



THE LEGISLATIVE PROCESS

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U.S. CONSTITUTION



CONGRESS AND THE CONSTITUTION

- **Article I**
- Section 1: All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
- Section 7: All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other bills.
- Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
 - To borrow Money on the credit of the United States;
 - To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;
 - To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

THE CAPITOL



LEGISLATIVE PROCESS

■ U.S. HOUSE OF REPRESENTATIVES

- Bill introduced in the House
- Referred to committee, which holds hearings and reports the measure to the House
 - Or Rules Committee
- Leadership schedules bill for floor consideration
- House debates and can amend the measure
- House passes measure

■ UNITED STATES SENATE

- Bill introduced in the Senate
- Referred to committee, which holds hearings and report measure to the Senate
- Leadership schedules measure for floor consideration [unanimous consent]
- Senate debates and can amend measure
- Senate passes bill

TYPES OF LEGISLATION

- **Bill:** A bill is the form used for most legislation, whether permanent or temporary, general or special, public or private ["H.R." or "S."]
- **Joint Resolutions:** Joint resolutions may originate either in the House of Representatives or in the Senate. Both are subject to the same procedure, except for a joint resolution proposing an amendment to the Constitution ["H.J.Res" or "S.J.Res"]
- **Concurrent Resolutions:** Matters affecting the operations of both the House of Representatives and Senate are usually initiated by means of concurrent resolutions ["H.Con.Res" or "S.Con.Res"]
- **Simple Resolutions:** A matter concerning the operation of either the House of Representatives or Senate alone is initiated by a simple resolution ["H.Res." or "S.Res."]

BILLS MUST PASS BOTH HOUSES IN IDENTICAL FORM BEFORE BEING PRESENTED TO THE PRESIDENT

- One chamber agrees to the other chamber's version; or
- Each chamber appoints Members to a conference committee, which reconciles differences and agrees to a conference report [House & Senate approve conference report] ; or
- House and Senate exchange amendments to the bill and reach agreement.

UNORTHODOX LAWMAKING

- Definition: Congress enacts laws outside the normal process
- Unorthodox means not normal, not traditional
- Textbook definition of lawmaking does not apply
- Unorthodox lawmaking usually applies to major legislation

UNORTHODOX LAWMAKING

- House
 - Bills first show up at the House Rules Committee
 - Often go to the floor under a “closed rule”
- Senate
 - Majority Leader introduces a bill and places it on the Senate Calendar
 - Majority Leader calls up the bill and fills “the amendment tree”

UNORTHODOX LAWMAKING EXAMPLES

- Patient Protection and Affordable Care Act [Public Law 111-148]
- Health Care and Education Reconciliation Act of 2010 [Public Law 111-152]

THE WHITE HOUSE



LEGISLATION PRESENTED TO THE PRESIDENT

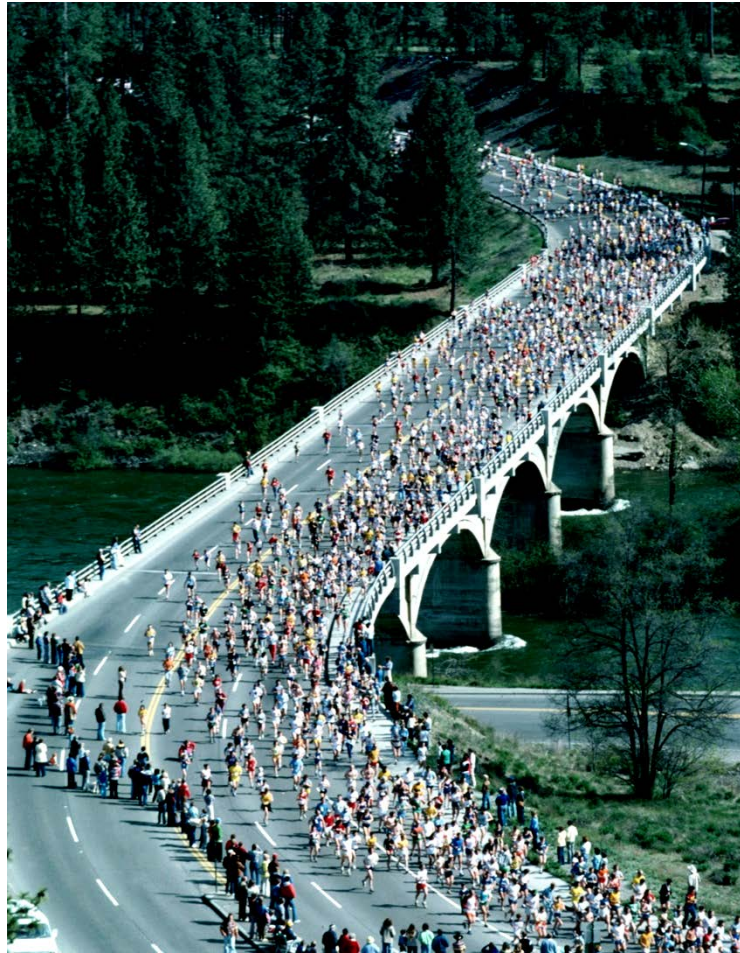
- President signs bill, which becomes law
- If the President does not sign the bill into law within 10 days
 - If Congress is in session, measure becomes law
 - If Congress is not in session, measure does not become law [pocket veto]
- President vetoes measure
 - Bill does not become law, unless both Houses override veto with 2/3 majority

WHAT HAVE WE LEARNED?

SPRINT - NOT!



LEGISLATIVE MARATHON



POLITICAL PARTY PUBLIC POLICY OBJECTIVE: CARPET BOMB THE OTHER SIDE



RESULT FOR CITIZENS?



QUESTIONS

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