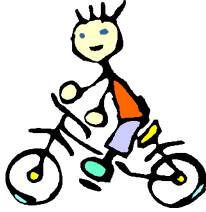


Part 9: Legislative Glossary



ADOPTION

Approval or acceptance; usually applied to amendments or resolutions.

AMENDMENT

Proposal to change the language of a bill or a law (offered in committee or on the floor of the House or Senate)

APPROPRIATION

Allows for spending from the State Treasury for specified purposes, for example, for the operations of state agencies.

APPROPRIATIONS ACT

Law providing spending for agencies and programs from the State Treasury. The three major types of appropriations acts are regular, supplemental, and continuing.

APPROPRIATIONS: CONTINUING

Stop-gap measures that fund programs and agencies between the beginning of the fiscal year (July 1) and the date on which the Governor signs the regular appropriations bill into law. In the absence of Continuing Appropriations, the government would shut down because there would be no authority to spend money without a funding bill in place.

APPROPRIATIONS: REGULAR

Measures that fund agencies or programs for a full year.

APPROPRIATIONS: SUPPLEMENTAL

Spending that is approved outside the normal annual appropriations process either to pay for unanticipated or extraordinary expenditures or to fund activities authorized too late for normal budgetary deadlines. Supplemental appropriations bills are usually considered mid-year, well after the approval of the regular appropriations bills.

AUTHORIZATION

Provision in law that establishes an agency or program and allows for spending for that agency or program. An authorization may be effective for one year, a fixed number of years, or for an indefinite period. An authorization may be for a definite amount of money or for "such sums as may be necessary."

AUTHORIZATION ACT

A law that establishes or continues one or more state agencies or programs, establishes the terms and conditions under which they operate, allows for spending, and specifies how funds appropriated are to be used.

BASELINE

Projection of the revenues, spending, and other budget amounts. Baseline projections are used to determine the extent to which proposed legislation, if enacted into law, would change current spending and revenue levels.

BILL

The main vehicle employed by Members of the General Assembly for introducing their proposal.

BILL: "CHRISTMAS TREE"

Informal term for a measure that attracts many, often unrelated, floor amendments. The amendments to the measure may provide special benefits to various groups or interests.

BLOCK GRANT

State money provided in a fixed sum to states or localities for a specified purpose, usually with broad flexibility in determining how to deliver the services outlined in the block grant.

BUDGET: BALANCED

A budget in which revenues equal spending.

BUDGET AUTHORITY

Provision in law which permits state funds to be spent and designates the amount of funding to be spent.

BUDGET DEFICIT

The amount by which spending exceeds revenues.

BUDGET OUTLAYS

Spending which is recorded when spending obligations are paid, usually in the form of cash. Outlays during a fiscal year may be for payment of obligations incurred in prior years or in the same year. For example, an appropriations bill may provide \$500 million in budget authority to be spent to build a bridge over a river. The bridge could take three years to complete. In the first year, if only \$100 million is spent, \$100 million is the budget outlay (even though the budget authority provided is \$500 million).

CAUCUS

(1) A closed meeting of legislators of one's own party;
(2) any group of legislators who coalesce formally because of their interest in specific issues.

CHAIR

A metaphorical designation of the current presiding officer.

CHAMBER

The Assembly or Senate chamber where Floor Sessions are held.

CHAPTER

After a bill has been signed by the Governor, 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 rather than the bill number.

COLA

Cost-of-living adjustment.

COMMITTEE

A subdivision of the House or Senate that considers legislation. Committees also undertake investigations within their areas of expertise. Most Committees are divided into specialized subcommittees. Committees and subcommittees hold hearings and debate legislation. Most amendments to legislation occur at this level.

CONFEREES

Senate or House members appointed to serve on Conference Committees. Conferees are often appointed from the committee or committees that reported the legislation and they are expected to try and uphold their Senate or House position on measures when they negotiate with conferees from the other body.

CONFERENCE COMMITTEE

A temporary, ad hoc panel composed of House and Senate conferees that is formed for the purpose of working out differences in legislation that has passed both chambers.

CONFERENCE REPORT

The compromise product negotiated by the Conference Committee. The Conference Report is submitted to the House and Senate for approval.

DEFICIT

The amount by which expenses exceed revenues. Under the North Carolina Constitution, the General Assembly must produce a balanced budget each year. They cannot run a budget deficit.

DISTRICT

The area of the State represented by a legislator. Each district is determined by population and is known by a number. There are 40 Senate districts and 80 Assembly districts.

DISTRICT BILL

Legislation introduced specifically on behalf of a legislator's district, generally affecting only that district.

Discretionary Programs

Spending for programs appropriated by the General Assembly every year.

DISCRETIONARY SPENDING

Funding in the budget for a specified purpose that is subject to annual appropriations. Discretionary Spending represents less than 40% of all state spending. Head Start and After-School programs are examples of Discretionary Spending.

DISCRETIONARY SPENDING CAP

An overall limit on the dollar amounts permitted under law for expenses in discretionary programs.

ENGROSSMENT

The process of comparing the printed bill to ensure it looks like the original and to verify that amendments have been correctly inserted.

ENGROSSED BILL

Whenever a bill is amended, the printed form of the bill is proofread to make sure all amendments are inserted properly. After being proofread, the bill is “correctly engrossed” and is therefore in proper form.

ENTITLEMENT/ENTITLEMENT PROGRAMS

Programs that guarantee benefits to eligible beneficiaries (e.g. Social Security, Food Stamps, Medicare, Medicaid, etc.) and are not subject to annual appropriations. Entitlements constitute a binding obligation on the part of the State Government, and eligible recipients have legal recourse if the obligation is not fulfilled.

CAPPED ENTITLEMENT

A capped entitlement is a guaranteed level of funding not subject to annual appropriations that is allocated to states or localities for a specified purpose.

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 University of California Board of Regents.

FILIBUSTER

A time-delaying tactic that is used in the Senate to prevent a vote on a bill or an amendment.

FIRST READING

Each bill introduced must be read three times before final passage. The first reading of a bill occurs when the measure is introduced.

FISCAL YEAR

The fiscal year for the state government begins on July 1st and ends on June 30th and is designated by the calendar year in which it ends. For example, fiscal year 2000 begins on July 1, 1999 and ends on June 30, 2000.

FLOOR

- (1) The Assembly or Senate Chambers.
- (2) The term used to describe the location of a bill or the type of session. Matters may be referred as “on the floor.”

GERMANENESS

Referring to whether an amendment is relevant to the subject matter already being considered in a bill. The Legislative Counsel opines germaneness, but the matter is subject to final determination by the full Assembly or Senate.

GRANDFATHERING

Specific situations that are allowed to continue while a law would make changes henceforth.

HEARING

Committee session - usually open to the public – to take testimony in order to gather information and opinions on proposed legislation, to conduct an investigation, or review the operation of any state agency or program.

JOINT SESSION

The Assembly and Senate meeting together, usually in the Assembly chambers. The purpose is to receive special information such as the Governor's State of the State address.

LEGISLATIVE ADVOCATE

An individual engaged to present to legislators, the views of a group or organization. They are required by law to register with the Secretary of State. More commonly known as lobbyists.

LEGISLATIVE ANALYST

Provides thorough, nonpartisan analysis of the budget submitted by the Governor; also analyzes fiscal impact of other legislation.

LEGISLATIVE COUNSEL

The Legislative Counsel (who is elected jointly by both houses) and his or her legal staff is responsible for, among other things, drafting all bills and amendments, preparing a digest (summary) of each bill, providing legal opinions, and generally representing the Legislature in legal proceedings.

LEGISLATIVE HISTORY

The public record and deliberations on a bill prior to its enactment. Courts and administrative agencies may look to the legislative history for guidance in interpreting legislation and congressional intent. State agencies also look at the legislative history for guidance in developing regulations to implement the law.

LOBBYIST

An individual who seeks to influence the outcome of legislation or administrative decisions. The law requires formal registration as a lobbyist if an individual's lobbying activity exceeds 25 contacts with decision makers in a two-month period.

MAJORITY LEADER

The "number two" 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. The full Assembly requires a majority vote of 41 and the full Senate requires 21, based on their memberships of 80 and 40 respectively.

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.

MANDATORY SPENDING

Funding guaranteed by the budget for a specified purpose that is not subject to annual appropriations. Mandatory spending represents over 60% of all state spending. Social Security, Medicare and Food Stamps, as well as interest payments on the national debt are examples of mandatory spending.

MARK UP

The process by which General Assembly committees and subcommittees debate, amend and rewrite proposed legislation. A mark-up is generally a meeting where members go through a proposal line-by-line.

MINORITY FLOOR LEADER

The Senate's highest ranking minority party post; chief policy and political strategist for the Senate's 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 Journal).

MOTION

A formal request for action made by a legislator during a committee hearing or Floor Session.

OVERSIGHT

A review process to determine if the intent of the law is being carried out.

POINT OF ORDER

A motion calling attention to a breach of order or of the rules.

POINT OF PERSONAL PRIVILEGE

Statement by a member that his or her character or purposes have been impugned and his or her repudiation of the alleged charges.

POSTPONE

Motion to delay action on matters before the house.

PRESIDENT PRO TEMPORE OF THE SENATE

(literally: for the time) Highest ranking leader and most powerful member of the Senate; also chairs the Senate Rules Committee. Elected by all Senators at the beginning of each two-year session.

QUORUM

A simple majority of the members of the full committee or the full Assembly or Senate; the minimum number of legislators needed to begin conducting official business. Once a quorum is established, 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 proceedings can begin.

READING

Presentation of a bill before the house by reading the title thereof. A bill is either in first, second, or third reading until it is passed by both houses.

REAPPORTIONMENT

Redistricting the State for election purposes.

RECESS

(1) An official pause of any length 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", etc.

RECONSIDERATION

A motion giving the opportunity to take another vote on the item in question. The motion for reconsideration must be accepted by a majority of the members present and voting.

REFERENDUM

The method by which a measure adopted by the Legislature may be submitted to the electorate for a vote.

RESCIND

Revocation of previous actions.

RESOLUTION

An opinion expressed by one or both houses which does not have the force of law. Concurrent and joint resolutions are voted on by both houses but do not require the Governor's signature.

RESOLUTION: CONCURRENT

A legislative measure used to express general sentiments of the House and Senate. Concurrent resolutions are not submitted to the Governor and thus do not have the force of law.

CONTINUING RESOLUTION

Legislation, also known as a "CR," enacted by the General Assembly when the new fiscal year is about to begin or has begun, to permit spending for state agencies and programs to continue in operation until the regular annual spending bills are signed into law.

ROLL CALL

A vote of a committee or 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 Chair's name last. Assembly roll calls are conducted electronically with each member pushing a button from his or her assigned seat. Senate roll calls are conducted by the Reading Clerk who reads each Senator's name in alphabetical order.

RULE WAIVER

Specific exemption to the Assembly, Senate, or Joint Rules; formal permission must be sought and received.

RULES

Those ideas which govern the operation of either or both houses. There are Standing Rules of the Assembly, Standing Rules of the Senate, and Joint Rules.

SECOND READING

Each bill introduced must be read three times before final passage. Second reading occurs after a bill has been reported 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.

SINE DIE

Final adjournment. It means adjournment without delay.

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

Takes the chair at the request of the Speaker. The pro Tempore is also elected by the membership of the Assembly.

SPECIAL ORDER OF BUSINESS

Occasionally a bill is of such importance that advance notice is given about when it will be considered in the full Assembly or Senate. 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.

SPONSOR

The legislator, private individual, or group who developed a piece of legislation and advocates its passage.

SURPLUS

The amount by which revenues exceed spending.

TABLE

To set aside. Typically used to dispense with, or set aside, amendments to a bill rather than vote "aye" or "no" on them. A motion to table is non-debatable and once made, must be voted upon.

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.

UNFUNDED MANDATES

Any provision in legislation, statute or regulation that imposes a responsibility on a state, locality, or tribal government, for which adequate funding to carry out the responsibility is not appropriated.

VETO

The procedure established under the Constitution by which the President disapproves a bill or joint resolution and thus prevents its enactment into law. A regular veto occurs when the President returns the legislation to Congress. The President usually returns a vetoed bill with a message indicating his reasons for rejecting the measure. The veto can be overridden only by a two-thirds vote in both the Senate and the 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.