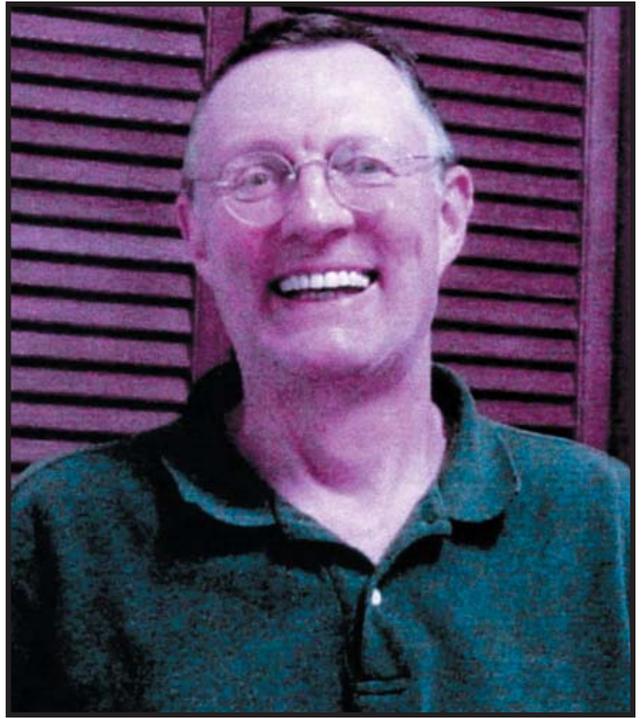


Interview with Tim Burke

Conducted September 14, 2004

Mr. Burke is a graduate of Pennsylvania State University and George Washington University School of Law. After law school and serving a clerkship for a federal judge in Washington, DC, he served as a legal counsel with the Legislative Council of the Washington Legislature from 1967 until 1973. In 1973, he was one of the first staff members of the Office of Program Research for the House of Representatives, the office that provides staff services to House standing committees. Until his retirement in 1996, he remained with that office where he provided administrative and legal services.



Ms. Kilgannon: We're going to talk today with Tim Burke about the Legislative Council and how that was transformed in the early 1970s through Speaker Sawyer's reforms to create a new office, a non-partisan research arm of the Legislature called the Office of Program Research.

First a little background. The Legislative Council of the Washington State Legislature was formed in 1947 after several attempts to set up a council. As I understand it, many states across the country were beginning to form these councils in the post-war period. Legislators were coming to the conclusion that they needed more help, that meeting for sixty days for every two years was just not enough to take care of the business of the state. Speaker Hamblen pushed through a bill in 1947 establishing a council. It didn't go into operation right away because Auditor Cliff Yelle questioned its constitutionality. They went to court and decided that, yes, the Legislative Council was permitted.

The Council evolved over time; it began small and then grew in scope. Chester Biesen was the first executive secretary, but then he went on to other things, and Don Sampson was hired, who then stayed with the Council for almost its entire period of operation. When you came to the Council as a staff attorney in 1967 as a freshly minted lawyer, had you had experience in legislative work beforehand or was this a brand new position for you?

Mr. Burke: This was brand new for me. They were looking for someone who would help with legislative studies, write reports, memos, and draft bills. It was definitely a training period for me. I loved the issues, the issues were very exciting. To be able to work on items that were front-page newspaper stories was very exciting, I think. So it was a challenge, but one I very much enjoyed.

Ms. Kilgannon: How did Don Sampson explain your job to you? How the Council worked and what your duties would be.

Mr. Burke: Don explained that I would be staffing the Legislative Council's Judiciary Committee and probably one other committee. And I did; I staffed Judiciary and the Agriculture committees of the Council. That would involve setting up meetings, writing reports, memos and drafting bills. And generally the Council committees that I worked for met once a month or so. The Judiciary Committee generally met once a month and the Agriculture Committee may have been once every forty days or so.

Ms. Kilgannon: So this was during interim only, that they would be meeting this way?

Mr. Burke: Yes.

Ms. Kilgannon: In the off-years when there was no session, would they meet every couple of months during that time?

Mr. Burke: Well, generally there were sessions. There were very few years that there was not a session called. But the Legislative Council's committees would meet during the interim between sessions. During sessions, the council staff would typically go to the standing committees which would have the Council's recommended bills.

Ms. Kilgannon: You followed your work?

Mr. Burke: Yes. And then in my case, I ended up also providing other assistance besides on Council bills and so did most of the other legislative staff. I did a lot of work for the Senate Judiciary Committee, in particular, back in those days.

Ms. Kilgannon: When you came on the Council, were you divided between House and Senate or did you work for both?

Mr. Burke: I worked for both.

Ms. Kilgannon: And would the legislators bring forward the study topics or would you make suggestions to them?

Mr. Burke: No, staff would never bring up topics. Generally, the topics came from legislative resolutions, which were typically adopted toward the tail end of legislative sessions. The resolutions would be study resolutions directing the Council to study some issue and to report back to the Legislature on whether bills were needed and if so, to actually prepare the bills. That was the major way in which Council studies were created.

But another way would be any legislator at any time could request the Council to undertake a study. That request would go to the Council's executive committee and then the executive committee, if it agreed that the study should be undertaken, would assign it to the appropriate Council committee.

Ms. Kilgannon: I imagine those studies could be pretty far reaching. I've seen lists, they go from, really, A to Z, covering almost anything.

Mr. Burke: Yes, it's not unlike the breadth of studies standing committees have, generally, I suppose. What the difference might be is that, in the Council format, the committee chairs were required to give progress reports on their studies periodically. And that was a little bit of an incentive to do something, keep them moving. But actually the Council committees were very similar to the standing committees. What the problem was, and what really led to the end of the Council, was that the standing committee chairs were not the Council chairs. So there really was not a connection between those legislators who did the studies and prepared the bills, and the standing committee chairs. And that was the biggest argument for continuing the standing committees during the interim, at least the biggest argument from a practical, organizational point of view. There were other straight political arguments.

Ms. Kilgannon: Yes, for instance, there was a very large education interim committee in the early sixties on which a lot of members served, who were—not before and not afterwards—on the Education Committee during session, and they would do all this work. I was wondering about the issue of continuity: what happened to that work? Did the standing committees use it, or did they put it on the shelf?

Mr. Burke: If the chairman of a Council committee was politically connected, then the bill might fare pretty well during the legislative session, even when the chair of the standing committee was not on the Council. But clearly, there was a problem here, an organizational problem, and that's what the 1973 reforms dealt with.

Ms. Kilgannon: Could it have been addressed within the Council framework? Could they have made more of a connection with those appointments? It seems like a built-in conflict, otherwise.

Mr. Burke: The only way it could have been corrected within the Council framework would have been to include the standing committees within the Council. Maybe we could have had Senate and House co-chairmanships, joint committees. I mean, that was a possibility. There were all kinds of discussions going on in 1973 and that was one of them. I'm not sure it received much attention, but it was one way to provide for some connection between those who prepared the bills during the interim and then those who acted on them during the session.

Ms. Kilgannon: The Council began with one view of its work and then that changed and grew over time. When they were first established, they didn't even write bills, they just did studies. And then, within a few sessions, I think about three or so, they started to say that this was a little too abstract. To be effective, they needed to actually write some bill language, because the studies weren't going anywhere, otherwise. Maybe there was some frustration there, I don't really know. And then gradually they did more and more of that, or appear to, in their

reports. And then in the sixties, the leadership notched it up a little bit more. They increased the membership by a few and increased the executive committee. I imagine with any institution, there's this struggle with, "Oh, it could work better. What could we do to make this work better?"

And all through this evolution, Don Sampson was the chief staff person. Did he help members think about these problems, what the weaknesses were? Or was that something that was strictly political? Would the staff be of any help with figuring out some of these issues about how to make the Council itself work better, or would you just do what you're told?

Mr. Burke: Well, you pretty much did what you're told. What happens with legislative committees is you generally know where your committee wants to go and you want to facilitate that. And that generally is what we did with the Council, and what people do with the standing committees now. There's an understanding that staff services should facilitate the committee agenda. And then you provide that service. And if you can be creative in providing that service, creative in a way that the legislators appreciate, then that's great.

Ms. Kilgannon: But not too far out in front.

Mr. Burke: No, you have to know where your place is; your place is to facilitate someone else's agenda and not your own.

Ms. Kilgannon: Yes, I imagine that would be one of the strongest ethics of the group.

Mr. Burke: It's a very complicated thing, because legislative staff—to do a good job—have to be able to understand where legislators are coming from. And that's not easy for a lot of people. You can be creative and you can take the initiative in providing assistance to legislators, but you have to facilitate the legislators' agendas.

Ms. Kilgannon: So, you would be given an assignment, and where would you go for the information? What sorts of things would you actually do on your job to produce these studies?

Mr. Burke: This is one of the beautiful things about working for the Legislative Council, or working for a legislative standing committee today: your universe of sources is unlimited. As a young lawyer, it was so wonderful for me to be able to go to the University of Washington Law School and have relationships—professional relationships—with faculty there who wanted to help, and who were anxious to contribute. So the University of Washington was a major place for me. But I went everywhere. I never felt even the slightest reluctance to contact anyone. And I think as you know from some of these reports, I never felt the slightest reluctance to pick up the phone and call *anyone* for information or for leads. That was one of the beauties about working for the Legislature in a research capacity.

Ms. Kilgannon: It sounds like you had a lot of resources at your fingertips. Did you feel you had enough time, enough of these resources so that you could do the job they wanted you to do?

Mr. Burke: I never had enough time.

Ms. Kilgannon: Sometimes legislation, even in the interim, may feel rushed. Always the temptation with research is to do more. But did you feel that you had the tools that you needed to do your job properly?

Mr. Burke: Oh, yes. The Attorney General was another place that was very important. It used to be that the assistant attorney generals were farmed out to the agencies and they actually worked in the same buildings as the agencies. They were extremely knowledgeable about agency programs. Not just the strictly the legal aspects of the programs, they knew how the programs worked from the bottom up. They were great sources of information.

Ms. Kilgannon: So say, for agriculture—and I'm guessing you probably didn't walk in knowing much...

Mr. Burke: I knew nothing. In fact, one of the first assignments I had was dealing with the state noxious weed law, drafting a noxious weed law, for the Legislative Council's Agriculture Committee. I had to meet around the state with state Grange organizations. It was a fascinating experience, very interesting. I had no knowledge about noxious weeds, you know, none. But it was wonderful, it was a great experience. I traveled from one corner of the state to the next on noxious weeds.

Ms. Kilgannon: You became an expert. How many of these different studies would you do at once? Did you get to concentrate, or were you doing noxious weeds at the same time you were doing other things?

Mr. Burke: The Agriculture Committee was not a heavy committee. But the Judiciary Committee was quite heavy. Now, I don't recall exactly the number of studies, but we may have had fifteen or so, twenty studies, maybe more, and some of the big ones really took a lot of time.

Ms. Kilgannon: I have one with me here, the Revised Washington Criminal Code, which looks like a pretty good undertaking, completed in 1970. Could you tell me about what it took to do this study?

Mr. Burke: Yes, this is with the Legislative Council's Judiciary Committee. The system set up to prepare the revised code involved a citizens' advisory committee, which was composed of very talented persons from the judicial branch, law enforcement community, and the defense bar.

Ms. Kilgannon: And who would choose those people?

Mr. Burke: This was set up by the Council's Judiciary Committee and we had a law and justice federal planning grant of some kind—I think we had a \$100,000 grant to do this. We actually returned some of the money. We used this grant not only to fund the citizen's advisory committee but also to pay for a reporter who did almost all the drafting. And then we had someone who provided editorial assistance, John Junker, who was a professor of criminal law. But the reporter, Richard Holmquist—he became the chief civil deputy in King County and I think he might be retired now—he did a fantastic job on the criminal code revision project.

We met—I don't know how often—but we did put together this large document, the proposed Revised Criminal Code in 1970. One part of it was adopted almost verbatim, the sex crimes chapter, because the legislators were concerned, that with the Equal Rights Amendment having just been adopted, that many existing sex crimes laws in Washington State may very well have been unconstitutional since they provided for disparate punishment based on sex. So the Legislature very hurriedly during, I believe, the 1973 or maybe the '74 session, passed the sex crimes chapter. I recall that much of the remainder of the proposed code was heavily worked over in subsequent sessions and the revised code that passed was very different from the Council's code.

Ms. Kilgannon: In the introduction to the new code, you talked about it as a place to begin and that it gave members something to react to. I imagine even having this all in one place, pulled together, and somewhat worked over would be a great help. And then legislators could work through the issues.

Mr. Burke: If we hadn't done this, we would not have had a Revised Criminal Code for a long time in Washington State.

Ms. Kilgannon: When had it been revised last?

Mr. Burke: I think it was 1909 or something like that, it was way back.

Ms. Kilgannon: Things had changed quite a bit since then!

Mr. Burke: Well yes. A good part of the old criminal code was clearly archaic.

Ms. Kilgannon: And there are whole new areas of crime. New opportunities with the different changes in society.

Mr. Burke: That's for certain.

Ms. Kilgannon: Would you have worked on this for a couple of years?

Mr. Burke: I worked on that from 1967 to 1970, three years.

Ms. Kilgannon: And while you were doing that that would be your major assignment, or just one of many?

Mr. Burke: No, it was one of many and really, I was the person who coordinated this, brought it together. Most of the drafting—most of the really hard work on it—was done by Dick Holmquist.

Ms. Kilgannon: Still, that's something to keep track of, a large project like that. Now, this committee of citizens, what would have been their role? They would give advice; they would help write it; they would bring in their different areas of expertise?

Mr. Burke: For each meeting of the citizen's committee, we would have drafts for a chapter, or for a portion of a chapter. The drafts generally were based on the model penal code, which was a document that had been adopted by a national organization. Most of what was in this draft was borrowed from this model code, and from other

states that had recently revised their codes based on the model code. So the citizen's committee would look at the draft and read the interpretation of the draft that we would present to the committee and that showed what effect the draft would have.

Ms. Kilgannon: So it would be an annotated code—the laws with notes attached?

Mr. Burke: Yes, it was annotated; each section had a comment. Following each section of the draft, we would have a comment that would compare the draft with the model penal code, with the existing Washington law, and with other jurisdictions.

Ms. Kilgannon: Oh, that would be a lot of material.

Mr. Burke: A lot of material, a lot of work. And the members of the citizen committee would have this material and study it before they would meet and then they would get together and decide if they wanted to go with it or whether they would want to amend it. And frequently they would change it. Then we would give the citizen committee's recommendations to the Legislative Council's Judiciary Committee.

Ms. Kilgannon: Then the legislators would also do the same?

Mr. Burke: Yes, go through the same process and we would have new comments. And eventually we had a document. This was a major effort.

Ms. Kilgannon: Well, that's a wonderful amount of oversight.

Mr. Burke: Yes, it was a major effort. I doubt today that legislators could ever do anything like this.

Ms. Kilgannon: Because it's too concentrated, too big, they'd have to break it down into smaller things?

Mr. Burke: I don't think the political system would allow legislators to focus today to that extent on a single subject. I mean, it's just not there today, you know, it's more reactive today and more political.

Ms. Kilgannon: There was something in that period where there was a great deal of reform energy. A lot of people were looking at different parts of the Legislature, different parts of the laws and all the processes. It was a period of great transformation and a lot of energy for big changes. I wonder if these things come in waves. I don't know.

Mr. Burke: I don't know, either. It was a fascinating period because state legislatures were undergoing fundamental change across the country. There was a book published, I think it was in the sixties, I believe, called "The Sometimes Government" by the Citizens' Committee on State Government or something like that. It was a great book. It discussed, generally, the condition of state legislatures, which was deplorable. Legislators didn't have offices, they didn't have staff.

Ms. Kilgannon: They didn't even have telephones.

Mr. Burke: Didn't have telephones frequently. Anyway, state legislatures in the late sixties and early seventies responded to this need to modernize and did so.

Ms. Kilgannon: That was another piece of the work of the Legislative Council, was that it was the body that related to other states and to these national councils of states. There were a couple of different organizations that issued reports and studies and with which you had a relationship, where you could ask other states what they were doing. Where did Washington State stand in comparison on reform and modernization?

Mr. Burke: I think we were leaders. We were leaders in almost every sense. We did so many things here that other states subsequently have come to do also, particularly with our use of computers. A lot of this was not with the Legislative Council. I think it was during the Rosellini administration when this state first really modernized; that was when we got the Central Budget Agency and the civil service laws...although Rosellini, I don't believe, supported the civil service reforms. At least not initially, I think he had some mixed feelings on that.

Ms. Kilgannon: Yes, that was a very big change. The state had had patronage employees from day one and then that became not quite as workable, perhaps as government grew. One important thing that you point out, is that if the governor is of such a mind, he can lead on a lot of these issues. But I understand that one of the purposes of the Legislative Council was that the executive branch was getting very strong and organized and had great staff. And the Legislature, as you noted, had nothing. And so they were looking around for tools to bring themselves back into the picture; some legislators worried that their branch of the government was falling way behind and was only reacting to what the governor was doing and had no program of their own. How much of the Legislative Council would be an answer to that kind of issue? Was that something that you talked about?

Mr. Burke: Oh yes, I think the Legislative Council was important in giving the legislators a voice, a research tool that they didn't have before. But the major organization that was important to give the Legislature a voice back in those days was probably the Legislative Budget Committee, because the staff of that committee had budgeting skills and it was in the budget area that the executive branch truly overwhelmed the Legislature. The Budget Committee staff would split during the sessions, half would go to the Senate and half would go to the House. They were very important in giving legislators some way to understand what the governor was proposing in his budget.

Ms. Kilgannon: I understand legislators had no independent numbers; they only got what the governor gave them. And they could play around with that, but they had no way of finding out if they were good numbers or if there were other interpretations. They were a little bit hamstrung.

Mr. Burke: Yes, it was not a good a system.

Ms. Kilgannon: That gave enormous power to the executive. The other piece that I have read about was—certainly with President Johnson and then Nixon especially—that the federal government was very proactive in handing things down to the states, new requirements, new programs, certainly some good things with money attached, but often with many strings as well. So there was some nervousness among the states that their position in relation to the federal government was weakening and they were trying to strengthen what they were doing, too. So the Legislature was struggling with the governor and the states were struggling with the feds.

Mr. Burke: In the legislative branch, most of the friction there, with respect to the federal programs, I believe was in the fiscal area. A lot of the very complicated budgetary provisions were designed by the executive branch to enable the state to take advantage of, while at the same time provide for some flexibility in administering, these federal programs that were thrust upon the states.

Ms. Kilgannon: What about another issue, that the other place that legislators got their information was from lobbyists, which, depending on the lobbyist, could be fine or maybe not so fine. They built these relationships over time with these different groups, but it still left them in a somewhat weak and dependent position. And towards the seventies, a push to reform that relationship got underway; with the Public Disclosure Commission coming in and various things, people seemed to be more uneasy, say, with that relationship. Perhaps, they needed more distance there, more independence.

Mr. Burke: It's very complicated. How are you going to regulate people who appear before legislative committees and knock on legislative doors? I'm sure the system has changed—I know it has changed tremendously over the years. But legislators back then, and now, get a lot of information from lobbyists. Not just the business lobbyists—but from the Association of Washington Cities, state agencies, citizens—everyone is a lobbyist.

But while we're on this subject, I'd like to discuss an ethics related issue that has always been on the back of my mind when I think about legislative changes. This is a major change that occurred in the Legislature and I'm not sure it's been to the better. When I first came to work for the Legislature, up through '73, I believe, legislative committees would go into closed executive session to adopt bills, or amendments to bills, or discuss the amendments which they would adopt. Members of the public would be invited to leave. And during these closed executive sessions, committee members would argue and reach compromise. Unless it was some bill like a labor bill or a tax bill, the discussion was generally not partisan. By and large, the members would sit down and they would discuss these bills and the amendments with one another, and party lines meant nothing. The members got to know each other, they liked each other generally. Then what happened was the rules changed so that members could no longer have the closed executive sessions. The idea was that all deliberations would be

brought out into the open. However, they were never brought out into the open; the rules just drove the private bipartisan discussions into even more private quarters, where only members of the majority party participated in the discussions. And the really bad thing about it, in my opinion, was that it made the place more partisan, it coarsened the system somewhat.

Ms. Kilgannon: They were free to say things that they might not have said otherwise?

Mr. Burke: Yes, it just really changed the system and it made it difficult for legislative staff who were providing services on a non-partisan basis, because under the new system the committee chairs would typically just meet with staff and committee members of the majority party. And the legislators would discuss what they were going to do and then they would generally do it, regardless of the minority. I'm not sure that's a good system. Contrary to opening up committee deliberations, the open meeting rules actually made deliberations even more private. And the rules made the Legislature a much more partisan place.

It's interesting, when the governor would meet with his cabinet officials, no one ever said you had to open everything up. For some reason the media in Washington State had gotten this idea that open committee meetings is important. The people that advanced this never really thought it through. But what they've done is driven the deliberative process—the negotiation process—driven it further into a cave, so to speak, and clearly made it more secret and partisan.

Ms. Kilgannon: Well yes, I can see how that would happen. They've got to have those discussions. They've got to be frank at some point. It's also reputedly led to a lot of grandstanding when those committee meetings are open. Things are said and done that are for the purposes of the Press rather than to advance legislation or work well with others.

Mr. Burke: When a member during a committee meeting decides to vote for an amendment or a bill today, it's interesting. The member frequently isn't looking at the other members of the committee; he or she is looking at the audience. They're looking at the TV cameras or whatever, but typically are not engaged in a discussion with other committee members.

Ms. Kilgannon: Committees are still where everything happens—not the hero amendments on the floor, not the speeches on the floor—but in committee is where the real work of the Legislature happens. So as the committee structures are changed, reformed, transformed, would that impact what happened? Does the actual legislation change also? Is legislation now more partisan in nature, less far reaching? You say we can no longer do these big studies, is that a part of this change?

Mr. Burke: I don't know whether the legislation has changed. I think we don't do the big studies because they

take a lot of time and focus. Because of the time involved, legislators today would just as soon have someone else do the report or the study—the Bar Association, or—

Ms. Kilgannon: A policy institute?

Mr. Burke: —a policy institute or one of those groups, and then have the standing committees react to it. And they may be right. I think the policy institutes may be doing a lot of those big studies that the Legislative Council did years ago, and I'm sure they do a better job, too. More people, more resources. So maybe when you look at it that way, with the policy institutes, we're still providing the same kind of services we provided during the Legislative Council days, but we're not doing it through legislative staff. Instead, we're doing it through non-legislative entities.

Ms. Kilgannon: But have the legislators again lost their independence when that happens, as an institution?

Mr. Burke: Well, they've lost something, but you know, if the legislators care enough about an issue, they can always become involved once again. Actually, I worked on a few issues that fit into that category, like the Indeterminate Sentencing Act, which the Legislature passed, I think, in 1980 or thereabouts which got rid of the parole system.

Ms. Kilgannon: That sounds like a big study.

Mr. Burke: It was not a big study, it was just a big drafting effort. But it was an example of involvement and creativity on the part of the legislative committees. That was very similar to the revised criminal code in terms of its product. It was a big, complicated product.

The Legislature also put together a health care bill in the early nineties or thereabouts. Dennis Braddock chaired the committee and it was an extremely complicated, big bill. So the Legislature can still do it. But it has to get excited about the issue and it has to want to do it. And more typically today, the legislative committees don't want to.

Ms. Kilgannon: Is it because we have a different type of legislator who's not looking at the big picture, but looking at smaller issues?

Mr. Burke: Oh, I think that's definitely true. I mean, one of the things that has happened to legislators is that we had a number of superstars in the Legislature years ago. And while there are stars there now, I don't think we have many Slade Gortons, or Alan Thompsons, or Bill Gissbergs, or Augie Mardesichs, or Lenny Sawyers, or people like that today. You know, these were very capable legislators.

Ms. Kilgannon: Yes, great pragmatists, being great problem solvers seemed to be the quality that they all shared. They had different ideas, of course, but they were there to solve the problems of the state.

Mr. Burke: Dennis Braddock, whom I did not work for but I have a lot of respect for, was a great legislator. Putting together this health bill was amazing. Mary Kay Becker was an extremely talented legislator; she put together the Indeterminate Sentencing Act and other important laws. And these bills were put together with an attention to detail and quality—and not just by staff, but by the legislators. And that is a real difference; I mean for a legislator to understand the details of something like that huge health bill or the Indeterminate Sentencing Act, that would be rare today.

Ms. Kilgannon: That's impressive, yes.

Mr. Burke: Helen Sommers is one of today's stars. I think Helen probably understands the budget that way and the pension laws.

Ms. Kilgannon: Is it because of longevity, you don't get quite the long careers, the twenty or thirty-year careers, is that what it takes? Or are those people just bringing in their personal training and experience?

Mr. Burke: I don't know, I've given so much thought to this and I don't know what the answer is, or what the problem is today. It used to be the case in Washington State that pillars of the community—important, smart, active people in their community—would run for the Legislature. And the salary was nothing, it was peanuts, so they were interested in solving problems and they came charged to do this. They were emotionally ready to sit down and spend hours studying and negotiating and drafting bills and amendments. And I just don't think that's true today to the same extent.

Ms. Kilgannon: I imagine it would take a critical mass of those people.

Mr. Burke: Yes. The Slade Gortons of today are not running for the Legislature, they're practicing law, and getting wealthy, and serving on charity boards.

Ms. Kilgannon: And corporate boards.

Mr. Burke: It's a different world. Maybe if we have great problems to be solved again...

Ms. Kilgannon: That would call upon great people?

Mr. Burke: Great people will become interested again.

Ms. Kilgannon: That may be, maybe these things have their natural cycles. Washington State's not old enough for us to be able to chart that.

So, you got to do all these things on the Legislative Council that sound very engaging and substantive, and then, as all things do, the institution changed. In 1971, Don Sampson retired—certainly a legendary figure on the Legislative Council, people respected him greatly. Perhaps you could give us a little sketch of him before we move into the next phase of what happened.

Mr. Burke: Don was a wonderful man; he was not very healthy when I came to work there. He was very issue-oriented and extremely fair. And he was someone that I always felt comfortable going to with any kind of question I had about how to approach an issue or approach a legislator, because I knew that I'd get just a very honest response from him. I felt fortunate to have worked under his guidance from '67 to '71. He had a great reputation and people who worked with him were very fond of him.

Ms. Kilgannon: When he retired, it was not clear to me who replaced him or if anyone did. The records get a little fuzzy at that point because the Council was about to change its whole structure.

In 1972, the Democrats won the majority in the House elections. It had been a Republican majority for several sessions, but then Leonard Sawyer was handily elected Speaker, and he came in with quite a program of change. He had wanted to be Speaker for a long time and had a lot of time to think about what he wanted to do there. He didn't, of course, do everything the first day, but he had some thoughts on how he wanted it to go. He worked with Augie Mardesich, who had become the majority leader in the Senate, quite happily at the same time. They instituted standing committees in both houses that matched—for pretty much the first time. That was a big innovation. They advanced the idea that these committees should be year-round as well. Sawyer moved towards abolishing the Legislative Council to bring in a different system. He wanted a non-partisan office, he maintained the concept of serving all legislators, but he wanted a program year-round that stayed with the standing committees. He brought in computers for budget work and other tasks. He had some other pieces in his reform program but those are the parts that are most important for this discussion.

During this transition, you told me that the Office of Program Research, as it came to be called, was not brought in immediately. That happened towards the end of his first session as Speaker, is that about right?

Mr. Burke: Actually 1973, when the session recessed in the spring of 1973.

Ms. Kilgannon: They brought in what were called “continuing sessions” so it's hard to say exactly when it ends.

Mr. Burke: It didn't end, because we had a special session. The Constitution had no end to a special session at that time. That was very interesting.

Ms. Kilgannon: That allowed for the continuing sessions, which was a big piece of what he was trying to do.

Mr. Burke: Yes it was. But anyway, it was in the spring of, I believe, '73 that we actually physically moved from the Legislative building. I think there were four Council staff members who went to the House to work. We moved from the Legislative building to the Health building, which the House had; the Senate had the Public Lands building. Almost immediately the House created an employment committee which interviewed and hired staff for the Office of Program Research.

Ms. Kilgannon: I understand that was a bipartisan committee. Which was an important innovation.

Mr. Burke: Yes. I had nothing to do with this committee. I had a lot to do with the people they hired, but nothing to do with the committee. But I believe it was bipartisan and they did try and do a good job in selecting people.

Ms. Kilgannon: Leonard Sawyer's idea was that a strong minority would keep the majority party on track and he wanted the Republicans to agree to his reforms and work with him. He wasn't trying to leave them out in the cold. And that was one of his methods to assure them that this would be a non-partisan staff and that they could trust these reforms, he wanted them to have a hand in choosing them. So, in his recollection, he brought them in right from the start and said, "Yes, this is going to be above board."

Mr. Burke: I think back in those days, as we discussed previously, the Democrats and Republicans talked to each other and where they disagreed, they agreed to disagree. And there were a lot of hero speeches and all these things, but by and large, they were part of the same team. And Sawyer was, I think, effective in dealing with the Republicans.

Ms. Kilgannon: So when you say you had not much to do with the hiring, but you had something to do with the result, could you describe that?

Mr. Burke: Back then, I was practically the only person on the OPR staff with broad research experience. So I ended up helping people. Teaching them how to do reports, write letters...

Ms. Kilgannon: Relate to legislators, a little of that?

Mr. Burke: Yes, right.

Ms. Kilgannon: It's a different world for many people.

Mr. Burke: The people they hired were largely right out of college. Many of them had never written a business letter or a memo. So this period, in terms of legislative staff skills, was a little bit rough, a little bit ragged. I used to keep a log of all the letters and memos that the staff would write, and initially I had to approve everything.

Ms. Kilgannon: You were the screen for quality control?

Mr. Burke: Yes. Well, that didn't last long. People picked up skills quickly. It was an interesting period.

Ms. Kilgannon: Was it also creative? You could set the tone, you could train your people?

Mr. Burke: Yes, I brought with me a Legislative Council background, which was serving Democrats and Republicans, and doing so without becoming identified as either a Democrat or Republican myself. And I tried to instill in the new staff that kind of standard. And by and large, I think it was successful.

Ms. Kilgannon: I would think that would be very key.

Mr. Burke: I thought it was important, that if the organization was going to work effectively, that it maintain an

image of political impartiality and establish a trusting relationship with legislators of both political parties. And the Legislature back in those days was kind of split on this. Many legislators expected staff, particularly staff that did a lot of work for them, to help with their campaigns. And there was pressure put on staff to help with political campaigns.

Ms. Kilgannon: Even the nonpartisan staff? They still had caucus staff after all.

Mr. Burke: Oh yes.

Ms. Kilgannon: Not everybody recognized that line?

Mr. Burke: But to Leonard Sawyer's credit, we were able to resist this pressure. We never would have been able to do so without Leonard Sawyer. But I told the staff, when they would get solicitations for campaign contributions or fundraisers, "I wouldn't contribute. If you want to, go ahead, but don't feel like you have to. If you do contribute, it will be difficult for you to deal with members of the other party. And when they come in power, which eventually they will, you may not be terribly welcome around here."

Ms. Kilgannon: "Keep that in mind."

Mr. Burke: I also told them that contributing would make it difficult for them to give staff reports, because members of the minority party might view them as being partial. I never participated in any of these partisan functions. I never felt that I couldn't, but I just felt it wouldn't be prudent and it wouldn't conform to my idea of what kind of staff organization we should have there. To this day, it's still a nonpartisan organization.

Ms. Kilgannon: Yes, I want to say this is a reform that has lasted through the years.

Mr. Burke: One of the things that happened is that legislative staff appreciated the fact that if their work was going to be accepted, they were going to have to maintain the trusting relationship with legislators. And I think that appreciation is probably more responsible than anything I did.

Ms. Kilgannon: Certainly articulating that and setting it into the first standard that every one then worked toward would be helpful.

Mr. Burke: Yes. I told the staff that I wasn't going to fundraisers and I got the same solicitations they did. You know, these were young people just straight out of college, many of them with their first mortgages and children. And their thoughts were, "Well, if I don't go to this fundraising function, I may not have a job." And I believe that, outside of Leonard Sawyer, Alan Thompson, and a few other legislators, that most of the partisan people really wanted us to make contributions and to become partisan staff. So Leonard was very good on this.

Ms. Kilgannon: Did he somehow hold that at bay long enough for OPR to establish itself?

Mr. Burke: I think he did. One of the people that did put a lot of pressure on us was John O'Brien, Speaker Pro Tem.

Ms. Kilgannon: He didn't quite understand the new system?

Mr. Burke: Well, he thought that—like Rosellini did initially with the civil service act—that the spoils belonged to the victorious. If you're going to be legislative staff, if you're going to work in this environment, you should reward those who hired you with your political contributions and doorbell ringing or whatever. But Leonard Sawyer, I think, was the person who was mainly responsible for our staff continuing through the years to be largely nonpartisan.

Ms. Kilgannon: Did you work with the Chief Clerk? The Chief Clerk is the administrative officer for the House. Did he or she have any oversight or were you a completely separate organization?

Mr. Burke: Well, it's a complicated thing. OPR staff would work for everyone. And that's probably why OPR has managed to survive so long and so well. No one really had a knock-out punch. There was a Chief Clerk a number of years ago, Tim Martin, who wanted to get rid of the Office of Program Research; he wanted a partisan staffing situation. And he couldn't do it because he had the employment committee to deal with and he had the Speaker. And very quickly his efforts fell apart.

And it's very complicated for OPR staff to work under those kinds of circumstances, because you work for your committee chair first, and you certainly work for the Speaker, you work for the Chief Clerk, the staff director, and you have responsibilities to any legislator who comes and asks for your help.

Ms. Kilgannon: So you could never turn down work?

Mr. Burke: I never turned down work.

Ms. Kilgannon: That would be a tremendous service if the legislators knew they could count on you, your group of staff people, to respond as timely as you could. And I imagine your range of requests was everything from "quick and easy" to quite complicated.

Mr. Burke: Yes, if something was really complicated that you were working on—say, a major bill like a budget bill—and someone would come and ask you to do a job that took two days to do—and in the meantime, you're drafting amendments for this budget bill that has to be out...

Ms. Kilgannon: Highly critical.

Mr. Burke: Highly critical, when the bill's going to be out of committee that evening, well obviously, you can't do it. So you sit down and tell the member your problem and see if there's some other way it can be done, either by other legislative staff or postponing it. But you know this happened all the time with legislative staff and legislators. The ideal situation is for legislative staff to share the workload when it gets really heavy. One of the great things about OPR as a central staff is that we did this all the time, and very effectively. If you have

a situation where you have each committee being independent and without any kind of central administration, such as the Office of Program Research and the staff director, then you have a problem getting staff from other committees to help legislators and staff on committees that are particularly busy. Personally, I've been all over the place working with different committees during heavy times, particularly during the tail end of sessions. I've always done budget amendments.

Ms. Kilgannon: You would develop a real wide range of abilities, to understand everything that's going on.

Mr. Burke: And that's true for most legislative staff that've been around a while; they're knowledgeable about all kinds of issues that are outside of their regular committee assignments.

Ms. Kilgannon: Originally, the idea was that they would get all these young people and they would come in, work for a few years, and then they would go on to different parts of government service. And to some extent that happened, but to a greater degree than they anticipated, people stayed and made this a career, and loved it and built up areas of expertise and experience, even greater than some legislators. Did that get to be an issue, if staff knew more than legislators? They're still the legislator, but what if you actually have a greater experience and knowledge of legislative matters?

Mr. Burke: Well, that happens with every new legislature. And what you try to do with the staff is instill in them a kind of idealism that this is a very important service they're providing. You can look around the world and you can't find a good, strong democracy without a viable legislative branch. And these legislators are the ones who are responsible for this. We're there to facilitate their exercising of their constitutional roles. When you look at it in the big sense, in an overall sense, then I think it's not hard for most legislative staff to want to help new legislators, to want to enable them to make a contribution.

Ms. Kilgannon: It's very vital.

Mr. Burke: Well yes, if a legislative staffer doesn't get excited about legislators exercising their constitutional role in a democratic system, then they shouldn't be legislative staffers; they should go elsewhere. The major constraint on the legislative staff should be recognizing where their duties and obligations leave off and those of legislators begin.

Ms. Kilgannon: That would be probably one of the most important things for them to learn is where that line is, what their role is. I imagine that if you've been there for a while, you get very close to certain legislators and very involved in their committees, and their work, and their vision of what they want to do. And you know, you're human, you would have affinity for some more than others, better relationships. Could you maintain that impartiality over time?

Mr. Burke: My experience is I've never had any difficulty getting along with legislators whose values were different from mine. As long as they were nice people to deal with, I could really care less what their political philosophy was. I drafted so many bills, and have done so much work where I wasn't particularly fond of the objective...

Ms. Kilgannon: I imagine you would develop a perspective of how this would play out over time.

Could you see different new legislators coming in and think to yourself, "That person's really going to rise, that person's got what it takes." And other people, you could see might not have long careers in the Legislature that they didn't bring enough to it? Would that be part of the interest?

Mr. Burke: It was always very exciting to see a legislator grow, to see someone who came in with very little knowledge of state government and then blossom to become so knowledgeable on the issues. That was always a joy.

Ms. Kilgannon: Were you able to help that process to some degree with your reports and staff support?

Mr. Burke: I think so. Legislators, particularly new legislators, frequently don't appreciate the complications of bills and the proposals that they might have. And the really good ones like it when you show them that it's not practical to go the way they want to go, but if they would just change their proposal a little bit, that it would accomplish the same result, that it might work, or whatever. So it, again, is facilitating their agenda.

Ms. Kilgannon: What about legislators who come in and they want to create a program, or law, or whatever and it's been tried before, but didn't fly? Would you help them understand what had happened the session before or whenever it was, and then maybe what they might do differently so this time it will work?

Mr. Burke: Yes. One of the advantages of having staff that's been around for a while is that they'll have some institutional history. And one of the things that OPR has provided legislators with is institutional history. I think fairly recently there were some problems at OPR where the turnover was just fantastic. But now, I believe, there is more stability.

Ms. Kilgannon: I would think that would be a real strength in that program if they have that longevity. Legislators come in with new ideas, but a lot of these things have deep roots and so it would be helpful to them to have some insight.

Mr. Burke: On the negative side of this, it's also possible legislative staff who have worked these issues before will have ideas—firm ideas—about the issues. And a staff person with firm ideas may actually prevent the Legislature taking a fresh look at the ideas.

Ms. Kilgannon: Be kind of a wet blanket on the whole thing?

Mr. Burke: Well, if you've worked an issue and you've seen it fail and fail and you know the actors, you can't help but feel some emotional pull one way or the other on the issue. Sometimes it's really good to have someone who's not been connected with an issue in the past to work on the issue now.

Ms. Kilgannon: Sometimes, it's just the right political moment, certain things come together and then it's the time. And maybe the last couple of sessions weren't the time and now it is, so you'd have to be able to see that somehow.

Mr. Burke: That's right, but it's a challenge. And for staff directors especially.

Ms. Kilgannon: To keep fresh?

Mr. Burke: To keep fresh, to keep the staff from becoming jaundiced and maybe callous on some issues.

Ms. Kilgannon: How would you do that?

Mr. Burke: Staff will differ. Some people will never, ever become callous or turned off on an issue, at least that anyone will be able to discern, and others very quickly will. So you just simply want to provide guidance and help and maybe make staff changes.

Ms. Kilgannon: So maybe re-assign people? If they're really burned out on a certain group of issues, maybe they should go try something else, a different committee?

Mr. Burke: Yes, right.

Ms. Kilgannon: Earlier, for the Council, you talked about calling on the University of Washington and other places where you could get background studies. Did you continue to have all those resources with OPR?

Mr. Burke: Yes. Here's an interesting point. As the system became more political, the state agencies with whom you dealt with became more careful in giving responses. And also as the system became more political and there was a sense that the participants in the system weren't as interested in doing a public good, perhaps, but were interested, really, in getting re-elected more so than in the past. As a result of this, the willingness of people to respond to legislative staff requests for information diminished. You want to help someone who's trying to do a public good but you may not want to help someone if you think that they're not trying to do a public good as much as they're trying to get some political advantage. So I think that there probably was a difference—you know, it used to be that you'd call someone from the University and they were *so* anxious to help. They worked these issues, and they knew what was right; they'd been talking about the issues for years, and now they're talking to someone who could make a difference—or who might actually give their opinions to legislators and turn them into something—they would be excited. But I'm not sure that's as true today.

Ms. Kilgannon: So where would you go then for good information, for good studies and good analysis? Would it have to be more in-house?

Mr. Burke: You mean in recent years?

Ms. Kilgannon: Yes, as these things changed over time.

Mr. Burke: No, I'd still go to the same places but I wouldn't have the same success. Another interesting development is that the Attorney General's Office probably became over the years less helpful to legislative staff because that office became more involved in providing pure legal services to the agencies and wasn't as involved in the programs so much as they were before.

Ms. Kilgannon: When did that change?

Mr. Burke: That happened during the Eikenberry administration; they pulled all these assistant AGs back from their agencies and put them in the Highway/Licensing building. To me it was a disaster to do that.

Ms. Kilgannon: So they were no longer in touch with their agencies?

Mr. Burke: Yes. I always thought that was a mistake to pull them away from the agencies, and it resulted in the agencies going elsewhere for daily counsel, too.

The Attorney General's opinions also used to be very helpful. When Slade Gorton was Attorney General, there were so many opinions out there that his office drafted.

Ms. Kilgannon: Would they be interpreting law?

Mr. Burke: Yes. There was one assistant attorney general, Phil Austin. This guy probably did more to answer legal questions in the state of Washington than any Washington judge. He wrote so many opinions. He retired about twenty years ago. So the Attorney General's Office was a very important source for information back in those days.

Ms. Kilgannon: It never went back to the old system, did it?

Mr. Burke: No.

Ms. Kilgannon: So agencies had to work differently, too. Any time part of a large system makes a change, it ripples through. Did agencies become more or less responsive or have better information, or better staff, or resources that they could work with you? Did they also have their corresponding changes that they went through, with different administrations?

Mr. Burke: Oh yes, but typically there would be exempt employees that would hang over from one year to the next and those people who continued on were important sources. Also, the assistant AGs would continue on with their agencies. So there was a lot of stability in the executive branch. I think there probably still is now.

Ms. Kilgannon: Yes, you started in '67 with Dan Evans as governor and then you worked through several administrations, Dixy Lee Ray, Spellman, Gardner, and Lowry. Some Republicans, mostly Democrats. Would

each administration—even though you worked for the Legislature—would they have an influence on how you worked in any way or is that just part of the landscape?

Mr. Burke: Oh yes, definitely. The Evans Administration was very activist and had a lot of bills.

Ms. Kilgannon: He had all those executive requests.

Mr. Burke: A lot of executive requests. And Lowry was very active. Governor Ray was not particularly active in the Legislature. I think she had become so controversial, with the media particularly, that when she had a bill she would disguise it as someone else's bill.

Ms. Kilgannon: So she would rather go to a legislator and get that person to introduce it under their own name, not as a governor requested bill?

Mr. Burke: This is what I understand, I saw very few of Dixy's bills.

Ms. Kilgannon: Interesting. Did the Legislature go through phases or periods of strength, periods of relatively less strength, when an executive would be stronger?

Mr. Burke: Oh, yes.

Ms. Kilgannon: Was that a constant struggle, to maintain their own viability?

Mr. Burke: The Legislature reacted strongly when it had strong leaders and there was a strong executive. If legislators felt that they were being overwhelmed by an executive, and not able to get ample opportunity to be creative on their part, they tended to adopt the programs that would enable them to better deal with the executive branch. And this is exactly what happened with Speaker Sawyer and Mardesich in the Senate. They responded to a strong executive and did a lot of things. I mean, not just a continuing legislature and legislative staffing, but also the veto power limitation.

Ms. Kilgannon: Yes, let's talk about that. That's certainly something that happened in that early period, where Dan Evans repeatedly used his veto power—more and more, and more creatively you might call it, and very controversially, to alter legislation and change the legislative intent to some degree. It was in the early seventies when this reached a crescendo with the Landlord and Tenant Act, where there's a reaction. There's a lot of grumbling and then finally some kind of line is crossed. But you were assigned to study the veto power of the governor and provide the grounds or ammunition for the fight that went to court to change that, redefine that power. So what would have been your staff role in that struggle; who would have brought that to you as an issue?

Mr. Burke: Leonard Sawyer was the person who involved me in the veto study and I did a report for him. But some background on this: there was universal agreement within the legislative branch that the veto power had been abused. Legislators were sitting down until the wee hours making compromises and negotiating on bills.

And they would finally reach an agreement by two, three o'clock in the morning. And then the governor would take that bill and cross out one or two words and completely change the bill, perhaps in a way never contemplated by the legislators who had gone through this horrendous process to reach agreement.

Ms. Kilgannon: Would you say by 180 degrees sometimes?

Mr. Burke: Yes. Sometimes the governor would veto the bill in a way which took out a word or two that just eliminated one side of a compromise. Legislators realized that if the legislative branch was ever going to become truly independent, something had to be done about this veto power. The report that I did for Speaker Sawyer gave the perspective of the legislative branch. And it was not designed to argue about pros and cons of the governor's item vetoing, but rather to look at the justification that the executive branch made for the vetoes and the extent of the vetoes.

Ms. Kilgannon: Yes, it's quite a study.

Mr. Burke: Yes. I felt very good about that. I don't think anyone previously had looked at this issue in that kind of comprehensive way.

Ms. Kilgannon: It really brings it together. Of course, people had been talking about it, but that wasn't the same thing as pulling it all together, and organizing it, and laying it out, and then providing a remedy. Wasn't a suggestion for a constitutional amendment included in the report?

Mr. Burke: Yes, I had a recommendation for amending the Constitution in there that reflected legislators' concerns, but unfortunately that didn't pass.

Ms. Kilgannon: That's a difficult thing to do.

Mr. Burke: Instead, a version that a Senate caucus attorney drafted passed. It was poorly drafted and resulted in a lot of litigation. But Len Sawyer liked that report, he bandied it around everywhere; every newspaper in the state had it.

Ms. Kilgannon: He once was involved in a face-to-face debate with Dan Evans on the veto power, I think, at a Bar Association conference. Did your report come in time for his debate?

Mr. Burke: Oh yes, absolutely.

Ms. Kilgannon: So it was the background. That was a highlight for him.

Mr. Burke: And he would have news conferences after Evans vetoed bills in a big way. He would always discuss the vetoes, and how out on a limb they were, how unfair they were, how they conflicted with the notion of having an independent legislative branch.

Ms. Kilgannon: It's definitely one of those turning points. Well, it was all part of Sawyer's and Mardesich's goal

to elevate the Legislature and regain some balance. They're both lawyers; they cared a great deal about how they thought government was supposed to work. They were concerned that if the Legislature was weak that the whole system would fall apart and that we wouldn't have true representative government.

Another thing that they were very concerned about was to keep a citizen legislature. That means different things to different people. If you have this independent research capability in the Legislature, does that allow legislators with all their varying backgrounds—true citizens—to come in and do an effective job? Was the creation of OPR part of that goal?

Mr. Burke: OPR does assist in the continuation of the citizen's legislature. If you have a legislative staff that is nonpartisan and well run, legislators can feel comfortable in getting assistance and there is less need for legislators to become experts on each issue.

Ms. Kilgannon: Well, there are so many issues.

Mr. Burke: There are so many issues. If you had a full-time Legislature, it shouldn't be that important for legislative staff to be there all the time because the legislators themselves will become experts. So I suppose Sawyer was saying that by having a strong legislative staff, a nonpartisan legislative staff, it enabled people to come to Olympia, serve as part-time legislators, and be able to carry out their constitutional duties with the assistance of staff. If they didn't have the nonpartisan staff treating them fairly and providing information to them, they wouldn't be able to operate nearly as well.

Ms. Kilgannon: That was the critical word for him: information. He felt handicapped by the lack of information. He knew as a legislator what he wanted to do but he didn't feel that he had good sources of different kinds of information so he could make the decisions. He knew that was his role but he was missing that piece. He didn't like the idea of making decisions in a vacuum, by the seat of his pants, so that was a big piece of it for him.

Mr. Burke: You know, one of the things that he started is the comprehensive orientation program at the beginning of legislative sessions. It was really quite innovative and it was well done. Sawyer and other House leaders would come up with the bills they thought were going to be the most important bills during the session. And then they would have the Office of Program Research—I don't know if the Senate did this, but in the House we did this—perform staff studies for a presentation to the legislators at the beginning of a session on each of these issues. So for example, medical malpractice was a very big issue during this particular year. At a specified time, House members would come and hear a presentation on malpractice in some hearing room. The presentations were very helpful for legislators. They asked questions and the information wasn't given with a political slant. The presentations were balanced and they would deal with the big issues. By the time members were voting on

these issues, they had some understanding of them, whether or not they were on the committees that considered them.

Ms. Kilgannon: Yes. They'd still have to vote on it ultimately.

Mr. Burke: But they would have a much better understanding than they would have had had if they received only the analysis of partisan staff and the arguments of lobbyists.

Ms. Kilgannon: Well, they heard both sides then and could compare them for themselves.

Mr. Burke: Yes. I also think that our staff, OPR staff generally, because we worked these issues over a period of time and did not have an agenda, provided the highest quality analysis.

Ms. Kilgannon: And I gather you could put them into language that a new legislator could understand?

Mr. Burke: Yes.

Ms. Kilgannon: You would know both the expert arena and the legislative arena and be able to mediate between the two.

You had a long experience with the Legislature. Although you didn't work a long time for the Legislative Council, it's where you started and it helped shape your perspective. And then you worked for the Office of Program Research until your retirement in 1996. And of course, nothing stays the same; over time you went through different administrations, different legislators, and different staff people. Could you make some kind of evaluative statement about the changes and whether OPR was able to fulfill that original mission and keep it, even in light of all the changes?

Mr. Burke: Well, I think OPR is in at least as good of shape today from talking to people—and I do stay in touch with people there—as it was when I left. And it may be in better shape. If you have the support of legislators and you have a good staff director, it will be a successful operation. And I think that's why it's proven to be successful over time.

Ms. Kilgannon: Would you ever have gone back to a Legislative Council situation?

Mr. Burke: Oh no. The alternative today is a majority/minority staffing system. But I don't think those systems are very effective and they're very expensive. Perhaps if you had completely full-time legislators it might work out, but there are some very serious problems with partisan staffing, if it spreads over to standing committees in a part-time legislature. The first problem is that the partisan staff tend to be insulated, the members they are close to tend to protect them regardless of competence. And that is a very serious problem. It happens in OPR, too. If you have a staffer who becomes very close to a chairman, it's very hard to apply office standards to that person. But when you have an OPR type setting, with the staff director responsible for the staff, that tends to prevent the

kind of close insulating relationships that tend to arise between staff and committee chairs or other legislators. With the partisan system, political loyalty is frequently expected to result in staff insulation.

Ms. Kilgannon: Well, they might be campaign workers or there are reasons for being there.

Mr. Burke: Right. You're rewarding someone for what they do for you as a staffer or as a doorbell ringer or whatever.

Ms. Kilgannon: A partisan staffing system would be more chaotic as that could change with every election.

Mr. Burke: You know, it's an amazing thing, legislators don't know about OPR when they first become elected and they may not have any reason to feel any loyalty, but the more they use the staff, the more they appreciate the staff's professionalism, knowledge, and general impartiality and they become OPR supporters.

Ms. Kilgannon: So that was quite an important vision to come up with this and put it in place?

Mr. Burke: Yes, I think Leonard did a good job. He was clearly one of the more influential Speakers in terms of legislative organization. His model has been followed for thirty-some years, since 1973, without really any great change.

Ms. Kilgannon: Sounds like it's still intact.

Mr. Burke: Intact and it's still strong.

Ms. Kilgannon: Yes, most of his reforms, other than continuing session concept, are in place today.

Mr. Burke: And that's been replaced by the annual legislative session.

Ms. Kilgannon: Thank you for your time today and helping us understand this important legislative development.