Montana YMCA
Youth & Government Program

Legislative & Executive Branch Delegates' Manual

2006 Edition

"Democracy must be learned by each generation."

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Dedication

In Memory of:

David R. Brown, Butte Montana
1948-1998
Former member, Montana House of Representatives
Youth and Government Parliamentarian
Friend of Montana YMCA Youth and Government

Introduction

This manual describes the Legislative and Executive branches of the Montana YMCA Youth and Government Program.

The Montana YMCA Youth and Government Program is a model government, not a "mock" government. We do not merely imitate the actions of state government, but give people the opportunity to demonstrate how democratic, representative government can work at its very best. The intention of the program is in part to fulfill the program motto, "Democracy must be learned by each generation."

The Youth Legislature consists of a House and Senate based on the rules, traditions, and procedures of the real Montana Legislature.

The First Year Program is also a legislative body based as closely on the real procedures of the Montana legislature as possible, but with more flexibility to account for the inexperience of its participants and changing program enrollment.

The Executive Branch of the Youth and Government program includes both the Governor's Office and the Secretary of State's Office. These are separately elected positions with different duties:

The Governor's Office consists of the Youth Governor, Lieutenant Governor, a Chief of Staff, and "Cabinet" members that act as lobbyists and policy advisors to the Governor.

The Secretary of State's job includes the roles of Chief Elections Officer and enrolled bills custodian, traditional duties of the real Secretary of State, combined with the job of bill tracking and transmittal, tasks that in the real world are done by the career staff of the Legislative Services Division and the appointed staff of the legislature. The Youth Secretary of State has an appointed assistant and works closely with the clerical staff of the legislative chambers.

The Legislative Branch

The Legislative Branch of the Montana YMCA Youth and Government Program contains the following elements:

- House of Representatives -100 members
- Senate - 50 members
- First Year Legislature - varying size (it may include a House, a Senate, or both depending on number of participants.)

Each chamber has a presiding officer that is elected by the participants the previous year, plus appointed officers who serve as Pro Tempore to the Presiding Officer, Clerical staff, and a Sergeant at Arms.

Positions that supplement the work of the legislature include lobbyists, reporters and pages, who each have a separate section of the Advisor's manual that describes their duties.

The role and duties of the executive branch officers (Governor, Lieutenant Governor, Secretary of State and their respective staff) are described later in this manual.

Attorneys, Justices and their staffs participate in the Model Supreme Court, which has a separate manual covering all requirements.

A Legislator's Job

The People's Voice

A Montana legislator does more than vote for or against bills. Real world legislative actions affect all Montanans in their daily lives. Legislators help determine the quality of life in Montana.

Although participants in the Youth Legislature are not selected by popular vote, they nonetheless model the role of elected officials and are expected to act as if they are truly representing the people. For working purposes, the constituents of a Youth Legislator include the non-voting members of one's delegation and in a more abstract sense, the people of one's home community or neighborhood.

There are three main things that Youth Legislators do--represent their constituents, make laws, and monitor the actions of government on behalf of the people:

Representation

- Serve the constituents living in their home district just as if they were elected to the position.
- Do what is in the best interest of the state as a whole.
- Act as a liaison between constituents and state government.
- Keep the legislative process open and honest.

Lawmaking

- Study, prepare, submit, discuss, and vote on proposed legislation.
- Create, amend, and repeal state laws and programs as necessary.
- Allocate state resources to agencies and programs.
- Settle conflicts, right injustice, and make policy decisions.

Monitoring

- Act as a balance to the Executive and Judicial Branches of government.
- Real world legislators oversee state agencies and track how taxpayer money is spent. Youth legislators are encouraged to model this concern.

"A Legislator's Job" adapted for the Montana YMCA Youth and Government Program from Legislator educational Information, prepared by Greg Petesch and Ann Patten for the Montana Legislative Services Division, 1998-1999 edition. Used with permission.

Duties of Youth Legislators

All legislators are to understand parliamentary procedure, be familiar with major party platforms, and read the billbook before arriving at the Helena session. Delegation meetings prior to the session need to be designed to cover these topics.

A legislator must have additional qualities:

- insight into the issues and problems facing the state,
- the ability to find solutions to problems,
- loyalty to their constituency,
- commitment to improving the quality of life in Montana,
- pride in Montana and its people, and
- dedication to making laws that preserve Montana as the "last best place."

Legislators declare their party preference (Democrat, Republican, or a recognized Third Party) when they preregister. See the parties and elections manual for details.

Legislators attend all committee hearings, caucuses, and floor sessions. They vote on all issues unless a conflict of interest or deeply held moral conviction requires them to abstain.

Role Descriptions

Representative

Representatives are members of the Youth Legislature House of Representatives. Usually juniors and seniors, these are students with at least one year of prior experience. Each Representative must write or co-write a bill, debate it in committee and on the floor, participate in all legislative meetings, and behave as if they were a "real" legislator.

Senator

Members of the Youth Legislature Senate, these students are considered to be the "top of the heap." They are usually seniors; rarely first year students. They must carry out the same duties and meet the same requirements as Representatives.

Committee Chair/Vice Chair

Legislative members, usually juniors or seniors with at least one year's prior experience. Chairs and vice chairs are appointed based on the quality of their applications. The State Office attempts to give each delegation at least one Committee Chair or Vice Chair if a qualified applicant applies.

First Year Representative or Senator

Members of the Youth Legislature First Year Program, participants are usually freshmen and sophomores, but others may also choose this option if they cannot participate in the regular House or Senate. Just as in the Regular House, each Representative or Senator must write a bill, debate it in committee and on the floor, participate in all legislative meetings, and behave as if they were a "real" legislator.

Leadership

The Speaker of the House and President of the Senate are elected by the participants at the previous year's session. (See the Parties and Elections Manual for details on elections.)

Appointed Officers

Appointed positions are described in detail later in this manual. These important jobs are rotated to different delegations each year. Every attempt is made to give each delegation at least one appointed office. Who gets the position is decided within the delegation.

The Pro Tempore positions for each chamber need to be experienced, well qualified students, usually seniors.

Non-voting positions of authority in the Legislative branch include the Chief Clerk of the House, Secretary of the Senate, their assistants, and a Sergeant at Arms/Chaplain for each chamber.

General Rules

Bill Writing
All voting members of the Youth Legislature are required to write or co-write a bill as outlined in the Bill Drafting Guide, which is contained in a separate section of the Program Manual.

Bills must be submitted in proper form by the publicized deadline. Unacceptable bills will be returned, but can still be accepted if rewritten to an acceptable standard in the time allowed.

Non-legislators may write or co-write a bill, but need a legislator to sponsor it for them. Legislators are encouraged to co-author and actively support the bills of non-legislators in their delegation, just as real legislators sponsor many bills offered by request of others.

Advisors are reminded to help participants by meeting the deadlines and preventing unacceptable bills from being submitted.

Bill Limits
The total number of bills submitted by a delegation must be the same as or fewer than the number of assigned legislators.

If too many bills are submitted, there will not be time for all bills to have a fair hearing and good legislation may die needlessly. If a delegation prepares too many bills, the delegation can decide internally how to choose the best bills to submit.

Idea: Some delegations require everyone who does not have other Youth and Government writing assignments to write a bill, and then use practice debates to decide the best bills to submit.

Rules of Procedure
The proceedings of House, Senate, and First Year Program are governed by the Joint Rules. These rules are based on Mason's Manual of Legislative Procedure and the Rules of the Montana Legislature. For a copy of the Joint Rules, see the Joint Rules and Committee Procedures section of the Program Manual.

Seat Allocation
Legislative seats are assigned to delegations based on the size of each delegation according to a mathematical formula. Basically, a delegation that has 5% of the total enrollment of the program gets roughly 5% of the available Legislative seats, with the following exceptions:

- All delegations get at least one House and one Senate seat, regardless of size, (even a two-person delegation) except that:
- A delegation of any size entirely made up of freshmen will only be allocated seats in the First Year Program.
- A delegation of any size entirely made up of sophomore or younger students will only be allocated seats in the House and the First Year Program. (i.e. no Senate Seats).

Who can be a Legislator?

When each delegation is notified of the number of senators and representatives they have, it is each delegation's decision which members get legislative positions, within the parameters of the State Program Guidelines.

The first section of the Program Manual contains suggestions as to which positions are best for delegates in a given grade and further suggestions are given for deciding how to place delegates in all roles.

Vacancies

If delegation membership numbers change during or after the time the State Office assigns numbers of House and Senate seats, the delegation should notify the State Director immediately so seats can be reallocated prior to the start of the session.

Because not all participants who preregister can attend (due to sickness or other factors beyond their control), we sometimes allow preregistered Lobbyists or First Year Legislators within a delegation to move into a Legislative seat should their delegation have vacant House and Senate.

Just because a delegation loses a participant does not mean another person can automatically move! The allocation formula is readjusted the first evening after all participants have signed in, and if absences warrant, a delegation may keep their empty seats and move new people into these spots. However, legislative seats may be over-allocated, or vacant seats might be filled by participants from other schools depending on how the numbers fall. This is not determined until final registration numbers are in.

Lobbyists will have already written a position paper, and First Year Program members will have already written a bill, so the bill writing requirement of these people is considered complete for purposes of serving as regular legislators. However, bills written by people who switch chambers will not be reassigned from their placement in the billbook.

Lobbyists who are members of the Governor's Cabinet already have a very important position and cannot move to fill a legislative spot. (Cabinet positions are described in the Executive Branch section of this manual.)

The First Year Program

History
The First Year Program was started in 1998 with a unicameral First Year House. The program was adapted from a model used by the Minnesota YMCA Youth in Government program.

Structure
The program is designed to expand or shrink as needed to accommodate changing numbers of participants. Seats will be allocated to delegations just as are regular House and Senate seats.

At its largest, the First Year program consists of a 100 member House and a 50 member Senate, just the same as the "main" House and Senate. Depending on enrollment estimates, both chambers may be smaller, or there may only be one chamber.

The program has a less formal atmosphere that allows people to "learn the ropes." Extra orientation, a procedures workshop, and practice sessions are held prior to actual committee hearings and bill debate. The presiding officer guides participants through the process with the help of volunteers on the floor who serve as mentors and helpers.

Duties of First Year Legislators
- All voting participants are required to write or co-write a bill, same as other Legislators, using the same bill writing guidelines.
- Participants use the same Joint Rules as the other chambers, but in an atmosphere that understands that people are new to the process.
- Participants in this program write, debate, and pass bills in the same manner as in the main House and Senate. Requirements for bills and rules of procedure are the same as the regular chambers.
- Members of the First Year program serve as pages for the regular House and Senate committees.

Participation
The First Year program is especially designed for the following people:
- Freshmen who are not already pages, reporters or lobbyists.
- Sophomores who are attending the program for the first time. (They could also choose to be attorneys, reporters or lobbyists instead)
- Optional for sophomores who have already been in the program in a previous year.
- Optional for Juniors and Seniors who are attending the program for the first time or who were shut out of the regular House and Senate due to the allocation formula. (Juniors and seniors may also choose to be reporters, attorneys or lobbyists instead)

Leadership
The presiding officer(s) and Committee Chairs approach people's mistakes and confusion over proper procedure in a supportive and mentoring manner. When there is only one chamber, the Lieutenant Governor will serve as the presiding officer of that chamber and bills passed will go directly to the Youth Governor for signature or veto. When a bicameral First Year Program exists, presiding officers for both chambers will be appointed, or if possible, elected. The first year program will have Committee Chairs and Vice Chairs appointed from participants who apply, in the same manner as regular House and Senate Chairs.

Legislative Officers

The Speaker of the House, President of the Senate, and Presiding Officers of the First Year Program are elected during the previous year's session. They participate in training activities and organizational meetings throughout the year leading up to the session.

The following offices are assigned to different delegations each year. Each delegation decides internally how they will select the person to fill the job. All of the appointed officers are critical to the Youth Legislature and well-qualified people are needed to fill them:

- President Pro-Tempore ("pro-tem") of the Senate
- Secretary of the Senate
- Assistant Secretary of the Senate
- Senate Sergeant at Arms/Chaplain
- Speaker Pro-Tem of the House
- Chief Clerk of the House
- House Sergeant at Arms/Chaplain
- Assistant Clerk of the House
- First Year Program Speaker/President Pro Tem
- First Year Program Clerk/Secretary
- First Year Program Assistant Clerk/Secretary
- First Year Program Sergeant(s) at Arms/Chaplain(s)

Job Descriptions

Presiding Officers and Pro Tem pores

The Speaker and President and their Pro-Tems should be able to speak with confidence before any size group and have a working knowledge of parliamentary procedure and the Joint Rules. It is imperative that these officers study Youth Legislature procedures carefully before coming to Helena, as they may differ from those used in other interscholastic events.

Speaker and President

- Preside over her/his respective legislative chamber, following the order of business, enforcing procedures, and preserving order and decorum.
- Vote on all issues.
- Decide all questions of order.
- Have general control and direction over the journals, bills, and papers of the chambers.
- Sign, when necessary, all bills, resolutions, orders and proceedings of the chambers.
- Serve as an ex-officio member of all committees (ex-officio means without the right to vote.)
- Note: Presiding Officer's presence is not considered in establishing a quorum in committee meetings.
- Be a member of the Joint Committee on Rules with full voting rights.
- Direct and assist the Sergeant at Arms as needed in performance of official duties.
- May participate in debate when the chamber is turned over to another member (usually the Pro Tem).

Speaker and President Pro-Tem

- The Speaker/President Pro Tem has full floor privileges and votes on all issues.
- The Pro Tem has the powers and performs the duties of the Presiding Officer in his/her absence. S/He presides over the chamber at the discretion of the Presiding Officer.
- When the Chamber goes to Committee of the Whole (see joint rules for details), the Presiding Officer generally steps down and the Pro-Tem takes over. When leaving Committee of the Whole, the Pro-Tem relinquishes the chair to the presiding officer. If the Pro Tem requests to be a participant in the debate, the Presiding Officer shall appoint another member of the chamber to chair the Committee of the Whole.
- When not presiding, Pro-Tem functions in close cooperation with the Presiding Officer from the floor, and in the absence of a majority leader, the Pro Tem can substitute as "floor leader" for the purpose of making procedural motions and otherwise expediting the business of the Chamber.

Clerk of the House/Secretary of the Senate

- Supervise all clerical business and printing of their Chamber.
- Receive bills from the Committees. Record action taken on all bills in committee. As Committees send bills, note which bills have passed in committee and need to be placed on the docket.
- Track and record committee amendments, see that copies of long amendments are made and distributed to members of the chamber before the amended bill is heard.
- Work with presiding officer of the chamber to maintain a current calendar (also called the docket) in the chamber (visible to all members) listing order of bills to be considered and action taken on them. (Note: Bills do not have to be considered in numerical order. The presiding officer has the option to schedule bills in whatever order s/he deems suitable.)
- Read the title and history of the bills to the Chamber along with amendments, if added in committee. (See joint rules for script)
- Read other communications as directed by the presiding officer of the chamber or outlined in the joint rules.
- Count votes on all issues and report results to the presiding officer.
- As bills are considered on the floor, immediately forward all passed bills to Secretary of State, noting action taken in committee (with amendments if added in Committee) and in the chamber. Include a report of the vote by which the bill was passed. (Secretary of State will record this information and transmit bills to the other chamber, or to Governor for Signature or Veto.)
- File all bills which have been rejected after recording the vote by which they were defeated, and give summary to Secretary of State for the record after transmittal.
- Receive bills from the Secretary of State or other legislative chamber.
- Keep all additional Committee Reports and Records and give them to the Secretary of State at conclusion of the session for archiving.
- Delegate duties to their Assistant as needed. Due to volume of work, considerable responsibility must be delegated to the Assistant.

Sergeant at Arms

- Attend the House/Senate during all sessions
- Preserve order and decorum as directed by the presiding officers, and perform other duties as assigned by the Presiding Officer.
- Be familiar with joint rules applying to the decorum of the chambers and privileges of members.
- Admit only those allowed by the rules of the chamber to the floor during regular sessions. No person is admitted during a floor session other than pages, advisors and members of the chamber unless otherwise directed by the Presiding Officer. (i.e do not allow lobbyists, press or members other chambers onto the floor during sessions)
- Announce and act as Official Escort to all official messengers or special guests to the Chambers. House and Senate Sergeant at Arms share the duty to escort special guests and officers during joint sessions.
- Have general supervision over all pages, keeping track of their attendance and proper performance of their duties.

Chaplain

- Prepare non-Sectarian devotional remarks for the following occasions:
- Opening Joint Session.
- Opening invocation at the beginning of daily floor sessions (One per day).
- Invocation at the Governor's Banquet.
- Benediction at Closing Joint Session

Developing Legislation

Although this section deals with the PROCESS of creating legislation and getting it passed into law at the Youth and Government session, The Bill Drafting Guide, which is in a separate section of the Program Manual, deals extensively with the FORM of legislation and the style and format required for an acceptable bill.

Identifying Issues

To begin developing a bill or other legislation, first you need to be aware of current events. Survey the many problems and issues, which currently confront the citizens of Montana. From there, develop your legislative idea.

How do you find out about current Montana issues?

- Read a daily newspaper. The major statewide dailies have large sections devoted to state and local news.
- Search the Internet for information on a topic you already care about and how it affects the citizens of Montana. Some state newspapers have searchable databases for past articles. Others have online indexes to help you locate articles that can be obtained at a local library.
- Watch local TV news. While not as in-depth as a newspaper, you can get an overview of important issues.
- Ask your local state representative or senator to attend a delegation meeting to talk about the issues they deal with at the real legislature.
- Interview civic leaders in your community and ask them, "What are the most vital problems facing our state today?"
- Ask the same question of your neighbors and other "ordinary" citizens. Ask about the concerns they have, and solutions they think might work.

The following is a list of general areas that may provide ideas as you search for an issue:

- State government - structure and administration
- Crime -- punishment and prevention
- Education
- Human rights
- Transportation issues
- Social welfare
- Family issues
- Natural resources and environment
- Labor and Business issues
- Taxation and revenue
- Public health, welfare and safety
- Health care
- Resolutions directed to the United States Congress
- Amending the State Constitution

Selecting a Topic

Once you have done your research, select an issue which is:

- Important to people's lives, a genuine concern of many people.
- Interesting - one others find worthwhile to debate.
- Constitutional under both the Montana and the US Constitutions.
- Legislatable: A legislatable issue involves a change in state or federal law, regulations or administrative policies. Some things aren't legislatable, like folkways, fads, and personal beliefs.

Research/Investigation

Learn more about your topic. This investigation can be the most exciting phase!
Ideas:

- Line up public officials with contrary points of view to debate the issues at a delegation meeting (invite the public if you want to).
- Go into the community and investigate--see a situation for yourself.
- Get involved! Develop a service project or join an organization that is actually working on your topic in the real world.
- Gather information from state government, a local library, the League of Women Voters, or other organizations that have a stake in the issue you are studying.

Most of all, keep these points in mind:

- Be thorough. Investigate with an objective frame of mind, with equal consideration of all points of view.
- Of course you have an opinion, but do research as if you didn't--the more bias you have in studying an issue, then the more you limit yourself in gathering information that may help you to deal with an issue wisely and creatively.
- Allow your mind to be changed by new information! Even if your opinion remains the same, your approach to the problem may change in a way that makes your bill more likely to pass.
- Remember, someone else will probably disagree with you when you get to Helena for the Youth and Government session, and if you did not test your ideas for weak points, you can be guaranteed that others will find them for you!

Developing Policy

Identifying the Problem
Once you have researched a topic that interests you, ask:

- What precisely is wrong with the current situation?
- Can something be done to change things for the better?

Obviously, if things are fine the way they are, you don't have a legislatable issue. Likewise, if there is an unsolvable problem, legislation is of no use. For example, earthquakes are a problem. However, no one can stop an earthquake. So, to find a legislatable issue, a person has to dig a little deeper: What are problems associated with earthquakes that can be solved? Insurance issues? Building Codes? Research?

Developing a Solution

Once you have identified a solvable problem, you can look for a solution. This is how legislation is developed. To find solutions, answer the following questions for yourself:

- What is the existing law on this issue? (Look up the topic in the Montana Code Annotated [MCA] or the Administrative Rules of Montana [ARM] for details)
- Once you know the law, ask: Does your proposed solution require:
    - enactment of a new law?
    - change to an existing law?
    - repeal of an existing law?
    - amending the Montana Constitution?
- Next, decide precisely what changes can be made to existing law. That becomes the focus of your bill.

Research your solution to be certain it is workable. Some places to get help include:

- State agencies (For help locating telephone numbers and names, contact the State Office.)
- local attorneys
- school teachers
- local legislators
- libraries and librarians
- the Internet
- local government officials (County Commissioners, City Commissioners, etc.)
- Other knowledgeable local citizens

Joke Bills

While humorous, lighthearted "joke" bills are sometimes fun to write and can offer a needed break during the session, delegations are asked to submit very few, and those allowed should still be written to make a point, albeit humorous, about public policy.

Bills dealing with popular fads, state symbols and other current topics can be acceptable at the advisor's discretion. Bills in poor taste or attacking a certain group of people are not.

Comment: Even real legislators sometimes intentionally create humorous legislation. For example, a state senator once introduced a bill to make the Magpie the Official State Bird!

Bill Preparation

General Guidelines

- There is an official format which bills must follow, outlined in the Bill Drafting Guide.
- Bills are read and evaluated for form prior to publication, and unacceptable bills are returned with an explanation for rejection. Bills rewritten in an acceptable form by the announced deadline can still be introduced.
- Only bills printed in the billbook or committee-created bills based on combining or amending introduced bills may be considered during the session.
- Do not have duplication in the bills your delegation submits. Participants in the same delegation with similar ideas should co-sponsor a single bill.
- Bills passed the previous year are considered "in effect," therefore similar legislation cannot be introduced in the current year. A list of bills passed the previous year is on the state website.

Developing Your Legislation

As mentioned earlier, find out the present law on your subject. If you are not certain what the present law is, ask an attorney, or look up the law on your own. Montana Code Annotated is readily available on the Internet. For summaries of recently introduced or passed Montana legislation, check the state website.

Be sure your bill is within the scope of the Montana Legislature's jurisdiction. The legislature may enact laws with the following limitations:

- limits resulting from the delegation of power to the National Government by the United States Constitution, such as the power to coin money;
- limits expressed by the 1972 Montana Constitution, such as powers reserved for local government (You may introduce voter referenda to amend the Constitution);
- limits placed by the U. S. Constitution on state governments;
- limits set by Acts of the United States Congress.

Certain legislative powers may be exercised either by Congress or by the Montana Legislature. Montana may enact laws until or unless Congress acts in a manner that supersedes the state's authority.

Decide what type of legislation you will create. You can:

- enact a new law
- change an existing law
- repeal an existing law
- amend the Montana Constitution
- send a resolution to the U. S. Congress

Outline your proposal, making sure you have covered all aspects of your solution. For example:

- Will money be required to carry out the provision? If so, be sure to include appropriations of the necessary funds.
- Will the Act require administration by a state agency? If so, designate the agency.
- When should your solution go into effect? Can it begin immediately or is some time needed to prepare for the changed law?
- Do you need to repeal additional statutes? Check to see if you need to include a Repealing Clause.
- Are there some areas your proposed law should not affect? If so, remember to place a Saving Clause in your bill.

Draft, refine, and polish your bill in the style shown in the Bill Drafting Guide.

How a Bill Becomes a Law at Youth Legislature

Action	If bill passes…	If bills fails…	Comments
When bills are submitted to the YMCA Youth Legislature, they are read and assigned to a committee			In real life, this would be like "introducing" a bill and completing the "first reading."
Committee Hearing & committee vote	…it moves to the next step… NOTE: A bill could get the designation "DP" (do pass) or "DPA" (do pass with amendments.)	…it is dead.	This combines the real world process of 2nd and 3rd readings. Due to time constraints, at youth legislature, the only place a bill can be amended is in committee; amendments are not allowed in floor debate.
Floor debate & vote	…it is sent to the Secretary of State's office for bill transmittal…and moves to the next step…	…it is dead.	Any bill not passed by the transmittal deadline (noon on Tuesday) is considered **dead** (*insert scary music here*.)
Transmittal to other chamber			The SOS and his/her staff get any bills that passed assigned to a committee in the opposite body to start the process all over again.
Committee Hearing & committee vote	…it moves to the next step… NOTE: Again, bill could get the designation "DP" (do pass) or "DPA" (do pass with amendments.)	…it is dead.	
Floor debate & vote	…it goes to the governor for a signature OR it goes to the originating body to concur with any changes made.	…it is dead.	If new amendments were made to the bill, it needs to return to the floor of the originating chamber to concur with its new amendments.
Governor's Desk	…it becomes a law!	…it is vetoed…and…it's dead.	In Latin, "veto" means, "I forbid!"

The Deliberation Process

Committees
A committee is where bills are heard and debated for the first time. It is also a place where non-legislators may have input on a bill.

The rules of the Youth Legislature are based on the Rules of the Montana Legislature and Mason's Manual of Legislative Procedure. The rules and procedures governing committees are explained thoroughly in the Rules and Procedures Manual.

Bills are assigned to committees by the state office. Bills in the same broad area (for example, transportation bills, criminal law bills, or natural resource bills) are placed together.

All committee sessions are open. There is no such thing as an "executive session" where a meeting is closed to the public.

Legislative committees are scheduled to meet on the first and second days of the session. They will meet within the time allowed in the printed schedule.

A committee considers each bill in the following manner (the Joint Rules Manual explains committee procedure in more detail):

1. The bill's sponsor gives a speech explaining and advocating for the bill
2. A "public hearing" is opened where anyone may offer testimony on the bill.
3. Legislators who are members of the committee ask questions of those who testified. After questions, the sponsor gets to close.
4. The committee then goes into debate, at which time only members of the committee may speak. This is where debate, discussion, motions and amendments occur.
5. Remember: AMENDMENTS MAY ONLY BE MADE IN COMMITTEES, AND NOT ON THE FLOOR OF THE YOUTH LEGISLATURE.
6. The committee votes on the bill, recommending the action they want the full chamber to take.

Committee Assignments
The State Office assigns all legislators to a committee. Committee assignments can only be changed by the State staff. Chairs cannot alter committee assignments.

When possible, a bill's sponsor or one of its co-sponsors is assigned to the committee to which their bill has been submitted. This is not always possible, but legislators can temporarily leave their assigned committee to testify on their bill if it is placed elsewhere.

Participation

Committee members
Members are the senators or representatives assigned to a specific committee. They listen to testimony regarding the bill, make motions and amendments, debate its merits and vote on all committee actions. Members address one another as "Senator (last name)" or "Representative (last name)"

Committee Chair
The Chair is a committee leader who is appointed by application and completes a training program prior to the session. Chairs are not only leaders of the committee, but facilitators, streamliners, and guides. The Chair is courteous, firm and fair with all participants. The Chair votes on all issues and questions, but cannot debate while presiding.
The correct form of address is "Mr./Madame Chair" or "Representative/Senator (last name)"

Vice Chair
The Vice Chair serves when the Committee Chair is absent or chooses to relinquish the Chair in order to participate in debate. The Vice chair may also act as a committee secretary. The Vice Chair is a full committee member.

Committee Secretary
This is a committee member assigned by the chair who, at the direction of the chair, calls the roll, reads the official actions of the committee back to its members, records the disposition of each bill. This person does not debate or vote.

Committee Page
This is an errand runner who photocopies amendments and carries committee reports to the clerical staff of the appropriate chamber. This person does not debate or vote. Pages will be rotated into committees from the First Year Program.

Other people are generally present in the committee room. These participants can offer testimony, but cannot ask questions, debate or vote. They include:

- Other legislators. Legislators who are not members of the committee may attend and offer testimony in the public hearing. If a non-committee member is the bill's sponsor, they get an opening and closing speech.
- Lobbyists. Lobbyists are allowed to testify on bills of concern to them in the public hearing.
- Reporters. Reporters may attend any committee meeting to report on its events. They may testify on bills if they want to.
- Other Pages
- Pages from other areas may run messages into any committee. They may testify on bills if they want to.
- Attorneys. Attorneys may participate as lobbyists when they are not occupied with Model Supreme Court matters.
- The Public. Any participant--page, reporter, lobbyist, etc., may step into the role of an ordinary citizen and offer their input on a bill during its public hearing. Spectators, including adults and people not involved with the program may be present in committee rooms.

Duties of Committee Chairs

- Read and study in advance all bills assigned to the committee.
- Attend training sessions for committee chairs.
- Make physical arrangements as needed for a successful meeting--arrive early, see that the door is unlocked, set up chairs and lectern, make sure visitor's register is out, etc. In charge of the room in general.
- Have copies of all forms and papers.
- Check the membership of the committee, making sure that each person is in the correct committee. Chairs cannot alter a committee roster. Any corrections need to be made through the State Office.
- Set and Supervise the Committee's Calendar--the order of discussing the bills.
- Preside over the committee and public hearings. Maintain order, decorum, and fairness within the committee room.
- Allow lobbyists and the "general public" to testify.
- Instruct the pages as needed to photocopy amendments, send completed bills to the Clerk or Secretary of the appropriate chamber and other duties.

A note on Parliamentary Procedure

Chairs need to use correct Parliamentary procedure, as it is a tool to ensure a fair and balanced meeting. However, it is not to be used as a "weapon" that artificially cuts off debate or abuses the position of leadership. When a Chair facilitates a debate, their primary interest is not in the issue per se, but rather in seeing that the bill is considered in a fair manner. When a Chair's feelings are strong on an issue, they need to relinquish the Chair to their Vice-Chair so they may debate.

Many participants are inexperienced with Parliamentary Procedure and do not always know when a motion is in order. Chairs are allowed to suggest motions and other procedural actions that will help committee members. The Chair is always able to say, "A motion is in order at this point," or "Do I hear a motion to...?" They may also allow people who misspoke or were confused to withdraw and restate motions so that the person's actual intent is expressed.

Floor Sessions

Consideration of Bills

The following are the steps a Youth Legislative bill must go through in order to become law. For more details, consult the Joint Rules:

1. A bill is discussed and voted on by the committee to which it is referred. The committee where a bill is assigned cannot be changed. Amendments may only be made in committee.
2. A bill is reported out of committee one of three ways: Do Pass, Do Pass as Amended, or Do Not Pass. If a bill is reported "Do Not Pass," it officially "dies" upon adoption of the committee report in the main House or Senate Chamber. (See the Joint Rules for ways to get a bill that failed in committee out to the floor)
3. After the committee report is adopted, all bills reported out of committee are placed on the docket for debate. Debate is conducted in what is called Committee of the Whole, a parliamentary arrangement that allows the full chamber to debate in a slightly less formal atmosphere.
4. When a bill comes up in Committee of the Whole, it is debated and usually requires a simple majority to pass. (Exceptions are outlined in the Joint Rules and the Bill Writing Guidelines)
5. If a bill passes the chamber where it originated, it goes to the other chamber for a new round of committee hearings and floor debate. It must receive a favorable vote in that chamber before going to the Governor. If it does not receive the necessary favorable votes, it is dead.
6. If a bill is not debated and voted on by the transmittal deadline, it is automatically dead. (See Joint Rules for exceptions)
7. If a bill receives the necessary vote in both chambers, it goes to the Governor for his/her signature. If s/he signs it, the bill becomes a law.
8. The Governor will have two hours in which to act on a bill. If s/he does not sign or veto the bill within two hours after its delivery, it becomes law without his/her signature.
9. If the Governor vetoes a bill, the veto can be overridden by a 2/3 majority vote of both chambers.

Promoting Your Bill

Brilliant public speaking alone will not get your bill passed. You have to convince people that you have a worthwhile idea. A great deal of the work involved in passing a bill happens informally, before floor debate begins. A "Lone Wolf" is not as successful in passing a bill as someone who works with others. You will not get more "points" by keeping information to yourself--in fact, it will hurt your bill if your supporters are not informed of vital information.

So, talk with other members of your chamber and secure their support for your bill IN ADVANCE of debate upon it. Ask your supporters to speak in its favor when it comes up on the floor. To help gain support for your bill, help others with theirs--offer to speak in favor of their bill, share knowledge with them about the probable votes of the different senators and representatives, and so on.

Be thoroughly prepared to answer the arguments of your opposition, and pass what you know on to your supporters so they are informed too. Sharing your knowledge, suggesting arguments, and providing research information to other supporters will increase the likelihood that your bill will pass.

Lobbyists can be your friends! Ask the lobbyists who support your position to help you find more supporters, and to provide them with the information needed to help your bill pass. Listen to their ideas for improving your arguments! Ask them what people are thinking, what arguments against your bill may be brought up, etc. Use them as your legs to relay messages and plan strategy when you are busy elsewhere.

Many bills pass one chamber and fail in the other! Be sure to find a Sponsor in the other chamber who will carry your bill if it passes your chamber. You should also secure as much promise of support as possible from other members of that chamber.

How to Debate an Issue

Decorum

The Joint Rules have a section, which covers the decorum and privileges of members in detail. Some of the basics include:

- Debate the issue, not the person. Be sure to avoid personal attacks.
- Parliamentary procedure is a tool used to promote fairness while also allowing business to be conducted in an efficient manner. The rules are created to protect the rights of members. Therefore, attempts to manipulate or misuse the rules of procedure will be called out of order.
- The Presiding Officer of a chamber has authority over the decorum of the chamber. A direction of the presiding officer is to be followed.
- Sergeant at Arms is an officer of the chamber and is allowed to act to enforce the rules of the chamber. A direction from the Sergeant at Arms is to be followed.
- Parliamentary tradition is that all comments are addressed to the presiding officer. No one addresses another member directly.
- People refer to each other in debate using the third person--as "the previous speaker," or "the Representative/Senator from (city)," or "Representative/ Senator (last name)." The reason this is done is to help people keep the debate on the issue and away from personalities.

Motions

A complete list of motions and when they are used is included in the Rules and Procedures Manual.

Questions

- The purpose of a question is to obtain information and not to give a speech or present an argument.
- Individuals are limited to two questions per motion. (A question and follow up counts as two questions)
- Questioners may not interrupt a speaker.
- No more than five questions total may be asked of any speaker on an issue.

Speech Limits

The limits below apply in most situations. See the Joint Rules for full details. The chamber has the right to shorten speech limits or to set a time limit on debate or total number of speakers. Unless a shorter limit has been set, the lengths allowed for speeches are:

Sponsor's Opening remarks	3 minutes
Each Pro and Con debate speech	2 minutes
Sponsor's Closing remarks	2 minutes
Consent Calendar Bill Speech	2 minutes
Speeches to "blast a bill out of committee:	1 minute
Answering questions	1 minute

Debate Ethics

- The issue should be decided on its own merits, and not on the personalities of its supporters or opponents.
- The goal of bill debate is not to "win" or "lose," but rather is to determine the best solution to real problems that affect real people.
- Compromise is generally OK, because no one has all the answers. The best solution is often in the middle
- The ends do not justify unethical means. Fairness and free debate are the best tools for arriving at solutions that will actually work.

Debate Style

- Debate should be calm and logical. Emotionally charged debates often lead to poor decisions, or at best, the right decision made for the wrong reasons.
- This does not mean to exclude all appeals to emotion and sentiment, but rather as a caution; you need to know how to make arguments that are grounded logically.
- Your arguments will be higher class--and often more effective--if you avoid logical fallacies.
- A Logical Fallacy is a false argument that appeals to emotion or prejudice rather than to logic, facts of the issue, or reason. It is a good idea to avoid fallacious arguments because you can lose all credibility once your poor reasoning is exposed.

The Executive Branch

The Executive Branch of the Youth and Government program includes both the Governor's Office and the Secretary of State's Office. These are separately elected positions with different duties.

Governor and Lieutenant Governor

The Governor's Office consists of the Youth Governor, Lieutenant Governor, Chief of Staff, and "Cabinet" members that act as lobbyists and policy advisors to the Governor.

Duties of the Governor

1. Prepares executive branch legislation, a group of bills which s/he highly supports and has introduced "By Request of the Governor" under the sponsorship of a legislator. The Governor may introduce up to five bills.
2. Appoints cabinet members as outlined in Governor's Cabinet section. The Governor prepares a philosophy statement for potential cabinet members to review so that applicants are familiar with the policies they will be asked to promote.
3. Speaks at the following times:
    - Informal Welcome during Sunday night orientation and workshops. Assists adult staff and volunteers in outlining rules and other housekeeping details. Focuses on helping everyone feel welcome and getting people organized.
    - Gives the "State of the State" address at the Opening Joint Session and recommends a legislative program based on a study of the bills coming before the Youth Legislature.
    - Will give a short presentation at the Tuesday Board of Director's meeting, outlining experiences as Youth Governor, particularly National Youth Governor's conference and other significant activities.
    - Serves as emcee of the Tuesday night Youth Governor's Banquet. Gives short, encouraging speech about how things are going so far, and then introduces candidates for next year's elected offices, facilitates speeches and referees questions to candidates from the floor.
    - Makes closing remarks at final joint session. Briefly explains action on each signed or vetoed bill and reviews the accomplishments of the Youth Legislature and Model Supreme Court.
4. Meets daily with Cabinet members, reviewing legislation and discussing lobbying strategies.
5. Tracks legislation as it goes through the process, takes a position on relevant pieces of legislation beyond his/her own package of bills.
6. Studies bills passed by the Youth Legislature, with counsel from cabinet and other participants, then either signs bills into law or vetoes them.
    - The Governor has two hours to act on a bill once it has passed both Chambers. The clock starts at the time the bill is delivered to the Governor's office by the Secretary of State (SOS) or authorized designee.
    - All bills acted upon are given back to the SOS for placement in the official record.
    - Vetoed bills are accompanied by a written veto message. Vetoed bills and the Veto message are returned to the chamber of origin for each bill.
7. When time allows, bills that are signed into law go through a bill signing ceremony as follows:
    - If the Governor plans to sign a bill, then within the time limit, s/he initials the transmitted copy of the bill and returns the bill to the SOS office.
    - The SOS will bring the original full-sized copy of the bill, (with copies if there are multiple authors) and the official Youth and Government Seal to the Governor's office.
    - The Governor's staff sends messages to the bill's sponsor(s) and author(s), asking them to report for a bill signing.
    - The bill has a signature line stamped on it for the Governor's signature. When available, the Governor will use a new pen to sign each bill.
    - After the bill is signed, the Secretary of State uses the embossing seal over the Governor's signature to make it an official "law."
    - After the session, the Author(s) of the bill get the embossed bill and if available, the pen used to sign it. If they bring cameras, they may take appropriate photos with the Governor and the Secretary of State if time permits.
    - Note: Bill signing ceremonies may vary in formality. Some may be scheduled ahead of time, but in other cases, especially the last day; bills may be signed sporadically throughout the day on short notice.
8. Represents Montana YMCA Youth and Government participants as an ex-officio (non-voting) member of the Board of Directors.
9. Represents Montana at the National Youth Governors' Conference, plus may attend in an official capacity at other YMCA or related events.
10. Signs certificates of participation with the help of staff.
11. Assists State Director as needed before, during and after the session to help develop program policy, create and sign letters, train other leadership, and assist with the fundraising and promotional efforts of the program.

Joint Rules relevant to Governor's duties

- If a bill passes in both chambers, it will go to the Governor for his/her signature. If s/he signs it, the bill becomes a law.
- The Governor will have two hours in which to act on a bill. If s/he does not sign or veto the bill within two hours after its delivery to her/him, it shall become law.
- If the Governor vetoes the bill, s/he will send it back to the chamber of its origin with a statement of his reasons for doing so. The Standing Joint rules outline the procedure for a veto override vote. A 2/3 majority "Yes" vote in both chambers overrides the veto. A "No" vote of more than 1/3 of either body supports the Governor's veto and the bill is defeated.
- The Youth Governor does not have the prerogative to veto constitutional amendments or resolutions.
- The Youth Governor is a member of the standing joint committee on rules, should it choose to meet.
- The Youth Governor may send messages to either chamber at any time to be read at the appropriate order of business of that chamber.

Duties of the Lieutenant Governor

Governor and Lieutenant Governor candidates run together as a team. The Lieutenant Governor:

1. Acts as Governor's personal representative when needed.
2. Fills in for Governor if Governor is not available for bill signing, speeches or other duties.
3. Depending on the size of the First Year Program, will either serve as Governor to the First Year House and Senate, or, if there is a single chamber, presides over First Year House chamber, when such a chamber is a part of the program.
4. Traditionally presides over the closing session and awards ceremony.
5. Helps Governor prepare reports, messages and other paperwork.
6. Familiarizes him/her self with the duties of the Governor.
7. Fills in for Governor at National functions if Governor is unable to attend.

Governor's Cabinet and Staff

Each year, a Governor's Cabinet is appointed. The Youth Governor selects a Cabinet from the ranks of preregistered Lobbyists who apply for Cabinet positions. Cabinet members serve as lobbyists for the Governor's legislative agenda, track legislation and court cases, and advise the Governor on legislative strategy. Cabinet applicants must be people who have signed up to be lobbyists, and they agree that, if selected for the cabinet, they will not forfeit a cabinet position for a legislative seat, even if one opens up in their delegation.

Prior to applying, the Governor will make a philosophy statement available so that potential applicants know the issues they will be asked to support. Applicants are expected to review the Governor's philosophy statement before applying to be sure they are comfortable with the policies they are expected to promote.

Cabinet members may speak on bills independently of the Governor, but are asked not to publicly lobby against the Governor's agenda. Cabinet members who feel strongly in opposition to the Governor's policies are allowed to resign their positions and revert to regular Lobbyist status. The Governor may make new appointments to fill any vacancies due to absences, drops from the program or resignations.

Governor's Chief of Staff

- Control the flow of visitors to the Governor's office.
- Provide the Governor with any clerical assistance needed, either directly or by recruiting pages to serve as additional staff.
- Discuss legislation with lobbyists to help keep the Governor informed.
- May assist the Governor, Cabinet, and Lt. Governor in Lobbying for Executive Branch legislation.
- Tracks the schedule of the Governor, Lt. Governor, and cabinet members with the goal of knowing where to find most staff members most of the time.
- Transmits official messages from the Governor to the Legislative Chambers, including veto messages.

Secretary of State

The Secretary of State's job includes the roles of Chief Elections Officer and enrolled bills custodian, traditional duties of the real Secretary of State, combined with the job of bill tracking and transmittal, tasks that in the real world are done by the career staff of the Legislative Services Division and the appointed staff of the legislature. The Youth Secretary of State has an appointed assistant and works closely with the clerical staff of the legislative chambers.

Job Description

Secretary of State (SOS) must be efficient, responsible and well organized. The duties of the SOS are to:

1. Track legislation as it goes through the system. In theory, the SOS office staff should be able to tell where any bill is at any given time.
2. Help train the clerical officers of each chamber in their duties.
3. Direct and oversee the Assistant Secretary of State and any pages assigned to the office.
4. Records all amendments to passed bills.
5. Transmit bills and any amendments between chambers and to the Governor.
6. Certify all passed legislation that becomes "law."
7. Prepare a journal of legislative action for the permanent records of the State Office.
8. Certify signatures on ballot initiatives and candidate petitions.
9. Supervise the primary election, seeing that the polls are opened and closed at the proper times, making sure that enough pages are available to staff the voting area and ensuring a free and fair election. (Adult advisors do all ballot counting. Adult advisors also take general election staff duties so people can enjoy the dance.)
10. Prepare a voter's guide on the initiatives and referenda that qualify for the ballot.

Legislation-Related Duties

1. Track all bills and note each action on every bill in the official journal.
2. Record all amendments made to bills in committee, and when transmitting bills to other chamber, see that bills are submitted to those chambers in the form passed by the first chamber (including correctly worded amendments).
3. Prepare a printed list of all amendments, making legible copies of long amendments or retyping heavily amended bills, make copies and see that they are distributed to all legislators and other interested parties.
4. Keep in touch with Clerical Staff of each chamber so as to have most current information available.
5. Notify the Governor in writing as to the action taken on bills at transmittal.
6. Deliver bills that pass both chambers to Governor for Signature or Veto with a transmittal record that indicates the time the bill was delivered to the Governor's office.
7. The Governor has two hours to act on a bill. He will either sign the bill or veto it, and return the bill to the SOS. If the bill is vetoed, it is stamped with the veto stamp and a veto message is prepared by the Governor that his/her staff delivers to the bill's chamber of origin. The SOS will track the progress of veto override votes.
8. If the Governor plans to sign a bill, then within the time limit, s/he initials the transmitted copy of the bill and returns the bill to the SOS office. The SOS will record the bill as signed, and obtain the original full-sized copy of the bill, make copies if there are multiple authors, and take these originals, along with the official Youth and Government Seal to the Governor's office. After the bill is signed, the Secretary of State uses the embossing seal over the Governor's signature to make it an official "law."
9. At the close of the session, the Secretary of State is responsible for preparing a copy of the billbook as a journal of all bill action, including a list of the bills signed into law by the Governor, and submitting that journal to the State Director.
10. The SOS also gathers the committee reports and other information submitted on bills and gives this material to the State Office staff at the conclusion of the session.

Assistant Secretary of State

An appointed assistant is assigned full time to help the Secretary of State. This person is responsible for helping keep track of where the bills are, if they pass, and when and where they will be heard next. If so directed, this individual will assist with clerical and record keeping duties as needed. The Assistant may also be the "gofer" of the Secretary of State, performing errands and running messages as needed.

The Assistant will act as an information clerk for lobbyists, legislators or others who request information so as to allow the Secretary of State to work free of excessive outside interference.

The Secretary or State or Assistant Secretary of State may also recruit pages to assist them as needed.

Glossary of Legislative Terms

ACT or LAW: A bill that has been passed by both the House and the Senate, enrolled, approved by the Governor or passed over the Governor's veto, and published.

ADJOURNMENT: Ending of a meeting or legislative floor session. Adjournment of the House or Senate takes place at the close of each legislative day, with the hour and day of the next meeting set before adjournment.

ADJOURNMENT SINE DIE: (pronounced "sin-ay dee-ay") Ending of the Legislature until the next session.

ADOPTION: Approval or acceptance; usually applied to motions, amendments, and resolutions.

AMENDMENT: A change proposed or made to a bill or motion. Amendments may only be offered in a standing committee or conference committee at the YMCA Youth Legislature.

APPROPRIATION: Legislative authority for expenditure of state money for a specific purpose by the various departments of state government.

BILL: Measure proposing legislation to create a new act (or amend or repeal existing law). Must be sponsored by a legislator. If a bill is passed by both the House and the Senate and approved by the Governor (or passed over the Governor's veto), it becomes a law.

BY REQUEST: When a member of the Legislature agrees to introduce a measure on behalf of some other entity. This is considered a courtesy, primarily extended to the executive branch, since only Legislators can introduce legislation. It does not necessarily imply support for the measure introduced.

CALENDAR: List of measures to be taken up for deliberation on the floor of the House or Senate, usually following completed committee action. A place on the calendar, however, does not guarantee a measure floor consideration.

CALL OF THE HOUSE (or SENATE): A procedure used to compel attendance of members for any specific item of legislative business. Can be called without a quorum being present.

CAUCUS: A meeting of all members of a political party. The term also refers collectively to all members of a political party in a house.

CHAMBER: The official meeting place of the Senate or the House of Representatives.

CHIEF CLERK: A person appointed to the House of Representatives to perform and direct the parliamentary and clerical functions of the House.

COMMITTEE: A group of legislators chosen to consider and make recommendations on bills and other matters in a particular subject area.

COMMITTEE CHAIR: The legislator appointed to preside over a committee as it conducts its business.

COMMITTEE OF THE WHOLE: The convening of an entire chamber into committee for the transaction of business.

COMMITTEE REPORT: An official release of a bill or resolution from a committee to the chamber as a whole. A committee report may recommend that the chamber act favorably or unfavorably on the bill or resolution.

COMMITTEE SECRETARY: A person designated to record minutes, official votes, & other actions taken at committee meetings.

CONCURRENCE: Agreement by one house to a proposal or action taken in the other house.

CONFERENCE COMMITTEE: A group of legislators appointed by the presiding officer in each house to resolve differences between the houses on a bill. A conference committee is limited to consideration of the disputed sections.

CONFLICT OF INTEREST: The existence of a personal interest of a legislator that affects the ability of that legislator to vote impartially.

CONSENT CALENDAR: An expediting
procedure to pass non-controversial legislation, usually without debate.

CONSTITUENT: A person who lives in the district represented by a legislator. At Youth and Government, constituents can also be the non-legislator members of one's delegation.

CONVENE: To officially begin a meeting of a legislative body.
DEBATE: The time allotted to legislators to publicly discuss a pending matter.

DIVISION: Votes in which Members who favor or oppose a proposal, respectively, stand and are counted individually but not recorded by name.

DISTRICT: The geographic area of Montana represented by a legislator. District boundary lines are determined on the basis of population. Each district is designated by a number. A Senate district consists of two contiguous House districts.

EFFECTIVE DATE: The date on which a law becomes binding.

ENGROSSING: The incorporation of amendments and all appropriate technical corrections into a bill.

ENROLLING: The preparation of a bill in the form that it finally passes the Legislature.

FISCAL NOTE: A note attached to a bill that estimates the financial impact of the bill on government entities.

FLOOR: The interior chamber of the House
or Senate where the Members meet to deliberate proposed legislation.

FLOOR ACTION: the consideration of a measure by the entire membership in either house.

GALLERY: Specific seating areas reserved for the public to observe proceedings on the floor of either chamber.

GENERAL FUND: The treasury fund into which all money not earmarked for a specific purpose is deposited. The general fund supports the general functions of state government.

GERMANENESS: The relevance or appropriateness of an amendment to a bill. If an amendment is determined to be not germane to the bill, it cannot be made to the bill.

HEARING: Public discussion scheduled by a standing committee for the purpose of gathering information on a bill.

HOUSE: Specifically, the House of Representatives, but also used broadly to refer to either of the two equal "houses" or chambers of the legislature.

INTRODUCTION: The formal presentation of a bill into the legislative process, at which time the bill is given a number designation.

JOURNAL: The official record of the proceedings in a house.

LAW: See ACT.

LEGISLATOR: A member of either the Senate or the House of Representatives.

LEGISLATURE: The Senate and House of Representatives collectively.

LOBBYIST: An individual who encourages the passage, defeat, or modification of proposed legislation.

MAJORITY LEADER: The member of the majority party in each house who is elected to be the party's leader. The Majority Leader is responsible for scheduling floor activity. The Majority Leader follows committee work in order to produce a steady flow of bills for floor debate and to project time requirements for debate. The Majority Leader is the lead speaker in floor debate and assists the party in program development and policy formation. (See parties and elections manual for more information)

MAJORITY PARTY: The political party having the most members in a house.

MINORITY LEADER: The member of a minority party in a house who is elected to be the party's leader. The Minority Leader develops the minority position and negotiates with the majority party. The Minority Leader directs floor activity for the minority party and leads the floor debate for the minority party. (See parties and elections manual for more information)

MINORITY PARTY: The political party or parties having fewer than a majority of the members of a house.

MONTANA CODE ANNOTATED (MCA): The official codified, published version of the statutes of Montana that are of a permanent or general nature.

MOTION: A formal proposal offered by a member in subcommittee, committee or on the floor of the House or Senate.

ORDER OF BUSINESS: The established sequence of activity for each legislative day.

OVERRIDE: The 2/3 majority vote by both houses to approve a measure which thus becomes law in spite of veto by the Governor.

POINT OF ORDER: An action of a member that calls attention to a perceived breach of a house's rules.

PRESIDENT OF THE SENATE: The presiding officer of the Senate. The President preserves order, recognizes speakers, and makes rulings on questions of procedure. The President determines who presides during Committee of the Whole, approves the calendar for each legislative day and is an ex officio member of all standing committees. The President controls access to the Senate floor, assisted by the Sergeant at Arms.

PRESIDING OFFICER: The person elected to direct the activities of a house.

PRO TEMPORE: The member of the House or Senate who acts in the absence of the regular presiding officer.

QUORUM: The minimum number of members required to be present in order for a legislative body to conduct business. A quorum is one more than half of the membership.

RECESS: A break in the daily session.

REFERRAL: Sending bills to committees.

RESOLUTION: A formal legislative expression of opinion. A resolution may be acted upon by either house or by both houses. A resolution is not transmitted to the Governor.

ROLL CALL VOTE: A method of recording votes by printing the names of the members and their votes.

RULES: Regulations and principles governing procedures that are adopted for each house and for actions between the houses.

SECRETARY OF THE SENATE: The officer of the Senate appointed to perform and direct the parliamentary and clerical functions of the Senate.

SERGEANT-AT-ARMS: An appointed officer of a house who maintains order, regulates access to the chamber, and carries out the requests of the presiding officer or membership.

SPEAKER OF THE HOUSE: The presiding officer of the House of Representatives. The Speaker preserves order, recognizes speakers, and makes rulings on questions of procedure. The President determines who presides during Committee of the Whole, approves the calendar for each legislative day and is an ex officio member of all standing committees. The Speaker controls access to the House floor, assisted by the Sergeant at Arms.

SPONSOR: The legislator who introduces a bill.

STANDING COMMITTEE: A committee established by a house's rules to consider legislation in a specified subject area.

STATUTE: A permanent or general law codified as part of the Montana Code Annotated.

SUBCOMMITTEE: A group of members of a standing committee appointed by the chair of the committee to study and report on a specified bill or subject.

SUBSTITUTE BILL: An amendment that replaces the text of an entire bill. The substitute text must be within the scope of the original title.

TRANSMITTAL: A deadline, midway through the session, by which all bills must be passed to the other chamber. Any bills which have not received consideration in their original chamber by transmittal are considered dead.

VETO: An action taken by the Governor to prevent the enactment of a bill. The Legislature may override a veto by a two-thirds vote of the members of each house.

VOICE VOTE: When those in favor of a motion say "aye," and in turn those opposed say "nay," with the presiding officer determining the winner. If the winning side is unclear, a call for Division is in order.

WELL: The area of a chamber directly in front of the rostrum in the chamber.

WHIP: The elected officer from each caucus in each house through whom the party machinery is set in motion. The Whip is responsible for determining the direction opinion is moving on an issue. The Whip is responsible for having members present at moments of importance to the party. (See parties and elections manual for more information)

Most definitions adapted for the Youth Legislature from Legislator Educational Information, Montana Legislative Services Publication, 1998-1999 edition. Additional definitions obtained and adapted from the LEGI-SLATE Glossary Web Site at http://www.legislate.com. Remaining definitions are original to this manual.

Classic Logical Fallacies

Hasty Generalization: Easily spotted by the use of "always," "never," or similar words. An arguer who fails to qualify words does not appear to have thought about their answer. This fallacy also occurs when the sample is probably not representative of the group.
Example: "All welfare recipients are lazy bums."

Straw Man: Occurs when an arguer distorts or falsifies an opponent's argument for the purpose of more easily attacking it. This often happens when someone quotes another person out of context.

Pseudo Question: when a question is asked based on a false premise such as, "so, how long have you been stealing from the poor?"

Circular Reasoning: Occurs when stating in one's proof that which one is supposed to be proving.
Example: "Joe knows how to fix cars because he says he knows how to fix cars."

Ad verecundiam: This is an argument that appeals to revered (often dead) authority that is not familiar with the current situation.
Example: "Thomas Jefferson said that it is OK for states to nullify federal laws."

Non Sequitur or Missing the Point: When the conclusion doesn't follow the evidence. Occurs when the premises of an argument appear to lead up to one particular conclusion but then a completely different conclusion is drawn.

Red Herring: Occurs when the arguer diverts the attention of the reader or listener by changing the subject to a totally different issue.

Ad Hominem: A fallacy that occurs when an arguer attacks the person rather than the issue. It also occurs when an arguer moves a discussion to a personal level through character assassination.
Example: "My opponent is obviously a complete idiot."

Ad Populum: This is a direct appeal to prejudice, or at best, to passing popular sentiments. Less severely, this is simply an appeal to feelings or prejudices as opposed to logic. Sometimes less flatteringly called "pandering" or "jumping on the bandwagon."

Ad misericordiam: An argument that appeals to pity.

False Cause: Occurs whenever the link between premises and conclusion depends on some connection that probably does not exist.
Example: "Cancer is caused by white rats."

False Analogy: Occurs when the differences actually outweigh the similarities when two items are compared (or when similarities outweigh differences when items are contrasted)

Amphibology: occurs when the arguer misinterprets a statement that is ambiguous, and proceeds to draw a conclusion based on this faulty interpretation. This can happen when someone is quoted out of context or when an original statement is not clearly explained.
Example: "Because traffic deaths are up, we shouldn't let teenagers drive."

Composition: This is committed when the conclusion of an argument depends on the erroneous transference of characteristic from the parts of something into the whole. In other words, the fallacy occurs when it is argued that because the parts have a certain characteristic, it follows that the whole has that characteristic, too. However, the situation is such that the characteristic in question cannot be legitimately transferred from parts to whole.
Example: "We should abolish all welfare because I know this one guy who cheated the system"

Suppressed Evidence: Occurs when an arguer ignores evidence that would tend to undermine the premises of an otherwise good argument.

Slippery Slope: Argument that if one event occurs, then a certain and unstoppable set of (usually bad) consequences will follow.

Post Hoc: An argument that because something comes first in time, it caused something that occurred after it.
Example: "The volcano blew up because people neglected their sacrifices to the Sun God."

Tu quoque: A type of false analogy in which the individual erroneously assumes that all people should be treated alike in a given situation.

Equivocation: Relying on the double meaning or ambiguity of words to avoid an issue or to avoid losing an argument.
Example: "It all depends on what the meaning of the word 'is' is."

Poisoning the Well: Prejudicing the listener by evaluating the issue for them before they have a chance to judge it for themselves.

Statistics Misuse: Manipulating numbers to bolster one's argument. This is a common misuse of polling data. British Statesman Benjamin Disraeli once said: "There are three kinds of lies: lies, damned lies, and statistics."