

Legislation

§ 14 Subject Matter

- (a) **Threshold requirements.** All legislation **MUST** constitute a valid legislative response to a timely and significant issue of national interest. Legislation must propose a change from the status quo, offer a reasonable division of affirmative and negative ground, and be comprehensible to an informed audience.
- (b) Legislation that addresses frequently debated topics must be *especially* timely, significant, and/or novel, such that debate will necessarily focus on the particulars of the legislation and not the general issue.
- (c) Legislation that does not meet the above criteria or that is poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or otherwise unsuitable for interscholastic debate **shall not** be considered at any FGCCFL tournament.
- (d) Legislation that has been placed on the docket at an FGCCFL tournament **shall not** be entitled to consideration at any subsequent FGCCFL tournament but may be placed on the docket at the Congress Coordinator's discretion. It is permitted to rewrite a resolution as a bill or vice versa.

§ 15 Template and Format Requirements

- (a) FGCCFL requires the use of the templates provided on the FGCCFL website. Other templates (including NCFL and NSDA) are NOT authorized. The templates may be edited in any application, but the finished product must be saved in Microsoft Word format. Legislation that is not submitted in the approved template, used as directed, **shall not** be considered at any FGCCFL tournament.
- (b) The templates **are not** "examples" to be replicated in a blank document. They have been designed to enable students to focus on the content rather than formatting. The proper way to use the templates is edit them in a word processor. The highlighted guide text will help explain what is required and where it should go. Text that is not highlighted is part of the template and **should not** be changed without good cause.
- (c) Legislation must include a descriptive title, i.e., a title that would allow a casual observer to understand the intent of the legislation, and a "Respectfully submitted" closing block or line with the name of the author and school. The maximum length of an item of legislation is one side of a U.S. letter-size page **without** any changes to the template's margins, spacing, or formatting.

§ 16 Content Guidance for Bills

- (a) **Overview.** A bill proposes a change in public policy and specifies how the government will implement the change. If enacted, bills carry the force of law. Bills do not explain *why* a course of action is desirable; rather, their focus is *how* the policy will be carried out.
- (b) Bills are to be written in the five-section format set forth in the template.
- (c) **Section 1** states the change to be made or action to be taken in one sentence, or as briefly as possible. Provisions may not be incorporated by reference unless explained elsewhere in the bill. *It should be possible to understand the bill's intent from this section alone.*

(d) **Section 2** clarifies terminology **actually used elsewhere in the bill** through definitions and through other provisions not related to the means of enforcement. Only essential provisions should be included; words and phrases used for their plain meaning or otherwise defined in relevant law need not be defined in the bill. REMEMBER: Definitions in a bill are *prescriptive* (what *X* shall mean), not *descriptive* (what others say *X* means).

(e) **Section 3** identifies the enforcing agency or agencies and provides a means of enforcement (penalties, funding, resolution of jurisdictional issues, etc.). **Both are required for the bill to have force.** Enforcing agencies **must** be federal agencies, almost always in the Executive Branch and usually at the Cabinet level.^{8,9} The Congress is **not** an enforcing agency.

(f) Legislation addressing traditional state or local matters **must** resolve jurisdictional concerns. Some means of exercising federal authority must be specified in the bill; the legitimacy of those means is an issue that may be raised in floor debate.

(g) **Section 4** establishes when the bill takes effect: immediately upon passage, a period of time (e.g., 90 days) after passage, or a date certain (e.g., January 1, 2023). **These are the only permissible formats for an effective date, and nothing else should appear in this section.**

(h) **Section 5** declares that all laws in conflict with the bill are null and void, which is intended to prioritize the bill over current law. **This section's text must not be changed.**

§ 17 Content Guidance for Resolutions

(a) Overview. A resolution expresses a conviction or makes a suggestion about a current issue. Resolutions do not carry the force of law; rather, passage of a resolution means that the Congress endorses the position in the resolution. In contrast to bills, resolutions explain *why* a position deserves official support, but not *how* the government will implement the proposal.

(b) All resolutions must be written in the simple resolution format that is incorporated in the FGCCFL template. This format consists of a series of one-sentence "*whereas*" clauses (at least 3 recommended, except for constitutional amendments) that state a basis for the resolution, followed by one or more one-sentence *resolving clauses* that state the conviction or suggestion.

(c) To be debatable, a resolution **must** state a specific suggestion and **may not** call for "reform," "improvement," "modification," or the like without providing a specific change to the status quo. (Calling for *repeal* of an existing law or policy will generally be sufficient.) Moreover, a resolution may not simply call for passage of a particular bill, although it may call for adoption of the bill's policies (set forth in the resolving clauses).

(d) Because resolutions do not carry the force of law, they may be directed toward federal, state, local, foreign, corporate, or other entities' conduct. The propriety of addressing a particular party is a legitimate issue to be raised in floor debate.

(e) Constitutional amendments. Because constitutional amendments do not carry the force of law unless ratified by the states, they are treated as resolutions. FGCCFL provides a special version

⁸ Note: Independent agencies such as the Social Security Administration or specific legislative branch entities such as the Government Accountability Office may sometimes be appropriate enforcing bodies.

⁹ Exception: If the bill confers a private right of action (allowing **private parties**, as opposed to a federal agency, to sue in federal court), the entirety of Section 3.A may be replaced by a declaration that "The federal courts shall have jurisdiction over all cases arising under the provisions of this bill" (this is one of the few occasions when the standard text should be changed).

of the simple resolution template for constitutional amendments which incorporates standard amendment language and formatting. In general, legislators need only add the text of their amendment to Section 1 (adding other sections if necessary); they may optionally change the ratification method from legislatures to conventions and/or modify or remove the seven-year ratification window. *Adoption of a constitutional amendment requires a two-thirds vote.*