

## **DEBATING: A BILL IN THE DEMOLAY LEGISLATURE**

1. Bill is laid out by the presiding officer (Speaker or President).
2. The Reading Clerk reads the Caption of the bill.
3. Presentation of Bill by author(s).
  - a. Explain the reason for the bill and its effects.
  - b. Time may be shared with any co-authors.
  - c. Explanation is limited to three minutes and may not be extended.
4. Questions of the author(s).

**QUESTIONS MAY BE ADDRESSED TO THE SPEAKER ON THE FLOOR AFTER THE PRESENTATION HAS BEEN CONCLUDED**

  - A. "Mr. Speaker, I rise to ask a question of the speaker."
  - B. Rules do not require a member to yield for a question.
  - C. Each member will be limited to one (1) question until all have asked one (1) question.
5. Proponents and opponents to speak on passage of the bill.
  - a. The name of each person to speak for or against the bill must be filed in writing with the clerk. **Each chapter will be provided with a turn to speak, before another member of the same chapter may speak.**
  - b. The Chair will recognize the members in the order listed.
  - c. There will be a maximum of four (4) affirmative speakers (excluding the author) and six (6) negative speakers. The first two (2) speakers after the author shall be negative. Thereafter, the speakers will alternate between affirmative and negative. The last speaker before the author closes will be negative.
  - d. If at any time no members desire to speak on either side, the author will immediately be recognized to close the debate.
  - e. Debate time shall be twenty (20) minutes and may be extended by a two-thirds vote. The time for the author does not enter into the series of speeches.
6. Amendments to a bill.
  - a. Amendments must be in proper form and written
  - b. Must be filed with the Clerk
  - c. Only two (2) first-degree amendments (amendments to the main motion) will be allowed per Bill. Up to two (2) seconds and third-degree amendments may be allowed per amendment.
  - d. The author of an amendment will have three (3) minutes to propose and explain the effect of the amendment.
  - e. The author of the bill being amended will have two (2) minutes to oppose the amendment.
  - f. Rules of debate are the same as those on the main bill except debate time is initially limited to twelve (12) minutes and may be extended by a third vote and there shall be only 2 affirmative and 4 negative speakers including the bill's author.
  - g. The author of the amendment will have one (1) minute to close debate on the amendment.
  - h. Each amendment will be submitted to a vote of the House or Senate.
7. Closing (summation) by the author of the bill Author(s) will be allowed three (3) minutes to summarize the bill.

8. Voting on passage of the bill.
  - a. Voice vote.
  - b. Standing vote. (Written request of three (3) members required.)
  - c. Record or roll call vote. (In the interest of time, this type of vote will not be allowed in the House).
9. House and Senate procedures for debate.
  - a. Senate. All explanations, questions, motions, inquiries, and points of order are made from the member's desk after the President pro tempore gives recognition.
  - b. House of Representatives
    - i. Front microphone in House.
      1. Explaining a bill or amendment.
      2. Speaking for or against a bill.
    - ii. Back microphone in House (Asking questions)
    - iii. Either microphone in the House
      1. Making Motions.
      2. Raising points of order
      3. Parliamentary inquiries

The only members who will be allowed to line up by the microphones are those who have been allowed to sign up to speak with the clerk of the House and Senate. Questions, points of order, etc., must be recognized by the Speaker of the House, or the President of the Senate, and then the member may proceed to the microphone to presentation of his point, or make the point from his / her seat.

## **NOTES**

1. All bills in the Texas DeMolay Legislature shall be designated BB followed by a number.
2. The caption of the bill should be a brief description of what the bill does. The bill can be constitutionally defective, however, if the bill goes beyond the scope of the caption and, therefore, does not conform to the caption.
3. The enacting clause is constitutionally required for a bill to become law. Without it, a bill is of no force and effect. A good way to kill a bill is to offer an amendment to remove the enacting clause. It must then be put back in somewhere in the legislative process for a bill to become law. Striking the enacting clause is also a good way to force a bill into a conference committee.
4. All legislation adopted without an emergency clause for immediate effect or a specified effective date will become effective, according to the constitution, 90 days after the adjournment of the legislature. This is generally September 1 following the regular session every two years.
5. The emergency clause is necessary to suspend the rules requiring bills to be read on three separate days in each house and is automatically included in every bill as a matter of course. For an act to become effective upon passage, the emergency clause must contain language to that effect, and such language is usually included in the emergency clause. The bill must pass by a 2/3 margin in both houses, however, for the emergency clause to take effect. Otherwise, the bill will not become law until 90 days after adjournment.

## ADDITIONAL NOTES

In a bill amending existing statutory language, which is being inserted, is underlined (for example, in the state penitentiary not to exceed five (5) years.) Language being deleted from the existing statute by the bill is put in brackets and struck in this fashion: [~~Nor by confinement in the state penitentiary not to exceed five (5) years.~~] Resolutions are a little different in the form of bills. There are three types of resolutions: simple resolutions (passed in only one house), concurrent resolutions (requiring action in both houses), and joint resolutions, (requiring action in both houses). Each house adopts or changes its own rules for congratulatory purposes and uses simple resolutions. Concurrent resolutions are generally congratulatory resolutions or expressing the views of the Legislature on some subject, e.g., memorializing the Congress to do something or not to do something and ratify federal constitutional amendments. These resolutions require only a majority vote. Joint resolutions, requiring a 2/3 approval in each house, are used to propose amendments to the Texas Constitution. Examples of concurrent and joint resolutions are attached.