

Jon Wainwright: Welcome to another episode of California Lawmaking In Practice. I'm Jon Wainwright. Today we're going to be talking about different ways to use influence to navigate the legislative process in California, and to talk about that we have with us Fredericka McGee. Fredericka, thank you so much for joining us today.

Fredericka McGee: Thank you for having me today. Appreciate it.

JW: Fredericka is the Vice President of California Government Affairs for the American Beverage Association, and she was also General Counsel and Deputy Chief of Staff to five Speakers of the Assembly. She's someone who knows very well the ins and outs of navigating the legislature.

FM: And McGeorge alumna.

JW: That too.

both laugh

JW: So, let's start with some of the difference between the Assembly and the Senate. Specifically, how do you navigate the different dynamics between the two houses? And maybe, backing up, what are some of the different dynamics between the two houses, and then how do you navigate those?

FM: Well, traditionally, you know, the Senate was always viewed as the older, more conservative house. With the changes in term limits a lot of the members from the Assembly are now Senators. That dynamic isn't quite there anymore, but when we had Speaker Rendon come in almost two years ago, his style of leading the Assembly is very different.

He believes in disseminated power, as opposed to power concentrated at the head, the leader of that particular entity. So, traditionally, the Assembly - when folks thought of Willie Brown - it was like the power was in Mr. Brown's office. Now, Mr. Rendon certainly leads the house, and he certainly is the center of the power, but he also has empowered his committee chairs and other members of his caucus to be able to assist in leading the house. So that style is a little different.

The Senate still has a more traditional style. Ultimately, the Pro Tem has that power and now we'll see whether there'll be any difference with the new vote yesterday, where we see my former boss, former Speaker Toni Atkins, who now will be leading the Senate as their Pro Tem.

JW: Okay, so then, when you look at the way things have been recently, I'm not sure it's too helpful to try to predict what things will be like with...

FM: Correct.

JW: Pro Tem Designate Atkins running the Senate. How have been the ways to effectively navigate the dynamics, if you've, say, got one bill that's really important on the Assembly side, how do you navigate that through the dynamics in the Senate?

FM: So I think it's very important, from the first start, to decide what you want to do and what members are going to be helpful. So, if you are doing an offensive version of legislation, and not defending, you really have to decide who's going to be the best advocate for you? Second question is what committee members are going to be helpful? If you decide a committee in the Senate is more helpful than a committee in the Assembly, then you make those transitions.

It's not about the house structure, but it's really about the personalities and individual elected officials in each of those houses and that make up those committees that should be part of your decision making.

JW: I think that kind of leads us to the next question, and this is looking at things from your perspective either working in the house and now working in the third house. How do you look at different policies, policy proposals, differently, either being in the Building or in the third house?

FM: Well, certainly, in the Building, and being in five Speakers' offices, you're on the other side of the desk and people are asking you for the ask, right? You're in a position of power and I don't like to take that lightly. So that perspective, of how we're going to craft policy is really important because you're the decision-maker. The buck stops with you and ultimately you get to convince your member whether that's the direction he or she wants to go.

When you're in the third house, you are really trying to decide whether you want to push this and be on the team of that member or if you try to find someone else be an adversary of that members and try to kill that particular bill.

JW: Yeah.

FM: And so the crafting, getting there, is very different. You're making the ask and it's really important that you do a lot of things beforehand, before you walk into that member's office, so coalition building is very important with other members that are in the third house as well.

I had a rule when I was in the Capitol, and I still do it today, that you network with other colleagues that you may not normally work with on a daily basis. And so, having those coffees with members, staffs, and things like that, it's important that you do that before you have a piece of legislation. There's some pieces of it that you have to do a lot more groundwork, pre-groundwork, in the third house than I had to do when I was in the Building, to be successful.

both laugh

FM: And that's what we want.

JW: You don't to go in flying blind.

FM: That's right. That's right.

JW: This is something we've kind of alluded to too, that there has been a recent transition in power in the Senate. And obviously, if you're working in the Assembly, and a transition comes around, you have some hope towards, "Oh, we'd really like it to be this person," or you've got a list of people you think would be good for that. And I'm sure it's the same in the third house. Are there ways that you can try to influence those transitions without getting your fingerprints on them?

FM: Well, what you said is real important, Jon, is "Without your fingerprints on it." There is an unspoken rule, and sometimes people speak it, is that third house has no business trying to dictate how the house is organized. It's not our place. Even when folks want to try to get our opinion on who should be the Pro Tem, or who should be the Speaker, the best lobbyists keep their mouths closed on those questions...

both chuckle

FM: and those conversations. But I think that if you've established those relationships, you've reached out to those members, you can give them some names of folks that would be helpful to them as well as helpful to you. I think it's important that you are honest about the person that you're recommending in that, "I think this would be a good fit for you because ..."

And it's not just about you or your client's needs, but it also would meet the needs of that particular leader. And so, when you do it that way, where you get a twofer, I think you can keep your credibility, and if you need to have someone else do it, that's okay. But I think those are the rare situations where you can make the recommendation, but it's not just for your benefit.

JW: Alright, those are some really good and interesting insights. Thank you so much for taking the time to share today.

FM: Thanks for having me. I appreciate it.

JW: That's all for this edition of California Lawmaking In Practice. Again I am Jon Wainwright. Thanks for listening.