

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli, and an adjunct professor at McGeorge School of Law. Thanks for joining today's podcast. Today's podcast is on California's role in national politics.

Now, the state of California has long played a relatively outsized role in national politics for a number of reasons. An often mentioned phrase in national politics is, "What starts in California often migrates to the rest of the country," - sometimes affectionately known as "What starts on the left coast moves to the rest of the country."

As such, how public policy issues are addressed here in the state of California - by legislation, by regulation, or by judicial decision - often sets the standard for other states and even the nation as a whole.

Many state capitol observers note that California legislators enjoy being the first in the nation with some of their bills. In the past, California legislators have often considered what's been enacted in some of the other states, particularly those who might be deemed comparable, at least in relative terms of size, such as New York, Pennsylvania, Florida, Texas, Illinois, etc. But, in recent years, it seems that's less of a consideration and now being at the head of the pack, if you will, of the different states often seems to be the preferred route.

So, what are some of the reasons that California plays such a prominent role in national politics? Well the obvious ones include the fact that California is the largest state in the nation by population size. If it were a country, it would be the fifth largest economy in the world today. And certainly, Californians and their elected officials view themselves as leaders, not as followers.

Add to that recently, such as the bill and regulatory efforts and even court cases during the 2017 and 2018 legislative sessions, many bills were introduced and intended to combat actions undertaken by the federal government. Very specifically, the past two years in the California Legislature seem to have been marked by quite a number of anti-Trump administration bills.

So, what are some of the policy areas that California has tried to be the leading role model in national politics? Well certainly climate change comes to mind. Climate change has been a significant area of controversy in the state of California with California and Governor Jerry Brown leading efforts nationally, and frankly even internationally, to deal with the problems of climate change. And while the Trump administration generally hasn't even agreed that such a problem exists, there's been quite a lot of disagreement and quite a bit of legislation and even lawsuits regarding climate change.

There's also been disagreement between the federal and state government over some of the sanctuary city efforts and other protections afforded to immigrants into this state and country. In addition, we've seen some legislative efforts to even obtain President Trump's tax returns in order to run for office, as well as battles, such as over cannabis.

Early in the Trump administration, there were conflicting statements from President Trump who appeared supportive of at least state regulation of cannabis, while his Attorney General Jeff

Sessions has been a long-time opponent of marijuana legalization. Now, not all of the anti-Trump efforts have been successful, but California legislators have still tried to play a prominent role.

For example, at the conclusion of the 2018 legislative session, Governor Brown actually vetoed a bill whose intent was to, if you will, create an end run around the federal limitation of state and local tax deductions which has particularly problematic fiscal implications for Californians, as well as those in some other very blue states, including Massachusetts, New York and New Jersey.

I think California has also played a significant role in national politics through litigation in recent years. Attorney General Becerra in the state has filed more than forty lawsuits that have challenged federal actions, including lawsuits on immigration laws, the US Census, education, student debt, net neutrality, provisions of healthcare, and many in the environmental and climate change arenas. It's interesting that during the 2017-18 state fiscal year, the AG incurred about \$9 million in legal bills on a lot of these measures which was up over \$6 million from just the prior fiscal year. So quite a considerable amount.

There have also been challenges to federal executive branch actions that have allegedly violated federal law or exceeded the federal statutory authority. More than a dozen lawsuits have been ruled in favor of California. At least three have gone against the state in favor of the federal government. So most of these forty plus cases are still awaiting a final decision. But in a number of instances the federal government has even changed its policy or policies as a result of some of these lawsuits.

California's role in national politics has recently been focused in a couple of key areas. On immigration, California's long enacted measures to protect immigrants - there have been at least nine suits, lawsuits by the state of California against the federal government in this area. On healthcare, certainly the state has sought to protect the federal ACA, or the Affordable Care Act - the major provisions. On the environment, California has certainly been a leading advocate on climate change, efforts to address clean energy, gas mileage standards, hydraulic fracking and other measures. On net neutrality, the same day that our Governor signed Senate Bill 822 - which proposed to reinstate the Obama administration's FCC rules on net neutrality, the federal government actually filed a lawsuit to enjoin the measure.

Now I think finally and probably most importantly, California has played, you know, a major role in politics, in national politics in particular. To be fair, most of our influence has come in the form of campaign contributions. We, despite even moving up our primary during a presidential election year, still have not as a state been able to really impact the presidential election.

Nonetheless, we do impact the federal elections because we do have the most Electoral College votes for purposes of the Presidential election. And of course we have the largest Congressional delegation. Hopefully they are able to work together to allow a greater role in national politics.

And certainly some of our elected officials out of California, of course our two US Senators but even the Democratic leader - Nancy Pelosi from San Francisco - and the current number two in

the House Republican Leadership - Kevin McCarthy out of Bakersfield - means that California is able to influence national politics. So, clearly these individuals are in positions and committee chairs and others to determine federal laws and policies which helps, not only their own constituents from their congressional districts, but certainly also the constituents of the entire state of California.

So you can see whether it is through litigation, through state laws, through political campaign contributions, through the efforts of our federal elected officials, California plays a very big, significant role in national politics.

Thanks for joining this brief podcast, hope you enjoyed it.