

# VOICES IN POLICY

## LEGISLATIVE OVERVIEW FOR CITIZEN ADVOCATES

### HOW A BILL BECOMES A LAW

No law can be created except by bill and any bill that is considered by the Idaho Legislature goes through a complex process. It is also very time consuming because essentially the same activities are repeated twice. In order to pass a bill, however, it is helpful to know what a bill is.

A bill is a proposal to all legislators to create (enact), modify (amend), or eliminate (repeal) a law (statute), or appropriate public money. A bill can originate in either the House or the Senate. Bills are proposed to the Legislature by either a legislator or legislative committee. If the committee prints the bill, a number is assigned by the Chief Clerk. The best way to refer to that bill is by the assigned number.

#### First Reading Calendar

The bill is then placed on the **first reading calendar**, and is referred to an appropriate legislative committee by either the House Speaker or Senate President.

Agendas are posted daily for each committee and all bills to be considered are listed and considered individually. After a committee discusses a bill, listens to expert testimony, and considers public statements, it has six (6) procedural options and may recommend the bill...

- 1) go to the full House or Senate with a “do pass” recommendation;
- 2) go to the full House or Senate without recommendation;
- 3) be referred to the amending orders to change;
- 4) be held in committee or returned to the sponsor for stated period of time or indefinitely;
- 5) be withdrawn or held to introduce another bill in place of the original; or
- 6) be referred to another standing committee if the issue doesn’t relate to topics considered by the original committee or if it involves another committee’s issues as well.

Some bills never get acted upon by a committee and are held there until the end of the session. However, those bills that are reported out are placed on the **second reading calendar**. All bills reported out are always assigned a floor sponsor who seeks successful passage of the bill.

#### Second Reading Calendar

When the bill is placed on this calendar, it is read again at the desk of either the House Clerk or the Senate Secretary. Typically, rules are suspended by the leadership, which allows the bills to be read by title only. No debates or votes are taken on a bill on this calendar.

#### Third Reading Calendar

After a bill has been listed on the second reading calendar for one day, it advances to the third reading calendar. Here, the bill is supposed to be read in its entirety, section by section, to the full House or Senate. However, rules are usually suspended to dispense with the reading of the bill. The House Speaker or Senate President then calls upon the floor sponsor to open, and, after all other interested legislators have had a chance to speak, close debate.

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Photo by Steve Bly

## HOW A BILL BECOMES A LAW *(Continued)*

If the bill passes, it is forwarded to the other legislative body, either House or Senate, where it goes through the same process. If the bill fails to pass, it is filed by the House Clerk/Senate Secretary. Also, if a bill fails (or passes in some instances) any legislator that votes with the prevailing side may ask for reconsideration (another vote on the bill on the next legislative day). A bill that is reconsidered and debated again at the third reading calendar must be the same as the original bill.

### Bill Enrollment

After a bill goes through the above process in the House or Senate, it returns to the chamber where it was originally introduced. Any action taken or messages sent by the other chamber are read. The bill is then enrolled by the House or Senate, signed by the House Speaker and Senate President, and forwarded to the Governor.

### Committee of the Whole

When a bill that was referred by a committee for amendment is considered, either the full House or Senate will convene themselves as a "Committee of the Whole." This action is more procedural and semantical than physical because House or Senate members remain on the floor as a full body.

Once they are sitting as the Committee of the Whole, they consider the amendment calendar. All proposed amendments are then reviewed, debated, and voted upon by legislators only at this stage. If the amendments pass, the bill is then referred back to the first reading calendar and considered as a new bill

(except that a standing committee does not have to review the bill again). The bill keeps the same number followed by an "a" to show it has been amended.

### Governor's Action

After receiving a bill passed by both House and Senate, the Governor may:

- 1) approve the bill by signing it within 5 days after receipt, Sundays excepted;
- 2) allow the bill to become law with his approval or by not signing it within the 5 days allowed; or
- 3) disapprove (veto) the bill within the 5 days allowed and return the bill to the house of origin, giving his reason for disapproval.

The exception here is that, in the event the Legislature has adjourned "sine die," the Governor has 10 days to veto or sign a bill. A bill may become law over the Governor's veto if both houses vote to override the veto by a 2/3 majority of the members present in each house.

When a bill is approved by the Governor or becomes law without approval or over a veto, it is transmitted to the Secretary of State for assignment of a chapter number in the Idaho Session Laws. Unless containing an emergency clause, the bill becomes law on July 1 of that year.



## COUNCIL VISION:

"All Idahoans participate as equal members of society, empowered to reach their full potential as responsible and contributing citizens of their communities."

## ABOUT THE IDAHO DD COUNCIL:

The Idaho Council on Developmental Disabilities is a 23-member, volunteer board, appointed by the Governor and established in state and federal law to advocate on behalf of Idahoans with developmental disabilities and help them advocate for themselves. The Council works to help people with developmental disabilities get the services they need and improve access to services.

The Council works with legislators, agencies, the Governor and other elected officials to improve the way services are delivered. The Council believes that people with disabilities have the same rights and responsibilities as every other citizen. They should be afforded the same opportunities as everyone else and have access to the supports they need to go after those opportunities.

For a list of current Council Members and description of projects and activities visit the Council website at: [www.icdd.idaho.gov](http://www.icdd.idaho.gov)

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# WHAT THE LEGISLATURE IS AND HOW IT WORKS



The Idaho Legislature is made up of 105 members elected every two years. There are 35 Senators and 70 Representatives.

These legislators represent 35 different geographic areas called Districts.

## Meetings

The Idaho Legislature convenes each year on the second Monday in January in the State Capitol Building (Statehouse) in separate chambers at each end of the third floor. The Capitol Rotunda separates the Senate and House of Representatives (House) chambers. Visitors are allowed to view either session from the fourth floor gallery.

The legislative session usually lasts until the end of March.

## Leadership

The officers of the House and Senate are elected by their fellow legislators, except the Senate President who is the elected Lieutenant Governor of Idaho. Legislators in both the House and the Senate elect floor leaders, called the Majority Leaders and Minority Leaders, an Assistant Majority Leader and Assistant Minority Leader and a Caucus Chairperson.

The majority party nominates a Speaker of the House and the Senate Pro Tem who are then elected by the full body of each chamber. These two positions are responsible for running the legislative session. They are the most powerful positions in the House and Senate.

## Committees and Agendas

The leadership of each party identifies which members will sit on which committees, usually by a seniority system, even though interest and expertise are strongly considered. Formally, the House Speaker assigns membership of committees and committee chairpersons (from the majority party). The Senate Pro Tem performs the same function for the Senate.

The House Speaker and the Senate President also assign all bills to committees within their respective chambers. The assignment is crucial to any bill's success or failure because it is the first point of influence.

The Legislature operates on a committee system. The Senate has 10 committees and the House has 14. Each committee meets daily or on alternate days to review bills, discuss their merits, and gather information through written comments and verbal testimony. Committee meetings are open to the public and anyone can submit information or request to testify by contacting the committee secretary.

With the exception of the Joint Finance and Appropriations Committee (JFAC) which meets daily on the 3rd floor of the capitol (north side of the rotunda), all committees meet in hearing rooms on the Garden Level. House committees are in the East Wing and Senate Committees meet in the West Wing. There is also a large auditorium in the West Wing for hearings and other meetings. There are stairs midway in the wing corridors. Elevators are available to help those with mobility issues around those stairs.

Some bills have large hearings because of public interest and others are processed quietly and routinely. However, many legislators may already have made their decision at this stage due to early lobbying efforts by interested parties.

Because this stage of the legislative process is the most critical to a bill, members of the committee should be contacted prior to any hearing and addressed by as many interested persons as possible to influence their decision to pass the bill on to the full House or Senate.

House and Senate committees are organized by subject matter such as Local Government, Health and Welfare, Education, Transportation, etc. These committees deal with issues germane to their title. Hence, they are often referred to as "germane" committees.

A few select committees are provided certain privileges that others do not have. One privilege allows a committee (like State Affairs) to introduce bills to the full body any time prior to the last day of the session. House and Senate germane committees introduce bills up to the 35th session day. Also, only the House can introduce revenue bills—usually through the Revenue and Taxation Committee. The Joint Finance Appropriations Committee or JFAC is unique in that individuals usually do not provide testimony, and if they do, it is at the invitation of the Committee.

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## WHAT THE LEGISLATURE IS AND HOW IT WORKS

All bills are referred to a germane committee for printing consideration. If the respective committee approves printing, the bill is referred back to the Chief Clerk of the House or Senate Secretary for bill number assignment.

After printing, the bill is assigned back to a germane committee (usually the same one that printed the bill) for study and hearings. After committee action, the bill may be sent to the floor of the House or Senate.

Committee agendas are posted daily in several locations: 1) outside the committee room; 2) outside the committee's staff office; 3) on the Garden level rotunda near the Information Desk; 4) by the entrance to each chamber. The agenda are also available on the Internet at <http://www.legislature.idaho.gov>. A rule of thumb each day is to check the agendas so you can be aware of which bills are to be heard on any given day. Near the end of the session, these agendas can change at the last moment.

### The Floor

The bill will eventually advance to the Third Reading Calendar without debate or voting. At this stage, there can be any number of days between placement on the 3rd Reading Calendar and floor debate on the bill. This is the next critical period to influence legislators by mail, telephone, e-mail, or in person. When the bill is considered, finally, by the full House or Senate, legislators usually debate the bill. Although many legislators present information to their colleagues during debate, generally few minds are swayed. Many legislators know by now how they intend to vote.

When a vote of "yes" or "no" is taken, the House votes by an electronic system that records the vote. The Senate votes by roll call. It takes a simple majority (1 vote more than half) of the members present to pass a bill. In some instances, a two-thirds (2/3) majority may be necessary. If the bill passes, it is referred to either the other chamber or the Governor (if both chambers have already voted in support of it).

### Legislative Publications

The best way to work with and follow the legislature is to use its publications. The most important publication is the Legislative Directory. This pocket directory is published annually and is the blueprint to the legislative process, its members, and its committees.

The next most important publication is the "Mini-

Data." Published daily (except Monday), it lists each bill by number, brief title, and the bill's status in the legislative process. On Mondays, the "Daily Data" is published. This document provides additional detail to that found in the "Mini-Data" plus the voting record, legislative history, and dates of action taken on each bill.

In recent years, the tracking information found in these two documents has become available on the internet at the Idaho Legislature's home page, <http://www.legislature.idaho.gov>. This can also be reached through Access Idaho, the State of Idaho's web page at [www.accessidaho.org](http://www.accessidaho.org). When using the webpage you can look for bills by subject matter (listed alphabetically) or bill number. House bills and Senate bills are listed separately.

Other publications that are used less frequently are the House and Senate Journals (printed daily and offering a chronological account of proceedings) and the Reading Calendars (also printed daily and located outside the entrance to the Senate and the House.) This calendar is important because it lists each bill and its position on the second, third, or amending orders. This information is also available on the web.

### Offices

With the renovation of the capitol building, all legislators have their own office space. All but leadership are on the Garden Level (lower level). The office suites on the House side (East Wing) have a number code to enter. The suites on the Senate side do not. Support staff in the suites can help you find the office you are looking for. If legislators are not on the floor or in a committee meeting, they are probably in their office. If not, you can leave a note for them.

Offices for leadership positions are found on the third floor around the perimeter of the chamber. The doorkeeper on each side can direct you to an office or, if the House or Senate is in session, you can leave a note with him for your legislator.

### Summary

This is a brief overview of how the legislature works. Every detail has not been included, but the information presented will give you enough to get started, eliminate some surprises, and help you understand the proceedings. If you don't understand something, don't hesitate to ask someone with a colored name tag on the third floor.

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# USING THE LEGISLATIVE WEBSITE

The Idaho Legislature has a website that includes a lot of important information you can use to find out about your legislator, what's happening in the session, committee hearings, and bills under consideration. Here are short descriptions of different sections of the website:

## Bill Center

Bill text, history, statements of purpose, fiscal notes and other bill information can be found here. You can print out the text of a bill you are interested in from this section. Bills are listed by number and/or by general topic/area. Some people find it is easiest to search for a bill by topic. For example, if you are interested in a bill that affects schools you may scroll down to 'Education' and begin looking through the list.

## Calendars and Agendas

House and Senate reading calendars and committee agendas are listed here. You can search either House or Senate standing committees and see the agenda for meetings on that day and maybe the next. The agenda will list the topic of discussion or bill number and the person presenting that topic or legislation.

## Committee Minutes

Minutes of House and Senate standing committees are posted here after they are approved by the committee. Minutes include committee business, record of hearing discussion, action items, and notes about testimony provided.

## House and Senate Journals

A daily record of House and Senate business.

## Administrative Rules

You can find text of rules under consideration. Rules are listed under general categories and related to specific agencies and by docket number. Rules related to services for people with disabilities are generally listed under Health and Welfare. Rules related to education are listed under Board of Education.

Committee Review Books - rules to be reviewed by each standing committee are included in a book specific to that committee's topic area. The rule books for each committee can be fairly lengthy depending on the number of rules to be reviewed that session.

## Contacting Legislators

You can easily find your legislator's contact information and a quick link to be able to send him or her an email. You can search by last name, legislative district (lists all three of your district legislators), or by committee (lists all members on that committee). An interactive map that lists current legislators by district can be found on the link ***Who's My Legislator.***

## Committees

This link takes you to a table that lists either Senate or House standing committees. It includes each committee's meeting schedule: day, time, and room, and lists committee members by either Republican or Democrat designation.

## Budget

This section includes information about budget and policy, the Joint Finance and Appropriations Committee, budget publications and the budget process. You can see the Legislative Budget Book, fiscal reports, and economic outlook and revenue information.



## Audio/Video Streaming

This great feature provides live broadcast, video and audio streams from House and Senate floors and legislative committee meetings.

This is a great tool if you aren't able to be at the Capitol in person, but are interested in hearing the discussion while it's happening. A good process to follow is to look up Senate or House calendars or review standing committee agendas to see when the legislation you are interested in is going to be discussed.

To access floor proceedings go to the Senate or House link on the left side bar and scroll down to Audio/Video Streaming. For committee hearings go to the standing committee's agenda and click on the link there.



<http://legislature.idaho.gov/index.htm>

# EXPRESSING YOUR VIEWS TO LEGISLATORS

Your legislators were elected to represent you and members of your community. Legislators welcome input from their voting public. You owe it to yourself and to them to make your point of view known. The first step is to find which legislators represent your District by referring to the enclosed roster. All Idahoans are residents of one legislative District. Those living in counties with more than one District can visit the legislative website (see previous page) to determine their District. You can also call the County Clerk to find exact information. The second step is to communicate with your legislators. You can express

your point of view through letters, telephone messages, e-mail, and personal conversations. Which methods you use are up to you, but experienced grass roots advocates advise that for best results, you should use all approaches. Useful information and samples of communications are provided on these pages. You may also want to practice if you are nervous about making a telephone call. First, prepare a formal script or jot down notes about what you want to say. Next, rehearse what you are going to say. **Then, well prepared and confident, place your call.**

## CONTACTING YOUR LEGISLATORS BY TELEPHONE

Call the Legislative Information Center at **208-332-1000** or **1-800-626-0471** and say something similar to the following:

***“This is (your name) from in (city) District \_\_\_\_\_. I would like to speak to Senator/Representative (their name) about (bill number/title or subject).***



Your legislator will probably not be available. Leave a message that you called and will call again later; or ask the legislator to call you back (include the best time to call you); or ask your legislator to vote YES or NO on a particular bill (see sample message).

When your legislator calls, repeat your name and city and the reason you are interested in disability issues. Ask:

***“Do you have a moment to talk about \_\_\_\_\_?”***

Then share your information. Try to limit your call to 2-3 minutes, depending upon their level of interest and questions. Cover the same information that is in the sample letter on the next page. Don't forget to thank them for their time.

## EMAIL COMMUNICATIONS



All legislators can be reached by email. Go to the Idaho Legislature's web page at:

**<http://www.legislature.idaho.gov>**

On the left side of the page is a link for contacting legislators. Click on this link and it will give you options of how to look up your legislator's contact information. You can click on the name of each person you want to contact and it will bring up a form for you to complete and submit electronically. You are required to provide your name, address, email address, and the subject of your message. If you have the title or number for a bill, it is best to put that in the subject line. If you do not have that information, indicate the subject in 2-3 words. If you are asking for a "yes" or "no" vote on a bill, state why, including information on how the bill may affect you. If you would like to hear back from the legislator, indicate how you can best be reached.

## SAMPLE YES/NO VOTE MESSAGE

*“I want to leave a message for Senator/Representative \_\_\_\_\_ . This is \_\_\_\_\_*  
(full name) (your name)

*from \_\_\_\_\_ in District \_\_\_\_\_. I am a \_\_\_\_\_.*  
(city/town) (number) (person with a disability, parent, member of an organization, interested citizen)

*I would like Senator/Representative \_\_\_\_\_ to vote \_\_\_\_\_ on \_\_\_\_\_*  
(full name) (yes or no) (bill number and/or title)

*because \_\_\_\_\_ . Thank you.”*  
(a short one-line expansion of your opinion)

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# SAMPLE LETTER TO LEGISLATORS

Date

The Honorable Senator John Doe OR The Honorable Representative Jane Doe  
Idaho State Senate OR Idaho House of Representatives  
Statehouse  
Boise, ID 83720

RE: Bill Number - Bill Title

Dear Senator Doe: OR Dear Representative Doe:

In this first paragraph, state your name and any relevant advocacy, parent, or professional group of which you are a member or officer. Indicate if you are a person with a disability, the parent of a child with a disability, a service provider, or a concerned citizen.

In the second paragraph, identify the Legislative District and city in which you live. Point out that the legislator represents you and that you want him or her to know your views.

In the third paragraph, briefly explain what you like and/or don't like about the bill. Tell what you know about the existing services (or lack of services) and how you believe this bill will affect those services. And finally, tell how the bill would positively or negatively impact you, your child, others you know, or the service system in general.

In the fourth paragraph, tell your legislator how you would like him or her to vote and why it is important. If you are willing to talk to your legislator about the bill, include your phone number and offer to talk with him or her.

Finally, thank your legislator for taking time out of his/her busy schedule to read your letter and consider your opinion. Make a general closing statement about the impact if the bill does or does not pass.

Sincerely,

***(It is best to avoid form letters)***

Your Name

Street Address

City, State, Zip Code

Phone Number

## LEGISLATIVE JARGON

As with any large, complicated process, there are typically two sets of rules, formal and informal. The Idaho Legislature is no different. They operate with very rigid procedures and language. However, to make it quicker and easier for those who work in and with the Legislature, informal jargon has evolved. The following jargon is by no means complete, but it includes some of the more frequently used terms.

**The gentleman on the second floor:** the Governor of Idaho

**Across the rotunda:** one legislative chamber referring to the other

**JFAC:** Joint Senate Finance and House Appropriations Committee

**In caucus:** the Democrats and Republicans are meeting separately to discuss issues or strategy

**Kill a bill:** to make a motion to strike a bill's enacting clause or to vote against it

**Send it to the floor:** to pass a bill by a committee and forward it to the full Senate or House

**Mark up a bill:** send a bill to the amending orders to change

**Green light or red light:** in the House, it means to vote for or against a bill

**Take a walk:** a legislator will leave the chamber to avoid voting on a bill

**Suspension list:** a list of bills everyone agrees can be passed quickly; rules are suspended to do so

**Goin' home bill:** a controversial bill that must be passed before adjournment

**Sine Die:** Legislature adjourned

**A green tag:** a lobbyist

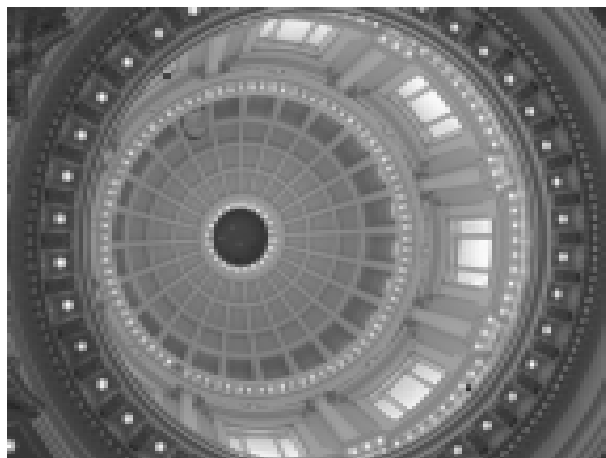
**Off budget bill:** a bill that is not an appropriations bill but will require state funds if passed

**Budget buster:** a bill that is perceived by many to be too expensive

**Fiscal impact:** what it would cost to fund a bill if it is passed

**SOP:** Statement of Purpose, a summary of the content and fiscal impact of a bill

**RS:** Routing Slip, draft of a bill before printing; not available to the public



## ICDD LEGISLATIVE UPDATES

For information during the session about legislation and issues the Council is watching, read the *Legislative Update* on the Council website at: [www.icdd.idaho.gov](http://www.icdd.idaho.gov)



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