

TAB 9: LEGISLATIVE



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OVERVIEW

The goal of the Legislative Program is to turn the ideas of Missouri youth into formal laws by writing, debating, and voting on legislation according to specific rules and procedures. The program also promotes leadership by operating under the direction of both elected and appointed student leaders. Further, the Legislative Program encourages collaboration and compromise as legislators work with participants in other YIG programs, as well as each other, to achieve their goals.

The Legislative Program is based closely on the Missouri General Assembly. The Missouri YMCA General Assembly is composed of two chambers, the Senate and the House of Representatives. Each chamber is broken down into committees. Both the committees and chambers are comprised of students serving as Senators and Representatives.

The Legislative Program also includes a Novice House, which gives new legislative participants a better chance to learn and get involved in the proceedings. The Novice House generally operates in the same manner as the House of Representatives, although it does not exchange legislation with any other chamber. Bills passed by the Novice House are sent to the Governor for review and comment, and the authors of such bills are recognized for their achievements.

The operations of the Missouri YMCA General Assembly are based on parliamentary procedures and the rules of the Missouri General Assembly, except when these guidelines are superseded by the rules of the Missouri YMCA General Assembly.

ROLES

Participants in the Legislative Program serve as Senators or Representatives in their respective chambers. The main duties of these legislators are to research, write, and submit bills as individuals or in pairs, and then participate in the proposal of, debate upon, and vote on legislation in larger groups. Beyond these roles, students may serve in one of a number of leadership positions. For more detailed information on the qualifications, duties, and selection process for each position, please refer to the Tab 11. Student Leadership.

- Presiding Officer (Speaker of the House or Lieutenant Governor)
- Floor Leader
- Secretary
- Reading Clerk
- Sergeant-At-Arms
- Chaplain
- Committee Chairpersons

Each legislative chamber has a Rules Committee composed of key leaders from the chamber. This committee meets several times during the State Convention to create a calendar that determines the order in which the bills will be presented in that chamber. The Rules Committees for the Senate and the House are composed of the Floor Leader, Pro Tempore, and Committee Chairpersons of that chamber. The calendar for the Novice House is set by the Presiding Officer, Program Leaders, and Committee Chairpersons of the chamber.

REQUIREMENTS

1. Participants must complete the Student Registration Form on the YIG website by the stated deadline to participate at the State Convention.
2. Delegation Directors will assign legislators to a specific chamber.
3. No bill may have more than two authors. Senators may not co-author bills. Novice House legislators may only co-author with other Novice House legislators.
4. Legislators may only author or co-author one bill. The same bill may not be submitted by more than one legislator in a delegation, or two if co-authoring.
5. Bills may not be the same as, or similar to, bills signed into law the previous years. A list of bills passed last year is provided on the YIG website.
6. Each legislator must submit a bill using the online form on the YIG website on or before the stated deadline date in order to attend the State Convention.

BILL WRITING GUIDE

As a participant in the Legislative Program, your first duty is to write and submit a piece of proposed legislation, called a bill. Bills are intended to help solve problems or resolve issues in society, thereby improving the quality of life. Legislative participants are challenged to write bills which are equitable, preserving the rights and promoting the welfare of all Missourians.

TYPES OF BILLS

First you need to decide what type of bill you wish to write. The most common type is an act. Please review the sample bills to assist you in the bill writing process.

1. An **act** is a bill which enacts a completely new law, amends an existing law, or repeals an existing law. An act becomes law when it is approved by the House and Senate, and signed by the Governor.
2. A **joint resolution** is a bill which proposes an amendment to the Missouri Constitution or seeks to ratify a proposed amendment to the Constitution of the United States. A joint resolution must be approved by the House and Senate, and signed by the Governor in order for an amendment to be proposed or ratified.
3. A **concurrent resolution** is a bill which affects the actions or procedures of both legislative houses, such as creating a special joint committee, or expressing commendation or sympathy on behalf of the General Assembly. In reality, a concurrent resolution only requires approval from one of the two houses, but for YIG, it must be approved by both houses and signed by the Governor to become official.

CO-AUTHORING BILLS

Some participants may wish to co-author bills. When developing ideas for bills, you should determine if another student in your delegation has similar ideas. Co-authoring a bill can provide you with more time to research and develop a quality bill. Also, both you and your co-author can network at the State Convention, expanding your ability to build support for your bill. Review these guidelines to learn what is permissible for co-authoring.

1. No bill may have more than two authors.
2. Representatives may co-author bills with another representative from the same delegation.
3. Senators may not co-author bills. All legislation submitted by senators must be authored individually.

4. Legislators may only author or co-author one bill. The same bill may not be submitted by more than one legislator in a delegation, or two if co-authoring.

DECIDE ON AN IDEA

Legislators are not permitted to reiterate existing Missouri law or make the same or similar provisions as a bill signed into YIG law during the previous State Convention. A list of passed bills from last year is provided on the YIG website. With that in mind, the following steps will help guide you.

1. Brainstorm a list of ideas related to these issues that you find interesting. Think of some issues facing society that you find interesting. It may be helpful to discuss some of these issues with friends, family, and community members to gain more perspective on them.
2. Prioritize the list from most important to least important.
3. Combine any ideas that are similar in nature.
4. Determine if the issue is a local, state, or federal issue. Your issue needs to be something that the state government has the authority to address.
5. Carefully consider whether there is a pressing need for government to take action on these issues.
6. Eliminate any ideas that you find insignificant or dull.
7. Research the Missouri Revised Statutes (RSMo) to see if your ideas already exist as Missouri law. You can find the RSMo online at <http://www.moga.mo.gov/statutesearch>.
8. Select an idea.

RESEARCH THE IDEA

Now that you have selected your idea, it is time to develop it into a bill. It is important that you can make a solid argument for your bill. It is a good idea to develop a research file in which you save information related to your topic. You should collect as much information as possible, for you never know what you might need later in the legislative process.

1. Create a list of the pros and cons related to your idea. Include the reasons why people feel one way or another on this issue.
2. Understand your sources. Many interest groups will present information to support their position. It is best to find direct sources for facts and statistics.
3. Gather the relevant facts, statistics, details, costs, and evidence from credible sources.

4. Research the legal facts surrounding this issue. You should review the Revised Missouri Statutes for existing law, research pending legislation, and research what other states have done to deal with this issue.
5. Collect research for all sides of the issue, so you are prepared to uphold the merits of your bill and refute criticisms.

DEVELOP THE BILL STRUCTURE

Now that you have your idea and some research, it is time to develop the structure of your bill. Answer the following questions.

1. What are you trying to accomplish with your bill?
2. What are possible solutions to the problem?
3. What is the best solution? Is it the most economical, workable, feasible?
4. Is the solution constitutional?
5. What are some key terms you need to define in your bill?
6. How would this bill be enforced? Who would enforce the bill?
7. Would your bill create any revenue for the state? If so, how much?
8. Does your bill require funding? If so, who would fund it?
9. What results do you expect from your bill being implemented?
10. What date would your bill go into effect?

WRITE YOUR BILL

You are ready to write your bill. Use the Bill Samples available on the YIG website as a guide. Review the sections below for a better understanding of how to write your bill and meet the requirements of each section.

Bill Type

There are three types of bills, so make sure you know which type to select. If it is an act, you will need to indicate if your bill will amend a current section of the RSMo or create a new section.

Title

Give your bill a general title that briefly summarizes it. Remember that the title can only have one subject, and any amendments to the bill must be related to that subject.

RSMo

Identify which section of the RSMo your bill is amending or if creating a new section, identify where this section will be placed in the RSMo.

Key Terms

Define key terms in your bill that will help other legislators understand what you are trying to accomplish. Often, definitions for terms already exist in the RSMo section related to your bill topic.

Proposal for Action

State your proposal for action in the bill, indicating what you are trying to accomplish by enacting this new policy or law. Be very specific in this section so that it is clear to other legislators what you are trying to enact and how you plan to do this. You should also consider stating which state department or agency will oversee, enforce, and possibly fund this act.

Effective Date

State when your bill will take effect. The default effective date in Missouri is August 28. If your bill is an emergency action, the effective date would be immediately upon passage. If you have reason to specify another date, you can do that as well.

Justification

Write a brief statement justifying your proposal for action. This could include any statistics or research relevant to your topic. Make sure this section is brief, as you will have an opportunity to build your remarks during debate from here. It is best practice to not have this section be longer than one paragraph.

Expected Results

State what will happen if your bill is signed into law. This section should be very specific and if necessary, quantifiable. You should be able to state this in just a few sentences.

REVIEW YOUR BILL

You now have written a bill. Next, you need to review it to make sure it is ready to be filed.

1. Is your bill constitutional?
2. Does your bill fall under the jurisdiction of the state of Missouri? Make sure your bill deals with a state issue, not a federal issue.

3. Does your bill have one overall subject? You need to make sure that it does not have multiple subjects.
4. Does the bill have a concise, but accurate title?
5. Does the bill define any unclear or uncommon terms?
6. Does your bill make sense to others? You should have someone else review your bill to make sure it reads clearly and tries to accomplish what you want.

SIX-WEEK BILL WRITING PLAN

By following the steps outlined above, you can go from your idea to a completed bill by working approximately three hours per week over six weeks. It may take you even less time if you have your research gathered or have picked an idea already.

Week 1: Decide on Idea

By the end of the week, you should have selected an idea for your bill.

Week 2: Research the Idea

By the end of these two weeks, you should have enough research that you feel comfortable about both sides of the issue and can write a bill. Also, you should have reviewed the RSMo for statutes that relate to the issue.

Week 3: Develop the Bill Structure

By the end of the week, you should have a solution to the problem you are addressing. Also, you should have a rough outline of the bill.

Weeks 4-5: Write the Bill

By the end of these weeks, you should have your bill written in proper format and ready for review.

Week 6: Review the Bill

By the end of the week, you should have had someone review your bill, corrected any mistakes, and be ready to be submit it.

PRESENTING AND PROMOTING LEGISLATION

The most exciting phase in the legislative process is trying to get your bill passed. Any bill can become law if it is based on a good idea, supported by research, presented with conviction, and carried by a strong network of support. The quality of each of these components rests on you, the individual, and thus your experiences in the Legislative Program depend heavily on your efforts. You are not working alone and the efforts of those around you are equally important. Individuals shape the work of the entire legislature by taking part in the whole process. Good legislators focus on the examination of each bill brought before them just as much as they concentrate on their own bill. You can make a difference in YIG by getting involved, which will enhance your own experience as well as the experiences of those around you.

BEHIND THE SCENES

You need to be prepared to discuss your bill with anyone who may play a role in passing it into law, including other legislators, news reporters, governor's staff members, and other student leaders.

1. Know your bill's strengths and be prepared to address criticisms.
2. Network with other legislators to build support for your bill.
3. Develop connections with staff members in the Governor's office.

PRESENTATION SPEECH

Simply knowing your topic well is not enough. You must organize your ideas into an effective presentation and practice delivering it until you can explain your ideas in a convincing and timely way without having to read your speech.

1. Discuss the importance of the issue and why it matters to Missourians.
2. Identify the problem addressed by your bill, including the causes of the problem.
3. Explain why the solution you offer is the best way to address the problem.
4. Be prepared to answer questions from other legislators. You may consider providing answers to anticipated questions in your speech.
5. Prepare a short summary of the main points to be used as closing remarks, leaving room to address questions brought up during debate.

COMMITTEE SESSIONS

The first time you formally present your bill is in a committee hearing. The committee will study, discuss, and prepare for the floor bills written by its members.

1. Prepare a brief presentation speech because the amount of time for each bill will depend on the number of bills assigned to the committee.

2. Be sure to cover the main points of your bill in your speech.
3. Be prepared to answer questions by having relevant statistics and research with you. The committee hearing is when legislators ask many detailed, specific questions.
4. Bills passed by the committee move on to the Rules Committee, which sets the calendar for debate on the floor. Make sure to lobby your committee chairperson to support your bill in the Rules Committee.

LEGISLATIVE SESSIONS

During these sessions, the author(s) of each bill that reaches the floor must present the legislation and allow the other legislators to debate and vote on the bill.

1. Stay aware of the calendar for the chamber to see where your bill is placed.
2. For your opening remarks, you will have eight minutes. Be sure to use a formal and detailed presentation speech. Use an outline or written speech to guide you and have your research readily available.
3. After your presentation, legislators will have the opportunity to ask you questions, and make speeches in affirmation or opposition to your bill. Be prepared to answer questions.
4. Enlist supporters of your bill to speak in affirmation, assisting them before debate by sharing your statistics and research.
5. Amendments may be offered and voted upon separately before being added to your bill.
6. In your closing remarks, address any concerns raised in debate. Also, briefly summarize your bill, making sure that the main points of your bill are clear to the chamber.
7. After approval, the other chamber must pass your bill. You need to find a legislator in the other chamber to sponsor your bill for you when it reaches the floor. Be sure this person is familiar with your bill and able to present it effectively.
8. If it passes the other chamber, you should meet with the Governor and his/her staff to lobby for your bill to be signed into law.

HOW A BILL BECOMES A LAW IN YIG

In YIG, we attempt to follow the true legislative process as best we can. We face time and space constraints which require us to deviate some from the actual process used by the Missouri General Assembly. The following steps assume you are a member of the House of Representatives.

1. Submit your bill. Your bill will be assigned to a committee prior to the State Convention.
2. During the State Convention, your bill will be heard in committee. If your bill passes in committee, it is sent to the House floor. However, the Rules Committee sets the calendar of bills to be heard. There is no guarantee that your bill will be heard on the floor.
3. If your bill does pass the House, it is sent to the Senate floor. However, due to time constraints, your bill might not be debated in the Senate.
4. If the Senate debates and passes your bill, it is sent to the Governor. The Governor may sign your bill into law or may veto your bill.
5. If the Governor vetoes your bill, both the House and Senate must vote to override the veto with a two-thirds vote. If this happens, your bill becomes law.

SAMPLE BILLS

SAMPLE BILL #001 SAMPLE COMMITTEE	
Introduced by.	Harry Truman
Delegation.	Independence
Title.	An act to create a tax credit for purchasing fluorescent light bulbs to replace incandescent light bulbs.
Bill Type.	Amend current statute

RSMo

Chapter 135, RSMo, is amended and a new section is created regarding this tax credit.

Key Terms

"Incandescent light bulb", a light bulb with a thin tungsten filament that is housed inside a glass sphere. To produce light, electricity runs through the filament that provides a good bit of resistance to the electricity resulting in heat. The heat makes the filament white hot causing it to glow. They produce perhaps fifteen lumens per watt of input power;

"Fluorescent light bulb", a light bulb with electrodes at both ends of a fluorescent tube, and a gas containing argon and mercury vapor is inside the tube. A stream of electrons flows through the gas from one electrode to the other. These electrons bump into the mercury atoms and excite them and they give off ultraviolet photons. These photons hit the phosphor coating the inside of the fluorescent tube, and this phosphor creates visible light. They can produce between fifty and one hundred lumens per watt;

"Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;

"Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which

pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

Proposal for Action

For all tax years beginning on or after January 1, 2010, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to twenty-five percent of the amount such taxpayer paid for a new fluorescent light bulb.

The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of two hundred dollars per taxable year.

To qualify for the tax credit, the taxpayer must submit receipts proving their purchase of fluorescent light bulbs with their Missouri income tax form, filling out their tax credit amount in the indicated area.

The Department of Revenue will oversee the implementation and enforcement of this new tax credit.

Effective Date

This act shall take effect on January 1, 2010.

Justification

Fluorescent light bulbs are more efficient than incandescent light bulbs. Over the life of the bulb, less electricity will be used, resulting in a savings for the taxpayer. However, fluorescent light bulbs are more expensive initially. This bill provides a tax credit to encourage citizens to purchase these more efficient, environmentally friendly light bulbs, thus resulting in a cleaner, more green culture in our state.

Expected Results

More Missouri citizens will purchase energy efficient light bulbs, thus saving money on their utility bill while also making our state more environmentally friendly.

SAMPLE BILL #006 SAMPLE COMMITTEE	
Introduced by:	Harry Truman
Delegation:	Independence
Title:	An act related to drug testing for high school students participating in athletics.
Bill Type:	Amend current statute

RSMo

Chapter 167, RSMo, is amended and a new section is created regarding drug testing.

KEY TERMS

“Controlled substances” are defined in section 195.010, RSMo, which includes, but are not limited to, anabolic steroids.

PROPOSAL FOR ACTION

All school districts will be required to adopt a policy for the random testing of the district’s students in grades nine to twelve who participate in interscholastic athletics for the unlawful use of controlled substances. The Department of Elementary and Secondary Education will create rules and regulations for all school districts to model in their policies. Any student who tests positive for unlawful use of a controlled substance or anabolic steroid shall not be allowed to participate in interscholastic athletics or intramural sports for the remainder of the academic year and the subsequent academic year.

EFFECTIVE DATE

This act shall take effect on January 1, 2010.

JUSTIFICATION

Each major professional sport has had a drug scandal, often involving the use of performance enhancing drugs such as steroids and human growth hormones. Our high school athletes look to these professional athletes often as role models and who they aspire to be one day. We need to make sure that our high school athletes are not using illegal drugs and that our sports are clean and fair. The easiest way to be sure of this is to require random drug testing of our athletes.

EXPECTED RESULTS

The public will be confident that all high school sports are clean of drugs and fair. All high school athletes will know that no one has an unfair advantage in the sport and is cheating to succeed. Colleges that recruit Missouri athletes will know these athletes are drug-free and not cheating in their sports.