

AMENDMENT OF THE WHOLE
7/20/05

FILE NO. 050132

MOTION NO.

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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Note: This entire Rule is new.

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8 **FINDINGS:**

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

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

23 ~~3. In Proposition I the voters urged the Board of Supervisors to adopt all~~
24 ~~necessary rules and procedures for the full implementation of Proposition I, including a Rule~~
25 ~~providing that the Board shall not consider or hold hearings on any proposed legislation until it~~
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. The President of the~~
10 Board of Supervisors may waive the requirement that the report by the Office of Economic
11 Analysis must be received prior to an item being heard in committee.

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

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

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