

A PRIMER ON THE LEGISLATIVE PROCESS AND COALITION BUILDING

LEGISLATION

HOW A BILL BECOMES A LAW

How does the legislative process work? What is the process by which a bill becomes law? These are very important questions and for someone that is interested in getting involved in the political process, it is important to have an understanding of how it works. What follows is a description of the legislative process.

STATE LEGISLATURE STRUCTURE

All state legislatures, with the exception of Nebraska (which has a unicameral “one chamber” legislature), consist of two groups of lawmakers and two legislative chambers. The Senate is one chamber or “Upper House.” Its members are called Senators. The House, Assembly or “Lower House” is the other chamber. Its members are called Representatives, Delegates or Assembly members. Senators serve longer tenures than House members.

PRESIDING OFFICERS

Each chamber of the state legislature has a presiding officer. This person appoints the chairs, vice-chairs, and members of committees, establishes the legislative calendar, refers bills to committee, and chairs the chamber’s sessions.

In the Senate the leading officer is called the President. The presiding officer in the House is referred to as the Speaker, and is elected by the chamber.

HOW BILLS ARE INTRODUCED

With the exception of revenue or the appropriation of money, which must be introduced in the House, a bill can be introduced in either the House or the Senate or in both chambers simultaneously. Due to the constraint on a legislator’s time, the language of bills rarely originates with them, and often comes from other sources. However, a bill must be sponsored by a legislator for it to be considered.

Upon introduction, the bill undergoes the first of three “readings,” which serves to formally present the bill for consideration. After the first reading, the bill is referred to a committee that has jurisdiction over the subject matter contained in the bill. Sometimes bills are sent to two committees that may share jurisdiction over a bill’s matter. The second reading occurs when the chamber considers the committee’s report. The third and final reading happens just before the final vote.

When a bill is introduced, it is assigned a number. This number can be used to track the bill through its migration of the legislative process. Bills starting in the House carry the

designation “House Bill” (H.B.), while bills introduced in the Senate carry “Senate Bill” (S.B.). Numbers are assigned chronologically during the life of each legislature.

COMMITTEE CONSIDERATION

When a committee is given a bill it assumes full jurisdiction over it. Often times a committee will assign a bill to a sub-committee. This is normally the most critical phase in the legislative process. With limited time and an abundance of bills to consider, very meritorious bills can get lost in the shuffle or unpopular bills can be killed. It is important to remember that committee chairs and members are susceptible to influence at this stage of the process as well.

PUBLIC HEARINGS

Public hearings are conducted by the committee or the sub-committee. This is where you or your opponents may present your views on the bill. This can be in either oral or written testimony, and other members of the legislature not serving on the committee also can present testimony at this time.

After testimony is taken, the committee “mark-up” takes place. This is where the committee discusses the ramifications of the bill (sometimes in private), and where possible changes or amendments can be added to the bill.

ACTION BY THE COMMITTEE

Once a sub-committee considers a bill and approves it, then the bill is referred back to the full committee, which considers the sub-committees recommendations and either moves to accept or decline them.

Once the full committee has approved the bill, it is “reported out” and up for consideration by the full body. It should be noted that legislators give considerable weight to their colleague’s recommendations on the committee. So if a bill has any chance of survival or defeat it is in the in the committee process.

RULES COMMITTEE

Before a bill is considered by the full chamber, its legality is reviewed by the designated office, and then it is headed off to the rules committee. The committee determines scheduling of the bill, what amendments may be offered, and length of debate. Note, some bills get delayed in this process indefinitely, thus killing a bill. It is important to anticipate any roadblocks that may spring up in the rules committee and be ready to act appropriately.

FLOOR DEBATE AND VOTES

This is the stage of the legislative process that most citizens are familiar with. It is where legislators publicly debate and consider the pros and cons of a piece of pending legislation. During floor debate a bill’s sponsor sensing defeat can withdraw the bill from consideration, and refer it back to the committee for more consideration. This is where your grassroots and lobbying campaign can be most effective. You should seek out sympathetic legislators to your cause and enlist their support. This can be achieved by requesting these legislators

cast a simple “yes” or “no” vote, offer amendments to a bill, or clarify certain provisions of a bill.

OTHER CHAMBER’S CONSIDERATION OF A BILL

Once a bill has completed its legislative development in one chamber, it repeats the process over again in the other chamber of the legislature. In the rare occasion when both bodies pass identical bills the bill then moves on to the Governor for their signature. However, in cases when there are differences in the two versions of a bill, the bill then returns to the first body for possible adoption of the second chamber’s version.

If the two chamber’s bills are vastly different from the one another, they are given to a conference committee to settle the differences. Each body selects a few members to represent them in the committee and a compromised version of the two bills is drafted. The new version is then sent back to the two chambers for their approval, which is not open to further amendment.

FINAL APPROVAL

Once a bill has been agreed upon by both chambers it is sent to the executive branch for the Governor’s signature. If the Governor signs the bill it becomes a law. If vetoed, it goes back to the legislature. If the Governor chooses to take no action, depending upon the state, the law may still become law in a certain number of days without the Governor’s signature.

If the Governor vetoes the measure it requires a supermajority by the legislature to override the veto. In reality, most bills rarely garner enough votes for a supermajority and a veto normally signs defeat for a bill.

Final review on 8/14/07

COALITION BUILDING

STRENGTH IN NUMBERS

A time tested and proven legislative strategy is coalition building, when an organization wants to increase its political muscle it will often form coalitions with other groups with similar interests. Basically coalitions are a loose collection of groups that come together to accomplish a certain mission or set of goals. Coalitions are excellent at grabbing legislator's attention because not only do you have the support and numbers of your specific organizations behind them, it allows a legislator to feel secure that they are receiving accurate and credible information from the experts on that particular issue.

Coalitions also make sense from a financial perspective, when organizations pool their resources and expertise they dramatically increase the chances of achieving a legislative success. Whether you want to hold a conference, place ads, or hire a lobbyist by pooling resources in the coalition everyone is assured to obtain more for their money.

Coalitions breakdown into two basic types: short-term and long-term coalitions. Short-term coalitions are normally constructed around a specific issue or cause and once that matter has been resolved the coalition will disband. Short-term coalitions often can bring together groups that may not have very much in common, but the certain issue they are working on.

Long-term coalitions can be a completely different creation; they tend to last for longer durations and normally bring together groups with similar interest they have a great deal in common. Long-term coalitions are where you may want to reach out to and work with state chapters of national organizations. Because of their national affiliation state chapters normally have clearly defined interest and they traditionally have the staff and infrastructure to sustain building lasting relationships.

Organizations can have different types of relationships. The type is often determined by the amount and degree of shared interests and goals. To have a sustained relationship some key components are required:

- **Mutual Understanding:** Each organization in the coalition should understand and respect the others mission, goals, and purpose. The coalition should have a clearly defined set of goals and plan of action to achieve those goals.
- **Appreciation of Differences:** Coalitions by their nature are made up of groups with varying interest and viewpoints. The goal of a coalition is to bring likeminded organizations together however, that does not mean and nor should you expect unanimity on all decisions.

- **Organizational Flexibility:** Every organization in the coalition has its own operational structure; you should not expect or impose your organizational structure on the coalition. Every coalition is a completely different entity and should be allowed the latitude to develop and promulgate its own operating system.

Often coalitions are birthed out of crisis, why sometimes that is unavoidable it is more productive to form a coalition in smooth seas. This allows the group to not have to be reactive and thus can be more creative and proactive in its efforts.

Final review on 8/14/07

MEDIA CLIPS

Scientology Group Finds Support in Legislature

Tinseltown trips linked to anti-psychiatry push

Amanda J. Crawford

The Arizona Republic

Mar. 11, 2006 12:00 AM

A group affiliated with the Church of Scientology has forged close ties with several influential members of the Arizona Legislature as part of a nationwide battle against the mental-health industry.

The Citizens Commission on Human Rights has courted key lawmakers with trips to glitzy Scientologist events in Hollywood. And, observers say, it has been the force behind more than two dozen bills in Arizona in recent years, including measures to restrict prescriptions of Ritalin and mood-altering drugs.

One of the measures pushed by the group is likely to be approved by the state Senate on Monday.

Senate Bill 1477, the psychotropic-drug bill that received preliminary approval this week, would add more state oversight of clinical trials involving tranquilizers and other drugs that affect the mind at state-funded institutions. Supporters say they do not believe people are always informed of the possible side effects of drugs like Prozac and Ritalin.

Opponents counter that the bill is unnecessary because of strict federal oversight of research programs and warn that it is part of a larger campaign by the religious sect to discredit the field of psychiatry.

"They don't believe there is such a thing as mental illness," said Sen. Robert Cannell, the Legislature's only medical doctor. "They have such an influence on the Legislature it is scary."

Star-Studded Ceremonies

State lobbying records show that the commission has spent thousands of dollars on Hollywood trips for Arizona lawmakers. Over the past two years, legislators have attended celebrity-studded award ceremonies, an anniversary gala at the Celebrity Center church and the grand opening of the commission's museum, Psychiatry: An Industry of Death. Legislators met John Travolta and other high-profile guests and learned more about the church's campaigns and programs.

In materials distributed to state lawmakers, the group lays out what it believes are the horrors of modern society, from violent crimes and broken families to illiteracy and child suicides. And it offers a simple explanation: psychiatry.

Supporters say the commission is raising important concerns about the effects of psychiatric drugs, especially the widespread use of mood-altering prescriptions among children.

An advisory panel to the U.S. Food and Drug Administration last month recommended stronger warnings about potential side effects of Ritalin and other stimulants after hearing about the deaths of 25 people, including 19 children, who had taken the drugs. The commission has sounded similar warnings for years about the prescriptions taken by millions of American adults and children.

Richard Haworth, a lobbyist for the commission locally, said concerns about its involvement at the Legislature are an attempt to "kill the messenger" instead of addressing problems caused by the failures of the mental-health industry. And, the Sun City real estate agent adds, trips to Hollywood worth a few hundred dollars do little to counter the influence of wealthy pharmaceutical companies.

The Citizens Commission on Human Rights was formed by the church in 1969 to investigate human rights abuses by psychiatrists and retains close ties to the church. The commission's two local lobbyists, Haworth and Les Koel, a Phoenix entertainer, said psychiatric patients are too often disregarded by society, exposed to torturous and coercive treatments. Their group has fought for humane practices, against involuntary-confinement laws and for improved informed-consent requirements in their work around the world, they said.

And although people may regard some of the group's beliefs as extreme, Haworth said, no one else has offered an explanation for escalating school violence, which his group contends is a result of mental-health programs in schools and overmedication of children.

"You can call it all coincidence if you want to," Haworth said. But the commission wants legislators to think carefully about the programs they are funding and ask questions about "whose pocket this is going to line."

Koel said that he believes the mental-health industry is not being truthful about the safety of psychiatric drugs, particularly among children, and that's why his group serves an important role in getting the information out.

"The truth is there have been reports of suicides, violence and addiction," he said.

Expressing Alarm

But prominent local psychiatrists, mental-health advocates and some legislators say citizens should be alarmed by the influence of the group on state mental-health policy. Although the latest version of the psychotropic-drug bill is considered relatively benign, Dr. Eric Benjamin, head of psychiatry at Phoenix Children's Hospital, fears it could serve as a foothold to discredit the field of psychiatry. He said the commission uses "fear and misunderstanding" to win over supporters in a vendetta against his profession that could deter people from getting the help they need.

"Their ideology is very clear and very insensitive to the 20 percent of children in the population who have mental illnesses and the huge number of adults who struggle with mental illness throughout their lives," he said.

Cannell, D-Yuma, told *The Republic* that he has grown increasingly frustrated by some of his colleagues' acceptance of beliefs not backed by the mainstream medical community. On the Senate floor this week, he implored his colleagues not to vote for the measure that he said was based on misinformation propagated by a group "with spokesmen that are movie actors, not scientists."

A Religious Setting

The Church of Scientology was founded by L. Ron Hubbard, a late science-fiction writer who published the self-help book *Dianetics: The Modern Science of Mental Health* in 1950. He lectured about the new religion he called Scientology while living in Phoenix in the 1950s, delivering hundreds of lectures here, according to the local church.

According to church creed, mental-health issues should not be addressed outside a religious setting. In fact, the central practice of Scientology involves counseling sessions called "auditing" in which participants examine their existence and rid themselves of unwanted spiritual conditions to improve their lives. It is a process that can cost tens of thousands of dollars.

When church members rise to higher ranks in the church, they learn a truth that they believe is a cause of human suffering. Though kept secret by the church, the revelation has now been widely published after court documents were made public by the *Los Angeles Times* in the 1980s. It involves a galactic ruler named Xenu that banished the souls of his enemies to Earth 75 million years ago.

Some speculate that Hubbard's intense dislike for psychiatrists was spawned by the profession's rejection of his mental-health practices.

Legislators' views

When legislators talk about their support for the commission's views, they often refer to personal stories about friends or family members who have had negative experiences with medication. Sen. Linda Gray, R-Glendale, talks about a friend's child who, she says, developed Tourette's syndrome after taking Ritalin.

"I think they (members of the commission) are right, predominantly, when it comes to psychotropic drugs," said Gray, who has taken two Hollywood trips paid for by the commission. She is the primary sponsor of the psychotropic bill, which she said was "pretty much" drafted by the group.

Sen. Carolyn Allen, chairwoman of the Senate Health Committee, says that "you don't have to buy into their religious philosophy" to agree with the philosophy on medications. She talks about a nephew who she thinks was drugged too much.

Similar emotional testimony has been shared at legislative hearings. Another bill introduced this year would have required written consent from parents for any mental-health screenings in schools. The bill was similar to other measures passed in previous years and vetoed by the governor. Sponsored by Sen. Karen Johnson, a member of the commission's international advisory group, the bill had a bipartisan group of 36 co-sponsors. Still, it failed by a tie vote in the Education Committee, in part because of testimony of mental-health advocates.

The original text of the bill would have required parents to sign a lengthy consent form that contained paragraph after paragraph of negative information about psychiatric practices.

Sherri Walton, a volunteer lobbyist for the Mental Health Association of Arizona, said that bill and others that the commission has helped draft contained bad science, inflammatory language and thinly veiled church teachings.

"People are entitled to their opinions, and there are a lot of people who don't believe mental illness exists," Walton told Education Committee members last month. "The supporters of these bills over the years - they don't believe mental illness exists, and that's fine - but you don't legislate opinion; you don't put opinion into law. And I've got to tell you it is extremely insulting to people who are living with mental illnesses."