

Chapter X

Legislative Personnel

At the first session of the California Legislature in 1850, legislative staff consisted of a parliamentarian, a recorder of minutes, a chaplain, a Sergeant at Arms, and a few additional staff. This level of legislative support remained relatively unchanged for almost 70 years. It was not until the eve of World War I that legislative legal services were formally established. A legislative fiscal service came into being some 30 years later. Following World War II, the legislature faced the multiple pressures of a spiraling population, a technological explosion, federal decentralization and a concomitant demand for increased state services. Vital areas of concern, such as taxes, education, welfare and transportation, became so complex that responsible representation required the support not only of policy experts, but also staff assistants.

The workload is enormous, and lawmaking is now a full-time occupation in California. The staffs of joint and house committees have evolved into year-round positions, while special committees and commissions rely on permanent professional help throughout their existence.

Adequate staff, selected by the Legislature and supported by legislative contingent funds, is the necessary result if the Legislature is to meet its responsibilities and to act as an independent policy and decision making body for the State.

Support Staff/Agencies

In certain areas of endeavor, the Legislature has seen fit to create agencies to serve both houses of the Legislature or agencies to support not only the Legislature but other parts of state government as well (e.g., the Governor's Office). These organizations perform functions which would otherwise require a duplication of work and personnel if each house were to employ its own separate sources of legal, fiscal, auditing, and informational services.

The Legislative Counsel

The office of the Legislative Counsel was created by statute in 1913 and serves as the legal counsel to the Legislature and its Members.¹ Assisted by a staff of approximately 80 attorneys, the Legislative Counsel provides both to the Legislature and to others a variety of legal services in connection with legislative activities.

The Legislative Counsel is selected by concurrent resolution at the beginning of each regular session of the Legislature, and serves until a successor has been selected and qualified.² He or she is chosen without reference to party affiliation and solely on the basis of fitness to perform the

¹ *Statutes of 1913*, Chapter 322. See Appendix F for listing of Legislative Counsels.

² *Government Code*, Section 10201.

duties of the office.³ In case of a vacancy while the Legislature is not in session, a committee consisting of the Speaker and Speaker pro Tempore of the Assembly, President pro Tempore of the Senate and the Chairperson of the Senate Committee on Appropriations selects a person to serve as the Legislative Counsel until the Legislature reconvenes and makes its selection by concurrent resolution.⁴

The Legislative Counsel must be available for the performance of services at all sessions of the Legislature.⁵ To this end, a permanent office is maintained in the State Capitol at Sacramento, convenient to the Chambers of the Assembly and Senate. The Legislative Counsel also maintains additional offices nearby.⁶

The Legislative Counsel and his or her staff of deputies maintain an attorney-client relationship with the Legislature and its Members and are prohibited from revealing to any person outside the office the contents or nature of a matter handled by the office that has not become public record.⁷ Such material may, however, be revealed with the consent of the person bringing the matter before the Legislative Counsel.

The Legislative Counsel is also authorized to maintain an attorney-client relationship with the Governor in the course of providing him or her legal services concerning, for example, information on bills presented for approval or rejection, or a legal opinion as to the constitutionality, operation or effect of a bill.⁸

Among the principal duties of this office, the Legislative Counsel assists Members of the Legislature in the drafting of legislative measures and in providing to them legal opinions and other information on matters of relevance to the Legislature;⁹ assists the Legislature and its committees in amendment or consideration of measures before them;¹⁰ assists state agencies as to the preparation of legislative measures;¹¹ advises legislative investigating committees;¹² and prepares legislative measures for judges.¹³ Additionally, if requested by 25 or more electors proposing an initiative measure, the Legislative Counsel assists in the preparation of the measure if, in his or her judgment, there is a reasonable probability that the measure will be submitted to the state's voters.¹⁴

A large percentage of the bills, resolutions and amendments considered by the Legislature is drafted by the Legislative Counsel and his or her staff of deputies. Regardless of whether a measure has been actually drafted by the Legislative Counsel, it may not be introduced unless it is approved by this

³ *Government Code*, Section 10203.

⁴ *Government Code*, Section 10202.

⁵ *Government Code*, Section 10230.

⁶ *Government Code*, Section 10206.

⁷ *Government Code*, Sections 10207 and 10208.

⁸ *Government Code*, Sections 10207 and 10235, as amended by *Statutes of 1993*, Chapter 890.

⁹ *Government Code*, Sections 10231 and 10233.

¹⁰ *Government Code*, Sections 10231 and 10234.

¹¹ *Government Code*, Sections 10231 and 10232.

¹² *Government Code*, Sections 10231 and 10236.

¹³ *Government Code*, Sections 10231 and 10237–10241.

¹⁴ *Government Code*, Section 10243.

office as being in proper bill form, accompanied by a digest of the bill showing the changes proposed in the existing law.¹⁵

The Legislative Counsel is required to prepare for periodic publication a cumulative Legislative Index of topics of pending legislation, together with tables cross-referencing code section numbers and pending bills that would affect those sections.¹⁶ Also compiled for publication are the text and summary digests of all chaptered bills in a particular year (e.g., the *Statutes and Amendments to the Codes*, 2011).¹⁷

Among other miscellaneous duties, the Legislative Counsel advises the Legislature as to legislation necessary to maintain the accuracy of the codes;¹⁸ with the prior approval of the Joint Rules Committee, he or she participates in litigation involving the Legislature, its committees and members;¹⁹ and he or she may contract with any county or city for the codification, compilation or indexing of any or all of its ordinances or resolutions.²⁰

The Legislative Counsel is an ex officio member of the California Law Revision Commission.²¹

The Legislative Counsel is also responsible for providing data processing services to the Legislature, through the highly trained technical staff of the Legislative Data Center. The work of this staff becomes more critical with each passing year as the Legislature continues to take advantage of information technology advances.

The Legislative Data Center provides a full range of services, including systems development and programming, training, customer support, and network management, in addition to operating and maintaining an extensive array of data processing equipment.

The statewide data processing network operated by the Legislative Data Center provides legislators and their staff with easy access to virtually any legislative information through the personal computers installed in each office.

In addition, legislative information is provided to the general public by way of the Internet. (See page 168 and 199 for more information on technology in the Legislature.)

The Legislative Analyst

The nonpartisan Legislative Analyst's Office serves as the Legislature's primary source of budgetary and fiscal information. The office is headed by the Legislative Analyst,²² who is appointed by the Joint Legislative Budget Committee, which also oversees the work of the Legislative Analyst's Office.²³

¹⁵ Joint Rule 8.5.

¹⁶ Joint Rule 13.1.

¹⁷ Government Code, Sections 9764 and 9765; Joint Rules 13.3 and 13.5.

¹⁸ Government Code, Section 10242.

¹⁹ Government Code, Section 10246.

²⁰ Government Code, Section 10244.

²¹ Government Code, Section 8281.

²² Mac Taylor has served as the Legislative Analyst since 2008.

²³ Government Code, Section 9143; see also, Joint Rule 37.

The staff of the Legislative Analyst's Office is organized by program area (e.g., education, health, etc.). Each section within the office analyzes budgets and other fiscal and policy issues in its particular area of specialization.

A major function performed by the office is analyzing the Governor's annual proposed budget. As a basis for budget hearings, the analyst's staff prepares two documents, the *Analysis of the Budget Bill* and *Perspectives and Issues*. The *Analysis of the Budget Bill* and the *Perspectives and Issues* are available to the Legislature approximately six weeks after the Budget Bill is presented to the Legislature.

As a matter of policy, the recommendations of the Legislative Analyst are presented to the Legislature and its committees without recommendation by the Joint Legislative Budget Committee. In this way, the Legislative Analyst's Office presents its own conclusions. The members of the committee are free to accept or oppose these recommendations before other committees and on the floor of their respective houses.

The office provides staff assistance to the Legislature throughout its deliberations on the annual Budget Bill, including testifying on its findings and recommendations when the Assembly and Senate hear the bill in budget subcommittees as well as in the joint budget conference committee.

The Legislative Analyst's Office also provides reports on subjects of special interest to the Legislature, responds on a confidential basis to individual requests from legislators on fiscal and policy issues, and prepares analyses of statewide initiatives and propositions.

The California Law Revision Commission

The California Law Revision Commission was created in 1953.²⁴ The commission consists of one Senator and one Member of the Assembly (who constitute a joint investigating committee) the Legislative Counsel, and seven members appointed by the Governor with the advice and consent of the Senate. The members appointed by the Governor hold office for a term of four years. The members appointed by the Governor receive \$100 a day while attending meetings and are reimbursed for their actual expenses incurred while in performance of their duties.²⁵

The commission selects one of its members as chairperson,²⁶ and is authorized to appoint an executive secretary and such other employees as may be necessary.²⁷ Members of the commission, appointed by the Governor, and all employees of the commission are prohibited from advocating the passage or defeat of any legislation or the approval or veto of any legislation by the Governor in his or her official capacity as a member or employee of the commission.²⁸

²⁴ *Government Code*, Section 8280.

²⁵ *Government Code*, Section 11564.5.

²⁶ *Government Code*, Section 8283.

²⁷ *Government Code*, Sections 8284 and 8285.

²⁸ *Government Code*, Section 8288.

The State Library, all other state agencies,²⁹ and the Board of Governors of the State Bar are required to assist the commission in its work.³⁰

The commission is required to examine the common law, the statutes of the state and judicial decisions, and to receive and consider suggestions relative thereto, for the purpose of discovering defects and anachronisms in the law and to recommend needed reforms.³¹ It is also required to recommend the express repeal of statutes repealed by implication or held unconstitutional.³² At each regular session of the Legislature, the commission is required to report to the Legislature on its studies and submit a list of topics to be studied. Before any topic is studied by the commission it must be approved by concurrent resolution adopted by the Legislature.³³ Its reports are submitted to the Governor, certain legislative offices, and state agency offices which request them.³⁴ The reports, exhibits, and proposed legislative measures are printed by the Office of State Publishing under the supervision of the commission.

The commission is required to cooperate with legislative committees, and may contract with such committees to render services to them.³⁵ It is also authorized to cooperate with any bar association or other learned, professional or scientific association,³⁶ and may, with the approval of the Director of General Services, contract with colleges, universities, schools of law or other research institutions, or with qualified individuals to perform research for the commission.³⁷

Bureau of State Audits

The Bureau of State Audits conducts independent financial and performance audits and evaluations as directed by statute, and other government audits approved by the Joint Legislative Audit Committee. In addition, the bureau administers the “California Whistleblower Protection Act,” and may investigate alleged violations of state law, federal law, or state agency regulations.³⁸ The bureau, under the direction of the California State Auditor, acts as the independent, nonpartisan auditor for the Legislature and California state government. Any Member of the Legislature can exercise legislative oversight by requesting a performance review—either through the Joint Legislative Audit Committee or by enacting legislation that requires a performance audit.

The bureau is constituted in the executive branch. However, to assure its independence, the law frees the bureau from executive branch and legislative control. The State Auditor is solely responsible for exercising the bureau’s

²⁹ *Government Code*, Section 8286.

³⁰ *Government Code*, Section 8287.

³¹ *Government Code*, Section 8289.

³² *Government Code*, Section 8290.

³³ *Government Code*, Section 8293.

³⁴ *Government Code*, Section 8291.

³⁵ *Government Code*, Section 8295.

³⁶ *Government Code*, Section 8296.

³⁷ *Government Code*, Section 8297.

³⁸ *Government Code*, Section 8547–8547.12.

powers and duties. The Milton Marks Commission on California State Government Organization and Economy (also known as the Little Hoover Commission) has a ministerial role and assures compliance with rules and regulations by obtaining an annual audit of the bureau by an independent auditor.³⁹

The State Auditor is appointed by the Governor from a list of three names submitted by the Joint Legislative Audit Committee. He or she is chosen without reference to party affiliation and serves a term of four years.⁴⁰ To assist in the operation of the bureau, the State Auditor has authority to employ deputy state auditors as well as professional, technical and clerical assistants.⁴¹

The purpose of the Bureau of State Audits is to provide independent audits and evaluations of state and local agencies, organizations, programs and services. All the audits and evaluations must be conducted in accordance with Government Auditing Standards published by the Comptroller General of the United States and the standards of the American Institute of Certified Public Accountants. These audits and evaluations promote sound fiscal and administrative policy for the state government, fulfill the condition for the receipt of billions of dollars in federal grant funds, and provide an independent financial audit report that is relied upon by underwriters, bond-rating companies, and potential investors.⁴² To this end, the State Auditor is given full access to records of state entities, as well as city, county, school or special districts, and some non-profit entities.⁴³

Under Proposition 11 (2008) and Proposition 20 (2010), the State Auditor is charged with developing regulations governing the decennial selection of the Citizens Redistricting Commission. See Chapter VII for more information about the Auditor's role in the redistricting process.

Capitol Branch of the State Library

The California Research Bureau (CRB) is an arm of the California State Library. The Bureau was established in 1991 to help serve the research needs of the Legislature and the Governor.⁴⁴ Although the Bureau's main office is located at 900 N Street, a satellite office is maintained in the Capitol.

The CRB provides nonpartisan research services to Members of the Legislature and to the Governor's Office. The Bureau undertakes studies of policy issues on request, and maintains a substantial publications program. It also provides confidential research assistance, including help in developing legislative proposals. Its librarians provide the Capitol with personal library services, including reference, news and other searches, and document acquisition.

³⁹ *Government Code*, Sections 8501 and 8543 *et seq.* The Bureau of State Audits was formerly the Auditor General's Office, an organization under the direction of the Joint Legislative Audit Committee. Its current configuration is the result of a reorganization contained in *Statutes of 1993*, Chapter 12, which went into effect May 7, 1993.

⁴⁰ *Government Code*, Section 8543.2 and 8543.3. The current State Auditor is Elaine M. Howle.

⁴¹ *Government Code*, Section 8544.

⁴² *Government Code*, Section 8521.5.

⁴³ *Government Code*, Section 8545.2.

⁴⁴ *Statutes of 1991*, Chapter 118.

California's Early Impact on Legislative Modernization

Joseph Beek, Paul Mason, and Arthur Ohnimus stand out as historical figures that played significant roles in developing the modern Legislature. These individuals had a lasting impact on legislatures throughout the nation.



Joseph Beek (Secretary of the Senate, 1919–1968)

Joseph Beek oversaw California Senate operations from the horse-and-buggy era to the space age. Beek served as a Senate employee for 53 years (1913–1968), 47 of those years as Secretary of the Senate (1919–1968).⁴⁵ In addition to serving as the voice of the Senate for many decades, he was essentially the institutional memory of that body during a period of rapid social and technological change. During this era, he always held firm in maintaining Senate traditions like oral roll call

votes and adherence to legislative precedents.

In 1942, Beek wrote the first edition of his treatise on state government, *The California Legislature*. This book explained the intricacies of the lawmaking process, interlaced with personal anecdotes and his professional experiences as a longtime staff person in the upper house. In 1943, he founded a national organization, the American Association of Legislative Officers. He served as its president for 25 years. The association is now a division of the National Conference of State Legislatures and is called the American Society of Legislative Clerks and Secretaries (ASLCS). With a membership of hundreds of legislative personnel from virtually every state, the ASLCS publishes a peer-reviewed journal, and is responsible for editing Mason's Manual. This organization also hosts legislative staff training programs and professional development seminars. To honor Mr. Beek's service to legislative clerks nationwide, the ASLCS established the *Joseph A. Beek Distinguished Service Award* in 1983. It is awarded infrequently by a special ASLCS committee.



Paul Mason (Senate parliamentarian, 1930's)

Paul Mason had a major impact on state legislatures nationwide. Mason was a respected constitutional scholar and parliamentarian, who served as Joseph Beek's chief assistant for several years.⁴⁶ From 1931 to 1953, he published several editions of a 1,700 page annotated California Constitution and a Constitutional History of California. He also wrote *Mason's Manual of Legislative Procedure* in 1935 (and numerous subsequent editions). This manual is now the

parliamentary authority in over 70 state legislative chambers in the United States. Mason served in the executive branch from 1936 to 1953 as chief of the driver's license division of the Department of Motor Vehicles (DMV),

⁴⁵ Beek did not serve 1921–22. Grace Stoermer served as the first woman Secretary during this period.

⁴⁶ Mason earned his master's degree at Stanford after writing a thesis on legislative procedures. Admitted to the State Bar in 1923, he served at the Senate Desk as Assistant Minute Clerk, File Clerk, and Chief Assistant Secretary. From 1925–1927, he served as Deputy Legislative Counsel. Mason was the unofficial Senate parliamentarian, 1929–32.

then as the Director of DMV, and eventually as Legislative Secretary under Governor Goodwin Knight.



**Arthur Ohnimus (Assembly Chief Clerk, 1923–1963;
Chief Administrative Officer, 1957–1963)**

Arthur Ohnimus was an Assembly employee from 1915 to 1963. He managed the workload of the Assembly from the 1920s into the 1960s. Ohnimus oversaw the modernization of the Assembly, installed the first form of an electronic voting mechanism on the Assembly Floor in 1935, fitted the Chambers with a public address system, and managed the transition from the old *Robert's Rules of Order* to *Mason's Manual of Legislative Procedure* in 1943. He is credited with establishing the nonpartisanship embodied in the Chief Clerk's office to this day. In 1957, the Assembly Rules Committee appointed Ohnimus as its first Chief Administrator.⁴⁷ In that role, he wrote *The Necessity for a Permanent Organization*, arguing for full-time, professional Assembly staff to better serve lawmakers, the public and the press. He established a fiscal office, created a stenographic force, crafted job classifications and salary ranges, and laid the foundations for the modern full-time legislative staff organization. In 1958, he wrote a comprehensive book on state government and legislative procedures, *The Legislature of California*. In 1964, Ohnimus was briefly called out of retirement by Speaker Jesse Unruh to work as a consultant to re-write and reorganize the Assembly Rules.

⁴⁷ See Appendix K for a list of Chief Administrative Officers, 1957 to present. See Appendix V for information on "The Arthur Ohnimus Collection."



Legislative Staff at rear of Assembly Chambers in 1999

Senate and Assembly Staff

The Senate and Assembly are authorized by the Constitution to elect officers,⁴⁸ and their Rules Committees are empowered to employ such additional staff for individual Members of the Senate and Assembly and their committees as they deem necessary.⁴⁹ The Senate and Assembly Rules Committees manage the personnel and general administrative operations of their respective houses. To help oversee house operations, the Assembly has employed a Chief Administrative Officer since 1957 and the Senate has employed an Executive Officer since 1971.⁵⁰ See Appendix K for a list of Rules Committee officers.

The assignment of employees is determined by the Rules Committee of each respective house of the Legislature.⁵¹ They may work for the house, a committee thereof, or for a Member. The Rules Committees set the conditions of employment, and pay these employees from the contingent funds of the respective house. Legislative employees do not receive overtime pay, are not provided with state civil service protections, and serve at the pleasure of the Legislature.

In the absence of its own sources of support and information, it would be extremely difficult for the Legislature to fulfill its role as an equal and independent branch of government as intended and contemplated by the doctrine of the separation of powers between our executive, legislative and judicial branches of government. In fact, prior to 1957, the Legislature

⁴⁸ *Constitution*, Article IV, Section 7(a).

⁴⁹ *Assembly Rules 14 and 17; Senate Rules 13 and 13.6.*

⁵⁰ Arthur Ohnimus was appointed as Chief Administrative Officer of Assembly Rules Committee in 1957. John C. Williamson was appointed as the first Executive Officer of Senate Rules Committee in 1971. Prior to the creation of these positions, a combination of housekeeping committees and legislative officers were in charge of legislative staff under the "attaché system."

⁵¹ *Assembly Rule 14, Senate Rule 13.*

struggled to exercise such checks and balances as a co-equal branch, largely due to a constitutional provision that limited legislative operations.⁵² Once this provision was amended, the Legislature was able to modernize its personnel practices to meet the serious needs of the post-war era.

In its first effort at professionalizing staffing operations, the Assembly Rules Committee in 1957 appointed Arthur Ohnimus as its first Chief Administrative Officer.⁵³ Under the direction of Speaker Luther Lincoln and Rules Committee Chairman Allen Miller, Ohnimus commissioned studies to gauge the staffing needs of the Legislature and implemented modern personnel and accounting practices. It was also at this time that the Assembly initiated the Legislative Internship Program (later called the Fellowship Program), and hired a handful of policy analysts and consultants.

The foundation established in the late 1950s led to the full-scale modernization of the committee staff structure implemented by Speaker Jesse Unruh in the 1960s. Speaker Unruh emphasized the importance of employing a cadre of knowledgeable policy staff in order to produce high quality legislation and to decrease reliance on the executive branch and lobbyists. In 1966, California became the first state to institute a full-time Legislature.

Chief Clerk of the Assembly

The Chief Clerk is one of the three nonmember officers that serve the Assembly (the other two are the Sergeant at Arms and the Chaplain),⁵⁴ and is elected by a majority vote of the Assembly. Thirty-six people have served as Chief Clerk since 1849. The Chief Clerk's primary responsibility is to serve as chief parliamentarian of the Assembly.⁵⁵

In addition to serving as parliamentarian, the Chief Clerk coordinates the activities of a nonpartisan staff of over 30 individuals. This staff is charged with recording, documenting and assisting the Assembly in processing all legislation at every stage of its development. This information is then made available to the public via publications and the Internet.

The Office of the Chief Clerk publishes three important publications for the reference of legislators and the public alike. These publications are the Assembly Daily File, the agenda for committee hearings and floor sessions; the Assembly Daily Journal, the official record of the proceedings of the Assembly which chronicles all official Assembly activities including floor votes and the receipt of state agency reports;⁵⁶ and the Assembly History, published in a weekly format, which reports all actions taken on every Assembly bill being considered.

Other sections of the Office of the Chief Clerk include the Engrossing and Enrolling Office which verifies the printed accuracy of each bill through each

⁵² As the Assembly Chief Clerk since 1923, Arthur Ohnimus already had decades of experience managing session staff, overseeing administrative functions, and handling all payroll and Controller warrants. Beginning in 1957, he served in the dual role as Chief Administrator and Chief Clerk until his retirement in 1963. The duties of Chief Clerk and Chief Administrative Officer were separated in 1964 under the new rules of the house.

⁵³ Proposition 14 (1956) authorized the Legislature to employ full-time personnel for the first time in history.

⁵⁴ Constitution, Article IV, Section 7(a); Government Code, Sections 9171–9173.

⁵⁵ For duties of the Chief Clerk, see generally, Assembly Rule 32.

⁵⁶ Beginning in 2010, the Assembly began accepting state agency reports electronically. The Senate still accepts printed copies of state agency reports.

amendment and reprinting, and the Floor Analysis unit which coordinates and compiles analyses written by committee consultants on every bill prior to Assembly floor vote.

At each step in the legislative process, from the introduction and three readings of all bills, through the processing of all amendments and tallying of all Assembly floor votes, to the final enrollment of bills and presentation to the Governor, the members of the Chief Clerk's staff work to ensure the integrity of the most essential functions of the Legislature.

Arthur A. Ohnimus was the longest serving Chief Clerk in California history, serving 37 years as Chief Clerk (1923–63, with a four-year hiatus). See Appendix V for information about the Arthur Ohnimus Collection.

Secretary of the Senate

The Secretary of the Senate is one of two nonmember officers elected by the membership of the Senate (the other is the Sergeant at Arms; in the Senate, the Chaplain is an appointed position). The duties of the office of the Secretary of the Senate closely mirror those of the Chief Clerk of the Assembly.⁵⁷ The major difference is that the Senate rules (starting in 2001) designate the Secretary as the Executive Officer of the Senate Rules Committee.

Joseph Beek was the longest serving Secretary of the Senate in California history, serving 47 years as Secretary (1919–1968, with a two-year hiatus).

Sergeant at Arms

The Chief Sergeants at Arms and their Security Officers of each house have the powers and authorities conferred by law upon peace officers, in all parts of the state, and have as their primary duty the maintenance of order and preservation of decorum at the daily sessions of the Legislature, in the committee hearings and in the halls and lobbies.⁵⁸ The Chief Sergeant at Arms is elected by a majority vote of the membership of each house.⁵⁹ The present Assembly Chief Sergeant at Arms, Ronald E. Pane, was elected in April 1996. The present Senate Chief Sergeant at Arms, Tony Beard, Jr., was elected in December 1979.

The Chief Sergeant at Arms and his or her Security Officers also provide miscellaneous services for the Members of the Legislature and its committees. During the joint recess, for example, the Assembly Security Officers travel with and record the meetings of the Assembly Committees.

While in the performance of their duties, the Chief Sergeant at Arms and his or her Security Officers may exercise their peace officer powers. This authority is most often exercised when the house is placed “under call” and the presiding officer orders the sergeants to compel the absent Members to return to the chambers and record their vote on the issue before the house.

⁵⁷ *Senate Rule 9*, 2011–12 Regular Session.

⁵⁸ *Government Code*, Sections 9194, 9194.5, and 9195, *Assembly Rule 33*, *Senate Rule 10*.

⁵⁹ *Government Code*, Sections 9171 and 9172.

The Speaker's Staff

The Speaker of the California Assembly, in effect, is responsible to three separate constituencies. First are the people in the Speaker's Assembly District; second, the people of the entire state because the Speaker is a statewide political figure and leader, and, finally, to the membership of the Assembly who have elected him or her to the position of leadership. In addition, the Speaker is the liaison between the Assembly and the major leaders of the state and the federal administration in Washington.

To fulfill these obligations, it is necessary that the Speaker maintain a staff of wide and varied talents and backgrounds. The staff, with clerical support, consists of consultants with expertise in areas of concern to all Californians, e.g., agriculture, labor, education, health care, etc., who are charged with everything from research to aiding Members of the Legislature in their issue areas. They must brief the Speaker and prepare resource material for the many occasions when he or she addresses various groups and citizens throughout the state. In addition, the Speaker's office has a staff person who acts as a liaison with the media statewide.

The President pro Tempore's Staff

The President pro Tempore's staff is headed by a Chief of Staff who serves as the liaison between the pro Tempore and Speaker's office, Governor's office, Senators, Assembly Members and the administration. This individual directly supervises the pro Tempore's staff and coordinates legislative projects to be completed by professionals in the pro Tempore's office. Among other duties, the chief of staff reviews and approves all speeches and correspondence which requires the pro Tempore's signature, and supervises and coordinates the pro Tempore's schedule.

The Senate Office of Research

The Senate Office of Research (SOR) is a bipartisan office charged with serving the research needs of the California State Senate and developing policy initiatives for Senators and committees. SOR tracks emerging state and federal issues and prepares background information for the Senate Rules Committee to consider when reviewing the governor's nominees during confirmation hearings.

Established in 1969 by the Senate Rules Committee, SOR gathers data, prepares briefing papers, publishes reports, and organizes informational hearings. As a liaison with think tanks and academic institutions outside of the Capitol, the office also sponsors forums to illuminate research findings and share outside expertise.⁶⁰

⁶⁰ "The California Senate Office of Research," <http://www.sen.ca.gov>

Majority and Minority Caucus Consultants

Each caucus of the State Assembly—Republican and Democratic—receives staff support from either the Minority or Majority Consultants.

These partisan offices are involved in leadership policy development, legislative research, committee monitoring and staffing, and assist with members' public information programs. They maintain records and information systems, work closely with legislators' district offices, and keep abreast of political party structures and issues.

Committee Consultants

The backbone of the Legislature's committee operation is the committee consultant, who is directly responsible to his or her committee chairperson and the members of the committee. Thorough knowledge of his or her subject matter area is a prime requisite for every consultant. A committee consultant's principal duties consist of making preparations for the committee meetings during the joint recesses and the session, analyzing the bills that are to be heard by his or her committee and providing summaries of their contents for the committee and the public,⁶¹ answering committee correspondence, performing legislative research, providing committee members with technical information, and in some instances presenting a bill before a committee if the author is unable to attend. At least one consultant is assigned to each committee to assist with its legislative workload.

In the Assembly, the committee consultants are charged with the responsibility of writing the floor analyses of the bill reported from their committee to the floor.

Some of the major committees, e.g., Appropriations, Education, and Revenue and Taxation, are provided with additional consulting staff to assist them with their legislative work. Where the committee utilizes additional consultants, one of them, a chief consultant, is usually appointed to supervise their combined activities.

The CAPITOL Institute

With term limits creating substantial turnover of Members and staff, the Legislature has suffered a considerable loss of institutional knowledge each session. To deal with this situation, the Assembly has established the CAPITOL Institute (California Assembly Program for Innovative Training and Orientation for the Legislature). The Institute is a comprehensive Member and staff training program that focuses on institutional functions, policy, and administrative operations. Staff training rooms are located in the Legislative Office Building across the street from the Capitol building. Member training sessions include presentations from committee chairs on legislative issues and the Assembly Chief Clerk on floor procedures. Training for staff is provided on several topics, including the budget process, legislative process, bill tracking, management training, administrative procedures, constituent casework, scheduling, etc. This program has had a

⁶¹ *Assembly Rule 56.5.*

positive impact on the organization of the Assembly and has improved the way business is conducted in the Legislature.

Computer Support Staff

A highly trained technical staff is maintained by the Legislature to provide state-of-the-art computer services. The work of this staff becomes more critical with each passing year as technological innovations are adapted to the unique requirements of the operations of the legislative branch.

The Legislative Data Center was created in 1985, after then-Assembly Speaker Willie L. Brown, Jr. instructed the Legislative Counsel to link the Capitol and Members' district offices with an online computer network. This new system was designed to augment the computer system which had been installed in Capitol offices in 1982.

The computer network operated by the Legislative Data Center provides legislators and their staff with easy access to virtually any legislative information through the computer terminals installed in each office. Accessible through this system are bill histories, bill text, daily files, committee analyses, and the complete California Codes. These various categories are updated many times each day, providing the user with up-to-the-minute information.

In 1993, legislation was enacted to provide the general public with the same level of accurate and wide-ranging legislative information available through the Capitol computer network.⁶² The new statute directed the Legislative Counsel to establish a connection to link the database maintained by the Legislative Data Center with the Internet. The connection to the Internet, in turn, makes the information available to computer users throughout the state and world.

In addition, the services provided by the Legislative Data Center focus on the practical needs of Members' offices. Word processing, calendars and scheduling, constituent correspondence, electronic messaging, and bill lists for bill tracking are made available through computer connections to offices in the Capitol. These features are also available to Members' district offices.

Capital Fellows Programs

The Capital Fellows Programs are nationally recognized postgraduate programs offering outstanding opportunities to engage in public service and prepare for future careers, while actively contributing to the development and implementation of public policy in California. The programs are administered by the Center for California Studies at California State University at Sacramento and include the Jesse M. Unruh Assembly Fellowship, the Executive Fellowship, the Judicial Administration Fellowship and the Senate Fellows. In addition, each year the Center selects, from among the ranks of current Fellows, a California Federal-State

⁶² *Statutes of 1993*, Chapter 1235.

Relations Fellow who works with the California Institute in Washington, D.C. The academic qualifications of all of these programs are similar. The possession of a bachelor's degree is a prerequisite for acceptance in each program.

History and Description of the Fellowship Programs

In 1957, the Assembly, the Ford Foundation, and five California institutions of higher learning initiated California's first legislative intern program.⁶³ The six men and two women chosen for the first class of Assembly Fellows in 1957 were: James Driscoll, Roderic Duncan, Richard Harvey, Carmen Hunt, Charles Kunsman, Ruth Ross, William Scheuermann, Jr., and Linus J. Wald. They were assigned to Member offices, legislative committees, and some worked for a brief time in the Chief Clerk's Office.⁶⁴ Though Congress had previously instituted an intern program, California's program was the pioneering venture on the state government level.

While the initial program was jointly funded by the Ford Foundation and the Assembly, the Assembly found the program to be so successful that when the Ford Foundation's funds were depleted the Assembly proceeded to totally finance the program itself under the new title of the Assembly Fellowship Program. In 1987 the program was renamed the Jesse Marvin Unruh Assembly Fellowship in honor of the former Speaker of the Assembly and California State Treasurer.

The Assembly program was so successful, that in 1973 the state Senate funded and initiated its own fellowship program modeled after the Assembly's venture. In 1986, a third fellowship was created to provide similar opportunities in the executive branch. The program continued its expansion in 1992, when the Federal-State Relations Fellowship was instituted. Likewise, after a three-year effort, the Judicial Administration Fellowship was added to the program in 1996–97. Although it took 40 years, all branches of government were finally covered by the Capital Fellows Programs.

In the 2011–12 academic and fiscal years, there were 18 Assembly Fellows, 18 Senate Fellows, 18 Executive Fellows, 10 Judicial Administration Fellows, and one Federal-State Relations Fellow, for a total of 64 participants. They work as full-time members of a legislative, executive or judicial branch office, and are typically given assignments with significant responsibilities and challenges. In 2011, the fellows received a monthly stipend of \$1,972 and comprehensive health benefits. Participants also receive 12 units of graduate course credit for two graduate seminars taught by faculty from the CSUS Government Department. The programs last 11 months.

Countless interns and fellows have served the Legislature and other units of state government over the years. These programs have provided

⁶³ The five institutions were the University of California at Berkeley; the University of California at Los Angeles; Stanford University; the University of Southern California; and the Claremont Graduate School.

⁶⁴ Driscoll would become Chief Clerk in 1963. For more information on the history of the Fellowship Program, see *To Be The Change You Wish To See*, by Elizabeth B. Austin, Berkeley Public Policy Press, 2007.

government with a high quality research reservoir at a very minimal cost to the taxpayer. The value of the fellowship experience is evidenced by the fact that many former participants have been elected as Members of the Legislature or occupied important consultant and administrative positions in the Assembly. Other postfellowship activities have included the judiciary, teaching, law, journalism, service with state agencies, local government, and graduate study.

Science and Technology Fellows

In 2010, the California Legislature implemented the nation's first doctoral level state legislative internship program. Patterned after the American Association for the Advancement of Science (AAAS) "Congressional Science and Technology Fellowship" program, the California Council on Science and Technology instituted the "California Science and Technology Policy Fellowship Program" in January 2010. Recruited nationally, ten Ph.D.-level fellows are annually placed in legislative offices and committees for one year terms, to assist legislators in formulating and evaluating science and technology policy for California. Areas of consultation have included legislation related to healthcare, bioethics, energy and water resource management. The program is funded through several foundations.

Chief Clerk's Internship Program

In 1989, Assembly Chief Clerk R. Brian Kidney instituted a paid internship program in cooperation with the University of California, Davis and California State University, Sacramento. Intern applicants are usually screened each October for spring/summer employment. The program gives upper division college students the opportunity to work full-time in the Chief Clerk's Office from five to seven months while earning significant college credit. The internships are unique, in that interns are granted floor privileges to encourage total immersion in the intricacies of the legislative process. Jobs performed by the interns include floor amendment tracking, engrossment and enrollment of bills, amending, and liaison duties. Special seminars provide the interns with access to valuable information while interacting with representatives of the legislative, executive, and judicial branches, as well as lobbyists and political journalists. Over 80 students have participated in the program and most students eventually obtain full-time legislative oriented employment.



Aerial View of Capitol Complex, circa 1947.

A series of aerial photos were taken at this time, as plans were developed for the demolition of the Capitol's semi-circular apse and addition of the six-story Annex.