

Orientation for New Members

UNC School of Government

January 6, 2015

Panel Discussion: How an Idea Becomes a Law

My bill has been referred to committee! Now what? When will my bill be heard?

My bill is scheduled to be heard in committee. What will happen during and after the committee meeting?

- Representative **Dean Arp**
- Senator **Dan Blue**
- Senator **Joel Ford**
- Representative **Julia Howard**
- Representative **Grier Martin**
- Moderated by Norma Houston and Aimee Wall, UNC School of Government

Note: Although there was substantial agreement throughout the discussion, each statement does not necessarily reflect the consensus of all members of the panel. We took great care to reproduce the discussion but any errors should be attributed to the transcription and summarization process, not to the panelists.

Relationships are the key

- Maintain genuine relationships, regardless of caucus, and that will help you succeed.
- Get to know the delegation from your county/region and work with them. Divide items of interest among members from this delegation.
- Relationships with the legislative staff are very important.
 - They are nonpartisan, trust-worthy, and a strength that will help you to move quickly.
 - “Staff members don’t have a dog in the fight. You are driving the process.”
 - They are first class, very professional, and possess integrity.
 - Protect that relationship.
- It is a courtesy to work with everyone, no matter what party, especially if you have an amendment to someone else’s bill.
- Don’t do things that will embarrass colleagues.

Bill creation

- “You have to *work* your bill.”
- Think strategically about the nature of your bill *from the beginning*.
- When you first have the idea, prior to introduction, start talking with potential sponsors.

- The goal is to fix any negative aspects of your bill prior to it being introduced or heard in committee.
- Advocate for your bills in both chambers at the same time and from the beginning. Consider working with someone in the other chamber to file identical bills in both chambers.
- Consider waiving confidentiality for those you want to work with in order to get more complete input.
- The titles of bills can be very important for how they are perceived.
- Local government bodies are the genesis for a lot of legislation (e.g., commissions, councils, and school boards).
- Try to work with an experienced bill drafter. They are very knowledgeable and can help you articulate your ideas.
- Local bills may fly under the radar, but some affect the entire state and therefore will be of interest to many legislators (e.g., Charlotte airport). Some local delegations vet local bills before anyone runs them.
- Legislative staff generally prefer to write the bills themselves rather than legislators writing them. Bills have to go through a software program that legislators can't access. So if you write the bill yourself at the last minute, it will have to go through that software afterwards. If a staffer writes it, it will go through that program before it is presented.
- Passing legislation is hard, even in the majority.
- As member of the minority party, there are intricacies to consider in moving bills. Sometimes you just have to "throw it on the wall to see if it will stick."
- Legislation can have a lot of nuance and detail. Getting ahead by talking to staff, lobbyists, and other legislators will allow you to answer questions people have about your bill and ultimately help you pass it.

Committee assignment

- Getting your bill assigned to the right committee is very important. Otherwise, it's not likely to go anywhere.
- Consider which committee you want your bill to be heard in. Understand the context of the committees that might consider your bill.
 - Ask: does the committee it will be referred to fit the nature of the bill?
 - Ask: do members in the committee have a history of work related to the bill (even if they are not in your party)?
- In order to get a bill assigned to the right committee you must have good relationships with leadership. Influential co-sponsors can be helpful here.

Committee dynamics

- As a committee chair, you will have a very valuable clerk sitting to your right. They will help with the agenda and let you know if you have a proposed committee substitute.
- A committee chair will typically allow enough time to review what will be considered in the committee meeting so staff has time to draft any amendments you want to submit during the meeting.
- If chair is making a motion to amend the bill, they relinquish the chair when making the motion.
- Committees can be unpredictable. You have to do the preemptive work of talking to committee members to be ahead of possible issues.
- Bills often will change in committee by amendment or committee substitute. Plan for it.
- Nothing ever happens exactly as it has happened before. Rules change. For example, how long you have to consider amendments, who gets to go first, etc.
- Be prepared to be surprised. Prior notice is not always required if a member of the committee is proposing something. Even as the bill sponsor you may not be made aware of amendments coming.
- If a bill has a serial referral, it goes where the Rules Chair says it goes. Typically it will go to the substantive committee first (e.g., Education, Transportation), and then to Appropriations or Fiscal to handle the financial aspects.
- Move your bill through committee as fast as you reasonably can. Slowing it down can invite trouble.
- Use staff assigned to your particular committee to avoid time crunches. They will be prepared to draft an amendment, even by hand in committee. They are also “in the know” about a potential PCS and will make your amendment work with a PCS that some may not even know is coming.

General advice

- Timelines are often driven by leadership deadlines. The session will move quickly.
- As a member of the minority party, “success will not come easy—you will have to work for it.”
- Use UNC-Chapel Hill’s School of Government. Keep the notes and resources you received in Orientation. Use them when the information starts to flow, as it can be overwhelming.
- Use your laptop/iPad to get the context of the bill being presented since the bill is unlikely to provide the entire text of the current statute. You can get the context from committee summaries, bill digests, or the whole statute.

- Some prefer the School of Government's bill digests (from the [Legislative Reporting Service](#)) for their simple language. It is difficult to absorb the amount of information available that you are expected to know.
- A motion is a question. Make sure you know what specific debate is happening and what version of the bill is being discussed so your comments are relevant. Freshman legislators sometimes make the mistake of offering irrelevant information to the debate.