

CALIFORNIA'S LEGISLATURE



WESTERN VIEW
OF STATE CAPITOL,
1931



California State Song

I Love You, California

Written by F. B. Silverwood

Composed by A. F. Frankenstein



I love you, California, you're the greatest state of all
I love you in the winter, summer, spring, and in the fall.
I love your fertile valleys; your dear mountains I adore,
I love your grand old ocean and I love her rugged shore.

Chorus:

Where the snow crowned Golden Sierras
Keep their watch o'er the valleys bloom,
It is there I would be in our land by the sea,
Ev'ry breeze bearing rich perfume.
It is here nature gives of her rarest.
It is Home Sweet Home to me,
And I know when I die I shall breathe my last sigh
For my sunny California.

I love your redwood forests—love your fields of yellow grain,
I love your summer breezes, and I love your winter rain,
I love you, land of flowers; land of honey, fruit and wine,
I love you, California; you have won this heart of mine.

Chorus

I love your old gray Missions—love your vineyards stretching far,
I love you, California, with your Golden Gate ajar,
I love your purple sunsets, love your skies of azure blue,
I love you, California; I just can't help loving you.

Chorus

I love you, Catalina, you are very dear to me,
I love you, Tamalpais, and I love Yosemite,
I love you, Land of Sunshine, half your beauties are untold,
I loved you in my childhood, and I'll love you when I'm old.

Chorus



"I Love You, California" was officially designated as California's state song in 1951.

The song was publicly introduced by Mary Garden in 1913.

It was played on the first ship to go through the Panama Canal.



The Senate Chamber is where California's 40 state Senators debate and vote on bills.



The Assembly Chamber is where the 80 Assembly Members vote on laws for California.

CALIFORNIA'S LEGISLATURE

Published Summer 2011



By

E. Dotson Wilson
Chief Clerk of the Assembly

Compiled under the direction of:

Brian S. Ebbert
Assistant Chief Clerk

Russell C. Tomas
Chief Editor



Preface

2011 marks the 70th Anniversary of the first printing of the book, *California's Legislature*. It was originally published as an article entitled "The Legislature of California," and now the book has become a widely used research and reference tool for those interested in state government. The 2011 edition incorporates information about recent changes to the laws of the state, including: the "Top Two" primary system; the Citizens Redistricting Commission; and changes in the state budget process. Historical charts have been updated and expanded, recent court cases have been added, and the legislative glossary has been augmented.

This version also contains several new charts, rare historical photos, and information about the "Arthur Ohnimus Collection." In 2008, Assistant Chief Clerk Brian Ebbert and Principal Clerk Russell Tomas worked tirelessly with former Chief Clerk R. Brian Kidney, State Capitol Museum Curator John Mello, and the Bernice Ohnimus Crutcher Estate in processing the papers of Arthur Ohnimus. Some of the photos and documents associated with this vast historical collection are included in Appendix V.

I would like to commend several longtime Chief Clerk personnel who retired recently, after numerous years of dedicated service. They were collectively responsible for producing numerous legislative publications throughout their distinguished careers:

Teri Brown, Floor Analysis Director
Pam Cavileer, Chief Assistant Clerk
Arvetta Downs, Principal Clerk
Darlene Moe, Legislative Clerk
Lawrence Murman, Assistant Chief Clerk
Cynthia Perkut-Kelley, Engrossing and Enrolling Clerk
Ralph Romo, Chief Assistant Clerk
Elizabeth Salmon, Executive Assistant

In addition, this printing would not be possible without the valuable assistance from the staff at the Office of State Publishing (OSP). The staff at OSP and numerous others have devoted many hours to producing this edition. The quality of this publication is a reflection of their excellent work ethic and high professional standards.

Under the direction of the Speaker and Assembly Rules Committee, many staff from throughout the Capitol community contributed to the final version of this publication. The names of the many contributing editors and content advisors appear on the following page.

I hope that this edition further educates the public on the "people's branch" of government, the California Legislature.

E. Dotson Wilson **Chief Clerk and Parliamentarian**

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

"The Legislature of California" first appeared as an article in the 1941 edition of the *Constitution* book published by the State Assembly. Over the ensuing years, this article by Chief Clerk Arthur Ohnimus grew with each re-printing, until 1957, when the Assembly adopted a motion to print the article as a separate book to better inform citizens about the legislative branch of government. Mr. Ohnimus expanded the article to a book format in 1958. When the state instituted the full-time legislature in 1966, Chief Clerk James Driscoll further expanded the book and re-named it, "California's Legislature."

ACKNOWLEDGMENTS

Contributors to the Publication

Contributing Editors:

Renee Autar, Assistant Clerk
Jacqueline Bui, Assistant Clerk
David Bowman, Assistant Clerk
Jaci Delight, Håistory Clerk
Brian Ebbert, Assistant Chief Clerk
Felisa Enriquez, Assistant Clerk
Heather Hamp, Assistant Clerk
Amy Leach, Minute Clerk
Katie Lewis, Assistant Clerk
Lia Lopez, Floor Analysis Director
Tim Morland, Reading Clerk
Erica Oropeza, Assistant History Clerk
Sue Parker, Assistant Chief Clerk
Xochitl Rodriguez, Assistant File Clerk
Russell Tomas, Principal Clerk
Ilene Twilligear, Assistant Clerk
E. Dotson Wilson, Chief Clerk

Legislative Leadership:

Hon. John A. Pérez, Assembly Speaker
Hon. Fiona Ma, Speaker pro Tempore
Hon. Mike Gatto, Assistant Speaker pro Tempore
Hon. Charles M. Calderon, Majority Floor Leader
Hon. Mike Feuer, Majority Policy Leader
Hon. Wilmer Amina Carter, Asst. Majority Policy Leader
Hon. Nancy Skinner, Chair, Assembly Rules
Hon. Connie Conway, Minority Floor Leader
Hon. Jim Silva, Vice Chair, Assembly Rules

Engrossing and Enrolling staff:

Michael Callahan (Engrossing and Enrolling Clerk), Linda Morgan, Erin Dacumos, John Eleen, Charles May, Nat Mayes, Chason Wainwright, Greg Vellines.

Secretary of the Senate staff:

Gregory Schmidt (Secretary of the Senate), Bernadette McNulty, Matthew Burns, Holly Hummelt.

For the Arthur Ohnimus Collection:

Bernice Ohnimus Crutcher Estate, and the Kayser, Wemple, and Crutcher families.

Offices and Agencies

Administrative Office of the Courts
Assembly Budget Committee
Bureau of State Audits
California Research Bureau
California State Archives
California State Library
California State Parks, State Capitol Museum
Citizens Compensation Commission
Citizens Redistricting Commission
Clerk of the Supreme Court
Department of Finance
Legislative Counsel Bureau
Secretary of State, Elections Division

Individuals:

Chris Backer (intern, 2008)
Diane F. Boyer-Vine (Legislative Counsel)
Aimee Carlisle (intern, 2010)
Mariana Corona (intern, 2006)
John Cornelison (California Research Bureau)
Anson Crutcher, Jr. (Ohnimus Crutcher Estate)
Steven DeBry (California Research Bureau)
Gus Demas (Assembly Rules Committee)
Dave Dickey (Office of State Publishing)
Kathryn Donovan (Assembly Legislative Ethics)
Sabah Eltareb (California Research Bureau)
John Feliz (Assembly Rules Committee)
Stephen J. Greene, Esq. (Attorney at Law)
Christian Griffith (Assembly Budget Committee)
Scott Hallabrin (FPPC)
Kevin Hannah (Acting State Printer)
Brian Hebert (Law Revision Commission)
Lily Hitomi (Office of State Publishing)
Jonathan Howard (intern, 2008)
Elaine Howle (State Auditor)
Brian Johnston (Office of State Publishing)
Frances Jones (Judicial Center Library)
R. Brian Kidney (Assembly Chief Clerk, retired)
Marjorie Kinnaman (D.T. Loofbourrow family)
Gary Kurutz (State Library)
Nancy Lenoil (State Archivist)
Matthew Lesenyie (intern, 2006)
Zachary Levine (intern, 2011)
Michael Maslowski (Office of State Publishing)
John Mello (Capitol Museum Curator, retired)
Richard Mersereau (Assembly Republican Caucus)
Nikie Nguyen (Office of State Publishing)

DeAne Norwood (Speaker's Office of Member Services)
Frederick K. Ohlrich (Clerk of the Supreme Court)
H.D. Palmer (Deputy Director, Dept. of Finance)
Ron Pane (Chief Sergeant at Arms)
Dia Poole (Administrative Office of the Courts)
Crystal Quezada (intern, 2008)
Sara Ramirez (Chief of Staff, Speaker John A. Pérez)
Mark Renteria (Office of State Publishing)
Maeve Roche (California Research Bureau)
Sophia Sadaat (intern, 2011)
Brian Sala (California Research Bureau)
Arturo Salaices (Asst. Clerk, 2008)
Elena Santamaria (intern, 2011)
Marty Schultz (Office of State Publishing)
Rick Simpson (Deputy Chief of Staff, Speaker's Office)
Bryan Singh (intern, 2010)
Vito Sgromo (Department of General Services)
Lena Spilman (intern, 2006)
Russell Stiger (Speaker's Office of Member Services, 2009)
Mac Taylor (Legislative Analyst)
Mike Taylor (Office of State Publishing)
Alex Vassar (Senate Republican Caucus)
Denise Vallier (Speaker's Office)
Jon Waldie (CAO, Rules Committee)
Jeff Walters (Speaker's Office of Member Services)
Rebecca Wendt (State Archives)
Creston Whiting-Casey (intern, 2011)
Chris Woods (Speaker's Budget Director)
Shirley Yabut (Office of State Publishing)
Aileen Yun (intern, 2011)

Table of Contents

Page

Chapter I—California’s Historical Background	1
Exploration and Colonization.....	1
The Bear Flag Revolution.....	3
The Admission of California.....	3
Chapter II—California’s Constitution	7
Law and Order.....	7
The Constitutional Convention of 1849	8
The Constitution of 1849.....	8
The Constitutional Convention of 1878	10
The Constitution of 1879.....	11
Constitution Revision Commission.....	13
Differences Between the Federal and the State Constitutions.....	16
Constitutional Amendments	17
California Constitutional Amendments	17
United States Constitutional Amendments	18
Distribution of Powers of Government.....	19
Confirmation of Appointments.....	20
Impeachment	21
Chapter III—Elections	25
Right of Suffrage	25
Primary and General Elections.....	27
Party Qualification and Disqualification.....	27
Crossfiling System	28
Closed Primaries	29
Open Primaries.....	29
California’s Modified Closed Primary	30
California’s “Top Two” Primary	30
Presidential Primaries	30
Special Elections and Filling Vacancies.....	31
Partisan and Nonpartisan Offices	32
Campaign Financing and the Fair Political Practices Commission.....	33
The Electoral College and Choosing the President	34
History of the Electoral College.....	35
California’s Electoral College Process.....	37
Recall Elections.....	39
Measures on the Ballot.....	41
The Initiative and the Referendum	43
The Initiative	43
The Referendum.....	44
Chapter IV—The Executive Branch	47
The Governor.....	47
Joint Conventions and Gubernatorial Inaugurations	49
The Governor’s Legislative Role	49
The Governor’s Cabinet	50
Succession to Office of Governor.....	50
The Lieutenant Governor.....	51
Other State Officers	52
The Secretary of State.....	52
The Attorney General.....	54
The State Treasurer	55
The State Controller.....	56
The Superintendent of Public Instruction	58
The State Board of Equalization	58
The Insurance Commissioner	60

	Page
Chapter V—The Judicial Branch	63
The Courts	63
The Supreme Court	63
Courts of Appeal	64
Trial Courts (Superior and Municipal Court Unification)	66
Terms of Office and Salaries of Judges	67
Judges—Disqualification and Suspension	67
Judicial Administration	67
The Judicial Council	68
Commission on Judicial Performance	69
Commission on Judicial Nominees Evaluation	70
Commission on Judicial Appointments	71
State Bar of California	71
Chapter VI—Legislative Sessions	73
The First Legislature	73
The Members	73
Gold Rush Era: Disorder in the Early Years	73
The First Laws	75
Sessions of the Legislature	77
Sessions, 1849–1946	77
Sessions, 1947–1966 (General and Budget)	78
Sessions, 1967–1972 (Annual)	79
Sessions, 1973–Present (Biennial)	80
Extraordinary Sessions	81
Length of Extraordinary Sessions	82
Proposition 58 Extraordinary Sessions	84
Designation of Sessions	85
War- or Enemy-caused Disaster Sessions	85
Chapter VII—Legislators’ Districts, Qualifications, Terms, and Compensation	87
United States Senators	87
House of Representatives	87
Congressional Term Limits (Declared Unconstitutional)	88
Senate and Assembly Districts	88
Reapportionment of Districts	89
1965 Reapportionment	89
1971 Reapportionment	90
1981 Reapportionment	91
1991 Reapportionment	92
2001 Reapportionment	93
2011 Reapportionment	94
Qualifications of Members of the Legislature	95
California Term Limits	96
Compensation of Members	98
Chapter VIII—Organization of the Legislature	103
The New Member	103
Election of Assembly Officers	105
Chaplains	106
1995–96 Organizational Session: An Assembly Stalemate	107
Election of Senate Officers	109
Inauguration of Governor and Lieutenant Governor	109
The Rules of the Legislature	110
Order of Business	111
Pledge of Allegiance to the Flag	111
Power of the Legislature to Govern its Internal Affairs	111
Chapter IX—The Legislative Process	115
Bills and Bill Titles	115
Bills in the Early Sessions	116

	Page
Governor’s Message to the Legislature and the Budget	117
History of Budget Bill Vote Requirements	118
The Budget Bill	118
History of the Item Veto	119
Constitutional Amendments	120
Resolutions	120
Joint Resolutions	120
Concurrent Resolutions	121
House and Senate Resolutions	121
Introduction of Bills	121
Restriction on Bill Introduction	123
Governor’s Reorganization Plans (GRP)	125
Bills and Standing Committees	127
Second Reading and Engrossment of Bills	129
Third Reading and Passage of Bills	130
The Consent Calendar	131
Members Required to Vote	134
Absence of Quorum	134
Call of the House	134
Reconsideration of Bills	135
Amendments by the Other House	136
Concurrence in Amendments of Other House	136
Conference Committees	137
Enrollment of Bills	139
Enrolled Bill Rule	140
Bills Signed by the Governor	140
Governor’s Veto	141
Pocket Veto	142
When Laws Go Into Effect	143
Adjournment	144
Final Disposition of Legislative Records	144
The Committee System	145
The Rules Committees	148
The Fiscal Committees	150
Appropriations Committees	151
The Joint Rules Committee	151
The Joint Legislative Budget Committee	152
The Joint Legislative Audit Committee	153
Chapter X—Legislative Personnel	155
Support Staff/Agencies	155
The Legislative Counsel	155
The Legislative Analyst	157
The California Law Revision Commission	158
Bureau of State Audits	159
Capitol Branch of the State Library	160
California’s Early Impact on Legislative Modernization	161
Senate and Assembly Staff	163
Chief Clerk of the Assembly	164
Secretary of the Senate	165
Sergeant at Arms	165
The Speaker’s Staff	166
The President pro Tempore’s Staff	166
Senate Office of Research	166
Majority and Minority Caucus Consultants	167
Committee Consultants	167
The CAPITOL Institute	167
Computer Support Staff	168
Capital Fellows Programs	168

	Page
History and Description of the Fellowship Programs	169
Science and Technology Fellows	170
Chief Clerk’s Internship Program	170
Chapter XI—The Capitol	173
The Siting of a Capitol	173
San Jose	174
Vallejo	175
Benicia	177
The First State House in Sacramento	178
Sacramento’s Second State House	179
San Francisco	180
Sacramento (The Capital Comes to Rest in a Glorious New Building)	181
Celebrating California’s Past: The Legislature Returns to Benicia	184
The Capitol Building	187
The Annex	188
Restoration of the Old Capitol	191
Temporary Legislative Chambers	195
The Restored Capitol	196
The Restored Legislative Chambers	197
The Members’ Desks	198
Media Facilities	198
Public Address System	198
Electronic Rollcall System	199
The Galleries	201
Legislative Office Building	202
Capitol Park	205
Capitol Park Memorials	207
Chapter XII—Legislative Printing	213
The Office of State Publishing	213
The Office of State Printing During World War II—Operation Toy Horse	214
The Office of State Printing: Post World War II	215
State Printing System	217
The Bill Room	218
Number of Copies of Legislative Publications	219
Daily Publications	219
The Daily Journal	219
The Daily File	220
The History	221
Bills	221
Other Legislative Publications	225
Legislative Index and Table of Sections Affected	225
The Summary Digest	225
The Chapters	225
The Statutes	227
The Legislative Handbook	227
The Constitution	228
Postsession Publications	228
Corrected Journals	228
Final Journals	229
The Final Histories	229
Chapter XIII—Media Coverage of the Legislature	231
Televising the Legislature	232
Glossary of Legislative Terms	235
Appendices	263
Appendix A—Sessions of the California Legislature	265

	Page
Appendix B—Governors, Lieutenant Governors, and Speakers of the Assembly	269–276
Appendix C—California’s Statewide Elective Officers	277–287
Governors.....	277
Lieutenant Governors.....	279
Secretaries of State.....	281
Attorneys General.....	282
State Treasurers.....	283
State Controllers.....	284
Superintendents of Public Instruction.....	286
Insurance Commissioners.....	287
Appendix D—California’s Supreme Court	289
Chief Justices.....	289
Justices.....	290
Appendix E—California’s Legislature—Elected Officers	293
Officers of the Assembly.....	293
Officers of the Senate.....	296
Chaplains of the Senate and Assembly.....	298
Appendix F—Legislative Counsels	301
Appendix G—Legislative Analysts	303
Appendix H—State Printers	305
Appendix I—State Auditors	307
Appendix J—Directors of Finance	309
Appendix K—Rules Committee Chief Administrators	311
Appendix L—California Budget Bills, 1901–2011	313
Appendix M—Partisan Composition, 1849–2011	315
Appendix N—California Special Elections, 1961–2011	317
Appendix O—State Emblems, Insignia, Song, and Poet Laureate	321
The State Emblems	321
State Animal.....	321
State Bird	321
State Colors.....	322
State Dance	322
State Folk Dance.....	322
State Fish.....	322
State Flag	323
State Flower	324
State Marine Fish.....	324
State Motto and Official Nickname	324
State Prehistoric Artifact.....	325
State Song	325
State Tree	325
Other Emblems	326
State Mineral.....	326
State Rock	326
State Gemstone	326
State Reptile.....	326
State Insect.....	327
State Fossil.....	327
State Marine Mammal.....	327
State Soil.....	327
State Tartan	328
State Gold Rush Ghost Town.....	328
State Tall Ship.....	328
State Silver Rush Ghost Town	328
Poet Laureate	328

	Page
Appendix P—Official Seals	331
State—Executive—Legislative—Judicial	331
The Great Seal.....	331
Governor’s Seal.....	332
The Seal of the Assembly	333
The Seal of the Senate.....	334
Seal of the Supreme Court.....	335
Appendix Q—Origin and Meaning of the Name California	337
Appendix R—Origin and Meaning of the Names of the Counties of California With County Seats and Dates Counties Were Created	339
Appendix S—Governor’s Mansion and Flag	349
The Mansion	349
First Mansion	349
Second Mansion.....	351
Unoccupied Mansion	351
Current Efforts to Build a Governor’s Mansion.....	353
The Governor’s Flag	353
Appendix T—Flags That Have Flown Over California	355
Appendix U—Samples of Legislative Publications	357
Journal.....	357
File	358
History.....	360
Appendix V—The Arthur Ohnimus Collection	361
Index	367

List of Photographs and Illustrations

(credits in parentheses)

	Page
California Capitol (Jeff Walters, DeAne Norwood, Democratic Caucus)	Covers
Conceptual Drawing, 1860s (State Archives)	i
Senate and Assembly Chamber	ii
Southwestern View of Capitol, circa 1880 (State Capitol Museum)	iv
Gallery of Presidents pro Tempore 1957–2011 (Secretary of Senate).....	xv
Gallery of Speakers 1961–2011 (Chief Clerk of Assembly)	xvi
California’s Capitol, circa 1910 (California State Library)	xviii
Capitol Grounds, circa 1890 (State Capitol Museum).....	xxiii
Mission San Diego de Alcalá (California State Library).....	xxviii
Act for Admission of California	5
The Constitution of 1849 (California State Archives)	6
Governor James Rolph Inaugural Address (California State Library)	24
Electoral College, 2000 (Russell Collins Stiger)	38
Governor Edmund G. Brown Jr. Signing Bill (State Archives)	46
First Supreme Court of California, 1849 (California State Library)	62
California Supreme Court (Administrative Office of the Courts).....	62
California State Assembly in Session, 1927 (California State Library)	72
Assembly Chambers, 1869 (California State Library)	75
California Senate in Session, 1920 (California State Library)	77
California Assembly in Session, 1910 (California State Library)	80
2000–11 Reapportionment Map	86
Members-elect sworn in as Senators, 1996 (Secretary of Senate).....	102
Speaker John A. Pérez addressing Assembly (Assembly Democratic Caucus)	105
Life Cycle of Legislation (Chief Clerk of Assembly).....	114
First Page of Assembly Bill No. 1447, 2009–10 Regular Session	126
First Page of Senate Bill No. 406, 2005–06 Regular Session.....	133
Assembly Committee Meeting, 2010 (Jeff Walters, Democratic Caucus)	145
Assembly Rules Committee, 1961 (Ohnimus Collection).....	147
Budget Bill, 2005	149
Assembly Desk in 1959 (Ohnimus Collection)	154
Secretary of Senate, Joe Beek (1919–1968)	161
Parliamentarian Paul Mason	161
Chief Clerk, Arthur Ohnimus, 1923–1963 (Ohnimus Collection)	162
Legislative Staff in Chamber, 1999 (Russell Collins Stiger)	163
California’s State Capitol, circa 1947 (State Capitol Museum).....	172
Siting of a Capitol: Monterey (California State Library).....	173
Early State Capitol: San Jose (California State Library)	174
Early State Capitol: Vallejo (California State Library).....	175
Early State Capitol: Benicia (California State Library).....	177
First Capitol at Sacramento (California State Library).....	178
Second Capitol at Sacramento (California State Library)	179
Early State Capitol: San Francisco (California State Library).....	180
California’s Capitol, 1878 (California State Library).....	181
Steam-powered Tractor Hauls Columns, 1870 (California State Library)	182
Capitol Under Construction, circa 1867 (State Capitol Museum).....	182
Capitol Nearing Completion, 1872 (California State Library)	183
Benicia Capitol, Sesquicentennial Session, 2000 (Brian Ebbert)	184
Benicia Session, 2000 (Russell Collins Stiger).....	185
State Capitol as it appeared in 1879 (California State Library)	186
Capitol, Electric Light Carnival, 1895 (California State Library)	187
1906–1908 Capitol Remodel (California State Library)	188
California Supreme Court in Apse, 1890 (California State Library).....	189
State Law Library, 1904 (California State Library).....	189
Basement Garage, 1950s (California Department of Transportation)	190
Legislative Towers Plan (California Department of Transportation).....	192
Capitol Building During 1976–1981 Restoration (State Capitol Museum).....	194
Temporary Assembly Chamber in 1980 (Assembly Chief Clerk).....	195
Legislative Office Building, 1999 (Russell Collins Stiger)	202
Assembly Chamber	203
Senate Chamber	204

	Page
View of Capitol Park, circa 1940 (State Capitol Museum).....	205
View of Capitol, circa 1883 (California State Archives).....	206
East End Complex (Russell Collins Stiger).....	207
Father Serra Memorial (Russell Collins Stiger).....	208
California Firefighter Memorial (Russell Collins Stiger).....	209
California Vietnam Veterans Memorial (Don Drumheller).....	210
Spanish-American War Memorial (Russell Collins Stiger).....	210
California Veterans Memorial (Russell Collins Stiger).....	210
Capitol Park, Showing Apse, 1901 (State Capitol Museum).....	211
Interior View of Apse, circa 1890 (State Capitol Museum).....	211
Office of State Printing, circa 1940 (California State Library).....	212
Printing Pressmens Union, 1920 (California State Library).....	214
Operation Toy Horse photos (California State Library).....	215
Office of State Publishing (Department of General Services).....	217
Reporters and Photographers at Capitol Press Conference.....	230
Capitol Grounds (California State Library).....	234
California State Flag.....	323
Former Poet Laureate Charles Garrigus, 1999 (Russell Collins Stiger).....	329
Great Seal of the State of California.....	332
Governor’s Seal.....	332
Seal of the Assembly.....	333
Seal of the Senate.....	334
Seal of the Supreme Court.....	335
Mural by Lucile Lloyd (Kathy Humphrey, Senate Rules Committee).....	336
First Governor’s Mansion (California State Library).....	349
Second Governor’s Mansion.....	350
Unoccupied Governor’s Mansion (State Capitol Museum).....	352
Governor’s Flag.....	353
Ohnimus Exhibit, 2008 (Russell Collins Stiger).....	361
Ohnimus floor ceremony, 2008 (Russell Collins Stiger).....	366

List of Tables and Charts

California: The Golden State—A Quick Information Guide.....	xix
Amendments to the Constitution of 1879, 1880–2010.....	12
Terms and Salaries of Judges.....	67
Highest Number of Special Sessions.....	83
Measures Introduced—1957–2011.....	224
Measures Chaptered—1961–2010.....	226
Sessions of the California Legislature, 1849–2011.....	265
Governors, Lieutenant Governors, and Speakers, 1849–2011.....	269
Governors of California.....	277
Lieutenant Governors.....	279
Secretaries of State.....	281
Attorneys General.....	282
State Treasurers.....	283
State Controllers.....	284
Superintendents of Public Instruction.....	286
Insurance Commissioners.....	287
Chief Justices of Supreme Court.....	289
Justices of Supreme Court.....	290
Officers of Assembly.....	293
Officers of Senate.....	296
Chaplains of Senate and Assembly.....	298
Legislative Counsels.....	301
Legislative Analysts.....	303
State Printers.....	305
State Auditors.....	307
Directors of Finance.....	309
Rules Committee Chief Administrators.....	311
California Budget Bills, 1901–2011.....	313
Partisan Composition, 1849–2011.....	315
California Special Elections, 1961–2011.....	317

GALLERY OF PRESIDENTS PRO TEMPORE 1957–2011*



Hugh Burns (D)
Jan. 1957–May 1969



Howard Way (R)
May 1969–Feb. 1970



Jack Schrade (R)
Feb. 1970–Jan. 1971



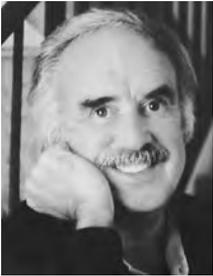
James R. Mills (D)
Jan. 1971–Nov. 1980



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–Dec. 2008



Darrell Steinberg (D)
Dec. 2008–

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

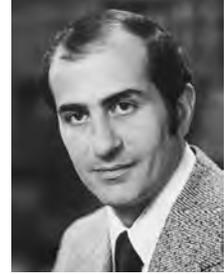
GALLERY OF SPEAKERS 1961–2011*



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. (D)
Feb. 2002–Feb. 2004

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

GALLERY OF SPEAKERS

1961–2011*—Continued



Fabian Núñez (D)
Feb. 2004–May 2008



Karen Bass (D)
May 2008–Mar. 2010



John A. Pérez (D)
Mar. 2010–

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



California's Capitol, circa 1910.

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	37,510,766
Number of Registered Voters ²	17,285,883
Population Density ³	236.4 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.....	3,810,129
San Diego.....	1,311,882
San Jose.....	958,789
San Francisco.....	812,820
Fresno.....	500,121
Five Largest Counties (by population) ⁵	
Los Angeles.....	9,858,989
San Diego.....	3,118,876
Orange.....	3,029,859
Riverside.....	2,217,778
San Bernardino.....	2,052,397
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, July 2010.

² Secretary of State, Report of Registration, October 2010.

³ U.S. average population density is 83 people/square mile. Population density = population/land area.

⁴ California Department of Finance estimate, April 2011.

⁵ California Department of Finance estimate, April 2011.

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.....	709,759

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
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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.....	465,674
People Represented in Each Senate District	931,349

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 Budget.....	Majority (41 Assembly/21 Senate)
Vote Requirement to Pass Appropriations, Constitutional Amendments, Fees, Taxes, and Urgency Bills.....	Two-thirds in each House ⁸ (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.”)

⁸ Proposition 26 (2010) made “fee increases” subject to a two-thirds vote. Proposition 25 (2010) lowered the state budget vote threshold to a majority vote, but maintained the two-thirds vote for tax increases. See, e.g., *Yes on 25 v. Superior Court of Sacramento County* (2010). The case clarified that Proposition 25’s majority vote threshold for passing the state budget did not change the two-thirds vote requirement for tax increases. On November 10, 2010, the Supreme Court ordered that the lower court decision be published (189 Cal.App.4th 1445).

CALIFORNIA: THE GOLDEN STATE
A Quick Information Guide—Continued

ELECTED OFFICIALS' SALARIES

ANNUAL SALARIES OF ELECTED STATEWIDE OFFICERS⁹

Governor	\$173,967
Lt. Governor.....	\$130,490
Attorney General.....	\$151,127
Secretary of State	\$130,490
Controller	\$139,189
Treasurer	\$139,189
Superintendent of Public Instruction	\$151,127
Insurance Commissioner.....	\$139,189
Members, Board of Equalization	\$130,490

⁹ Salaries effective December 1, 2009, pursuant to California Citizens Compensation Commission resolution adopted May 20, 2009. This reflected an 18% pay cut for legislators. See page 99 for legislators' salaries. See pages 87–88 for Congressional salaries. See page 67 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, 2010. They do not, in many instances, reflect changes made during the 2011–12 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.



Mission San Diego de Alcalá

California's first mission, founded in 1769 by Father Junípero Serra.