

Legislative Interview with Rich Gordon, Dec.2, 2011

Present: Gloria Chun Hoo, Martha Beattie, and Peter Szego from LWV-SJ/SC; Mary Alice Thornton from LWV-Palo Alto; Jan Pepper, LWV-LA/MV; Michelle Shimada, LWV-SWSCV.

Open Calendar issue:

R. G. feels hopeful, as there are a handful of legislators who are in favor. The recent court ruling (Sacramento Superior Court Judge) on Legislators' budgets ruled that the Assembly must open their fiscal records, but did not mention the calendars. {See SJMN Editorial on 12/06/11} R. G. mentioned that the County Supervisors produced a weekly calendar of public events the week after the fact; an after the fact calendar helps address the security issues. The format is the challenge: sometimes meetings are unscheduled and brief, so it would be difficult to get that on a calendar. He says at least scheduled meetings should be on the calendar – generally he has 4-5 per day when he is in Sacramento.

The issue of how often a legislator meets with a lobbyist won't really be that revealing on an open calendar, as most often the lobbyist meets with staff rather than with the legislator. R.G. mentioned that there are two entrances to the Assembly Chambers, one by the bench where the lobbyists sit and the one by the elevator, so he uses the elevator entrance if he doesn't want to be stopped by a lobbyist.

R. G. was asked about lobbyists who text or call while a legislator is sitting on the floor of the Assembly, and R. G. said the rules don't permit it and he would report it if it happened. Lobbyists are permitted to give business cards to one of the sergeants who can deliver it to the legislator, who is free to go meet with the lobbyist. R. G. said 75% of the time he texts his staff and asks one of them to go down and meet with the lobbyist.

R. G. also explained that any legislator has until the end of the day's session to record his or her vote via computer if they miss the roll call vote. Legislators' votes are a matter of public record and he has a high percentage of not voting, because he never votes on highway naming bills, and there are about 20 to 30 such bills each year.

R. G. told us the Transparency Task Force hasn't even finished making appointments though they had one brief meeting. Speaker Perez says he values transparency but his office is at the center of the budget and calendar impasse. He noted that Assemblyman Portantino has gone outside "the system" and therefore has lost money from his budget. In Nov. of 2010 A. P. lost his Education Subcommittee chairperson assignment which meant that he lost his budget augmentation for additional staffing, but did not reduce staff and thus exceeded his budget.

R. G. said each legislator has a base allocation of \$276,000 which is enough for 4 staffers. Budgets are augmented based on committee assignments. R. G. has four local and four Sacramento staff persons because he chairs the Budget Subcommittee for Natural

Resources & Transportation, which augments his budget by another \$260,000. The cost for office space, office supplies, and staff travel is in addition to these allocations.

California Budget issue:

R. G. co-authored a bill calling for a performance-based budgeting process, but Governor Brown vetoed it. The way the budget process works is that only changes to the budget are studied, not the entire budget. R. G. said there is not real analysis of the budget or what they are achieving with their budget, something that a performance-based budget process would do. R. G. developed a questionnaire for all departments under his Resources and Transportation Subcommittee to complete that asked for a mission statement and other documentation explaining the budget, something the departments had never been asked to do. Some did well, others not, for example the DMV mission statement was very long and elaborate but said nothing about issuing drivers' licenses or vehicle license plates.

R.G. was asked about the possibility of having a "sunset" on departments' programs, although it would be problematic with term limits. R.G. said he has been appointed to the Sunset Review Committee, but it has met only two times, once to convene the committee, and once to hear a presentation of the sunset laws in other states.

Initiative and Referendum issue:

R. G. said the initiative process is so driven by money now, which is ironic given its beginnings. He thinks: a) we need to deal with the money issue, but that is challenging; b) we need a higher threshold to qualify an initiative for the ballot c) we should explore the Legislature reviewing or modifying or putting an alternative initiative on the ballot, as other states do; and d) he is troubled that initiatives become part of the Constitution, as the legislature should be able to modify them.

R. G. used as an example the Proposition 36 initiative which required the state to fund drug treatment for offenders prior to jail time for a 5-year period of time. This was not renewed by the Legislature due to budget concerns so the Courts cannot send first and second offenders to jail but there is no money for drug treatment, unless a county steps in to fund it.

When asked about the Clean Money Campaign/The Disclose Act, Rich Gordon said he is in favor of it.