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For Immediate Release

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Broad-based Coalition Urges California Legislature to Properly Implement Proposition 54 Transparency Provisions

They warn failure to fully implement voter-approved measure could invalidate important legislation, restrict public and press recordings of proceedings

SACRAMENTO, CA - A broad-based coalition of Proposition 54 supporters today sent a letter to the California state Legislature urging lawmakers to create rules to properly implement the new law’s transparency measures – or risk important legislation being invalidated.

Proposition 54, a constitutional amendment, was approved by 65 percent of California voters last November because they supported more legislative transparency, including requiring bills to be in print and distributed in their final form for 72 hours prior to any vote in the Assembly or Senate that would pass the bill out of a house. Indeed, Prop. 54 states that “No bill may be passed or ultimately become a statute unless the bill, with any amendments, has been printed, distributed to the members, and published on the Internet, in its final form, for at least 72 hours before the vote.”

Unfortunately, the Assembly rules adopted on Prop. 54 would result in clear violation of constitutional requirements under Prop. 54 because they do not require 72-hour notice prior to voting on Assembly bills that have not yet been approved by the Senate. In addition, Senate rules do not contain an explicit 72-hour notice requirement.

“As supporters of Proposition 54, we write to express our concerns with the Legislature’s implementation to date, which could inadvertently result in the invalidation of bills that the Legislature wishes to pass. We urge the Legislature to promptly adopt stronger measures through its Joint Rules in order to prevent delay or disruption of essential governmental functions,” says the letter signed by leaders of the League of Women Voters of California, California Common Cause, NFIB California, California Forward, CalTax, the Howard Jarvis Taxpayers Association, and Californians Aware.

“A vibrant democracy depends on Californians being able to engage with our lawmakers and follow bills that they care about,” said Kathay Feng, Executive Director of California Common Cause. “When voters passed Prop. 54, they expected timely online transparency.”

The letter also requests implementation of legislative rules regarding an individual’s right to record legislative proceedings. As of now, Assembly Rule 25(b) mistakenly directs the Committee on Rules to adopt rules related to public recordings. However, under Prop. 54, any rules adopted only by

committee would have no effect, as they would not comply with the Constitution's requirement of a two-thirds vote in each house. Similarly, the current Senate Rule 21.8 restricts recording by the press; this rule also lacks validity because it was not adopted by a two-thirds vote in each house.

"The right to record legislative hearings is important to California voters. We received that right through the passage of Prop 54. The Legislature should honor this provision, not just because they are required to do so, but also, because their constituents have made it clear that we want it," said Helen Hutchison, President of the League of Women Voters of California.

Proposition 54 supporters also stated in the letter that they are committed to working with the Legislature to ensure proper implementation of Proposition 54 in both the Assembly and the Senate.

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