



TEXAS YOUTH & GOVERNMENT

Legislative Basics

4th Edition

*Democracy must be learned by every generation in
order for it to survive.*

TEXAS YOUTH AND GOVERNMENT LEGISLATIVE BASICS

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Legislative Process

How a Bill Becomes Law in Texas

Introducing the legislative process in the Texas Legislature is an excellent way to introduce the Youth and Government program to students. Youth and Government mirrors the actions of our state government as closely as possible. Through experiencing Y&G the students can gain insight and understanding of Texas government that will benefit them throughout their lives.

Bill Flow in Texas Youth and Government

All Y&G Legislative students will be less anxious if they know what to expect at the district and state conferences. The document explaining bill flow at the conferences will help them know just what to expect. However, the students do not have to memorize this order. The conference schedules will reflect the process, and students will be given copies of these.

How a Bill Becomes Law in Texas

A bill is a proposed new law. The legislative process is the process by which a bill becomes law. The legislative process in Texas is similar to the process in most other states and to the legislative process in the federal government.

A bill can be introduced by any member of the Texas House of Representatives or the Texas Senate. Bills that deal with raising or spending money can only be introduced in the House of Representatives. Even though a member of the House or Senate must submit (sponsor) the bill, another person or organization can actually write the bill.

When a bill is submitted, it will first be assigned to a committee that deals with the subject matter of the bill. Examples are Education, Public Health, Criminal Justice, Public Safety, etc. If a bill is placed on the committee docket/calendar, it will be debated and possibly amended in the committee. If the members of the committee vote to give the bill a "favorable recommendation," the bill is reported to the full chamber (House or Senate) in hopes that it will be placed on the docket/calendar, debated, and possibly amended by that chamber. The House docket is set by a committee serving for that purpose. The Senate docket is determined by the order in which bills are recommended by the Senate committees, but nearly all bills considered in the Senate are brought to the floor by a motion for "special order." If the members of the chamber vote to "due pass" the bill, it will then be sent to the other chamber.

Once the bill is sent to the second chamber, the bill is placed on the docket/calendar of that chamber and is debated and possibly amended again. If the bill is not amended in the second chamber and the members of the second chamber vote to "due pass" the bill, then it is reported back to the chamber of origin and sent to the Governor either to be signed into law or vetoed. If the bill is amended in the second chamber, it will be returned to the chamber of origin so that chamber can consider and vote on the bill as amended by the second chamber. If the chamber of origin votes to "due pass" the amended version of the bill, it will be sent to the Governor. If the chamber of origin does not agree with the amendments from the second chamber, a conference committee will be appointed to attempt to work out a final version of the bill. A conference committee is composed of members of both chambers.

References for advisors or students:

[www.kids.house.state.tx.us/Rangers/Process/Legislative/Bill to Law/Overview](http://www.kids.house.state.tx.us/Rangers/Process/Legislative/Bill%20to%20Law/Overview)

[www.tlc.state.tx.us/Publications/Legislative Reference/Guide to Texas Legislative Information/Section 1-The Legislative Process in Texas](http://www.tlc.state.tx.us/Publications/Legislative%20Reference/Guide%20to%20Texas%20Legislative%20Information/Section%201-The%20Legislative%20Process%20in%20Texas)

Bill Flow in Texas Youth and Government

District Conference

High School

All bills will be debated in committees in the morning. Bills will be assigned to committees by the district adult section leader based on balance between school clubs and equal numbers of bills in each committee. At the District Conference, a bill does not have to receive a favorable recommendation from the committee to be placed on the docket/calendar for the joint session. (Please note that at the State Conference, the bill will have to receive a favorable recommendation for it to be placed on the docket.)

In the afternoon, a joint session of the Legislature will be held. The adult section leaders will set the docket based on the following: preparedness of the bill author, interest in the topic, and proportional representation of school clubs.

These bills will be debated in the joint legislative session and votes will be taken to determine their passage. *Please note that all bills will be presented at the State Conference if the author attends. The bills do not have to pass at District to be considered at State.

At the close of the afternoon session, district candidates for Legislative presiding officers will be selected by majority vote.

Junior YG

During the morning of the District Conference, the plans for JYG students will vary depending on the size of the program in that district. In the larger districts, the JYG students will review committee debate format and then move to their assigned committees. The same procedures for high school committees will then be followed.

In the afternoon, the middle school students in the larger districts will move to a joint Legislative session. The procedures for floor debate will be reviewed and the bills on the afternoon calendar will be debated. The same procedures used for high school floor debate will be followed.

Since plans for JYG will vary by district, check with the District Director in order to review plans for your district.

State Conference

*Remember that even if a bill did not pass at the District Conference, it is still eligible to be considered at the State Conference.

High School

At the State Conference, each bill author in the Senate, House of Representatives, Hyde Senate, and Hyde House will have his or her bill assigned to a committee reflecting the subject matter of the bill (Public Safety, Education, State Affairs, etc.). The bills will be debated in committee, and those receiving favorable recommendation from the committee will be placed on their chamber dockets/calendars. In accordance with the Senate Rules, bills are placed on the Senate Calendar by the Senate Calendar Clerk in the order in which he or she receives bills from each committee. The first favorably recommended Senate bill received from each committee will be reviewed by the Lt. Governor and the Calendars Committee. The Calendars Committee is comprised of two delegates appointed by the Lt. Governor and one delegate appointed by the Governor. The Committee completes this work during the last hour scheduled for committees. The House docket is set by the Calendars Committee. The Speaker chairs the Committee and appoints three House Members. The Governor appoints two members to the Committee. The Calendars Committee meets during the last hour scheduled for committees and through lunch or dinner break if necessary to set at least the start of the House Calendar. The Committee then meets as necessary following the first session to set the remainder of the docket.

If a bill passes in its chamber of origin, it is then sent to the other chamber. A bill sponsor is chosen from that chamber, and the bill is debated again. If the bill passes in the second chamber and both chambers have agreed on any amendments, then the bill is sent to the Youth Governor for his or her consideration. The Youth Governor has the option of signing the bill into law or vetoing the bill.

Junior YG

At the State Conference, each bill author in the Junior Senate, the Junior House of Representatives (or the Duran House or Duran Senate) will have his or her bill assigned to a committee. The bills will be debated in committee, and those receiving favorable recommendation from the committees will be placed on their chamber dockets/calendars. In accordance with the Senate Rules, bills are placed on the Senate Calendar by the Senate Calendar Clerk in the order in which he or she receives bills from each committee. The first favorably recommended Senate bill received from each committee will be reviewed by the Lt. Governor and the Calendars Committee. The Calendars Committee is comprised of two delegates appointed by the Lt. Governor and one delegate appointed by the Governor. The Committee completes this work during the last hour scheduled for committees. The House docket is set by the Calendars Committee. The Speaker chairs the Committee and appoints

three House Members. The Governor appoints two members to the Committee. The Calendars Committee meets during the last hour scheduled for committees and through lunch or dinner break if necessary to set at least the start of the House Calendar. The Committee then meets as necessary following the first session to set the remainder of the docket.

If a bill passes in its chamber of origin, it is then sent to the other chamber. A bill sponsor is chosen from that chamber, and the bill is debated again. If the bill passes in the second chamber and both chambers have agreed on any amendments, then the bill is sent to the Junior Youth Governor for his or her consideration. The Junior Youth Governor has the option of signing the bill into law or vetoing the bill.

Bill Writing

Choosing a Bill Topic

For most students, the most difficult part of the legislative experience is choosing a bill topic. They should be encouraged to choose topics that truly grab their interests or that may be of some personal interest to them. This document includes helpful guidelines, but the student will have to take personal initiative to discover the best topics. Remember that the advisor will need to approve topics. If advisors are in doubt, they can contact the district program section leaders for clarification.

Possible Bill Topics for Beginning Students

These sample topics are listed to illustrate that bills do not have to be complicated. The samples include a number of bills concerning schools and education and other topics with which most middle school and high school students are already familiar.

Y&G Legislative Bill Writing Worksheet

The bill writing worksheet is the most important document included in this material. It offers step-by-step guidelines for students writing bills. Copies of the worksheet should be given to each student. Once the student completes the document, he or she is ready to enter the bill on the electronic bill template.

Hard Copy of Electronic Bill Template

All bills must be entered on the electronic bill template. Advisors can email or download a copy for each student, or they can have students enter bills on a central computer at school.

Choosing a Bill Topic

All Texas Youth and Government bills are written on issues that are covered by state law and not by federal (national) law. It is important for students to realize that they cannot write bills on topics related to foreign policy, military matters, immigration, federal budget, federal taxation, etc.

Examples of major topics that are covered under Texas law: Public education, higher education (state colleges or universities), health and human services, workers' compensation, public safety, business and economic development, civil practices, criminal justice, gambling, family issues, environment, intrastate transportation, state chartered financial institutions, state and local government organization, licensing of certain professionals, etc.

To find ideas for bill topics:

1. Ask parents, friends, teachers, or other professionals
2. Read the newspaper (especially the local section; note that the first section of the newspaper usually covers national issues)
3. Watch local/state news
4. Look at bills that were considered by sessions of the real Texas Legislature (online web addresses)
5. Research laws from other states that they would like to see as laws in Texas
6. Plan to make changes to an existing Texas law that they do not like

Subjects *unsuitable* for bill topics:

1. Any subject matter that is covered by the powers of the federal (national) government
2. Anything that is already a current law in the state of Texas
3. Any bill on a subject matter that is not appropriate for middle school or high school discussion or does not promote honesty, respect, and responsibility
4. Any subject matter covered by bills signed by the Youth Governor last year
5. Any topics that might be banned by the program section leaders or state director

Good bill topics are:

1. **Debatable**—students are going to want to argue the topic from both sides of the issue
2. **Important Statewide**—the bill will affect most or all of the population of Texas and not just a few people
3. **Feasible**—the bill could actually work if it became state law
4. **Researchable**—author will be able to find facts, statistics, news articles, etc.

Research evidence is readily available through a number of websites linked to our state government. If a student needs to determine what the current law in Texas is, he or she would consult Texas State Statutes. If students need to know if a bill topic would require a change to the Texas Constitution and therefore needs to be written as a joint resolution, they would research the Texas Constitution.

Both the Texas House and the Texas Senate have sites that publish research that has already been recorded. These include the House Research Organization, the Senate Research Center, and the House and Senate Interim Charges and Interim Reports. Please note that the information available at these sites might be too complicated for some middle school students.

Texas State Statutes (Current laws in Texas) <http://www.statutes.legis.state.tx.us/Texas>
Legislature Online <http://www.capitol.state.tx.us>

Texas Constitution <http://www.constitution.legis.state.tx.us/>

House Research Organization <http://www.hro.house.state.tx.us/>

Senate Research Center <http://www.senate.state.tx.us/SRC/index.htm>

House Interim Charges <http://www.house.state.tx.us/media/pdf/interim-charges-84th.pdf>

House Interim Reports <http://www.house.state.tx.us/committees/reports/>

Senate Interim Charges <http://www.senate.state.tx.us> (Go to senate search and enter senate charges)

Senate Interim Reports <http://www.senate.state.tx.us> (Go to senate search and enter senate reports)

***Important:** All bill topics should be approved by the school club advisor, the district director, or program section leaders for the district or state.*

Possible Bill Topics for Beginning Students

Middle school students or younger high school students might be intimidated by having to choose a bill topic. The following topics are appropriate examples for less experienced students:

An act prohibiting uniforms for students attending public schools in the state of Texas

An act requiring uniforms for all students attending public schools in the state of Texas

An act prohibiting all drilling for natural gas or oil within any city limits in the state of Texas

An act eliminating the requirement of child restraint seats for any child over the age of six

An act setting punishment for any person convicted of impersonating a law enforcement officer

An act allowing fifteen-(15)-year-olds to be eligible to receive a driving license

An act allowing students in public middle schools and high schools in the state of Texas to set menus in school cafeterias

An act requiring all public schools in the state of Texas to provide free PE uniforms to their students

An act eliminating all public curfews for any person over the age of sixteen (16)

An act requiring that all municipalities in the state of Texas set curfews for residents under the age of eighteen (18)

An act requiring that motorcycle-only lanes be built or designated on Texas roadways

An act requiring that a thirty-minute rest period be provided at all public middle schools and high schools in the state of Texas

An act restricting eighteen-wheel vehicles to driving in the far right lane on any Texas roadway

An act relating to the maximum number of students in each classroom in all public middle schools in the state of Texas

An act requiring all public schools in the state of Texas to provide free bus service to all students who live two or more miles away from the school campus

Y&G Legislative Bill Writing Worksheet

BILL TOPIC/SUBJECT

Bill topics must cover state issues and not federal issues. Additional information/handouts will be given to you to help you select your bill topic. Once your topic is chosen and approved by an advisor, you are ready to start writing your bill.

CAPTION

The caption of the bill is that portion of the bill placed at the very beginning which expresses the topic/subject of the bill. The most common wording for the beginning of the caption is "An act relating to _____," but if you want to limit possible amendments to your bill, more specific language can be chosen such as "An act prohibiting, limiting, increasing, etc. _____." Please note that in a Y&G bill, the caption must always end with the words "and declaring an emergency."

Write your caption here: An act

and declaring an emergency.

DEFINITIONS

DO THIS LAST!

Some bills will need definitions depending on the words used in the Caption, Provisions, and/or Penalties. Even though the Definitions Section is first on your bill, you will need to come back to this section after you have completed your Provisions and Penalties. Only words that are technical, unfamiliar, or ambiguous should be defined. If you do not need to include definitions in your bill, you will delete that section from your bill template and renumber the sections when you enter your bill on the template.

After completing your Provisions and Penalties Sections, use these blanks to list and define any words you have determined need definitions.

A. _____

B. _____

C. _____

PROVISIONS

The Provisions Section is the most important section of the bill. This is where the law itself or any change to an existing law will be stated. If passed, the Provisions of the bill become part of the Texas State Statutes. For that reason, formal language should be used. You should not express your personal opinions in the Provisions. You will have an opportunity to express personal opinions when you debate the bill. The Provisions must contain positive action words and phrases such as "shall," "must," "shall be punished by," "shall be required," etc. Words and phrases to avoid include "would," "should," "will," or any statement not requiring or prohibiting specific actions.

An example of an appropriately written provision would be, "The maximum speed for any motor vehicle traveling on a public roadway in the state of Texas shall be set at fifty miles per hour." A bad provision might read, "Cars traveling in Texas should not drive as fast as they do."

Note that provisions cannot conflict with the caption (intent) of the bill.

Depending on the subject matter of your bill, you might need only one provision or you might need several. Taking into consideration what you have read about provisions, write your provisions in the following blanks. If you need more than three provisions, write them on the back of this page.

A. _____

B. _____

C. _____

PENALTIES

The Penalties Section is optional depending on the specific nature of the bill. Most bills will actually need penalties to enforce the law that is being established. Any bill that makes an act a crime must provide a penalty or penalties. The penalties should always be reasonable for the crime (8th Amendment of the US Constitution). Some bills will not need penalties. An example would be a bill establishing a new state agency. Once the bill passes, the agency will be created. The government would not fine itself for not establishing the agency but must establish it by the very law itself.

Determine if your bill needs penalties to enforce the law that it is creating. (Ask your advisor to help you determine whether or not you need penalties.) If they are needed, list them in the blanks below. Some bills will only need one penalty, but other bills might need several. If you need to add more than three penalties, write them on the back of this page. If you do not need penalties, you can cross out this section of the worksheet.

A. _____

B. _____

C. _____

REVIEW

Now review your bill to see if there are any words used in the Caption, Provisions, or Penalties that need to be defined. If you determine definitions are needed, return to your Definitions Section and list and define the words. If you need to define more than three words, write additional ones on the back of that page. If you do not need to define any words, cross out the Definitions Section of the worksheet.

EFFECTIVE DATE

The Effective Date listed on the bill template (form) is the effective date that nearly all bills should use, but there are some bill subjects that present exceptions. Since the Youth and Government Youth Legislature meets and adjourns in January or February, the laws would go into effect in April or May. However, if your bill changes a course requirement for the public schools in Texas, it would be impossible to add a required course in April or May. Therefore, the effective date for a law like that should be set to the beginning of the following school year. Ask your advisor to help you determine the appropriate effective date for your bill.

ENTER INFORMATION ON BILL TEMPLATE

Now you are ready to enter information from the sections above on the bill template (form). Here are some important things to remember as you do this:

1. Enter the appropriate information in the heading section. Use HS and MS instead of High School and Middle School to cut down on space needed.
2. Do not change the words at the top of the page that read: A BILL TO BE ENTITLED
3. Be sure that you end the caption with the words, "and declaring an emergency."
4. Also do not delete the statement, "Be it enacted by the YMCA Youth Legislature of the State of Texas"
5. As you list definitions, provisions, or penalties, use capital letters (A. B. C.....) Follow basic outlining rules: if you only have one provision, definition, or penalty, you do not use an A to designate the provision, etc.
6. If you do not have any definitions, delete the DEFINITION section and renumber the PROVISION section as Roman numeral #1.
7. If you do not have a PENALTIES section, delete this section and renumber the additional sections with the correct, consecutive Roman numeral.
8. If you need a different EFFECTIVE DATE than the one listed, change the effective date that is on the template.
9. Do not make any changes to the REPEALER CLAUSE, SEVERABILITY CLAUSE, or the EMERGENCY CLAUSE.
10. When you save the bill, use *Save As* and save your bill under your own name.



HB/SB/HJR/SJR _____ Referred to Committee or _____
Author : (First and last name of author) _____ YMCA Delegation <school><city><branch>

A BILL
TO BE ENTITLED

An act..... and declaring an emergency.

Be it enacted by the YMCA Youth Legislature of the State of Texas.

Section I. DEFINITIONS:

Section II. PROVISIONS:

Section III. PENALTIES:

Section IV. EFFECTIVE DATE:

This act shall take effect ninety (90) days after the adjournment of the Youth Legislature.

Section V. REPEALER CLAUSE:

All laws or parts of laws in conflict with this bill are herewith repealed to the extent of the conflict.

Section VI. SEVERABILITY CLAUSE:

If any portion of this act shall be declared unconstitutional, it is the intent of the Legislature that the other portions shall remain in full force and effect.

Section VII. EMERGENCY CLAUSE:

The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three separate days in each House be suspended, and this Rule is hereby suspended.

**All students need to use this
Electronic Template!
One page Bills are encouraged
but will not be penalized if there
is a second page.**

Sample Bills

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A BILL
TO BE ENTITLED

An act relating to motor vehicle child restraint seat requirements and declaring an emergency.

Be it enacted by the YMCA Youth Legislature of the State of Texas.

Section I. DEFINITIONS:

Motor vehicle child restraint seat: a combination of a seat shell, a belt system and/or an impact cushion, especially suited for children up to eight years of age.

Section II. PROVISIONS:

All children six (6) years old and older shall not be required to ride in a motor vehicle child restraint seat in the state of Texas.

Section III. EFFECTIVE DATE:

This act shall take effect ninety (90) days after the adjournment of the Youth Legislature.

Section IV. REPEALER CLAUSE:

All laws or parts of laws in conflict with this bill are herewith repealed to the extent of the conflict.

Section V. SEVERABILITY CLAUSE:

If any portion of this act shall be declared unconstitutional, it is the intent of the Legislature that the other portions shall remain in full force and effect.

Section VI. EMERGENCY CLAUSE:

The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three separate days in each House be suspended, and this Rule hereby suspended.

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A BILL
TO BE ENTITLED

An act relating to required uniforms in public schools and declaring an emergency.

Be it enacted by the YMCA Youth Legislature of the State of Texas.

Section I. DEFINITIONS:

School uniforms: Specific clothes that a certain school requires its students to wear for regular school attendance. Uniforms generally consist of either a dress shirt or polo shirt for students of both genders and either dark or brown pants or dark or plaid skirts for girls and dark or brown pants for boys. Shoes may be dress shoes or plain dark shoes.

Section II. PROVISIONS:

- A. Required school uniforms for regular school attendance in all public schools in the state of Texas shall be prohibited
- B. Independent school districts shall be allowed to set dress code policies as long as uniforms for regular school attendance are not required
- C. Uniforms can still be required for physical education classes, any sports, fine arts activities, etc.

Section III. PENALTIES:

Any school district found to require uniforms for their students for regular school attendance shall be denied 2% of state funding for that school district for the following school year.

Section IV. EFFECTIVE DATE:

This act shall take effect at the beginning of the 2012-2013 school year.

Section V. REPEALER CLAUSE:

All laws or parts of laws in conflict with this bill are herewith repealed to the extent of the conflict.

Section VI. SEVERABILITY CLAUSE:

If any portion of this act shall be declared unconstitutional, it is the intent of the Legislature that the other portions shall remain in full force and effect.

Section VII. EMERGENCY CLAUSE:

The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three separate days in each House be suspended, and this Rule hereby suspended.

A BILL
TO BE ENTITLED

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An act repealing the James Byrd Jr. Hate Crimes Act and declaring an emergency.

Be it enacted by the YMCA Youth Legislature of the State of Texas.

Section I. Definitions

Hate Crime- A crime in which a person intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, national origin, ethnicity, gender, disability, or sexual orientation of any person.

Section II. Provisions

The James Byrd Jr. Hate Crimes Act shall hereby be repealed.

Section III. Effective Date

This act shall take effect ninety (90) days after the adjournment of the Youth Legislature.

Section IV. REPEALER CLAUSE:

All laws or parts of laws in conflict with this bill are herewith repealed to the extent of the conflict.

Section V. SEVERABILITY CLAUSE:

If any portion of this act shall be declared unconstitutional, it is the intent of the Legislature that the other portions shall remain in full force and effect.

Section VI. EMERGENCY CLAUSE:

The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three separate days in each House be suspended, and this Rule hereby suspended.

A BILL
TO BE ENTITLED

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4. An act granting merit-based tuition reductions to students entering public institutions of higher education in the
5. state of Texas and declaring an emergency.
- 6.
7. Be it enacted by the YMCA Youth Legislature of the State of Texas.
- 8.
9. Section I. Definitions
10. Institutions of higher education- Any state university or college in the state of Texas
- 11.
12. Section II. Provisions
13. A. Colleges in the state of Texas shall hereby grant merit-based tuition reductions to incoming students
14. B. Students will be granted a 25% tuition reduction if they have a 4.0 GPA standard scale and a 1200 SAT
15. (excluding writing) score or a 27 ACT score.
- 16.
17. Section III. Effective Date
18. This act shall take effect ninety (90) days after the adjournment of the Youth Legislature.
- 19.
20. Section IV. REPEALER CLAUSE:
21. All laws or parts of laws in conflict with this bill are herewith repealed to the extent of the conflict.
- 22.
23. Section V. SEVERABILITY CLAUSE:
24. If any portion of this act shall be declared unconstitutional, it is the intent of the Legislature that the other
25. portions shall remain in full force and effect.
- 26.
27. Section VI. EMERGENCY CLAUSE:
28. The importance of this legislation and the crowded condition of the calendar in both Houses create an
29. emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three
30. separate days in each House be suspended, and this Rule hereby suspended.
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A BILL
TO BE ENTITLED

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4. An act prohibiting any Texas state funding for human embryonic stem cell research and declaring an emergency.

5.
6. Be it enacted by the YMCA Youth Legislature of the State of Texas.

7.
8. Section I. Definitions

9. A. Stem cell- Any precursor cell having the ability to both replicate and differentiate and give rise to other
10. precursors of different blood cell lines.

11. B. Human embryo- A human organism in its early stages of development, especially before it has reached a
12. distinctively recognizable form.

13. C. Human stem cell research- researching human embryonic stem cells by a process in which the human
14. blastocysts (the early developmental stage of a mammal) are destroyed and terminating the embryo.

15.
16. Section II. Provisions

17. Any state funding provided for the research of human embryonic stems cells shall be hereby prohibited.

18.
19. Section III. Effective Date

20. This act shall take effect ninety (90) days after the adjournment of the Youth Legislature.

21.
22. Section IV. REPEALER CLAUSE:

23. All laws or parts of laws in conflict with this bill are herewith repealed to the extent of the conflict.

24.
25. Section V. SEVERABILITY CLAUSE:

26. If any portion of this act shall be declared unconstitutional, it is the intent of the Legislature that the other
27. portions shall remain in full force and effect.

28.
29. Section VI. EMERGENCY CLAUSE:

30. The importance of this legislation and the crowded condition of the calendar in both Houses create an
31. emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three
32. separate days in each House be suspended, and this Rule hereby suspended.

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An act relating to the mandatory bearing of firearms in Texas and declaring an emergency.

Be it enacted by the YMCA Youth Legislature of the State of Texas.

Section I. Definitions:

- A. firearm- a small arms weapon, as a rifle or pistol, from which a projectile is fired by gunpowder
- B. Class C Misdemeanor- An individual adjudged guilty of a Class C misdemeanor shall be punished by a fine not to exceed \$500.

Section II. Provisions:

- A. Every citizen in the state of Texas over the age of eighteen (18), must carry a firearm when leaving their residency.
- B. Whenever a citizen renews his or her driver's license at the age of eighteen (18), he or she must attend a mandatory firearm education course. If a citizen does not renew his or her driver's license at the age of eighteen (18), then this citizen is exempt from the law until he or she registers in any other governmental process, such as: registering to vote, paying taxes, obtaining a marriage license, or any other government issued licenses. If a citizen, for any reason, does not attend this firearm education course by the age of twenty-one (21), then they are no longer exempt, and therefore subject to the penalties of law.
- C. If a citizen does not meet the necessary requirements in order to obtain a Texas Drivers License, then this citizen is exempt from the penalties of this law.
- D. If a citizen is relying on a welfare program, then this citizen shall be provided with a simple firearm by the state of Texas. The cost of this firearm shall be taken from the individual's welfare payments over a progressive course of twelve (12) months.
- E. It shall not be mandatory for the citizen to have the firearm loaded when carrying it.

Section III. Penalties:

Any persons in violation of this law shall receive a Class C Misdemeanor and shall be subject to the penalties defined in the Texas Penal Code.

Section IV. Effective Date

This act shall take effect three-hundred-sixty-five (365) days after the adjournment of the Youth Legislature.

Section V. REPEALER CLAUSE:

All laws or parts of laws in conflict with this bill are herewith repealed to the extent of the conflict.

Section VI. SEVERABILITY CLAUSE:

If any portion of this act shall be declared unconstitutional, it is the intent of the Legislature that the other portions shall remain in full force and effect.

Section VII. EMERGENCY CLAUSE:

The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three separate days in each House be suspended, and this Rule hereby suspended.

Debate

Debate Fundamentals

If students know the information covered in this document, they will be well prepared for their first District or State Conference. Much of what is included in the document is learned most easily by observing more experienced students participate. Even though it might seem like there are many details, the debate process quickly makes sense once it is observed!

Committee and Floor Debate Supplements

These documents are included if advisors or students desire more information on Y&G debate.

Committee debate takes place when the bills are assigned to small committees. Floor debate takes place when the whole chamber (House or Senate) is in session.

Debate Fundamentals

Preparation for Debate

1. An author of a bill must prepare to give an opening statement which includes remarks concerning the need and feasibility of the proposed law. The time limit for the author's opening remarks is five minutes, and each student should be encouraged to use the maximum allowed. Research should be completed ahead of time, and sources should be noted in case references are questioned. Please note that even though a memorized statement is impressive, it is not necessary. As long as the opening statement is well-prepared and the author uses eye contact, the use of notes or a text should not diminish its effectiveness.
2. An author's research should prepare him or her to answer basic questions that will be asked during the question and answer period of committee and floor debate.
3. The author should also be aware of arguments that might be brought against the bill. By preparing ahead of time, the author will be able to address concerns and defend the intentions of the legislation.
4. The author should also prepare a summation to the debate not to exceed two minutes. Materials for this summation might change during the debate period to address some of the concerns raised by the opponent speakers or to reinforce strengths offered by proponent speakers.

Addressing Presiding Officers

Committee debate: The presiding officer of a committee can be referred to as the chairperson, the chairman, or simply the chair. If the officer is female, the delegates can simply address that person as “Madam Chair.” If the presiding officer is male, the delegates can address that person as “Mister Chair.”

Floor Debate in Junior House of Representatives, Hyde House, and House of Representatives: The presiding officer of these chambers shall be referred to as the Speaker. If the officer is female, the delegates shall address that person as “Madam Speaker.” If the presiding officer is male, the delegates shall address that person as “Mister Speaker.”

Floor Debate in Junior Senate, Hyde Senate, or Senate: The presiding officer of these chambers shall be referred to as the President. If the officer is female, the delegates shall address that person as “Madam President.” If the presiding officer is male, the delegates shall address that person as “Mister President.”

Requesting Permission to Address the Chamber

When a delegate wishes to address the chamber by asking a question or making a motion, the delegate must first be recognized by the presiding officer. To do so, the delegate would stand and address the presiding officer with the appropriate title (Mister Chair, Madam Chair, Mister Speaker, Madam Speaker, Mister President, or Madam President). If the presiding officer chooses to recognize the delegate, he or she will state: “For what purposes does the gentleman/lady rise?” The delegate will first respond by stating (1) his or her name, (2) his or her YMCA delegation, and (3) the purpose for addressing the chamber. An example would be: “Jane Doe, Fort Worth Northwest YMCA, I rise to question the bill author.” The presiding officer will ask the person who has the floor if he or she wishes to yield and if he or she yields, the delegate will proceed with the question, etc.

Additional procedure for debate will be learned by reviewing debate procedure for committee debate and floor debate, by reading debate scripts, and by observing experienced students debating. The beginning Youth and Government students should ideally know how to address presiding officers, how to request permission to address the chamber, and basic differences between committee and floor debate before they attend the District Conference. They will learn more by observing and participating.

Committee Debate Supplements

Procedure for Hearing Committee Debate – Quick Form

- 1) BILL OR RESOLUTION LAID OUT
- 2) AUTHORS OPENING REMARKS (5 minutes)
- 3) AUTHORS QUESTION AND ANSWER PERIOD (1 minute or question and answer “conversation” per person)
- 4) **PROPONENT / OPPONENT DEBATE PERIOD** (One question per member allowed during PRO/CON debate)
 - a) Call each Proponent witness in order (3 minutes each)
 - b) Call each Opponent witness in order (3 minutes each)
- 5) **AMENDMENT PERIOD** (repeat the following for each amendment)
 - a) Clerk reads amendment
 - b) Amendment author (2 minutes)
 - c) Bill Author(s) (2 minutes)
 - d) Optional Opponent if Bill Author is FOR Amendment (2 minutes)
 - e) Amendment author closes debate (1 minute)
 - f) Calls for a vote on the amendment
- 6) AUTHORS SUMMATION PERIOD (2 minutes)
- 7) MOTION (BILL DISPOSITION) - Call for motion for favorable recommendation for House or Senate action
- 8) VOTE (BILL DISPOSITION)- Call for vote on the motion

Procedure for Hearing Committee Debate

- 1) BILL OR RESOLUTION LAID OUT: The Chairperson shall lay out the first or next bill and call upon the Clerk to read its caption and Enacting Clause. [Proponent/Opponent slips and Amendment slips are in order as soon as caption is read]
- 2) AUTHORS OPENING REMARKS: The Chairperson shall recognize the author(s) for a period not to exceed five (5) minutes during which the author will give testimony to the Committee explaining the bill and reasons why it is needed.
- 3) AUTHORS QUESTION AND ANSWER PERIOD: Upon completion of the author(s) opening remarks or expiration of the time period, the author(s) question and answer period shall begin. [NOTE: All persons wishing to give testimony on the bill to the Committee, be they Committee Members or lobbyists¹, must submit a proponent or opponent slip as appropriate to the Clerk before the last member’s one-minute question period is complete.] The author(s) question and answer period shall proceed as follows:

- a) The Chairperson recognizes in turn each Member of the Committee who wishes to question the author(s) for one minute each with the following rules applicable:
 - i) Each member may ask as many questions as they can get answered within their one-minute time limit but must speak in the form of questions. They may not use this time to make a proponent or opponent speech.
 - ii) A member not using his or her full minute may not yield the time to another Member and may not rise again during this period.

- b) When all Committee Members who wish to do so have questioned the author(s), the Chairperson will thank the author(s) for the testimony and excuse them to return to their seats.

- 4) **PROPONENT / OPPONENT DEBATE PERIOD:** Completion of the Author(s) Question and Answer Period marks the beginning of Proponent / Opponent Debate Period which the Chairperson shall announce. [NOTE: Any Committee Member wishing to submit an amendment to the bill must submit a completed Amendment Slip to the Clerk before the last Opponent speaker finishes his or her remarks.]
 - a) The Chairperson will ask the Clerk to name the first proponent witness wishing to give testimony in favor of the bill and shall then recognize him or her for a maximum of three (3) minutes to present his or her testimony.
 - i) The Chairperson will recognize all Committee Members who wish to ask the proponent witness one question per Committee Member.

NOTE: Section 4.a through 4.a.i shall be repeated for each person that has submitted a Proponent Slip in the order they were submitted.

¹ Since a committee hearing is considered a public forum, a non-member such as a lobbyist or private citizen may speak as a proponent or opponent of a bill during the hearing committee process. However, only a Member of the Committee may propose amendments to a bill or vote on any matter.

[NOTE: For clarification, all proponent speakers are to be heard before any opponent speakers are heard.]

b) The Chairperson will ask the Clerk to name the first opponent witness wishing to give testimony against the bill and shall then recognize him or her for a maximum of three (3) minutes to present his or her testimony. If no opponent slips were submitted, the Presiding Officer may ask if any member wishes to speak in opposition to the main measures, but no opponent is required.

i) The Chairperson will recognize all Committee Members who wish to ask the opponent witness one question per Committee Member.

NOTE: Section 4.b through 4.b.i shall be repeated for each person that has submitted an Opponent Slip in the order they were submitted.

5) **AMENDMENT PERIOD**: Completion of the Proponent / Opponent Debate Period marks the beginning of the Amendment Period which the Chairperson shall announce.

a) The Chairperson shall ask the Clerk to read the amendment.

b) The Chairperson shall recognize the amendment author for two (2) minutes to explain the amendment.

c) The Chairperson shall recognize the Author of the Bill for two (2) minutes to respond to the amendment.

d) The Chairperson shall recognize the amendment author for one (1) minute to close debate on the amendment.

e) The Chairperson calls for a vote on the amendment.

f) If amendment passes, the Clerk attaches the completed Amendment Slip to the bill as part of the Committee Report.

NOTE: Section 5.a through 5.f shall be repeated for each properly submitted amendment in the order they were submitted.

6) **AUTHORS SUMMATION PERIOD**: The Chairperson shall recall the Bill Author(s) to offer two (2) minutes of additional testimony in summation.

7) **BILL DISPOSITION (MOTION/VOTE)**: The Chairperson recognizes a Committee Member to make a motion that:

- a) The Committee recommends the bill favorably for House or Senate Action; or
 - b) The Committee recommends the bill with amendments favorably for House or Senate Action;
or
 - c) The Committee recommends the bill with no recommendation for House or Senate Action
(though it is more proper to make a "positive" motion per (a) or (b) above).
- 8) BILL DISPOSITION (MOTION/VOTE): The Chairperson calls for a vote on the motion (the bill). The vote may be a voice vote or a standing vote, but if a written request for a standing vote signed by three (3) Committee Members is turned into the Clerk before the start of the vote, the Chairperson must call for a standing vote.
- 9) The Clerk completes the bill report and has it delivered to the Clerk of the House or Senate as soon as possible.
- 10) The Chairperson lays out the next bill and repeats the process (steps 1 through 9) for the second and all subsequent bills on the Committee docket.
- 11) The Committee will adjourn by a Member's motion only after (1) all bills on the docket have been properly heard and the advisor has given the okay, or (2) the time for adjournment as listed in the schedule has been reached.

Example of Hearing Committee Debate

Bill Debate Script

Using the following simple bill as an example, this section includes a scripted example of a bill debate following hearing committee procedure.

A BILL TO BE ENTITLED

An act prohibiting ticket scalping, setting penalties, and declaring an emergency.

Be it enacted by the Youth Legislature of the State of Texas Section 1.

Definitions as used in this act.

- a. Scalping: the resale of tickets to concerts, sports events, and other entertainment events at prices greater than the face value as stated on the ticket.

Section 2. Scalping is hereby prohibited.

Section 3. Penalties. Violation of this act shall be a Class A misdemeanor and shall be punishable as such.

Section 4. Repealer Clause. All laws and parts of laws in conflict with this act are herewith repealed to the extent of the conflict.

Section 5. Severability Clause. If any portion of this act shall be deemed unconstitutional, it is the intent of this Legislature that the other portions of this act remain in full force and effect.

Section 6. Emergency Clause. The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three separate days in each House be suspended, and this Rule is hereby suspended.

The cast of characters includes the Chairperson and Clerk and the following committee members:

David Dallas from Dallas Downtown YMCA	Harry Harris from Houston Downtown YMCA
<i>Alice Travis from Austin Downtown YMCA</i>	<i>Sally Bexar from San Antonio Downtown YMCA</i>

and ***Terry Tarrant from Fort Worth Downtown YMCA*** as the Bill Author.

In this example, the presiding officer is female and is referred to as “Madam Chairman” because the word “chairman” is a gender-neutral term for the presiding officer of a committee. It is also appropriate to address a female presiding officer as “Madam Chairperson” or “Madam Chair” if specifically requested by that presiding officer. In the case of a male presiding officer, all occurrences of “Madam Chairman” within the script should be replaced with “Mister Chairman”.

Bill Laid Out

CHAIRPERSON: Will the clerk please read the caption of the first bill?

CLERK: A Bill to be entitled An Act prohibiting ticket scalping, setting penalties, and declaring an emergency.

Author’s / Sponsor’s Opening Remarks

CHAIRPERSON: The bill author shall come forward to make opening remarks. You will have 5 minutes.

Terry Tarrant: Fellow Representatives and Senators, I come before you to ask for your consideration of an important piece of legislation. Every day, average citizens are denied the opportunity, or must pay ridiculous premiums, to attend popular events. Admittedly, there are never enough front row seats to satisfy consumer demand, but it is now almost impossible for the average consumer to buy premium seats at the price the performer, promoter, and venue intended. This is true because “scalpers” buy up large quantities of premium seats and then auction them off to the highest bidder. This phenomenon has also caused some major performers, Garth Brooks for example, to cancel events in some venues.

David Dallas: Madam Chairman!

CHAIRPERSON: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Bill Author.

CHAIRPERSON: Does the Bill Author wish to yield?

Terry Tarrant: Not during my opening remarks.

CHAIRPERSON: The Bill Author does not wish to yield at this time.

Terry Tarrant: We must put an end to this practice of price gouging – to equalize the playing field so that each average consumer has an equal chance to get the best seats in the house.

Alice Travis: Madam Chairman!

CHAIRPERSON: For what purpose does the lady³ rise?

Alice Travis: Alice Travis, Austin Downtown YMCA, I rise to make a motion.

CHAIRPERSON: State the nature of your motion.

Alice Travis: Concerning tabling of this bill.

CHAIRPERSON: I do not wish to recognize that motion at this time.

Terry Tarrant: I appreciate the Chair's recognition that this is a matter worthy of debate evidenced by her decision not to recognize the motion to table it. I urge you to give this important matter fair consideration and will now yield the remainder of my time to the Chair.

Author's/Sponsor's Question and Answer Period

CHAIRPERSON: The Bill Author has yielded his remaining time to the Chair. We will now move to the formal Question and Answer period. Please note that Proponent / Opponent Debate slips are due by the end of the Question and Answer Period. Does anyone wish to question the Bill Author at this time?

David Dallas: Madam Chairman!

CHAIRPERSON: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Bill Author.

CHAIRPERSON: Does the Bill Author wish to yield?

Terry Tarrant: Yes.

CHAIRPERSON: You may question the Author(s) for one minute.

David Dallas: Don't you believe that a person who stands in line and buys tickets to an event and later finds he or she will not be able to attend the event should be able to sell them instead of losing the money?

Terry Tarrant: Yes I do, but not for a profit.

David Dallas: And why shouldn't someone be able to sell something that he or she bought legally for a profit?

Terry Tarrant: It is not the individuals you reference and their circumstances that have caused event ticket prices to rise out of reach for the average person. It is the ticket agencies that pay homeless people a few dollars, a pack of cigarettes, or a bottle of wine to stand in line and buy all of the tickets they can with the sole intent of reselling the tickets at a marked-up price.

David Dallas: And what is wrong with that?

CLERK: Time.

CHAIRPERSON: Time has been called.

Alice Travis: Madam Chairman!

CHAIRPERSON: For what purpose does the lady rise?

Alice Travis: Alice Travis, Austin Downtown YMCA, I rise to question the Bill Author.

CHAIRPERSON: Does the Bill Author wish to yield?

Terry Tarrant: Yes.

CHAIRPERSON: You may question the Author(s) for one minute.

Alice Travis: Continuing with the previous line of questioning, what is wrong with a ticket agency acquiring tickets for the purpose of resale?

Terry Tarrant: The face value of the tickets is set at a level that accounts for paying the performers, the promoters, and the venue yet is still reasonable enough in cost that an enthusiast can afford to attend. Scalped tickets are marked-up so much that either the enthusiast must settle for an undesirable seat or make great sacrifice to purchase a high-priced ticket for a good seat. Of course, this generally means that only the elite have front row seats.

Alice Travis: Thank you. [Sits down]

CHAIRPERSON: By her actions, she has yielded her time to the Chair. Are there any further questions of the Bill Author?

Sally Bexar: Madam Chairman!

CHAIRPERSON: For what purpose does the lady rise?

Sally Bexar: Sally Bexar, San Antonio Downtown YMCA, I rise to question the Bill Author.

CHAIRPERSON: Does the Bill Author wish to yield?

Terry Tarrant: Yes.

CHAIRPERSON: Proceed.

Sally Bexar: If this bill is enacted, don't you think the punishment, a Class A Misdemeanor, is too harsh? [Sits down]

Terry Tarrant: I do not. However, I would entertain an amendment to change the punishment to Class C for first-time offenses and Class B for subsequent offenses.

Proponent / Opponent Debate Period

CHAIRPERSON: By her actions, she has yielded her time to the Chair. Are there any further questions of the Bill Author? Seeing none, we will now move into the Proponent / Opponent Debate Period. Please note that Amendments are due by the end of the Proponent / Opponent Debate Period. Would the Clerk please read the name of the first Proponent speaker?

CLERK: Harry Harris.

CHAIRPERSON: Harry Harris shall come forward to speak in favor of this Bill. You will have three minutes.

Harry Harris: I am fully in support of this bill because I think the average fan should be able to attend an event without having to go into debt. At present, it is very expensive to attend the events of superstars because all of the good tickets are bought by ticket agents for resale. [Sits down]

CHAIRPERSON: By his actions, he has yielded his time to the Chair. Would the Clerk please read the name of the next Proponent speaker?

CLERK: There are no more proponent speakers.

CHAIRPERSON: Since there are no more proponent speakers, we will now hear from the Opposition. Would the Clerk please read the name of the first Opponent speaker?

CLERK: Alice Travis.

CHAIRPERSON: Alice Travis shall come forward to speak in opposition to this bill. You will have three minutes.

Alice Travis: I strongly believe in a free-market economy and therefore must oppose any measure that would limit an individual's right to make a profit. Therefore, I urge you to vote against this bill.

Harry Harris: Mr. Chairperson!

CHAIRPERSON: For what purpose does the gentleman rise?

Harry Harris: Harry Harris, Houston Downtown YMCA, I rise to question the Opponent.

CHAIRPERSON: Does the Opponent wish to yield?

Alice Travis: No.

CHAIRPERSON: The Opponent does not wish to yield to your question.

David Dallas: Mr. Chairperson!

CHAIRPERSON: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Opponent with a friendly question.

CHAIRPERSON: Does the Opponent wish to yield?

Alice Travis: Yes.

CHAIRPERSON: Proceed.

David Dallas: Wouldn't you agree that the performers, promoters, and venues are making the money they feel they must make if the tickets are sold at face value?

Alice Travis: Yes.

David Dallas: How does...

CHAIRPERSON: I'm sorry, but you are out of order – you may only ask one question.

David Dallas: Mr. Chairperson!

CHAIRPERSON: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Opponent.

CHAIRPERSON: Does the Opponent wish to yield?

Alice Travis: Yes.

CHAIRPERSON: Proceed.

David Dallas: As I was saying, wouldn't you also agree that if a person is willing and able to pay more than face value then the owner of that ticket has the right to sell it?

Alice Travis: Yes.

CLERK: Time.

CHAIRPERSON: Time has been called. Will the Clerk please read the name of the next Opponent speaker?

CLERK: Sally Bexar.

Alice Travis: Madam Chairman!

CHAIRPERSON: For what purpose does the lady rise?

Alice Travis: Alice Travis, Austin Downtown YMCA, I rise to make a motion.

CHAIRPERSON: State the nature of your motion.

Alice Travis: Concerning the Previous Question.

CHAIRPERSON: I do not wish to recognize that motion at this time. Sally Bexar shall come forward to speak in opposition to this bill. You will have three minutes.

Sally Bexar: While I support this bill in principal, I cannot vote for it with the stiff penalty it would impose in its current form. I have proposed an amendment that will reduce the penalties. I urge you to vote for that amendment. However, if that amendment fails, I also urge you to vote against this bill. [Leaves podium]

CHAIRPERSON: By her actions, she has yielded her time to the Chair. Would the Clerk please read the name of the next Opponent speaker?

CLERK: There are no more opponent speakers.

Amendment Period

CHAIRPERSON: Since there are no more Opponent speakers we will now move to the Amendment Period. Will the Clerk please read the first amendment?

CLERK: Amend by replacing the text of Section 3 Penalties with "First time violation of this Act shall be punishable as a Class C misdemeanor. Second and subsequent violations shall be punishable as a Class B misdemeanor."

CHAIRPERSON: The Amendment Author shall come forward and have two minutes to explain the amendment.

Sally Bexar: As I said in my opponent speech, I support this bill in principal but feel that the penalty is too stiff for the offense. I urge you to pass this amendment so that the penalty is commensurate to the crime. [Leaves podium]

CHAIRPERSON: The Bill Author shall come forward and have two minutes to respond to the amendment.

Terry Tarrant: I support this amendment because I feel a first-time offender should not be subjected to jail time.

CHAIRPERSON: Since the Bill Author has accepted this amendment, is there any member who wishes to speak against this amendment? Seeing none, the Amendment Author will now have one minute to close debate on this amendment.

Sally Bexar: The punishment has to fit the crime, so I urge you to vote for this amendment. [Leaves podium]

CHAIRPERSON: By her actions she has yielded her time to the Chair. We will now vote on the amendment. All those in favor, please signify by saying "Aye." All those opposed, say "Nay." In the eyes of the chair the Ayes have it, and this Amendment is adopted. [Strikes gavel twice] The Clerk will now read the next amendment.

CLERK: There are no more amendments.

Author's / Sponsor's Summation Period

CHAIRPERSON: Since there are no more amendments, we will now hear the Bill Author's closing remarks. You have two minutes.

Terry Tarrant: It is time that we put an end to the gouging of ticket agencies and re-enable normal people to afford front row seats at their favorite events. As amended, I think the punishment is viewed as more appropriate for the crime. Therefore, I urge all of you to vote for this bill, and hereby move that this bill as amended receive favorable recommendation for House or Senate action.

Bill Disposition

CHAIRPERSON: There is a motion on the floor for favorable recommendation of this bill as amended for House or Senate action. Do I hear a second?

Harry Harris: Second!

CHAIRPERSON: A motion for favorable recommendation of this bill as amended for House or Senate action has been made and seconded. We will now vote on that motion. All those in favor, please signify by saying "Aye." All those opposed, say "Nay." In the eyes of the chair, the Nays have it, and this bill as amended does not receive favorable recommendation for House or Senate action. [Strikes gavel twice] The Clerk will now read the caption of the next bill.

Floor Debate Supplements

Procedure for Floor Debate – Quick Form

- 1) BILL OR RESOLUTION LAID OUT
- 2) AUTHORS OPENING REMARKS (5 minutes)
- 3) AUTHORS QUESTION AND ANSWER PERIOD (10 minutes)
- 4) **AMENDMENT PERIOD** (repeat the following for each amendment)
 - a) Clerk reads amendment
 - b) Amendment Author (2 minutes)
 - c) Bill Author(s) (2 minutes)
 - d) Optional Opponent if Bill Author is FOR Amendment (2 minutes)
 - e) Amendment Author closes debate (1 minute)
 - f) Calls for a vote on the amendment
- 5) **PROPONENT / OPPONENT DEBATE PERIOD** (repeat the following until all proponents and opponents are heard; an opponent must be heard last, even if several proponents have to speak successively)
 - a) Proponent witness (2 minutes)
 - b) Opponent witness (2 minutes)
- 6) AUTHORS SUMMATION PERIOD (2 minutes)
- 7) MOTION (BILL DISPOSITION)- Call for motion for disposition of the bill or resolution
- 8) VOTE (BILL DISPOSITION) - Call for vote on the motion (the bill)

Procedure for Floor Debate

- 1) BILL OR RESOLUTION LAID OUT: The Presiding Officer shall lay out the first or next bill and call upon the Clerk to read its caption, Enacting Clause, and all passed committee amendments. [Proponent/Opponent slips and Amendment slips are in order as soon as caption is read]
- 2) AUTHORS OPENING REMARKS: The Presiding Officer shall recognize the Bill Author(s) for a period not to exceed five (5) minutes to give testimony explaining the bill, its purposes, and its effects.
 - a) In the non-originating house, "Author" shall mean the floor sponsor of the legislation.
 - b) At the close of this period, the Author should move "that this bill be passed on for second reading."

- 3) **AUTHORS QUESTION AND ANSWER PERIOD:** Upon completion of the Author(s) opening remarks or expiration of the time period, the Author(s) Question and Answer Period shall begin. [NOTE: All members wishing to submit an amendment(s) to the bill must submit a completed Amendment Slip(s) to the Clerk before the end of this period.] The author(s) question and answer period shall be limited to a total of ten (10) minutes and shall proceed as follows:
- a) The Presiding Officer recognizes in turn each Member who wishes to question the author(s) with the following rules applicable:
 - i) In the House, questions are posed from the rear podium. In the Senate, questions are posed from the respective Senator's desk.
 - ii) Each member shall be limited to one question until all Members wishing to ask a question have done so.
 - iii) Rules do not require an Author to yield to questions, and the Author may refuse to yield to any individual member or all members.
 - iv) A member asking to pose a question to the Author may yield to another member after the Author has yielded to the original member, and the Author must then answer the question.
- 4) **AMENDMENT PERIOD:** Completion of the Author(s) Question and Answer Period marks the beginning of the Amendment Period, which the Presiding Officer shall announce. [NOTE: All members wishing to give testimony on the bill must submit a Proponent or Opponent slip to the Clerk as appropriate before the end of this period.]
- a) The Presiding Officer shall ask the Clerk to read the amendment.
 - b) The Presiding Officer shall recognize the Amendment Author for two (2) minutes to explain the amendment.
 - c) The Presiding Officer shall recognize the Author(s) of the Bill for two (2) minutes to respond to the amendment.
 - d) If the Bill Author(s) accepts the amendment, the Presiding Officer will recognize any ONE member who wishes to speak in opposition of the amendment for a maximum of two (2) minutes. If there are no members who wish to speak against the amendment, proceed to the next step.
 - e) The Presiding Officer shall recognize the Amendment Author for one (1) minute to close debate on the amendment.
 - f) The Presiding Officer calls for a vote on the amendment.
 - g) If the amendment passes, the Clerk denotes that it passed in the appropriate chamber and attaches the completed Amendment Slip to the bill as part of the Bill Jacket.

NOTE: Section 4.a through 4.g shall be repeated for each properly submitted amendment in the order in which they were submitted.

- 5) **PROPONENT / OPPONENT DEBATE PERIOD**: Completion of the Amendment Period marks the beginning of the Proponent/Opponent Debate Period which the Presiding Officer shall announce.
- a) The Presiding Officer will ask the Clerk to name the first proponent witness wishing to give testimony in favor of the bill and shall then recognize him or her for a maximum of two (2) minutes to present his or her testimony. Extensions of time are not allowed.
 - i) If the proponent wishes to yield to questions and has sufficient time, the Presiding Officer will recognize Members who wish to question the proponent witness until his or her time expires or is otherwise yielded.
 - b) The Presiding Officer will ask the Clerk to name the first opponent witness wishing to give testimony against the bill and shall then recognize him or her for a maximum of two (2) minutes to present his or her testimony. Extensions of time are not allowed.
 - i) If the opponent wishes to yield to questions and has sufficient time, the Presiding Officer will recognize Members who wish to question the opponent witness until his or her time expires or is otherwise yielded.
 - b) NOTE: Section 4.a through 4.b. shall be repeated in succession, alternating between proponent and opponent speakers, until all members that have requested to speak have done so. However, if proponents outnumber opponents on the measure, the final opponent shall be held and called as the last speaker during Proponent/Opponent Debate. If no opponent slips were submitted, the Presiding Officer may ask if any member wishes to speak in opposition to the main measures, but no opponent is required.

[NOTE: For clarification, proponent and opponent speakers are to alternate, but an opponent speaker (if there are any) should close the Proponent/Opponent Debate Period.]

- 6) AUTHORS SUMMATION PERIOD: The Presiding Officer shall recall the Bill Author(s) to offer two (2) minutes of additional testimony in summation.
- 7) BILL DISPOSITION (MOTION/VOTE): Presiding Officer recognizes a Member to make a motion for disposition of the bill or resolution.
- 8) BILL DISPOSITION (MOTION/VOTE): Presiding Officer calls for a vote on the motion (the bill). The vote may be a voice vote or a standing vote, but if a written request for a standing vote signed by ten (10) Members is turned into the Clerk before the start of the vote, the Presiding Officer must call for a standing vote.
- 9) The Clerk completes the bill report and has it delivered to the other house or to the governor if it has passed both houses.
- 10) The Presiding Officer lays out the next bill and repeats the process (steps 1 through 9) for the second and all subsequent bills on the docket.
- 11) The house will adjourn by a Member's motion only after (1) all bills on the docket have been properly heard and the Legislative Director has given the okay, or (2) the time for adjournment as listed in the schedule has been reached.

Example of Floor Debate

Bill Debate Script

Using the following simple bill as an example, this section includes a scripted example of a bill debate following floor procedure in the House of Representatives.

A BILL TO BE ENTITLED

An act prohibiting ticket scalping, setting penalties, and declaring an emergency.

Be it enacted by the Youth Legislature of the State of Texas Section 1.

Definitions as used in this act.

- a. Scalping: the resale of tickets to concerts, sports events, and other entertainment events at prices greater than the face value as stated on the ticket.

Section 2. Scalping is hereby prohibited.

Section 3. Penalties. Violation of this act shall be a Class A misdemeanor and shall be punishable as such.

Section 4. Repealer Clause. All laws and parts of laws in conflict with this act are herewith repealed to the extent of the conflict.

Section 5. Severability Clause. If any portion of this Act shall be deemed unconstitutional, it is the intent of this Legislature that the other portions of this Act remain in full force and effect.

Section 6. Emergency Clause. The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the constitutional Rule requiring bills to be read on three separate days in each House be suspended, and this Rule is hereby suspended.

The cast of characters includes the Speaker, Clerk and committee members:

David Dallas from Dallas Downtown YMCA	Harry Harris from Houston Downtown YMCA
<i>Alice Travis from Austin Downtown YMCA</i>	<i>Sally Bexar from San Antonio Downtown YMCA</i>

and **Terry Tarrant from Fort Worth Downtown YMCA** as the Bill Author.

Bill Laid Out

SPEAKER: Will the clerk please read the caption of the first bill?

CLERK: A Bill to be entitled An Act prohibiting ticket scalping, setting penalties, and declaring an emergency.

Author's/Sponsor's Opening Remarks

SPEAKER: The Bill Author shall come forward to make opening remarks. You will have 5 minutes.

Terry Tarrant: Fellow Representatives, I come before you to ask for your consideration of an important piece of legislation. Every day, average citizens are denied the opportunity, or must pay ridiculous premiums, to attend popular events. Admittedly, there are never enough front row seats to satisfy consumer demand, but it is now almost impossible for the average consumer to buy premium seats at the price the performer, promoter, and venue intended. This is true because "scalpers" buy up large quantities of premium seats and then auction them off to the highest bidder. This phenomenon has also caused some major performers, Garth Brooks for example, to cancel events in some venues.

David Dallas: Mr. Speaker!

SPEAKER: For what purpose does the gentleman⁴ rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Bill Author.

SPEAKER: Does the Bill Author wish to yield?

Terry Tarrant: Not during my opening remarks.

SPEAKER: The Bill Author does not wish to yield at this time.

Terry Tarrant: We must put an end to this practice of price gouging – to equalize the playing field so that each average consumer has an equal chance to get the best seats in the house.

Alice Travis: Mr. Speaker!

SPEAKER: For what purpose does the lady⁵ rise?

Alice Travis: Alice Travis, Austin Downtown YMCA, I rise to make a motion.

⁴ See "Addressing Members of the Legislature" on page 1.

⁵ See "Addressing Members of the Legislature" on page 1.

SPEAKER: State the nature of your motion.

Alice Travis: Concerning tabling of this bill.

SPEAKER: I do not wish to recognize that motion at this time.

Terry Tarrant: I appreciate the Speaker's recognition that this is a matter worthy of debate evidenced by her decision not to recognize the motion to table it. I urge you to give this important matter fair consideration and will now yield the remainder of my time to the Speaker.

Author's/Sponsor's Question and Answer Period

SPEAKER: The Bill Author has yielded his remaining time, 2 minutes, to his summation period. We will now move to the formal Question and Answer period. Please note that Amendment slips are due by the end of the Question and Answer Period. Does anyone wish to question the Bill Author at this time?

David Dallas: Mr. Speaker!

SPEAKER: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Bill Author.

SPEAKER: Does the Bill Author wish to yield?

Terry Tarrant: Yes.

SPEAKER: Proceed.

David Dallas: Don't you believe that a person who stands in line and buys tickets to an event and later finds he or she will not be able to attend the event should be able to sell them instead of losing the money?

Terry Tarrant: Yes I do, but not for a profit.

David Dallas: Mr. Speaker!

SPEAKER: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Bill Author.

SPEAKER: Does anyone object to this Member asking another question? Seeing none, does the Bill Author wish to yield?

Terry Tarrant: Yes.

SPEAKER: Proceed.

David Dallas: And why shouldn't someone be able to sell something that he or she bought legally for a profit?

Terry Tarrant: It is not the individuals you reference and their circumstances that have caused event ticket prices to rise out of reach for the average person. It is the ticket agencies that pay homeless people a few dollars, a pack of cigarettes, or a bottle of wine to stand in line and buy all of the tickets they can with the sole intent of reselling the tickets at a marked-up price.

David Dallas: And what is wrong with that?

SPEAKER: [striking gavel] Mr. Dallas, you are out of order!

Alice Travis: Mr. Speaker!

SPEAKER: For what purpose does the lady rise?

Alice Travis: Alice Travis, Austin Downtown YMCA, I rise to question the Bill Author.

SPEAKER: Does the Bill Author wish to yield?

Terry Tarrant: Yes.

SPEAKER: Proceed.

Alice Travis: Continuing with the previous line of questioning, what is wrong with a ticket agency acquiring tickets for the purpose of resale?

Terry Tarrant: The face value of the tickets is set at a level that accounts for paying the performers, the promoters, and the venue yet is still reasonable enough in cost that an enthusiast can afford to attend. Scalped tickets are marked-up so much that either the enthusiast must settle for an undesirable seat or make great sacrifice to purchase a high-priced ticket for a good seat. Of course, this generally means that only the elite have front row seats.

SPEAKER: Are there any further questions of the Bill Author?

Sally Bexar: Mr. Speaker!

SPEAKER: For what purpose does the lady rise?

Sally Bexar: Sally Bexar, San Antonio Downtown YMCA, I rise to question the Bill Author.

SPEAKER: Does the Bill Author wish to yield?

Terry Tarrant: Yes.

SPEAKER: Proceed.

Sally Bexar: If this bill is enacted, don't you think the punishment, a Class A Misdemeanor, is too harsh? [Sits down]

Terry Tarrant: I do not. However, I would entertain an amendment to change the punishment to Class C for first-time offenses and Class B for subsequent offenses.

CLERK: Time.

Amendment Period

SPEAKER: Time has been called. We will now move into the Amendment Period. Will the Clerk please read the first amendment?

CLERK: Amend by replacing the text of Section 3 Penalties with "First-time violation of this Act shall be punishable as a Class C misdemeanor. Second and subsequent violations shall be punishable as a Class B misdemeanor."

SPEAKER: The Amendment Author shall come forward and have two minutes to explain the amendment.

Sally Bexar: As I said while questioning the author, I feel that the penalty is too stiff for the offense. I urge you to pass this amendment so that the penalty is commensurate to the crime. [Leaves podium]

SPEAKER: The Bill Author shall come forward and have two minutes to respond to the amendment.

Terry Tarrant: I support this amendment as I feel a first-time offender should not be subjected to jail time.

SPEAKER: Since the Bill Author has accepted this amendment, is there any member who wishes to speak against this amendment? Seeing none, the Amendment Author will now have one minute to close debate on this amendment.

Sally Bexar: The punishment has to fit the crime, so I urge you to vote for this amendment. [Leaves podium]

SPEAKER: By her actions she has yielded her time to the chair. We will now vote on the amendment. All those in favor please signify by saying "Aye." All those opposed say "Nay." In the eyes of the chair the Ayes have it, and this Amendment is adopted. [Strike gavel twice]. The Clerk will now read the next amendment.

CLERK: There are no more amendments.

Proponent / Opponent Debate Period

SPEAKER: Since there are no more amendments, we will now move into the Proponent / Opponent Debate Period. Would the Clerk please read the name of the first Proponent speaker?

CLERK: Harry Harris.

SPEAKER: Harry Harris shall come forward to speak in favor of this bill. You will have 2 minutes.

Harry Harris: I am fully in support of this bill because I think the average fan should be able to attend an event without having to go into debt. At present, it is very expensive to attend the events of superstars because all of the good tickets are bought by ticket agents for resale. [Sits down]

SPEAKER: By his actions he has yielded his time to the Chair. Would the Clerk please read the name of the first Opponent speaker?

CLERK: Alice Travis.

SPEAKER: Alice Travis shall come forward to speak in opposition to this bill. You will have 2 minutes.

Alice Travis: I strongly believe in a free-market economy and therefore must oppose any measure that would limit an individual's right to make a profit. Therefore, I urge you to vote against this bill.

Harry Harris: Mr. Speaker!

SPEAKER: For what purpose does the gentleman rise?

Harry Harris: Harry Harris, Houston Downtown YMCA, I rise to question the Opponent.

SPEAKER: Does the Opponent wish to yield?

Alice Travis: No.

SPEAKER: The Opponent does not wish to yield to your question.

David Dallas: Mr. Speaker!

SPEAKER: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Opponent with a friendly question.

SPEAKER: Does the Opponent wish to yield?

Alice Travis: Yes.

SPEAKER: Proceed.

David Dallas: Wouldn't you agree that the performers, promoters, and venues are making the money they feel they must make if the tickets are sold at face value?

Alice Travis: Yes.

David Dallas: How does...

SPEAKER: I'm sorry, but you are out of order – you may only ask one question.

David Dallas: Mr. Speaker!

SPEAKER: For what purpose does the gentleman rise?

David Dallas: David Dallas, Dallas Downtown YMCA, I rise to question the Opponent.

SPEAKER: Does anyone object to this member asking another question? Seeing none, does the Opponent wish to yield?

Alice Travis: Yes.

SPEAKER: Proceed.

David Dallas: As I was saying, wouldn't you also agree that if a person is willing and able to pay more than face value then the owner of that ticket has the right to sell it?

Alice Travis: Yes.

CLERK: Time.

SPEAKER: Time has been called. Will the Clerk please read the name of the next Proponent speaker?

CLERK: There are no more Proponent speakers.

SPEAKER: Since there are no more Proponent speakers, would the Clerk please read the name of the next Opponent speaker?

CLERK: David Dallas.

Alice Travis: Mr. Speaker!

SPEAKER: For what purpose does the lady rise?

Alice Travis: Alice Travis, Austin Downtown YMCA, I rise to make a motion.

SPEAKER: State the nature of your motion.

Alice Travis: Concerning the Previous Question.

SPEAKER: I do not wish to recognize that motion at this time. Davis Dallas shall come forward to speak in opposition to this bill. You will have 2 minutes.

David Dallas: I think the significant points have already been made, but I must emphasize that I simply cannot support any piece of legislation that restricts the rights of an individual to make a profit. I urge you to vote against this bill. [Leaves podium]

SPEAKER: By his actions, he has yielded his time to the Chair. Would the Clerk please read the name of the next Opponent speaker?

CLERK: There are no more Opponent speakers.

Author's / Sponsor's Summation Period

SPEAKER: Since there are no more Opponent speakers, the Bill Author shall come forward and have four minutes to close debate.

Alice Travis: Point of Order!

SPEAKER: State your point.

Alice Travis: The time limit for the author's summation is two minutes.

SPEAKER: You are correct. However, this author yielded two minutes from opening debate to this period.

Alice Travis: Thank you.

SPEAKER: You have four minutes.

Terry Tarrant: It is time that we put an end to the gouging of ticket agencies and re-enable normal people to afford front row seats to their favorite event. As amended, I think the punishment is viewed as more appropriate for the crime. Therefore, I urge all of you to vote for this bill, and hereby move that this bill due pass as amended.

Bill Disposition

SPEAKER: There is a motion on the floor for due passage of this bill as amended. Do I hear a second?

Harry Harris: Second!

SPEAKER: A motion for due passage of this bill as amended has been made and seconded. We will now vote on that motion. All those in favor, please signify by saying "Aye." All those opposed, say "Nay." In the eyes of the chair, the Ayes have it, and this bill as amended due passes. [Strike gavel twice] The Clerk will now read the caption of the next bill.