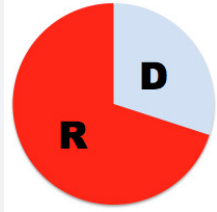


The Arizona Legislature

50th LEGISLATURE (2011–2012)

Arizona Senate

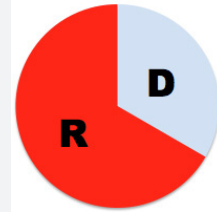
President: Russell Pearce (R)



Republicans:	21 (70%)	▲
Democrats:	9 (30%)	▼
Females:	11 (37%)	▼
Incumbents:	11 (37%)	▼

Arizona House of Representatives

Speaker: Kirk Adams (R)



Republicans:	40 (67%)	▲
Democrats:	20 (33%)	▼
Females:	20 (33%)	▲
Incumbents:	30 (50%)	▼

LAST SESSION STATISTICS (49th, 2nd Regular 2010)

Session length:	101 days	▼
Bills introduced:	1,233	▼
Bills passed:	352	▲
Bills vetoed:	14	▼
Line item veto:	0	
Vetoes overridden:	0	
Special sessions:	4	▼

▲▼ direction of change from previous regular session

What the Legislature does—The Arizona Legislature’s primary responsibilities are making state laws and controlling state spending. It accomplishes the latter by authorizing all appropriations and approving the state budget. The Legislature also performs government oversight functions: It conducts investigations, and has the power to expel its own members, impeach officials in other branches, and review state agency performance through sunset legislation. Other legislative functions include proposing state constitutional measures, approving gubernatorial appointments (senate only), and on rare occasions approving U.S. Constitutional amendments.

Basic structure—The Arizona Legislature consists of a 30-member Senate and a 60-member House of Representatives. All 90 legislators have two-year terms and are elected concurrently in November of even-numbered years. Term limits restrict legislators to four *consecutive* terms in the *same* office, or eight years total. The limits can be easily evaded by switching chambers when “termed out”—a fairly common practice. Legislators are elected from 30 districts, with one senator and two representatives for each district. The districts are now redrawn by a citizen commission every decade after the federal census. Gerrymandering—the drawing of district boundaries to give an advantage to a party or group—has plagued Arizona since statehood. Following the 2000 census, only four of the 30 districts were competitive; the remaining districts all contained an overwhelming number of persons of the same party. This district map allowed Republicans to gain more than their fair share of seats in the legislature, although from 1912 to 1966, the Democrats were the major beneficiaries of gerrymandering. Gerrymandering reduces political competition overall so that Arizona legislative candidates often run unopposed or face reduced or nominal opposition.

Legislative sessions—The Arizona Legislature meets for only one regular session each year, beginning in January and typically lasting roughly 100 days. (However, recent sessions have been longer: The 2009 session lasted 171 days.) An unlimited number of special sessions can be called by the governor or (more rarely) initiated by the legislature itself. If the session is called by the governor the legislature can only address the specific matters identified in the governor’s call. In recent years, the legislature has met for an average of three special sessions each year. Such sessions can last only a few hours or up to several months. It is customary for the governor to call a special session during a regular session when the state’s general appropriations bill is ready for consideration. This compels the legislature to drop all other business and focus exclusively on the budget. Even when the legislature is not in formal session, legislators often work on upcoming legislation, participate in meetings, and respond to constituent needs. Although serving in the legislature is not considered a full-time job, research indicates that Arizona legislators work nearly as long as their full-time counterparts.

A “citizen legislature”—The formal qualifications for serving in the legislature are fairly low: A legislator must only be at least 25 years old, an Arizona resident for three years, a county resident for one year, a registered voter, and English proficient. Because legislative service is only part-time and compensation is low (see below), most legislators have private-sector jobs on the side. This type of legislature is called a “citizen legislature” to distinguish it from bodies like the U.S. Congress, which are made up of full-time, professional politicians. Citizen legislatures are fairly common on the state level. The typical Arizona legislator is a small business owner or employed in a business-related field such as real estate, insurance, or banking. That is, the citizen legislator needs to have an occupation with hours flexible enough to accommodate the demands of legislative service. It is not a body of elites: e.g., in 2008 more than one-quarter of the legislators lacked college degrees.

Legislative compensation—Legislative pay in Arizona has always been low to preserve the citizen legislature concept. In the beginning, the state constitution capped the compensation at \$420. Now, a citizen salary commission reviews salaries every two years and sends its recommendation to the voters as a ballot proposition. Since the system was instituted in 1972, the voters have rejected the Commission’s recommendation 15 out of 17 times. Legislators currently receive an annual salary of \$24,000 (approved in 1998). Frustrated with the low compensation, the legislature has voted itself a controversial supplement in the form of a “per diem.” Legislators engaged in official business receive an extra \$35 per day (Maricopa County legislators) or \$60 per day (legislators outside of Maricopa County).

Internal legislative organization—Leaders, parties, and standing committees play an important role in the day-to-day operation of the legislature. Each chamber chooses its leader by majority vote. (This is just a formality; in actual practice, the leaders are chosen by the majority party in a party caucus that precedes the opening session.) The Senate elects a President and the House elects a Speaker. The leaders preside over meetings of their respective chambers. They appoint other members to standing committees, choose the committees’ chairpersons, and remove members or chairs who are disloyal to the party’s agenda. The leaders also have significant powers over the passage of bills (discussed below) and they have various administrative powers (e.g., they hire staff, control the facilities, and approve per diem and other disbursements to members). Most legislative work is done in semi-permanent standing committees that are devoted to certain areas (e.g., education, health, transportation, appropriations). This allows legislators to develop expertise and handle legislative business more expeditiously. Members typically serve on two or more committees. Since the committees work on the principle of majority rule, the leaders carefully appoint members to committees to ensure that their party (i.e., the majority party) has a majority on every standing committee. This insures that the majority party can control all committee outcomes.

How the lawmaking process works—Only a legislator can sponsor a bill although the impetus for most bills comes from other government officials, lobbyists for special interests, and citizens. The Legislature typically considers more than 1,000 bills during each regular session. Roughly two-thirds fail to make it through the process. Bills can begin in either chamber. The speaker/president assigns the bill to select standing committees in a process that can be manipulated to kill bills. The chair of the standing committee can also kill the bill by simply failing to schedule it for a public hearing. If a hearing occurs, committee members hear testimony on the bill and propose amendments. Only if a majority votes the bill out of committee does it proceed to its next committee for study. All successful bills ultimately go to the rules committee which determines whether the proposed law is in proper form and constitutional. Bills that successfully make it through the committee process (most don’t) are debated in the Committee of the Whole (“COW”) where the bill’s language is finalized. If approved by COW the bill is scheduled for an official vote of the chamber (see sidebar for vote requirements). Bills that pass the first chamber go to the other for committee study in a similar but shortened process. Only if both houses pass the bill in identical form does it proceed to the governor. (If the second chamber passes the bill in a different form a conference committee, consisting of members of both chambers, may be created to craft a compromise. The compromise must be approved by each chamber before it can proceed to the governor.) If the governor vetoes the bill the legislature can override the veto by a super majority (see sidebar) vote. Bills with emergency clauses, bills that appropriate money to keep government running, and new tax measures take effect immediately. All others sit for 90 days after the session ends to allow citizens to block the measure through the referendum process. If no referendum is perfected, the bills take effect.

IMPEACHMENT PRIMER

Who can be impeached: Any state official other than a legislator. (Legislators are subject to expulsion by a 2/3 vote of their own chamber.)

Grounds for impeachment: High crimes, misdemeanors, and malfeasance in office.

Procedure:

1. House votes to impeach (simple majority vote).
2. Senate conducts trial and votes to convict (2/3 vote).

Penalty: Removal from office. Under the Constitution’s “Dracula Clause” an official can also be barred from holding a public office in the state again.

Who inherits the office: The governor typically appoints a replacement. If the governor is being impeached, the qualified constitutional successor (usually the secretary of state) inherits the office.

VOTES NEEDED TO PASS BILLS

Ordinary bills	simple majority
Appropriation bills	simple majority
Tax bills	2/3
Emergency bills	2/3
Veto overrides	2/3 or 3/4 depending upon the initial vote required to pass
Constitutional referenda	simple majority
Statutory referenda	simple majority
Changes to voter-approved measures	3/4