

Date: April 11, 1983
Revised: June 6, 1983

HOUSE OF REPRESENTATIVES
COMMITTEE ON GOVERNMENTAL OPERATIONS
STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

BILL # Enrolled HB 1257

SPONSOR Governmental Operations

RELATING TO Electronic Meetings

I. SUMMARY:

A. Present Situation:

Chapter 120, Florida Statutes, the Administrative Procedure Act, requires each agency to adopt rules of procedure for conducting meetings, hearings, and workshops.

“Agency” is defined in the APA to include state executive branch, departments, boards, commissions, and also local government bodies.

Section 286.011, Florida Statutes, the Public Meetings Law, provides that any meeting of a governmental board, commission, agency or authority, at which official action is to be taken, is open to the public. Judicial decisions under the Public Meetings Law have held that members of the public have an inalienable right to be present and to be heard at all public meetings.

Neither the APA nor the Public Meetings Law address the use of telecommunications media as opposed to live testimony or appearances.

The most significant use of telephone conference calls to conduct public meetings has been by regulatory boards under the Department of Professional Regulation. The following table shows the frequency of telephone conference calls in the past three years:

<u>Year</u>	<u>Number of telephone meetings</u>
FY 1979-80	5
FY 1980-81	20
FY 1981-82	45

Section 455.207(4), Florida Statutes, provides that a regulatory board member of the DPR shall be compensated "\$50 for each day he attends an official meeting of the board and for each day he participates in any other business involving the board." In defining "other business involving the board," seven of these boards have amended their rules to allow remuneration of board members who attend telephone conference call meetings. Six boards allow remuneration for "emergency" telephone conference calls and three boards specifically prohibit remuneration for telephone conference calls. The other nine boards make no mention of compensation for attending such calls in their rules.

B. Effect of Proposed Changes:

The APA would be amended to require executive branch agencies of state government to adopt rules for conducting meetings, hearings, and workshops by electronic communications media technology. "Communications media technology" would be defined as the electronic transmission of printed, audio, or video information.

The rules would provide that if a meeting, hearing, or workshop is to be conducted by such means, the notice shall indicate that fact and name the locations where interested parties could attend. The rules would also provide that if the agency intends to use documents or physical evidence as a basis for discussions or deliberations at such a meeting, copies of the documents or replicas of the physical evidence would have to be provided at each location where people may take part in the meeting.

For meetings covered by the Public Meetings Law, agencies would not be allowed to limit points of access to places not normally open to the public.

The bill provides that other laws relating to meetings, hearings, and workshops would apply to meetings conducted by communications media technology.

I I. ECONOMIC IMPACT:

A. Public:

Public attendance at governmental hearings and meetings would be less expensive if multiple meeting sites were available through the use of communications technology. The frequency of such attendance and the amount of travel expense avoided cannot be estimated.

C. Government:

This bill could result in reduced meeting costs due to lower travel expenditures. According to the Department of Professional Regulation, the average cost for board meetings in that department is \$2,750. The cost for telephone conference call meetings by DPR averages approximately \$350. It is not known how many agencies will conduct meetings electronically and, therefore, potential cost avoidance cannot be quantified.

III. COMMENTS:

This bill has passed the Legislature.

IV. AMENDMENTS:

None.

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