

February 3, 2004

Hon. Bill Lockyer
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Tricia Knight
Initiative Coordinator

Dear Attorney General Lockyer:

Pursuant to Elections Code Section 9005, we have reviewed the proposed statutory amendment entitled the "Politician Reform Act of 2004" (File No. SA2003RF0079).

Major Provisions

The measure amends state laws to make changes to legislative voting procedures, the disclosure of political contributions, and the public availability of certain information.

Failing to Vote. The measure would restrict state legislators from receiving their salaries or related expenses on any day in which they fail to vote when authorized (in a committee or on the house floor). Under current law, legislators face no penalties for choosing not to cast votes.

Disclosure of Political Contributions. The measure increases the circumstances when a political candidate must disclose political contributions. All contributions of \$1,000 or more would be required to be reported within 24 hours. Current law requires this level of disclosure during election cycles but has higher dollar thresholds outside of election cycles. In addition, the measure requires the Secretary of State (SOS) to classify contributions by industry.

Public Information. The measure specifies that legislators' failure-to-vote records, scheduling calendars, and fundraising disclosures are public information. Currently, of these items, calendars generally are not considered public information. The measure also specifies that Legislative Counsel calculate and make available to the public each week (through existing Internet systems) each legislator's failure-to-vote record. This information would also be provided to voters through election materials.

Fiscal Effect

Failing to Vote. While in session, legislators receive about \$400 per day in salary and expenses. Under the measure, therefore, the state would save about \$400 for each day that a legislator did not vote. Legislators currently face no penalty for choosing not to vote, so the measure could reduce the instances of not voting. Annual savings from this provision are likely not significant.

Disclosure of Political Contributions. By increasing the circumstances when a candidate must disclose political contributions and requiring classification by industry, the measure would increase the workload of the SOS. The costs of the increased workload would probably be minor. The SOS would also face some one-time, probably minor expenses to implement the industry classification system.

Public Information. The measure's requirement to make legislators' failure-to-vote records publicly available through the Internet and election materials would both rely on existing information systems. These requirements, therefore, would probably only result in minor increased costs for the state and local governments.

Summary

This measure would result in minor increased costs for state and local governments.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Donna Arduin
Director of Finance