

# The Role of the Legislature in Public Administration

## PADM 590

Summer 2016

Professor James Jimenez

### **Course Description**

The study of public administration is often focused on executive branch roles and responsibilities without a great deal of consideration for the role of legislative bodies in policy and program development and design or oversight of executive branch implementation and operations. This course provides an opportunity for students to delve deeply into the role that legislative bodies play in our governance structure. During the semester, we will examine how laws are made, how programs are developed and how legislative bodies exercise their oversight responsibilities. While the focus of the class will be on the state legislature, we will also review federal and local government legislative bodies.

The Summer 2016 semester promises to be a particularly interesting time to study legislative bodies as we near the elections for congress, the state legislature and for the presidency. In 2014 in New Mexico, the Republicans captured control of the House of Representatives for the first time in 60 years and will make a concerted effort to gain a majority in the Senate. Some Democrats believe that they have a chance of re-capturing the New Mexico House of Representatives. Nationally, Republicans now hold a majority in the U.S. Senate and in the U.S. House of Representatives. Changes in legislative majorities in the state and Congress resulted in significant changes in the direction of public policy at both levels but have fallen short of fears and promises. Deeper and more pervasive change in state and national policy priorities depends on many factors including the ability of state and federal legislators to work with the respective executive branches, to work across chambers and to work in a bi-partisan manner.

It is not possible to fully understand the role of legislative bodies without first understanding the constitutional and statutory basis for their existence. In the first part of the class we will read and discuss the Federalist Papers, the U. S. Constitution and the New Mexico Constitution. In addition to the constitutional and statutory framework, we will study legislative involvement in program development and oversight, the catalysts and tools for co-management and the inevitable tension between the executive and legislative bodies. Later in the class we will examine local government legislative bodies.

### **Assignments and Grading**

Grading in this course is based on performance in five areas, each of which is described

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below:

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|-------------------------------|-----|
| 1. Class participation        | 25% |
| 2. Blog                       | 20% |
| 3. State Legislature Projects | 30% |
| 4. Local Government Project   | 25% |

I do not give or accept extra credit assignments.

All work, including class discussion, is expected to be consistent with the nature of graduate professional study. This means original work, supported by the readings, is to be incisive and rigorous. Plagiarism will result in failure in the course, consistent with the University's and the School's academic honesty policies. See the UNM Student Code of Conduct.

If you must request an incomplete for the course, you will have until the start of the Spring semester 2017 to complete all requirements for the course.

### **Contact Information and Office Hours**

Email: jjimen03@unm.edu  
Cell Phone: (505) 263-4043.

I do not keep regular office hours but I am available by appointment. Please call or email me if you would like to schedule a meeting.

## **GRADING**

### **Class Participation (25%)**

Your class participation grade will have three elements to it. On the first day of class, I will assign you a date on which you are to present to the class a news story on a legislative topic of your choice (10%). Second, you are to research the publication *State Legislatures* and summarize an article of your choosing (10%). Third, you are expected to read all assigned material prior to class and to engage in discussion during class (5%). To participate in the discussion, you must attend class so please let me know in advance if you must miss a class.

### **Blog Assignment (20%)**

This assignment requires you to write a blogpost of between 500 and 700 words. The topic may be a public policy issue currently under consideration by the U.S. Congress or

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the New Mexico Legislature but your topic must be approved by me. Your proposed topic is due on or before June 14. The blog is due by midnight June 23 and is to be emailed to me at jjimen03@unm.edu. You will lose a full grade for each day it is late. A separate document will provide more direction on this assignment.

### **State Legislature Projects (30%)**

More detail on these three assignments will provided on UNM Learn.

Part 1: Campaign Finance Research	10 points	Due	June 14
Part 2: Interim Committees	10 points	Due	June 30
Part 3: Other State Legislatures	10 points	Due	July 12

### **Local Government Project (25%)**

To successfully complete this project you are required to prepare a report describing the governance structure of a city or county. The emphasis for this project must be the legislative body. A separate document will provide more details. Your presentations are due July 28.

**Reading Materials** –readings will be drawn from original source materials, academic literature and other sources, some of which are listed below. From time to time I may supplement readings based on local, state or federal legislative developments. Some of the readings will be posted on the UNM Learn site others are readily available from popular sources.

June 7      **Course overview, grading and requirements, sources. Introduction to the U.S. Congress and the New Mexico Legislature. Review of SOS Campaign Finance Information System website.**

June 9      **Discussion of the U.S. Constitution, NM Constitution, and Federalist Papers**

**Reading Assignment: U. S. Constitution** – Preamble, Article 1 and Article 2; ***Federalist Papers*** 1, 47 and 48; **NM Constitution** – Articles 3, 4 and 5;

June 14     **State Legislature Projects part 1 due; Blog topic is due.**

**Reading Assignment: Federalist 51: Is Liberty Guaranteed by Structures?**, Lynn, L.E., in *Public Administration Review*. – See UNM Learn Folder.

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- June 16            **Discussion of Campaign Finance Reports and Federalist Papers**
- Reading Assignment: *Federalist Papers* 52, 53, 55, 56, 57 concerning the House of Representatives.**
- June 21            **Discussion of Federalist Papers**
- Reading Assignment: *Federalist Papers* 62 and 63 concerning the Senate;**
- June 23            **Guest Speaker Javier Martinez – invited. Blog is due. Discussion of reading assignment.**
- Reading Assignment: The Influence of Lobbying on State Legislatures: Evidence from Wisconsin., Grasse, N. and Heidbreder, B., in *Legislative Studies Quarterly*. – See UNM Learn Folder.**
- June 28            **Discussion of reading assignment.**
- Reading Assignment: Informative Committees and Legislative Performance in the American States. Lin, J., in *Legislative Studies Quarterly*. See UNM Learn Folder.**
- June 30            **Guest Speaker – Sen. Jerry Ortiz y Pino – invited. State Legislature projects part 2 due. Discussion of Interim Committee Reports.**
- July 5              **Discussion of reading assignment**
- Reading Assignment: When Voters Pull the Trigger: Can Direct Democracy Restrain Legislative Excesses?., Kogan, V., in *Legislative Studies Quarterly*. See UNM Learn Folder.**
- July 7              ***State Legislatures* presentations. Discussion of reading assignment.**
- Reading Assignment: Public Approval of U.S. State Legislatures., Richardson, L., Konisky, D., and Milyo, J., in *Legislative Studies Quarterly*. See UNM Learn Folder.**

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- July 12                   **State Legislatures Project part 3 presentations.**
- July 14                   **Guest Speaker: Bill Jordan, NM Voices for Children;**
- July 19                   **Local Government Governance**
- Reading Assignment:** Forms of Local Government in New Mexico; Dillon’s Rule and the Birth of Home Rule. See UNM Learn Folder
- July 21                   **Local Government Governance**
- What Have We Learned About Council-Manager Government?, Carr, J. in Public Administration Review. See UNM Learn Folder
- July 26                   **Local Government Governance**
- The Adoption and Abandonment of Council-Manager Government., Choi, C.G., Feiock, R.C., and Bae, J., in Public Administration Review. – See UNM Learn Folder
- July 28                   **Local Government Project Presentations.**
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