

GOVERNING CALIFORNIA

6TH
EDITION



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SIXTH EDITION

Governing California in the Twenty-First Century

THE POLITICAL DYNAMICS OF THE GOLDEN STATE

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W. W. NORTON & COMPANY
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Printed in Canada.

The text of this book is composed in Berlin with the display set in Interstate.

Book design: Sandra Watanabe

Composition: Achorn International

Manufacturing: Marquis Book Printing

Editor: Ann Shin

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ISBN 978-0-393-60369-9 (pbk.)

W. W. Norton & Company, Inc., 500 Fifth Avenue, New York, N.Y. 10110

www.wwnorton.com

W. W. Norton & Company Ltd., Castle House, 75/76 Wells Street, London W1T 3QT

1 2 3 4 5 6 7 8 9 0

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Preface

We began this project over a decade ago with a working title asking whether California's political system and its politics were simply "broken." That is, politicians were caught within a system that was so contradictory in its rules, norms, and mores that budgets couldn't be passed on time or balanced, programs and departments couldn't be managed under the existing set of rules, and citizen expectations were so out of line with the ability of the political system to satisfy them that the level of negativism and cynicism was as bad as could be found anywhere in the nation.

We think after a decade of false and halting starts that the picture needs some modification. California has begun to repair its infrastructure. The state has new incentives for politicians to be less ideologically extreme on the right or the left, in particular the "top two" primary system and the commission that is now drawing new districts for the Assembly, the state Senate, and congressional districts every 10 years after the Census. Decision rules in Sacramento still leave much to be desired, but at least a budget can be passed with majority rule instead of having to obtain a two-thirds vote, a rule that necessitated some votes from the minority party and, unfortunately, some pork projects or other incentives to gain those votes. And the nation's strictest term-limit rules have been modified to allow members of the Assembly or state Senate to serve 12 years in a single house before being "termed out" and forced to seek another office outside the state legislature. Hopefully this will increase the level of expertise available among legislators.

At the same time, we have gone only part of the way toward a political system that would actually "function" and make efficient decisions. There still is no way to adjust the tax system without a two-thirds vote, and California's tax system badly needs modernization; its last overhaul was more than 50 years ago. While the economy has moved toward a services base, California's tax system remains centered on manufacturing, which was more common a half century ago. The income tax relies much too heavily on the capital gains tax, and that in turn creates revenue peaks and valleys that tempt Sacramento politicians to build the periodic surges of revenue into the base and to run deficits when times are tough.

Proposition 13, passed in 1978, caused a massive centralization of authority in Sacramento over the next decade at the expense of cities, counties, and school districts. As a result, local governments have little authority over their own revenue, while state government proved unable to provide local governments with the revenue and authority they needed to deal with the recent recession, financial collapse,

and defaulted mortgages that still plague certain areas. This caused a number of local government to go bankrupt, and those that did not were unable to help people in a genuine time of need. In some dire cases, state government cutbacks combined with the revenue-depleting impacts of home mortgage foreclosures, high unemployment, business failures, and grossly overburdened public sector pension and benefit obligations created “perfect storms” of local economic and political conditions that bankrupted cities like Stockton and still threaten others. The state has been unable to help. The drought of 2013–14 exacerbated existing flaws in California’s water policy, and while the state government has proposed several solutions, some controversial, the fact remains that the state’s demand for water still drastically exceeds its supply.

In these circumstances, the Sixth Edition of *Governing California in the Twenty-First Century* offers a ray of hope but also the reality of a long distance to go. We hope you enjoy our analysis of California’s politics as not quite “broken” but not as yet “fixed” either.

This edition continues the “Who Are Californians?” features, presenting visual snapshots of California’s politics and people. These infographics, contributed by Melissa Michelson of Menlo College, shine a light on demographic diversity and political behavior in the state.

We divided the writing of this book as follows:

1. California Government: Promise and Practice—Anagnoson (tanagno@calstatela.edu)
2. The Constitution and the Progressive Legacy—Bonetto (gerry@piasc.org) and Anagnoson
3. Interest Groups and the Media in California—Bonetto
4. Parties and Elections in California—Koch (nkoch@calstatela.edu)
5. The California Legislature—Buck (vbuck@fullerton.edu)
6. The Governor and the Executive Branch—Buck
7. The California Judiciary—Emrey (emreyj@uww.edu)
8. The State Budget and Budgetary Limitations—Anagnoson
9. Local Government—DeLeon (rdeleon@sfsu.edu)
10. Public Policy in California—Emrey

There are websites for the fifth and sixth editions of this book. For the fifth edition, go to www.silcom.com/~anag999/g5.html. For the sixth edition site, substitute “g6” (without the quotes) for “g5.” The sites contain:

- A link to the publisher’s own site for this book.
- A list of *errata*. If you find any error in the book, please email the lead author, J. Theodore Anagnoson, at anag999@silcom.com or tanagno@calstatela.edu.
- Answers to the short answer questions at the end of each chapter.

We have constructed, in addition, a test bank for instructors. To gain access to the test bank, visit wwnorton.com/instructors.

W. W. Norton also offers a formative quizzing tool called InQuizitive for this and other titles. The system includes adaptive multiple choice questions with immediate responses and links to sections of the book online for reference and knowledge reinforcement. We tried several activities from the question bank and liked the feedback and the links. We recommend that you have a look also; you can try a demo at digital.wwnorton.com/govcali6.

We would like to acknowledge the helpful recommendations from professors who have reviewed the book; their comments have assisted us in updating events and materials. For the sixth edition, we thank the following reviewers:

Larry Bensky, California State University, East Bay
Joe Brookshire, College of the Redwoods
Pearl Galano, California State University, Channel Islands
Herbert Gooch, California Lutheran University
Sarah Hill, California State University, Fullerton
Wesley Hussey, Sacramento State University
Alison Keleher, University of California, Santa Barbara
Jamilya Ukudeeva, Cabrillo College
John Vento, Antelope Valley College
Joshua Pryor, California State University, Sacramento

We also thank the several students who have communicated their comments.

We would be glad to hear from you about the book. Please use the email addresses above to communicate with us.

J. Theodore Anagnoson
Professor of Political Science
California State University, Los Angeles

1

California Government: Promise and Practice

WHAT CALIFORNIA GOVERNMENT DOES AND WHY IT MATTERS

In the morning you drive to work on the freeway, stopping first at the gas station on the corner to fill up and to buy an apple from the corner grocery store for a mid-day snack. You then drive across a bridge to get to the university where you are currently taking general education courses. You are already considering what will follow after graduation. Perhaps you'll work for the California Highway Patrol (CHP), a private security guard service, or maybe even in the same grocery store where you stopped for your apple. In the evening, you are ready to relax after a full day of school, so you go out to a restaurant.

How is the government of California relevant to your day? Let's start at the beginning; your car is built to conform to government safety standards. The freeways are built by the state government, with a mixture of federal and state money, to conform to federal and state standards; traffic is monitored by the CHP. The gas station has to meet local safety regulations, and it uses gasoline that conforms to federal standards for automobiles. The grocery store relies on scales that are certified by county government; both imported and domestic fruit must meet U.S. and state Department of Agriculture standards. The bridge is built by government and is maintained by government (although a large proportion of the bridges nationally and in California are behind on their scheduled maintenance). If you attend a K-12 school, the school must comply with state standards for curriculum at each grade level and administer tests to determine whether it is meeting those standards. If you are in higher education, the public university you attend must have a general education program that conforms to state regulations; if you

are enrolled in a community college, California State University, or the University of California, the cost of your education is partially subsidized by state funds. (If you attend a private college, you might be receiving federal student aid.) If you eventually go to work for the CHP, you will work under state laws and regulations. The private security service is regulated by the state as well, and the grocery store must conform to state safety standards. The restaurant in which you enjoy your evening meal is inspected periodically by the local government health department, and in some locations, the department will post the summary score (A, B, or C).

The California Dream?

For almost 200 years, the **California dream** has attracted residents from other parts of the United States as well as immigrants from abroad. Governor Arnold Schwarzenegger, in one of his State of the State speeches (2004), said that California represents “an empire of hope and aspiration,” a place where “Californians do great things.” To some, the California dream is sun and surf; to others, the warm winter season; to still others, a house on the coast amid redwoods and acres of untrampled wilderness; or to some it is the luxury of three or four cars per family. Many of these dreams can be summed up in the phrases “freedom from restraints” and “freedom from traditions.” These are typical themes in statewide elections and gubernatorial State of the State speeches—evoking the image of an older, less crowded California.

A more modern conception of the California dream is finding a way to stick it out here. “California is a struggle, so we dream of the good struggle, of finding our footing, of figuring out some way to beat the statistics and buy a house and educate our kids.”¹

No matter what the conception, some of the dream is attainable for many—California’s winter weather is the envy of most of the nation—but much of it is not. One of the themes of this book is the conflict between dreams and reality, between the ideals that we set for ourselves and the reality of our everyday lives. Particularly vivid for politicians is the conflict between our expectations of them and the constraints we place upon them.

Why Study California Politics?

The obvious answer is that you have to: your California history course meets some requirement for graduation or your major, since the state of California decided that every college student should know something about the California Constitution and California government and politics. But more important—why *care* about California politics?

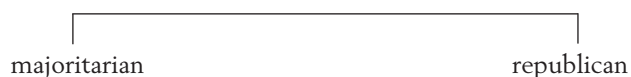
- You are **the residents and voters of the present and future**. The policies and political trends occurring today will impact your lives, affecting everything from university tuition fees to the strength of the job market.

- California politics is plagued by **low levels of participation and turnout**, so much so that the electorate is older, more conservative, wealthier, more educated, and less ethnically diverse than would be the case if every eligible adult voted. So your vote and participation really can make a difference.
- California politics also suffers from **too much interest-group participation and not enough citizen participation**. The general interests of large groups of citizens need to be represented at the table.

That's the narrow answer. The broad answer is that California's government and politics are distinctive and worthy of study. How is California different from other states?

- We have much **more cultural diversity** than other states, including a much higher proportion of Latino and Asian residents. By some measures, we are the country's multicultural trendsetter. Our diversity affects our politics, and our solutions to multicultural issues become an example for other states.
- We are **one of the 10 largest economies in the world**. The California economy in 2015, according to the federal Bureau of Economic Analysis, is the sixth largest in the world, in the same ballpark as the economies of Russia, Italy, and Brazil. California's large and diverse economy means that we are able, in theory, to weather economic downturns more easily than other states. The fact that economic crises continue to plague California, then, indicates that our tax system is distinctive as well (see below and Chapter 8).
- We are **the most populous state, and we have grown more quickly than other states**. In 1960, New York had 41 members in the U.S. House of Representatives; California had 38. The 2010 census gave California 53 seats, followed by Texas with 36 and Florida and New York with 27 each. California has been forced to develop creative solutions to the problems engendered by high growth, such as uneven population distribution among various regions of the state and the need for housing and schools. California's growth puts pressure on many areas of infrastructure and public services.
- We are **more majoritarian than other states**, meaning that we rely more on the measures for direct democracy—the initiative, the referendum, and the recall—that were added to the state constitution by the Progressive movement in 1911. Every state uses majority rule for most decisions, but in a majoritarian state, the public is more likely than elected representatives to make policy decisions.

Consider the following continuum:



A **majoritarian** government is one that is highly influenced by the public at large, through public-opinion polls and measures such as the initiative, the referendum, and the recall that enable voters to decide government policies directly.

A **republican** government is one in which we elect representatives to make our decisions for us, based on the Madisonian model for the federal government.

Advocates for November 2016's Proposition 66, which sought to accelerate the use of the death penalty on the 748 inmates on death row in California, make their case at a press conference. Proposition 62, which sought to abolish the death penalty, was on the same ballot. The November 2016 ballot thus confronted voters with two propositions on the death penalty—a not uncommon situation, where, some say, the real goal is to confuse voters.



California government has moved much more toward the majoritarian model than other states have. Initiatives to amend the constitution are routine, and interest groups often collect signatures for an initiative in order to pressure the legislature into voting in their favor. By voting directly on public policies and constitutional amendments that are placed on the ballot, California voters can influence policy in their state more than voters can in other states.

And Californians like being majoritarian: surveys show that most don't want to restrict use of the initiative in spite of its extensive use and manipulation by interest groups.² Ballotpedia lists 364 initiatives from 1912 through November 2014, and we had another 14 in November 2016, for a total of 378.³ California's number of initiatives historically is second only to Oregon, with 384. Twenty-seven states do not have the initiative at all, and the top five states account for more than half of all initiatives considered from 1904 to 2012.⁴

What Determines the Content and Character of California's Politics?

Three factors shape the content and character of California's politics:

- the underlying demographic and sociopolitical trends that affect California and the other states;
- the rules of the game, as set out in the federal and state constitutions and in state laws;
- and the decisions of voters and politicians.

In Chapters 1 and 2 we will discuss the underlying demographic and socio-political trends and the rules of the game. The decisions of voters and politicians, and the way they shape California politics, will be discussed later in the text.

Who Are Californians?

The preamble to the California State Constitution begins, “We, the People of the State of California, . . .” This is fitting for a democratic form of government, which seeks to give voice to the people in the governing of their community affairs. So, who are Californians? Do the demographic characteristics of California differ from those of the United States as a whole? And how have changing demographic and socioeconomic trends contributed to the political challenges that face California voters and politicians? (See the “Who Are Californians?” feature on the next page.)

RACE AND ETHNICITY In many respects, California’s population has a notable degree of **racial and ethnic diversity** compared with the U.S. population. **Latino or Hispanic** is not a racial category in the official census, but a separate census question asks about Hispanic or Latino origin. Answers to this question reveal that about 17 percent of the United States is Latino, but Latinos make up about 39 percent of California’s population.⁵ Almost 60 percent of that population is of Mexican heritage.

AGE California’s population is relatively young, mostly because of immigration. Immigrants tend to be younger and to have larger families than those who have been residents for longer periods.

EDUCATION Californians are well educated. A greater proportion of Californians have gone to college or completed a bachelor’s degree or higher than in the United States in general. Fewer, however, have graduated from high school (80.6 percent versus 85.3 percent for the United States as a whole in 2009).⁶

MOBILITY AND FOREIGN-BORN RESIDENTS About 60 percent of all Americans live in the state in which they were born, but only 50 percent of all Californians were born in California. In fact, 27.1 percent are **foreign-born**, more than twice the percentage of foreign-born residents in the United States as a whole (12 percent). Most are not U.S. citizens; only 46 percent of the foreign-born in both the United States and California are citizens. As one might expect with such a large foreign-born population, only 61 percent of those over age five speak English at home in California, as opposed to 82 percent nationwide. That is a substantial difference by the standards of social science. Many political issues have arisen from this, ranging from debates over whether local store signs should be written in foreign languages to the “English as the official state language” movement.

INCOME The U.S. Census Bureau has estimated California’s median household income at \$61,489 for 2010–14, \$8,007 higher than the national figure of \$53,482. The state poverty rate is almost the same as the national figure: 16.4 percent (California) for 2010–14 compared to 15.6 percent (United States).

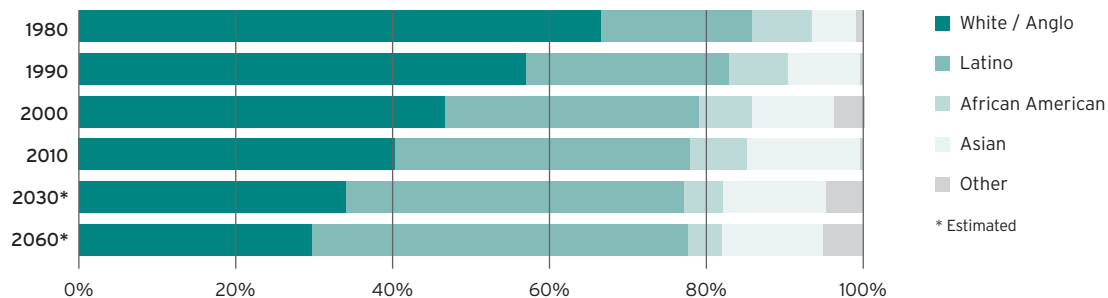
Income inequality in California has increased in the last 35 years. A study by the respected Public Policy Institute of California (PPIC) found that pretax cash

How Is the California Population Changing?

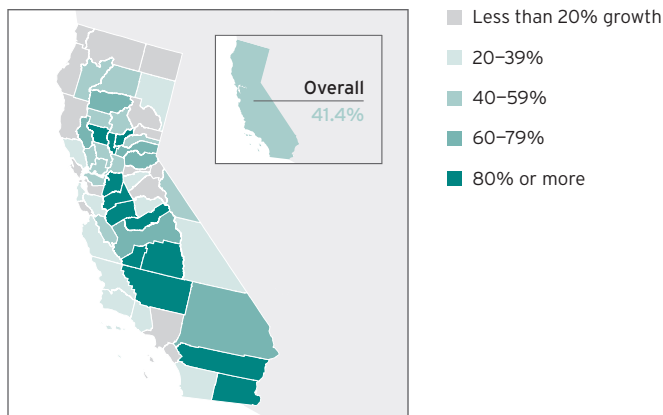
California's demographics are changing rapidly. The state used to be dominated by non-Latino whites (Anglos), but since 2000 the state has had a majority minority population. Latinos in particular are a fast-growing population, while Anglos and blacks are an increasingly small proportion. The Asian population is also growing in size, albeit more slowly than the Latino population. If these trends continue, by 2060 less than 30 percent of Californians will be Anglo, while almost half (48 percent) will be Latino.

At the same time, the total size of the state's population is expected to continue to grow rapidly, from 39.1 million people in 2010 to 52.7 million in 2060. Population density will increase in the state's urban areas as well as in inland areas, particularly the San Joaquin and Sacramento valleys.

Projected Population Growth by Demographic Group



Projected Population Growth between 2010 and 2060 by County



SOURCES: Frank Hobbs and Nicole Stoops, "Demographic Trends in the 20th Century," U.S. Census Bureau, www.census.gov/prod/2002pubs/censr-4.pdf (accessed 10/5/16); Sandra L. Colby and Jennifer M. Ortman, "Projections of the Size and Composition of the U.S. Population: 2014 to 2060," U.S. Census Bureau, www.census.gov/content/dam/Census/library/publications/2015/demo/p25-1143.pdf (accessed 10/5/16); and "Projections," State of California Department of Finance, www.dof.ca.gov/Forecasting/Demographics/projections/ (accessed 10/5/16).

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1. What impact are these shifting demographics likely to have on California politics? Will they change the issues that the state government focuses on? Will they change the issues that are the subject of citizen-driven initiatives?
2. California's coastal regions have traditionally been more densely populated, but rapid population growth and rising housing costs are increasingly driving populations to settle further inland. How will this change California politics in the inland counties, particularly in areas traditionally dedicated to agriculture?

incomes of top earners in California are 40 percent higher than they were in 1980, but middle incomes are only 5 percent higher and low incomes 19 percent lower. Bay Area incomes are twice those in the Central Valley, on average. The report did find that California's safety net, including tax credits as well as nutrition, cash, and housing assistance, had played a significant role in lessening inequality in the state. When local, state, and federal safety net programs are included, the amount of inequality shrinks by about 40 percent.⁷

GEOGRAPHY AND POLITICS Over the last 40 years, the population of California has shifted so that the coastal regions have become significantly more liberal and aligned with the Democratic Party than the inland regions, which in turn have become more conservative and aligned with the Republican Party. These liberal coastal regions include every county on the coast, from Del Norte County near Oregon to Los Angeles County. The Central Valley and Inland Empire (Riverside and San Bernardino counties) are disproportionately Republican. Orange and San Diego counties have been very Republican in the past but less so in recent elections. Local politics, on the other hand, are quite different even among Democratic- or Republican-leaning cities (for example, San Francisco's local politics are very liberal compared with Los Angeles's more moderate politics).

POPULATION GROWTH Except for the four years from 1993 to 1996, California's population has grown by about 450,000 people per year for more than two decades. The 2010 census listed California's population as 37,691,912; at the end of 2015, the state Department of Finance estimated the population at 39.3 million. California's current rate of growth is approximately 350,000 people per year. This strong and consistent growth means that many of the problems that have plagued the state in the past will continue to do so in the future. The following are some of these issues:

- **Housing and Transportation** Even with the decline brought on by the recession of 2008–09, housing prices and rents in many areas have skyrocketed in recent years. Many lower- and middle-class people who work in San Francisco's Bay Area must live in the Central Valley, while many of those who work in the Los Angeles area must live in Riverside and San Bernardino counties. Commutes of one to two hours each way are common for residents of these areas. Our transportation systems, built for a much smaller population, have not kept pace with this growth.
- **Schools** Population growth means more schoolchildren and thus high demand for teachers across the state. In recent years, California has lacked enough fully qualified or credentialed teachers to meet this demand, particularly in many urban areas. Projections of the educational requirements of the future job market indicate that approximately 41 percent of jobs will require a college degree in 2025. The University of California, California State University, and community college systems do not produce sufficient numbers of graduates to meet this goal, which means that well-educated workers from other states will move in to fill these positions. The proportion of students who receive a college degree should be rising to meet future job requirements; instead, it is falling.

TABLE 1.1 • Leading Countries of Origin of Immigrants in California, 2009

Country	Number of Immigrants in California	Percentage Naturalized (%)
Mexico	4,308,000	28%
Philippines	783,000	68
China (including Taiwan)	681,000	68
Vietnam	457,000	82
El Salvador	413,000	37
India	319,000	46
Korea	307,000	55
Guatemala	261,000	28
Iran	214,000	76
Canada	132,000	49
United Kingdom	125,000	40

SOURCE: Public Policy Institute of California, "Just the Facts: Immigrants in California" (April 2011), www.ppic.org (accessed 7/17/12).

- Immigration** California has experienced high levels of immigration since the 1950s—so high in some areas that candidates for Mexico’s presidency have campaigned here. Between 1970 and 2011 the number of immigrants in California’s population increased from 1.8 million to about 10.2 million; 27 percent of the state’s population during that period was foreign-born, a much higher proportion than the 13 percent nationwide. Most immigrants in California are from Latin America or Asia; 4.3 million come from Mexico alone, composing some 43 percent of the total immigrant population in California. Immigrants live in all parts of the state, with those from Latin America more likely to live in Southern California and those from Asia in Northern California. Immigrants are younger than nonimmigrant Californians and are more likely to be poor, and although some have relatively high levels of education, most are less educated than the native population.⁸ Table 1.1 shows the 11 largest countries of origin for immigrants in California in 2009.

As of 2013, there were approximately 2.67 million **undocumented immigrants** in California, according to the Urban Institute and the Public Policy Institute of California, which used the census figures on the foreign-born population and subtracted the numbers of people who are naturalized or here on legal visas and work permits.⁹ Undocumented immigrants are a continuing political issue, with politicians arguing over the public services to which they should have access: Should they be treated in hospital emergency rooms? Should they be allowed to buy insurance on the state exchange under the federal Affordable Care Act? As of January 1, 2015, one issue was decided: California residents who cannot establish legal presence in the United States can apply for a California driver’s license if they can establish proof of identification and state residency. Some 600,000 such licenses

TABLE 1.2 ● Undocumented Immigrants by State, 2012

State	Number of Undocumented Immigrants	Share of State's Total Population (%)
California	2,450,000	6.3%
Texas	1,650,000	6.0
New Jersey	525,000	5.9
Florida	925,000	4.6
Arizona	300,000	4.4
Georgia	400,000	3.9
New York	750,000	3.8
Illinois	475,000	3.7
North Carolina	350,000	3.5
Virginia	275,000	3.3
Other states	3,110,000	2.0
All states	11,210,000	3.5

SOURCE: *Washington Post*, www.washingtonpost.com/blogs/govbeat/wp/2014/11/21/the-undocumented-immigrant-population-explained-in-7-maps/ (accessed 7/6/16).

were issued in 2015, the first year they were available. Table 1.2 lists the number of undocumented immigrants by state, along with the share they compose of that state's total population. California and Texas have the highest proportion of undocumented immigrants, at 6.3 and 6.0 percent respectively.

Reflecting the controversies over immigration, both documented and undocumented, in recent years, a number of demonstrations have taken place in California on the immigration issue. These demonstrations have represented different views: against more immigration, in favor of closing the borders, in favor of a “path to citizenship,” both for and against the Arizona immigration law of 2010, against housing undocumented children who have been taken into custody before their court hearings, and so forth. At least one of the demonstrations involved more than 1 million people, the largest ever seen in Southern California to date. But aside from the 2013 law that allowed undocumented immigrants to obtain driver's permits starting in 2015 (see above), little policy action has taken place at the state level.

The Crisis of California Politics

Is California government capable of making the decisions needed for the state to thrive and preserve its standard of living through the twenty-first century? The general sentiment among informed observers is that California is hamstrung by voter-approved rules and regulations, some of which are admirable on an individual level but make for a collective nightmare. However, some progress toward effective decision making began during the 2003–11 Schwarzenegger administration and has continued under present governor Jerry Brown: