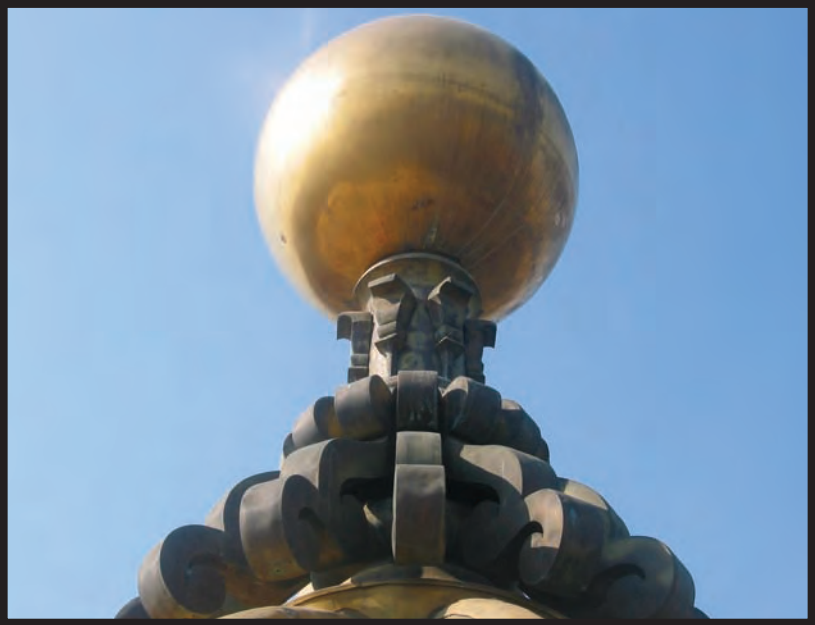




California's
LEGISLATURE



A RARE COLOR LITHOGRAPH SHOWING THE STATE CAPITOL, CIRCA 1880. (*Lithography courtesy of University of California, Berkeley*)



CLOSE-UP OF THE GOLD-PLATED SPHERE ATOP THE CAPITOL. Installed in 1873. The orb is 30 inches in diameter, made of copper, and plated with melted-down gold coins.

(*Photo courtesy of Joint Rules Committee*)

WHEN YOU THINK OF CALIFORNIA

*When you think of California think of people filled with zest
For a special kind of living in the freedom of the West.
Think of swimmers, fishers, golfers, campers—backyard loafers too,
Using beaches, parks, and mountains, doing things folks love to do.*

*When you think of California think of industry and trade;
Think of busy people working at the tasks where wealth is made.
Think of prosperous ports and cities, personal income going higher,
And the worker and the seller sharing profits with the buyer.*

*When you think of California think of copious valleys green,
With a promise of fulfillment that makes agriculture queen.
Where the vineyards, groves and orchards are oases of delight,
With a myriad of blossoms making perfume of the night.*

*When you think of California think of history rich in lore:
Indian, priest, and forty-niner and the bold conquistador;
Of wagon trains a rolling to the tune of Clementine,
And the roots of many cultures in the raisin and the wine.*

*When you think of California, think of Nature's generous hand:
Mountains, deserts, beaches, Redwoods, beautifying land;
Primeval parks of wilderness, Nature's archives of the past,
Preserving for the future the beauty that should last.*

*When you think of California think of education's power,
Think of well-trained labor ready for a task or leisure's hour;
Think of schools for every purpose, with a challenge that's supreme
For a youth with opportunity to realize its dream.*

*When you think of California think of mighty works of man,
Think of reservoirs and rivers in a classic water plan;
Think of webs of towering bridges, gracefully spanning stream and bay
And the high lines wheeling power, making life an easier way.*

*When you think of California think of dusks as soft as down,
With a neon fluorescence like a halo round each town;
Think of gleaming streams of freeways, head and tail lights flowing by,
And the green-red blinking air fleets purring smoothly through the sky.*

*When you think of California see the Capitol Dome aglow,
Brightly rising over Deodars so stately in a row;
See the luminescent leaves above the lights throughout the park,
Smell the jasmine and azaleas breathing fragrance to the dark.*

*California, California are we always living true
To the variant rich reality of life we share in you?
May we know that all our blessings are a trust from heaven's grace
And the way in which we use them show us worthy of this place!*

Charles "Gus" Garrigus
Poet Laureate of California, 1966–2000
California's longest-serving Poet Laureate

CALIFORNIA'S LEGISLATURE

Published Spring 2006



By

E. Dotson Wilson
Chief Clerk of the Assembly

and

Brian S. Ebbert
Chief Editor



Preface

California's Legislature, first published in 1942, is regarded as one of the most authoritative and detailed sources on our state's legislative branch of government.

This latest edition includes hundreds of key changes that will enhance its use as a resource for scholars, elected officials, citizens and other students of the governmental process. You will find the 2006 edition to have over 1,000 footnotes and numerous charts; court cases relating to term limits and the open primary law. In addition, it includes information on trial court unification, Governor's Reorganization Plans and the Capital Fellowship Programs. This edition also contains a number of historic photos published for the first time.

A publication of this magnitude could not have been produced without the tireless dedication of numerous individuals who are acknowledged on page vi. The Chief Editor and Principal Clerk, Brian Ebbert, has done an exemplary job by taking the lead in editing and updating this year's publication.

I wish also to extend a special thank you to the late James D. Driscoll. He served as Chief Clerk from 1963–1986 and was a valuable resource in assisting with updating the 2006 edition.

We hope you will find this latest edition to be a valuable tool in assisting you in better understanding the intricacies of state government and the legislative process.

E. Dotson Wilson
Chief Clerk of the Assembly

See pages vi and xiii–xiv for Acknowledgments and photo credits.

Editor's note: "The Legislature of California," by then Chief Clerk Arthur Ohnimus, was first published as an insert in the 1941 "Constitution" booklet published by the California State Assembly. After the article had expanded extensively with each new edition, the Assembly authorized the printing of the document as a separate pamphlet in 1958 (*HR 45, adopted March 13, 1958*). Subsequent revisions dramatically altered the publication from its original format, and the new work was renamed "California's Legislature" in 1969. Revisions were printed approximately every 2 years, with the exception of 1986–1993 and 2001–2005, when no new editions were published.

ACKNOWLEDGMENTS

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Pam Cavileer, Chief Assistant Clerk
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Hon. Leland Yee, Speaker pro Tempore
Hon. Sally Lieber, Assistant Speaker pro Tempore
Hon. Dario Frommer, Majority Floor Leader
Hon. Cindy Montañez, Chair, Assembly Rules Committee
Hon. George Plescia, Minority Leader
Hon. David Cogdill, Vice Chairman, Assembly Rules Committee

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Administrative Office of the Courts
American Society of Legislative Clerks
and Secretaries
Assembly Reprographics
Attorney General's Office
Benicia Historic State Capitol
Bureau of State Audits
California Citizens Compensation
Commission
Capital Fellows
CAPITOL Institute
Department of Finance

Governor's Press Office
Legislative Analyst's Office
Press Office, President pro Tempore
Don Perata
Secretary of State, Elections Division
Secretary of the Senate
State Archives
State Capitol Museum
State Library
State Treasurer's Office
State Controller's Office

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GALLERY OF PRESIDENTS PRO TEMPORE 1957–2006*



Hugh Burns (D)
Jan. 1957–May 1969



Howard Way (R)
May 1969–Feb. 1970



Jack Schrade (R)
Feb. 1970–Jan. 1971



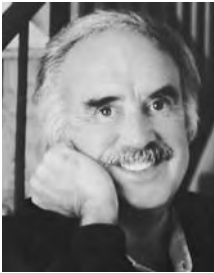
James R. Mills (D)
Jan. 1971–Nov. 1980



David Roberti (D)
Dec. 1980–Jan. 1994



Bill Lockyer (D)
Jan. 1994–Feb. 1998



John L. Burton (D)
Feb. 1998–Nov. 2004



Don Perata (D)
Dec. 2004–

* Presidents pro Tempore that have served since the Legislature became a full-time, professional body, upon the adoption of Proposition 1-a, November 8, 1966.

GALLERY OF SPEAKERS 1961–2006*



Jesse M. Unruh (D)
Sept. 1961–Jan. 1969



Bob Monagan (R)
Jan. 1969–Jan. 1971



Bob Moretti (D)
Jan. 1971–June 1974



Leo T. McCarthy (D)
June 1974–Nov. 1980



Willie L. Brown, Jr. (D)
Dec. 1980–June 1995



Doris Allen (R)
June 1995–Sept. 1995



Brian Setencich (R)
Sept. 1995–Jan. 1996



Curt Pringle (R)
Jan. 1996–Nov. 1996



Cruz M. Bustamante (D)
Dec. 1996–Feb. 1998



Antonio R. Villaraigosa (D)
Feb. 1998–Apr. 2000



Robert M. Hertzberg (D)
Apr. 2000–Feb. 2002



Herb J. Wesson, Jr.
Feb. 2002–Feb. 2004

* Speakers that have served since the Legislature became a full-time, professional body, upon the adoption of Proposition 1-a, November 8, 1966.

GALLERY OF SPEAKERS
1961–2006*
(continued)



Fabian Núñez
Feb. 2004–

* Speakers that have served since the Legislature became a full-time, professional body, upon the adoption of Proposition 1-a, November 8, 1966.

CALIFORNIA: THE GOLDEN STATE

A Quick Information Guide

GENERAL INFORMATION

State Capital.....	Sacramento
Date California Admitted as a State	September 9, 1850
State Motto.....	“Eureka” (Greek: “I have found it ! ”)
Population ¹	37,172,015
Number of Registered Voters ²	15,839,327
Population Density ³	234.3 people/sq. mi.
Land Area (includes 2,674 sq. mi. of inland water)	158,648 sq. mi.
Highest Elevation (feet above sea-level).....	14,495 ft. (Mount Whitney)
Lowest Elevation (feet below sea-level)	282 ft. (Death Valley)
Total Number of Counties	58
Five Largest Cities (by population) ⁴	
Los Angeles.....	3,976,071
San Diego	1,311,162
San Jose	953,679
San Francisco	798,680
Long Beach	490,166
Five Largest Counties (by population) ⁵	
Los Angeles	10,245,572
Orange	3,072,336
San Diego	3,066,820
San Bernardino	1,991,829
Riverside	1,953,330
Five Largest Counties (by square miles)	
San Bernardino	20,061
Inyo	10,192
Kern	8,141
Siskiyou	6,287
Fresno	5,963

¹ California has the largest population of any state. California Department of Finance estimate, May 2006.

² Secretary of State, Report of Registration, September 9, 2005.

³ U.S. average population density is 80 people/square mile. Population density = population/land area.

⁴ California Department of Finance estimate, May 2006.

⁵ California Department of Finance estimate, May 2006.

CALIFORNIA: THE GOLDEN STATE
A Quick Information Guide — Continued

GOVERNMENTAL/POLITICAL INFORMATION

FEDERAL LEGISLATORS

Members of U.S. House Representing California ⁶	53
U.S. Senators Representing California.....	2
People Represented in Each Congressional District	694,536

STATE EXECUTIVE OFFICERS

Number of Statewide Elective Officers	13 (Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Superintendent of Public Instruction, Board of Equalization (4), Insurance Commissioner)
Term Limits for Statewide Officers.....	2 four-year terms

STATE JUDICIARY

Number of Justices on State Supreme Court	7
---	---

STATE LEGISLATURE

Number of Members, California Legislature	120 (80 Assembly/40 Senate)
Length of Assembly Term	2 years
Length of Senate Term	4 years
Term Limits on State Legislators ⁷	Assembly: 3 two-year terms Senate: 2 four-year terms
People Represented in Each Assembly District	460,130
People Represented in Each Senate District	920,259

⁶ U.S. Representatives serve 2-year terms; U.S. Senators serve 6-year terms.

⁷ Although term limits for Members of Congress were approved by California voters in 1992 (Proposition 164), the U.S. Supreme Court in 1995 invalidated state-imposed term limits on Congressional representatives.

CALIFORNIA: THE GOLDEN STATE
A Quick Information Guide — Continued

GOVERNMENTAL/POLITICAL INFORMATION—continued

LEGISLATIVE VOTING REQUIREMENTS

Vote Requirement to Pass Statutes	Majority (41 Assembly/21 Senate)
Vote Requirement to Pass Appropriations, Budget, Constitutional Amendments, and Urgency Bills	Two-thirds in each House (54 Assembly/27 Senate)
Veto Override Vote Requirement.....	Two-thirds in each House (54 Assembly/27 Senate)
Ratification of Amendment to U.S. Constitution.....	Majority vote of each House (by Joint Resolution)

MISCELLANEOUS LEGISLATIVE INFORMATION

Impeachment Power	Assembly indicts, drafts “articles of impeachment,” and elects “managers” to prosecute; Senate tries and votes on impeachment.
Legislative Publications	Daily File Weekly History Daily Journal
Non-Member Officers of Legislature	Secretary of Senate Chief Clerk of Assembly Sergeant at Arms (in each House) Chaplain (in each House)
Motto of State Senate	Senatoris Est Civitatis Libertatem Tueri (Latin: “It is the duty of a Senator to guard the liberty of the Commonwealth.”)
Motto of State Assembly	Legislatorum Est Justas Leges Condere (Latin: “It is the duty of Legislators to make just laws.”)

CALIFORNIA: THE GOLDEN STATE
A Quick Information Guide — Continued

ELECTED OFFICIALS' SALARIES

ANNUAL SALARIES OF ELECTED STATEWIDE OFFICERS ⁸

Governor	\$175,000
Lt. Governor	\$131,250
Attorney General	\$148,750
Secretary of State	\$131,250
Controller	\$140,000
Treasurer	\$140,000
Superintendent of Public Instruction	\$148,750
Insurance Commissioner	\$140,000
Members, Board of Equalization	\$131,250

⁸ Salaries effective December 5, 2005, pursuant to California Citizens Compensation Commission resolution adopted May 23, 2005. See pages 93–94 for legislators' salaries. See pages 83–84 for Congressional salaries. See page 62 for judicial salaries.



Capitol Grounds, circa 1890
(photo taken from hot air balloon)

California's Legislature

The footnotes in this work contain the following abbreviations to legal reference materials:

U.S.—United States Reports (published opinions of the United States Supreme Court)

F. 2d—Federal Reporter, Second Series (published opinions of U.S. Circuit Courts of Appeal)

U.S.C.A.—United States Code Annotated

Fed. Reg.—Federal Register

Cal.—California Reports (published opinions of the California Supreme Court; inclusion of a number denotes subsequent series, i.e., **Cal. 2d** denotes California Reports, Second Series)

Cal. App. 2d—California Appellate Reports, Second Series (published reports of California Courts of Appeal; also, **Cal. App. 3d**)

Op. Att’y Gen.—California Attorney General Opinions

P.—Pacific Reporter (published opinions from courts of the pacific region; also, **P. 2d**)

A. 2d—Atlantic Reporter, Second Series (published opinions from atlantic region courts)

Pa., Okl.—Pennsylvania and Oklahoma Reports, respectively (court opinions from Pennsylvania and Oklahoma state courts)

For convenience, references to the California Constitution of 1879 are cited “*Constitution*,” while the federal document is identified as “*United States Constitution*.”

Please note that the code citations contained herein represent the law of the State of California as it existed December 31, 2005. They do not, in many instances, reflect changes made during the 2005–06 session or later.

The full text of this publication is available to the public via the internet at: “www.leginfo.ca.gov”. Other useful legislative information, including bill text, California Codes, bill analyses, and bill histories are also available at this site.

