

December 3, 1986

MEMORANDUM

TO: William A. Cannell  
FROM: Richard E. Scanlan  
RE: Response to Susan Stuntz 11/16/86 Memorandum Re:  
Testimony for New York State

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On October 28th this office determined the witness list for the November 3rd public hearing before the New York State Public Health Council. The list of witnesses selected by the Public Health Council staff ultimately included Ed Cleary, President of the New York State AFL-CIO. Cleary was added by the Public Health Council as a witness only after the threat of issuing a temporary restraining order to cancel the hearing if he (Cleary) was not allowed by the Public Health Council to testify. Cleary was not on the original list of eight selected witnesses.

On October 30, I contacted Michael Griffin on vacation in Florida to determine if Cleary would sponsor the Savarese Economic Impact Study. I was advised Mr. Cleary would not consent to sponsor the study. Instead, Griffin indicated the study would be sponsored by the Public Employees Federation and presented by Mr. Ed Donnelly of PEF.

On November 3rd Griffin's office indicated they had received a telecopy of the draft statement for Mr. Donnelly to deliver to the Public Health Council's Committee on Codes and Legislation that day. However, Mr. Donnelly was detained in Albany and unable to present the Savarese Study. The Teamsters did testify on November 3rd and a copy of their statement is contained in the hearing transcript beginning at page 70.

On November 10th Mr. Griffin revisited the sponsorship issue of the economic study with Mr. Cleary. Cleary has since indicated his willingness to sponsor the study. He has secured approval from his Executive Board and is awaiting a final sign-off from AFL-CIO legal counsel O'Hara. This approval should come today.

With final approval by the AFL-CIO, the question will then be how and when the study is submitted. New York counsel will be asked to resolve this issue.

prp