

# EVERYTHING YOU NEED TO KNOW ABOUT A BILL

There are two types of legislation: ACTS and RESOLUTIONS.

ACTS are bills that create, amend or repeal existing state laws, which are contained in the Tennessee Code Annotated. Copies of the TCA are available in most libraries and will be available at the assembly.

If your purpose is to amend or repeal an existing law, you should list the section of the TCA that you are changing in your bill title.

If you are creating a law, do not refer to a specific section of the TCA in your bill.

RESOLUTIONS are an expression of the General Assembly's opinion on matters not related to the TCA. Resolutions may also deal with procedural matters of the General Assembly. It is important to note that the Legislature can legislate in almost any area, so almost all bills will be acts.

## Parts of a Bill

1. **Sponsors-** In the upper left-hand corner. First-listed sponsor is the Prime Sponsor. The bill will go to the prime sponsor's committee.
2. **Title-** Every bill must have a title which summarizes the effects of the bill. It should be brief and cover the major points of the bill. The first words of the title must be "AN ACT TO" or "A RESOLUTION TO". The title is not amendable or debatable.
3. **Enacting or Resolving Clause-** There should be only one enacting or resolving clause on each bill, and each bill may have only one purpose. It must take the following form:

Be it enacted (or resolved) by the TENNESSEE YMCA YOUTH IN GOVERNMENT

4. **Substance-** The substance of the bill should be broken down into sections with each section dealing with a separate matter within the bill. For example: For a bill establishing a Commission on Taxation, Section I would establish the commission. Section II would say how many members would serve on the commission. Section III would define the jurisdiction of the commission, etc.
5. **Fiscal Line Item-** Because we will be passing a balanced state budget, each bill must contain a fiscal line item specifying how much enactment of the law will cost, from where the funds will come, etc. For example, if you require additional, new funds for a project, how will you generate the revenue to pay for it? Are there existing, unused funds in the appropriate department's budget, will you need a tax to raise the money, will you apply for federal funding, etc.?

6. **Repealing Clause** - This section takes the following form and must be a part of your bill:

"All laws or parts of laws in conflict with this are hereby repealed."

7. **Effective Date**- The last section of the act must state when the act is to take effect using this form:

"This act shall take effect July 1, 2011 the public welfare requiring it."

Instead of using a specific date, you may also write "immediately upon becoming a law". This last section is not necessary on resolutions.

### **A Handy Guide to Bill Presentation:**

Whether you are in committee or on the floor, these steps will help in presenting the bill.

1. **Docket**- Keep yourself aware at all times of when your bill will come up on the docket. If you miss your docket spot, your bill will go tumbling down to the bottom of the docket – a fate few bills return from.
2. **Opening Remarks**- When your bill is called, you will have two minutes for your opening remarks. These are precious moments: use them wisely. You do not have to use all two minutes. It is quality, not quantity that matters. In your opening remarks you will do two things:

**Identify the problem** – Begin with an attention getter. Tell an anecdote or give a statistic (not more than three) that identifies the problem. You must give them reason to pay attention.

**Propose your solution** – State your solution in general terms without becoming too abstract. Give as few numbers as possible. Too many numerical figures can easily confuse you as well as the delegates. Keep your plan in the most simple terms possible.

Example: For a bill that puts a maximum interest rate on credit cards you could say –

This bill places a maximum limit on the annual percentage rate of credit card accounts. This rate shall be equal to but not greater than four percentage points over the prime interest rate.

Or you could say –

This bill will use a special formula to set a limit on credit card interest rates.

Don't forget to reserve the remaining time of your opening remarks for your summation in case you need to further address any points made during debate.

Simply say at the end of your introduction, "I reserve the remaining time for my summation."

3. **Debate and Questions** – This can be a very scary time for the simple reason you do not know what will happen. Relax, and don't worry. Have people practice on your bill ahead of time. Have them ask you the roughest, meanest questions they can. During this period, there are a few important points to remember:
- If a hostile speaker (one who is on a mission to kill your bill) asks you a question and you know s/he is hostile, give him a clear, specific, and LONG answer. Remember the time you spend answering his question is time, which is deducted from his two minutes of speaking time. In other words, the more you talk the less time s/he has to "torch" your bill.
  - Only During extremely rare occasions should you request the floor during open debate. The only reason you should speak during open debate is if there seems to be a tremendous misunderstanding about a key point. (e.g. many delegates think that your drunk driving bill is a federal, not a state matter) If such an emergency does arise, remember that you have preference over ALL other delegates including the floor leader. If the speaker fails to recognize you, immediately call a Point of Order.
  - Kinds of questions you should be prepared to answer:
    1. Who will enforce this?
    2. Is this in conflict with state constitution, federal constitution, federal law?
    3. Do other states do this?
    4. Has this been attempted before in the state of Tennessee?
    5. How effective is this going to be, really?
4. **Closing Remarks** – Here you should briefly answer one, two but no more than three of the major criticisms heard during debate. Even if there were no worthwhile critical statements made, try to respond to the debate somehow. Say something like "I would like to thank the House for its tremendous support of this bill." This lets everyone know that you were awake for the last ten minutes.

Follow these responses with an iteration of your solution. Do not introduce any new arguments; these will only cloud the issue. Use the same line of argument you have used and end with a real blockbuster of a closing image. May it be a story, a statistic or just a catchy phrase. For a bill on insurance reform, you might close with:

"This bill will **ensure** that our families are **assured** of a "**sure insurance plan.**"

Then be sure to yield your remaining time to the floor.

Submitted by Ross Harris, a former Youth in Government participant and 1990 Presiding Officer of the YMCA Conference on National Affairs

# GUIDE TO WRITING YOUR BILL

1. Each bill team will submit **only one bill**
2. If you have not already registered for the Youth in Government Conference, you will be required to do this prior to uploading your bill.
3. Once you have written your bill, go to our website [www.tennesseeccce.org](http://www.tennesseeccce.org). Click on the Youth In Government tab and select Upload from the drop down menu. Then follow the links to upload your bill.
4. To upload your bill, simply type or copy/paste the main text of your bill in the space provided. **Do not** include line numbers, as this will be done for you.
5. All bills must contain a **fiscal line item**. Please refer to the budget figures posted on the website to help you with your fiscal line item.
6. Remember that plagiarism is not tolerated.
7. Once you have finished uploading your bill, please print several copies. At a minimum, you'll need one to keep for yourself and one to turn in to you advisor.
8. We are now accepting all Bill uploads. All bills must be submitted to the YMCA Center for Civic Engagement by the **Final Deadline** to ensure that they are in the conference book and eligible for conference awards.

# HINTS FOR BILL WRITING

There are hundreds of websites you might want to visit as you begin brainstorming and doing research to write your bill. You should consider visiting Tennessee's general state government website, the Tennessee General Assembly's website, and Lexis Nexis. You might also consider visiting the websites of other state governments if you're looking for ideas.

Please remember that plagiarism is not tolerated. While you can use someone's idea, your written bill must be your original work.

**REVISE, REVISE, REVISE!**

Once you've written your bill, make sure you check for parts or sections that might need some revision. Here's a basic checklist of the sorts of things you should be looking for in the revision process:

- Our bill is the result of our own independent efforts. It is not just another version of someone else's previously written bill.
- Our bill deals primarily with only one subject.
- Our bill contains a fiscal line item indicating how we intend to fund it.
- Our bill concerns matters of STATE law, not local or federal.
- Our bill is constitutional.
- Our bill expresses our intent in clear, concise language.
- Our bill is as brief and simple as possible. (Typically, no longer than 2 pages)
- Our bill can be easily and effectively applied.
- Our bill defines our subject matter briefly, but accurately.
- If our bill deals with an existing state law, we have either proposed amending or adding to that law.
- If our bill does amend an existing law, we've included a separate section of the bill for each section of the existing law amended.
- If our bill proposes a new law, we've divided that law into clear, concise sections, while accurately covering the subject matter.
- Our bill contains an Enacting Clause.
- Each section of our bill is consecutively numbered (provided by the online template).
- If our bill requires definitions of terms, we have defined those terms early in the bill.
- Our bill expresses our best ideas and analysis in response to the matter we see as a vital issue in our state.

# HOW TO WRITE A FISCAL LINE ITEM -AND WHY EVERY BILL NEEDS ONE!

Please review the following info/directions in order to make certain your bill meets the necessary fiscal criteria.

## How will we arrive at a budget?

When considering the budget, it is important to remember not only the legislation passed during the conference, but also that all currently existing Tennessee programs and departments must continue to be funded. For the purpose of the 2013 conference, we will use the Tennessee Budget for Fiscal Year 2011-2012 as a model for our own.

## So how does this apply to you in writing your bill this year?

To aid our governor in the creation of his or her budget, it is necessary for every bill to include a fiscal note, describing the financial effects of your bill on the state budget. Your bill may have one of several effects:

- 1) Your bill may have no financial effect upon the state, if so, a fiscal note must still be included, stating the same, or
- 2) Your bill may raise revenues for the state. In this case the fiscal note should include both the projected revenue, and a designation for this revenue. Designations for said revenue may include already existing state departments and programs or it may be allocated to the discretionary spending fund for the state legislature. Most bills should allocate revenues to the discretionary spending funds, or
- 3) Your bill may cost the state money. In this case, the fiscal note should specify the expected cost to the state, and should also include the source of the funding for this cost. You may either transfer funds from an existing state department or program, or allocate funds from the legislature's discretionary spending.

It is important to note that every dollar spent from the discretionary spending fund must be raised by another piece of legislation passed by the conference. If discretionary outlays are greater than the revenue generated, then the governor may not be able to fund every piece of legislation passed, and some bills will not be signed.

When writing your bill, you will need to consider the current fiscal year (2011-2012) state budget as you determine the nature of your fiscal line item. To write a fiscal line item first you need to decide what department your legislation would be enforced by and/or impact. For example, if your bill calls for a new after school program in public elementary schools, such a program will be administered by the Department of Education. Your fiscal line item must indicate how and where the Department of Education will get the money to fund the program. **The budget figures for each department are available in the Fact Book published by the Legislature at this link: <http://www.legislature.state.tn.us>. The Fact Book is located on the right side of the Legislative page.** Remember you can only base your funding on state dollars .i.e. you can't take it from earmarked Federal Funds.

Remember also that you always have the amendment process at the conference should you need to change or add to your fiscal line item after the deadline for bill submission.