

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law. Today's podcast is on legislative powers and duties that are found in statute.

In California's government code, there are several code sections that set forth legislative powers and duties. These statutes were added by Prop 24 in 1984 and are found in Title 2, Division 2, Part 1, Chapter 8, Article II. That is quite lengthy. The following are the provisions of this particular area of the Government Code.

Government Code section 9910. The Speaker is responsible for the efficient conduct of the legislative and administrative affairs of the state Assembly. The Speaker is elected upon organization of the Assembly at the beginning of each regular or special session. He or she serves until adjournment sine die of that session, unless removed and a successor is chosen.

Government Code section 9911. There is an Assembly Committee on Rules which consists of the Speaker, who is the Chair of that committee, and six other members of the Assembly, three to be elected by the party having the largest number of members in the Assembly and three to be elected by the party having the second largest number of members in the Assembly.

The Assembly Committee on Rules has a continuing existence and may meet and act during sessions of the Legislature or any recess as well as in the interim periods between sessions. The committee has all the powers and authority provided in Article IV, Section 11 of the California State Constitution.

Government Code section 9912 specifies that the Assembly Committee on Rules has the power to assign all bills to Assembly committees, to appoint the Chairs and Vice-Chairs of all the Assembly Committees, have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, allocate the funds, staffing, and other resources necessary for the effective operation of the Assembly, and exercise such other powers, and perform such duties as may be provided by statute.

Neither the Chair nor any member or agent of the Assembly Committee on Rules has the power to perform any action on behalf of the Committee, including but not limited to the making of contracts, the payment of claims, the allocation of office space, or the hiring or dismissal of staff without the express authorization of two thirds of the membership of the committee.

Government Code section 9913 provides that all statutory appointments delegated to the Speaker of the Assembly are subject to confirmation by the Assembly Committee on Rules.

Government Code section 9914 states that the President pro Tempore is elected upon organization of the Senate at the beginning of each regular or special session and serves until adjournment sine die of that particular session unless removed and a successor is chosen.

Government Code section 9915 states that there is a Senate Committee on Rules which consists of the Senate President pro Tempore, who is the chair of the Committee, and four other members of the Committee, two to be elected by the party having the largest number of members in the Senate and two to be elected by the party having the second largest number of members.

The Senate Committee on Rules has a continuing existence as well. It may meet and act during sessions of the Legislature or any recess as well as in the interim period between the sessions. The Committee has all the powers and authority provided in Article IV, Section 11 of the California Constitution.

Government Code section 9916 states that the Senate Committee on Rules has the power to assign all bills to Senate committees, appoint the Chair and Vice-Chair of the committees, have general direction over the Senate Chamber as well as rooms set aside for the use of the Senate, allocate funds, and staffing, and other resources, and exercise such other powers and perform such duties as may be provided by statute.

Neither the Chair nor any member or agent of the Senate Committee on Rules has the power to perform any action on behalf of the Committee without the express authorization of the Committee.

Finally, there's Government Code section 9917 which specifies that there's a Joint Rules Committee. The Joint Rules Committee is comprised of the combined membership of the Assembly Committee on Rules as well as the Senate Committee on Rules, and two other members of the Senate, one to be elected by the party having the largest number of members in the Senate and one to be elected by the party having the second largest of members.

The committee created has a continuing existence and may meet and act during sessions of the Legislature or any recess or interim period.

This is a brief overview of some of the statutory provisions of legislative powers and duties. Thanks for joining me.