

Hi, this is Chris Micheli, with the Sacramento governmental relations firm of Aprea & Micheli, and an adjunct professor at McGeorge School of Law in its Capital Lawyering program. Today's podcast is about the media and its role in the California legislative process.

You know - love 'em or hate 'em - reporters do play an important role in the legislative process - even in legislative strategy and in ethics. You know because of this influence, the media in many ways are commonly viewed as the fourth branch of government, often called the Fourth Estate.

While they don't approve or reject legislation, their coverage, obviously, of those who make the laws often influence the fate of some of these bills. The media can push an issue or a bill to the forefront of the Legislature's attention. Of course, their coverage of a bill or a particular public policy issue can help or even hurt the chances of success of that particular bill. I think, most importantly, they can bring to light what's happening behind the scenes during the legislative session, which is good or bad.

Now, as many political observers in the state - as well as at the federal level - have noted, the media certainly has its own bias in their coverage, or sometimes their lack of coverage on state legislative issues. But, in my mind the media can highlight an issue or a bill due to the particular interests of a reporter or his or her editor and whether it's of interest to viewers or readers. That media coverage can have quite an impact on a particular bill or issue. In my mind, the media can, in fact, do, impact pending legislation by again drawing attention to that bill or issue and often getting the public at large at least to be aware of what's going on.

You know, just like in political campaigns, proponents and opponents of legislation at the California State Capitol, they attempt to create earned and paid media with their respective points of view. They often see the media as, you know, tools to be used. And sometimes reporters who know that tend to be wary.

But in recent years, public relations and public affairs firms have worked on grassroots and media efforts to supplement traditional lobbying that's done for or against bills and legislation and regulations. I think most often the public relations and public affairs firms work on major legislation when big interest groups are either in support or in opposition to bills.

I think that the California media also comes into play with legislative strategy because lawmakers, staff, and certainly interest groups, can help determine whether a bill is newsworthy. And so, they might attempt to pitch a story. They'll target the Capitol press corps, perhaps the local newspaper or TV station. They might even produce an opinion piece or a letter to the editor in the hope of getting their viewpoint specifically covered by the newspaper or the media.

In some instances, in fact, the issue may be so newsworthy that it might warrant a press conference, and with that, hopefully television coverage. And of course either side of an

issue or a bill will always look to capitalize on news coverage to advance their particular point of view.

And then there's the newspapers' editorial board, or even their featured columnists. They play a role in shaping public opinion and therefore can impact pending public policy issues and legislation. Their editorials can impact the legislative process, especially when they're viewed as trustworthy and informed voices on key issues. In fact, I think a major newspaper editorial board generally has several full-time opinion writers. And as we know from political campaigns, their endorsements are highly sought after. So, in a similar vein, they're often sought after in legislative efforts to call attention to particular bills or issues.

I think that the media also plays a role in the state capital involving ethics. Why? Because they often cover stories about the ethics issues within the capitol community. For example, they publish articles on some Fair Political Practices Commission investigations and fines. Similarly, in 2014, when we had three State Senators suspended in the California State Senate due to alleged criminal conduct, that also received quite a bit of coverage.

And then, of course, there is the legislation by headline that we often see in the Legislature. Meaning, headlines appear in the newspaper or on the news and within a short period of time a bill springs to life because legislators often want to appear responsive to major issues that are garnering press coverage.

Now, one of the unfortunate things is that we've seen a dwindling number of members of the Capitol press corps, with only a handful of newspapers - primarily the Sacramento Bee and the Los Angeles Times and the AP - employing a handful of reporters. And with so few reporters, many bills don't get written about. Of course, the state budget gets a lot of coverage, and so do the handful of high profile measures out there.

But sometimes we can turn to the local newspaper. Often the local newspaper will provide coverage about a legislator's bill, their interests, and the legislators' offices can utilize social media, of course. You know, it benefits both capitol insiders and the press corps to work together. For example, as you can imagine, reporters need the inside scoop to get some leads or other background information for their stories. And of course, legislators and staff - and certainly special interest groups - want positive coverage for their legislation or their issues.

We'll have to see how all of this pans out, especially in light of the voters' adoption of Prop 54 in November 2016. Effective January 1, 2018 Prop 54 requires the Legislature to make audio/visual recordings of all of its proceedings, except in closed sessions of course, and post all of those recorded proceedings on the internet. In addition, effective now, any person is authorized to record legislative proceedings by audio or video means - again with closed sessions being exempted. And, finally, the newly adopted ballot measure allows recordings of proceedings to be used for any legitimate purpose without payment of any fee to the State of California. So, perhaps we'll have individuals

acting as part of the media. What impact those postings will have on the legislative process is still to be seen.

Thanks for joining.