

Insiders Talk
Glossary of Legislative Concepts
and Representative Terms

Samples
Introduction
501(c)(3) to Amend
Endnotes

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*To everyone who wants to understand and speak lobbying
and to my wife Katherine for abetting my endless parsing.*

INTRODUCTION

“Political jargon can make state politics tough to navigate.”¹ Understanding legislative concepts and the language expressing them is central to navigating the capitol, its rules, and achieving successful participation in the lawmaking process. “The Capitol, like any other highly specialized workplace, has its own jargon that outsiders may find puzzling if they attend legislative hearings but one that any true insider must know to communicate and function effectively.”²

States are quite similar as to both the formal and informal processes of lawmaking. However, in the 50 states different terms describe the same thing. For example, structurally the lower house of the legislature in 41 states is called House of Representatives, in 5 states Assembly, and in 3 House of Delegates. Procedurally, an “amendment in the form of a substitute” is called “hog house” (SD), “gut and stuff” (NV), “high jacking” (CA), or more commonly “strike everything after the enactment clause and insert.” It’s the same structures, similar procedures, and same essences, just different names. “What’s in a name? That which we call a rose by any other word would smell as sweet. So Romeo would, were he not Romeo called, retain that dear perfection which he owes without that title.”³

Accordingly, this glossary focuses on *concepts giving rise to vocabulary* rather than variations of vocabulary. Once you understand concepts, the permutations of vocabulary will be easy to learn. Some of the terms herein are standard and found on the Internet. Others are of my own creation.

The National Conference of State Legislatures (NCSL) provides a good starting point for broadly used technical terms.⁴ Obtain a state-specific glossary prior to lobbying a particular legislature. Such glossaries are commonly found on the Internet.

Convention: An adjective following the term indicates greater specificity. A term following a hyphen indicates a definition embedded within the main term. For example, “See *Enactment, Law, legislative, Statutes*” refers to three primary terms: Enactment, legislative Law, and Statutes. “*Bills, types of-Emergency bill*” refers to *Emergency bill* as a bulleted definition within the main term *types of Bills*.

GLOSSARY

501(c)(3): Internal Revenue Code classification for charitable organizations. In exchange for tax benefits 501(c)(3) organizations accept caps on lobbying expenditures and a ban on making political campaign contributions.

Access: speaking directly to a lawmaker, often following a *campaign contribution*. As a *lobbying tool* the value of access is greatly overstated. See *Campaign contribution*

Act: an enactment that has become law.

- Private or local act: applies to a person or limited area or subdivision of government.
- Public or general act: applies to the entire state or is of a general nature with local application.

See *Enactment, Law, legislative, Statute*

Action: legislative disposition of a measure, including steps of parliamentary procedure. See *Measure*

Acts of the senate, house, assembly: bound annual compilation of all legislation passed by a body (senate, house/assembly) that became law, as well as certain resolves and resolutions. See *Session laws*

Adjournment: time during which the legislature is not meeting including: termination of a session or meeting for that day (with the hour and day of the next meeting being set prior to adjournment); cessation of the legislative session for the year, *biennium*, or *quadrennium*. See *Sine die*

Administrative law: See *Law, agency*

Administrative Procedure(s) Act: statute specifying and governing executive agency interactions with the public especially as to promulgation of statute-implementing regulations.

Administrative state: also called the “deep state” or *headless fourth branch of government*, career civil service bureaucracy providing *executive agency* continuity of personnel and purpose, often operating independently of the governor and legislature. See *Executive agency staff*

Adoption: in general, the passage by a committee, chamber, or legislature of measures, bills, memorials, amendments, resolves, or resolutions. In procedural parlance, the term is often limited to describing the acceptance of amendments or resolutions.

Advance sheets: bound copies of laws and resolutions enacted during a legislative session, prior to incorporation into the codified laws of the state. Individual copies of laws prior to binding are called slip laws.

Advocate: as a noun, *in-house lobbyist* or *contract lobbyist* working to achieve a principal’s legislative goals; as a verb, to speak or act on behalf of a person or position.

Affinity marketing: emotionally based legislative sales technique that makes a lawmaker identify with and feel comfortable with an advocate and by extension the *legislative product* the advocate is selling.

Agency, administrative, executive, regulatory: See *Executive agency*

Agenda: daily order of legislative business set by chamber leader. See *Daily file*

Amend: to change a bill, motion, report, or another amendment by adding, deleting, or changing language. Only the chamber (senate, house, or assembly) can amend a measure. See *Committee amendment*

Amendment: formal wording upon *motion*, either spoken or written, changing or proposing to change the language of a bill or measure. Amendments are made on a line-by-line, word-by-word basis and as motions generally are voted on individually. There are many types of amendments, including:

- Amendment in the nature of a substitute: an amendment so extensive that it constitutes a new bill but continues under the same caption and bill number.
- Author's, sponsor's, patron's: proposed by the bill's main sponsor any time after the bill is introduced to the chamber.
- Committee: See *Committee amendment*
- Constitutional: proposed change to the constitution. Voters approve or reject the *proposition* by ballot. A constitutional amendment may be placed on the ballot by the legislature or by citizen initiative.
- Floor: proposed to the chamber during a floor session.
- Friendly: intended to improve the bill in a way the sponsor of the bill will find acceptable.

ENDNOTES

- 1 Jeremy B. White and Alexei Koseff, “How To Speak Like a Capitol Insider: Political Jargon Can Make State Politics Tough To Navigate,” *Sacramento Bee* (August 16, 2015) <http://www.sacbee.com/news/politics-government/capitol-alert/article31238789.html>.
- 2 Jay Michael and Dan Walters with Dan Weintraub, *The Third House: Lobbyists, Money, and Power in Sacramento* (Berkeley, CA: Berkeley Public Policy Press, 2002), 141.
- 3 William Shakespeare, “Romeo and Juliet,” *No Fear Shakespeare*, Act 2, Scene 2, Page 2 (accessed May 17, 2018) http://nfs.sparknotes.com/romeojuliet/page_80.html.
- 4 “Glossary of Legislative Terms,” *NCSL* (Feb. 26, 2016) <http://www.ncsl.org/research/about-state-legislatures/glossary-of-legislative-terms.aspx>.
- 5 “Glossary of Legislative Terms,” *Oklahoma Senate* (September 22, 2016) <http://www.oksenate.gov/legislation/glossary.html#s>.

- 6 “Legislative Session Length,” *NCSL* (December 2, 2010) <http://www.ncsl.org/research/about-state-legislatures/legislative-session-length.aspx>.
- 7 “Anything of Value Law and Legal Definition,” *USLegal* (accessed September 28, 2018) <https://definitions.uslegal.com/a/anything-of-value/>.
- 8 “All appropriations to any department, expenditures from which, by law, may be made only with the approval of the governor or the secretary of administration, shall be construed to be conditional appropriations, which shall become available only as contemplated expenditures therefrom are approved by these officers, as required by law.” Wis. Stat. § 20.002(5).
- 9 “Back room,” *Dictionary.com* (accessed June 18, 2018) <http://www.dictionary.com/browse/backroom>.
- 10 “Preamble Law and Legal Definitions,” *US Legal* (accessed June 7, 2018) <https://definitions.uslegal.com/p/preamble/>.
- 11 “List of Enacting Clauses,” *Wikipedia* (accessed May 24, 2018) https://en.wikipedia.org/wiki/List_of_enacting_clauses#State_legislatures.
- 12 “Bill Effective Date,” *Statescape* (accessed September 18, 2018) <http://statescape.com/resources/legislative/bill-effective-dates.aspx>.
- 13 “Urgency clause - A Glossary of Legislative Terms,” *California State Government* (accessed June 19, 2018) <http://leginfo.ca.gov/glossary.html>.
- 14 “Be an Advocate Tip Sheet,” *Alabama Association of School Boards* (February 22, 2016) www.alabamaschoolboards.org.
- 15 “Glossary of Legislative Terms,” *Nebraska Legislature* (February 23, 2016) <http://nebraskalegislature.gov/about/glossary.php>.