and I think we can be -- be in a
8 whole bunch of (unintelligible).

9 Hello?

10 CHAIRMAN DALZELL: Does that -- are you concluded --
11 have you concluded your remarks? I don't want to interrupt
12 you, I'm sorry. It's a little hard on the phone.

13 COMMISSIONER WONG: Yeah, I -- I -- I concluded my
14 comment, yes.

15 COMMISSIONER DALZELL: Commissioner Wong, do you have
16 anything further in your opening remarks, opening comments?

17 COMMISSIONER WONG: I just said that. So did you
18 hear my opening comment earlier, or did I miss you all?
19 Hello?

20 CHAIRMAN DALZELL: Am I the only one who's having a
21 hard time hearing Commissioner Wong?

22 MR. NIPPER: No, she's going in and out and kind of
23 breaking up.

24 COMMISSIONER WONG: All right. So should I repeat
25 again?

1 CHAIRMAN DALZELL: Yeah.

2 COMMISSIONER WONG: Because I just made my comment.
3 So maybe, Tom, you didn't hear me, right?

4 CHAIRMAN DALZELL: You were going in and out. So
5 perhaps, yes.

6 CHAIRMAN WONG: Oh, I'm so -- I (unintelligible).

7 CHAIRMAN DALZELL: I -- I don't know what the others
8 are hearing. I -- I'm not getting great reception.

9 COMMISSIONER RICE: This is Nicole Rice. It wasn't
10 clear exactly all of what you said.

11 COMMISSIONER WONG: Okay. So if you allow me to, I
12 would like to repeat my opening remarks again.

13 This is --

14 CHAIRMAN DALZELL: Please.

15 COMMISSIONER WONG: -- Margaret Wong. And as I said,
16 that I wanted it indicated, because this year we have this
17 COVID-19 which is still happening, that it really cause a
18 lot of issues and affecting, you know, all facet of our
19 life, and the community, the economy, and the budget, and
20 everywhere.

21 So this is a very important issues that we have to
22 look into. And this is -- as I said, this is affecting, you
23 know, the job (unintelligible), affecting the budget,
24 affecting the finance, and affecting that a lot of our
25 moving forward in the future months and totally affecting

1 the year of 2020. So this is something that we have to look
2 into in order to make the decisions that we are going to be
3 talking about in this committee.

4 CHAIRMAN DALZELL: Thank you.

5 Commissioner Horrocks.

6 COMMISSIONER HORROCKS: Yes. I would like to --
7 well, I agree with Commissioner Wong's statement that the
8 current state of the economy and the state of the world,
9 really, is in flux and that definitely has a impact on what
10 we discuss today and what our final conclusions may be. I
11 don't think any of us could have predicted this or can
12 really predict where it's going and how long this is going
13 to last. So it will be up to our best judgment to figure
14 out what our -- our -- how we go forward from here.

15 CHAIRMAN DALZELL: Thank you.

16 Commissioner Rice.

17 COMMISSIONER RICE: Thank you, Mr. Chair.

18 I will echo my fellow commissioner members. We are
19 definitely living in a unprecedented time. The impact of
20 the global pandemic has had a tremendous impact on all areas
21 of our lives.

22 With that said, I think that the meeting that we have
23 today and the task that we are all faced with, we still have
24 some unknowns. So I have questions for staff and for my
25 fellow panelists. And I'd like to hear from the public as

1 well.

2 That concludes my opening remarks.

3 CHAIRMAN DALZELL: All right. Does that conclude
4 your -- your opening comments?

5 COMMISSIONER RICE: It does, thank you.

6 CHAIRMAN DALZELL: Okay. So this is Tom Dalzell.

7 And, yeah, we are -- we are facing a financial
8 crisis. It is certainly greater than the stock market
9 problems of 2008. There is uncertainty in budgets at every
10 level of government.

11 That said, the -- the salaries that we are
12 discussing -- well, one thing we know that we will get to
13 when we -- when we go through the staff reports is that the
14 Department of Finance has certified a negative balance and
15 which precludes, I believe, any salary increase.

16 So the question is do we go down, do we stay the
17 same. And, you know, one thing that -- that I've learned in
18 my eight, or nine, or ten years with this is that the
19 amount of money that we are talking about is not
20 statistically significant to the State budget, State budget
21 of billions of dollars. And we really are not talking about
22 very much.

23 Under Proposition 140 passed in 1980, the term limits
24 proposition, it's also true that what we do has no effect on
25 the budget of the legislature. There's a fixed amount that

1 is established for the legislature. And if we were to
2 reduce entirely the salaries of Legislators, it would have
3 no effect on the budget. The budget would still remain the
4 same.

5 And, lastly, I would point out that because the
6 legislature has not met with anything approaching the
7 regularity with which it normally meets, the legislators
8 have not been eligible for their per diem. And they still
9 have the costs of maintaining housing in Sacramento for the
10 little bit of time that they're here. So they are already
11 making a significant -- they -- they sacrifice in terms of
12 money that they are not getting.

13 And -- I guess I -- I would add one more thing.
14 And -- and that is during my time on the Commission there
15 was a year when the Commission decided to remove State cars
16 from legislators. And they thought that that was a good
17 symbolic thing to do.

18 As a result of that change, legislators were still
19 eligible for mileage on their personal cars. And as result
20 of what was intended as a symbolic cut, the amount per mile
21 that the State paid went up. It was more expensive to pay
22 the mileage on the personal cars than the State cars. So
23 I'm not interested in a meaningless symbolic gesture.

24 So that concludes my opening comments.

25 Our -- our next Agenda item is a discussion from the

1 meeting. And I think that ties -- as I look back on our
2 notes from the 2019 meeting, we had some specific requests
3 about data. So I think we should discuss that when we get
4 to the staff reports, Roman numeral VII.

5 Do any of my fellow commissioners have any discussion
6 items from the 2019 Commission meeting that they would like
7 to raise at this point?

8 Hearing none, I will move on.

9 We now come to Roman numeral XI on our meeting Agenda
10 which is public testimony.

11 And, Mr. Nipper, will -- will you explain how -- how
12 you are going to handle the public testimony, if any?

13 MR. NIPPER: Yes. We thought the best thing to do
14 would be to have the participants type their questions in in
15 the -- in the chat box, and then I can unmute them -- I
16 could reread the question and unmute the person to have them
17 further elaborate or if you had questions on what they had
18 to say.

19 CHAIRMAN DALZELL: So we have -- do we -- members of
20 the public who would like to provide testimony?

21 MR. NIPPER: We have -- there are about 21
22 participants. And I believe most of them are general
23 public. A couple of them are -- are not. But . . . So we
24 can have them type in their questions.

25 If you have any question, please go ahead and type it

1 into the chat.

2 FEMALE SPEAKER: Do you want to explain the process
3 for that in case someone doesn't understand it?

4 MR. NIPPER: Sure. On your screen if you roll
5 over -- you roll over the -- over the -- the window, the
6 Webex window, at the bottom you'll see a number of icons.
7 One of those icons is a speech bubble. And that is the
8 chat.

9 When you roll your mouse over that particular icon,
10 the word chat will appear. If you just click on that icon,
11 the chat panel will open up and at the bottom of that panel
12 by default it selects all participants to send a message to
13 and then there's a dialogue box just below that with a
14 blinking cursor that you can type your message into and then
15 hit enter and it will air on everybody -- in everybody's
16 chat window.

17 CHAIRMAN DALZELL: So as soon as you have a -- a
18 populated chat box, Mr. Nipper, will you begin the process
19 of reading the -- the -- the chat box testimony?

20 MR. NIPPER: Yes, I will.

21 So far there are no -- nobody's typing anything.

22 CHAIRMAN DALZELL: In -- in past years there has not
23 been a lot of public testimony, if any. There have been
24 public people listening, mostly members of the press. I'm
25 not saying that there are -- there's nobody here who wants

1 to provide public testimony, but it may be that many of
2 these participants are -- are members of the press core. I
3 don't know.

4 MR. NIPPER: Well, I can try one other thing. I
5 think we can take another approach if you are amenable to
6 this. Since we only have 21 people I can unmute them all
7 and we can just give them an opportunity to speak if they so
8 desire.

9 CHAIRMAN DALZELL: Yeah, I -- I -- it might be a
10 little bit chaotic, but I think that that's probably a good
11 idea. I don't want to force people into a technology that
12 they might not be comfortable with.

13 MR. NIPPER: Let's try that.

14 So I have just unmuted everybody. So if you would
15 like to participate and have a question for the -- you can
16 go ahead and speak now.

17 CHAIRMAN DALZELL: Could I ask somebody to -- to say
18 something even if they don't want to provide testimony,
19 perhaps they're with the press, just so we can see if this
20 is working.

21 MR. CHRISTOPHERSON: Yes, This is Matt
22 Christopherson. I'm a reporter at The Sacramento Bee. I
23 don't have a question, I just wanted to make my presence
24 known.

25 MALE SPEAKER: John (unintelligible), reporter with

1 the San Francisco Chronicle.

2 MR. NIPPER: Great. So was there a member of the
3 public who did have testimony?

4 All right.

5 CHAIRMAN DALZELL: Hearing none, I will -- well, I'm
6 getting there myself some feedback. I don't know if you
7 are. So --

8 MR. NIPPER: That -- because I have -- we wanted to
9 unmute it. So I'm going to take this opportunity to mute
10 folks again so that we remove the echo.

11 CHAIRMAN DALZELL: And what I suggest and with the --
12 the consent of the other members of the Commission is after
13 the staff reports I'd like to go back and see if there's
14 anybody from the -- from the public who would like to
15 testify. I don't want to preclude people because of this
16 strange new technology that we have.

17 So that brings us to Roman numeral VII, staff
18 reports.

19 And, again, I'm getting a -- a complete echo on
20 myself.

21 MR. NIPPER: Yeah. Um . . . Let me . . .

22 Can you try it again.

23 CHAIRMAN DALZELL: Now I don't, thank you. You're a
24 genius.

25 So that brings us to Roman numeral VII on the meeting

1 Agenda which is staff reports.

2 Ms. Johnston are you -- are you the person to walk us
3 through the binder?

4 MS. SNARR: No, that will be me.

5 CHAIRMAN DALZELL: Okay, I'm sorry. There you go.

6 MS. SNARR: That's okay.

7 So in (unintelligible) in your electronic binder you
8 have the Agenda and the Public Notice. You have the meeting
9 Minutes from the June 21, 2019, meeting as well as the
10 Resolution from -- from that meeting, the salary surveys of
11 the -- the salaries of the State, city, and county elected
12 officials.

13 You have the Civil Service salary history from 2006
14 to 2019, the 2019 State Legislatures, State legislative
15 retirement benefits -- and the -- as well as the summary of
16 the -- of benefits, and a health benefits survey of the
17 elected officials of the ten largest states and the five
18 largest California cities and county. And you also received
19 the DOF certification letter.

20 (Pause)

21 MR. NIPPER: Tom, if you're speaking, I don't think
22 we're hearing you.

23 CHAIRMAN DALZELL: I've had a little bit of a
24 problem. I'm back.

25 Is there a question pending?

1 FEMALE SPEAKER: (Unintelligible).

2 CHAIRMAN DALZELL: Are you hearing me?

3 FEMALE SPEAKER: Yes, I'm hearing --

4 CHAIRMAN DALZELL: You have muted me.

5 MR. NIPPER: We -- we hear you.

6 CHAIRMAN DALZELL: Okay, good. So was there a
7 question pending? I'm sorry, I -- or are we going with
8 the -- the staff report?

9 MS. SNARR: Yeah, I just finished going over what was
10 in the binder which was staff reports.

11 CHAIRMAN DALZELL: Which include the certification
12 from the Department of Finance?

13 MS. SNARR: Correct.

14 CHAIRMAN DALZELL: All right. And, Counsel, could
15 you -- could you please clarify the legal significance of
16 the certification of a negative balance in the Special Funds
17 for economic uncertainties by the department -- by the
18 Director of the Department of Finance.

19 MS. JOHNSTON: The significance is that you cannot
20 increase of your (unintelligible) officers' salaries.

21 CHAIRMAN DALZELL: All right.

22 So we now come to Commission discussion and adoption
23 of a Resolution setting compensation. And if I understand,
24 Counsel, once there is a motion, a second, and a discussion,
25 we again turn to the public for possible comment.

1 Is that correct? Hello?

2 MS. JOHNSTON: That is correct.

3 CHAIRMAN DALZELL: Okay, thank you. All right.

4 So, again, I'll -- I'll -- I'll start with
5 Commissioner Wong. You have made your -- your opening
6 comments. And the -- we all -- we all agree that we're in
7 very serious unexplored times.

8 Is there a -- a -- without necessarily making a
9 motion now is there a -- a Resolution or an outcome that you
10 think would be appropriate?

11 COMMISSIONER WONG: Well, I think based on -- this is
12 Commissioner Wong.

13 Based on what we all know about the COVID-19 impact
14 and -- but on the other hand without too much of an
15 information of, you know, how the -- I mean, at least I
16 don't have all the information about how the budget got
17 affected and -- and, you know, what else is going to be
18 happening other than this letter from Department of Finance
19 of a negative budget.

20 I do not see that there will be any decision to be
21 made on increase of any compensation at this point, not to
22 talk about reduction but talking about increase. I don't
23 see how myself could be able to make a suggestion of having
24 any increase of compensation.

25 CHAIRMAN DALZELL: Thank you.

1 Commissioner Horrocks. I hope I'm getting your last
2 name close.

3 COMMISSIONER HORROCKS: So our current economic
4 situation is still fairly unknown. I don't -- I could
5 support a reduction in salaries given the fifteen-and-a-half
6 percent unemployment and the lack of growth economically and
7 what's going on in the world.

8 But I struggle with what that value might be.
9 Because we don't know the long-term impacts of where we're
10 going economically. We don't know what the -- what the get
11 better (unintelligible) looks like or how long it's going to
12 last and what the annual or multi-year impact this is going
13 to have on our position.

14 So I do support some reduction in salary. I don't
15 have a suggestion for what that might be.

16 CHAIRMAN DALZELL: Thank you.

17 Commissioner Rice.

18 COMMISSIONER RICE: Thank you, Mr. Chair.

19 I -- you know, I -- I had some questions, and I
20 didn't bring them up in my opening remarks because as
21 Commissioner Wong and Commissioner Horrocks has stated there
22 are so many unknowns. But I have a few questions that may
23 be ambiguous but also some statements.

24 I -- I tried to do some digging on my own about what
25 an impact for a reduction or anything else would have on the

1 budget of -- of these 132 elected officials that we have.
2 The research that I did on my own mirrored some of your
3 opening remarks, Commissioner Dalzell. It -- it wouldn't
4 have a significant impact, if any.

5 So as we are looking at increases, decreases, that
6 budget and our economic state wouldn't necessarily be
7 impacted by the decision that we make here today.

8 I also looked at a few of the benefits that these
9 elected officials have and don't have. And one thing that
10 did occur to me was these elected officials don't have a
11 traditional pension plan like the other State employees that
12 have bargaining units.

13 I had the same question about the per diem. I
14 personally don't know how much the per diem is, but I do
15 know during these months those law makers that were ordered
16 to shelter in place and could not be in Sacramento were not
17 receiving that per diem. So my thought was could that be
18 seen as a pay reduction anyway because they don't have the
19 monies that they were -- had accounted for before.

20 My last point and -- and somewhat of a question is I
21 had read that there are unions that have bargaining
22 agreements with the State that are possibly currently in
23 negotiations or have started negotiations about proposed
24 cuts. Without knowing what the outcome of that is I would
25 hate to make any decision today that would influence any of

1 that process in the negotiations.

2 I -- if I have to say anything about where -- if we
3 have to make a decision today, I should say, we have to come
4 to some kind of consensus. I am in favor of not reducing
5 and, of course, not increasing, but -- but keeping what we
6 have in place until we have more information and there are
7 more knowns than unknowns.

8 CHAIRMAN DALZELL: All right. Thank you.

9 You are correct about the pensions. Legislators
10 traditionally historically had State pensions. They were
11 eliminated by Proposition 140 in 1980. And so for the last
12 40 years legislators have worked without -- without
13 pensions.

14 And, yes, the -- the per diem, while it is -- has not
15 been eliminated on the books, in -- in effect it has been
16 because they have not been present in the capital and
17 eligible to collect to anywhere near the degree to which
18 they have so far typically. And I -- I think that it's
19 somewhere between six and eight or \$9,000 that they have
20 lost in per diem which represents about -- a little bit less
21 than a ten percent reduction.

22 And if we were today to vote to freeze the wages at
23 the level that we established in 2019, that does not -- does
24 not and would not preclude any legislator or constitutional
25 officer from voluntarily surrendering part of their -- their

1 salary in recognition of the -- the hardship the
2 Californians are making, facing, and hardships with which
3 they are living. And I know of at least one constitutional
4 officer that has said that they are -- are willing to do
5 that.

6 So -- I don't -- I don't -- we don't have a lot of
7 time between now and when we need to ask. And I don't think
8 that we're going to know a lot more in the next month. I
9 think that we have to -- we have to be done with our work by
10 the -- by the end of June. And so while it's theoretically
11 possible to meet again in three or four weeks, I don't -- I
12 just don't think we're going to know a lot in terms of -- of
13 revenue or -- or where negotiations are.

14 So rather than leaving it hanging I -- I would
15 gravitate towards what two of the three of you have said.
16 And I think that the one -- the one who said that they could
17 support some reduction, I'm not sure that they were
18 advocating it.

19 So I would make the motion that we adopt a Resolution
20 setting the compensation at the same levels as we set on
21 June 21st, 2019. And I ask if -- if there is a second to
22 that motion, and then we'll discuss if there is.

23 COMMISSIONER RICE: Commissioner Nicole Rice, I
24 second the motion.

25 CHAIRMAN DALZELL: All right. So is there any

1 discussion from commissioners?

2 And then we will -- Mr. Nipper be prepared to ask the
3 public if they have any comments on our motion.

4 Is -- that -- Counsel, is that what you had suggested
5 to me was the appropriate procedure?

6 MS. JOHNSTON: Yes, you should take public comment
7 before you take a vote.

8 CHAIRMAN DALZELL: All right. So we have a -- a
9 motion and a second.

10 Do any commissioners have anything that they would
11 like to say in addition to their -- the two sets of remarks
12 that they have made?

13 Commissioner Wong, do you?

14 COMMISSIONER WONG: Yes, I -- I support that.

15 CHAIRMAN DALZELL: Do you have anything further to
16 say?

17 COMMISSIONER WONG: No. I think that as I indicated
18 that either going to be the same or reduction. And
19 (unintelligible) proposition I agree with your -- your --
20 what you proposed.

21 CHAIRMAN DALZELL: Commissioner Horrocks, would you
22 like to -- to make any further remarks discussing the -- the
23 motion that has been seconded?

24 COMMISSIONER HORROCKS: Yeah. I think this is a
25 valid decision given the current state that we're in.

1 CHAIRMAN DALZELL: All right.

2 Commissioner Rice, you seconded the motion. Do you
3 have anything that you would add to the discussion?

4 COMMISSIONER RICE: No. I stand by my second of the
5 motion and my previous comments.

6 CHAIRMAN DALZELL: All right.

7 In which case, Mr. Nipper, will you do whatever you
8 think is best to see whether there are comments? And I
9 would forgo the -- the chat and what -- perhaps just unmute
10 everybody who is a participant. And if they have any
11 remarks that they would like to make, they can make them
12 rather than -- than try to do a tutorial on the -- on the
13 chat.

14 MR. NIPPER: I agree with that. And I have just
15 unmuted everyone so everyone's microphone is live. If you
16 have a comment you would like to make, you can make it now.

17 CHAIRMAN DALZELL: Going once, going twice. If you
18 have a comment, now is the time to make it, and state your
19 name and make your comment.

20 And hearing none I'll ask Mr. Nipper to remute the
21 participants and ask that we poll the Commission on the
22 motion that has been seconded to establish -- for Resolution
23 to set the compensation at the same level that we set on
24 June 21st, 2019.

25 So will you poll the Commission, please.

1 MS. SNARR: Margaret Wong.

2 COMMISSIONER WONG: Yes.

3 MS. SNARR: Laura Horrocks.

4 Laura Horrocks?

5 COMMISSIONER HORROCKS: Yes.

6 MS. SNARR: Commissioner Rice?

7 COMMISSIONER RICE: Aye.

8 MS. SNARR: Tom Dalzell.

9 CHAIRMAN DALZELL: Yes, aye.

10 Counsel, do I understand correctly that with our
11 core -- core members of the -- of the Commission and now
12 unanimous vote that we have lawfully adopted a Resolution
13 setting compensation for the coming year?

14 MS. JOHNSTON: Yes. That's all that you need to
15 do.

16 CHAIRMAN DALZELL: All right. Well, we're done with
17 our business. And we're feeling our way into new ways of
18 doing business. And I really thank the Commission staff and
19 especially our tech genius, Mr. Nipper, to -- who guided us
20 all through this.

21 And I -- I believe that the Commission staff will
22 circulate for signature to each of us separately
23 (unintelligible) the Resolution. Is that correct?

24 MS. JOHNSTON: That is not correct. It should be on
25 record that (unintelligible) your vote they can't take any

1 further action outside of the public (unintelligible).

2 CHAIRMAN DALZELL: Could you repeat what you just
3 said. I'm sorry.

4 MS. JOHNSTON: You don't need to have a signature
5 page. You can't take any action outside of the public
6 meeting. So it stands that this is your action and nothing
7 more is needed.

8 CHAIRMAN DALZELL: All right.

9 You know, the -- never one to pass up the chance of
10 having the last word.

11 I -- if -- I urge the legislators and the
12 constitutional law officers to take very seriously the
13 support voiced by the members of the Commission for them to
14 each seriously consider a voluntary surrender of some
15 portion of their salary in recognition of the -- of the
16 budgetary hardships and the -- the hardships of -- of many
17 Californians, especially those who are unemployed.

18 With that said, I thank the Commission, I thank the
19 staff. And I -- unless I'm told I'm not supposed to do this
20 I adjourn the meeting.

21 MR. NIPPER: All right. Thank you, Tom.

22 The meeting has been officially adjourned and I will
23 end the recording now. The session will be ended here.
24 Thank you all very much for attending. And the recording
25 will be made available and you'll be notified of -- of how

1 to access it in the -- in the very near future.

2 Thank you all very much and have a wonderful day.

3 COMMISSIONER RICE: Thank you.

4 COMMISSIONER WONG: Thank you.

5 COMMISSIONER HORROCKS: Thank you.

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Dated: JULY 24, 2020



DONNA K. NICHOLS, RPR

STATE OF CALIFORNIA

CSR NO. 5660

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