

Date of Hearing: March 22, 2017

ASSEMBLY COMMITTEE ON ACCOUNTABILITY AND ADMINISTRATIVE REVIEW

Susan Talamantes Eggman, Chair

AB 816 (Kiley) – As Introduced February 15, 2017

SUBJECT: California Environmental Protection Agency: Natural Resources Agency: Web casts of public meetings and workshops

SUMMARY: Requires the California Environmental Protection Agency (CalEPA) and the Natural Resources Agency (Resources) to web cast on-site public meetings. Specifically, **this bill:**

- 1) Requires each department, board, and office of CalEPA and each department, board, and commission of Resources to provide these web casts.
- 2) Defines a web cast to mean a presentation over the Internet using live streaming media technology.
- 3) Exempts the web cast requirements for meetings held at non-agency sites.
- 4) Requires the web casts to include a method for viewers or listeners to participate remotely.
- 5) Requires recordings of web casts to be archived for at least three years.
- 6) Excludes conservancies and the California Science Center from web cast requirements.
- 7) Specifies that a technical failure to provide, archive, or post a web cast is not considered a violation of the requirements as long as an entity exercises reasonable diligence.

EXISTING LAW requires, with some exceptions, state meetings to be open to the public.

FISCAL EFFECT: Unknown

COMMENTS: This bill requires CalEPA and Resources to web cast all public meetings. The web casts must include live streaming over the Internet and allow remote participation. Specifically, the technology must allow listeners and viewers to ask questions and provide public comment by telephone or electronic communications in line with the participation opportunities of those physically attending the meeting.

According to the author, this bill will increase transparency and public participation. The author states "Before the introduction of internet streaming, it was highly unlikely that individuals living outside Sacramento had any hope of joining the conversation, despite being directly impacted by the policies being discussed. . . AB 816 helps ensure that interested parties of all backgrounds have the opportunity to participate in the discussion."

This bill exempts the agencies from web casting from non-agency sites, which it defines as "a location other than agency headquarters or state government buildings or facilities where the primary operations of the agency or any of its departments, boards, or offices take place." For example, the requirement would not apply if the meeting was held at a local library or

community center. Additionally, this bill exempts conservancies and the California Science Center from web cast requirements.

Currently both CalEPA and Resources offer web casts of public meetings and some allow for remote participation. However, not all public meetings are available through web casts and they often do not allow for remote participation.

Additionally, this bill requires web casts to be archived and available online for at least three years.

PRIOR LEGISLATION: AB 435 (Chang) of 2015 was nearly identical to this bill. It was held on the Senate Appropriations Committee's Suspense File.

DOUBLE REFERRAL: Should this bill pass this committee, it will be re-referred to the Assembly Natural Resources Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Chamber of Commerce

Opposition

None on file.

Analysis Prepared by: Scott Herbstman / A. & A.R. /