The College of Charleston

Fall 2013

POLI 311.1 – Policymaking in State Legislatures

Tuesdays-Thursdays - 3:05 P.M.- 4:20 P.M.

Maybank Hall 307

Instructor: Marguerite Archie-Hudson, Ph.D.

Office hours: Wednesdays 10 A.M. – 3:00 P.M. and by appointment

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Course description and objectives

This course is designed to introduce students to the methods and processes by which American state legislatures achieve public policy objectives. Attention will be paid to the structure and organization of our 50 state legislatures, decision-making among competing political and public policy objectives, the development of institutional and individual legislative agendas and the increasing role of organized political interests in shaping public policy at the state level.

At the end of the semester students should be able to (a) understand and explain the complex web of constitutional mandates, political influences, public demands and policy agendas that drive the process by which state legislatures achieve public policy objectives; (b) provide competent analyses of the technical, procedural and legal processes involved in legislative policymaking; (c) understand the impact of legislative behavior on the organization and performance of public institutions and (d) understand the opportunities for citizen engagement in influencing legislative behavior.

Course Requirements

A. Regular class attendance is required of all students and will constitute 10% of your final grade. Attendance will be recorded via a daily sign-up sheet. Absences will be excused only if they are officially validated.

B. Expectations for class participation include reading the assignments prior to class, joining in class discussions, respecting the opinions of others and turning in assignments on time. Late assignments will incur severe grade deductions.

C. The use of cell phones, I pads, tablets or any other electronic device during class is not permitted. Personal computers may be permitted for the exclusive purpose of taking notes and
verification may be required at any time. Failure to honor this policy will result in severe grade penalties and may result in expulsion from the class.

D. Students are strongly encouraged to utilize office hours and/or schedule appointments to discuss assignments and readings.

E. Students who are receiving services through the Center for Disability Services, are scheduled to travel with an athletic team or will participate in a student government related or other official off-campus activity during the semester must present a letter of verification signed by the appropriate college official.

F. Students who plan personal (i.e., non-emergency) off-campus trips prior to a scheduled exam (ex: Midterm exam or Final) will not receive excused absences or opportunity to make-up the examination.

G. Each student is required to select a designated current political issue for research and study during the semester. At the end of the semester students studying the same topic will be required to make a group presentation to the class.

**Grading**

The semester grade will be based on the following:

- **A.** Research Paper, Part I 15%
- **B.** Research Paper, Part II 15%
- **C.** Research Paper, Part III 15%
- **D.** Midterm Examination 20%
- **E.** Final Examination 25%
- **F.** Class attendance/participation 10%

**Required Textbook**


**Additional required readings and sources**

‘Legisbrief’ – Newsletter of The National Conference of State Legislatures (www.ncsl.org)

State Legislatures – Official publication of The National Conference of State Legislatures (www.ncsl.org)

The Thicket at State Legislatures. A bipartisan blog by and for legislative junkies. (www.ncsl.typepad.com/the thicket)

South Carolina Legislative Manual- 2012- (http://www.scstatehouse.org)

The Pew Center on the States.

Students are encouraged to utilize the Center for Student Learning (CSL) academic support services for assistance in study strategies and course content. The Center offers tutoring, supplemental instruction, study skills appointments and workshops. These services are available at no extra costs. You may visit the CSL website at http://csl.cofc.edu or call (843) 953-5635.

**Fall 2013 Class Schedule**

**AUGUST 2013**

TU 20  Introductions and class overview
TH 22  Class overview/discussion of Research assignment
TU 27  U.S. Constitution and state powers - federalism
TH 29  Evolution of State Legislatures – historical notes

**SEPTEMBER 2013**

TU 3  Evolution of State Legislatures – constitutional authority and powers
TH 5  State Legislatures and local governments
TU 10  Financing State and local governments – revenue sources
TH 12  Top fiscal issues for 2013 legislative sessions
TU 17  Profile of the modern American Legislature
TH 19  Profile of the modern American Legislature

**Assignment One Due**

TU 24  Getting and staying elected
TH 26  Legislative laws and responsibilities - Lawmaking

**OCTOBER 2013**

TU 1  Legislative roles and responsibilities - Representation
TH 3  **MIDTERM EXAMINATION**
TU 8  Legislative roles and responsibilities – Constituent service
TH 10  Legislative roles and responsibilities - Oversight
TU 15  **FALL BREAK – NO CLASS**
TH 17 Legislative organization – the official rules
TU 22 Legislative organization – Leadership

Assignment Two due

TH 24 Legislative organization - Committees
TU 29 Legislative organization - Staffing
TH 31 Top Legislative issues of 2013 legislative sessions

NOVEMBER 2013

TU 5 The Legislative process
TH 7 The Legislative process
TU 12 The Legislative process
TH 14 The role of the Executive Branch in legislation
TU 19 Issues for 2014 legislative sessions

Assignment Three due

TH 21 Group I Presentation
TU 26 Group II Presentation

TH 28 THANKSGIVING- NO CLASS

DECEMBER 2013

TU 3 READING DAY – NO CLASS
SAT 7 FINAL EXAMINATION
  4:00 P.M. – 7:00 P.M.

REQUIRED ASSIGNMENT

This research assignment provides the opportunity to explore the development of legislative policymaking on a specific issue of major concern to both lawmakers and the general public. It is intended to demonstrate the issues and influences that direct legislative priorities, the process of lawmaking, and the nature of the policy relationships between federal, state and county governments as they wrestle with complex problems that must be defined, funded, implemented and evaluated for effectiveness in mitigating or reducing the negative effects on the general public.

You will select one of the following topics for your research:
I. **Public Safety and State Sentencing Laws** – A June 2012 study by the Pew Center reports a 36% increase in the last 20 years in prison time served for both drug use and violent crime convictions. The primary reason for this increase is thought to be mandatory minimum sentencing laws. The additional time spent behind bars in this period cost states an average of $23,300 per offender or $10 billion dollars, most of which was for non-violent offenders. The impact of these increases is reflected in many ways, including state and local costs for additional jails and prisons and prison staff. **The policy question:** What is the stated policy rationale for state sentencing laws that mandate longer prison terms for drug offenses and non-violent offenses? How do states differ in their approach to reducing crime and recidivism? How do states differ in their approach to the goals of punishment, deterrent and/or rehabilitation in writing sentencing laws- how are these goals stated by the policy committees responsible for the development of the legislation?

II. **Child Support Enforcement Laws** – The current cross-country custody battle regarding the legal parents of three year old Veronica Capobiancos has been argued before both the South Carolina and United States Supreme Court and is now scheduled to be heard in the courts of the Cherokee Nation with no clearly defined end in sight. The issue points up the complicated issues of Family law with which courts and legislatures deal daily as they legislate, litigate and rule on many sensitive areas including marriage, divorce, custody, visitation rights and child support and paternity rights and obligations. Among these complex issues child support enforcement is a continuing issue for state legislators as this is an important source of income for the millions of children living in single-parent families, with grandparents or under state custody in foster care. Of the 5.9 million custodial parents due support in 2009, 41% received full payment during the year, 30% received partial payment and 30% received no payment at all. **The policy question:** What are the policy goals of state legislatures in creating child enforcement and paternity rights/obligations legislation?

What enforcement mechanisms do state laws currently provide to counties (courts and district attorneys) to aid enforcement of child support laws? Where are the major gaps in the current laws? Should paternity laws be joined to child support laws?

Your research will be conducted by examining the legislative activity on these issues in the following states beginning with the 2009 legislative sessions: South Carolina, North Carolina, Mississippi, Pennsylvania, California and Wisconsin.

Your research should be outlined as follows:

Paper One- Provide the state statistics on the issue including the magnitude of the problem, the annual cost to the state budget, the annual cost to counties, polls on how this problem is perceived by the general public, groups and/or organizations that have been seeking a legislative solution, etc.

Paper Two- Identification and description of any current laws and statutes enacted and signed into law on the issue since 2009 and the policy goals of each. State if specific legislators or legislative caucuses in the state legislators have taken a particular interest in this problem. Identify any outside group or agency –including the governor or the Courts- that have identified this as an issue that needs legislative attention.

Paper Three- Provide any analysis of the costs/benefits of the current legislation. Identify the gaps, if any, in the current laws/statutes. Make recommendations for new legislative initiatives that may be required to mitigate this issue and state how it might be funded.

A specific template will be provided for each section of your paper.