

## Column: Forget a special legislative session. California lawmakers first need to get their act together

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SACRAMENTO — This was the ideal time — politically and policy-wise — for the Legislature and the governor to authorize loads of extra spending on wildfire prevention and helping victims. But they botched it.

Shame on them.

The people's representatives couldn't get their act together amid internal turmoil to agree on [a stripped-down \\$500-million wildfire appropriation](#) before they were forced by law to adjourn the two-year legislative session at midnight Aug. 31.

The shelved wildfire bill was just one of several very important measures that were victimized by legislators fractured by rivalries and bitterness, and a governor apparently spread too thin managing a pandemic and infernos to exert his political muscle in the Legislature.

Other major bills that were scuttled — some even without a vote — involved housing production, police reform and broadband expansion for schoolchildren forced to attend classes from home.

It was the most discombobulated end of a legislative session — putting it politely — in the memory of everyone I talked to. It certainly was for me, and I've covered dozens.

"It was a hard year — the worst year I can remember to get things done," says Senate President Pro Tem Toni Atkins (D-San Diego), a former Assembly speaker. "The pandemic didn't help."

What happened? Many things, according to legislators and aides, some of whom asked for anonymity because they feared offending colleagues.

Start with COVID-19. Because the Legislature tried to follow state public health guidelines, lawmakers couldn't "work" the chamber floors as they normally do, persuading and dealing.

No face-to-face camaraderie — not even mask-to-mask. Physical distancing was strictly observed. Seatmates weren't even allowed. All that made for difficult legislating.

There has always been tension between the Assembly and Senate, but the bad blood was abnormally poisonous this time. Many believe it started when the two houses couldn't agree on uniform rules for remote debating and voting on bills.

The Senate allowed for remote participation in [floor action over Zoom](#). In fact, Democrats forced it on Republicans because one GOP member tested positive for the coronavirus. The Assembly leadership wouldn't allow Zoom participation but permitted proxy voting for lawmakers considered to be at high risk for COVID-19. None wound up voting by proxy.

Lack of agreement on how to protect against the virus is what set off Assembly Speaker Anthony Rendon (D-Lakewood) and Atkins on their separate ways, ending in bitterness between two leaders who used to be close allies.

Rendon was accused by Atkins and other senators of "running out the clock" on the last night, preventing several major Senate bills from being voted on by the Assembly until it was too late for them to be passed before the midnight deadline.

One such bill was Atkins' housing measure that would have allowed duplexes to be built on lots zoned for single-family homes. It wasn't debated in the Assembly until late on the final night and didn't pass that house until shortly before midnight. There was no time left for the Senate to approve the Assembly's amendments.

I asked Atkins whether she thought Rendon had purposely run out the clock.

"I do," she replied. "Clearly, sending the bill back over [to the Senate] at 11:57 p.m., I don't know how else I'm supposed to take it."

She cited other bills that got similar treatments.

Rendon told me: "The argument that we were running out the clock is preposterous. It's absurd."

When chaos began on the final night, the speaker says, he asked the Senate for a list of priority bills to expedite. And Atkins' housing bill wasn't on it.

"That's just crazy," Atkins says. "It's internal gamesmanship. He knew it was important. I consider everybody's bill important."

Especially one from the Senate leader. The speaker shouldn't have to look at a list to know that a pro tem's bill is a high priority.

Another senator told me Atkins didn't put her bill on the priority list because she doesn't like to "bigfoot" colleagues. And that segues into another reason things didn't get done as they should have.

Both legislative leaders and Gov. Gavin Newsom — and their senior aides — avoid playing old-fashioned political hardball. Maybe they don't know how. Or maybe they feel it's beneath them. But it's required for success.

Threatening, coercing, trading favors — it's all part of winning American politics. Many past legislative leaders, governors and their staffs excelled at it.

Forcing Senate Republicans into home-confined Zoom voting also greatly slowed floor action. Atkins accuses Republicans of delay tactics.

Back to the wildfire bill:

This was the perfect time to pass it with the state ablaze north and south and dense smoke polluting the skies. Newsom and Senate Democrats had agreed to spend \$500 million for such things as cooling centers, emergency shelters, warning systems, home-hardening projects and forest cleanup.

The governor would have had to set a bad precedent by using his emergency power to waive a state law that requires amendments to be in print 72 hours before a bill can be voted on for final passage. But under these horrific fire conditions, who would protest?

Rendon quashed the proposal, however.

"For me, \$500 million out of the general fund without budget hearings doesn't seem very democratic," the speaker says.

Senators counter that the speaker was irked because he wasn't in on the deal with the governor.

Some lawmakers think Newsom should call a special legislative session to pass wildfire and housing legislation.

The governor should forget about it until after the pandemic and legislators get their acts back together.

<https://www.latimes.com/california/story/2020-09-10/george-skelton-california-legislature-turmoil>