

## Do You Know How a Bill Becomes a Law in Arizona?

*This information was provided by Dr. Gilbert Wong.*

This is a general and very brief description of the major steps of the legislative process a bill must go through before it is enacted into law. As you read through these steps, keep in mind that it is easier to stop a bill at anyone of these levels than it is to get a bill moving to the next stage.

An Arizona Bill is introduced in the House by a Member, a group of Members, a Standing Committee or a Majority of a Committee, after being written in proper form by the Legislative Council. A bill cannot be introduced by anyone other than a member of the legislature. An individual citizen or organization cannot introduce legislation. Our Association seeks out a legislator that is willing to put their name to the bill and support it. They put their reputation on the line for a bill we encourage. Also, the legislator's reputation and relationships with their colleagues and the political climate can affect whether a bill moves through the stages.

Bill is branded (assigned a number).

First Read and referred by the Speaker to appropriate Standing Committees and to the Chief Clerk for printing and distribution.

Committees consider Bill (may include hearings, expert testimony, statements from

citizenry). Committee reports and recommendations to Whole House. Committee on Rules determines if Bill is constitutional and in proper form. The democrats and republican have caucus meetings to discuss issues related to the bills introduced and to plan a strategy for votes.



**DECEMBER 2010**

Committee on Rules places Bill on Active Calendar and Speaker sets order in which measures will be considered.

Third Reading-Roll Call: Every Member present must vote (unless excused and no Member may vote for another Member). If passed by Senate (either in identical form or amended by adding or deleting material), Bill is sent back to House...Third Reading --Names called alphabetically and unless excused, each Senator present must vote on each measure.

Committee of the Whole: Entire membership of Senate acts as one committee. Debate, amendments and recommendations on Bills on Calendar.

Committee on Rules' agenda becomes the calendar for Committee of the Whole and after 5 days President designates which measures are to be placed on Active Calendar of the Committee of the Whole.

*Continued on Page 3*



# Arizona Optometric Association

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## Membership Notice:

Dues invoices for 2011 were recently mailed to AZOA Members. Please note the following:

### Dues Amount:

AZOA Dues were not increased in 2011. Dues for the AOA (the portion paid to the national office) were increased by 4.42%.

### Tax Deductibility:

Contributions or gifts to the American Optometric Association (AOA) and the Arizona Optometric Association (AZOA) are not tax deductible as charitable contributions for income tax purposes. However, they may be tax deductible as ordinary and necessary business expenses subject to restrictions imposed as a result of association lobbying activities. The AOA estimates that the non-deductible portion of your AOA 2011 dues – the portion allocable to lobbying – is 9.50%. The AZOA portion is estimated to be 8%. You should contact your own accountant to confirm your specific situation.

*Do you have questions about your membership? Need to change or confirm your contact information? Want to refer a colleague to the AZOA? Please contact us:*

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## *Continued from Cover*

Second Reading-- President refers Bill to appropriate Standing committees. Committees consider Bill (May include hearings, expert testimony, statements from citizenry). Reports recommendations to entire Senate. House Bill is First Read in the Senate and laid over one day. If passed by House, Bill goes on to the Senate. Committee of the Whole. Informal session of entire House membership acting as one committee. Debate, amendment, Recommendations on Bills on Calendar.

If Bill is identical to measure originally passed by House, goes to Governor.

If Bill comes back to House in different form (amended either by addition or deletion of material) Bill may be accepted in new form and sent to Governor.

Bill is sent to Conference Committee made up of Representatives appointed by the Speaker and Senators appointed by the President -- each with own idea of how Bill should Conference committee "mends" Bill by accepting original version, by adding new material, by deleting language or in some way compromising disagreements. A Conference Committee Report is sent back to each House for adoption and after Final Passage, Bill is sent on to Governor.

After Bill is received by Governor having been passed by both House and Senate, the Governor may sign Bill or allow Bill to become law without his signature if he/she takes no action during next five days (or ten days after adjournment). Then Bill becomes law - a part of the Arizona Revised Statutes.

The Governor may veto Bill, but must return Bill to House stating his reasons. The House and Senate may override the Governor's veto by a two thirds vote (or three-fourths, if an emergency measure). Arizona Revised Statutes Bill may be rejected and sent to a Conference Committee pass.

As you can see, it is much easier to "kill" a bill than to "pass" a bill. There are numerous stages at which a bill can have its progression through these stages halted. Sometimes, we can use this in our favor. Sometimes, it will work against us.

An average of 1400 bills are submitted by legislators each session. An average of 320 are signed by the Governor each session. ■

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# LEGISLATIVE UPDATES: BY DR. ANNETTE HANIAN

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**Our patience and diligence brought us legislative success in 2010.  
With continued patience and diligence we can be successful in 2011.**

We are introducing a very aggressive bill in 2011 that will, if we are successful: make some endorsement changes for the State Board of Optometry, require online eyeglasses distributors to register with the Board, regulate vision therapists, remove the MD/DO position from the State Board AND allow us to call ourselves physicians (which will help with some of our patient access issues).

Thank you to all that assisted our cause in the past two year session & please remember us in the new two year legislative cycle.

Jim Abbott	Joel Ackerman	Frank Akers	Neha Amin LaCorte
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And thank you also to those who made contributions after Focal Point pre-productions! They are: Jill Caporelli, Al Levin, Jeffery Martin, Megan van Over and Alicia McCallen .

Questions?: Please contact Legislative Committee Chair, Dr. Annette Hanian at: [drhanian@completevisioncare.com](mailto:drhanian@completevisioncare.com).

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## **Be An “Optocrat” – And Help Protect Your Profession**

Optometrists are an ever more diverse group of individuals. Our backgrounds, lifestyles and modes of practice are all diverse. Some of us grew up in small towns. Some of us grew up in large metro-plexes. Some of us attend church or synagogue; some don't. Some of us joined the military. Some of us prefer granola to meat. Some of us practice full-time; some part-time. Some of us do VT; some of us don't. Some of us are Republican, some Democrat, some Independent, some Apolitical. We are all different, but we all have one common goal: to improve the lives of our patients and promote the practice of Optometry. That makes us all Optocrats.

The term Optocrat was coined to encourage Optometrists to cross their party affiliation to support good people on the opposite side of the aisle that support our causes. We need to have politicians from both parties supporting our Federal and State Bills: not Republicans, not Democrats, but Optocrats. Our diversity is good for our profession. Each one of us has a valid opinion and it needs to be voiced. Be active. Be an Optocrat.

### **Understanding How You Can Help**

In a recent member survey sent out by our AZOA Board, 81% of you said legislation was the most important purpose of the AZOA. 76% of those members responding said that they believe it is every Doctor's responsibility to contribute financially to our legislative efforts; less than 20% of our members and less than 5% of non-members actually do. A common misunderstanding is that a portion of the dues you pay go towards legislation: this is NOT true. In fact, the Association itself cannot collect or distribute campaign funds.

There are three types of contributions: AOA-PAC, OPACA and Individual Contributions.

First of all, AOA-PAC: This is the Federal Political Action Committee that is used by AOA in Washington for Federal issues and to lobby our Senators and Congressmen in DC. Rand Siekert OD is our AOA Liaison.

Secondly, Arizona has its own PAC, called OPACA (Optometric Political Action Committee of Arizona). The Legislation Committee distributes funds where they are needed to gain access to State Legislators, but there are limitations set by campaign finance laws that limit the amount of PAC money that legislators can take in any given election cycle. This is a simple way for you to contribute because the AZOA office can bill your credit card on a monthly, quarterly or annual basis.

Thirdly, are the individual contributions. These contributions carry the most weight with our legislators and have the most influence from a lobbying point of view. OPACA can only give a maximum of \$410 per election cycle to a legislator, the same amount as each individual can give. Some legislators are PAC-ed out (have reached their maximum allowable PAC contributions) or are otherwise ineligible to receive PAC money. Legislators can receive a lot more in individual contributions than they can in PAC money. The funds are appreciated more by the campaigns because they are the hardest for the legislator to collect. These contributions must be made on a personal check, not a company check. They are not tax deductible. These are the contributions that make us noticed by the key legislators on the health committee, etc. The personal checks that you donate are taken to fundraisers by a 'key person' (one of our Doctors in that district that has volunteered to be a liaison to that legislator). Our key people have an opportunity to speak with the legislator while they are making the contribution on your behalf.

### **To Make a Donation Online:**

Visit the OPACA Web page to make your one time or reoccurring donation via PayPal. (Link to the OPACA tab at [www.azoa.org](http://www.azoa.org) or access it directly at: <http://arizona.aoa.org/x16999.xml>.)

# NEW A. G. HORNE VOWS GOOD RELATIONS

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Howard Fischer - Nov. 18, 2010 / Capitol Media Services

The state's next state attorney general has promised a more cooperative relationship with businesses. Tom Horne said he sees no reason to create a hostile situation with companies unless they are breaking the law. He said that wasn't always the case with the man he will replace. But Horne's beliefs about the role of the Attorney General's Office in consumer protection are likely to result in the use of a tactic that could give heartburn to some firms: He likes "sting" operations. "It's not my personality to have an in-your-face attitude," he said in an interview about how his office will handle its role of enforcing Arizona's consumer-fraud laws.

Horne said, though, he believes that the office has not paid much attention during the past 12 years - when Democrats Janet Napolitano and, later, Terry Goddard were in control - to what he called "small cases." Instead, he said, the focus seemed to be on using the agency's resources to go after situations that involved more money being lost.

That, Horne said, was a mistake. Overall, Horne said he wants the agency "to do more in the way of consumer protection, even where the cases are small."

He specifically wants to institute a practice where teams of people would drive a vehicle that had previously been found in good condition into a car repair shop. The goal would be to find out if the shop operators were essentially scamming consumers, telling them their vehicles needed extensive and expensive repairs.

Horne said there is a value in such operations, beyond actually catching the bad guys.

"Everybody is better off when they go to get their car checked out if dealers don't know when it might be someone from the Attorney General's Office," he said.

"If the business community as a whole knows that those kinds of things are being checked up on, I think everyone gets treated better," he said.

How will Horne develop more cooperative relationships? Horne cited an incident during the Goddard administration where an investigation was launched into the practices of an optometrist who did not have someone in his office who could speak Spanish.

The optometrist, saying he feared a malpractice suit, would not treat her even though she brought along her 12-year-old child to translate. Instead, he suggested she go to one of two other optometrists who speak Span-

ish or said she should come back with someone older to translate. The Attorney General's Office launched an investigation of whether the optometrist was violating state laws that prohibit discrimination in places of "public accommodation against anyone because of race, color, religion, sex, national origin or ancestry."

The optometrist said he was given an option to settle. But that would have required him to provide interpreters and documents in Spanish, something he said would set a bad precedent for his operation and other small businesses.

A year after the complaint was filed it was dismissed after the Attorney General's Office concluded there had been no civil-rights violation.

Horne said the investigation never should have been launched. But he said the problem went deeper than that. He said representatives of the Arizona Optometric Association went to the Attorney General's Office asking for guidelines to keep their members from running afoul of the law.

"The Attorney General's Office didn't show any interest in that," Horne said. "They wanted to pursue their case."

Horne said he wants his attorneys to make better use of their discretion. "Obviously, if somebody commits a crime, it needs to be prosecuted," he said. "Ethical businesses should not have to compete with unethical businesses."

Internally, Horne said he wants to improve the "quality of advocacy" within the office. He said his own trial experience shows him the importance of having litigators who can walk into court and handle a case. Horne said many of the attorneys whose job it is to represent and give advice to state agencies may not have a lot of experience doing that.

To accomplish that goal, he plans to hire attorneys with more trial experience as well as conduct in-house training for those already on staff. The need for that experience, he said, is more than academic. He said it is likely to result in greater success for the state in settling cases when it gets into a dispute with some company.

*To read the full text of this article, visit:*

<http://www.azcentral.com/business/abg/articles/2010/11/18/20101118abg-horne1118.html#ixzz15lvYnz3S>

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