



Contra
Costa
County

To: Board of Supervisors
From: LEGISLATION COMMITTEE
Date: August 2, 2016

Subject: Support Proposition 54 Legislative Proceedings Initiative

RECOMMENDATION(S):

CONSIDER adopting a Support position on Proposition 54 Legislative Proceedings Initiative, which seeks to prohibit the Legislature from passing any bill unless it has been in print and published on the Internet for at least 72 hours before the vote, except in cases of public emergency, as recommended by the Legislation Committee.

FISCAL IMPACT:

No direct impact to the County from supporting the initiative. However, if implemented, the measure would increase costs to state government of potentially \$1 million to \$2 million initially and about \$1 million annually for making additional legislative proceedings available in audiovisual form on the Internet.

BACKGROUND:

Background

Legislative Rules. The State Legislature has two houses: the State Assembly and the State Senate. The California Constitution governs the various ways in which the Legislature can pass bills. It does not include a requirement on the amount of time a bill needs to be

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/02/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 2, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: L. DeLaney,
925-335-1097

cc:

available on the Internet before a vote by either house.

BACKGROUND: (CONT'D)

Public Proceedings. The Constitution requires the proceedings of each house to be open and public, with some exceptions. These public proceedings include floor sessions and committee hearings, some of which occur outside of the State Capitol. Both the Senate and Assembly make audio or audiovisual recordings of most, but not all, of these proceedings available to the public online. The legislative branch spends around \$1 million annually on these activities. Current law prohibits Assembly recordings from being used for political and commercial purposes.

Legislature's Budget. Proposition 140 (1990) established a cap on annual spending by the Legislature. The cap is adjusted each year for changes in per capita personal income and population.

Proposal

The measure makes three changes to Legislative rules and responsibilities.

- First, the measure requires the Legislature to ensure audiovisual recordings of all public proceedings are publicly accessible on the Internet within 24 hours and archived for at least 20 years thereafter.
- Second, the measure prohibits the Legislature from voting on a bill until it has been published online in its final form for at least 72 hours. This prohibition includes exceptions for emergencies, such as natural disasters.
- Third, the measure allows the recordings of public proceedings to be used for any legitimate purpose.

Fiscal Effects

The measure's primary fiscal impact relates to the requirement that the Legislature provide audiovisual recordings of all proceedings. The amount of added costs would depend on how the Legislature implemented the measure. The state, however, could face: (1) one-time costs of \$1 million to \$2 million to purchase cameras and other equipment and (2) ongoing costs of about \$1 million annually for additional staff and storage for an archive of the recordings. The Legislature's costs of complying with the measure would come out of their annual spending allocation.

Summary of Fiscal Effects. The measure would have the following fiscal effect: Increased costs to state government of potentially \$1 million to \$2 million initially and about \$1 million annually for making additional legislative proceedings available in audiovisual form on the Internet.

See Attachment A for the full text of the measure and Attachment B for the full report by the Legislative Analyst's Office.

CONSEQUENCE OF NEGATIVE ACTION:

There would be no record of the County's support for the ballot initiative.

ATTACHMENTS

Attachment A: Proposition 54 Legislative Proceedings Initiative

Attachment B: Legislative Analyst's Office report