

1 [Rules of Order – Material Economic Impact Legislation.]

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3 **Motion amending the Rules of Order of the Board of Supervisors to add Rule 6.25,**  
4 **which will provide a process for holding public hearings associated with legislation**  
5 **that might have a material economic impact on the City.**

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7 Note: This entire Rule is new.

8 FINDINGS:

9 1. At the November 2, 2004, consolidated general election, the voters of the  
10 City and County of San Francisco approved Proposition I, which created an Office of  
11 Economic Analysis under the Controller. The Office will be staffed by two economists, and  
12 such other staff as provided, subject to the budgetary and fiscal provisions of the City Charter.

13 2. Once the Office is established, it will identify and report on all legislation  
14 introduced at the Board of Supervisors that might have a material economic impact on the  
15 City, as determined by the Office. The Office's analyses shall address whether proposed  
16 legislation would promote or impede the policies contained in the most recent versions of the  
17 Economic Development Plan or Survey on Barriers to Employment Retention and Attraction.  
18 The Office shall submit an analysis to the Board of Supervisors within 30 days of receiving the  
19 subject legislation from the Clerk of the Board, unless the President of the Board grants 15  
20 days of additional time (up to 45 days). The analysis must be submitted to the Board prior to  
21 the legislation being heard in committee.

22 3. In Proposition I the voters urged the Board of Supervisors to adopt all  
23 necessary rules and procedures for the full implementation of Proposition I, including a Rule  
24 providing that the Board shall not consider or hold hearings on any proposed legislation until it  
25 has received the Office's analysis on the impact of the legislation. The Board may waive this

1 requirement by a two-thirds vote if it finds that the public interest requires the immediate  
2 consideration of the measure. Proposition I also allows the Board of Supervisors to amend  
3 the provisions of Proposition I to promote or better achieve the underlying goal of  
4 comprehensive and professional economic planning and analysis. This Rule amendment will  
5 provide guidance to the Office of Economic Analysis as to the level of review and analysis  
6 expected by the Board of Supervisors as the Office considers proposed legislation introduced  
7 at the Board of Supervisors.

8 MOVED, That the Board of Supervisors of the City and County of San Francisco  
9 hereby adds Rule 6.25 to its Rules of Order, to read as follows:

10 **6.25. MATERIAL ECONOMIC IMPACT LEGISLATION GUIDELINES.**

11 1. The Board of Supervisors hereby determines that the following items do not  
12 have material economic impact within the provisions of Proposition I, and will not require an  
13 analysis by the Office of Economic Analysis: commendations; proclamations; resolutions  
14 authorizing the acceptance and expenditure of grants; resolutions that urge actions; all  
15 appointments to City boards, commissions, advisory committees and task forces; public  
16 hearings that have no accompanying legislation; resolutions that support or oppose legislation  
17 pending before other local, state, or federal legislative bodies or executives; and motions.

18 2. The Board of Supervisors hereby determines that categories of items that  
19 routinely do not have a material economic impact may be reviewed by the Office of Economic  
20 Analysis, but analyses will not be required if the reviewed items appear to be routine, and do  
21 not appear to have a material economic impact.

22 3. Rule 6.25 does not affect the Rule 5.39 requirements for fiscal impact reports  
23 by the Budget Analyst.

24 4. All other proposed legislation shall need review by the Office of Economic  
25 Analysis, including the preparation of analyses.

1           The Office of Economic Analysis shall have 30 days or up to 45 days as discussed  
2 later) to submit an analysis to the Board of Supervisors. The 30 (or 45) days in which the  
3 Office of Economic Analysis has to submit an analysis shall run concurrently with the 30 day  
4 review period that the Clerk and the President may impose on legislation (Rule 5.40). ~~If the~~  
5 ~~Board finds that~~ In the case of a public emergency affecting life, health, property, or for the  
6 uninterrupted operation of any City or County department or office required to comply with  
7 time limitations as established by law public interest requires the immediate consideration of  
8 the measure, the Board it may, by a two-thirds vote, waive the prohibition on hearing an item  
9 before the Office of Economic Analysis report has been submitted.

10           If the Board waives the prohibition on hearing an item before the Office of Economic  
11 Analysis report has been submitted, the Office of Economic Analysis shall still submit an  
12 analysis to the Board within 30 (or 45) days. The Board must hold a public hearing on the  
13 report submitted by the Office of Economic Analysis.

14           The President of the Board may grant 15 days of additional time (for a total of up to 45  
15 days) for the Office of Economic Analysis to submit an analysis to the Board of Supervisors.