

**Attachment to 11/12/20 PPCC Meeting Agenda:
Motion Text & Background Information re “Gut-and-Amend” Bill Process**
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Item 10.1 – WRAC-recommended motion (eliminate “gut-and-amend” bill process):

Whereas the Sacramento Legislative process known as Gut-and-Amend eliminates transparency and public participation by misleading the intent and content of the bill being considered,

[Pacific Palisades Community Council] recommends the following reform: Eliminate the “gut-and-amend” bill process and request the City of Los Angeles include in its Sacramento legislative priorities the elimination of the “gut-and-amend” bill process.

Background:

Glossary of Legislative Terms: <http://www.legislature.ca.gov/quicklinks/glossary.html> (Gut-and-Amend: “When amendments to a bill remove the current contents in their entirety and replace them with different provisions”).

The Gut-and-Amend process is being used to pass legislation without appropriate public overview. It is often referred to by critics as a “bait & switch” maneuver. A bill is written and goes through one or more committees and then dies. A legislator then guts the contents of that bill and replaces it with different legislation that no longer matches the bill’s title. The gutted and amended bill picks up where the original bill left off. It doesn’t go through committee hearings again. Stakeholders have no way to know what is being voted on so they have no knowledge that they need to organize and lobby the legislature. See also: <https://www.kqed.org/news/10676990/when-time-runs-short-in-sacramento-proposed-laws-appear-in-a-flash> <http://www.capoliticalreview.com/capoliticalnewsandviews/gut-and-amend-bills-in-the-california-legislature/> <https://www.clta.org/news/512799/What-is-a-Gut-and-Amend-Bill---Take-a-Look-and-See.htm> <https://48hills.org/2019/06/wiener-quietly-turns-barber-bill-into-major-housing-legislation/>

Example of a gut-and-amend bill in immediate past legislative session:

SB 474 (Stern) -- originally a “wildlife protection” bill to *amend the Fish & Game Code*; passed in the Senate last year, went to Assembly and was put on hold; Sen. Stern then replaced the text this year with entirely different bill language, now to *prohibit all new development in the VHFHSZ* (status: bill not taken up this session by 2nd required Assembly committee; unknown whether bill will go forward in next session); see: http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB474.

Additionally, Sen. Scott Wiener has used the “gut-and-amend” process in the past to introduce bills that sought to increase housing density and limit local control of land use & zoning. Sen. Wiener is expected to announce a new bill in early December to replace past failed housing density bills that PPCC opposed (*e.g.*, SB 827, 50, 902, 1120; see <http://pacpalicc.org/index.php/organizations/>; scroll down to “Planning & Density”); he may use the “gut-and-amend” vehicle for his soon-to-be-introduced replacement bill.

The Secretary recommends that the PPCC board pass this WRAC-recommended motion in solidarity with our WRAC colleagues and to send a message to elected officials/legislators that we insist on transparency and public participation in all legislation under consideration.