Passing Climate Legislation in California

December 6 , 2023

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Today’s Agenda

Focus on California’s legislative process

- Structure of the Legislature
- The players in Sacramento
  - Leadership
  - Climate allies
  - Climate action opposition
- The Legislature’s calendar
- Essential resources for tracking bills and hearings
- The budget
- Question time!

Structure of the California Legislature

The bicameral legislature

- Each bill must pass both the SENATE and the ASSEMBLY before going to the Governor
- Democrats have 2/3 supermajorities in both houses – enough to pass tax bills without Republican votes:

  32-8 supermajority in the Senate (⅔ = 27)

  62-18 supermajority in the Assembly (⅔ = 54)

The California legislative session

- A “session” is two years, year-round with breaks. The current session is 2023/2024—2024 is the second year.
- Bills are introduced and may pass in either year, but…
- …“Two year bills” are introduced in the first year, but take two years to pass (or die)
- Year 2 (even-numbered years): all Assembly members and half the Senate members run for re-election—so it can be difficult to pass climate bills

The Senate and the Assembly

40 state Senators

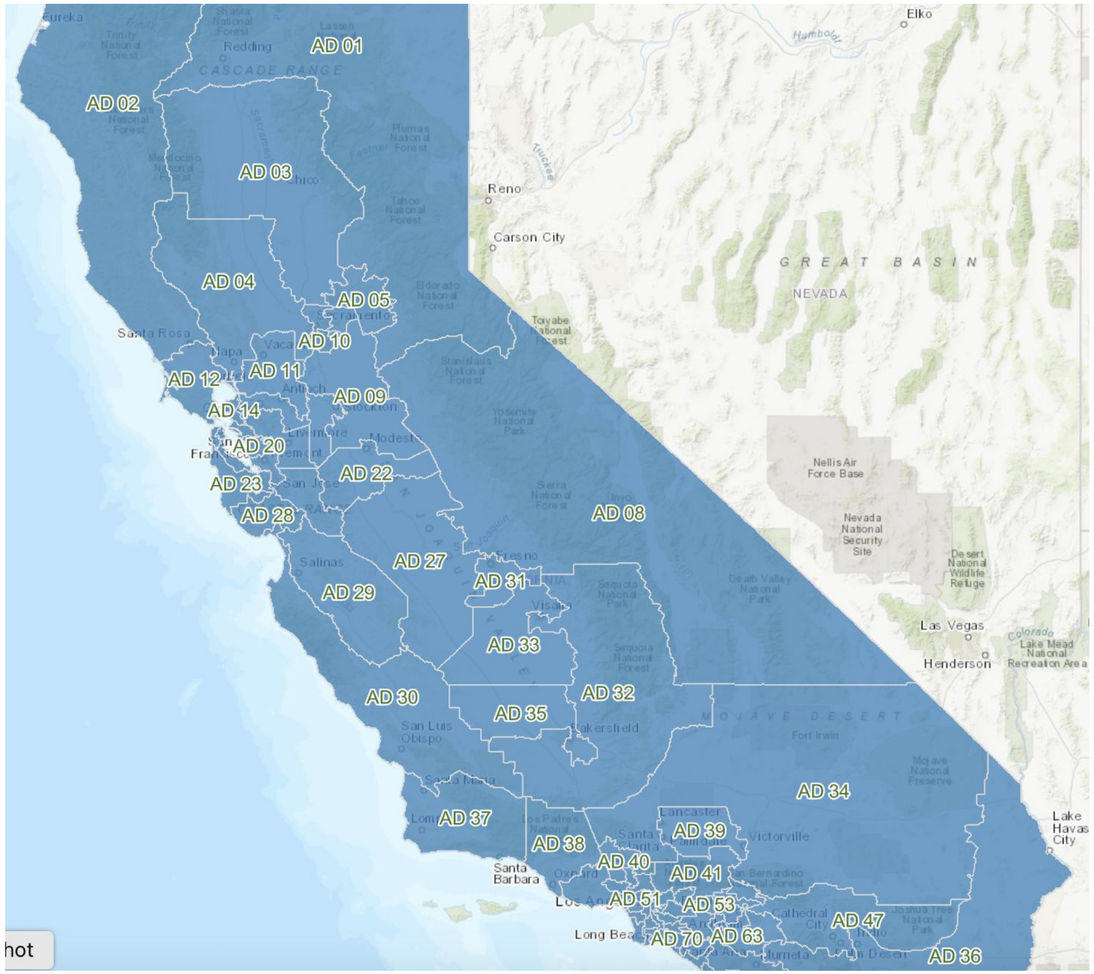
- Senate district~930K people, 2 Assembly districts
- 4-year terms

80 Assembly members

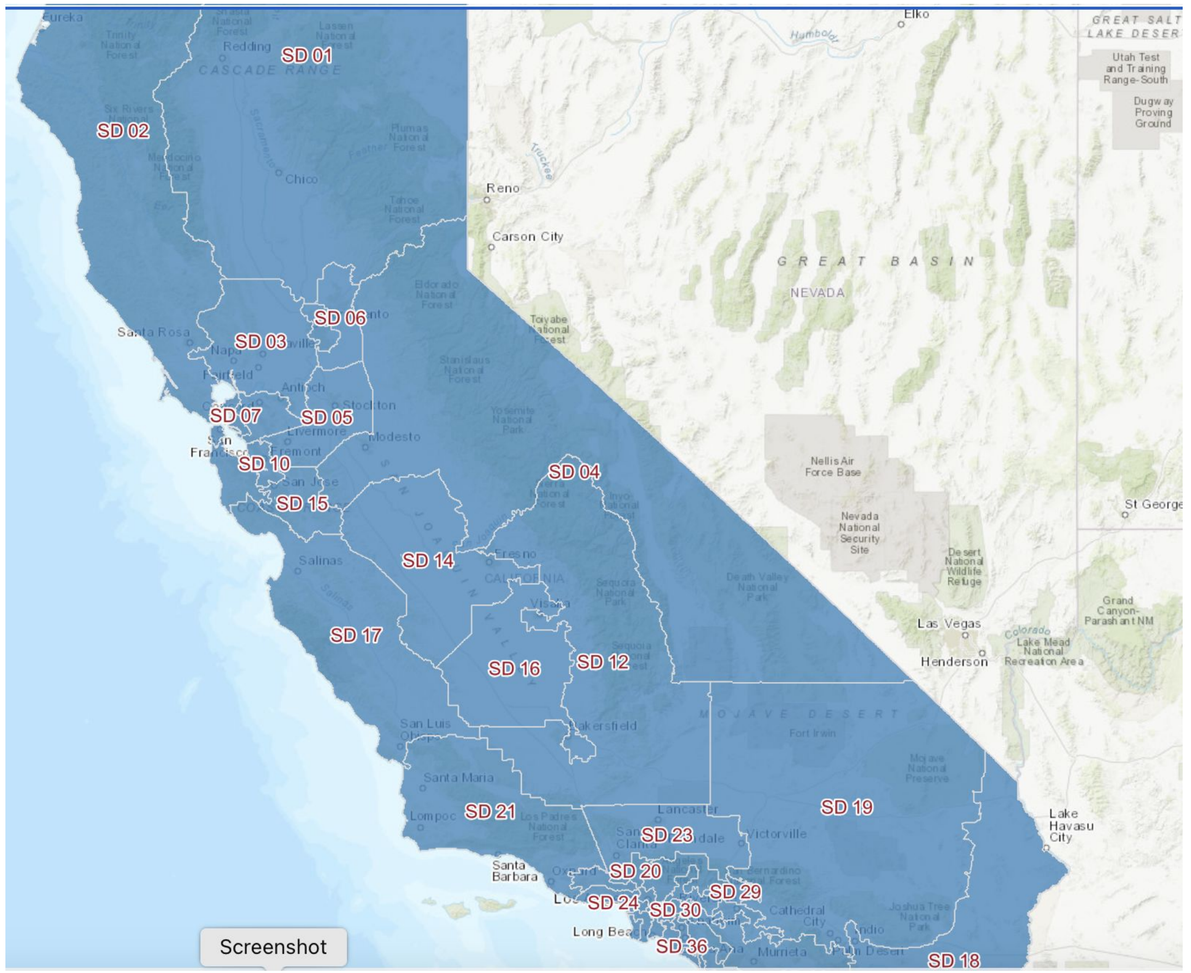
- Assembly district~465K population
- 2-year terms

Lifetime term limit: 12 years in the Senate, Assembly, or combination of the two

Assembly Districts



State Senate Districts



Elections matter!

- Many new legislators were seated for the 2023 session—due to term limits and redistricting after the 2020 census:
  - 27 new Assembly members
  - 8 new Senators
- Some seemed to be learning how the place works
- New legislators are not all progressive on environment!

Who’s Who in Sacramento

Who leads the Senate?

Senate President pro Tempore

- Appoints committee chairs, members, and select committees
- Chairs the Rules Committee, which refers bills to oversight committee(s)
- With the Senate Appropriations chair, likely exerts life-or-death power over legislation

Currently, Toni Atkins (D-San Diego)

- First woman, and first LGBTQ person to lead the Senate
- Terms out in 2024

2024: Mike McGuire (D-Sonoma).

- Expect some changes in the new year

Who leads the Assembly?

Speaker of the Assembly Robert Rivas (D-Hollister)

- Speaker since July; elected by the Dem caucus after a long fight with the previous speaker, Anthony Rendon
- Serving a rural district (Gilroy-Salinas-King City) since 2018
- Chaired Assembly Agriculture Committee
- As San Benito County Supervisor, pushed through the state's first county-wide fracking ban in 2014
- **Has switched up many Assembly committee chairs, which could be good or bad for passing climate bills in 2024**

Climate Allies

- Climate Action California's coalition partners
- 350 groups around CA
- Asia-Pacific Environmental Network
- Bay Area Youth Lobbying Initiative
- CA Environmental Voters (formerly CA League of Conservation Voters)
- Environmental justice groups: VISION, CBE, CEJA, Sunflower Alliance
- Elders Climate Action
- Environment California
- Indivisible, Statestrong and local groups
- Leadership Counsel for Justice and Accountability
- Natural Resource Defense Council
- Sierra Club California
- SEIU
- Union of Concerned Scientists

Who opposes climate legislation?

Deep-pocket lobbying groups that generally oppose climate bills:

- Western States Petroleum Association (WSPA)
- California Independent Petroleum Association (CIPA)
- International Brotherhood of Electrical Workers locals (IBEW)
- Building trades unions
- Chamber of Commerce
- Farm Bureau
- Dairy lobbies
- American Chemistry Council

The California Legislature's Year

A bill's path through the Legislature – 1

1. A Senator or Assembly member decides to introduce ("author") a bill…
2. …and sends it to the Legislative Counsel for legal review and final wording
3. The Rules Committee in the author's house ("house of origin") assigns it to one or more policy committees, for a hearing after 30 days in print
4. Policy committee staff analyze each bill and publish their findings, with recommended amendments
5. The author presents the bill in a committee hearing, with testimony for and against…and accepts amendments
6. After the committee vote, most bills go to the Appropriations Committee

A bill's path through the Legislature – 2

7. Appropriations normally holds bills "on suspense" before
    a. Passing the bill to the floor for a vote,
    b. Amending the bill and passing it to the floor, or
    c. Killing it by holding it in "suspense" (in the second year)
8. Bills that leave Appropriations go to the floor of the first house
9. Bills that pass the first house go to the second house – and start over, with
    a. Policy committees and amendments
    b. Second-house Appropriations Committee and amendments
    c. Second-house floor vote
10. To the Governor! (or dead)

The legislative year: January

January 3	The 2024 Legislative Session opens
January 3-12	Policy committees meet to review first-house bills (mostly leftover from 2023)
By January 19	Appropriations Comms pass first-house bills to the floor—or they're dead
January 19	Last day to send (new) 2024 bills to Leg. Counsel
January 31	Last day for floor votes on first-house bills

The legislative year: February – April

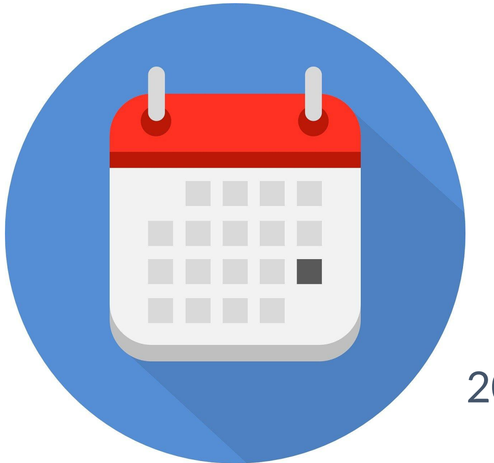
February 16	Last day to introduce bills (including “spot bills”)
Feb - April	Policy committees meet to hear/amend ● Bills that passed the first house in January ● Bills introduced in 2024
April 26	Last day for policy committees to send fiscal bills* to Appropriations

*Most climate bills are deemed “fiscal”

The legislative year: May

THE CRUELEST MONTH FOR FIRST-HOUSE BILLS

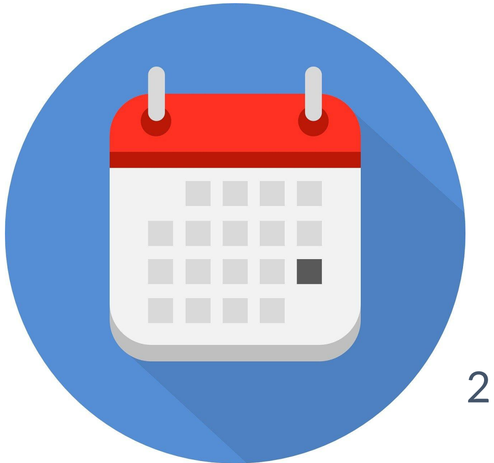
May 3	Policy comms pass *non -fiscal* bills to the floor
May 17	Appropriations committees complete their work, send bills to the floor (or not)
May 20-24	Floor votes on first-house bills introduced in 2024



The legislative year: SUMMER

BILLS START OVER IN THE SECOND HOUSE (and the process speeds up)

May 28-July 3	2nd house policy comms meet to amend and pass bills to Appropriations
July 4-August 5	Summer recess
August 16	Appropriations decision deadline for 2nd house bills
August 19-31	Floor votes — final decisions

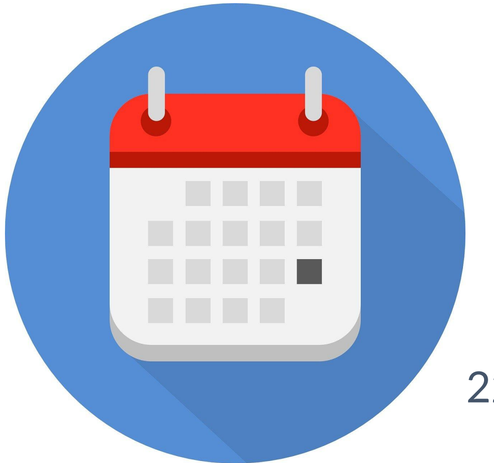


The legislative year: September

OUR ATTENTION SHIFTS TO THE GOVERNOR

September 30 Last day for the Governor to sign or veto bills

Bills he doesn’t sign or veto take effect anyway!



Resources for Advocates & Lobbyists

Leginfo.legislature.ca.gov

Leginfo.legislature.ca.gov

Bill tracking:

- Committee assignments, hearing dates (History, Status tabs)
- Committee votes, by member (Votes tab)
- Amendments (“Compare Versions” tab)
- Bill analyses prepared by committee staff (Bill Analysis tab)

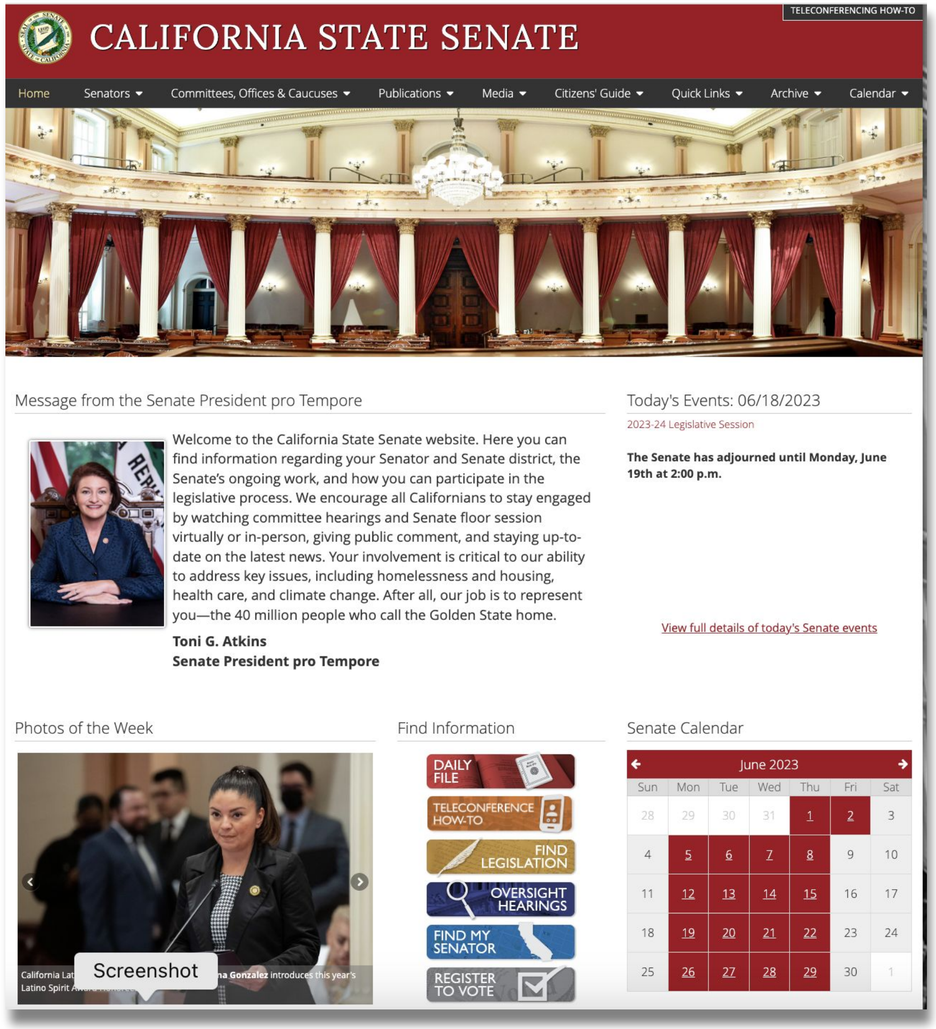
NOTE: Set email alerts to track bills

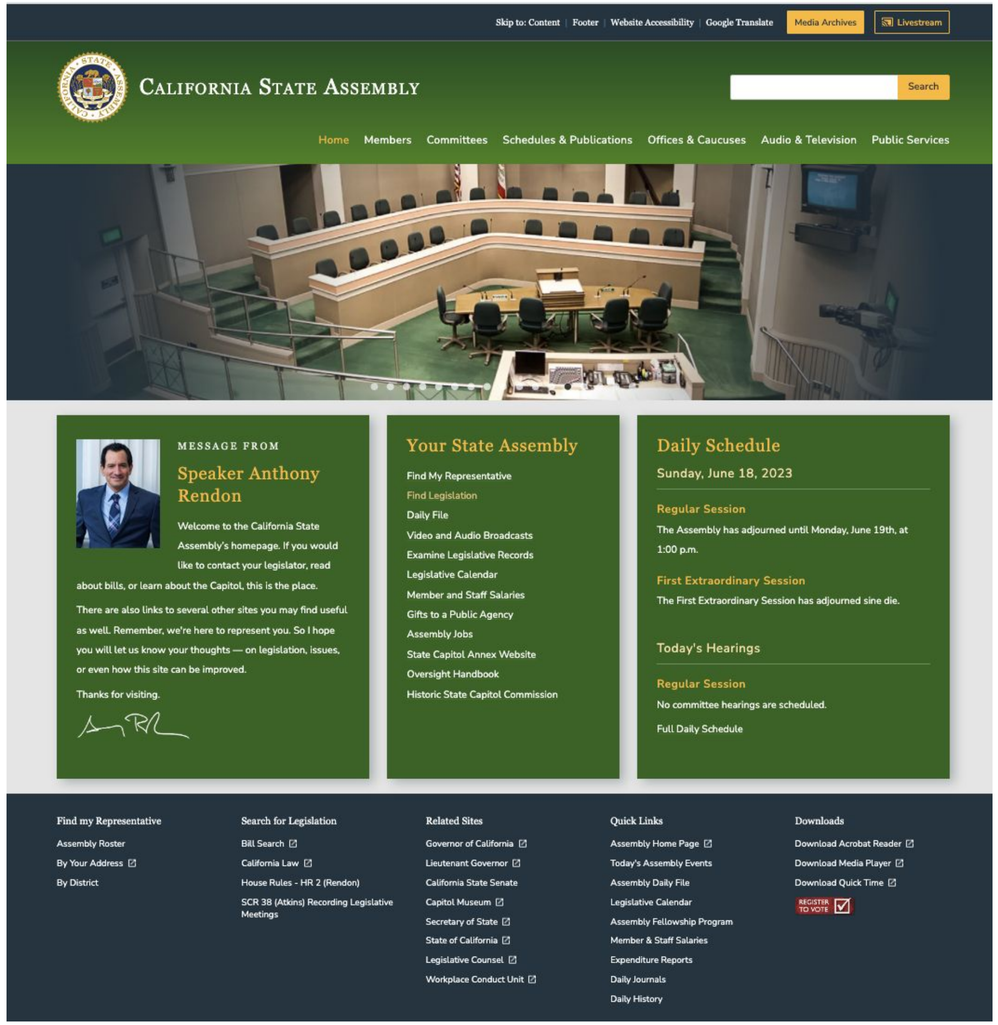
Authored bills:

- Search by legislator

California LEGISLATIVE INFORMATION

State Senate and Assembly Websites





https://sen.ca.gov and

https://assembly.ca.gov

Home page lists Today's Events. Navigate to:

- Committee lists, links to agendas
- Media — recordings of past hearings
- Members and their websites
- Daily File — extended agenda of floor session and committee hearings

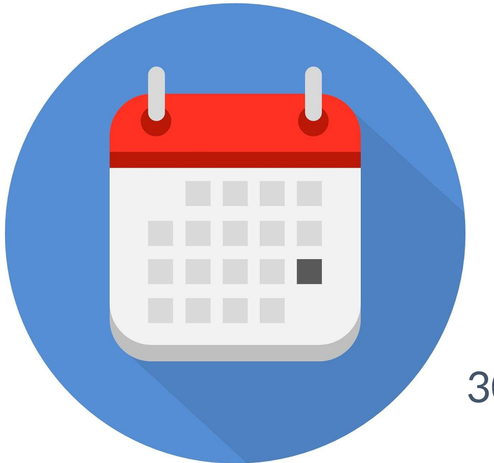
The Budget

The Budget is built on a parallel calendar

By January 10	Governor sends his (draft) budget to the Legislature
By February 1	Governor sends “trailer bills” detailing changes in law necessary to implement the budget
January- February	The Legislative Analyst’s Office (LAO) analyzes and reports on the Governor’s proposals; Senate and Assembly budget committees and subcommittees hold hearings and amend the budget and trailer bills
April 15	State taxes due
May 15	Dept of Finance issues actual revenue totals; budget is adjusted (“May Revise”)

The state Budget must be balanced!

May 15-June 15	Senate and Assembly budget committees and subcommittees reconcile their budget bills
June 15	Deadline for the legislature to pass the budget
July 1	Deadline for the Governor to sign the budget; budget takes effect at the beginning of the July-June fiscal year
September 15	Deadline for passage of “trailer bills” that enable program implementation



Questions?

Next Time: How we Advocate

How we advocate: January 4 training

- Cultivate relationships with legislators — meet regularly
- Propose bill ideas
- Strategize with staff
- Generate calls and letters from constituents
- Submit position letters
- Speak at bill review hearings
- Draft petitions, op-eds…

Sponsoring today's training

- **Climate Action California:** Volunteers and coalition members take science-based positions on legislation and policy https://climateactionca.org
- **Third Act's Three California Working Groups:** Volunteer teams plan, organize and implement local and regional campaigns to protect our climate & democracy https://thirdact.org/working-groups/
- **Climate Reality Project California Coalition:** Coordinates communication and action for California's 12 Climate Reality chapters https://www.climaterealityproject.org/

Thank you!