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FISCAL IMPACT REPORT

SPONSOR Boitano **ORIGINAL DATE** 03/03/09
LAST UPDATED 03/09/09 **HB** _____
SHORT TITLE Senate Live Audio & Video Web Streaming **SR** 3/aSfI#1/aSfI#2
ANALYST Hoffmann

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to Senate Bill 401 and House Resolution 2; please see "RELATIONSHIP" below.

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of SFI Amendment #2

Senate Floor Amendment #2 to Senate Resolution 3 makes the following changes to the original bill as amended by Senate Floor Amendment #1.

It strikes the language in the original bill that would have had the live video image of the entire chamber or the rostrum from the perspective of the rear of the chamber during the 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. Instead, the amendment specifies that the live video stream shall be from a single camera installed at the rear of the chamber, positioned and focused so as to capture an image of the chamber that as nearly as possible replicates the view of a member of the public seated in the gallery in such a way that no material on members' desks, computer monitors or similar devices can be read or viewed.

It strikes language from subparagraph (g) that would have treated the live video coverage of the Senate meeting in the Committee of the Whole in the same manner as the third reading of legislation, that is, with the video camera directed at the individual speaking.

Synopsis of SFI Amendment #1

Senate Floor amendment #1 changes the original bill as follows.

It proposes to amend an existing Senate Rule, 9-2-1, instead of creating a new one. The amendment to Senate Rule 92-21 would create a “Senate Streaming Oversight Committee.” The two political parties having the greatest membership in the Senate would be equally represented on the committee. The purpose of the committee would be ensure that the live audio and video stream is produced and operated in “an apolitical manner befitting the senate.”

It also proposes to amend Senate Rule 9-3 to specify that Senate members that serve on the Senate Streaming Oversight Committee shall not have the assignment counted as service on a standing committee.

Synopsis of Original Bill

Senate Resolution 3 proposes to amend the Senate Rules to authorize live audio and video streaming of Senate Floor proceedings.

The proposed amendment calls for a new Senate Rule 23-8-1 be adopted to read:

“28-8-1 The legislative council service, in cooperation with the chief clerk, is authorized to produce a live audio and video stream of the senate floor proceedings that is accessible through the legislature’s web site in a manner befitting the senate, including an appropriate user interface, subject to the following:

(a) the live stream shall begin as soon as practicable after the president 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;

(b) 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 except as provided in Paragraph (d) of this rule;

(c) during third reading of legislation, the live video image shall be of the senator who has been recognized and is speaking, except when a senator will be speaking for such a short period of time that the live video image should instead be of the senator who previously spoke or of the entire chamber from the perspective of the rear of the chamber;

(d) during any order of business when the debate is substantial, the live video image shall be as if the senate were on third reading of legislation;

(e) at no time shall the live video image be of the gallery or of any material on a member's desk, computer monitor or similar device such that the material can be read or viewed;

(f) the live stream shall not be archived;

(g) the provisions of this rule shall apply when the senate is meeting in the committee of the whole as if the senate were on the order of business third reading of legislation; provided that the live video image shall be of any witnesses addressing the committee of the whole as appropriate; and

(h) the stream shall carry a notice to the effect that the stream is being produced for the benefit of the public and any political use is prohibited and that the stream is not an official record of the senate's proceedings."

FISCAL IMPLICATIONS

Senate Resolution 3 makes no appropriations.

RELATIONSHIP

Senate Resolution 3 is related to Senate Bill 401, which would enact in Chapter 2, Article 3 NMSA 1978, provisions similar to those contained in the resolution.

House Rules Committee Substitute for House Resolution 2 amended the House Rules to authorize audio streaming of House Floor proceedings and certain committee proceedings as a pilot project and allow audio or video streaming of House committee proceedings with the permission of the chair of the committee.

CH/mt:svb