The California Senate

Welcome to the California State Senate

The forty Members of the Senate of California welcome you to the State Capitol, and hope that your trip will include an opportunity to view the Legislature in session. If so, you will have an opportunity to observe the formal debate and voting which constitutes the popular notion of what the lawmaking process is all about.

It is important to realize that only a part of the Legislature's work takes place in the Senate and Assembly Chambers. Most of the real negotiation and discussion occur in the meetings of the standing committees. Try to spend a few minutes in a committee room watching these public hearings. It is there the public participates, and our laws are actually drafted.

Senators are also kept busy the year round with continual study of new ideas for improving the laws by which all of us are governed.

As California's population and wealth have grown, so has the complexity of its problems. Good government today requires much more information and analysis than in the past. A good law is born in a hard-fought atmosphere of give and take, after long weeks, months, or even years of detailed scrutiny, close debate, and painful redrafting. While it is important that government be efficient, it is paramount that the laws of the state be fair and effective. And that takes careful work.

Understanding the legislative process is important to every person in California. For that reason, this pamphlet has been prepared in an effort to make your visit more meaningful.

SINCERELY,

YOUR STATE SENATOR

The Seal of the Senate

The Senate Seal is round in shape, and its border bears the phrase "Seal of the Senate of the State of California." The center features a quill pen placed diagonally across an open scroll. On the top of the scroll is inscribed "LEGIS" (of the law) and the Roman numeral MDCCCL, designating 1850, the year California was admitted to the Union. Surrounding the pen and scroll is a cluster of California live oak leaves and acorns.

The Senate Seal is used on documents and letters that deal specifically with Senate business.

The Senate adopted the seal in 1967 following a design contest. The Senate selected the seal above, which was designed by Miss Linda Taylor, a student at California State University, Sacramento.

"I will assume the undertaking on behalf of the crown of Castile, and will pledge my jewels to defray the expenses of it, if the funds in the treasury shall be found inadequate..."

In the center of the rotunda of the Capitol of California stands a heroic statue commemorating Christopher Columbus' voyage to the New World. The statue of Queen Isabella portrays her sitting upon her throne, uttering the above words which are presumed to be historically correct. At her left side is Columbus kneeling, holding a sphere in his hand, by which he is demonstrating his theory that the earth is round. At the Queen's right kneels her personal page looking on in wonderment.

This notable piece of marble statuary was executed by Larkin Goldsmith Mead, an American sculptor of international fame, in Florence, between the years 1868 and 1874. It was originally sold by the artist to Mrs. Legrande Lockwood of New York, she later sold it to Darius Ogden Mills in 1882 for the sum of thirty thousand dollars ($30,000) in gold, who presented it to the State of California.

below: *Columbus' Last Appeal to Queen Isabella* by Larkin Goldsmith Mead (1835-1910)

Symbol of Dedication and Integrity

For over one hundred fifty years the Senate's portrait of George Washington has been the chief ornament of its chamber. The painting is the work of Jane Stuart and is a copy of a well known painting by her father, Gilbert Stuart. It was acquired by Thomas Oliver Larkin, who was U.S. Consul at Monterey when California was a part of Mexico, and presented to the Senate in 1854.

COMPOSITION OF THE SENATE

The number of Senators is set by the State Constitution at forty, exactly half the size of the State Assembly.

Each Senator represents approximately 950,000 people.

Members of the Senate are elected to four-year terms, with those representing odd-numbered districts running for office during presidential election years and their colleagues from even-numbered districts standing for election at the same time as California's constitutional officers. Senators are limited to three terms.

*THE BIENNIAL SESSION

The Constitution specifies that the Legislature must convene in Regular Session at noon on the first Monday of December in every even-numbered year, and is automatically adjourned on November 30 of the following even-numbered year. The Legislature is one of the three branches of government, the others being the Executive, and the Judicial. Its primary responsibility is to write the laws of the state. It is also responsible for drafting the state's plan for public spending. Each year, before January 11, the Governor must submit his or her proposed State Budget for consideration by the Senate and Assembly. The Budget Bill is to be enacted by both houses by midnight on the following June 15. In an emergency, the Governor may convene an Extraordinary Session by proclamation. Legislators can then act only upon those subjects specified in the proclamation. No bill can become law unless passed by both the Senate and Assembly. If the Governor vetoes a bill it is dead, unless two-thirds of the members in each house vote to override the veto. The Senate has an additional responsibility which the Assembly does not share. It is responsible for the confirmation of hundreds of the officials nominated by the Governor for service in the executive branch. This procedure gives the Senate an extra "check and balance" in the way the Legislature's laws are enforced.

** Adopted by the people at a General Election November 7, 1972 (Assembly Constitutional Amendment No. 95, Resolution Chapter 81-Statutes of 1972 (Proposition 4)).*

A century and a half has passed since the first State Senate was convened in an adobe hotel at Pueblo de San José on December 15, 1849.

The present State Capitol at Sacramento was begun in 1860, first occupied by the Legislature in 1869, and completed in 1874. It was closed for safety reasons in 1976 and underwent extensive renovation and restoration.

This project, completed in 1982, included returning the Senate Chamber to as near its original 19th-century appearance as possible.

ORGANIZATION

The Constitution designates the Lieutenant Governor as President of the Senate, following the federal model the Vice President of the United States sets. Actual leadership of the "Upper House" is vested in the President pro Tempore, who is chosen by his or her fellow Senators. The President pro Tempore also serves as chair of the Rules Committee, which is elected from the Senate membership on the first day of the legislative session.

The Rules Committee appoints the Senate's committees, assigns bills to committees, and does the internal administrative work of the Senate.

There are two officers of the Senate who are elected by the Members but who themselves are not Senators: the Secretary of the Senate and the Sergeant-at-Arms.

The Senate makes extensive use of computers in most areas of its operation. Laptop PCs are now installed on each Senator's desk in the Senate Chamber. Available on these machines are automatic displays of the Senate Floor Analyses, full text of all bills on the Daily File, and voting information.

SENATE PUBLICATIONS

Visitors to the Senate will notice the people working at the long desk facing the Senate Floor. These are attachés of the Senate who run its "Desk." Acting under the direction of the Secretary of the Senate, they compile:

The Senate Daily Journal, the official record of each day's proceedings;

The Senate Weekly History with daily supplements, is an up-to-date reference showing the current status of each piece of Senate legislation;

The Senate Daily File, the agenda or schedule of the day's business, together with public notice of bills set for committee hearings;

Every two years, the Office of the Secretary of the Senate publishes the *Legislative Handbook*, a pocket reference containing the Rules of the two houses, together with pictures and biographies of the Members and other information of daily use to the Legislature.

Two other publications indispensable to the Legislature:

The Legislative Index, prepared by the Legislative Counsel, is a subject matter index of all measures, along with a table of the sections of law to be affected;

The Analysis of the Budget Bill, prepared by the Legislative Analyst, is a detailed critique of the Administration's proposed budget.

Copies of these and other publications are available in the Legislative Bill Room, which is located in the basement of the Capitol.

California Senate 2015

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THE SENATE RULES COMMITTEE *left to right: Senator Holly J. Mitchell, Senator Anthony Cannella, Senator Kevin de León (Chair), Senator Sharon Runner (Vice Chair), Senator Connie M. Leyva*

In 1992, the Senate began televising live and unedited coverage of floor sessions, committee hearings, and Capitol press conferences by satellites for viewing around the state.

The Committee Structure

Senate committees are established by the Rules Committee early in each legislative session. Since it is impossible to discuss at length the merits of every bill on the Senate Floor, committees play the crucial role of assuring that each detail of proposed legislation is given a thorough hearing. In Committee, members decide whether or not a bill should be sent to the Floor for final consideration by the whole Senate.

Senators actually spend most of their Capitol time in Committee. They devote long irregular hours, often working nights and holidays, hearing witnesses and debating each bill, from general policy to the finest details of punctuation.

The Rules Committee assigns members to their committee tasks based primarily upon the interests of the individual Senators. Although no one Senator can be an expert in all fields, the majority of them, through training or inclination, are highly knowledgeable in certain areas. All effort is made to see that each Senator is assigned the committees of his or her choice.

Each committee is served by the competent and impartial technical analysis of its staff consultants. It may also seek the legal assistance of the Legislative Counsel, or by special in-depth analysis by the expert consultants of the Senate Office of Research.

Committee hearings are open to the public and the press. All votes and other actions taken in committees are recorded and published.

A 1994 statute requires that all legislative information be made available on the Internet for access by the general public. This program has proven to be very popular with citizens throughout the states and around the world.

Both houses of the Legislature have public address systems which amplify Member's voices during floor sessions. In the Senate there is a stationary microphone at the dais for use by the Presiding Officer, one at the Desk for use by the Reading Clerk, and one on each Member's desk. These microphones are operated from a station located on the Senate Floor.

There is a gallery in the rear and along the sides overlooking the Senate Chamber. From the gallery the public is welcome to observe the proceedings of the Senate. Only Members, officers of the Senate, and individuals who have been granted special permission may go on the floor of the Chamber while the Senate is in Session.

BILLS AND RESOLUTIONS

During the course of their daily sessions, the Senators may consider a variety of legislative matters. These measures fall into five categories:

The first and most important are known as bills. These propose new laws, or amend or repeal existing laws. Bills can be introduced in either the Senate or Assembly and must be "read" three times in each house and voted upon. Most bills require 21 votes, a majority of the Senate, to pass. However, those bills requiring an expenditure of state revenues, or dealing with urgent matters, must obtain 27 votes, two-thirds of the Senate. If a bill is passed by both houses, it is sent to the Governor for his or her approval or veto. Bills enacted by October 15th of each year take effect the following January 1st. Urgency bills take effect immediately upon their enactment.

Falling into the second group are resolutions, the most important of these being constitutional amendments, which require a two-thirds vote in each house for adoption and must then be submitted to the public for ratification at primary or general elections.

Concurrent resolutions relate to general matters of concern to both the Senate and Assembly. They must be adopted by both houses to have effect.

Joint resolutions notify the federal government of the opinion of the Legislature on matters of public interest. They are also used to ratify amendments to the U.S. Constitution.

Individual house resolutions relate to matters of particular concern to one house. They are adopted by that one house only.

RULES AND REGULATIONS

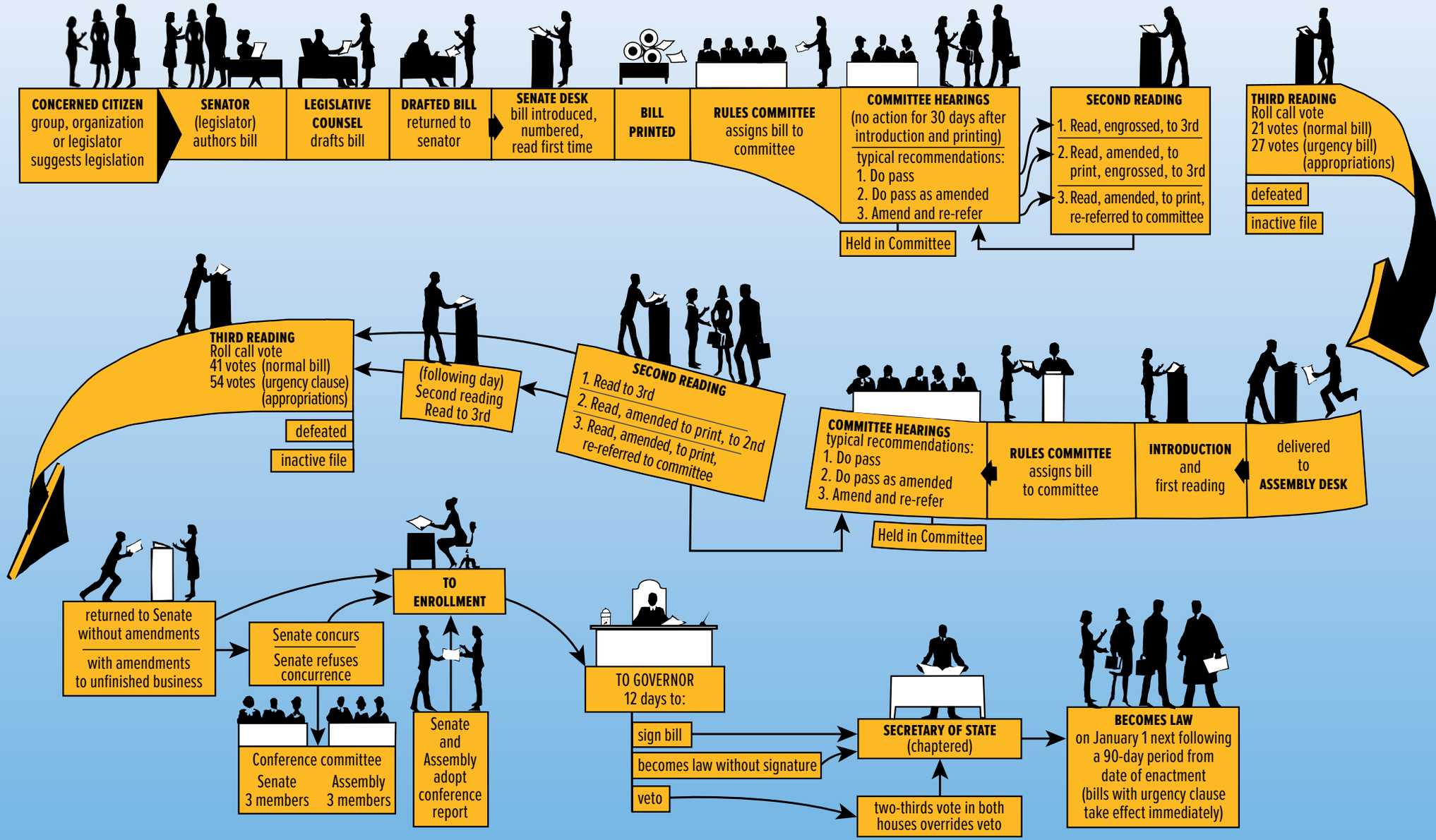
To insure decorum, fairness, and order in their deliberations, the Senate is bound by Article IV of the Constitution of California. It is further governed by Standing Rules (covering the details of daily procedure), and Joint Rules (covering procedures for transactions between Senate and Assembly). When these rules are silent on a particular point of parliamentary law the Senate is guided by *Mason's Manual*. This manual was compiled by a former Assistant Secretary of the Senate who achieved nation-wide recognition as a parliamentarian and constitutional authority.

A Senator who wants to speak must raise the microphone at his or her desk. The presiding officer will ask, "Senator Doe, for what purpose do you rise?" The Senator may then proceed on the matter under consideration, usually speaking for as long as he or she wishes.

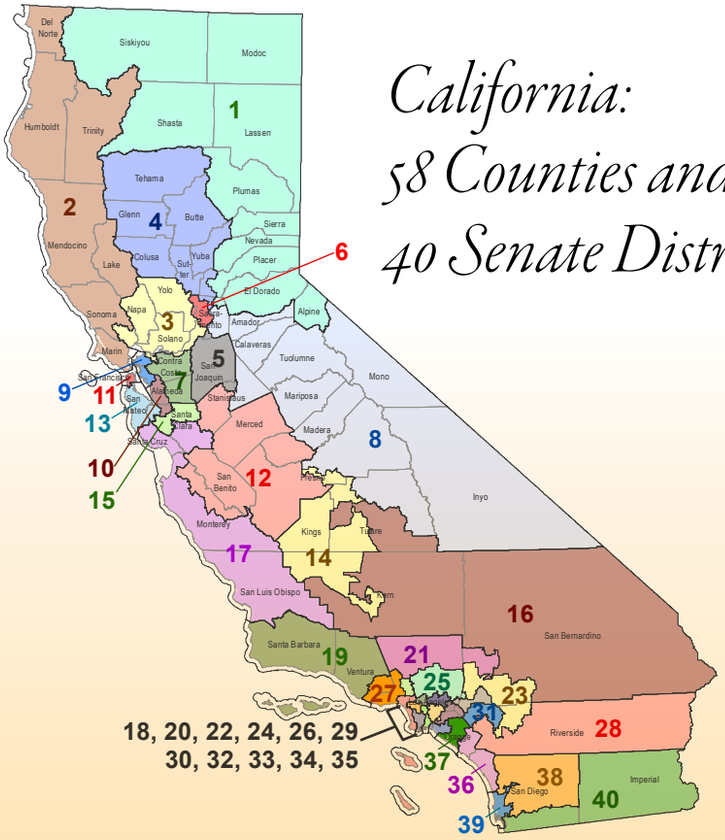
When all members who are interested in a bill have given their arguments, pro and con, the author asks for a vote, and the roll is called. Should the bill fail to receive the votes necessary for passage, and a number of members are absent from their seats, a "Call of the Senate" may be moved. At that time the Sergeant-at-Arms is directed to lock the chamber doors and bring in all absentee members. Upon their arrival, the "Call of the Senate" is lifted and the roll completed.

A Senate rollcall is taken by voice vote. As the Secretary calls each name, that member answers "AYE" or "NO." After being tallied and announced, these votes are published in the *Senate Journal*. This tradition of casting votes orally shows the respect Senators hold for the important act of making a law.

How a Bill Becomes Law



NOTE: this simplified chart shows the route a bill takes through the California Legislature. It illustrates the flow of a bill originating in the Senate; except for minor differences, the process is similar for bills originating in the Assembly.



California: 58 Counties and 40 Senate Districts

SENATE DISTRICTS

Names in CAPITALS denote counties which are wholly contained within the boundaries of the district.

1. ALPINE, EL DORADO, LASSEN, MODOC, NEVADA, Placer, PLUMAS, Sacramento, SHASTA, SIERRA, SISKIYOU
2. DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO, Sonoma, TRINITY
3. Contra Costa, NAPA, Sacramento, SOLANO, Sonoma, Yolo
4. BUTTE, COLUSA, GLENN, Placer, Sacramento, SUTTER, TEHAMA, YUBA
5. Sacramento, SAN JOAQUIN, Stanislaus
6. Sacramento, Yolo
7. Alameda, Contra Costa
8. AMADOR, CALAVERAS, Fresno, INYO, Madera, MARIPOSA, MONO, Sacramento, Stanislaus, Tulare, TUOLUMNE
9. Alameda, Contra Costa
10. Alameda, Santa Clara
11. SAN FRANCISCO, San Mateo
12. Fresno, Madera, MERCED, Monterey, SAN BENITO, Stanislaus
13. San Mateo, Santa Clara
14. Fresno, Kern, KINGS, Tulare
15. Santa Clara
16. Kern, San Bernardino, Tulare
17. Monterey, SAN LUIS OBISPO, Santa Clara, SANTA CRUZ
18. Los Angeles
19. SANTA BARBARA, Ventura
20. Los Angeles, San Bernardino
21. Los Angeles, San Bernardino
22. Los Angeles
23. Los Angeles, Riverside, San Bernardino
24. Los Angeles
25. Los Angeles, San Bernardino
26. Los Angeles
27. Los Angeles, Ventura
28. Riverside
29. Los Angeles, Orange, San Bernardino
30. Los Angeles
31. Riverside
32. Los Angeles, Orange
33. Los Angeles
34. Los Angeles, Orange
35. Los Angeles
36. Orange, San Diego
37. Orange
38. San Diego
39. San Diego
40. IMPERIAL, San Diego

THE GREAT SEAL OF THE STATE OF CALIFORNIA was adopted by the Constitutional Convention of 1849. It depicts the Roman goddess of wisdom, Minerva, who has at her feet a grizzly bear and clusters of grapes representing wildlife and agricultural richness. A miner works his claim with the Golden Gate in the background. The Greek motto *Eureka* — "I have found it" — refers to both the miner's discovery of gold and the expected entrance of California as a state of the Union. Near the upper edge of the seal are 31 stars representing the total number of states in the Union after California's admission in 1850.

This stained glass version of the Great Seal of California is mounted in the corridor ceiling just outside the doors of the Senate Chamber.

revised under the direction of

Daniel Alvarez, Secretary of the Senate

by

Bernadette McNulty, Chief Assistant Secretary of the Senate,

Zach Twilla, Reading Clerk,

and,

Anabel Urbina, Legislative Clerk

2015-16 SESSION