

Here's how a bill really becomes law

By Howard Fischer

CAPITOL MEDIA SERVICES

Published: 01.08.2006

Editor's Note: *Political writer Howard Fischer has covered the Legislature since 1982. He offers a look at how the process works — or does not, as the case may be.*

PHOENIX — What occurs on West Washington Street every year isn't what you learned in high school civics. Yes, there are a House, a Senate and a governor. And, yes, there are committees and floor debate. But the actual process of crafting public policy is not exactly the nice, neat procedure laid out in textbooks.

The textbook: A constituent goes to a legislator and suggests a change in law to deal with a problem.

The real world: Many more bills come from special interests and their lobbyists who may have helped get the lawmaker elected.

The textbook: The Senate president or House speaker assigns the bill to an appropriate committee for a hearing.

The real world: If the president or speaker doesn't like the proposal he will assign it to a committee where it is likely to die. Conversely, a bill the leadership wants will be put in a friendly committee, even if that's not where the bill really belongs.

The textbook: The committee takes testimony and carefully weighs the merits of the proposal.

The real world: Most bills get no more than cursory review or debate, with even the most complex measures often crammed into one or two hours. Testimony is measured in minutes. And few bills introduced by Democrats ever see the light of day.

The textbook: The bill, either in original form or amended, is forwarded to the full House or Senate if a majority of the committee believes it would be good law.

The real world: Lawmakers admit they are loath to kill a proposal sponsored by a colleague in committee even if they say the measure is flawed. Instead, they agree not to vote against it or to let it go to the floor and give the sponsor a chance to marshal support.

The textbook: During floor debate, amendments are proposed to improve the legislation.

The real world: Just as often amendments are designed to undermine the real intent of the bill — or even to embarrass other legislators into having to take a public position on a controversial issue.

The textbook: If a bill dies, that's the end of it.

The real world: Except when it is sponsored by a member of the majority who then will look for a way to resurrect it by attaching the provisions onto another bill and getting another vote.

The textbook: A conference committee works out differences between House and Senate versions of the bill.

The real world: The fix usually is in before the conference committee even meets. That's because the speaker and the Senate president determine who serves on the committee and pick people who will support the version desired by leadership.

The textbook: Any measure that survives then goes to the governor, who signs or vetoes it based only on sound public policy.

The real world: Or, of course, political philosophy.