

APGoPo Unit 5

HOW A BILL BECOMES LAW

BILL INTRODUCTION	<ul style="list-style-type: none"> • Less than 10% actually pass • Most originate in the executive branch • Bills can be introduced in either house, except for revenue bills (House only) • Diffusion of power evident in this process: proponents need many victories, but opponents need only one. This was the intent of the Founders: to create a cautious and deliberate process • Two-step legislative process: <ul style="list-style-type: none"> ○ <u>Authorization</u> allows for a program ○ <u>Appropriation</u> provides money for that program • Passage of a bill requires only a <u>simple majority</u>
COMMITTEE ACTION	<ul style="list-style-type: none"> • Importance of "correct" committee getting a bill • Committee actions <ul style="list-style-type: none"> ○ Pass ○ Kill ○ Amend ("markup session") ○ Pigeonhole: most frequent fate of a bill • Discharge petition (in the House of Reps) can be used when a bill is bottled up in committee <ul style="list-style-type: none"> ○ Means of bringing a bill out of committee and to the floor for consideration without a report from the committee <ul style="list-style-type: none"> - Usually without cooperation of the leadership by "discharging" the committee from further consideration of a bill or resolution. - Requires simple majority of the House - Rarely ever used • Importance of Rules Committee (House only) <ul style="list-style-type: none"> ○ "Traffic cop" function ○ Issues open rule that allows amendments to a bill or closed rule that prohibits such amendments (esp. on tax bills) ○ Establishes rules on floor debate
FLOOR ACTION	<ul style="list-style-type: none"> • Senate only allows filibusters. Can be ended by 3/5 vote of cloture • Senate only allows non germane amendments ("riders"). "Christmas tree" bills can result • Senate allows any member to place a <u>hold</u> on a bill or presidential nomination <ul style="list-style-type: none"> ○ Not in the Constitution, but another example of a Senate tradition. In the past, this was a <u>temporary</u> delay so that, for example: <ul style="list-style-type: none"> - a senator could have more time to consider a bill, or - a senator who was going to be absent when a bill was considered would request that the bill be delayed until he returned ○ To exercise the hold, a senator informs the floor leader that he/she does not want the bill to be considered – the implied threat of a filibuster and the need for "unanimous consent" for the Senate to proceed on business result in the bill/nomination being held up ○ Holds can be placed <u>anonymously</u> ○ Use has been expanded in 90s as a tactic to kill bills and especially judicial nominations
CONFERENCE COMMITTEE ACTION	<ul style="list-style-type: none"> • Comprised of members from both houses • Temporary conference committee reconciles different House-Senate versions of a bill, and then sends it back to each house for a vote • Each house must pass the same version of the bill • Yet another "third house of Congress"
PRESIDENTIAL ACTION	<ol style="list-style-type: none"> 1) Sign the bill in full 2) Veto the bill in full → can be overridden by 2/3 vote in each house 3) Ignore the bill - After 10 days of sending the bill to the President, if Congress is in session the bill automatically becomes law 4) Ignore the bill - After 10 days of sending the bill to the President, if Congress is NOT in session the bill is pocket vetoed <ul style="list-style-type: none"> • What is a line-item veto? <ul style="list-style-type: none"> ○ Congress gave the president a line item veto in the mid-90s (veto individual parts of a bill) ○ Line item veto ruled unconstitutional in <i>Clinton v. New York</i> (1998) as a violation of separation of powers ○ Use of the line item veto would have enabled the president to <u>legislate</u>, a function reserved only for Congress ○ (Most governors do have the power of the line item veto)