

Speaker of Assembly Functions Outlined by Veteran Legislator

By CHARLES E. CHAPEL
Assemblyman, 46th District

In a previous issue of the HERALD I told you about the duties and responsibilities of the lieutenant governor of the State of California. In this issue, I shall discuss the speaker of the Assembly. My comments apply only to the office, and not to any particular speaker of the Assembly, past or present.

In the Assembly, which in some states is called the House of Representatives, the speaker is nominated and elected by the majority of the members of the Assembly, which means he needs 41 votes.

The speaker pro tempore, who presides in the absence of the speaker, that is, when he is out of town, sick, or called off the rostrum temporarily for other duties, is also elected by the majority of the members of the Assembly.

Obviously, the political party which has enough members to control the votes, elects the speaker and the speaker pro tempore.

A MAJORITY floor leader, who officially attempts to represent and speak for the party controlling the Assembly; and the minority floor leader, who officially attempts to represent and speak for the minor-

ity party, are each chosen by a caucus of his own political party.

The speaker of the Assembly appoints the chairmen and the members of the Assembly committees, with the exception of the members of the committee on rule, who are elected by the Assembly, although the speaker appoints the chairman. In practice, the majority party elects at least one-half the members of the rules committee and also has a chairman appointed by the speaker, hence the majority party can control the rules committee.

EXCEPT FOR the chairman of the rules committee, the members of the majority party are usually chosen by a caucus of that party. Likewise, the members of the rules committee from the minority party are usually chosen by a caucus of the minority party.

Next to the ways and means committee of the Assembly, the Assembly rules committee is most important for many reasons which we shall not discuss here because of space limitations.

However, unlike the Senate rules committee, the Assembly rules committee does not customarily screen bills, although it does screen resolutions and bills referred to it by the

speaker or by vote of the Assembly.

ONE OF THE principal sources of power of the speaker in addition to appointing the chairman and members of each committee is his power to assign bills to what he regards as appropriate committees. This is a power which in the State Senate is normally handled by the Senate rules committee and not by the lieutenant governor, or the president of the senate, either of which can preside over the Senate.

During the 12 years that I have been a member of the Assembly, I have served under both the Republican and Democratic Party speakers of the Assembly. It is my personal opinion that the speaker, whoever he may be, normally assigns bills to the appropriate committee. However, it sometimes happens that a bill can be sent to either of two committees with perfect logical justification on the part of the speaker.

THE AUTHOR of the bill may go to the speaker in advance and ask that his bill be sent to a certain committee, usually because he believes that he can get the bill passed out of that committee and sent to the floor of the Assembly for

debate, whereas he may be afraid that another committee might kill his bill.

Whether the author of the bill makes this type of request to the speaker, the speaker may, for reasons of his own, send the bill to a committee where he thinks it may be passed or killed. Since the speaker of the Assembly not only appoints the chairman of each committee and its members, his assignment of the bill to one committee or another may cause its passage or death. Of course, we must remember that even if a bill gets out of committee and passes on the floor of the Assembly, it then goes to the Senate where it will be heard by at least one committee, debated on the floor of the Senate, and then, if it passes, it may be signed or vetoed by the governor. Therefore, the speaker of the Assembly is only one cog in an elaborate, complicated and long process of legislation, but he is a very important cog.

I repeat that these remarks do not necessarily apply to any speaker of the Assembly, past or present, and they do not present the full picture because of space limitations, but they do give you a slight idea of the importance of the Speaker of the Assembly.

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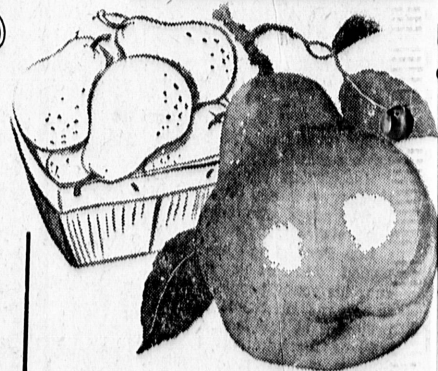


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