

Making Law Pennsylvania

LEGISLATION IN THE PA HOUSE OF REPRESENTATIVES



COMMONWEALTH OF PENNSYLVANIA HOUSE OF REPRESENTATIVES

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A Bill Becomes Law

Although the House passed Bill 652, its endurance testing is far from over. Next, it goes to the Senate, where it faces the same series of careful checkpoints: the committee, the caucus, and the three separate considerations on the Senate Floor. The process lengthens if the Senate wants amendments to the bill, which means sending it back to the House. There, members decide if they agree or disagree with the proposed changes. If they do not agree, the bill goes to Conference Committee to work out a compromise (see “A Catalog of Committees,” p. 8). Fortunately, the popularity of imaginary House Bill 652 holds, and the final Senate vote approves it unchanged.

The Speaker of the House and the **President Pro Tempore** of the Senate each sign the bill in the presence of their respective bodies (House or Senate), and House Bill 652 enters the home stretch.

Now that both the House and the Senate approve, House Bill 652 must be evaluated by the Governor – the state’s chief executive officer. The Governor does not pass bills or make law, but will do one of the following:

- Sign a bill into law just as it is.
- Permit a bill to become law without signing it.
- Reject a bill with a veto, which the General Assembly can override with a two-thirds majority in each body.
- Veto specific items in an appropriations bill, i.e., use a “line item veto”; the General Assembly can also override a line item veto if it has a two-thirds majority in each body.

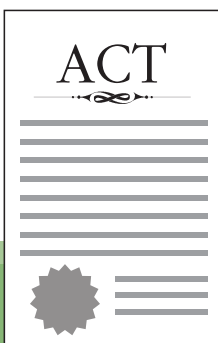
Shortly after it has arrived on his desk, the Governor signs into law House Bill 652.

Hypothetical

House Bill 652 is now repackaged as a law. First, it is given a new number and new title, i.e., “An Act of the General Assembly.” Then, the Legislative Reference Bureau documents the Act by publishing it in book form in *Pamphlet Laws*, which is available for distribution to the public.

This fictional Act is now the official law of the land in Pennsylvania – but not necessarily forever. Laws stay on the books if they serve the public well and comply with the Constitution. If not, the General Assembly can repeal the law or the courts can declare it unconstitutional.

The House of Representatives has originated 63 percent of the bills which have become law. On average, the House introduces 62 percent of the bills proposed in the General Assembly.



PRESIDENT PRO TEMPORE

The Senator elected by the members to serve as the presiding officer of the Senate. The words “pro tempore,” meaning “for a time,” refer to his or her “temporary” role as President in the absence of the Lieutenant Governor – the ceremonial President of the Senate who votes only in the case of a tie. The President cannot, however, vote on final passage of a bill or joint resolution.

Hypothetical House Bill 652 was uncontroversial and uncomplicated and, as a result, breezed through the legislative process. In reality, progress often is more plodding, as bills are examined by subcommittees, discussed at public hearings, amended, reconsidered, assigned a price tag, and so on. Whether a popular bill moves effortlessly through the system or makes several stops along the way, no bill can become law without fair considerations from many points of view.

That’s why we can’t turn sound ideas into law with a snap of our fingers—even though we sometimes wish we could. It takes time. And that’s good, because a bill that survives intense review by all interested parties is more likely to represent the will of the people. That kind of responsible lawmaking is what our ancestors had in mind when they wrote the state Constitution; and it guides our legislators today as they make law in Pennsylvania.

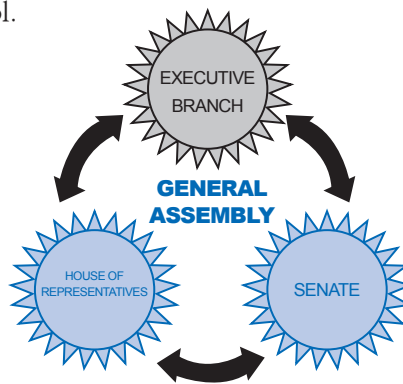
Imagine studying thousands of subjects and developing an informed opinion about each one. That is exactly what legislators in the Pennsylvania General Assembly do every term as they consider and vote on proposals that may become law for all Pennsylvania citizens. State representatives and senators perform other services for those who elect them to office, but none are more important than lawmaking.

There are many steps in the legislative process, and it can look complex on the surface. Actually, the sequence of turning a good idea into law is quite straightforward, moving in deliberate steps, but at a cautious pace. The founders of our state planned it that way. As former subjects of a king, they knew that a fair society is impossible when a single group or individual can act without restraint to make law for everyone else. They were determined that no one would have the power to create law alone or on impulse and they filled the Pennsylvania Constitution with safeguards to prevent it. Thanks to the vision of our first legislators, making law in Pennsylvania today requires responsible collaboration by many individuals – elected to represent the interests of thousands more.

A Balance of Power

The Pennsylvania Constitution placed a fundamental check on legislative power by creating two bodies which must cooperate to make law – the House of Representatives and the Senate. Together, they form the General Assembly, with 50 legislators in the Senate and 203 Representatives in the House.

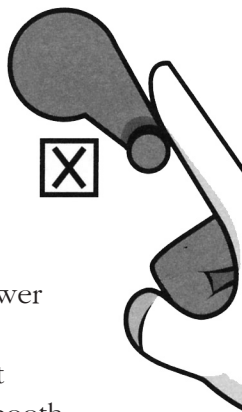
Each body must approve the lawmaking actions of the other – or else work out compromises through **amendments** to proposed laws. Even then, the General Assembly can enact law only with the participation of the Governor, who heads the Executive Branch. The Governor can reject a proposed law by using a veto; however, the General Assembly can override the veto if it has enough votes. In this way, power is evenly distributed, or balanced, between the House and the Senate and between the General Assembly and the Executive Branch. These constitutional safeguards are some of the famous “checks and balances” you probably first learned about in school.



AMENDMENTS
Changes to specific portions of a proposed law. Amendments may be offered in committees or on the House Floor.

Who's the Boss?

You are. Along with every Pennsylvanian represented by a legislator. According to the Constitution, the people of Pennsylvania select representatives and senators to act on our behalf with the condition that they answer directly to the citizens who elected them. That happens in the voting booth. Exercising control through our votes is another check on runaway power. Legislators must earn our approval while in office – two-year terms for representatives, four year for state senators. During that period, we expect them to represent our best interests every time they consider a proposed law. How well legislators meet our expectations determines whether they remain in office at the end of their terms or are replaced by candidates who voters believe will do a better job.



dable responsibility

4 peer review

The Caucus Confers

House Bill 652 has been reported to the Floor of the House. But first, the topic takes a brief but traditional detour into the Caucus Room for a second round of review. By House practice, votes generally are not taken on the Floor until each political party has had the opportunity to privately discuss, or **caucus**, the bill with its members. On major or controversial bills, the caucus attempts to muster full party support or opposition. On issues of conscience, or where the needs of a member's constituents differ from caucus policy, individual legislators may vote against party

lines. If the caucus holds, however, it can make or break a bill.

The discussions normally occur at the beginning of each week in Majority or Minority Caucus Rooms in the Main Capitol Building. But a caucus can still be called once a bill is on the Floor if new developments or controversial amendments are introduced. In fact, Majority and Minority Floor Leaders can request a recess to discuss these events with their members at any point after a bill reaches the Floor until a final vote is taken.

CAUCUS

This term is taken from the Algonquin Indian language, meaning "elder" or "counselor." Since 1788, the Pennsylvania House of Representatives has used caucus in three ways:

1. A policy and strategy meeting of party members.
2. The Democratic or Republican party organizations, e.g. "As a Democrat, I recommend to the other caucus..."
3. An informal coalition of members with similar interests, for example, the Steel or Coal Caucus.

"Any comments on this bill?"

"This bill won't help the people in my district."

"My constituents are really depending on this."

"How will this affect the state budget?"

"Why don't we table that one?"

Select Committee

An investigative team

Temporary, special-purpose committee created to study a particular problem or issue related to a bill. Select Committees may hold public hearings.

Conference Committee

A committee of compromise

A joint, **bipartisan** House-Senate committee of six which attempts to settle differences over bills which both chambers wish to support. Their compromise report, called a "conference report," must be voted "yeah" or "nay" by the House and Senate with no further amendments.

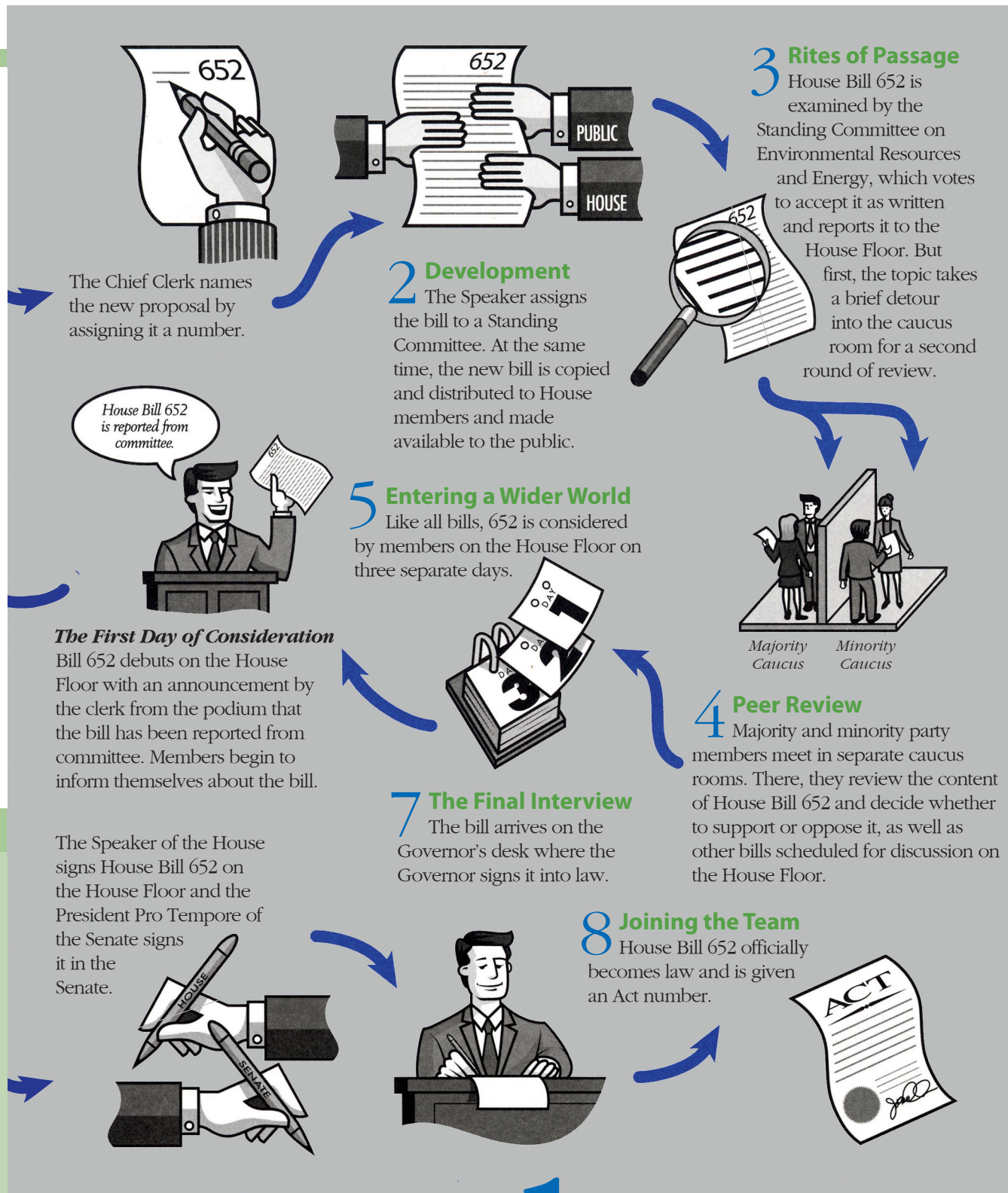
BIPARTISAN

This term refers to participation by both political parties. For example, a bill which has "bipartisan support" is backed by both Democrats and Republicans.

A Spirited Caucus

Caucus sessions provide some of the most exciting moments in the legislative process. In effect, the caucus serves as a second look at a bill before it is discussed on the Floor. But the broader purpose of a caucus is to set term objectives for each political party and line up support or opposition to bills that advance or block those goals. This is no easy task with legislators who represent a large diversity of interests across the state. Discussions are more like negotiations. Sparks fly as members tug and pull their various positions into place and persuasive Caucus Leaders try to gather enough votes to defeat or pass a bill. If Leaders succeed in "holding the majority" of 102 votes, they must then "hold their caucus" or keep their members from deserting the party position once everyone returns to the Floor.

of Fictional House Bill 652



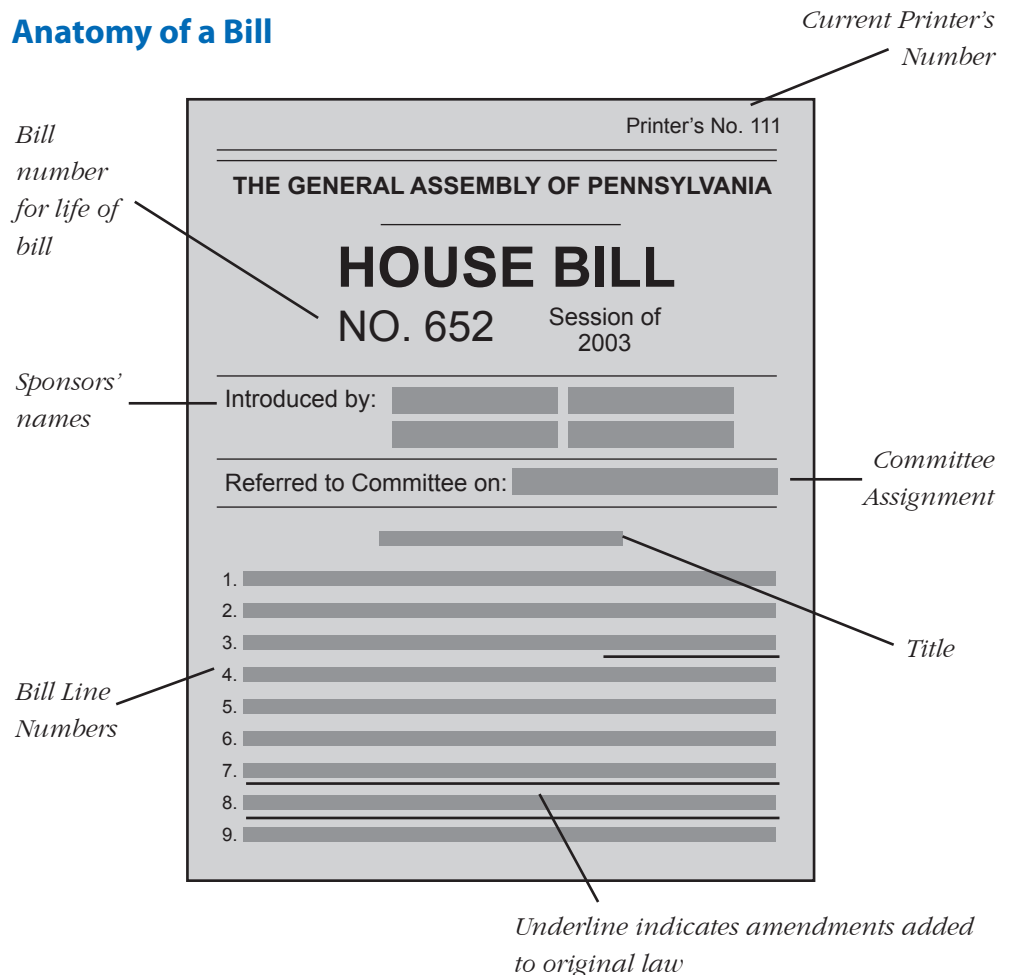
graphy of a bill

2 development

Fitting the Mold

During this stage, bluebacks mature into bills and multiply. The **Speaker of the House** initials a blueback copy of House Bill 652 and assigns it to a committee for review. The Speaker reports that assignment on the Floor of the House at the next day's session. Before the blueback goes to committee, however, it returns to the Legislative Reference Bureau to be made into an official bill. There it receives a Printer's Number from the Legislative History Room and is duplicated as needed. Now authentic, House Bill 652 is filed in the House Document Room, along with thousands of others that are stored there by the end of a two-year session. Copies of the bill are distributed to members of the House and made available to the public. The bill is also entered into the Legislative Data Processing computer network.

Anatomy of a Bill



SPEAKER OF THE HOUSE

This term originated in the British House of Commons in 1258. It refers to the elected leader in the House who speaks for the people and to the Sovereign, which today refers to the Governor. The Speaker selects committees, interprets and enforces House rules (known as **Parliamentary Procedure**), and signs all bills and joint resolutions passed by both the House and Senate.

PARLIAMENTARY PROCEDURE

As a decision-making group, the House must operate by a set of rules that makes sure its procedures are fair and open to all of its members. These rules are called "parliamentary procedure" because they were first modeled after the conduct of England's Parliament.

Public Access to Bills

During an average two-year term, about 5,000 bills are introduced and filed in the House Document Room by Printer's Number. Public access to any bill is available online at www.legis.state.pa.us. For a free copy of a bill, contact your Representative. The office and telephone number are listed with the Chief Clerk's office, 717-787-2372. If you know the Printer's Number shown in the top right corner of the bill, you may stop in person at the Document Room and ask for a copy.