

OHIO-WEST VIRGINIA STATE YMCA

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Youth in Government Student Manual

# Parliamentary Procedure

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# Parliamentary Procedure for the Student Legislature

Organizations use Roberts Rules of Order, other standard rules of order or adopt their own. Youth in Government has adopted its own Rules of Order.

YG rules allow as much time as possible on proposed legislation rather than on parliamentary procedure and recognize that three days make it impossible to completely follow the rules of the actual House and Senate.

All the information needed to consider a Bill in the Student Legislature is in the next few pages. Every delegate has equal access to these rules. Changes are not made during YG. Proposed changes suggested by YG Officers are made at their annual planning session at June's HI-Y Leadership Summit for inclusion in the next program YG Manual.

Committees carefully consider Bills on their merit and select those for the Legislature that offer an opportunity to improve our state.

The number of Bills some years allows consideration by both the House and Senate. A Bill first passed in one will then be considered by the other. The second hearing will only be on the Floor and will include the Authors. Bills passed in both or one legislative body will be sent to the Youth Governor. Obviously those passed by both the House and Senate will have more weight when considered by the Youth Governor.

## Procedure

### 1. Order of the Day

- A. The "Calendar" at the Bill Coordinator's Office provides the order of business before the House and Senate. The "Order of the Day" is also read by the Clerk before each session starts. The Calendar cannot be changed.
- B. The Bill Coordinator serves as the Youth in Government Rules Committee. Bills are assigned to Committees and, when passed by Committee, put on the House or Senate Calendar only by the Bill Coordinator. If a Committee combines two or more Bills, they create a new Bill. This new Bill must be assigned a number and a Committee by the Bill Coordinator.

- C. Committees and the Legislature only consider Bills given them by the Bill Coordinator. The order Bills are considered is the numerical order they appear in the Bill Book as determined by the rating of Bills by the Legislative Officers, Committee Chairpersons, and Officer Candidates in February. This advance rating also serves to provide as much time as possible to consider Bills during YG. The Student Legislature cannot suspend the rules to change the order of consideration.

Each Bill is considered separately. Several Bills cannot be grouped together for consideration or voting.

## **2. Call to Order**

- A. At the opening of each session, the Presiding Officer uses the gavel and states, "By the authority vested in me, I declare the House (Senate) in session."
- B. The Presiding Officer calls upon the Chaplain to deliver a message.
- C. The Presiding officer calls upon the Clerk to read the "Order of the Day."

## **3. Reading of the Bill**

- A. The Presiding Officer says, "We are now ready for the third reading of the Bill."
- B. The Clerk reads the Bill that appears at the top of the Order. The Clerk reads the number, author, title, the full text of the Bill, and any amendments approved by Committee.

## **4. Author's Statement**

- A. At the conclusion of the reading of the Bill, the Presiding Officer says, "The question is, shall the Bill pass?" The authors may make their opening statement.
- B. The authors, combined, have three minutes to explain their Bill, present a strong case for the Legislature to pass their Bill, and move its adoption. The authors may share the time.

The Author, who speaks last at the end of their presentation, moves the adoption of the Bill and urges members to support the Bill.

## **5. Committee Reports**

- A. The Presiding Officer will ask for the Majority and Minority Reports from the Committee that considered the Bill.
- B. The members presenting the Majority and Minority Report are to give a complete summary to the Legislature of the Committee consideration of the Bill and why the Bill should be passed (Majority Report) and why it should be defeated (Minority Report).

## **6. Seeking Recognition**

- A. Members seek recognition after the Presiding Officer has said, "The question is, shall the Bill pass?"
- B. To be recognized, a member stands at their desk. Once a member has been recognized, all others must be seated until there is another opportunity to be recognized.
- C. The member who was recognized must remain standing and address the Presiding Officer as "Mr. Speaker" (House) or "Mr. President" (Senate) before making statements or asking the Presiding Officer's help in asking a question of the Bill authors. If a woman is presiding, the prefix is "Madame" instead of "Mister."

## **7. Statements and Debate by Members**

- A. Once the authors have spoken and moved the adoption of their Bill, and the Committee Majority and Minority Reports have been given, the Presiding Officer says, "The question is, shall the Bill pass?" At this time any member may speak by obtaining recognition from the Presiding Officer.
- B. Statements by members, speaking in support or in opposition to the Bill, take most of the time. Members speak on the issue. Members do not make personal remarks about other members of the Legislature.
- C. When members speak in support or opposition to a Bill, they say, "Mr. (or Madame) Speaker (or President), I speak in favor (or opposition) of this Bill because . . . (give reasons you support or oppose the Bill) and urge others to vote for (or against) the Bill.
- D. Statements of support or opposition are not taken in any order. Whoever gets the floor may speak even if more than one pro or con speaker follows another.

- E. If there are many speeches, the Presiding Officer may rule that all speeches must be kept within a time limit and/or that no member may speak more than once until all others who want to speak have done so.

## **8. Asking Questions of the Authors**

- A. Authors of a bill may be questioned by another member. The authors are not required to yield to a question.
- B. The time for questions is limited to **three (3) questions**. Most time is spent with statements by members supporting or opposing Bills.
- C. Asking questions of an author gives the author a chance to respond. Members who oppose a Bill will find direct statements a better way to oppose the Bill.
- D. Members request permission of the authors, through the Presiding Officer, to ask a question. After being recognized, the member says, "Mr. (Madame) President (Speaker), will the author yield to a question?" The Presiding Officer will then ask the same question of the authors and then deliver their reply to the member.
- E. **Each** member is **limited to one question** until all members who want to have asked a question.
- F. When asking questions, members are to be brief and only ask their question. Statements are not to be made.

## **9. Motion to Amend**

- A. Amendments are made in writing on the amendment form. The member sends the amendment to the Clerk via a Page.
- B. Amendments indicate the line(s) to be amended by placing quotation marks around the amended language, and using wording such as "delete" and "add."
- C. All amendments must be signed by the author of the amendment.
- D. It is the responsibility of the author of the amendment to seek recognition from the Presiding Officer once the amendment has reached the Clerk's desk. Only then can any action be taken on the amendment.

- E. Once recognized, the member says, "Mr. /Madame Speaker (President), I have an amendment before the Floor.
- F. The Presiding Officer then instructs the Clerk to read the amendment. From this time until a vote is taken on the amendment, all remarks are directed to the amendment, not the Bill as a whole. Questions related to the amendment are asked of the authors of the amendment.
- G. The author of the amendment speaks first. The authors of the Bill then have two minutes to comment on the amendment.
- H. Before voting on the amendment, the author of the amendment has one minute to make a closing statement. A simple majority is needed for passage of the amendment. Voting may be by voice vote or by a standing vote.

Following the vote, the debate returns to the Bill.

- I. Amendments are best handled in Committees although they may be attempted on the Floor. Time devoted to amendments on the floor is to be kept to a minimum.
- J. Amendments cannot change the intent of the Bill
- K. Riders to Bills are not accepted.

## **10. Motion to Refer to Committee**

- A. Many amendments proposed during legislative debate may indicate the Committee needs to take another look at the Bill.
- B. If this occurs, a motion to "refer to Committee" may be in order. This motion must be seconded and then can be debated. A simple majority is needed for passage.
- C. Upon approval of the motion, the Bill is sent back to its Committee for further work and reconsideration. This Bill becomes the first item of business in the next Committee session.

## **11. Voting Procedures**

- A. The Presiding Officer is responsible to manage the time for the consideration of each Bill. The Presiding Officer has flexibility to allow more time to consider a Bill that generates a lot of interest and debate and to allow less time for a Bill that does not or clearly has significant

support or opposition. The Presiding Officer will also end consideration of Legislation when discussion or debate becomes repetitive.

Prior to ending consideration of a Bill, the Presiding Officer will announce only one (or two) more pro and con statements from Legislators will be recognized.

The Presiding Officer takes the initiative in calling the vote. The motion of "Previous question", used to end debate, is not an acceptable motion made from the Floor.

- B. Prior to voting, the authors (combined) have up to three minutes to make a closing statement and to urge the Legislature to support their Bill.
- C. The Presiding Officer will then say, "The question is, shall the Bill pass? All those in favor of the Bill, please stand." A count is made and recorded by the Clerk.
- D. The Presiding Officer then says, "Those opposed to passage of the Bill, please stand." Again, a count is made and recorded.
- E. When voting on the final passage of the Bill, the vote must be a standing vote. For the purposes of HI-Y Youth in Government, the majority (constitutional majority) needed to pass legislation is one more than half of those voting.
- F. Abstentions are not asked for nor are they recorded. If a member abstains from voting, they must leave the Floor during the vote. All members remaining on the Floor are assumed to be voting.
- G. If the majority favors the Bill, the Presiding Officer says, "I declare this Bill passed." If the majority is opposed, then the Presiding Officer says, "I declare this Bill failed of passage." There is no emergency legislation in Youth in Government.
- H. After a Bill is declared passed, the Clerk will read the Bill by number and title in the event any changes should be made to the title. The Presiding Officer will then say, "Without objection, the title is agreed to." The Presiding Officer then moves on to the next order of business.

## **12. Other Possible Motions**

- A. Division of the House. If after a voice vote a member wants to challenge the decision of the Presiding Officer, the member may call, without waiting for recognition, "Division of the House." After the

motion receives approval of the Presiding Officer or by a simple majority of the members, the vote is retaken as a standing vote. Roll call votes, however, are not permitted at Youth in Government.

- B. Point of Order. This motion is used by a member to question the procedures of the Presiding Officer or another member has used or to seek clarification of procedures. Again, a member need not wait recognition to make this motion.

The Presiding Officer has the sole authority to accept or reject the motion. The Presiding Officer does not call Point of Order.

- C. Point of Personal Privilege. This motion is used by a member to bring the Presiding Officer's attention to a disturbance in the chamber or to request that a member, who is speaking, raise their voice to be heard more clearly. Again, the Presiding Officer rules on the motion.

- D. Motion to Recess. This motion is normally used to allow members to caucus for a few minutes. Recess is not the same as adjournment. All members are required to remain in the chamber and the Legislature must reconvene at some time before adjournment. This motion may be made by a member without being recognized but must be seconded. The motion and the length of time of the recess are not debatable. A simple majority is needed for approval of the motion. NOTE: This motion is rarely used because debate on it takes too much time and proves to be counterproductive.

- E. Removal. After giving a member a private and a public warning, the Presiding Officer has the power to expel a member whose behavior is inappropriate for the Legislature. Circumstances that may lead to a member's expulsion include, but are not limited to:

- inappropriate attire
- not wearing their official name tag
- great disregard for the procedure of the Legislature
- interfering in or obstructing the proceedings

The Presiding Officer may have the official Sergeant-At-Arms expel the member.

- F. Suspension of the Rules. For the purposes of HI-Y Youth in Government, a motion to "Suspend the Rules" cannot be used to alter the legislative calendar, the dress and conduct rules, the conference's pre-printed agenda, the procedures of the Model Legislature, or the rules of HI-Y Youth in Government.

### **13. Procedure for the Governor's Office**

- A. Once a Bill is passed, the Clerk takes it to the Bill Coordinator who records it and either (1) depending if time allows send it to the other House/Senate for consideration; or (2) sends it directly on to the Governor. When action is taken on the Bill by the Governor, the Bill is returned to the Bill Coordinator who records the Governor's action.
- B. An attempt to override the Governor's veto may be considered after action has been taken on all Bills before the Model Legislature.

Our purpose is to allow as many authors as possible to present their Bill to the Model Legislature rather than focus on overriding the Governor's veto.

A Senator or Representative (not the Bill's author) offer a motion from the Floor (after being recognized) to consider overriding the veto. The Presiding Officer has the Clerk read the Bill.

- C. The Presiding Officer, in presenting vetoed Bill, says, "The question is, shall the Bill pass, notwithstanding the objections of the Governor?" The author of the Bill then, once recognized by the Presiding Officer, may proceed to speak for passage of their Bill. The Governor or the Governor's representative may speak for four minutes on the vetoed Bill. A two-thirds majority of the House or Senate is required to override a Governor's veto.
- D. The Governor is to sign or veto all Bills passed by the Legislature. No Bills are to be left unsigned at the closing of the final joint session.
- E. The Governor is part of the "checks and balance" system of our government. The Governor must carry out the constitutional mandate to act on legislation. The Governor cannot "rubber stamp" legislative acts of the Legislature.

## **A Note to Bill Authors**

Please remember that our purpose at Youth in Government is to adopt legislation that will benefit our state. Our time is limited, opinions among delegates vary, and very few proposals will be sent to the Governor. The Governor may sign or veto legislation. In our democracy the Executive is one of the three branches of government. Each branch is part of a system of “checks and balances.” As part of this system, the Governor may veto even popular legislation if, in the Governor’s judgment, it is not good for our state.

Participate in Youth in Government to do your best. Doing your best needs to be the “reward” you seek. The most to expect for your legislation is a complete hearing in Committee. Your Bill may be heard on the Floor and a few Bills will be sent to the Governor. The Governor may sign some of them. If your Bill is defeated in Committee, the Legislature, or is vetoed, be prepared to take that decision with good grace and not develop a personal vendetta against legislators or the Governor. Realize your Bill had its chance and now others are to have their chance.

Work to do your best and to help others do their best too!