



Representative McLawhorn's News from Raleigh

February 21, 2008

Our democracy works best when citizens are actively involved in the political process. Your input is crucial. As legislators, we know first hand that the legislative process is complicated and can seem confusing. This week I would like to give you an overview of how the process works in the General Assembly.

Thank you for your continued support. Please let me know if you need help with anything.

The General Assembly

The General Assembly is made up of two houses, the Senate and the House of Representatives. There are 120 members of the House who each represent a house district. The regular long session begins in January of each odd-numbered year. We then reconvene for the short session in the next even year. During session, we meet Monday-Thursday.

Committees

Each session the Speaker of the House appoints members of the House to serve on legislative committees. These committees consider different subject matters. Legislators can serve on several committees. During the interim between sessions, I serve as a Co-chair of the Joint Legislative Committee on Domestic Violence and the House Select Committee on Licensing Midwives. I also serve as a member on the Joint Legislative Commission on Governmental Operations, the Joint Legislative Education Oversight Committee, the Joint Legislative Study Committee on Public School Funding Formulas, the House Select Committee on Street Gang Prevention, and the House Select Committee on Legal Aspects of Using Lottery Proceeds for Charter School Funding.

Bills and Laws

The First Reading

As a representative, it is my job to pass laws to benefit the state and its residents. When there are ideas for a new law, I can draft a bill to introduce in the House of Representatives. Senators introduce their bills in the Senate. The bill is first filed in the Principal Clerk's office, where it is assigned a number. The bill sponsor will then introduce that bill during a full session of the chamber. The Reading Clerk reads the name of the sponsor, the bill, and the bill number for the first reading.

The Speaker then assigns the bill to a committee for review. The members of the committee debate the merits of the bill and can make changes to it. If the committee approves the bill, it is put on the House calendar. The committee can also decide to assign the bill to a subcommittee or refer it to another committee.

The Second and Third Readings

When the bill is brought before the body, the bill sponsor will explain the bill. Other members are allowed to ask questions and debate the merits of the bill at this time. After the legislators have debated the bill, they take a vote in favor or against the bill. If a majority of the legislators vote in favor of the bill, it has passed its second reading. The bill then goes to its third and final reading for a final vote. Legislators may also debate the bill at the third reading.

The Second House and Concurrence Amendments

If a bill passes its third reading in the chamber in which it was introduced, it then goes to the other chamber for approval and must go through the same approval process again. The bill can sit unheard or be voted down at any stage of this process. Members of the other chamber often suggest changes to the original version of the bill they receive. If the amended bill is approved, it returns to the originating chamber for review. The members of that chamber then decide whether to agree or disagree with these changes. If both chambers agree on the final version of the bill, the bill is enrolled and eligible to be signed into law. If the first chamber does not favor the changes, the presiding officer of each chamber – the Speaker in the House of Representatives and the President Pro Tempore in the Senate -- appoints a conference committee to work out a compromise. If one of the bodies rejects the changes suggested by the conference committee, the presiding officers appoint new members who will try again to find a solution. If this fails, the bill dies.

Enrollment and Ratification

If the bill passes both chambers, it is enrolled. A full copy of the bill and its amendments will be presented to the presiding officers and the Governor to be signed. When the bill has been signed by everyone who needs to sign it, it is now a law and is considered ratified.

Veto and Publication

The Governor has the authority to veto some types of legislation. The Governor has 30 days after a session has adjourned to act on a bill. If the Governor decides to veto a bill after adjournment, he or she must call the General Assembly to reconvene. This is not necessary if a majority of members in both chambers sign a statement saying that it is not necessary to reconvene.

If a bill is vetoed, it is sent to the chamber where it was introduced. That chamber can override the veto if three-fifths of the present and voting members decide to do so. It must then be sent to the other chamber, which must also have a three-fifths majority before it can become a law.

When a bill becomes a law, it is enrolled as a chapter in the Session Laws of North Carolina.