

Montana State University - Billings

Fall 2018

Political Science 494

Zen and the Art of Lawmaking in Montana

Liberal Arts Room 205

Wednesday - 5:30 to 8:30 p.m.

9 Apr 2018

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Office hours: As scheduled

Text: A Legislator's Handbook – 2017, 19th Edition (November 2016)

<http://leg.mt.gov/content/For-Legislators/Publications/2017-legislator-handbook.pdf>

Additional reading assignments: TBD

Course description: A critical examination of the culture and traditions surrounding and “rules of the road” governing the operations of the Montana Legislature. The course seeks to combine traditional classroom instruction with presentations by seasoned practitioners, who have served as elected members, who routinely attempt to affect its deliberations and decisions as lobbyists and members of trade associations, or who staff agencies engaged in the legislative processes.

Goals:

Individuals who successfully complete this course will be able to:

1. More fully appreciate the traditions, the unique culture of and the processes utilized in the Montana Legislature;
2. Better understand either the opportunities to serve in the legislature or assist others in their efforts to serve;
3. More fully appreciate the many opportunities to affect the lawmaking and appropriations processes both during regular sessions and between sessions;
4. Understand the challenges lawmakers face each session in trying to sort out balance competing values and conflicting priorities;

5. Better appreciate the investment of resources required to succeed in influencing policy outcomes;
6. Be able to access and utilize the wide array of informational resources readily available to the public; and
7. Better align expectations with outcomes that are actually attainable.

Course Grading and Requirements:

Three methods are available for evaluating the performance and achievement of students enrolled in the course.

1. Digital Badge (non-credit). An electronic confirmation awarded by MSU-B signifying an accomplishment or the acquisition of a skill that can be displayed, accessed, and verified online, including Facebook and LinkedIn. In order to earn a Badge, students selecting this option must demonstrate the successful achievement of the learning outcomes established for the course.
2. For those enrolled in the course for credit, including all MSU-B students, three components comprise final grade for the course: 450 points total.
 - a. Class attendance and substantive participation and engagement. (50 points)
 - b. Weekly log in summarizing their impressions and developing levels of understanding regarding how the legislature functions and opportunities available influence it to achieve desired results. (100 points)
 - c. Small group project presentation (150 points) and final report (150 points)

The following grading system will be used to evaluate performance and achievement of all students enrolled in the course.

Note: Those enrolled on a non-credit basis must earn the equivalent of a ‘C’ in order to be awarded a Digital Badge or Certificate of Completion.

Points	Percentage	Grade
450– 416	92	A
415 - 405	90	A-
404 – 396	88	B+
395 – 358	80	B
357 - 350	78	B-
349 – 337	75	C+
336 – 308	68	C
307 - 300	66	C-
299 - 271		D
270 – 0		F

Academic Dishonesty and Plagiarism:

Academic regulations, found in the General Bulletin of Montana State University--Billings, reads in part:

"Students at Montana State University--Billings are expected to do their own work in their own words and with their own ideas. If they quote or paraphrase the words of others, they are expected to say who it is they are quoting or paraphrasing. An instructor who believes that a student has claimed the work of someone else as his or her own may take what steps he or she wishes up to failing the student and referring the student to others on campus for further discipline."

Academic dishonesty is an anathema to higher education.

Course format and expectations:

Classes are informal, conversational and interactive.

Instructor expectations of students:

- Arrive at class on time;
- Be open-minded and respectful of other's opinions and values;
- **Read the assigned readings prior to each class;**
- Be prepared to discuss the readings and concepts;
- Be respectfully critical of what you read and what others (including the instructor) have to say;
- Use personal electronic devices to take notes only – no surfing, no texting;
- Stay alert and be present in class; and
- Meet deadlines.

Student expectations of instructor:

- Be prepared for each class and either lead a thoughtful and thought-provoking discussion or have arranged for guest presenters to make thought-provoking remarks to be followed by robust discussions;
- Be respectful of students and their opinions and questions;
- Be willing to re-evaluate my ideas and opinion when challenged;
- Grade class assignments and examinations and respond in a timely manner; and
- Be available during office hours for questions, comments and general discussion.

Schedule:

Date	Text	Additional readings assignment
<p>September 5</p> <p>Introductions</p> <p>Course overview</p> <p>Pre-course discussion and assessment</p> <p>1</p>	<p>4</p>	
<p>September 12</p> <p>The Basics:</p> <p>Historical and contemporary legal settings and culture</p> <p>Core concepts and definitions</p> <p>Deliberating Policy v. politics</p> <p>Priority Value</p> <p>Budget v. appropriation</p> <p>Administrative rules</p> <p>Frequency of sessions</p> <p>Open meetings</p> <p>Public records</p> <p>Term limits</p>	<p>1, 6</p>	<p>1889 Montana Constitution, Article III, Article IV, Article V, Article VI</p> <p>http://www.umt.edu/media/law/library/MontanaConstitution/Miscellaneous%20Documents/1889_const.pdf</p> <p>1972 Montana Constitution: Montana Constitution, Article V</p> <p>http://leg.mt.gov/bills/mca/title_0000/article_0050/part_0010/sections_index.html</p> <p>History of the Legislature:</p> <p>http://leg.mt.gov/css/About-the-Legislature/history.asp</p> <p>Implementing the 1972 Constitution:</p> <p>https://scholarship.law.umt.edu/cgi/viewcontent.cgi?article=2270&context=mlr</p> <p>Special sessions:</p> <p>http://leg.mt.gov/css/About-the-Legislature/Facts-and-Statistics/special-sessions.asp</p> <p>Ethics:</p> <p>http://leg.mt.gov/css/For-Legislators/ethics-training.asp</p> <p>Conflict of Interest:</p>

<p>2</p>		<p>http://mtstandard.com/news/local/investigation-shows-montana-lawmakers-rarely-refrain-from-voting-on-their/article_fa9dd22f-e2b2-58eb-9ae9-4398ab0e83e4.html</p> <p>Accountability: Trustee v. Delegate http://as.tufts.edu/politicalscience/sites/all/themes/asbase/assets/documents/research/trusteeOrDelegate.pdf</p> <p>Right to Know: http://leg.mt.gov/css/For-Legislators/publicrecords.asp</p> <p>Administrative rules: Executive branch acts as lawmaker: http://leg.mt.gov/content/For-Legislators/Publications/admin-rules-brochure.pdf</p>
<p>September 19</p> <p>Structure and organization of the “people’s branch”</p> <p>House v. Senate</p> <p>Regular session and interim</p> <p>3</p>	<p>3, 5</p>	<p>Organization: http://leg.mt.gov/css/About-the-Legislature/organization.asp</p> <p>Leadership: Who Runs the Show? http://leg.mt.gov/content/For-Legislators/Publications/legis-leadership.pdf</p> <p>Interim: http://leg.mt.gov/content/For-Legislators/Publications/interim-services.pdf</p>
<p>September 26</p> <p>Rules of the road: Constitution; statutory; rules; traditions</p> <p>4</p>		<p>Montana Constitution, Article 5 http://leg.mt.gov/bills/mca/title_0000/article_0050/part_0010/sections_index.html</p> <p>Montana Legislature website: http://leg.mt.gov/css/default.asp</p> <p>Rules of the Montana Legislature: http://leg.mt.gov/content/Sessions/65th/2017-Rules/2017-Rules-Full.pdf</p>

<p>October 3</p> <p>Lawmaking process Committees</p> <p>Deadlines</p> <p>Regular session and interim</p> <p>5</p>	<p>6, 8</p>	<p>Bill drafting process: http://leg.mt.gov/css/Bills/bill-drafting-guide.asp</p> <p>Idea to Introduction-ready bill: http://leg.mt.gov/content/For-Legislators/Publications/idea-to-introduction.pdf</p> <p>Introduction to law: What Happens in Between? https://mail.google.com/mail/u/0/#search/sfox%40mt.gov/16268b77d73c67ba?projector=1&messagePartId=0.1</p> <p>Conference committee process: http://leg.mt.gov/content/For-Legislators/Publications/2017conferencecommittees.pdf</p> <p>Interim: http://leg.mt.gov/content/For-Legislators/Publications/life-after-sine-die-leg.pdf</p>
<p>October 10</p> <p>Panel</p> <p>Legislature as an organization of relationships and committees</p> <p>Committee process: hearings;</p> <p>Legislative staff: Audit Fiscal Services</p> <p>6</p>	<p>7</p>	<p>Committee hearings and the public http://leg.mt.gov/css/About-the-Legislature/Lawmaking-Process/testify.asp</p> <p>Audit: http://leg.mt.gov/css/audit/Default.asp</p> <p>Fiscal: http://leg.mt.gov/css/fiscal/staff.asp</p> <p>Services: http://leg.mt.gov/css/Services%20Division/default.asp</p>
<p>October 17</p> <p>Panel</p>	<p>10</p>	<p>Advocacy: http://advocacyguide.icpolicyadvocacy.org/21-defining-policy-advocacy</p>

<p>Seeking to influence the process</p> <p>Advocacy</p> <p>Lobbying: What Is It?</p> <p>Requirements</p> <p>What works and what doesn't?</p> <p>7</p>		<p>Lobbying: What Is It? https://bolderadvocacy.org/wp-content/uploads/2012/02/montana.lobbying.pdf</p> <p>Lobbying – The Law: http://leg.mt.gov/bills/mca/title_0050/chapter_0070/part_0010/sections_index.html</p>
<p>October 31</p> <p>Panel</p> <p>Spending the public's money –</p> <p>The Appropriations process</p> <p>Estimating revenues and forecasting expenditures: Executive v. legislative</p> <p>The size of the fiscal pie and demands for funding</p> <p>8</p>		<p>Budgeting and Appropriations: [check link] http://leg.mt.gov/content/Publications/fiscal/leg_reference/Understanding_State_Finances_Manual_2010.pdf</p>
<p>November 7</p> <p>Sorting out priorities and setting funding levels – Somethings' gotta give'</p> <p>Paying for it or saying , "No"</p>		

9		
November 14		
Panel		
House Bill 2: Philosophy and public policy - What services should the State offer and at what level should they be funded?		
10		
November 21	NO CLASS	
Thanksgiving		
November 28		Who serves? http://leg.mt.gov/css/About-the-Legislature/Facts-and-Statistics/2017-demographics.asp
Panel		Compensation: http://leg.mt.gov/css/For-Legislators/compensation.asp
Seeking a seat in the legislature		Party Platforms: http://montanademocrats.org/party/platform/
Party platforms and party affiliation		http://mtgop.org/party-platform/
Campaign basics		
11		
December 5		
Small group presentations		
12		

