

# CALIFORNIA SCHOOL NURSES ORGANIZATION

## Legislative Advocacy Handbook

February 2003

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# ADVOCACY

The definition of advocacy, according to the Merriam-Webster Dictionary, is:

1: the act or process of advocating or supporting a cause or proposal

As a 501 (c) (6) organization, CSNO is able to engage in lobbying activities, but the amount of “lobbying” we engage in is limited. CSNO may do direct and grassroots lobbying. We may **NOT** endorse or oppose candidates for office.

According to *An Advocate’s Guide to Lobbying & Political Activity for Non-Profits*, direct lobbying is any attempt to influence local, state, or federal legislation. This can be done through contacting any member of the legislature or legislative staff to persuade them to propose, support, oppose, change or in any way influence legislation. Activities include face-to-face meeting with legislators and staff, sending letters or postcards to legislators, presenting testimony on legislation to committees or sub-committees.

**Grassroots lobbying is any attempt to get the public to act on local, state, or federal legislation. These activities may include legislative alerts, letter writing and telephone calls to encourage the public to contact legislators, and identifying legislators on committees and informing the public about how to contact them.**

An issue can be of interest only in the local community or it can be a statewide issue that has an impact on your local community. It can be of importance to your profession and to CSNO, or to children’s health. CSNO advocates on a variety of issues revolving around nursing practice and children’s health. As members of CSNO, we hope that you will both actively support the work that we do, by becoming involved in the process and will also become more involved in your local community.

Important strategies and considerations:

**1) Develop a relationship** with key leaders, **before** you need their help. Whether school board, city council or state legislators, it is important to develop a relationship with them before there is a pressing need. Attend school board meetings, focus on one or two members that are approachable and stay in touch with them. Attend local town meetings or special meetings when a legislator is in town, and is looking for a dialog with voters. Visit your legislator’s district office to “chat” about school health issues. As a constituent, you are exactly what city council members and legislators look for!! They want to work with you. They want your support and your vote! If you have a relationship of sorts, before an important issue or piece of legislation crops up, then they are much more likely to listen to you. It also is important to develop a positive relationship with legislative staff. They, many times, are actually more involved in the issue than their boss, and are usually easier to approach. They can also smooth the way for a visit.

**2) Communicate with** your legislator, school board member or city council member. Legislators maintain offices in both the local district and in Sacramento, at the Capitol. In addition, they try to spend one day a week during the legislative session, back home in the local district, and appreciate the contact with constituents. School board members are local people as are city councilmen. They are usually willing to meet at the district office or local school, or at City Hall during regularly scheduled times for such meetings.

If personal visits and meetings are difficult, writing letters and making phone calls are additional means to contact.

**3) Do your research.** Know the pros and cons of the issue. If you are working on a specific measure, know the bill number, title, and sponsor(s). Stay on top of all of amendments.

Remember to personalize the issue by preparing information on how the bill will affect your community or your practice. Review the background, interests, committee assignments, alliances and voting record of the person you are going to meet. Know the opposition's point of view, as well.

**4) Educate yourself and use this handbook.** The information in this handbook aims to give you the information necessary to understand the process of legislation and budget in Sacramento, as well as to tools that you need to become involved. Much of the basic information can be transferred for use in your local community. At times, active advocacy at that level can be more useful and productive, so never feel it is not worth your time.

It must be stressed, that unless you all begin to take an interest in advocacy, change that will benefit school nursing, school and children's health will not occur. Read a few bills, try to thoroughly understand them, ask questions, and become involved in the process. You are a necessary and vital link in this process and we need your involvement. Inform and educate legislators and the Governor with your visits and letters.

Take the time to educate parents, community members, staff, school administrators and school board members on all of the school health and school nursing issues. If they don't get it, then we will never stand a chance at getting some important legislation to pass.

**POSITION STATEMENT:  
PUBLIC POLICY, LEGISLATIVE AND REGULATORY  
PARTICIPATION**

**STATEMENT**

The California School Nurses Organization believes that there are opportunities and requests or credentialed school nurses to be active in public policy issues. It is imperative that credentialed school nurses be involved in the policy arena to impact the health and education of students and the practice of professional school nursing. CSNO believes that credentialed school nurses must take appropriate action regarding any public policy, legislative, or regulatory activity which impacts the credentialed school nurse status and practice. CSNO supports the employment of a legislative advocate to facilitate the impact of credentialed school nurses' on public policy, legislation and regulation.

**RATIONALE**

Credentialed school nurses have the background and expertise to advocate for removing health-related barriers to educational success through action in the public policy, legislative, and regulatory processes.

Adopted 11/99, Position Statement Government Relation: Public Policy, Legislative and Regulatory Participation and Position Statement Legislation combined in this statement 7/02  
Board of Directors, California School Nurses Organization

## VISITS WITH YOUR LEGISLATOR

Legislators have offices in Sacramento, at the Capitol, and back in their home districts. If traveling to Sacramento is difficult for you, scheduling an appointment for a home district meeting is a great way to develop a relationship with your legislator. In fact, it can be less hectic and stressful for everyone involved. Once you have met a few times, if you get the opportunity to visit Sacramento, you then will have a relationship with that legislator, and the meeting at the capitol will be easier and less overwhelming.

- **Schedule an appointment** When you call to ask for an appointment ask for the legislator's scheduling secretary. If your legislator is unavailable, and that does happen, arrange to meet with the aide handling the issue. The aide can be just as important to meet with as the legislator. Be sure to let them know ahead of time what the topic will be and if it is in regards to a specific piece of legislation, and how many will attend. Make the appointment for a specific period of time. A half hour to an hour is appropriate, but will depend on the issue and who else will be in attendance.
- **Plan out your agenda.** Be sure you will cover everything that needs to come up in the meeting. Are you going by yourself, or with others? If you are with others, who will talk about what. You don't want to constantly interrupt each other. Plan who will speak, at what point, in the meeting. If at all possible, try to include a bi-partisan representation of meeting attendees. Besides being constituents, it's always very helpful if some of you are from the same party as the legislator.
- **Arrive on time.** If others are accompanying you, plan to meet a few minutes prior and then go into the meeting together.
- **Be prepared to educate the legislator.** Legislators deal with so many issues and pieces of legislation that they do not always have a good grasp of the issue. It is your job to educate them! If they ask questions that you are unable to answer, indicate that you are happy to do some additional research and get back to them, as soon as possible with that information. **Then do so.** Never give incorrect information or assumptions. Getting back to him with correct information gives you the opportunity for more contact. A willingness to pursue correct information in a timely manner also impresses the legislator. No matter what his views on the issue, indicate your appreciation for his time in listening to your viewpoint. Do not try to argue or antagonize him!! Leave a written position paper on the issue, if possible.
- **Bring business cards!** However, if you are using your school district business card, be sure that you have permission from your district to do so.
- **Bring CSNO brochures!** CSNO has a variety of brochures available from the office, that are useful to bring and distribute, whenever you attend a meeting where it is important to educate people about school nursing.
- **Do not stay beyond the allotted time for the appointment.** Time is precious, and both the legislators and staff have numerous calls upon their time. If you overstay the allotted time you may have difficulty getting an appointment the next time!
- **Ask how the legislator will vote on the issue.** If the legislator is unable to make a commitment, tactfully state that you would like to know and that you are willing to call at a later time to learn the decision. If the response is positive, respond with appropriate "We appreciate your support". If the response is negative, ask, "What are your specific objections?" and inquire if there is any way he will change his mind, then let it go.

**Thank them for their time**, regardless of the outcome. Send a thank-you note, restating the outcome of the meeting if they will support your issue, and one that restates your views, and indicates your hope for a change in position, if they don't. Again, indicate your appreciation for his time.

## WRITING LETTERS TO YOUR LEGISLATOR

Letters can be a useful tool to alert and educate legislators. After a bill has been introduced, letters should be written and sent to the author. Once the bill has been scheduled for a policy committee hearing, it should be sent to the chair of that committee, as well as members of the committee and your local legislator and should be sent preferably at least one week before the hearing. A letter from the organization also is sent to the committee office, so that it can appear in the analysis, as a “support” or “oppose”. Individuals can also send them to the committee office, and individual letters are listed in the analysis, by number of individuals. The analysis is very important because this is usually what legislators and staff actually read. There are times when a bill is scheduled very quickly and there may not be a week’s time to get your letter in. Faxing your letter can speed the process but at key times, the fax lines are pretty busy.

This process needs to be repeated every time the bill moves to a different committee or to the floor. It is very important that the letter refer to the most recent version of the bill. If your position on the bill changes, because of amendments, it is also very important to let the author and committee members know, as well.

When you are writing your letter:

- Include the bill number, author and a brief description of the bill
- State your issue and background facts
- Your position and what you want to happen
- Be brief and succinct, but still be able to get all of your points across
- Be specific about how the legislation would affect your community or your practice
- Share any expertise and explain your connection to the subject
- Be positive and do not ask for impossible
- Address your letter with proper titles
- Sign your full name and give your complete address and telephone number

| <b>Governor</b>   | <b>State Senator</b>   | <b>State Assembly Member</b>   |
|---|--|--|
| The Honorable <u>fill in complete name</u><br>Governor, State of California<br>State Capitol<br>Sacramento, CA 95814<br>Dear Governor _____ | The Honorable <u>fill in complete name</u><br>The California State Senate<br>P. O. Box 942848<br>Sacramento, CA 94248-0001<br>Dear Senator _____ | The Honorable <u>fill in complete name</u><br>The California State Senate<br>P. O. Box 942849<br>Sacramento, CA 94249-0001<br>Dear Senator _____ |

Some legislators encourage letters directly to their capitol office. Those addresses, as well as their district office addresses, are available on their websites, accessible through the Senate and the Assembly official website.

Letters may also be faxed, and, given the time constraints, at times may be the best way to communicate. Some fax numbers are also on the website, but many are not.

If you are having difficulties accessing the needed information, contact the legislator’s office, the CSNO office or the CSNO Executive Director for the appropriate information.

E-mail can also be used, and you can access e-mail address on both the Assembly and Senate websites. However, many legislators do not always look at their e-mail, so you may need to contact a specific office and inquire about its use.

## SAMPLE LETTER

Date \_\_\_\_\_

The Honorable \_\_\_\_\_  
The California State Senate  
State Capitol Building, Room \_\_\_\_\_  
Sacramento, CA 95814  
Fax # 916- \_\_\_\_\_

Dear Senator \_\_\_\_\_,

I am writing in support/opposition of bill number and author (e.g. AB 2136 Florez)

If passed, bill number and author will have the following effect: (explain here what you believe will happen. Use examples from your community, your schools your practice, whatever is appropriate and germane to the bill. Tell why the legislator should support or oppose the bill)

Thank you for taking the time to review my concerns on this issue. I would appreciate knowing your position on this bill.

Sincerely,  
*Signature*

Your name & title  
Address  
City and zip code  
Telephone number

CC: bill author  
CSNO

## TELEPHONE CALLS

Phone calls can be effective communication strategy, especially when timing is critical. There will be times when there is not enough time to send a letter, even by fax.

- Phone the legislators district or capitol office and request to speak with the member or an aide.
- Give information on the bill number and ask when action on the measure is expected
- State your name, and that you are a member of CSNO (if appropriate) and that you are a school nurse and where you work.
- Be sure to state that you are from the member's home district and explain your position on the issue, simply and succinctly.
- Ask how the legislator expects to vote
- Urge the legislator to vote for your position
- If you speak to an aide or legislative staff person, be sure to make a note of whom you spoke to. Request that your message be typed and given to the legislator.
- There will be times when you are unable to reach either the legislator or an aide, and the receptionist will be take the information.
- Again, request that your message be typed and given to your legislator.

There will be a few very hectic times when the receptionist will merely be keeping a tally of all calls – how many in support and how many opposed.

## MISCELLANEOUS DO'S AND DON'TS OF ADVOCACY

- Remember that if you are representing CSNO's position, you are just another "special interest" group. Your viewpoint will be considered along with others.
- If you are dealing with specific legislation, be sure to track the bill, and be aware of where it is in the process. Talking to your state Senator is unnecessary if the bill is still in the Assembly, and if it is facing its first policy committee, it may not be necessary to meet quickly with your assemblyman, unless he sits on that particular policy committee.
- Do not ask for support for a bill that the legislator has personally authored. The legislator's name on a bill is a commitment of support. However, if named as a co-author, it is not necessarily a commitment of support.
- If you are dealing with a legislative aide, be sure to get that person's name and contact information.
- Be aware of the political realities and don't ask a legislator to support an issue that is inappropriate, for instance asking a fiscal conservative to support raising taxes is a waste of time. Controversial bills are also a very hard sell, and your time and energy are better spent on those bills where you have a chance of garnering support, where the legislator is interested in hearing opinions and is undecided.
- Do not expect your legislator to vote your way all the time. Don't act betrayed when the vote is one that you don't agree with. Try to understand why the legislator voted that particular way. It may help you with strategy for subsequent legislation for the next issue. You must remember that you will need to have as positive a relationship as possible, while that legislator is in office, and it may be for years!
- Whenever possible, build a broader coalition of support for an issue, and make it clear to the legislator that the coalition exists.

Regardless of their position on your issue, invite the legislator to a section meeting, or to "a day in the life of a school nurse". Let them see what school nurses are interested in and what they do.

## THE CSNO GOVERNMENT RELATIONS COMMITTEE

The process by which CSNO determines its positions on legislation is fairly simple. The Government Relations Committee is charged with reading appropriate legislation and through discussion, determines those positions (see next page).

The CSNO state president appoints the Chairman of the Government Relations Committee, or GRC. The members of the committee are the chairmen of the section GRCs, who are appointed by the section presidents. **Each section is encouraged to have an ad hoc committee**, to allow the chairman to discuss legislation, and to get a better feel for what is going on in the local area. This also encourages more participation and allows for training, so that more members are comfortable with both advocacy and CSNO's process, and are willing and interested to move up to the position of chair, when it becomes available. In addition, the CSNO president, president-elect and immediate past president are ad hoc members of the state committee.

The Executive Director screens legislation as it is introduced and amended and sends pertinent information to the committee. After reading and discussion at the local level, the members of the committee communicate their initial thoughts and recommendation for a position. Once everyone on the committee has had the chance to do so, either a phone conference or an online chat room is scheduled, where further discussion may be necessary.

Once consensus has been reached, the position on the bill is communicated to the membership, through the **Bill Status Report**, available on the CSNO website, and to the author of the bill, and committees, as they become appropriate.

Amendments on bills many times necessitate further discussion, and the process whenever possible, is the same. There are times, however, when extremely quick action is necessary, and local ad hoc committees may not always be included. However, every opportunity to use them is taken.

When letters and phone calls from the membership are needed, the CSNO office sends e-mails, to all members who have email addresses. Interested members who have expressed that interest to further be involved have indicated so to the Executive Director, and are contacted by separate e-mail communication.

Is there such a thing as a perfect bill? Absolutely not. Many times they are not even great bills. However, sometimes a not-so-good bill is better than nothing at all, and sometimes clean up language can happen in a new bill, the next year. The committee does its best to get as good a bill as possible, given the process, the give and take and working with lots of organizations, and trying to gather support, or at least neutrality, and also remembering that the governor needs to be willing to sign it at the end.

## CSNO LEGISLATIVE POSITIONS

|                               |  |
|-------------------------------|--|
| <b>Pending:</b>               | Awaiting review and analysis by CSNO   |
| <b>Support:</b>               | Advocate to passage and signature, write letters of support, testify at hearings, might activate members to write letters and make phone calls |
| <b>Support If Amended:</b>    | If the author accepts our amendment, we will support   |
| <b>Approve:</b>               | We're OK with the bill but won't spend time or resources on it   |
| <b>Watch:</b>                 | Need to see where it is going, who's behind it, no advocacy  |
| <b>Neutral:</b>               | We can't respond to all bills with limits of time, money and resources   |
| <b>Disapprove:</b>            | Won't spend time and resources opposing it, but not in favor of it   |
| <b>Oppose:</b>                | Advocate to kill bill, write letters of opposition, testify, might activate members to make phone calls and write letters                      |
| <b>Oppose Unless Amended:</b> | Unless our changes are accepted, we will oppose  |

**2002 Calendar  
Second Year of Biennium  
California State Assembly 2001-2002 Session  
(Based on SCR 1, 2001-2002 Regular Session)**

|                   |   |
|-------------------|---|
| <b>Jan. 1</b>     | <b>Non-urgency passed by Legislature prior to commencement of Interim Recess take effect</b>  |
| <b>Jan. 7</b>     | Legislature reconvenes from Interim Recess  |
| <b>Jan. 10.</b>   | Budget must be submitted by Governor on or before this date   |
| <b>Jan. 18</b>    | Last day for policy committees to hear and report Assembly Bills introduced in 2001 for referral to fiscal committees                           |
| <b>Jan. 25</b>    | Last day for any committee to hear and report to the floor bills introduced in their house in 2001  |
| <b>Jan. 31</b>    | Last Day for Assembly to pass Assembly Bills introduced in 2001   |
| <b>Feb. 22</b>    | Last day to introduce bills   |
| <b>Mar. 5</b>     | Primary election  |
| <b>Mar. 21</b>    | Spring Recess begins upon adjournment   |
| <b>Apr. 1</b>     | Legislature reconvenes from Spring recess   |
| <b>Apr. 26</b>    | Last day for policy committee to hear and report Assembly fiscal bills for referral to fiscal committees  |
| <b>May 10</b>     | Last day for policy committees to hear and report to the floor non-fiscal Assembly bills  |
| <b>May 17</b>     | Last day for policy committees to meet prior to June 3  |
| <b>May 24</b>     | Last day for fiscal committee to hear and report Assembly Bills to The Assembly floor. Last day for fiscal committees to meet, prior to June 3. |
| <b>May 31</b>     | Last day for Assembly to pass Assembly Bills  |
| <b>June 3</b>     | Committee meetings may resume   |
| <b>June 15</b>    | Budget Bill must be passed by midnight  |
| <b>June 28</b>    | Last day for Assembly policy committees to meet and report non-fiscal and fiscal Senate bills   |
| <b>July 5</b>     | Summer Recess begins on adjournment, provided Budget Bill has been enacted  |
| <b>Aug. 5</b>     | Legislature reconvenes  |
| <b>Aug. 16</b>    | Last day for Assembly fiscal committees to meet and report Senate bills to the floor  |
| <b>Aug. 19-31</b> | Floor session only. No committee may meet for any purpose   |
| <b>Aug. 31</b>    | Last day for any bill to be passed. Final Recess begins on adjournment Aug. 31  |
| <b>Sept. 30</b>   | Last day for Governor to sign or veto bills passed by the Legislature before September 1 and in his possession after September 1                |
| <b>Nov. 5</b>     | General Election  |
| <b>Nov. 15</b>    | No bill may be presented by the legislature to the Governor after this date   |
| <b>Nov. 30</b>    | 2001-2002 regular session adjourns <i>sine die</i> at midnight  |

## OVERVIEW OF LEGISLATIVE PROCESS

The process of government by which bills are considered and laws enacted by the California State Legislature is commonly referred to as the legislative process. The California State Legislature is made up of two houses: the Senate and the Assembly. There are 40 Senators and 80 Assembly Members representing the people of the State of California.

The Legislature maintains a legislative calendar governing the introduction and processing of the legislative measures during its two-year regular session. The dates on that calendar are governed by a document called the Joint Rules of the Senate and Assembly. It is the first Resolution passed, and everything that occurs in the legislature follows those rules, or receives a waiver.

- 1) All legislation begins as an idea or concept. Ideas and concepts can come from a variety of sources. Ideas may come from constituents, organizations, such as CSNO, staff, government agencies and even the legislators, themselves. The sponsor of a bill is an organization that has gone to a particular legislator, and asked him to carry the legislation. The process begins when a Senator or Assembly Member decides to author a bill.
- 2) The author of the bill is the legislator. The idea for the bill is sent to the Office of the Legislative Counsel, where it is drafted into bill form. The draft of the bill is returned to the legislator for introduction. If the author is a Senator, the bill is introduced in the Senate. If the author is an Assembly Member, the bill is introduced in the Assembly. A bill house of origin is evident in the bill number, which is always preceded by the letters AB or SB (for Assembly bill or Senate Bill). Co-authors are often added, throughout the process. A co-author can also be from the other house, and this can sometimes smooth the passage of a bill.
- 3) A bill is introduced or read the first time when the bill number, the name of the author, and the descriptive title of the bill, are read on the floor of the house. The bill is then sent to the Office of State Publishing. No bill except the Budget Bill may be acted upon until 30 days have passed from the date of its introduction.
- 4) After introduction, a bill goes to the rules committee of the house, where it is assigned to the appropriate policy committee for its first hearing. Bills are assigned to policy committees according to subject area. For example, a Senate bill dealing with health care facilities would first be assigned to the Senate Health and Human Services Committee for policy review. Some bills may be referred to more than one policy committee. Bills that require the expenditure of funds must also be heard in the fiscal committees, Senate Appropriations and Assembly Appropriations. Each committee is made up of a specified number of Senators or Assembly Members.

During the committee hearing the author presents the bill to the committee, and testimony may be heard in support or opposition to the bill. The committee then votes on whether to pass the bill out of committee, or that it be passed as amended. Bills may be amended several times. It takes a majority vote of the committee membership for a bill to be passed and sent to the next committee or to the floor.

Each house maintains a schedule of legislative committee hearings. Prior to a bill's hearing, a bill analysis is prepared by the policy committee analyst that explains the intended effect of the bill on current law, together with background information. Typically the analysis also lists organizations that support or oppose the bill.

- 5) Bills passed by committees are read a second time on the floor in the house of origin and then assigned to third reading. Bill floor analyses are also prepared prior to third reading.

- 6) When a bill is read the third time it is explained by the author, discussed by the Members, and voted on by a roll call vote. Bills that require an appropriation, or that take effect immediately, ordinarily require 27 votes in the Senate and 54 votes in the Assembly to be passed. Other bills generally require 21 votes in the Senate and 41 votes in the Assembly. If a bill is defeated, the Member may seek reconsideration and another vote.
- 7) Once the house of origin has approved the bill, it proceeds to the other house where the procedure described above is repeated.
- 8) If a bill is amended in the second house, it must go back to the house of origin for concurrence, which means agreement on those amendments.
- 9) If the house of origin does not concur in those amendments, the bill is referred to a two-house conference committee to resolve the differences. Three members of the committee are from the Senate and three are from the Assembly. If a compromise is reached, the bill is returned to both houses for a vote.
- 10) If both houses approve a bill, it goes to the Governor. The Governor has three choices: sign the bill into law, allow it to become law without his or her signature, or veto it. A governor's veto can be overridden by a two-thirds vote in both houses, although this very rarely happens. Most enacted bills go into effect on the first day of January of the next year. Urgency bills, and certain other measures, take effect immediately after they are enacted into law.

Each bill that is passed by the Legislature and approved by the Governor is assigned a chapter number by the Secretary of State. These "chaptered" bills are statutes (laws), and ordinarily become part of California's system of laws (the California Codes). The California Codes are a comprehensive collection of laws grouped by subject matter.

The California Constitution sets forth the fundamental laws by which the State of California is governed. All amendments to the California Constitution come about as a result of constitutional amendments approved by the voters at a statewide election.

# CALIFORNIA LEGISLATIVE PROCESS – FROM BILL TO LAW

## INITIAL STEPS BY AUTHOR

- (1) IDEA** ⇒ Sources of bills include legislators, legislative committees, governor, state and local agencies, businesses, organizations, and constituents.
- (2) DRAFTING** ⇒ The Legislative Counsel prepares formal copy of bill and a digest.
- (3) INTRODUCTION** ⇒ The member submits Bill. It is lettered according to house of origin, and numbered, then read for the first time. It is referred to a policy committee, and printed.

## ACTION IN THE HOUSE OF ORIGIN

- (4) COMMITTEE** ⇒ Testimony is presented by the author, and witnesses in support and position. Common actions are: “do pass” “amend and do pass” “amend and re-refer to same committee” “refer to another committee” “send to interim study”. Committee actions are reported to the floor. Bills with fiscal implications are referred to Appropriations.
- (5) SECOND READING** ⇒ Bills given a “do pass” recommendation are read a second time on the floor and placed on the agenda (daily file) for debate on a subsequent day.
- (6) FLOOR DEBATE AND VOTE** ⇒ Bills are read for a third time and debated. A roll call vote is held. For regular bills, 21 votes are needed in the senate and 41 in the Assembly. For urgency bills and appropriations measures, 27 and 54 votes are necessary. Without these votes, bill is defeated. Reconsideration may be granted and a second vote. If passed or passed with amendments, bill is sent to the second house.

## ACTION IN SECOND HOUSE

- (7) READING** ⇒ Bill is read the first time and referred to a policy committee.
- COMMITTEE** ⇒ Procedures and possible actions are nearly identical to those in the first house.
- SECOND READING** ⇒ If passed by the committee, bill is read a second time and placed on the agenda (daily file) for debate and vote.
- FLOOR DEBATE AND VOTE** ⇒ Procedure is identical to first house. If bill passed without amendments, it is sent back to the house of origin for enrollment, then to governor’s desk. If amended in the second house and passed, bill returns to the origin for consideration of amendments.

## RESOLUTION OF TWO HOUSE DIFFERENCES

- (8) CONCURRENCE** ⇒ The house of origin decides whether to accept the second house amendments. If the amendments are rejected, the bill goes to a conference committee composed of 3 members from each house.
- (9) CONFERENCE** ⇒ If the committee members agree on a compromise, both houses vote the “conference report”. If consensus on compromise fails, on either house rejects the report a second or even third conference committee may be formed.

## THE GOVERNOR

- (10) SIGN OR VETO** ⇒ Within 12 days after receiving bill, governor may sign it into law, allow it to become law without his signature, or veto it. Vetoed bills return to house of origin for possible vote on overriding veto. Bills that become law are sent to Secretary of State’s office and given a chapter number. Bills take effect on Jan 1. Urgency bills take effect immediately after signing.

## HOW TO READ A BILL

In order to analyze a legislative bill, it is important to understand how a bill is constructed, first. All legislative bills in California follow a structure that is easily reviewed for information.

### Basic information

Bills are available to the public in 2 ways:

1. You may request a copy in person, at the Capitol, in the bill room
2. Downloaded from the Legislative Counsel website
  - In PDF Format (this looks identical to the actual printed copy of the bill)
  - In html Format

Personal preference and the purpose for which you have searched for the bill will determine which version works best for you. Both versions are similar in the upper portion of the document

The top portion on the front page of the bill includes:

- The house of origin and sequential number of the bill
- The author (name of the legislator who is carrying the bill) is shown as the member who “introduced” the bill
- Any addition co-authors
- The date the bill was first introduced
- The date(s) the bill is amended, with the most recent amended date listed first

### Reference and analysis information

Next is information that will help you understand what the bill will do, and how it may move through the legislative process.

- A brief description of the purpose of the bill (e.g. an act to amend a section of the Education Code)
- The Legislative Counsel’s Digest gives an explanation of what the bill would do and what type of bill it is.
  1. It summarizes existing law
  2. It tells how the bill will change that provision of existing law
  3. It gives you reference information
    - What kind of vote is required (majority or two-thirds)
    - Whether money is appropriated (indicates it goes to a fiscal committee)
    - Whether it includes a state mandated local program, or is an urgency measure

The main body of the bill

The actual text of a bill and the only part becomes law begins with the italicized sentence:

**“The people of the State of California do enact as follows:”**

Bill content is organized into numbered sections. Each section covers a separate idea or action.

- Most proposed actions change statutory law in one of three ways:

1. **Add** a new section or sections to existing codes
  2. **Repeal** an existing code section
  3. **Amend** a particular code section (this the most common action)
- An action could be to order, direct or require a particular action or event
  - Statements of legislative intent, findings, or declarations are the most common ideas proposed

The word “section” appears frequently in bills, and can be confusing. Sections of the bill are in capital letters and, except for the very first section (SECTION 1), are abbreviated (SEC. 3, etc).

When it appears in the body of the text, the word “section” (followed by a number) refers to a specific California Code Section. If more than one code section is added, repealed or amended, each is a separate action and has it’s own SECTION of the bill.

Repealed and/or omitted contents appear in strikethrough. Added content appears in italics.

If an entire new code section is added, it appears in plain text. Bill SECTIONS to amend a Code Section usually combine italics (language to be added) and strikethrough (language to be omitted), but only the original, very first version of a bill will show how current law will be changed. Italics and strikethrough in later, amended bills show only the changes from the previous version of the bill.

- It is important to read and compare the first introductory version of the bill to later amended versions
- It is important to read current code that is proposed to be changed. Bills often contain large amounts of existing code, and it is easy to get confused and assume that current code is the proposed code, when in-fact it is not. Be very sure that any concerns you have about proposed legislation refer to the actual proposals, not existing law!

### **Origin, intent and purpose**

Every bill is introduced for a reason. Some of those reasons may seem very frivolous, and others may seem serious and important. It is important to understand:

- Legislation starts as an idea from somewhere – a concerned citizen, a special interest group (including business, labor and organizations) local or state government agencies, the governor and even the legislators, themselves.
- Most statutory law is designed to regulate behavior - whether something is happening that shouldn’t be, or should be restricted; something is NOT happening and it should be; or something must be enabled (like a federal program)
- Finding out who proposed the bill and why can give you a better understanding of the bill

The bill author’s office, in Sacramento, can provide specific information about the origins of the bill, including the sponsor, and why it was proposed.

Many bills begin with legislative intent language and findings and declarations that explain the general good of the bill, and reason for its need. These usually become part of the code, but are not directly enforceable. Their main function is advisory, and they can be used by courts to interpret the law, if a legal challenge arises. Sometimes bills include definitions and responsibility statements that designate an implementer or enforcer.

# TIPS FOR ANALYZING A BILL

## 1) Preliminary review

Get an overall feel for the bill by doing a quick scan. Look for action language and verbs such as shall, and may. Look for primary goals of the bill, “who” would be affected by the proposed changes. Then go back and study the bill in more detail.

## 2) In-depth study

On a separate piece of paper, make some general headings:

- Purpose (what the bill will actually do)
- Policies (Ed Code, Business & Professions Code, etc.)
- Administration (who will oversee – CDE, BRN)
- Financing (is there a cost, and if so, how will it be paid for)

Many bills are written so that the information you need is difficult to pull out. It may be scattered throughout the bill, or the bill’s language may be very complicated and technical. Provisions may be hidden deep in the bill, and sometimes they can be in opposition to a policy stated in the bill! Other bills are simple, straightforward and easy to read.

The PDF version of bill is helpful because you can jot down both page number and line number, making it easier to go back and find the areas of concern. A high-liter is also helpful.

Key issues:

Mandates - The most important verb is “shall”, which is a mandate. “May” is permissive.

Cost/appropriations – How will the action of the bill be funded? Is it one time costs? Will it affect local budgets or require state general funds?

Additional or follow-up actions – Does it call for regulatory bodies, commissions or task forces or other regulatory action?

Who is affected and how – It is helpful to who has sponsored the bill. Who wants the change and who is opposed to it, and what the unintended consequences might be.

What would be the result if the bill were NOT enacted?

When a bill is heard in its first policy committee, that committee makes available an analysis of the bill. This includes a summary of the bill; the need for the bill; background information (including current law); an analysis of what the proposed bill specifically will do; staff comments (including other related proposed legislation and concerns); and will also include any groups that have gone on record in support or opposition to the bill.

Official committee analyses can be very helpful in helping an individual or committee to understand a bill. Because some bills are difficult to understand and analyze, groups are sometimes slow to take a position on a bill, until after the first policy committee hearing, when the analysis is available. This presents a difficult and awkward conundrum.

Without a committee analysis, it is difficult to understand the bill and formulate a position, but if you wait for the analysis, you lose your opportunity to be part of the record. A few

bills die very early in the process, if they do not have recorded support. Others move very quickly and if you eventually realize you oppose the bill, the momentum towards passage is sometimes difficult to prevent.

Support for a bill, too early in the process, presents it's own set of difficulties, if amendments occur that change the focus of the bill, or cause you to need to change your position.

Analyses and positions from other groups can also help you to understand a bill. Many organizations have websites that, at the very least, list bills and positions. A few will also offer a brief analysis and reasons for their stated positions.

## OVERVIEW OF THE BUDGET PROCESS

The budget is due from the Governor and the Department of Finance, by law, no later than January 10th. At that point, the budget is based on the Administration's priorities. The budget is translated into 2 bills - one for the Senate and one for the Assembly. The authors of the bills are the respective chairs of the Senate and Assembly Budget Committees.

Soon after the Governor releases the budget, the Legislative Analyst's Office (LAO), which is non-partisan, reviews it and makes fiscal and policy recommendations to the legislature through a document called Analysis of the Budget Bill

In March, the budget committees from both houses start their review of the budget, and revise the budget bill according to their own house fiscal priorities. This is where you'll see changes in funding for certain policies, like healthcare, or education. There are 5 budget subcommittees in the Senate, and 5 in the Assembly, each with different combinations of policies.

### Senate Budget and Fiscal Review Committee

|                |  |
|----------------|--|
| Subcommittee 1 | Education  |
| Subcommittee 2 | Resources, Environmental Protection, Judiciary, & Transportation |
| Subcommittee 3 | Health, Human Services, Labor, & Veteran's Affairs               |
| Subcommittee 4 | General Government and Public Safety                             |
| Subcommittee 5 | Energy, Executive, and Off-Budget Fiscal Issues                  |

### Assembly Budget Committee

|                |   |
|----------------|---|
| Subcommittee 1 | Health & Human Services                   |
| Subcommittee 2 | Education Finance                         |
| Subcommittee 3 | Resources                                 |
| Subcommittee 4 | State Administration                      |
| Subcommittee 5 | Information Technology and Transportation |

It isn't until May, and the May revision, that we will begin to get a clearer picture of the actual state of our finances. This is when the projections for caseloads, and state revenue estimates are more accurate. Both the Senate and Assembly must then amend their budget bills.

Once both houses have adopted their bills, the Budget Conference committee will meet. They have to resolve the differences between the 2 bills and come to consensus on a bill. This begins in late May. Once they have compromised and adopted a bill, that bill goes back to both houses and by law, that bill is supposed to pass no later than midnight on June 15<sup>th</sup>. The governor then has 15 days to sign it, veto it, and/or line item veto, because the fiscal year starts on July 1.

The official calendar of the Legislature states that the summer recess begins on July 5th provided a budget bill has been enacted.

This process is one that has rarely been completely followed for the last 10 years, especially from June, on!

## CUSTOMARY BUDGET TIMELINE

|                       |  |
|-----------------------|--|
| July 9 – September 15 | Department directors and agency heads initiate detailed reviews and proposal developments to arrive at specific requests for each program. These requests are then sent to the Department of Finance for review.   |
| October –January 10   | The Governor evaluates the requests as reviewed by the Department of Finance and sends the proposed budget to the legislature.   |
| January – February    | The budget proposal is introduced in both houses as identical budget bills. The Legislative Analyst prepares an extensive analysis of the budget bill.   |
| March – May           | The Budget Bill is sent from each house to their respective budget committee. The bill is then broken down by subject and assigned to the appropriate subcommittee. After completion of the hearings, each subcommittee votes and then sends its report to the full budget committee.  |
| Mid-May               | The Governor’s office releases a revised revenue forecast as an expenditure plan for the State, called the “May Revise”. This may or may not have a major impact on the full budget committee’s final actions on the budget bill.  |
| May –June 15          | The budget committees of each house consider the reports of the subcommittees, and send revised budget bills to the floor for evaluation. Each house discusses and then votes on its own version of the bill. Any differences between the two house versions are worked out in a Joint Conference committee, made up of three members from each house. Upon completion of its review, the Joint Conference committee submits a single version to both houses. Each house votes on the final version before it is sent to the Governor. |
| June 15 - July 1      | The Governor receives the budget bill and has until July 1, the start of the fiscal year, to sign, veto or line-item veto, the budget bill. The budget bill is an urgency bill so as soon as the Governor signs; it becomes law.   |

## ALPHABET SOUP

This is just a smattering of all of the organizations, departments and agencies out there, but this may help you to figure out who they all are!!

|         |  |
|---------|--|
| AAP     | American Academy of Pediatrics   |
| AAAAI   | American Academy of Allergy, Asthma, and Immunology                          |
| AAUW    | American Association of University Women                                     |
| ACSA    | Association of California School Administrators                              |
| ADA     | American Diabetes Association  |
| ACSE    | Advisory Commission on Special Ed  |
| ANA-C   | American Nurses Association-California                                       |
| AFT     | American Federation of Teachers  |
| CACD    | California Association for Counseling and Development                        |
| CAHPERD | California Association for Health, Physical Education, Recreation and Dance  |
| CALTAX  | California Taxpayer Association  |
| CARS+   | California Association of Resource Specialist and Special Education Teachers |
| CASBO   | California Association of Business Officials                                 |
| CASC    | California Association of School Counselors, Inc                             |
| CASC    | California Association of Student Councils                                   |
| CASHE   | California Association of School Health Educators                            |

|          |  |
|----------|--|
| CASP     | California Association of School Psychologists   |
| CCSESA   | California County Superintendent Educational Services Association                                  |
| CDC-DASH | United States Centers for Disease Control and Prevention- Division of Adolescent and School Health |
| CDE      | California Department of Education   |
| CFT      | California Federation of Teachers  |
| CDA      | California Dental Association  |
| CMA      | California Medical Association   |
| CMS      | United States Centers for Medicare and Medical Services  |
| CNA      | California Nurses Association  |
| CSBA     | California School Boards Association   |
| CSCA     | California Association for Counseling and Development<br>California School Counselors Association  |
| CSEA     | California School Employee Association   |
| CSHA     | California School Health Association   |
| CSHA     | California Speech-Language-Hearing Association   |
| CSPTA    | California State Parent Teachers Association   |
| CTA      | California Teachers Association  |
| DHS      | Department of Health Services  |
| HHS      | United States Department of Health and Human Services  |

|     |                                |
|-----|--------------------------------|
| NEA | National Education Association |
| SBE | State Board of Education       |
| LWV | League of Women Voters         |

## HELPFUL WEBSITES FOR LEGISLATIVE AND BUDGET INFORMATION

|  |  |
|--|--|
| <b>California School Nurses Organization</b>                                       | <a href="http://www.csno.org">www.csno.org</a>   |
| <b>Legislative Counsel</b>   | <a href="http://www.leginfo.ca.gov/">www.leginfo.ca.gov/</a>   |
| <b>Search Bills</b>  | <a href="http://www.leginfo.ca.gov/bilinfo.html">www.leginfo.ca.gov/bilinfo.html</a>   |
| <b>Search Codes</b>  | <a href="http://www.leginfo.ca.gov/index.html">www.leginfo.ca.gov/index.html</a>   |
| <b>Identify My Legislators</b>   | <a href="http://www.leginfo.ca.gov/yourleg.html">www.leginfo.ca.gov/yourleg.html</a>   |
| <b>Department of Education</b>   | <a href="http://www.cde.ca.gov">www.cde.ca.gov</a><br><a href="http://www.cde.ca.gov/resources/legal.html">www.cde.ca.gov/resources/legal.html</a> |
| <b>California Code of Regulations</b>  | <a href="http://www.calregs.com">www.calregs.com</a>   |
| <b>Senate</b>  | <a href="http://www.sen.ca.gov">www.sen.ca.gov</a>   |
| <b>Assembly</b>  | <a href="http://www.assembly.ca.gov/acs/defaulttext.asp">www.assembly.ca.gov/acs/defaulttext.asp</a>   |
| <b>Secretary of State</b>  | <a href="http://www.ss.ca.gov/">www.ss.ca.gov/</a>   |
| <b>Identify My Legislators</b>   | <a href="http://www.leginfo.ca.gov.yourleg.html">www.leginfo.ca.gov.yourleg.html</a>   |
| <b>Department of Finance</b>   | <a href="http://www.dof.ca.gov">www.dof.ca.gov</a>   |
| <b>Legislative Analyst Office</b>  | <a href="http://www.lao.ca.gov">www.lao.ca.gov</a>   |
| <b>California State PTA</b>  | <a href="http://capta.org/">http://capta.org/</a>  |
| <b>Children’s Advocacy Institute</b>   | <a href="http://www.sandiego.edu/childreissues">www.sandiego.edu/childreissues</a>   |
| <b>Congress</b>  | <a href="http://thomas.loc.gov/">http://thomas.loc.gov/</a>  |
| <b>California Association for Health, Physical Education, Recreation and Dance</b> | <a href="http://www.cahperd.org">www.cahperd.org</a>   |
| <b>California Association of School Health Educators</b>                           | <a href="http://www.cashe.org">www.cashe.org</a>   |
| <b>California Teacher’s Association</b>  | <a href="http://www.cta.org">www.cta.org</a>   |

|   |  |
|---|--|
| <b>California School Boards Association</b>     | <a href="http://www.csba.org">www.csba.org</a>           |
| <b>Assn of California School Administrators</b> | <a href="http://www.acsa.org">www.acsa.org</a>           |
| <b>California Nurses Association</b>            | <a href="http://www.calnurses.org">www.calnurses.org</a> |
| <b>Board of Registered Nursing</b>              | <a href="http://www.rn.ca.gov">www.rn.ca.gov</a>         |

## GLOSSARY OF LEGISLATIVE TERMS

### **A**

**Across the Desk** - The official act of introducing a bill or resolution. The measure is given to the Chief Clerk or his or her representative at the Assembly Desk in the Assembly Chamber or to the Secretary of the Senate or his or her representative in the Senate Chamber. The measure then receives a number and becomes a public document available from the bill room (or at [www.leginfo.ca.gov](http://www.leginfo.ca.gov)). Each proposed amendment to a measure also must be put across the desk in the Assembly or Senate in order to be considered for adoption.

**Act** - A bill passed by the Legislature and enacted into law.

**Adjournment** - Termination of a meeting, occurring at the close of each legislative day upon the completion of business, with the hour and day of the next meeting being set prior to adjournment.

**Adjournment Sine Die** - Final adjournment of the Legislature; regular sessions of the Legislature, and any special session not previously adjourned, are adjourned sine die at midnight on November 30 of each even-numbered year.

**Adoption** - Approval or acceptance; usually applied to amendments, resolutions, or motions.

**Amendment** - Proposal to change the text of a bill after it has been introduced. Amendments must be submitted to the Legislative Counsel for drafting or approval.

Author's amendments - Amendments proposed by the bill's author. Author's amendments to a bill may be adopted on the floor prior to the committee hearing on the bill with the committee chair's approval.

Hostile amendments - Amendments proposed by another member and opposed by the author in a committee hearing or during Assembly or Senate floor consideration.

**Analysis of the Budget Bill** - The Legislative Analyst's comprehensive examination of the Governor's budget, available to legislators and the public about six weeks after the Governor submits the budget to the Legislature.

**Appropriation** - The amount of money made available for expenditure by a specific entity for a specific purpose, from the General Fund or other designated state fund or account.

**Appropriations Limit** - A limitation in the California Constitution on the maximum amount of tax proceeds that state or local government may appropriate in a fiscal year. The limit is based on 1986-87 fiscal year appropriations, and is adjusted annually.

**Approved by the Governor** - Signature of the Governor on a bill passed by the Legislature.

**Archives** - Refers to both location and contents of public records kept by the Secretary of State, including copies of all measures considered at each session, journals, committee reports, and documents of historic value.

**Assembly** - The house of the California Legislature consisting of 80 members, elected from districts determined on the basis of population. Two Assembly districts are situated within each Senate district.

**Author** - Member of the Legislature who introduces a legislative measure.

## B

**BCP (Budget Change Proposal)** - A document prepared by a state agency, and submitted to the Department of Finance, to propose and document budget changes to support operations of the agency in the next fiscal year; used in preparing the Governor's budget.

**Bicameral** - Refers to a legislature consisting of two houses (see Unicameral).

**Bill** - A proposed law, introduced during a session for consideration by the Legislature, and identified numerically in order of presentation; also, a reference that may include joint and concurrent resolutions and constitutional amendments.

**Bill Analysis** - A document prepared by committee and/or floor analysis staff prior to hearing the bill in that committee or on the floor of the Assembly or Senate. It explains how a bill would change current law and sometimes identifies major interest groups in support or opposition.

**Blue Pencil** - The California Constitution grants the Governor "line item veto" authority to reduce or eliminate any item of appropriation in any bill including the Budget Bill. Years ago the Governor used an editor's blue pencil for the task.

**Bond Bill (general obligation bonds)** - A bill authorizing the sale of state general obligation bonds to finance specified projects or activities. Subsequent to enactment, the voters must approve a general obligation bond bill.

**Budget** - Proposed expenditure of state moneys for the next fiscal year presented by the Governor in January of each year for consideration by the Legislature; compiled by the Department of Finance, in conjunction with state agency and department heads.

**Budget Act** - The Budget Bill after it has been enacted into law.

**Budget Bill** - The bill setting forth the spending proposal for the next fiscal year, containing the budget submitted to the Legislature by the Governor.

**Budget Year** - The fiscal year addressed by a proposed budget, beginning July 1 and ending June 30.

## C

**COLA** - Cost-of-living adjustment.

**Call of the House** - On motion from the floor to place a call of the house, the presiding officer directs the Sergeant-at-Arms to lock the chambers and bring in the absent Members (by arrest, if necessary) to vote on a measure under consideration. Action is not taken on an item under call until the call is lifted, at which time it must be immediately voted on.

**Call the Absentees** - Order by the presiding officer directing the reading clerk to call the names of Members who have not responded to the roll call.

**Capital Outlay** - Generally, expenditures to acquire or construct real property.

**Casting Vote** - The deciding vote the Lieutenant Governor may cast in the case of a tie vote in the Senate.

**Caucus** - (1) A closed meeting of legislators of one's own party.

(2) Any group of legislators who coalesce formally because of their common interest in specific issues.

**Chair** - The current presiding officer, usually in the context of a committee hearing.

**Chamber** - The Assembly or Senate location where floor sessions are held.

**Chapter** - When a bill has been passed by the Legislature and enacted into law, the Secretary of State assigns the bill a "chapter number" such as "Chapter 123, Statutes of 1992," which is subsequently used to refer to the measure in place of the bill number.

**Chapter Out** - When, during a calendar year, two or more bills amend the same section of law and more than one of those bills becomes law, the bill enacted last (and therefore given a higher chapter number) becomes law and prevails over the bill or bills previously enacted (see Double Joint).

**Check-in Session** - Certain weekdays when legislators do not meet in formal legislative sessions, they are required to "check in" with the Chief Clerk of the Assembly or Secretary of the Senate. Mondays and Thursdays are ordinarily floor session days. Check-in days are typically Tuesdays and Wednesdays.

**Chief Clerk** - An Assembly employee elected by Assembly Members at the beginning of every two-year session to serve as principal parliamentarian and record keeper of the Assembly. Responsible for all Assembly daily and weekly publications.

**Coauthor** - A member of either house whose name is added to a bill as a coauthor by amending the bill, usually indicating support for the proposal.

**Codes** - Bound volumes of law organized by subject matter. The code sections to be added, amended, or repealed by a bill are identified in the title of the bill.

**Committee of the Whole** - The Assembly or Senate meeting as a committee for the purpose of receiving information.

**Companion Bill** - An identical bill introduced in the other house. This procedure is far more common in Congress than in the California Legislature.

**Concurrence** - The approval by the house of origin of a bill as amended in the other house. If the author is unwilling to move the bill as amended by the other house, the author requests "non-concurrence" in the bill and asks for the formation of a conference committee.

**Concurrent Resolution** - A measure introduced in one house that, if approved, must be sent to the other house for approval. The Governor's signature is not required. These measures usually involve the internal business of the Legislature.

**Conferees** - Members of a conference committee.

**Conference Committee** - Usually composed of three legislators (two voting in the majority on the disputed issue, one voting in the minority) from each house, a conference committee meets in public session to forge one version of a bill when the house of origin has refused to concur in amendments to the bill adopted by the other house. For the bill to pass, both Assembly and Senate must approve the conference committee version. The Speaker chooses assembly conferees; the Senate Committee on Rules chooses Senate conferees.

**Confirm** - The process whereby one or both houses approve the Governor's appointments to executive offices, departments, boards, and commissions.

**Consent Calendar** - File containing non-controversial bills, which are passed unanimously.

**Constituent** - A person who resides within the district represented by a legislator.

**Constitutional Amendment** - A resolution proposing a change to the California Constitution. It may be presented by the Legislature or by initiative, and is adopted upon voter approval at a statewide election.

**Consultant** - Ordinarily, a professional staff person who works for a legislative committee.

**Contingent Effect** - Section in a bill indicating that it is to become operative only upon the enactment of another measure (to be distinguished from double jointing).

**Contingent Funds** - The funds from which moneys are appropriated by the respective houses for their operating expenses.

**Convene** - To assemble a meeting. Each house of the Legislature usually convenes twice a week.

## **D**

**Daily File** - Publication produced by each house for each day the house is in session. The publication provides information about bills to be considered at upcoming committee hearings and bills that are eligible for consideration during the next scheduled floor session. Pursuant to Joint Rule 62(a), any bill to be heard in committee must be noticed in the Daily File for four days, including weekend days. The Daily File also contains useful information about committee assignments and the legislative calendar.

**Daily History** - Produced by the Assembly and Senate respectively the day after each house has met. The History lists specific actions taken on legislation. Each measure acted upon in that house the previous day is listed in numerical order.

**Daily Journal** - Produced by the Assembly and Senate respectively the day after a floor session. Contains roll call votes on bills heard in policy committees and bills considered on the floor, and other official action taken by the body. Any official messages from the Governor are also included. A Member may seek approval to publish a letter in the Journal on a specific legislative matter. At the end of a legislative session, the Journals are bound.

**Desk** - The long desk in front of the presiding officer's rostrum where much of the clerical work of the body is conducted. Also, a generic term for the staff and offices of the Secretary of the Senate and the Chief Clerk of the Assembly.

**Desk Is Clear** - Statement by the presiding officer that there is no further business before the house.

**Digest** - Prepared by the Legislative Counsel, it summarizes the effect of a proposed bill on current law. It appears on the first page of the printed bill.

**District** - The area of the state represented by a legislator. Each district is determined by population and is designated by a number. There are 40 Senate districts and 80 Assembly districts.

**District Bill** - A bill that generally affects only the district of the Member of the Legislature who introduced the bill.

**Do Pass** - Motion that, if adopted by a committee, moves a bill to the floor or to the next committee.

**Do Pass As Amended** - Committee motion that a bill be passed with the recommendation that the floor adopt specified amendments.

**Double Joint** - Amendments to a bill providing that the amended bill does not override the provisions of another bill, where both bills propose to amend the same section of law (see Chapter Out).

**Double Refer** - Legislation recommended for referral to two policy committees for hearing rather than one. Both committees must approve the measure to keep it moving in the process. Typically used for sensitive subject areas that transcend the jurisdiction of one policy committee. The Assembly and Senate Committees on Rules make Bill referrals for their respective houses.

**Dropped** - Author has decided not to pursue the passage of the bill.

## **E**

**Enacting Clause** - The following phrase at the beginning of the text of each bill: "The people of the State of California do enact as follows."

**Enrollment** - Whenever a bill passes both houses of the Legislature, it is ordered enrolled. In enrollment, the bill is again proofread for accuracy and then delivered to the Governor. The "enrolled bill" contains the complete text of the bill with the dates of passage certified by the Secretary of the Senate and the Chief Clerk of the Assembly. A resolution, when enrolled, is filed directly with the Secretary of State.

**Ex Officio** - (literally: out of or because of one's office) The act of holding one office by reason of holding another. For example, the Lieutenant Governor is, ex officio, a member of the Regents of the University of California.

**Executive Session** - A committee meeting restricted to committee members and specifically invited persons.

**Expunge** - A motion by which an action taken in a floor session is deleted from the Daily Journal (for example, "Expunge the record").

**Extraordinary Session** - A special legislative session called by the Governor by proclamation to address only those issues specified in the proclamation; also referred to as a special session. Measures introduced in these sessions are numbered chronologically with a lower case "x" after the number (for example, AB 28x).

## **E**

**File Number** - The number assigned to a measure in the Assembly or Senate Daily File. The file number changes each day as bills move on or off the Daily File. File numbers are assigned to measures on second and third reading; in conference; unfinished business (a bill amended in the other house and awaiting concurrence in amended form); and Governor's appointments. Legislation is taken up on the Assembly or Senate floor in chronological order according to file number. Items considered on the floor are ordinarily referred to by file number.

**Final History** - The publication printed at the end of every session showing the final disposition of all measures.

**Finance Letter** - Revisions to the Budget Bill proposed by the Department of Finance and addressed to appropriate committee chairs in the Assembly and Senate.

**First Reading** - Each bill introduced must be read three times before final passage. The first reading of a bill occurs when it is introduced.

**Fiscal Bill** - Generally, a measure that contains an appropriation of funds or requires a state agency to incur additional expense. The Legislative Counsel's designation of whether a bill is a fiscal bill appears at the end of the Digest found in the printed bill. The Assembly and Senate Appropriations Committees must hear fiscal bills in addition to the policy committees in each house.

**Fiscal Committee** - The Appropriations Committee in the Assembly and the Appropriations Committee in the Senate, to which policy committee refers each fiscal bill upon approval. If the fiscal committee approves a bill, it then moves to the floor.

**Fiscal Deadline** - The date on the legislative calendar by which all bills with fiscal effect must have been taken up in a policy committee and referred to a fiscal committee. Any fiscal bill

missing the deadline is considered "dead" unless it receives a rule waiver allowing further consideration.

**Fiscal Year** - e 12-month period on which the state budget is planned, beginning July 1 and ending June 30 of the following year. The federal fiscal year begins October 1 and ends September 30 of the following year.

**Floor** - (1) The Assembly or Senate Chamber.

(2) The term used to describe the location of a bill or the type of session, connoting action to be taken by the house. Matters may be said to be "on the floor."

**Floor Manager** -The legislator responsible for taking up a measure on the floor. This is always the bill's author in the house of origin, and a Member of the other house designated by the author when the other house considers the bill. The name of the floor manager in the other house appears in parentheses after the author's name in the second or third reading section of the Daily File.

**Floor Pass** - A visitor may not observe the Assembly or Senate from the rear of the chamber without a floor pass. Assembly passes are issued by the Speaker's office; Senate passes are issued by the President pro Tempore's office. Passes are not required for the viewing area in the gallery above the chambers.

**Foreign Amendments** - Amendments not drafted by the Office of Legislative Counsel.

**Four-Day File Notice** - As set forth in Joint Rule 62(a), the requirement that each bill in the first committee of reference be noticed in the Daily File for four days prior to the committee hearing at which it will be considered. At a second or subsequent committee of reference, a notice of only two days is required.

## G

**Germaneness** - Referring to the legislative rule requirement that an amendment to a bill be relevant to the subject matter of the bill as introduced. The Legislative Counsel may be asked to opine on germaneness, but the matter is subject to final determination by the full Assembly, or the Senate Committee on Rules.

**Governor's Budget** - The spending plan submitted by the Governor in January for the next fiscal year (see Budget).

**Grandfathering** - When a preexisting situation is exempted from the requirements of a new law.

## H

**Handbook** - The 3" x 5-3/4" hardbound edition of "California Legislature" published for each two-year legislative session. Contains indexed versions of the Assembly, Senate, and Joint Rules; biographies of members; and other useful information. Published by the Chief Clerk of the Assembly and Secretary of the Senate.

**Hearing** - A committee meeting convened for the purpose of gathering information on a subject or considering specific legislative measures.

**Held in Committee** - Status of a bill that fails to receive sufficient affirmative votes to pass out of committee.

**Hijack** - Adoption of amendments that delete the contents of a bill and insert provisions on a different subject (see Germaneness). May occur with or without the author's permission.

**House** - In California, refers to either the Senate or the Assembly.

## I

**Inactive File** - The portion of the Daily File containing legislation that is ready for floor consideration, but, for a variety of reasons, is dead or dormant. If this happens during the first year of a 2-year session, it automatically becomes a 2-year bill. An author may move a bill to the inactive file, and move it off the inactive file at a later date. During the final weeks of the legislative session, measures may be moved there by the leadership as a method of encouraging authors to take up their bills promptly.

**Initiative** - A legislative proposal to change statutory law or the California Constitution, submitted directly by members of the public rather than by the Legislature, and requiring voter approval at a statewide election. To qualify for a statewide ballot, a statutory initiative must receive signatures equal to 5 percent, and a constitutional amendment initiative must receive signatures equal to 8 percent, of the votes for all candidates for Governor at the last gubernatorial election.

**Inquiry System** - A database containing bill analyses, bill status, bill text, votes, and other useful information for bill tracking and research by legislative employees in Sacramento and district offices. The system is maintained by the Legislative Data Center, which is a part of the Office of Legislative Counsel.

**Interim** - The period of time between the end of a legislative year and the beginning of the next legislative year. The legislative year ends on August 31 in even-numbered years and in mid-September in odd-numbered years.

**Interim Study** - The assignment of the subject matter of a bill to the appropriate committee for study during the period the Legislature is not in session.

## J

**Joint Committee** - A committee composed of equal numbers of Assembly Members and Senators.

**Joint Resolution** - A resolution expressing the Legislature's opinion about a matter within the jurisdiction of the federal government, which is forwarded to Congress for its information. Requires the approval of both Assembly and Senate but does not require signature of the Governor.

**Joint Session** - The Assembly and Senate meeting together, usually in the Assembly Chamber. The purpose ordinarily is to receive special information such as the Governor's State of the State address.

## L

**Laws** - The rules adopted by formal governmental action that govern our lives in various respects.

**Lay On The Table** - A motion to temporarily postpone consideration of a matter before a committee or the house, such that the matter may later be brought up for consideration by a motion to "take from the table."

**Legislative Advocate** - An individual (commonly known as a lobbyist) engaged to present to legislators the views of a group or organization. The law requires formal registration with the Secretary of State if an individual's lobbying activity exceeds 25 contacts with decision makers in a two-month period.

**Legislative Analyst** - The Legislative Analyst, who is a legislative appointee, and his or her staff provide thorough, nonpartisan analysis of the budget submitted by the Governor; also

analyze the fiscal impact of other legislation and prepare analyses of ballot measures published in the state ballot pamphlet.

**Legislative Counsel** - The Legislative Counsel (who is appointed jointly by both houses) and his or her legal staff are responsible for, among other things, drafting all bills and amendments, preparing the Digest for each bill, providing legal opinions, and representing the Legislature in legal proceedings.

**Legislative Data Center** - Department of the Office of Legislative Counsel that maintains the Inquiry System, operates the database under which legislation is drafted and conveyed to the Office of State Publishing to be printed, and otherwise provides technological support to the Legislature.

**Lieutenant Governor** - The President of the Senate, as so designated by the California Constitution, allowing him or her to preside over the Senate and cast a vote only in the event of a tie. If the Governor cannot assume his or her duties or is absent from the state, the Lieutenant Governor assumes that office for the remainder of the term or during the absence.

**Line Item Veto** - See Blue Pencil.

**Lobbyist** - See Legislative Advocate.

**Lobbyist Book** - The Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers published every legislative session by the Secretary of State; available to the public for \$12.00 from the Legislative Bill Room at the State Capitol, or from the Secretary of State's office at [www.ss.ca.gov/prd/ld/cover.htm](http://www.ss.ca.gov/prd/ld/cover.htm). Photos and addresses of lobbyists are included with a list of the clients each represents. Employers of lobbyists are also listed alphabetically.

**Lower House** - The Assembly.

## **M**

**Majority Floor Leader** - Assembly Member who is an issues and political strategist for the Assembly's majority party, second in command to the Assembly Speaker. Elected by the members of the Assembly's majority party.

**Majority Leader** - Senator who is an issues and political strategist for the Senate's majority party, second in command to the Senate President pro Tempore. Elected by the members of the Senate's majority party.

**Majority Vote** - A vote of more than half of the legislative body considering a measure. Constituted by 41 votes in the Assembly, and by 21 votes in the Senate.

**Majority Whip** - One of the members of the majority party's leadership team in the Assembly or Senate; responsible for monitoring legislation and securing votes for legislation on the floor.

**Mason's Manual** - The reference manual that governs matters of parliamentary procedure that are not covered by the Legislature's own written rules.

**May Revision** - Occurring in early May, the updated estimate of revenues and expenditures that replaces the estimates contained in the Governor's budget submitted in January.

**Measure** - A bill, resolution, or constitutional amendment that is considered by the Legislature.

**Minority Floor Leader** - The highest-ranking minority party post in each house; chief policy and political strategist for the minority party.

**Minority Whip** - One of the members of the minority party's leadership team in the Assembly or Senate; responsible for monitoring legislation and securing votes for legislation on the floor.

**Minutes** - An accurate record of the proceedings (see Daily Journal).

**Motion** - A formal proposal for action made by a legislator during a committee hearing or floor session.

## N

**Non-fiscal Bill** - A measure not having specified financial impact on the state and, therefore, not required to be heard in an Assembly or Senate fiscal committee as it moves through the legislative process. Non-fiscal bills are subject to different legislative calendar deadlines than fiscal bills.

## O

**Officers** - Those Members and employees of the Legislature who are elected by the membership of each house at the beginning of each session to perform specific functions on behalf of the house. Assembly officers include the Speaker, Speaker pro Tempore, Chief Clerk, and Sergeant-at-Arms. Senate officers include the President pro Tempore, Secretary of the Senate, and Sergeant-at-Arms.

**On Call** - A roll call vote in a committee or an Assembly or Senate floor session that has occurred but has not yet been concluded or formally announced. Members may continue to vote or change their votes as long as a measure remains "on call." Calls are usually placed at the request of a bill's author in an effort to gain votes. Calls can be lifted by request any time during the committee hearing or floor session, but cannot be carried over into the next legislative day.

**On File** - A bill on the second or third reading file of the Assembly or Senate Daily File.

**Out of Order** - A parliamentary ruling by the presiding officer of a committee or the house that a matter is not, at that time, appropriate for consideration by the body.

**Override** - Enactment of a bill despite the Governor's veto, by a vote of two thirds of the members of each house (27 votes in the Senate and 54 votes in the Assembly).

## P

**Parliamentary Inquiry** - A procedural question posed by a legislator during a committee hearing or floor session. A member must be recognized for this purpose and the question answered by the committee chair or presiding officer.

**Pass on File** - A bill is taken up during a floor session by its author or floor manager according to its order in the Assembly or Senate Daily File. An author may choose to "pass on file," thus temporarily giving up his or her opportunity to take up a measure on the floor.

**Passage** - Adoption of a measure by the Assembly or the Senate.

**Per Diem** - (literally: per day) Daily living expense payment made to legislators when a house is in session.

**Petition** - A formal request submitted to the Legislature by an individual or group of individuals.

**Point of Order** - A request that the presiding officer remedy a breach of order or of the rules.

**Point of Personal Privilege** - Assertion by a Member that his or her rights, reputation, or conduct have been impugned, entitling the Member to repudiate the allegations.

**Postpone** - A motion to delay action on a matter before the house.

**President of the Senate** - See Lieutenant Governor.

**President Pro Tempore of the Senate** - (literally: for the time) Highest-ranking member of the Senate; also chairs the Senate Committee on Rules. Elected by Senators at the beginning of each two-year session.

**Presiding** - Managing the proceedings during a floor session. In the Assembly, the presiding officer can be the Speaker, Speaker pro Tempore, or any other Assembly Member appointed by the Speaker. In the Senate, the presiding officer can be the President, President pro Tempore, or any other Senator appointed by the President pro Tempore.

**Press Conference** - A presentation of information to a group of reporters. Press conferences are frequently held in Room 1190 of the Capitol, the Governor's pressroom, which is available to Members on a reservation basis (445-4571).

**Previous Question** - If a Member seeks to cut off all further debate on a measure, he or she may call the previous question to seek to compel the body to vote immediately on the issue.

**Principal Coauthor** - A Member who is so designated on a bill or other measure, indicating that the Member is a primary supporter of the measure.

**Privilege of the Floor** - Permission given, by the presiding officer, to view the proceedings from the floor of the Chamber, rather than from the gallery. Members request that permission on behalf of constituents or other guests.

**Put Over** - A motion to delay action on a measure until a future date.

## Q

**Quorum** - A simple majority of the membership of a committee or the Assembly or Senate; the minimum number of legislators needed to begin conducting official business. The absence of a quorum is grounds for immediate adjournment of a committee hearing or floor session.

**Quorum Call** - Transmitting the message that members are needed to establish a quorum so that proceedings may begin.

## R

**Reading** - Presentation of a bill before the house by reading its number, author, and title. A bill is on either first, second, or third reading until it is passed by both houses.

**Reapportionment** - Revising the allocation of congressional seats based on census results. Also used to refer to redistricting (the revision of legislative district boundaries) to reflect census results.

**Recess** - (1) An official pause in a committee hearing or floor session that halts the proceedings for a period of time but does not have the finality of adjournment.

(2) A break of more than four days in the regular session schedule such as the "Easter recess."

**Reconsideration** - A motion giving the opportunity to take another vote on a matter previously decided in a committee hearing or floor session.

**Referendum** - The method, used by members of the public, by which a measure adopted by the Legislature may be submitted to the electorate for a vote. A referendum petition must be signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election.

**Rescind** - A motion to revoke an action previously taken.

**Resolution** - See Concurrent Resolution and Joint Resolution.

**Roll Call** - Recording the vote of each member of a committee or of the full Assembly or Senate. Committee roll calls are conducted by the committee secretary, who calls each member's name in alphabetical order with the name of the chair called last. Assembly roll calls are conducted electronically, with each Member pushing a button from his or her assigned seat. The Reading Clerk, who reads each Senator's name in alphabetical order, conducts senate roll calls.

**Rule Waiver** - Exemption to the Assembly, Senate, or Joint Rules, for which formal permission must be granted.

**Rules** - Principles formally adopted to govern the operation of either or both houses. These include Standing Rules of the Assembly, Standing Rules of the Senate, and Joint Rules of the Senate and Assembly.

## **S**

**Second Reading** - Each bill introduced must be read three times before final passage. Second reading occurs after a bill has been reported to the floor from committee.

**Second Reading File** - The portion of the Daily File that lists measures that have been reported out of committee and are ready for consideration on the floor. Measures stay on the second reading file for one day before moving to the third reading portion of the File.

**Secretary of the Senate** - A Senate employee serving as principal parliamentarian and record keeper for the Senate, elected by Senators at the beginning of each two-year session. The Senate Secretary and his or her staff are responsible for publishing the Senate daily and weekly publications.

**Section** - Ordinarily, a portion of the California Codes or other statutory law; alternatively, a portion of the text of a bill. The text of code sections is set forth in bills as proposed to be amended, repealed, or added.

**Senate** - The house of the California Legislature consisting of 40 members elected from districts apportioned on the basis of population, one-half of whom are elected or re-elected every two years for four-year terms.

**Sergeant-At-Arms** - Employee responsible for maintaining order and providing security for the Legislature. The Members of that house elect the Chief Sergeant-at-Arms in each house at the beginning of every legislative session.

**Session** - The period during which the Legislature meets. The Legislature may meet in either regular or special (extraordinary) session.

**Short Committee** - A hearing of a committee attended by less than a quorum of the members of the committee.

**Sine Die** - See Adjournment Sine Die.

**Speaker** - The presiding officer of the Assembly, elected by the membership of the Assembly at the beginning of the two-year session. This is the highest-ranking Member of the Assembly.

**Speaker Pro Tempore** - Member, appointed to this office by the Speaker, who presides over a floor session of the Assembly at the request of the Speaker.

**Special Order of Business** - Occasionally a bill is of such importance that advance notice is given as to when the Assembly or Senate will consider it. Notice is given during a floor session by requesting unanimous consent to set the bill as a special order of business on a specific date and time. This assures adequate time for debate and allows all Members the opportunity to be present.

**Special Session** - See Extraordinary Session.

**Sponsor** - The Member of the Legislature, private individual, or group who develops a measure and advocates its passage.

**Spot Bill** - A bill that proposes non-substantive amendments to a code section in a particular subject; introduced to assure that a bill will be available, subsequent to the deadline to introduce bills, for revision by amendments that are germane to the subject of the bill.

**State Auditor** - Head of the Bureau of State Audits, which conducts financial and performance audits of the state and local government agencies at the request of the Joint Legislative Audit Committee.

**State Mandate** - State legislative enactment or administrative regulation that mandates a new program or higher level of service on the part of a local government, the costs of which are required by the California Constitution to be reimbursed.

**Statutes** - Enacted bills, which are chaptered by the Secretary of State in the order in which they become law.

**Stop the Clock** - The term used to describe the process of continuing legislative business after the passage of a deadline imposed by legislative rule.

**Subcommittee** - A subgroup of a full committee, appointed to perform work on one or more functions of the committee.

**Summary Digests** - Digests of each bill enacted in a two-year session, as prepared and compiled by the Legislative Counsel. The measures are listed by chapter number, reflecting the order in which they were signed into law.

**Suspend the Constitution** - A motion to waive requirements that the California Constitution imposes, but permits to be waived in a specified manner. A motion to suspend requires an extraordinary vote.

## **I**

**Table** - See Lay on the Table.

**Tax Levy** - Any bill that imposes, repeals, or materially alters a state tax. The Legislative Counsel indicates in the title and Digest of the bill whether the bill is a tax levy.

**Third House** - Collective reference to lobbyists (see Legislative Advocates).

**Third Reading** - Each bill introduced must be read three times before final passage. Third reading occurs when the measure is about to be taken up on the floor of either house for final passage.

**Third Reading Analysis** - A summary of a measure that is ready for floor consideration. Describes most recent amendments and contains information regarding how Members voted on the measure when it was heard in committee. Senate floor analyses also list support or opposition by interest groups and government agencies.

**Third Reading File** - That portion of the Daily File listing the bills that are ready to be taken up for final passage.

**Title** - The material on the first page of a bill that identifies the provisions of law affected by the bill and the subject matter of the bill.

**Trailer Bill** - A bill that makes a change in statute to reflect the actions taken in the Budget Bill

**Two-Thirds Vote** - In the Assembly, 54; in the Senate, 27. Required, for example, for urgency measures and most measures making appropriations from the General Fund.

**Two-Year Bill** - A bill that did not pass out of its first house before the deadline and will be acted on in the next year of the two-year session

## U

**Unanimous Consent** -The consent of all of those Members present, ordinarily presumed to exist in the absence of objection.

**Unfinished Business** -That portion of the Daily File that contains measures awaiting Senate or Assembly concurrence in amendments adopted by the other house. Also contains measures vetoed by the Governor for a 60-day period after the veto.

**Unicameral** - A legislature consisting of one house (Nebraska has the only unicameral state legislature).

**Upper House** - The Senate.

**Urgency Measure** - A bill affecting the public peace, health, or safety, containing an urgency clause, and requiring a two-thirds vote for passage. An urgency bill becomes effective immediately upon enactment.

**Urgency Clause** - Section of a bill stating that the bill will take effect immediately upon enactment. A vote on the urgency clause, requiring a two-thirds vote in each house, must precede a vote on the bill.

## V

**Veto** - The Governor's formal rejection of a measure passed by the Legislature. The Governor may also exercise a line item veto, whereby the amount of an appropriation is reduced or eliminated, while the rest of the bill is approved (see Blue Pencil). A veto may be overridden by a two-thirds vote in each house.

**Voice Vote** - A vote that requires only an oral "aye" or "no," with no official count taken. The presiding officer determines whether the "ayes" or "noes" carry.

## W

**Whip** - A party member charged with monitoring Floor activity of caucus members.

## PAC Do's and Don'ts

The California School Nurses Organization has a PAC (Political Action Committee), with separate bylaws, standing rules and budget, which is governed by the Fair Political Practices Commission (FPPC). The Mission of the FAIR POLITICAL PRACTICES COMMISSION is to promote the integrity of representative state and local government in California through fair, impartial interpretation and enforcement of political campaign, lobbying, and conflict of interest laws. CSNO PAC and its members and contributors must be very careful not to break any laws, and to adhere to the highest standards.

1. NEVER discuss any legislation when presenting or discussing PAC contribution. It is illegal and there are already persons behind bars for even insinuating some favoritism.
2. NEVER present a contribution to an elected official in a government building or office, including the local district office. It is illegal.
3. NEVER offer or accept an offer to contribute in exchange for legislative favors of any type. It is illegal.
4. Locate the person's fundraising staff or person with whom you may discuss the amount being sought/offered so long as they are on leave from the government office for that day, or are a volunteer or paid non-governmental staff. Do **not** discuss this information while speaking on a telephone line into the official's office.
5. Money should always be in check form, annotated with the candidate or official's campaign treasury name and PAC identification number. Do **not** deliver in person. Mailing it to the fundraiser's office or PAC address is always best. Do **not** send along notes in appreciation for help with particular legislation. You should offer support for his/her past or future approach to public policy that affects the well-being of children and school health programs and personnel.
6. Do **not** mix discussion in CSNO meetings with PAC business or link particular legislation. They are separate meetings/discussions.
7. Report all contributions made to the PAC and made to PAC recipients. This needs to be paper and e-filed. Consult with the FPPC/ Secretary of State for requirements.

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