THE WISCONSIN LEGISLATURE

How a Bill Becomes Law



Since becoming a state in 1848, Wisconsin has continued to demonstrate strong leadership and democracy. Because of this proud history, our state has been looked to repeatedly as a national leader in government innovation and reform. "How A Bill Becomes Law" was created to help visitors understand Wisconsin's legislative process and provide suggestions on how citizens can participate in that process. This

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booklet explains how one idea or inspiration becomes a bill and moves through the legislative process and into the law books. It is a long road from initial development of an idea to the emergence of a new law. During consideration, the bill will be scrutinized and examined, criticized and praised. It will be changed, improved, strengthened, even weakened. If passed, it will undergo the ultimate test of merit—time.

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Introduction

Of the three co-equal branches of government—the Executive, Judicial and Legislative—the Legislature best reflects the diversity of geography, interests and viewpoints that is Wisconsin. Wisconsin's Legislature is made up of two elected bodies, or houses—the Assembly and Senate.

In November of the even-numbered years, voters elect all 99 state **representatives** who serve two-year terms in the Wisconsin Assembly. Assembly and Senate district to reflect population changes recorded by the U.S. census. There are an estimated 5.4 million persons living in Wisconsin, which comes to about 54,000 persons for each Assembly district. Geographically, the smallest Assembly districts are in the populous heart of Milwaukee and the largest are in the less populated areas of northern Wisconsin.

Each two-year session of the Legislature begins in January of odd-numbered years. The Legislature sets its own **session**

Wisconsin's 33 state **senators** serve four-year terms. A Senate district contains three Assembly districts. For example, Senate District 1 consists of Assembly Districts 1, 2, and 3. Senate District 33 consists of Assembly Districts 97, 98, and 99.

Assembly districts may vary greatly in area, but the U.S. Constitution requires that they be equal in population. Every ten years the Legislature draws new boundaries for every



schedule by adopting a Joint Resolution. The joint resolution divides the two-year session into floorperiods and committee work periods. Floorperiods range in duration from a week to several weeks during which legislators formally debate proposals in the Assembly and Senate Chambers.

Floorperiods alternate with committee work periods for each two-year session. The governor may call additional special



sessions on specific subjects as he or she wishes. Also, the Legislature may call itself into extraordinary session to address a particular issue. Between floorperiods and committee work, legislators respond to the needs and concerns of their **constituents**.

When the session begins, each house elects its officers as required by the Wisconsin Constitution. A **Speaker**, **Speaker Pro Tempore**, **Chief Clerk** and **Sergeant-at-Arms** are the elected officers of the Assembly. Also, members of each



party in each house elect party leadership including floor leaders and caucus officers.

The Speaker and Speaker Pro Tempore are members of the Assembly who are elected to be officers of the Assembly. The Chief Clerk and Sergeant-at-Arms are nonmembers of the Assembly who are the officers elected to perform and direct the administrative duties for the body.

The Speaker presides over the house during floorperiods, appoints members to various **standing and joint committees** and refers **bills** to a particular committee. The Speaker Pro Tempore performs the duties of the Speaker in his or her absence. With a few exceptions, every bill introduced in the Legislature is **referred** to a standing committee. All committees consist of representatives from both major political parties and much of the Legislature's work is done in these committees. Of the 1,500 to 2,000 bills introduced in a given two-year legislative session, probably up to one-fourth will become law.

The goal of the legislative process is for each proposal to receive the thoughtful and deliberate consideration that is due every proposed law in the democratic system. Whether in support or opposition to a bill, all parties should be given a chance to be heard. Underlying all is a framework of rules and procedures that brings consistency, fairness, predictability and order to the legislative process.



"There Ought to be a Law"

WisconsinEye Provides New View of the Legislature

WisconsinEye, a privately-funded, statewide public affairs network available on digital cable and over the internet, provides instant access to what's happening in our state government.

The network made its cable debut in July, 2007, broadcasting the Assembly debate on the 2007–2009 state budget. It previously broadcast legislative committee meetings and budget deliberations over the internet on its web site.

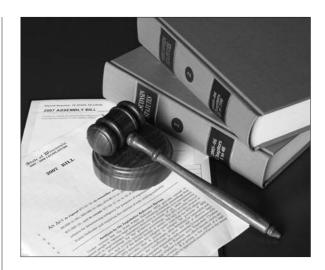
The mission of the network is to provide an independent view of community affairs and public policy discussion. Its immediate goal is gavel-to-gavel, live coverage of how a bill becomes law, broadcasting legislative committee meetings and Senate and Assembly floor sessions. Future plans include coverage of activities in the executive branch and the State Supreme Court.

WisconsinEye is available on Charter Channel 995 and Time Warner Channel 163. Under licensing agreements, the networks are committed to achieving statewide public access to their programming and pursuing additional means of distribution to all state residents.

A complete archive of these networks' legislative coverage is also available at www.wiseye.org

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Today, we live in the age of computers, email and vast technological advances. An individual's Social Security number has become a national identifier for most citizens. Unfortunately, the widespread use of this number puts young people and others at significant risk if someone decides to use it for identity theft or other kinds of fraud.

Several University of Wisconsin students felt "there ought to be a law" to prevent misuse of their Social Security number as a student identifier and brought their concerns to their Representative. The legislator agreed with their concerns and introduced legislation outlawing the use of this number to identify students in colleges, universities, and public and private schools.

The proposal that Social Security numbers could not be used as student identification numbers was sent to the **Legislative Reference Bureau**. There it was researched and **drafted** into formal legal language. A drafting attorney made sure that the bill fully implemented the intended changes without interfering with the rest of Wisconsin's legal structure. Twelve Representatives **co-authored** and two Senators **co-sponsored** what came to be Assembly Bill 227 (AB 227) for introduction in the Assembly.

Although there are divisions of each house by political party, many issues cross party lines. The student I.D. privacy bill (AB 227) was such an issue, drawing eight Democrat and four Republican co-authors in the Assembly and one Democrat and one Republican Senate co-sponsor.

Deliberation & Examination

A t first glance, it would seem simple to prohibit a school's use of a student's Social Security number because it would protect young people from becoming victims of fraud. Not so. Supporters of AB 227 had to organize all across the state and launch a campaign to contact lawmakers and urge them to support the bill.

The chief opponents of the bill were university officials and technology experts who wanted to continue to use Social Security numbers for student identification purposes. They were concerned about the cost of changing their computer systems and the possibility that students would forget other numbers that would be assigned.

Students who had been victimized by the misuse of their Social Security numbers



were outraged by its widespread use and argued that the cost was insignificant compared to the dangers of identity theft and other abuses.

Making a Good Idea Better

Committee hearings and informal discussions may lead to improvements in a bill. While opponents may not defeat a bill, they may have an impact on its provisions. For example, opponents of AB 227 failed to defeat the bill but successfully argued they would need time to implement necessary changes to their computer systems.



This and other concerns were addressed in a **substitute amendment** offered to AB 227 by its original author. A substitute amendment is like a substitute in basketball or football. It replaces the original, the starter. The Committee on Colleges and Universities approved Assembly Substitute Amendment 1 and recommended that the Assembly pass AB 227, as amended.

Because the bill would cost the State of Wisconsin money, it was then referred to the **Joint Committee on Finance**. That committee, consisting of members from both the Assembly and Senate, considers all bills that spend state money, raise revenue or relate to taxation. The Joint Committee on Finance offered a **simple amendment** to Assembly Substitute Amendment 1. The substitute amendment along with the simple amendment eventually became law. AB 227 returned to the Assembly floor in early January, ten months after it received its first reading in the Assembly.



The Importance of Caucuses

long with committee hearings, the **A**"caucus" plays a significant role in the legislative process. There are several reasons why the members of the Legislature meet in caucus, and the reason determines what happens during the caucus. The most common caucus is the partisan meeting held each morning prior to the legislative session. Typically, the Assembly is called to order, opening formalities are completed and the Caucus Chair (elected by the members of each caucus) asks for a recess for the purpose of a partisan caucus. The Caucus Chair then calls the members of that party to order in their designated caucus room where they discuss all the bills on the daily calendar. Each bill and its amendments are explained, legislators discuss why they favor or oppose the legislation and questions are asked of the bill's co-sponsors or amendment authors. This type of caucus allows all legislators to know quickly whether they have the support of their

Cau-cus:

- a meeting of the local members of a political party especially to select delegates to a convention or register preferences for candidates running for office;
- 2) a closed meeting of party members within a legislative body to decide on questions of policy or leadership;
- a group within a legislative or decision-making body seeking to represent a specific interest or influence a particular area of policy: a minority caucus.

(American Heritage Dictionary of the English Language, Fourth Edition, 2000 by Houghton Mifflin Company.)

own party for their bills and whether there are strong arguments against it.

Since Wisconsin has a long tradition of open meetings, legislators strive to hold these meetings in "open caucus" so that anyone may attend. In some circumstances, a legislator will request a "closed caucus." Only the party members of the caucus may enter. Most closed caucus meetings are called to discuss partisan strategy on specific legislation and sometimes the party leaders will urge their members to vote as a party bloc on an amendment, bill or parliamentary procedure.

Another purpose of a caucus is organizational, where members of each party meet a week or two after the election to select their leadership for the upcoming session. The elected leaders then carry out the administrative duties of their leadership positions.

Finally, specific groups of legislators sometimes form a caucus for the purpose of unity, such as the Legislative Black and Hispanic Caucus.

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Second Reading Amendments Offered

Much of the floor activity of the Legislature is concerned with the second and third readings of proposals in each house. During **second reading**, lawmakers consider amendments and, by adopting or rejecting them, may improve the bill. While there was one substitute amendment and one simple amendment attached to AB 227,

the number of amendments varies with each bill. Members of each house may propose further amendments and each amendment

receives separate consideration. Some bills do not survive a second reading. A few are **indefinitely**



postponed while others may be referred to various committees for further "study" and never return.

Third Reading & Passage

The Wisconsin Assembly votes either by **voice vote**—all in favor say "aye"; those opposed, "no" —or by a **roll call** vote registered by an electronic voting machine. On a roll call vote, each representative presses a button on his or her desk that registers red for "no" and green for "aye" on a lighted board on the Chamber wall. The board automatically tabulates the vote for and against. In the Senate, roll call votes are taken by the Chief Clerk who calls the name of each Senator in turn. Non-controversial bills are usually voted by voice vote in the Senate.

The three readings a bill receives on the Assembly floor are much like the auctioneer's warning cry of "Going, Going, Gone," but there is much more time for deliberation between warnings. The first reading of AB 227 was the auctioneer's first warning "Going." It emerged ten months later as "Assembly Substitute Amendment 1 to AB 227" and received its second reading—the point of Going... Going... AB 227, amended and in its final form, was ready for its third and final reading. At the **third reading**, only the bill itself comes up for discussion. It can no longer be amended. AB 227 passed on a voice vote—GONE says the auctioneer. After more than 10 months of scrutiny, refinement, and deliberation, the Assembly passed AB 227 and sent it to the Senate where it would undergo a process similar to that which it had experienced in the Assembly.

On to the Senate

One day after Assembly passage, AB 227 received its first reading in the Senate. It was referred to the Committee on Education, where it was approved and returned for its second reading in the Senate. With much of the work on the bill done by the Assembly, no amendments were offered in the Senate and the process picked up speed. The

second and third readings of AB 227 took place a month after it arrived in the Senate. The bill received Senate **concurrence**, the term for passage of a bill in the second house. If the Senate had added amendments to AB 227, the bill would have returned to the Assembly for concurrence in the Senate's changes. Occasionally, Senate and Assembly versions of a bill differ significantly. The bill may then be sent to a **Conference Committee** where the differences could be worked out. A conference committee usually consists of three members from each house appointed because of their special interest in that particular bill. Bills returned from a conference committee must be voted up or down. They may not be amended.



State of Wisconsin

1997-1998 LEGISLATURE

LRB-1621/2 PG:mfd:jlb

1997 ASSEMBLY BILL 227

March 27, 1997 - Introduced by Representatives SCHNEIDER, BOYLE, SKINDRUD, GROTHMAN, NOTESTEIN, BALDWIN, HAHN, ZIEGELBAUER, MUSSER, GRONEMUS, KREUSER and R. YOUNG, cosponsored by Senators WIRCH and SCHULTZ. Referred to Committee on Colleges and Universities.

AN ACT to create 36.11 (33), 38.14 (14) and 118.169 of the statutes; **relating to**: the use of a person's social security number in his or her student identification number.

Analysis by the Legislative Reference Bureau

Beginning on July 1, 1998, this bill prohibits the board of regents of the University of Wisconsin (UW) System, a technical college district board, a school board or the governing body of a private school from assigning to any student enrolled in the UW System, technical college, school district or private school an identification number that is identical to or incorporates the student's social security number. For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Section 1. 36.11 (33) of the statutes is created to read:

36.11 (33) STUDENT IDENTIFICATION NUMBERS. The board may assign to each student enrolled in the system a unique identification number. The board shall not assign to any student an identification number that is identical to or incorporates the student's social security number.

Section 2. 38.14 (14) of the statutes is created to read:

38.14 (14) STUDENT IDENTIFICATION NUMBERS. The district board may assign to each student enrolled in the district a unique identification number. The district board shall not assign to any student an identification number that is identical to or incorporates the student's social security number.

Section 3. 118.169 of the statutes is created to read:

118.169 Pupil identification numbers. A school board, and the governing body of a private school, may assign to each pupil enrolled in the school district or private school a unique identification number. The school board or governing body shall not assign to any pupil an identification number that is identical to or incorporates the pupil's social security number.

Section 4. Effective date.

(1) This act takes effect on July 1, 1998.

(END)

Approval of the Governor

A fter AB 227 passed both houses of the Legislature in identical form, it was **enrolled** and sent to the Governor for his signature.

The governor may approve a bill, veto it, or in the case of an appropriation bill, **veto** it in part. If the governor vetoes a bill or vetoes any part of an appropriation bill, he or she must state to the Legislature the reason for the veto.

The governor signed AB 227. If he had opposed the bill and decided to use his veto power, he would have had to send a **veto message** to the Assembly within six days (Sundays excepted) of having received the bill. If the governor did not sign or veto the bill within the allotted time, the bill would become law without the governor's signature. However, this rarely happens.

The Legislature informally furnishes the governor's staff with copies of the enrolled bill for analysis. When the research is completed, the Chief Clerk's office delivers an official copy of the bill. If the governor does not request a bill, the session schedule Joint Resolution sets a deadline when all bills must be sent to the governor.

In the case of a veto, the Legislature may **override**, or pass the bill over the governor's veto by a two-thirds vote in each house. If the Legislature does not respond to a veto, it will be **sustained**.



The day the governor signs a bill is known as the law's "date of enactment." The bill then becomes an **"act"** or **law**. Most laws take effect the day following the date of publication. The date of publication must be within 10 working days of enactment. A notice is then published in the official state newspaper alerting the people of Wisconsin of the new law. In the case of AB 227, however, the bill contained a delayed effective date. Although the Governor signed the bill in April, it did not become effective until July 1, allowing time for the universities to make adjustments to their student identification system.

Conclusion

This booklet has provided you with a description of one bill's progress through the Wisconsin State Legislature. Now that you are more familiar with the process—from first introduction of a bill to its final passage—you may find yourself playing a more active role in that process. It is important that you, as a citizen of Wisconsin and a constituent of a representative and senator, know and understand how your state government works. More importantly, however, is your participation in that process.

Stay in Touch How to Contact Your Representative

The actions of state government should be based on the wishes and concerns of its citizens. Unfortunately, many people never communicate with their elected officials. Your state representative needs to hear from you. It is important that he or she understands your concerns, knows your position on a bill (support or opposition), and answers your questions about legislative proposals before the Assembly.

Don't hesitate to phone, write letters or E-Mail, or arrange face-to-face meetings with your representative to discuss your views on issues that affect you, your family and your community.

Because lawmakers often rely on letters from constituents to gauge public opinion in their districts, here are some things to remember:

- Contact your own legislator as well as the chairperson and members of the appropriate committee. It is important that committee members receive your opinion while they are holding hearings on legislation in which you are interested.
- 2) Put your return address on the letter.

The envelope sometimes gets thrown away before the letter is answered. If you are E-Mailing a message, include your full name and address.

- **3)** <u>Identify your subject clearly.</u> If you are writing about a specific piece of legislation, provide the name or number of the bill, if possible.
- 4) <u>State your reasons clearly.</u> Your own personal experience is the best supporting evidence. Explain how the issue affects you, your family, or your community. Be specific and brief (one page is best). Clearly state whether you are for or against the bill or resolution. Support your position with reliable facts and figures.

5) Write your letter in your own words.

Avoid "form" letters which identify your message as part of an organized pressure campaign. These have little impact. A sincere, heartfelt letter expressing your concerns is much more influential.

- 6) <u>Be reasonable.</u> Don't ask for the impossible or engage in threats. Courtesy is always appropriate—if you disagree, do so without being disagreeable.
- 7) <u>Time the arrival of your contact.</u> Your phone call, letter or E-Mail should reach your legislator BEFORE legislation is acted upon in a committee or on the Assembly floor. Usually it is best to offer comments on legislation while it is still in committee.
- 8) <u>Ask your legislator for his or her</u> position in a response. As a constituent, you are entitled to know.
- **9)**<u>Thank your legislator</u> if he or she has done something you think is right on a particular issue. Everyone likes a pat on the back, and it will be remembered.

CORRESPONDENCE CAN BE SENT TO LEGISLATORS AT THE FOLLOWING ADDRESSES:

Members' last names <u>beginning with A-L</u> – P.O. Box 8952, Madison, WI 53708 Members' last names <u>beginning with M-Z</u> – P.O. Box 8953, Madison, WI 53708

Find Information Online

Tremendous resources are available online to help students and other interested citizens learn about the Wisconsin Assembly and follow legislative action as it takes place. Look up information about the Assembly and your Representative as well at:

Wisconsin State Legislature www.legis.state.wi.us

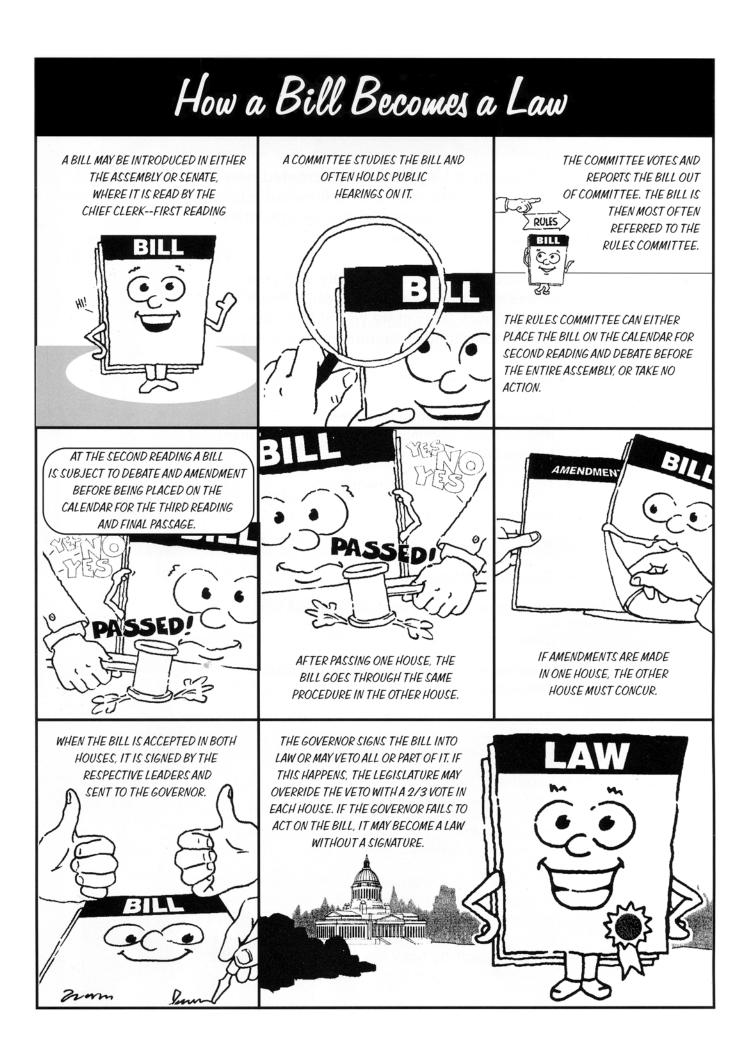
- E-Mail addresses
- Wisconsin State Statutes, Constitution and Administrative Code
- Legislator Information (includes district maps, committee assignments, biographical information)
- Text of Bills and Amendments
- Legislative Journals (includes roll call votes)
- Subject Index to Legislation
- Author Index to Legislation
- Bill History Information
- Public Hearing Schedules
- Committee Information & Schedule
- Session Schedule
- Wisconsin State Blue Book
- Lobbying Directory
- Legislative Service Agencies

Assembly Chief Clerk www.legis.state.wi.us/assembly/acc/

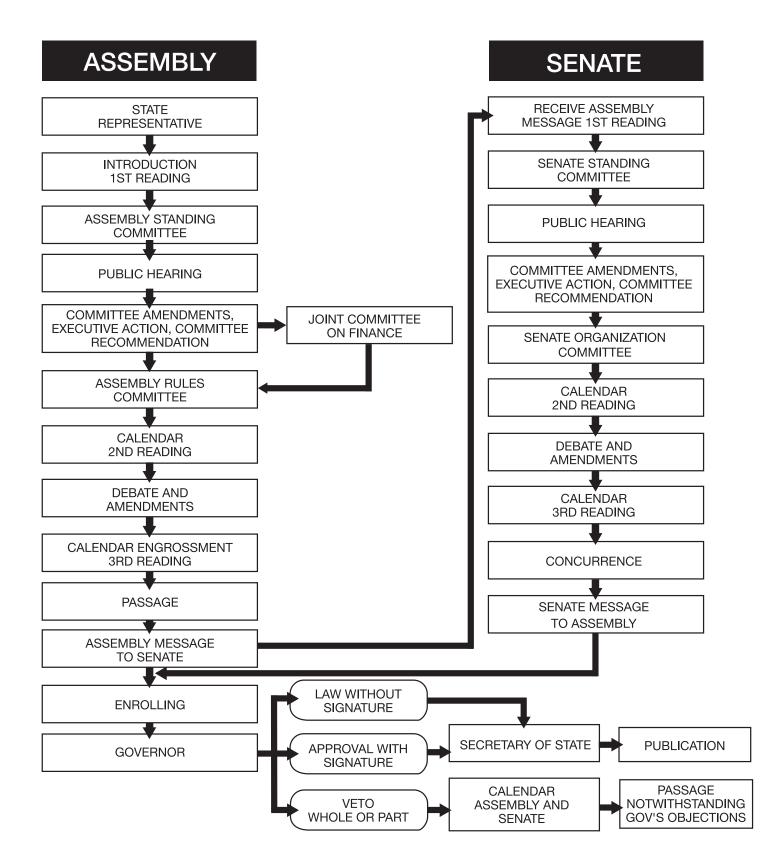
- Information on current members
- Legislative calendars
- Access to FOLIO to track legislation
- Children's downloadable activity book
- Student Page with online trivia games and activities

WisconsinEye www.wiseye.org

• LIVE audio/video broadcasts of legislative proceedings



How a Bill Becomes Law



Glossary

Act A bill which has passed both houses of the Legislature, been enrolled, approved by the Governor or passed over the Governor's veto, and published.

Adjourn To conclude a legislative day's business.

Adoption Approval of a motion, amendment, resolution, or joint resolution.

Amendment When a change is made in a bill, it is said to be amended. There are simple and substitute amendments.

Appropriation is money set aside by formal action for a specific use.

Authors, Sponsors The author or co-authors of a bill are those who introduce it into the house in which they are members. The sponsor or co-sponsors also sign the bill in support of its introduction but are members of the other house. Bills often have many co-authors and co-sponsors.

Bill is a draft of a proposed law presented to the Legislature.

Calendar The Assembly or Senate agenda of bills, resolutions, joint resolutions, etc. scheduled for any legislative day.

Chair The presiding officer.

Chief Clerk The officer elected by the body to perform and direct the administrative, clerical and personnel functions of the body (Assembly or Senate).

Concurrence When a measure is passed in one house, it is sent to the other for concurrence (agreement, passage). A bill must pass both houses in identical form to become law.

Conference Committee If the Assembly and Senate pass different versions of a bill, it may be referred to a conference committee where members of both houses will attempt to work out differences.

 $\ensuremath{\textit{Constituents}}$ are the people who live in a given Assembly or Senate district.

Drafted Proposals are researched and assembled into formal legal language by attorneys in the Legislative Reference Bureau.

Engrossed A proposal incorporating all adopted amendments and all approved technical corrections in the house of origin.

Enrolled Once a measure has completed the legislative process, its amendments are consolidated or enrolled and prepared to be sent to the governor for signature.

Executive Session is a committee meeting when members vote. Active participation is limited to committee members.

First Reading is the formal announcement on the floor of the Legislature that a bill has been introduced.

Fiscal Estimate An estimate of the change in state and local government revenues and expenditures that would be caused by passage of a bill.

Floor Debate is discussion of a proposal on the "floor" of the Assembly or Senate.

Floorperiods range from a week to several weeks during which legislators formally debate proposals in the Assembly and Senate Chambers.

Germane All amendments must be germane, that is, relevant and appropriate to the bill.

Indefinitely Postpone In the Wisconsin Legislature, one way to "kill" a proposal is a motion for indefinite postponement, a maneuver that sounds less harsh but achieves the same end.

Joint Committee on Finance Any bill introduced in either house of the Legislature appropriating money must be referred to this committee to qualify for passage.

Joint Resolution A proposal expressing the opinion of the Legislature, changing joint rules, or proposing an amendment to the state constitution, requiring adoption by both houses. The Governor's approval is not required.

Joint Standing Committee is a committee comprised of members of both houses.

Law A bill passed by the Wisconsin Legislature and approved by the Governor.

Legislative Reference Bureau is where proposed laws are researched and put into formal legal language.

Legislators are members of the Wisconsin Legislature. The 99 members of the Assembly are called State Representatives and each represents about 54,000 people living within his or her Assembly district. Thirtythree Senators constitute the Wisconsin Senate and each represents a Senate district made up of three Assembly districts.

Lobbyist One who represents the views of industries, organizations and government agencies before the Legislature. Individual citizens may also lobby their legislators on matters of concern to them.

Motion A term of parliamentary procedure for a proposal that something be done; motion to adjourn, motion to postpone, etc.

Override The Legislature may pass a measure over the governor's objections by voting to override the veto by a two-thirds vote of the members present in both the Assembly and Senate.

Public Hearing is a committee meeting at which members of the public, lobbyists, legislators, and agency representatives speak or register for or against a proposal.

Referred When bills are sent to a committee or moved from one committee to another, they are said to be referred.

Representatives are elected to two-year terms in November of even-numbered years to the Assembly. Each of the 99 Assembly members represents a district containing about 54,000 persons.

Roll Call Vote A vote on which each member's vote is recorded by name.

Rules At the beginning of each session, the Legislature adopts detailed rules of parliamentary procedure. Those rules have evolved slowly over generations from procedures devised by Thomas Jefferson and from those in use hundreds of years earlier in English Parliament. They are designed to promote fairness and deliberation in the legislative process.

Rules Committee is the Assembly standing committee responsible for scheduling bills for floor debate. Its counterpart in the Senate is the Committee on Organization.

Second Reading is the stage where amendments are considered.

Senators serve four-year terms in the Senate and are elected in alternate even-numbered years. Those representing the 17 odd-numbered districts are elected in the years in which a governor is elected. Those from the 16 even-numbered districts are elected in Presidential election years. Each of the 33 Senate districts contains three Assembly districts.

Sergeant-at-Arms The officer elected by the body to perform and direct the police and custodial functions of the body (Assembly or Senate).

Session Schedule divides the two-year session into floorperiods and committee work periods. It is adopted by the Legislature at the beginning of the session.

Simple Amendment makes changes in the original bill or a substitute amendment.

Speaker is elected by the members of the Assembly and is the chief presiding officer of the Assembly.

Speaker Pro Tempore is elected by the members of the Assembly to perform the duties of the Speaker in his or her absence.

Sponsors, Authors The author or co-authors of a bill are those who introduce it into the house in which they are members. The sponsor or co-sponsors also sign the bill in support of its introduction but are members of the other house. Bills often have many co-authors and co-sponsors.

Standing Committee Standing committees carry on much of the work of each house in the Legislature. Each legislator is assigned to several committees in his or her own house and, in addition, may serve on one or more joint committees.

State Capitol is the seat of state government in Wisconsin where the Assembly, Senate, Supreme Court and Governor's Office are located.

Substitute Amendment completely rewrites and replaces a proposed piece of legislation.

Sustain To uphold the governor's position when he or she vetoed all or part of a bill.

Table An element of parliamentary procedure that permits a body to lay a question aside temporarily and attend to other business.

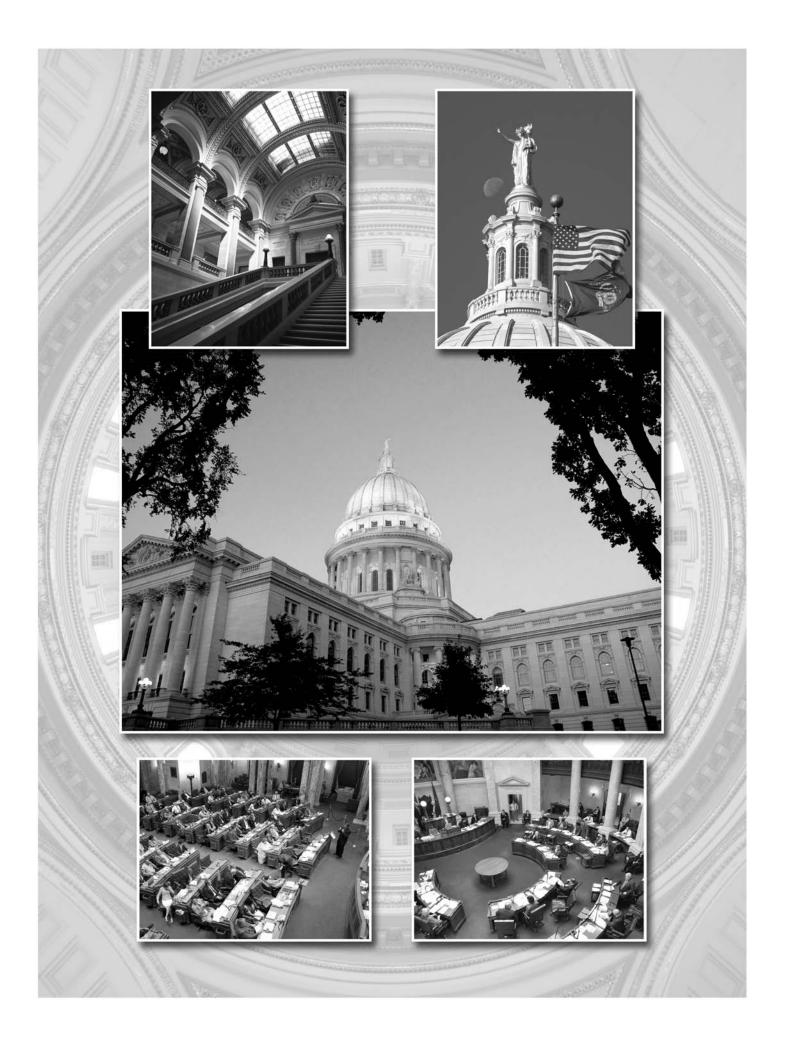
Third Reading is the final reading when the bill itself comes up for discussion and final vote. It may no longer be amended.

Veto If the Governor disagrees with a measure passed by the Legislature, he or she may reject, or veto it.

Veto Message If the governor decides to veto a bill, he or she must explain the veto in a message to the Legislature within six days (Sundays excepted) of receiving the bill.

Voice Vote A vote of the Assembly whereby members verbally express "aye" or "no".

Notes







Published by the Assembly Chief Clerk