

**NEW YORK STATE SENATE  
BIPARTISAN OPERATING AGREEMENT**

- 1. Term of Agreement.** This agreement shall bind the parties until the end of the 2009-2010 legislative term.
- 2. Extension on Consent of Parties.** The agreement may be renewed by a majority vote of the members elected to the Senate in January 2011, to continue the Rules adopted on June 8, 2009 as the Rules of the Senate.
- 3. Operation of the Senate.** The Temporary President of the Senate, may preside, or if he chooses not to, the Majority Leader, may preside or choose another of either party to preside. The Presiding Officer, will have all the powers provided under law or rules to the President of the Senate.
- 4. Bills to be Considered.** The parties agree that the Temporary President and the Majority Leader shall jointly publish a list of bills to be active on the Senate floor. A sponsor of legislation may move to have his or her bill on the calendar considered on the next active list if a majority of the members present and voting agree. Any bill on the calendar may be considered on the next active list upon the presentation of a petition signed by the majority of the members elected to the Senate.
- 5. Committee Chairs and Membership.** Committee Chairs and members shall be designated jointly by the Temporary President and the Majority Leader, on a bipartisan basis, with due consideration given to the member's subject matter expertise and qualifications. Representation on Committees will be proportional to representation in the Senate as a whole.
- 6. Committee Staff and Central Staff.** The Senate standing committees and leadership will receive an additional allocation for staff necessary to a committee or leadership role. The amount will be proportional to representation in the Senate as a whole. Central staff funding shall be allocated proportionally as well, however the amount necessary to fund positions necessary to the operations of the Senate shall not be charged against either the Majority or the Minority.
- 7. Resources of the Senate.** All members will have access to the resources of the Senate, and members will receive the same allocation for staffing, subject to additional resources as set forth in Term 6.
- 8. Employees of the Senate.** Employees of the Senate shall be appointed by the Temporary President, subject to the disapproval of the Majority Leader and the Majority Leader shall appoint employees, subject to the disapproval of the Temporary President. The Minority Leader shall be the appointing authority for the Minority Conference.
- 9. Administration of the Senate.** The Senate shall be administered in a fair, equitable and nonpartisan manner, without regard to party membership.
- 10. Non-Sponsor Amendment of Bills.** A vote to amend a bill on the floor shall only require a majority of the members present and voting. If successful, the bill will retain its place on the calendar until it has aged properly, and will then be immediately considered.

**11. Passage of Bills.** Bills shall always be sponsored by a named member. In addition, bills may not be passed using a message of necessity unless required by an emergency situation, which requires urgency. If a bill is to be passed with a message of necessity, it will not be subject to a four hour limit on its debate.

**12. Leadership of the Senate.** The Temporary President of the Senate shall be Pedro Espada, an enrolled Democrat, who shall jointly administer the Senate with Vice President Pro Tempore and Majority Leader, Dean Skelos, an enrolled Republican.

**13. Resolution of conflict.** The parties agree that the Senate Rules as adopted on June 8, 2009 will control as the Rules of the Senate for the remainder of the legislative term.

Dated: June 17, 2009

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