Navigating the Labyrinth: A Clerk’s Guide to the Legislative Process

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2014 Municipal & County Administration

Today We’ll Discuss

• The Institution
• The People Who Serve
• Sessions
• How Laws Are Made
• Local Bills
• Navigating the Legislature

THE INSTITUTION
Civics 101

Who Are These Legislative Leaders?

What Do You Think?

How many legislators serve in the General Assembly?

1. 50
2. 100
3. 120
4. 170
What Do You Think?

What is a legislator’s annual salary?

1. $14,000
2. $50,000
3. $75,000
4. $100,000

Bi-Cameral Structure

<table>
<thead>
<tr>
<th></th>
<th>Senate</th>
<th>House</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members</td>
<td>50</td>
<td>120</td>
</tr>
<tr>
<td>Presiding Officer</td>
<td>Lt. Governor</td>
<td>Speaker</td>
</tr>
<tr>
<td>Elected Chamber Leader</td>
<td>President Pro Tempore</td>
<td>Speaker</td>
</tr>
<tr>
<td>Term</td>
<td>2 years</td>
<td>2 years</td>
</tr>
<tr>
<td>Annual Salary</td>
<td>$13,951</td>
<td>$13,951</td>
</tr>
<tr>
<td>District Population</td>
<td>190,710</td>
<td>79,462</td>
</tr>
</tbody>
</table>

LEGISLATIVE SESSIONS
What Do You Think?

What happens to most bills?

1. They pass
2. They are voted down
3. They aren’t voted on at all

What Do You Think?

The NC Constitution limits the length of a legislative session to:

1. 6 months
2. 9 months
3. No limit

Three Types of Sessions

1. Regular Session
   - “Long Session” - 1st Year of biennium in odd-numbered year
   - “Short Session” - 2nd Year of biennium in even-numbered year

2. Veto Session

3. Extra Session (“Special Session”)
HOW LAWS ARE MADE

It may seem like this...

It's really like this...
It Starts With an Idea . . .

How A Bill Becomes Law

- Member introduces
- Read three times in each chamber
- Approved by both chambers
- Most public bills must be signed (or not vetoed) by the Governor to become law

The Journey of a Bill

Bill Action In Chamber of Origin

First Reading and Introduction \(\rightarrow\) Referred to Committee

Second Reading \(\leftrightarrow\) Report from Committee

Third Reading \(\rightarrow\) To other Chamber
CONGRATULATIONS!

What Do You Think?

Can the Governor veto any bill?

a. Yes
b. No

Bills Not Subject to Veto

- **Local bills** (applying in fewer than 15 counties)
- Resolutions
- State and federal constitutional amendments
- Bills *only* making appointments by General Assembly
- Legislative or congressional redistricting
From Bill to Session Law

- **Session Laws** – Laws enacted during a particular session of the General Assembly
- Enacted bills assigned a “Chapter” number in sequential order of enactment

  Example: S.L. 2015-100

  “Session Law” Year Chapter

**LOCAL BILLS**

3 Types of Bills

- **Public**
- **Local**
- **Resolution**
What is a Local Bill?

- Fewer than 15 counties (for rules and veto)
- Geographic application less than statewide (for constitutional restrictions)
- Most tax, debt, and annexation bills must be read on separate days in each chamber ("roll call")
- Sometimes grants special authority or exception to a law: "This act applies to/does not apply to Moore County"
- Typically (but not always) is not codified
What Local Bills Can’t Do
*N.C. Constitution Art. II, Sec. 24*

- Health, sanitation, and nuisance abatement
- Changing the names of municipalities
- Opening or closing specific streets
- Ferries, bridges, and non-navigable streams
- Relating to cemeteries
- Setting the pay of jurors
- Drawing the lines of school districts
- Refunding taxes or remitting fines, penalties, and forfeitures
- Regulating labor, trade, mining, or manufacturing
- Extending the time for tax collection
- Ad valorem taxes
- Giving effect to informal wills and deeds
- Granting a divorces or legitimizing bastards
- Changing names or restoring citizenship rights to felons

NAVIGATING THE PROCESS

Know The Place and The People

- Be aware of deadlines, process, rules, and ethics laws
- Get to know . . .
  - Leadership, chairmen and members of relevant committees
  - Legislative assistants
  - Legislative staff, especially those with key committees
  - Chamber officers and their staff
- Respect their time!
Effective Communication

The “3 C’s”:

• **Clear** - Be specific in making your request
• **Concise** - Provide short written materials
• **Consistent** - Avoid changing and conflicting messages

Lobbying and Ethics

• Lawful and ethical lobbying is part of legislative process

• Local officials and employees are not lobbyists when lobbying in connection with official duties

• Contractors advocating on behalf of local governments are lobbyists and the local government client is a **lobbyist principal**

Lobbying and Ethics

• Local government employee whose primary job duties including lobbying the legislature is a local government liaison

• Lobbyists, Lobbyist Principals, and Local Government Liaisons must register and report lobbying expenses; **cannot give gifts**
RESOURCES

Legislative Library Resources
www.ncleg.net/leglibrary

SOG Library Resources
www.sog.unc.edu
Thank You!

The Regular Session reconvened on Wednesday, January 14, 2015, at 9:00a.m.

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