

Use of Recorder

We would like with the approval of the Commission to bring a voice recorder for future meetings. The use of a voice recorder would ensure that the minutes are accurate, completed on time, and posted to the State Controller's Office public website in a shorter timeframe than it has been in the past.

According to the Act (please see the bold section below), the recording would be erased within 30 days or upon Commission Approval of said minutes. We would use the tape only as a reference tool, to ensure the minute notes have been clearly transcribed from the meeting.

Below are the Government Codes in reference to the meetings and the authority, if approved to record a meeting.

GOV CODE § 11124.1 Authority to record meetings

“(a) Any person attending an open and public meeting of the state body shall have the right to record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding by the state body that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings. (b) **Any tape or film record of an open and public meeting made for whatever purpose by or at the direction of the state body shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), but may be erased or destroyed 30 days after the taping or recording.** Any inspection of an audio or video tape recording shall be provided without charge on an audio or video tape player made available by the state body. (c) No state body shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.”

GOV CODE § 11126.1. Minutes; availability.

“The state body shall designate a clerk or other officer or employee of the state body, who shall then attend each closed session of the state body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and shall be kept confidential. The minute book shall be available to members of the state body or, if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction. **Such minute book may, but need not, consist of a recording of the closed session.**”

All legal representation and/or those specific topics addressed by legal will be exempt from the recordings.

Thanking you in advance for your consideration in this manner.