The California State Legislature

Basic Facts: Bi-Cameral Legislature

- The Senate ("upper house") 40 members – Two Four Year Terms
- The Assembly ("lower house") 80 members – Three two year terms
- Despite its large population size, California, with only 120 members in the legislature, ranks 38th in legislature size
- Included in the tasks are to spend state $, pass state laws, establish state taxes
- The legislature has held great prestige for many years as being seen as the most "professional" legislature among the fifty states ( Ranked #1 by the Citizens Conference on State Legislators)
- Meets more frequently than most state legislators and individual members spend most of their time in the legislature doing committee work, drafting legislation, etc.

Term Limits

- Enacted by Prop. 140 (1990)
- Set term limits to two terms for senators and three terms for assemblypersons
- Mandated budget cuts for members’ expenses – resulted in the laying off of member staffers
- Eliminated member pensions – this could have deterred a lot of bright people from running for the legislature
- Advantage: Would bring in many new "fresh" faces, new blood and new ideas and policy perspective
- Would end "careerism"; Would eliminate "career politicians" from writing and passing laws that only advance their own self-interests
- "Cronyism", making sure that budgetary "pork" would be insured for their own constituencies, and doing what is politically popular and good for them would be replaced with doing what is "right" based on their own convictions
- Disadvantage: Would bring in "green" "rookies" with little background and clout
- These "rookies" would have much less of an insider-type reputation and, thus, would have little leverage and influence to get things done
- The veterans who would have the experience, knowledge and clout to get things done are forced out before becoming effective, only to be replaced by new members who have none of the above
- Careerism has only been marginally effected
- Redistricting (2000) has created ideologically and electorally "safe seats" that produce members who are entrenched in their party ideology and, thus, are not responsive to compromise or consensus building
- Even when these members are forced out by term limits, they are probably replaced by members who are identical to them ideologically
Member Behavior

- Representation is based on a number of factors – including geography, ethnic/cultural factors, etc.; Example: The Latino and Black Caucuses
- Coalitions and alliances are often formed between members with similar constituency demographics and representation factors
- Members choose committees based on the make-up of their assembly/senate district – i.e., members from rural, agricultural districts will want to serve on the Agriculture or Natural Resources and Wildlife committees, members who are teachers will want to serve on the Education or Higher Education committees, members who are from inner city, metropolitan districts will want to serve on the Labor and Employment committee, etc.

Types of Membership
- There are members that are (1) "self starters"; their motivation to run for office is based on the desire and goal to help their particular professional industry/occupation
- For example, doctors or nurses would want to run, get elected and then serve on the Health Committee, war veterans/retired military would want to serve on the Veterans Affairs’ Committee, etc.
- (2) There are other types of membership based on sponsorship; These candidates are drafted or recruited to run by others
- In recent years, the Assembly Speaker and Senate President Pro Tempore, opposition minority party leaders and the party caucuses within the legislature have provided encouragement and campaign funding to prospective legislative candidates
- These legislative party leaders will seek those candidates that will make good legislators who will support the party leadership in any policy conflict with the opposition party
- (3) Combination of Self Starters and Sponsored Candidates
- Given the weak local political party structure in California, many candidates need to be self-starters; have that burning desire to run and win
- Yet, given the small size of the legislature and the very large district sizes (825,000 per Senate district and 425,000 per Assembly district), candidates need the help of the party recruiters and sponsors who will then help provide campaign $ for political ads, media costs, and other campaign costs

Constitutional Legislative Offices:

State Senate Leadership Offices

- Lt. Gov is Pres. of the Senate; However, this is largely a ceremonial role
- The true leader of the Senate is the Pres. Pro Tempore (pro Tem)
- Is the leader of the majority party in the Senate
- Much of the pro-tem’s power comes from being the chair of the five member Rules Committee; The Rules committee appoints other committee chairs and vice chairs
- Decide which bills will be assigned to which committees
- Rules Committee consists of two senators from each party and Pre. Pro Tem
- Senate exhibits a slightly more moderate, consensual policy pattern
- In recent years, Gov. has needed the support and consensus of Sen. Pres. Pro Tem to enact budgets
- **Assembly Leadership:**
  - Assembly Speaker: Chosen by the majority party membership
  - Sometimes, speaker candidates must court minority party votes, if majority of their party is only marginal and bare
  - Has broad # of powers: determines the #’s and policy jurisdiction of committees, assigning all members to committees – by way of chairing the Rules Committee
  - The speaker controls and appoints leadership positions of his/her majority party
  - Manages floor action, assigns office space, etc.
  - At times, there have been **battles for the assembly speakership** that have involved battles within parties;
  - 1988, a group of moderate Democrats tried to unseat liberal democratic speaker Willie Brown; the moderate Dems did this by allying with Republican members to vote for a new speaker
  - 1994, there was a stalemate in terms of party control and Brown fought attempts by Republican Jim Brulte;
  - Brown raised $ and campaigned for other Assembly Democratic incumbents in exchange for support

**Legislative Staff:**

- Similar to Congressional staff;
- Legislative Counsel: Selected at the beginning of each session by both chambers
- Prepares most bills
- Advises on the legality and constitutionality of bills
- **Legislative Analyst:**
  - Advises both the legislature and governor on the fiscal impact of bills and of budget proposals
  - Is appointed by legislative budget committee
  - All fiscal bills that go before the Budget committees are evaluated by the Leg. Analyst
  - Also prepares a fiscal analysis of each proposition on the state ballot