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FISCAL IMPACT REPORT

ORIGINAL DATE 02/04/09

SPONSOR Boitano LAST UPDATED _____ HB _____

SHORT TITLE Legislative Audio & Video Streaming Webcasts SB 401

ANALYST Wilson

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	None		

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total	Indeterminate See Narrative	Indeterminate See Narrative	Indeterminate See Narrative	Indeterminate See Narrative	Recurring	General

SOURCES OF INFORMATION

LFC Files

Responses Received From

SUMMARY

Synopsis of Bill

Senate Bill 401 enacts a new section of Chapter 2, Article 3 NMSA 1978 requiring the Legislative Council Service (LCS) to ensure that a live audio and video stream of any senate floor proceeding is available on the internet from a link on the legislature's web site subject to the following:

- The live stream shall begin as soon as practicable after the presiding officer has announced that a quorum is present and shall terminate as soon as practicable after a motion to recess or adjourn has carried, or upon the order of the presiding officer.
- During the prayer, reading of the journal, introduction of legislation, reports of committees, introduction of guests, messages from the governor, the house of representatives or other state officer and announcements and miscellaneous business, the

live video image shall be of the entire chamber or the rostrum from the perspective of the rear of the chamber unless in the judgment of the legislative council service, the debate is substantial. The live video image shall be as if the senate were on the third reading of legislation.

- During the third reading of legislation, the live video image shall be of the legislator who has been recognized and is speaking, except when, in the judgment of the legislative council service, a legislator will be speaking for such a short period of time that the live video image should instead be of the legislator who previously spoke or of the entire chamber from the perspective of the rear of the chamber;
- At no time shall the live video image be of the gallery.

The provisions of this rule shall apply when the senate is meeting in a committee of the whole and when any senate committee is meeting on the floor of the senate as if the senate were on the third reading of legislation;

There shall be live video image of witnesses addressing the committee as appropriate.

This bill has an emergency clause and the provisions of this bill require the first live audio and video stream to be available within one week of the effective date of this act.

FISCAL IMPLICATIONS

The bill contains no appropriation. However, some costs will be incurred to implement the provisions of the bill. The director of the LCS and the chief clerk of the senate shall cooperate to ensure that the live audio and video stream is provided from the appropriation made annually for the expenses of the legislature, including appropriations in Laws 2009, Chapter 1.

SIGNIFICANT ISSUES

The number of states that provide live broadcasts of their proceedings over the Internet and television continues to grow. As of January 2009, live proceedings were available on the Internet from 46 states plus Puerto Rico and the Virgin Islands. Many legislatures also are offering web casts of all or selected committee hearings. About half the states also archive floor or committee proceedings for varying periods of time. At least 27 states and D.C. broadcast some legislative proceedings on television.

ADMINISTRATIVE IMPLICATIONS

The LCS may need additional staff to handle the provisions in this bill.

TECHNICAL ISSUES

On page 3, line 4, appropriate needs to be defined.

DW/svb