

**THE AMERICAN LEGION  
OREGON BOYS STATE  
CITIZENS HANDBOOK**

**"A Week  
To Shape  
A Lifetime"**



**Citizen Name**

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### **Preface:**

This document has been prepared for use by The American Legion, Department of Oregon, Inc., Oregon Boys State citizens for training purposes only. The Oregon Boys State Commission and staff have provided this document in “as is” form to enhance the education of those attending our program.

Information contained in this document is for reference only during our Boys State program. City Charters, Codes, Legal descriptions, problems, names and other references are made only as examples to benefit the educational benefit this program is designed to provide. Contributions such as documentation, speakers, real problems which they are facing in daily life have improved the true to life nature of our program.

Thank you to the sponsors and governmental agencies from around the “State of Oregon” cannot be put into words. Without in-kind donations, monetary support from sponsors and governmental support we would not be able to return better informed citizens to the communities of Oregon. Working together with the forty eight Boys State programs, The American Legion National staff, Oregon High Schools and Home School support centers make this program possible. Without the extended family pulling together, this seventy-two year young program would not be possible. Our hat is off to your great efforts!



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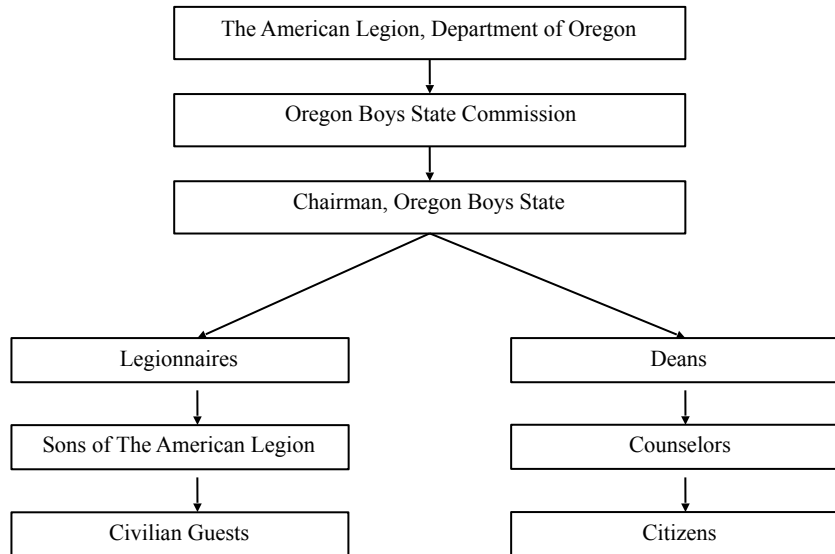


# The American Legion, Staff of Oregon Boys State

*I know of no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion.*

--Thomas Jefferson

## Organizational Chart of The American Legion Oregon Boys State



## The American Legion

The American Legion is the sponsor of the Oregon Boys State program. Members of the Boy's State Commission and several Legionnaires who volunteer their time to oversee the program represent

the Legion at the session. Legionnaires stay in the same dorms and participate in the same programs.

## The American Legion, Oregon Boys State Commission

This commission consists of six members appointed by the Commander of the Department of Oregon and approved by the Department Executive Committee. This commission shall have direct charge over all American Legion Oregon Boys State activities. This commission sets up the rules and

regulations governing eligibility and any other forms of procedure by following the guidelines set forth by the National Americanism Children and Youth Commission.

### **American Legion Oregon Boys State Chairman**

Individual elected from The American Legion, Department of Oregon, Boys State Commission which is responsible to schedule the Oregon Boys State program and chair all OBS Commission

meetings. As chairman, it is his responsibility to plan, organize, and direct the yearly session of OBS.

### ***Oregon Boys State Deans***

Deans are selected by the Chairman and Boys State Commission to manage the program assigned. They are responsible for communication between the program staff and the Legion, ensuring the successful execution of the individual programs within Boys State, as well as aiding the Counselors any way

possible. The Deans are directly responsible for a specific program at Boys State. They plan and implement the program with the help of the staff. Deans serve as an excellent resource to the citizens and staff if questions arise.

### ***Counselors***

The Counselors serve as the most valuable resource to a citizen. They have shown great commitment to the Boys State program. They are returning members of the Boys State program charged with implementing the programs. Counselors work on the programs, but continue to be a link between the Legion, staff and the program.

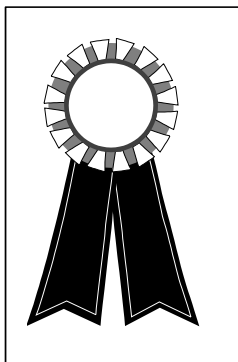
Counselors also serve as a link to each county, to the citizens with their primary purpose being to share important information with City and County Counselors and the citizenry. Counselors are a wealth of knowledge for both staff members and citizens of Boys State.

## ***Activity Blocks***

It is important to recognize deadlines and important meeting times in the daily schedule, such as conventions, in order for you to properly plan and construct your methods. However, it should also be noted that this is merely a possible structure for your group to base itself upon. You, the citizens, ultimately decide your schedule based on the goals provided, your protocol, your priorities, and your duties.

Activity blocks are provided to allow each portion of the program separate locations and time to complete tasks outlined by the staff. Goal is to increase leadership skills, interaction with the citizenry of Boys State and have a better understanding of government in action.

## ***Awards and Honors***



The First Citizen is the individual whom the staff and Legion feel best personifies the spirit of Oregon Boys State. The First Citizen is chosen through an interview process by ranking among the

### **First Citizen**

highest of all the nominees and going through a second round of interviews. An alternate is named in case the First Citizen is unable to fulfill his duties at next year's session. The First Citizen is one of the judges for First/Second City, First/Second County and the next First Citizen.

## First City and First County

A select group of Boys State counselors, led by the First Citizen, observe involvement in all aspects of the program throughout the week. Cities and Counties are judged not only on the successes of individuals within the group, but also on activities of the group as a whole. Display positive energy, role-

playing ability, and the equality of solutions to city and county problems are examples of the basis for judgment. The First Citizen announces the outstanding city and county of the year's session at the closing ceremonies.

### Bob Fawcett Junior Counselor Leadership Award

Named in honor of Bob Fawcett, Boys State Director from 1984-1988, this award is given to the Junior Counselor with outstanding leadership,

personal skills, and proven responsibility. The Legionnaires and counselors choose him.

### The American Legion Bob Holmes Leadership Award

This award is presented to the counselor best exemplifying the spirit of the Oregon Boys State program. The Legion and counseling staff select this

member of their group for his contributions and leadership during the session.

### Grady Bourell Award

This award for leadership among the senior staff is given to a staff member showing dedication to the

program and vision with respect to the future of Boys State. The Staff select the recipient of this award.

## American Legion Boy's Nation

Boys Nation is a national session that is held in Washington D.C. Much like the Boys State program, Boys Nation is a mock government run by students. Oregon Boys State is allowed to select two citizens from its citizenry to attend this highly prestigious session. The American Legion staff and Counselor

Staff make the selection through an interview process by ranking among the highest of all the nominees and going through a second round of interviews. Alternates are named in case the Boys Nation Representatives are not able to attend the national session in Washington D.C

## Samsung Scholarship

These scholarship applications are submitted upon arrival at Boys State. Legionnaires select the winner based on pre-determined criteria as established by the national organization of The American Legion. The winner at Oregon Boys State has an opportunity to receive up to a \$1,000.00

scholarship and have his application forwarded to be considered as a national scholar winner with a \$20,000.00 scholarship as the prize.

## Executive Officers

The Governor, Secretary of State, Attorney General, Treasurer, Labor Commissioner, and Superintendent of Public Instruction are the state's most coveted elected offices. All state officers are elected through a partisan general election (Friday at the Morning Meeting) with the exception of the

Superintendent of Public Instruction, who is elected in the general election but who does not run on a party ticket. **Officers elected during session will serve during the next session of Boys State.**

## **Governor**

The Governor is the chief elected officer of Oregon Boys State and is responsible for seeing that the laws of the state are faithfully executed. As chief executive, the Governor guides cooperative efforts between the state and local governments, appoints the head of state agencies and oversees their activities, and has a general responsibility for all government operations. In addition, the Governor has the power to call a special session of the Legislature to attend to urgent issues. He may also veto bills that are believed to be detrimental to the state.

At Boys State the Governor is selected through the rules established by the Elections office. This year's Governor will be responsible for delivering the State of the State Address. When the new Governor returns to Boys State next year, he will be responsible for overseeing the activities of the Legislature and Executive programs, including giving the State of the State Address.

## **Secretary of State**

The Secretary of Oregon Boys State is the auditor of public accounts and chief elections officer of the state. As auditor, the Secretary examines and audits the accounts and financial affairs of all state departments, boards, commissions, institutions, and state-aided groups. As chief elections officer, he interprets and applies the states elections laws. He

serves as the overall supervisor of all elections, local and statewide, and is responsible for the publishing and distributing of the state Voters' Pamphlet.

At Boys State the Secretary of State serves as a member of the Elections Office, helping to supervise all elections that go on in the state.

## **Attorney General**

The Attorney General is the state's veteran legal officer for all court actions and legal proceedings in which the state is involved. He serves as the chief prosecutor in all trials brought before the Supreme Court as well as in the Mock Trial. At Boys State, the Attorney General must ensure that justice is being

served throughout the state by critically examining the legality of proposed legislation in terms of the boundaries set by the United States and Oregon Boys State Constitutions.

## **State Treasurer**

The State Treasurer of Oregon Boys State is in charge of all state moneys. As the state's investment officer, he is responsible for investing all state funds and reserves. The Treasurer assists the Governor in appointing members of the Treasury Commission, who prepare the Governor's budget for presentation

to the legislature and who update the Oregon Boys State Governor on economic status.

At Boys State the Treasurer appoints and leads the Treasury Commission and is responsible for financial transactions completed at citizens of the Oregon Boys State program.

## **Labor Commissioner**

The Labor Commissioner heads the Oregon Boys State Bureau of Labor and Industries. He is responsible for administering and regulating minimum wage, workplace discrimination, and parental leave laws. At Boys State the Labor Commissioner assists the Governor in appointing the

Labor Commission and leads the Commission with drafting of legislative proposals. At the end of the session the commissioner must present a report to the Boys State Governor of the status of Boys State Labor and Employment.

## **Superintendent of Public Instruction**

The Boys State Superintendent of Public Instruction heads the State Board of Education and addresses all issues relating to Oregon's educational

system for grades K-12. He is responsible for interpreting and administering Board policies and rules, mediating disputes in the system, and

addressing problems concerning teachers, educational guidelines, financial resources and administrative issues.

At Boys State the Superintendent of Public Instruction will assist the Boys State Governor in the appointment of the members of the Education

Commission and will assist the Commission members as they draft legislative proposals and prepare a report to the Governor on the State of Education at Boys State.

## **Executive Office Debates**

In pursuit of Boys State elected offices, executive office candidates have the opportunity to debate their opponents in front of a sampling of the electorate. Much like the gubernatorial debate, they will deliver opening and closing remarks, answer prepared questions from the mediator, and take questions from the audience. This event is an

excellent opportunity for citizens to compare and evaluate the candidates. On Thursday morning, counties will assign delegates to attend the debates so that later that evening, when the counties convene again, the citizens will be prepared to intently discuss the candidates' qualifications for their position.

## **Gubernatorial Debate**

In pursuit of the Boys State's highest elected office, the gubernatorial candidates get an exciting opportunity to impress the electorate by tackling tough issues face to face in our Gubernatorial Debate, which takes place on Thursday night in front of the Boys State citizenry. Candidates will deliver opening

and closing remarks, answer prepared questions from the moderator, and take questions from the audience. This debate is an excellent opportunity for the citizens to compare and evaluate the gubernatorial candidates.

## **Campaign Finance**

### **Introduction**

In Boys State, the campaign finance plan of state executive candidates is an important strategic tool. Because of the limited nature of this one-week simulation, raising funds is restricted to personal solicitation – a face-to-face engagement during which a donor is personally asked for a campaign contribution.

Different levels of office and jurisdiction (federal or state) have corresponding campaign finance laws. On the federal level, candidates are permitted to obtain up to \$2000 from individuals and up to \$5000 from each Political Action Committee (PAC). Some individual states have limits; for example, state legislative candidates in California are only allowed to collect a maximum of \$3200 per election from both individuals and PACs. Oregon Boys State does not have any campaign finance limits since it is modeled after the State of Oregon. Candidates for state executive office are able to solicit any amount

from both individuals and PACs (in Boys State, lobbyists represent interest groups). However, the amount of money held by each statesman varies depending on:

Demographics

Occupation

PAC Affiliation (lobbyists only)

Immediately after local elections, personal finances will be distributed by the Office of Campaign Finance. (NOTE: in the event of position shuffling, finance adjustments may not apply). Statesmen are free to do what they want with their money from that point forward to promote candidates and/or policies. Information regarding recipients and donors (city, county, occupation, donation amount) are posted every morning based on Daily Cash flow Reports which state executive candidates are required to submit.

## **Asking for Money**

Here are the basic rules for campaign fundraising:

Socialization

-establish relationships

-bring about trust from the donor

-let the donor know that his support is of importance

Statement

-send a message

-inform the donor how he benefits from your victory

Success

-show the donor that you can win

Support

-put the donor in the process

-explain what the donor's immediate help will allow you to do

#### Specificity

-tell the donor exactly how much you need

Silence!

-keep quiet and allow the donor to respond and make an offer

#### Security

-make arrangements with the donor to guarantee the transaction

#### Satisfaction

-show appreciation for the donor's support

## Campaign Expenditures

In Boys State, a candidate for state executive office must decide how his money is to be spent. Part of a successful campaign strategy is to determine which forms of campaign-related activities are effective. Things that Boys State dollars can be spent on include but are limited to:

- State Election Filing Fees (for specific costs, please visit the Office of Elections)

- Research (cost determined by minutes of computer use)
- Statesman Advertisements (cost determined by size of advertisement)
- Posters & Flyers (cost determined by size & type of material)
- Art Supplies (cost determined by type of instrument)

## Illegal & Negative Campaigning

Illegal campaigning is prohibited at Boys State. Any rule or policy related to campaigning which is made explicit by the Offices of Elections and Campaign Finance is considered a campaign law. In addition, any allegation of campaign violations (including but not limited to counterfeiting, theft, and falsification of documentation) will prompt an immediate investigation. Penalties may include but are not limited to the following: hearing via the Boys State Judiciary, disqualification from state executive race, and expulsion from the Boys State program.

Each candidate determines what type of campaigning best reflects his values, abilities, and personality. Positive campaigning is easy to recognize when a candidate promotes ideals shared with his constituents. Not every campaign is pleasant. Negative campaigning which often includes personal attacks and unwarranted hostility is not needed or recommended for a successful win. Campaigning of this nature is discouraged.

## Cities and Counties

Local governments must tackle a wide variety of issues that challenge their communities. Regardless of the nature of the issues or the intensity of the debate, local governments must determine the response they feel to be in the best interest of the citizens. The process of finding the most effective and comprehensive solution requires teamwork and

cooperation between politicians, community groups, and individuals. In the role-playing environment of Boys' State, we encourage the citizens to explore group dynamics and interpersonal communication skills as they work together to devise solutions to their city and county problems.

## City and County Problems

The keys to a city or county's success in solving city and county problems are in the quality of the role-playing and teamwork. Each problem will touch upon a variety of issues and interest groups. Citizens will have to view each of these from all sides in order to succeed in adequately addressing and solving the problem. For example, in an issue regarding water pollution, you must not only determine how to clean up the water, but you must also factor in economics (financing the clean-up), agriculture (the run-off's effect on farming), and so on. It cannot be stressed enough the importance of thinking about these issues

from all viewpoints, and the impact your decisions will have on other areas of your community.

After addressing the different aspects of the problem, the group (the City or County Council) must arrive at a decision. What are you going to do about the problem? Are you going to spend money on a project? Pass an ordinance? Refer it to commission researchers to study it further? Do nothing? As with real government problems, outside help or collaboration is often needed in solving a problem. Maybe you could ask your friendly senator to push a bill through Congress. But once you've determined what you'll be doing, your city or county must

produce a position/resolution paper to detail the action taken and the action planned for the future. This paper is designed not only to articulate what steps the community will take to tackle the problem, but is also designed to express the needs of the community (see “Position/Resolution Paper”).

You will receive at least three types of feedback: one telling you the results of your solution, one telling you the quality, thoroughness, and feasibility, and one telling you the financial ramifications. This will be in the form of the Community Performance Index, or CPI (see “Community Performance Index”).

The second evaluation will indicate how thoroughly your position/resolution paper addressed the problem at hand. The Cities and Counties Office will grade your thoroughness, creativity, feasibility, and quality with a letter mark.

The third evaluation will be a brief summary of your community’s adjusted budget based on what your solution was. This will become the basis for future projects your community becomes involved in.

The most important aspects in solving your problems are thoroughness in your solution, full participation of your local government (city council, county commission, mayor, and citizens), and how

well the solution solves the problem for YOUR particular city or county. Some questions to keep in mind while working on a solution are:

- Is everyone going to be happy, or content, with your solution?
- Do you have full community involvement?
- Is the solution viable for your type of community? Pay close attention to the kind of area you live in. How does a polluted stream affect a city that makes most of its money off of tourism as opposed to one that makes most of its money off of industry?
- Are you taking into account your city or county’s finances when solving a problem? Do you have the money you need? If not, where are you going to get it?

The political choices you make (liberal vs. conservative) are not important in this process as compared to the importance of your ability to see the problem for all its complexity and to think through a comprehensive set of actions to improve the situation. Also remember to make your final choices after careful consideration – your solution today may affect what you can do in the future.

## **Position/Resolution Paper**

The Position/Resolution Paper is the basis for communicating your ideas and solutions to your communities as well as the Cities and Counties Office. Since the Office makes changes to your community based on your solutions, it will be well worth your effort to write them with care.

There should be three main sections in every Position/Resolution Paper:

1. Executive Summary
2. The Solution
3. Budget Analysis

**Executive Summary:** This section is basically a one-page summary of the complete solution. A person reading this should be able to understand your reasoning, plan of action, and the consequences of your actions with minimal effort. The summary should be brief (no more than one page) and concise, yet easy to understand. This may well be the most difficult section to write. Remember to make it simple and brief – one page!

**Solution:** This should be your main section, detailing everything from your council’s ideas and thoughts to the plan of action that you devised. This section should resemble an informal report, but

should be written with detail. It should be thorough, discussing every step and why each step was taken. Also, this section must address the reasoning behind the solution as well as any possible ramifications it will have on the community. Don’t feel as if this section is a chore – this is your chance to show us your creativity, wit, and intelligence! Feel free to include other items that will help illustrate your thoughts, such as pictures, maps, or even feedback from your citizens. You want to have detail, but you also want to be concise, as you don’t have all day to work on it!

**Budget Analysis:** Here, you should delineate how your community decides to spend its money for this fiscal period (one day). A worksheet will be provided to you to help in the allocation of your funds. Remember to spend money on maintenance, education, and community improvements, along with everything else your community has or needs. You must also discuss (in your solution section) how you plan to fund your proposed solution. The budget analysis should reflect your allocation of fiscal resources.

## **Community Performance Index**

Your Community Performance Index (CPI) is a collection of statistics about your community that include economic factors and social welfare concerns.

Using the information that you have received regarding your current community’s status, it is the responsibility of your city or county to arrive at decisions that effectively and comprehensively tackle



problems, while taking the various other aspects of your community into consideration.

The CPI shows how your local government is doing in five different social areas: Crime, Economics, Education, Environment, and Public Health. The CPI is based on a scale from 1 to 10, with 1 being worst and 10 being best.

At the end of the week; "Overall Quality of Life Rating" for each city and county will be provided. The Overall Quality of Life represents the happiness and well being of the citizens considering each community's situation. That means that even if your community started off with a CPI of all 8's your Quality of Life will be adjusted to reflect such unfortunate situations as long as you're Council tried its best and role-played well – you could end up beating a community with a CPI consisting of all 8's! The final standings will be announced at the end of

the session. These have a great influence on who becomes First and Second City/County.

To portray how a certain solution to a problem affects your city or county, the Cities and Counties Office will be assessing the degree to which the solutions affect the CPI with numbers. For example, if a city with an Environment Rating of 7 decided to build a waste-disposal facility (garbage dump) next to an EPA-protected wetland, then the Environment Rating could potentially worsen to 4, representing a decline in that community's "environment."

Each Boy's State city and county has a unique CPI. All CPI data is drawn from real statistics from all over Oregon. Statewide averages will also be presented at the beginning of the week, and their changes because of the activities of all the cities and counties will be announced at the end of the week.

## **Budgets**

Each city and county will receive an individualized budget depending on the population of their respective cities. Thus, as population or tax rate increases, available money increases, as it does in real life. The tax rate can be set by the City and County government as they deem fit, but one must keep in mind that citizens are very sensitive about taxes!

On the first day, the city/county is given an allotted budget to use for that problem. It has the option of changing the tax rates to gain/lose money, but this will not take effect on the budget until the next day. Hence, if on day 1, the city would like to raise their taxes from 5% to 10%, it will only affect the total budget of day 2, not day 1. The total budget for day 2 would be the money unused from day 1, plus the money generated from taxes.

This money is to be spent funding the programs of their city (which will be provided by the Office.) This funding ratio makes the amount of money allocated to different cities in Boys' State extremely varied. This helps make the role-playing even more real. Smaller cities will have to deal with solving problems on a tight budget. However, larger cities will have more programs to fund than the smaller ones. One also must remember that larger cities will be forced to spend more money on things like roads and police because they have more of a need for large forces and larger road systems. Each city has to form its own budget according to the needs of its community.

## ***Citizen Code of Conduct***

1. The Standard Code of Conduct for Boys State is herein established by the Boys State Commission and shall be in full force and effect at all times while Boys State is in progress.

2. The Bean Complex defines the Boys State campus.

3. Leaving Campus: Citizens are not allowed to leave campus.

4. Medical Issues: It is your responsibility to alert the Legion's medical personnel of any pre-existing illnesses, injuries, or any medications you are taking.

5. Absolutely no alcohol or drugs are allowed at Boys State. If it is found that you are in possession, you will be reprimanded and possibly expelled from Boys State. See code #4 for prescription drug possession.

6. Citizens that bring vehicles need to register them with the university. The American Legion Boys

State assumes no liability for theft, damage, or loss to privately owned vehicles.

7. Visitors must register in First Floor Moore, and are accepted only when activities are not going on, or if alternate arrangements are made.

8. Smoking is not permitted by Citizens, or the use of any other tobacco products.

9. Appearance is important. Make sure that you are always wearing your nametag. Appropriate dress is either formal dress for the EMU or tucked in Tee shirts.

10. Make sure the U of O facilities are taken care of. Take precaution to ensure that nothing is damaged. If damage does occur, please let the Legion know ASAP! This includes buildings, furniture, equipment, etc.

11. Appropriate behavior is expected at all times. Show respect to everyone despite any differences.

12. A citizen needs to follow the directions of the staff. If disagreement occurs make sure that it is taken care of swiftly. Contact should be made with the Director or Dean of Instruction in cases of unresolved disagreements.

13. Limit the post-night meeting activities. Night hours are actually for sleeping.

14. Remember to take care of yourself! Being at session means that Boys State will be a top priority,

but make sure that you make some time for yourselves to sleep, eat and any other various activities necessary to function.

15. The Boy State Commission deals with violations of the Standard Code of Conduct for Boys State. The Boys State Commission reserves the right to claim jurisdiction in all disciplinary matters.

## **The American Creed by William Tyler Page**

"I Believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and

humanity for which American patriots sacrificed their lives and fortunes."

"I therefore believe it is my duty to my country to love it; to support its Constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

## ***Elections***

### **Local & State Elections**

#### **Introduction**

Boys State allows for each citizen to immerse himself into this weeklong state government simulation by holding public office. While everyone is guaranteed locally-elected positions, opportunities to obtain state-level executive positions will become available. Additionally, everyone will have the opportunity to file and debate Ballot Measures.

Whether a state executive candidate or not, every single person plays a crucial role in influencing which policies, political party, and politicians dominate the state at the end of the week.

### **Political Party Affiliation**

Each citizen will have already been assigned to one of two political parties upon arrival (to be

indicated within registration material) – either Federalist (red) or Nationalist (blue).

### **Local Elections**

During the first meetings, cities and counties select officials to serve in their respective positions for the duration of the entire week. Citizens will have completed on-line or mail self-nominate prior to arrival in order to become eligible for local office; and, citizens should pay extra attention to which positions are elected on a partisan (and non-partisan)

basis as well as to which positions are appointed. City, County Counselor and elections office will act as election clerks during the special election process. Remaining elections will be coordinated by City and County officials may preside over the remainder of the election proceedings.

### **State Elections**

The executive branch of Boys State is made up of six officials: (1) Governor; (2) Secretary of State; (3) State Treasurer; (4) Attorney General; (5) Commissioner of the Bureau of Labor and Industries

(non-partisan); and, (6) Superintendent of Public Instruction (non-partisan).

(NOTE: refer to the "State Executive Officers" section of this handbook for office descriptions)  
Declaration of Candidacy

In order to officially announce a bid for state office, citizens must complete an elections packet which will consist of three filing forms: (1) a "Filing of Candidacy" form; (2) a "Petition Signature Sheet;" and, (3) a "Candidate's Statement" form. Properly completed filing forms should be submitted to the

Elections Office by the deadline (NOTE: refer to "Daily Schedule"). Filing these documents permits each candidate to present himself as a petitioner at the state party caucus.

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Elections Office by the deadline (NOTE: refer to "Daily Schedule"). Filing these documents permits each candidate to present himself as a petitioner at the state party caucus.

### **Party Caucus (Partisan Only)**

Party delegates from each city review each petitioner (partisan only) and then decide which individuals are placed on the state primary election ballot. It is the delegates' responsibility to select the

two petitioners (per party) who would best represent their party in the state election process.

### **Campaigning**

Boys State voters are able to consult primary and general election voter guides which feature personal statements from each candidate. Campaign flyers, posters, and advertisements (published in The

Statesman) are other ways through which candidates for state office may reach out to voters.

### **State Primary Election**

### **Partisan Races**

Citizens (using the ballots corresponding to their political party) shall select its nominees for state office through a state primary election after which one candidate from each party goes on to campaign toward the state general election. Partisan candidates

for the state primary election are those petitioners who were selected by delegates during the party caucuses.

### **Non-Partisan Races**

The general citizenry shall select its non-partisan officials through the primary election. Unlike the partisan races, there may be more than two candidates per position on the ballot (anyone who submits a properly completed elections packet is added to the primary ballot). If one candidate, however, manages to garner the majority of votes in

the primary election, he becomes automatically elected (and there would be no general election for that particular race). If no one candidate acquires the majority of votes, then the top two candidates (determined by plurality) for a particular race are added to the general election ballot.

### **State General Election**

Each individual at Boys State casts a final vote during the state general election in order to determine who will hold the state executive positions. The state general election ballots will contain the names of

those candidates who received the majority of votes from the primary election.

### **Ballot Measure Campaigns**

Individuals or groups seeking to place measures before all voters must collect the requisite number of

registered Boys State voter's signature (50). Some special conditions must be met before any measure is

placed on either the primary or general ballot. The Elections office, prior to the collection of signatures, must approve the wording of the ballot measure.

All voters' guide statements for the next voter's guide publications are due at the same time as candidate statements. Both statewide and local ballot measures must be published in an official voters' guide prior to a binding vote of the people.

**Ballot measures produced by the Boys State staff are already on the ballot. Voters' guide statements are subjects to the same rules as above. The Citizen Debates will be based on these measures.**

## **Ballot Measures**

### *Introduction*

Anything that appears on a ballot other than a candidate for office is called a ballot measure. Ballot measures are broken down into two distinct categories – initiative and referenda. The initiative process is used much more frequently than the referendum process and is considered much more important and powerful. It is a valuable tool for shaping public policy because, like lobbying, it makes it possible to inform and persuade elected representatives.

The State of Oregon adopted the use of Initiative & Referendum in 1902; and, although it was the third state to do so, it (just two years later) was the first state to put an initiative on a state wide ballot. Today, Oregon is known for having deliberated on more measure than any other state. Consequently, the ballot measure process (particularly for initiatives) will be highly emphasized during the OBS session.

### **Initiative & Referenda**

In Boys State, initiatives are citizen-sponsored proposals to the constitution or to statutory law. Citizens also have the ability to approve or reject laws proposed by the state legislature; this process is called the referendum process. A referral is the only type of referendum used at Boys State. This allows

the legislature to 'refer' its proposed law to the people. This is used when the legislature wants to bypass the Governor's desk. Although it is uncommon for the legislature to exercise this right, it remains an option.

### *The Initiative Process*

It is highly encouraged that citizens create ballot initiatives about issues they are passionate about.

Since citizens have limited access to external resources and do not have adequate time to review the Constitution and the Revised Statues, it is not expected for citizens to submit the full texts of measures. Instead, citizens must write a thorough Explanatory Statement of a proposal along with its "Yes" Vote Result and its "No" Vote Result. Refer to the OBS Staff Ballot Initiatives for examples.

The following is a list of tasks which are either required or recommended to those who are interested in creating ballot initiatives (consult your Daily Schedule for exact times and locations):

- Obtain a Ballot Measure Packet. Citizens must complete the filing forms included in this packet: the Initiative Form & the Petition Signature Sheet (for Initiative). When a citizen has an idea for a ballot initiative, he must gather signatures from other voters to show the Elections office that the measure is indeed an issue that many

feel strongly about. This collecting of signatures may take place all throughout the week until the deadline.

(NOTE: A citizen must possess both Ballot Measure Filing Forms when circulating the petition for signatures.)

- Attend the Bill Writing & Ballot Measure Information Session. This event shows citizens the proper format in which initiatives must be composed.

(NOTE: Many initiatives are excluded from the ballot, even after amassing signatures, because content is unclear and/or disorganized). Citizens who miss the Information Session are welcome to visit the Elections Office for guidance.

Complete and submit the necessary forms by the deadline in order for the initiatives to be reviewed for the State General Election Ballot.

During the OBS Closing Ceremony, the results from the State General Election are announced.

## Notes on Campaigning

Each individual determines which type of campaigning best reflects their values, their abilities, and their personality. Good campaigning is easy to recognize, campaigning on the basis of personal experience, trustworthiness, skill, or sharing the values and concerns of constituents and principled tactics.

Not every campaign is pleasant, but negative aggression to dispute the claims of opponents or to distinguish oneself from their opponent through the use of irrelevant information is neither needed nor recommended.

Negative campaigning includes character assassination, making intentionally false claims, or attempting to blame the opponent for something, which they had no control over. The staff at Boys State strongly discourages this type of behavior.

Negative campaigners lower the level of mature discussion for everyone and can unnecessarily hurt the feelings of other participants in the program.

Boys State Political Parties offer a special assistance to statewide candidates from both respective parties in the form of campaign advising, volunteering, and donating resources. Prospective candidates for statewide offices should consult with their party officials as soon as possible.

Boys State provides a limited amount of supplies and equipment for campaigning. **Candidates may not use personal spending cash to buy, bribe, or “out-spend” an opponent. Also, no outside materials intended for the specific use of publicizing ones campaign shall be allowed at Boys State.**

## Executive Commissions

State Commissions are one of the first opportunities for citizens to get involved with Boys State at the executive level. There are five executive boards at Boys State, each consisting of four members. To become a member of these commissions, citizens must fill out an application and return it to a Junior Counselor by Sunday night. The members of the executive commissions are selected through an application process and appointed by the

Executive Commissions team leader; the Governor of Boys State and the appropriate state officer. The commission members work throughout the week advising the Governor on bills he should pass or veto, drafting bills to be submitted to the Legislature on the behalf of the Governor, and serve as expert witnesses in legislative hearings for legislation in their respective areas of expertise.

## Introduction

### What executive commissions are

Executive Commissions are the branch of government made up of experts in five areas; human rights, labor, treasury, natural resources, and education. These experts use their knowledge of issues to evaluate bills that will be presented to the governor, formulating a recommendation of no, yes

as amended, or yes. Based on this recommendation, and the reasons stated by the commission for the recommendation the governor will vote on the bill. Executive commissions are the last group bills must make it through.

### What executive commissions do

During the week at Boys State members of the executive commissions have three main duties. They must write legislation (two bills per commission) relating to their specific field of interest. They must review legislation that make the bill book, and make recommendations on this legislation to the governor. And, finally, they must review city and county

problems, and the solutions to these problems. Using this information along with the original (Sunday) demographics and final (Thursday) demographics they must formulate a State of the State Address and present it to the governor.

### How executive commissions are run

Executive commissions are coordinated by a team leader or leader, the governor, and possibly another counselor. Each commission consists of four

members, one from each county. One of these four members is elected as chairman of the commission.

## What is the purpose of executive commissions

Executive commissions write legislation, review bills, and address the State of the State.

### How executive commissions parallel real government

Executive commissions parallel real government in that real governors have panels of people who are experts in their field. These experts review bills, and

analyze their pros and cons. using what they know they report to the governor on the bill.

### Executive commissions and Boys State

In Boys State the executive commissions play a very important part. Commissioners are the experts in their field. **They are the governor's right hand men.** This means that they can be called to testify in

the house or senate if necessary, and that by persuading the commissioners, lobbyists would have their direct influence on the governor.

### Responsibilities

#### State of the State

Make a report about the state of your Commission's area stating the changes that have occurred over the week. You will utilize county demographics, bills, evaluated, and the solutions to county problems to synthesize a report (1.25 – 3

pages long) serving to update the governor on these changes. This report will make both qualitative and quantitative statement about the changes seen during the week.

### Bill Evaluations

Each commission will look at the bills passed for this session of Boys State that pertain to their specific area of interest and make either a recommendation to pass the bill passed on commission generated criteria (mission statement) or a recommendation to veto the veto the bill based on the same criteria. The commission could either recommend the bill to be passed into Boys State law, not recommend the bill,

or could recommend that some amendments be made to the bill. A bill that is recommended to the governor requires that you write a brief, yet informative, write up explaining why the bill should be passed into law. Included in the write up should be a discussion of the bills weaknesses. A bill not recommended to the governor requires you to do nothing to it.

### Writing bills

Each commission will write two bills pertaining to matters within their commission.

#### Treasury Commission

This commission is lead by the State Treasurer. After the Commission has been appointed, a chairman is selected. He is responsible for leading meetings and working personally with the Governor. The commission prepares a report for the Governor on the economic status of Boys State. The

commission members draft legislation on behalf of the Governor of Boys State. Some members of the Treasury Commission will be called on to act as expert witnesses in Legislative hearings. For further reference see section entitled "State Treasurer."

#### Labor Commission

The Labor Commission is lead by the State Labor Commissioner. After the Commission has been appointed, a chairman is selected. He is responsible for leading meetings and working personally with the Governor. Together they prepare a report on the status of labor and employment in Boys State. The commission members draft legislation on behalf of

the Governor of Boys State. Also, many of the commission members will be asked to testify, as experts in the field of Labor, at Legislative hearings. For further reference see section entitled “Labor Commissioner.”

## **Education Commission**

The Education Commission is lead by the Superintendent of Public Instruction. After the Commission has been appointed, a chairman is selected. He is responsible for leading meetings and working personally with the Governor. The Education commission drafts legislative proposals

and prepares a report to the governor on the State of Education in Boys State. Members of the commission may be asked to serve as expert witnesses in Legislative hearings. For further reference see section entitled “Superintendent of Public Instruction.”

## **Natural Resources Commission**

The Natural Resources commission is responsible for developing and instituting laws to preserve and utilize Boys State’s natural resources. After the Commission has been appointed, a chairman is selected. He is responsible for leading meetings and working personally with the Governor.

The commission drafts natural resources legislation and prepares a report to the Governor on the state of Boys State natural resources. Also, members of the commission serve as expert witnesses in Legislative hearings.

## **Human Rights Commission**

The Human Rights commission is responsible for developing and instituting laws to protect the people of Boys State. After the Commission has been appointed, a chairman is selected. He is responsible for leading meetings and working personally with the Governor. The commission drafts human rights

legislation and prepares a report to the Governor on the state of Boys State citizens. Also, members of the commission serve as expert witnesses in Legislative hearings.

## ***Judicial***

### **Introduction**

The judicial system at Oregon Boys State will participate in mock trials. Mock trial case materials consist of stipulated facts, witness affidavits and criminal/civil charges. During testimony, only facts included in the affidavits are admissible evidence; however, not all information in the affidavit will be admissible. To be a judge or and attorney, you must pass the bar exam. As bar members you are allowed

to represent a citizen if he wishes to bring a civil suit at Boys State.

This section of the handbook has two purposes: First is to describe the responsibilities of each position in the judicial program; second is to supply the guidelines and procedures of the operations of the judicial system at Oregon Boys State.

## **Boys State Bar Association**

The Boys State Bar Association is an organization consisting of all citizens who pass the bar exam. A citizen must have passed the bar exam to be elected as a member of any court such as judges, prosecutors, public defenders at Boys State. The only

exceptions are the Public Safety personal who do not have to pass the bar. To prepare for the bar exam, which will be held Sunday, study the judicial section (such as **Judicial System, Supreme Court and Legal Reference**) of this handbook. The Bar Exam is

administered to all prospective judicial officers and the results are announced Sunday Night. Anyone passing the Bar Exam will be considered for any

judicial office unless an office conflicts precludes such action.

## **Circuit and Municipal Court Judge**

The judge's duty is to oversee the trial and assure that all legal rules are followed and most importantly that justice is served. The courtroom is yours, but do not act as a dictator. You should be firm, in control,

and just. It is also your duty to keep the trial on schedule in whatever fair and impartial way.

## **Municipal and Circuit Court Prosecuting Attorneys**

Each city will elect one prosecuting attorney and one City Attorney. Each county will elect one prosecuting attorney and one District Attorney. This court hears cases where a citizen is accused of violating city and county ordinances. Your job is to represent your party which is brought before the court. You will argue your cases using the guidelines

outlined in this handbook and the provided case materials. Prosecuting attorneys may be called upon to participate in civil mock trials as the plaintiff or defendant, or to represent the city or county in any suits brought against it.

## **Municipal and Circuit Court Defense Attorneys**

Each city will elect one defense attorney and one City Public Defender. Each county will elect one defense attorney and one County Public Defender. Your job is to represent your party which is brought before the court and are responsible for having your clients found not guilty. You will also argue their

cases using the guidelines outlined in this handbook. You may represent defendants or plaintiffs in civil mock trials, or may represent plaintiffs in suits brought against the city or county which involve violation of ordinances.

## **Trial Procedures**

### **Trial Outline**

- 1) Jury Selection
- 2) Oath of Witnesses
- 3) Opening Statement from Prosecuting Attorney (or Plaintiff)
- 4) Opening Statement from Defending Attorney (Defendant)
- 5) Prosecution calls all witnesses provided.
  - a) Direct examination of witness by prosecuting attorney
  - b) Cross examination of witness by defending attorney
- 6) Defense calls all witnesses provided.
  - a) Direct examination of witness by defending attorney
  - b) Cross examination of witness by prosecuting attorney
- 7) Closing Statement by prosecution
- 8) Closing Statement by defense
- 9) Recess for Deliberation

## **Attorney Demeanor**

It is extremely important that you perform as a professional when trying a case in court. Look your best (clothes are clean- whether it is slacks, dress shirt and tie or OBS T-Shirt, name tag is attached to shirt, hats are taken off). Improper dress could lead to the judge finding you in contempt of the court, and legal measures may be taken. Always stand before

speaking to the judge, and address him as "Your Honor." Remember, it is your duty to do your best for your client. Don't forget, the judge is always in charge. It is his courtroom and it is his duty to decide if a person's actions lessen the court's authority or dignity.

## **Trial Guidelines**



The trials are expected to be completed in the activity block in which they are assigned. Everyone needs to know his role and be prepared when trial time arrives. Remember this as the jury is selected; opening statements are given, and as witnesses are questioned. Each side of the trial is limited to the witnesses and any extra evidence (diagrams, etc.)

provided. There is no flexibility allowed—you cannot declare in the middle of a trial that you will call the governor as your second witness, and that he will bring with him the murder weapon—you must stay within the realms created by the trial materials.

## Jury Selection

A jury may be selected from the jury pool. They will generally come from the city or county that is

participating in the trial. Otherwise, if a jury cannot be assembled, the judge will act as the jury.

## Oath of Witnesses

The oath must be read to all witnesses before they give testimony to remind them of their ethical and legal responsibility to tell the truth. Before any actions may be taken in the trial, the Judge must read the following oath to all witnesses:

"Do you swear to tell the truth, the whole truth and nothing but the truth?"

The witness must then respond in the affirmative before the trial can continue. At Boys State the truth of statements given can be ascertained by comparing testimony too previously given affidavits (witness statements) or stipulated facts that the witness has first hand knowledge of.

## Opening Statement

The opening statement should be addressed to the jury (or judge if he is acting as the jury). The prosecuting attorney will first introduce himself and outline his case. The statement should briefly and concisely state what evidence he will bring from what witnesses and what verdict he would like the

jury to conclude based on that evidence. The defending attorney will not respond to the prosecution's opening statement, but will follow the same form as the prosecution in presenting his side of the story.

## Witness Examination

**Direct Examination:** Attorneys call and question their own witnesses. Direct examination should cover all facts relevant to the case at hand that the witness has first hand knowledge of. For the mock trials, information provided in the witness statements are assumed to be first hand unless otherwise presented in the statement (i.e. "John told me that it was the evil janitor who tried to clog the toilets" is not first hand knowledge that the evil janitor clogged the toilets). Questions must not be leading; that is, they must ask for short and factual answers, without trying to presume a certain answer from the witness (i.e. "You saw Eric Clapton shoot the sheriff, but you didn't see him shoot the deputy?" is a leading question. Instead, ask "What did you see Eric Clapton do last night?"). The witness should be providing information, not the lawyer. Questions must be relevant to the case or serve to establish the credibility of a witness.

Example questions:

"Were you with the defendant on June 13th, when he allegedly robbed the Charmin toilet paper factory?"

"Is the man you saw eating Peter Piper's pickled peppers here in court today? Could you please point him out for us?"

**Cross Examination:** Attorneys ask questions of the other side's witnesses. On cross-examination, you should ask questions that discredit the testimony or character of the witness. This is known as impeaching the witness. You should also bring out facts the other side failed to bring up which add strength to your side of the case. All questions in cross-examination should be leading questions; that is questions which ask for a yes or no answer. A skilled lawyer will articulate each question such that they will know each answer the witness will give. Non-leading questions will allow the witness to ramble or to bring up points to support the prosecution; be sure to allow them no room outside of simple "yes" or "no" replies. The witness should be treated with respect at all times.

Example questions (try not to use "Isn't it true..." questions only):

"You have known the witness for 15 years, correct?"

"And you have been friends for the last 11 of those years?"

**Objections:** An attorney can object any time the opposing side violates the rules of evidence, which includes introducing material evidence incorrectly or bringing testimony from a witness in a prohibited manner. To object, stand up and state the objection. The judge will ask for an explanation from the objecting side and then the other attorney, who will be standing as well. That attorney must explain why the evidence or testimony should be allowed. After this, the judge will either sustain (agree with the objection) or overrule (allow the attorney to proceed as before). Some standard objections and possible counter arguments are provided below.

"Objection your honor, ..."

**Opinion on Ultimate Issue:** "A witness shall not express an opinion as to the guilt or innocence of the accused."

**Outside the Scope of Mock Trial Materials:** "The testimony contains facts outside the scope of the mock trial materials and is therefore inadmissible."

**Relevance:** "This testimony is irrelevant to this case."

**Possible Reply:** Your honor, these questions will establish the credibility of the witness.

**Leading Question:** "He is asking leading questions."

**Possible Reply:** I'm allowed to ask leading questions during cross-examination.

**Opinion:** "Your honor, the witness is testifying to opinion, not fact."

**Possible Reply:** We've established this witness as an expert, so he should be allowed to testify to his opinion in his field of expertise.

**Hearsay:** "Only statements made originally by the witness are admissible."

**Badgering the witness** (speaking to the witness in a disrespectful manner or asking a question repeatedly): "He is badgering my witness."

**Possible reply:** I'm simply trying to get him to respond truthfully.

**Non-responsive Answer:** "The witness is not answering my question."

**Lack of personal knowledge:** "The witness does not have personal knowledge of this and therefore cannot testify to these facts."

## Closing Statements

In closing statements, the prosecuting attorney will go first and provide a summary of favorable events in the trial, along with his opinion on how the jury/judge should decide the case. The defending attorney will then present his own view of the case, and will also be allowed, in the course of his statement, to respond to any claims made by the

prosecuting attorney in his closing statement. Finally, if the prosecuting attorney chose to reserve time during his original speech and not use his full time, he will be allowed a very brief response to the defending attorney's statement.

## Recess for Deliberation

If the judge is acting as jury, he will retire to another room to make his decision. If there is a jury the judge will charge the members with their duty by reminding them of the following and reading the statement below:

- Base your decision on evidence provided in this trial.
- The burden of proof lies with the prosecution; in a criminal case, the prosecuting attorney must prove beyond a reasonable doubt the guilt of the defendant, in a civil case, the jury must only believe that

a preponderance of the evidence supports the plaintiff.

- Read the applicable law.

"You have heard both sides of the case. Now you must go and deliberate to reach a verdict. The factors that need to be addressed are the ordinances involved, OBS regulations and the witness' testimony. Before you begin to deliberate, select a foreman to preside over the meeting. The jury should return when a verdict has been reached and report it."

## Trials and Courts at Oregon Boys State

Under the body of the law by which the American society governs itself lay the state court system, which is called upon to settle disputes between citizens and to give judgment in cases where offenses against the public are charged. Two types of laws are involved in this process: **Statutory law** consists of statutes or laws enacted by the legislative bodies of the state. **Case law** deals with judicial precedent or standards established by specific court

decisions of the past. These decisions are referred to because they either interpret or strengthen the statutory law and apply to similar situations that might occur in the future.

Different courts have been created in Oregon to perform various functions in both criminal and civil law cases. Criminal and civil jurisdiction (either type of law) and geographical jurisdiction (where authority physically can be applied) has been defined

by legislative action. There shall be two levels of court at Oregon Boys State: the Supreme Court, and the District Courts with their Magistrate Division.

Each County will have a District Court, and under its direction, two Magistrate Courts, one in each city.

Magistrate Courts may try all civil cases in which the requested settlement is not more than \$100.00, and all criminal cases in which the defendant is charged with violations of city or county ordinances, or other misdemeanors. In all cases before the Magistrate Division Court, the Judge shall render the verdict or decision.

District Courts may try all civil cases regardless of the amount of the requested settlement, and all criminal cases in which the defendant is charged with violating city, county, or state ordinances. Juries may be employed in all cases before the District Court, at the defendant's discretion.

All decisions of the Magistrate Division Courts may be appealed to their District Court. All decisions

of the District Court may be appealed to the Supreme Court.

The Supreme Court of Oregon Boys State shall hear and rule on all appeals from the District Court. It may also try any civil or criminal case, with the consent of the Attorney General.

Each Court of Oregon Boys State is empowered to prescribe any writs or rulings necessary to bring justice at Boys State, providing it is within the geographic and legal jurisdiction of the Court, and it is reasonable and prudent.

Each Court shall appoint one or more Clerks who shall keep accurate and detailed record of all proceedings, and shall administer an oath of truth to all witnesses. Each Court shall appoint one or more Bailiffs who shall maintain order in the courtroom, insure the integrity of a sequestered jury, and enforce all rulings of the Court.

## Purpose of Trials

A trial is conducted to seek truth and render justice based on that truth.

By use of an adversary system, two sides attempt to present the truth according to the facts of the case revealed in the court.

A criminal trial shall decide the guilt or innocence of the defendant, and if guilty, the proper sentences to be imposed.

A civil trial shall decide whether compensation from the defendant is due the plaintiff and what compensation is due.

## Processes of the Criminal Trial

The presiding Judge shall guarantee the due process of law through his directing of the trial. The Judge shall abide by the following necessary elements of a criminal trial.

**COMPLAINT** — The Prosecuting Attorney' must first file a formal petition with the court listing the charges to be brought against the defendant on behalf of the People of Oregon Boys State. Upon the receipt of the criminal complaint, the Judge shall schedule the arraignment.

**ARRAIGNMENT** — The defendant is formally presented with the specific charges, which the state brings against him. The Prosecution must at this point show reasonable cause for the case to go to trial by announcing its evidence against the defendant. The defendant must enter a plea of guilty or not guilty to the charges. If a guilty plea is entered, the Court shall proceed directly to sentencing; if a not guilty plea is entered, the Judge shall rule whether the defendant should be bound over for trial.

**JURY SELECTION** — The defendant may request a trial by jury of his peers in all cases before the District and Supreme Courts. When jury trial is requested, the bailiff shall recruit six impartial jurors. The Defense and Prosecution may question the jurors and each may disqualify two delegates from the jury.

If jurors are disqualified, the bailiff shall recruit additional delegates until six jurors acceptable to both parties are seated.

**OPENING STATEMENTS** — First the Prosecution is allowed to address the jury to discuss the circumstances and arguments of his case. After these remarks, the Defense is offered the same opportunity, which may be deferred until after the Prosecution has presented its case.

**PRESENTATION OF CASES** — The Prosecution shall offer all evidence of the alleged crime committed by the defendant to the jury. This may include witnesses' testimony as well as material exhibits. In turn, the Defense shall offer all its evidence, which would indicate that the defendant did not commit a crime. The burden to prove the crime occurred and was committed by the defendant lies with the Prosecution.

**SUMMATION** — The Prosecution shall summarize its case for the jury to show the crime indeed occurred and was committed by the defendant. The Defense may then summarize its case for the jury to show that guilt was not established. The Prosecution may again comment, but only in direct response to the Defense's summary.

**VERDICT** — Following the summations, the Judge shall clarify which points must be decided for a verdict to be reached. Then the jury, or if no jury, the Judge shall decide whether the guilt of the defendant has been established during the course of the trial beyond the doubt a reasonable man might hold.

**SENTENCING** — Should the defendant be found guilty the Judge shall ask both Prosecution and Defense for recommendations for sentencing, and shall then pronounce sentence.

## Process of the Civil Trial

A civil trial shall follow the same basic procedures as a criminal trial except for the exceptions, which follow:

There is no Prosecution in a civil, but rather a Plaintiff, the party bringing the suit to court.

There is no need for an arraignment or for a complaint in a civil trial since no charge is being brought against the defendant.

The verdict shall include the settlement, which the defendant owes to the plaintiff; therefore sentencing is not applicable.

## Evidence

All evidence in a trial shall be included in the presentation of the Prosecution and Defense cases, and may be presented through a witness, or through a material exhibit. Witnesses may be called to testify to relevant facts of the case, but shall not offer conclusions, opinions, hearsay evidence, or irrelevant facts to the court. Opinions may be offered on a subject if a witness is certified to be an expert on that subject.

After a witness has answered the questions put to him by one adversary, the other adversary may put

forth questions to the witness. Following the cross-examination, the original adversary may redirect questions to the witness, but only on matters covered in the cross-examination.

Material exhibits may be presented to the Court, which are relevant to the case (for example, the murder weapon found on the defendant at the time of his arrest).

## Legal Instruments

**COMPLAINT** — A petition of formal charges filed with the Court by the Prosecuting Attorney to initiate criminal proceedings against a defendant.

**WARRANT** — A writ of the Court authorizing an officer to make an arrest, a seizure, or a search or to do other acts incident to the administration of justice.

**SUBPOENA** — A writ of the Court to command a person, under penalty for failure, to attend court, appear in court to give testimony, or to produce in court certain designated documents or other evidence.

**MANDAMUS** — A writ of the Court commanding the performance of a specified official act or duty.

**PROHIBITION** — A writ of the Court commanding the stopping or restraint of the specific act or process.

**CERTIORARI** — A writ of a Superior Court to call up all records of a case that has been before an Inferior Court.

**SUIT** — A petition filed with the Court by the Plaintiff to initiate civil proceedings against the Defendant to obtain a remedy for an injury to his rights.

## Complaint Form

# COMPLAINT

### *Oregon Boys State Judicial System*

This form must be completed in its entirety. Any failure to do so will void it and its intent and legal status. This form should be returned to the Judicial Office promptly for immediate consideration.

#### Information about the citizen filing this complaint

Position:	
Name of Petitioner:	
County:	
City:	

#### Nature of the complaint

Reason for complaint:	
Accused persons/ city/county:	
Date of events:	
Any additional information necessary to support complaint:	
<b>Signature of Complainant</b>	<b>Date</b>

## Appeal Process

Within the court structure the public defender and the prosecuting attorney argue cases before the courts. **For OBS purposes the only appellate court is the Supreme Court, thus all Magistrate Court appeals shall be sent directly to the Supreme Court.** The Court hears arguments at a place and time selected by the staff. The Attorney General is the advisor in all cases where the Supreme Court has original jurisdiction. In order to present an appeal to the higher court the appeal must be based on an issue or point of law. The decision to hear a case is left to the discretion of the Supreme Court.

All trials occur during the activity blocks. All members of a county who hold judicial positions

(district and magistrate), as well as others interested parties, and requested parties taking part in the Boy's State Judicial Program are assigned trials by the Judicial office. Trials originate from the Judicial Office and require citizens to role-play as witnesses. Prosecuting and defense attorneys advise witnesses on how to play the roles. Proving guilt or innocence is not the objective of the trials, but to provide an in depth look at the process. A verdict of either guilty or not guilty is still used.

## Legal Reference

### Trial Protocol

Attempts of another lawyer to violate protocol can be objected by the other lawyer. When a lawyer objects to another lawyer's questioning, "Objection, you're Honor," the judge asks the objector to state his grounds for objection. The accused lawyer responds on his behalf and the presiding judge sustains (upholds) or overrules (throws out) the objection.

Direct Examination is a lawyer's attempt to prove the credibility of his witness' statements.

**Hearsay** is testimony based on information other than the witness' own observations. **Leading the witness** is a question suggesting the answer.

**Assuming a fact not in evidence** occurs when a lawyer draws from information not yet presented during testimony. **Relevance** involves the pertinence of a question to the issue at hand and may need to be explained if objected by the other lawyer.

Cross-examination is a lawyer's attempt to discredit the testimony of the opponent's witness. The rules for cross-examination give more flexibility.

Here the question can suggest the answer: "Isn't it also correct that you are his partner in kleptomania? **Exceeding the scope of direct involves** bringing up matters not presented during direct examination.

**Compound questions** involve asking more than one fact in a single question (similar to leading the witness). For example, "When did you stop beating your kids," is really two questions: Do you beat your kids and when did you stop? Finally, the credibility of the witness himself can be questioned during Cross-examination.

## Judicial Forms

**Ordinances** represent laws affecting a city or county. They must be prominently displayed on each floor of the city or county. All district and magistrate court cases at Boys State originate in the violation of these ordinances.

**Arrest Warrants** are used to apprehend a suspect after he has left the scene of the crime and must be in the officer's possession at the time of the arrest. At Boys State, warrants serve as a trial request form and a summons to the defendant after being processed by the Judicial Office. All citizens must obey warrants and the authority of the arresting officer.

**Appeal** forms are used to request a re-trial. The appeal must be based on misconduct occurring during the trial, such as a witness not appearing, violation of constitutional right or an unfair hearing in which the judge or jury had an opinion before the trial began.

**Injunctions** may be requested to order a stop or to prevent an illegal and harmful act from occurring. "For example, an injunction might be filed to prevent an unconstitutional, discriminatory ordinance against a certain group of people."

## Glossary of Legal Terms

**Affidavit** — Written or printed declaration of facts made voluntarily and confirmed by an oath

attesting to the validity thereof.

**Acquit** — To legally certify the innocence of one charged with said crime.

**Arbitrary** — A willful and unreasonable action, without consideration and regards for rights. Facts or circumstances presented.

**Civil Law** — The law dealing with offenses between persons in a private situation, or when a government body sues an individual under the law. Two examples are libel and slander.

**Contempt of Court** — Any act, which is perpetrated to hinder or obstruct the court in the administration of justice, or which lessens the court's authority or dignity.

**Criminal Law** — The law dealing with offenses where a citizen breaks an ordinance or statute. Two examples are theft and assault.

**Double Jeopardy** — When a person is twice accused and brought to trial for the same crime. Though the citizen was acquitted the first time, Double jeopardy is illegal and different from an appeal. Interpretation of the law is not in question for no new substantial evidence has come to light.

**Ex Post Facto** — Disregard for a previous status or particular instance (from Latin, meaning "after the fact"). For example, if a law is passed after the infraction occurred the person committing the infraction could not be prosecuted.

**Felony** — A major offense as defined by the city, county, or state.

**Freedom of Speech** — Right granted by the First Amendment to express one's thoughts and views without government restrictions. However lewd, obscene, profane, libelous and insulting or "fighting words" are not protected and are punishable under the law.

**Inalienable Rights** — Rights not capable of being transferred or surrendered without the valid consent of the one possessing those rights; i.e.: the right of privacy and equal protection of the laws. Inalienable rights, while permanent, at times conflicts with one another, as well as, other constitutional provisions and exist in a balance of those rights as determined by the courts.

**Misdemeanor** — A minor crime as determined by the city, county, or state.

**Mistrial** — An erroneous, invalid trial. Causes may include lack of jurisdiction, a wrong drawing of

jurors, a deadlocked jury or the improper obtainment or presentation of evidence.

**Negligence** — The omission to act as a reasonable person or to act as a reasonable person would not; failure to use appropriate care or common sense.

**Original Jurisdiction** — The authority of a particular court to have the first say or an area requiring the case to be argued before a specific court based on area the in which the offence was to have been committed.

**Plea Bargaining** — A method used within the legal process whereby, instead of prosecuting the defendant for a serious crime, the prosecution (working with the defense attorney and the accused) obtain a plea of "guilty" for a lesser charge, thus avoiding the need to go to trial.

**Recusal** — The process by which a judge is disqualified on objection of either party (or disqualified himself or herself) from hearing a case or suit because of self-interest, bias, or prejudice.

**Repeal** — To revoke, abolish, or rescind by the enactment of a subsequent ruling or statute, which is contrary to the former rule or law.

**Right to Privacy** — Right recognized by the Supreme Court as implicit within the Constitution's framework, which preserves the individual's ability to make fundamental choices involving himself, his family, and his relationship with others. This right is also subject to regulations for the protection of society.

**Stipulation** — A material condition or requirement in an agreement.

**Vagueness Doctrine** — The Fourteenth Amendment guarantees laws, which do not fairly inform a person of what is commanded or prohibited, is unconstitutional. Requires laws provide definite standards to guide discretionary actions of police officers to prevent arbitrary and discriminatory law enforcement.

**Writ** — A written court order directing a law enforcement officer or other selected official to do what is commanded by the writ.

**Jurisdiction** — The power of a court to decide a matter; i.e.: as limited by the court's geographic location or level of authority

## The Supreme Court

Supreme Court justices have three responsibilities: they act as the jury for mock trial before the entire Boys State citizenry, they hold the prepared mock trials and they act as the appellate court during the week.

Presentations to the Supreme Court must be made on an outline form available in the Judicial Office. The form must be returned to the Judicial Office at least two hours before the next scheduled Supreme Court meeting. The Supreme Court decides to hear a case by a rule of three, that is, three justices must vote to hear the case or the previous ruling is

final. If the Justices choose to hear the case, the defense and prosecution present their cases to the Court and respond to the questions of the justices. Oral arguments are in the following order: Appellant -- Respondent -- Appellant. After hearing the oral arguments the justices retire to chambers to deliberate. After preliminary discussion, one justice will be assigned to write an opinion in favor of the Appellant and one in favor of the Respondent. The justices' vote for the one they agree and the majority opinion is the judgment of the Supreme Court and is the final ruling.

## Selection Process

Citizens are elected from each city to begin the Supreme Court selection process. **Selected citizens fill out an application due in the judicial office by 5:00pm Monday.** From the applicants, the Boy's State Judicial Staff will interview finalists. Tuesday,

the seven Supreme Court Justices, selected from the finalists, are inaugurated and the Chief Justice position is announced. Those not chosen as Supreme Court justices become attorneys.

## Chief Justice

The Chief Justice of Oregon's Boys State Supreme Court is elected by the members of the Court to preside as Chief Justice for one session term. The State Supreme Court reviews appealed cases from lower courts calling for interpretation of significant legal issues. They also discipline the state's judges and attorneys.

At Boys State a committee headed by the Judicial Program Team Leader selects the Chief Justice from the Justices of the Supreme Court. He coordinates the Supreme Court's activities throughout the week, including the handling of appeals and the Mock Trial.

## Legislature

*"Where there is no law, but every man does what is right in his own eyes, there is the least of real liberty."*

--Henry M. Robert

## The Program

Our Government is divided into three branches, the Executive, the Legislative, and the Judicial, each with different responsibilities, but all forming a cohesive unit. The legislative branch holds the responsibility of creating policy—that is, writing and passing laws, setting budgets. The legislative branch performs its duties through the drafting of legislation, that is, by writing bills. Here at Oregon Boys State (OBS), the legislative branch will be expected to perform the same functions as our state legislature.

The Legislature is the chief law-making body here at Oregon Boys State. Made up of a minimum of twenty in the Senate and the forty House of Representatives, the two chambers work together to take an idea, form it into a bill. By working with the lobbyists, bill writers, other legislators and interested citizens, legislators can sponsor bills made into law.

As in much of the rest of the government, as well as in society, partisanship is an important aspect to function. The legislature relies heavily on bipartisan politics. Leadership is reliant on the majority party, and the proportion of one party to another within the legislature changes the type of bills that are passed. As a legislator at Boys State, you are asked to put aside your current feelings on issues, and asked to replace them for the week with your party's platform.

At the first session the houses divides into party caucuses. Each party elects a leader. In the Senate, the majority leader becomes the President of the Senate, while the minority leader becomes the Pro-Tempore. In the House of Representatives the majority leader becomes the Speaker of the House, while the minority leader, as in the Senate, becomes the Pro-Tempore.

## Introduction

Although we will be focusing on the subset of the legislative process concerned with writing and debating bills, there is much opportunity to take advantage of other types of legislation—such as memorials, resolutions, and initiatives—as well as

other means of passing legislation, specifically the initiative and referendum process. Each type of legislation is described below.

## Measures



All legislators will be required to participate in the drafting of two measures, a piece of legislation to be used in the legislature, either individually or in partnership with other legislators and/or lobbyist. Those wishing to draft additional legislation are encouraged to do so. Topics for drafting legislation

come from either interest groups you are associated with, or issues pertaining to your constituency. Although Bills are the most common type of measure, legislators are welcomed to draft any of the other types.

## Duties of a Legislator

Each legislator will take part in writing at least two bills, the topics of which will be dependent upon committee membership. Bills should be representative of the opinions of the legislator's constituency, well written [see "Bill Writing"], and should address a current issue or problem facing Oregon Boys State. Bills are due no later than 5:00 PM Tuesday evening.

In addition to writing bills, legislators are responsible for a variety of other duties. These include interacting with lobbyists, lobbying the governor or his Executive Commission members, promoting their party, and interacting with the citizenry. To some degree, all of these will be performed by every legislator here at Boys State.

The Legislature is one of the largest branches here at Boys' State, and thus must work closely with

many other groups. Legislators work closely with their lobbyist sponsors in writing bills and during floor sessions. Political Party delegates also work closely with legislators of their party in order to further their party platform. Finally, legislators must work tightly with the Governor's Executive Commissions [see Interactions].

The lobbyists represent groups that wish to influence the kind of legislation that is passed; they have a vast pool of influence. Lobbyists are able to spread influence not only to the citizenry, but also to other elected officials. However, all would be lost if a legislator cannot achieve support from the Governor, as he has the power to veto a bill.

## Legislature Organization

### The Chambers

The legislature is composed of two separate chambers, the Senate and the House of Representatives (typically called the House). Each chamber functions analogously, despite subtle differences in their composition. The presence of two chambers instead of one is of great importance. The presence of two chambers allows for a system of

checks and balances, a process to prevent one chamber from becoming too powerful. There are 60 legislators as a minimum, 20 Senators and 40 representatives. The 20 senators are elected on a county basis, whereas the representatives are elected by their city.

### *Senate*

**President of the Senate** – The Senate President is elected by all members of the Senate, and will be responsible for setting the docket, running floor session, and will also have organizational responsibilities.

**Majority Leader** – The majority leader will be elected by the members of the majority party. The primary duty is to aid in floor session. The majority leader also helps to determine committee assignments. The majority leader must best embody

the goals of his party, and should work to see his party's legislative success.

**Minority Leader** – The minority leader will be elected by the members of the minority party. The primary duty is to aid in floor session. The minority leader also helps to determine committee assignments. The Minority leader must best embody the goals of his party, and should work to see his party's legislative success.

### *House of Representatives*

**Speaker of the House** – The speaker of the house is elected by the all members of the House. He will play an integral role in setting the docket. The speaker will hold the primary responsibility for

running for session, as well as organizational responsibilities.

**Majority Leader** – The majority leader will be elected by the members of the majority party. The

primary duty is to aid in floor session. The majority leader also helps to determine committee assignments. The majority leader must best embody the goals of his party, and should work to see his party's legislative success.

**Minority Leader** – The minority leader will be elected by the members of the minority party. The

primary duty is to aid in floor session. The minority leader also helps to determine committee assignments. The Minority leader must best embody the goals of his party, and should work to see his party's legislative success.

## Legislative Committees

The Oregon Boys State Legislature committee system is the backbone of the lawmaking process as committees conduct the majority of the Legislature's business. Due to time constraints, all Boys State committees are joint House-Senate committees, with the exception of the Rules Committees. The majority leader, his three appointments, and the minority leader and his two appointments make up the Rules Committee for each house. The Bill Review Board is the only standing subcommittee, although any committee may form subcommittees as needed. The Senate President, House Speaker, and the chair of the respective committee make this decision jointly. Subcommittees must consist of four committee members, excluding the committee chair. There are eight joint Senate-House Committees:

1. Health, Education and Welfare
2. Environment and Land Use
3. Trade and Economic Development
4. Justice
5. Labor
6. Energy
7. Consumer Affairs

### 8. Boys State Affairs (Bill Review Board)

The majority and minority leaders of each house make the committee assignments. The members of the Bill Review Board are selected from the Boys State Affairs committee and are chosen by the committee chair and vice-chair.

Bills are approved by the Bill Review Board and are sent to the appropriate committees as determined by the concurrence of the President of the Senate and the Speaker of the House. Committees discuss bills and hear testimony from citizens and fellow legislators. After deliberations the committees assign each bill a pass, pass as amended or do not pass recommendation. A do not pass recommendation reflects the committee's disapproval of a bill, but still allows for the discussion of the issue in the general assembly. A bill may also be tabled in committee with the knowledge any tabled bill usually dies. Committees then refer the bills to the Rules Committee of the senator or legislator's house. The Rules Committee establishes which bills the house will discuss first, creating the docket for each session.

## Interactions

### Introduction

The interactions that exist between every program here at Boys State are vital for the efficient functioning of our Government. The various interactions allow for more complete representation of public opinion, checks-and-balances, and a means for lobbying, to name a few benefits. As a legislator, you will be presented with many chances for interacting with various groups. These opportunities should not be taken lightly, as they will allow you to increase the chances for passage of your legislation. Legislators who are actively interacting with and lobbying other groups will find that the bills they favor will be passed more often.

It is unreasonable for a legislator to attempt to fully understand each detail of every bill. Thus, legislators rely upon insight and opinions from other groups. These groups include their constituency, the Lobbyists, and the Political Parties. Furthermore, legislators can gain insight by internal communication, such as from committee recommendations and floor debate. A better understanding of the details of legislation as well as public and party opinion helps legislators make a more educated decision when voting.

## Citizenry

It could be argued that interacting with the citizenry is the most important interaction for the legislature. A legislator must always remember that his constituents are, first and foremost, the people he is deigned with serving. Legislation is the means by which a legislator represents and addresses the issues that face his constituency. Failing to represent the

interests of one's constituency, is failing to perform the most fundamental duty of a legislator.

There are several means by which a legislator can better represent those who have supported him with votes. The most basic of means to achieve this result is to simply converse with citizens. This can be done within one's city or county, but also at various

other social events. Conversing with citizens allows the legislator a chance to not only discover the issues that need to be addressed, but to determine the precise source of the problem. Another means to discovering the pertinent issues of a group is through polling. Although we will not be doing any polling, poll results are available from the Political party delegates. Furthermore, a legislator may ask his party to perform additional polls to collect information on other aspects of the issues he faces.

Another critical interaction with the citizenry is through the referendum process. The referendum process allows the legislature to place their legislation before the vote of the citizenry. Although this process is atypical, it is a very powerful tool. Placing legislation as a referral bypasses the Governor, thus giving new life to bills with a high likelihood of being vetoed.

## Lobbyist

Although interacting with citizens may represent the most basic, fundamental interaction a legislator can perform, in practice, interactions with lobbyists are the tightest and most frequent. A lobbyist provides a medium for expressing ideas to a variety of other groups. A lobbyist has a great deal of power, influence, and connections through which they can work for the passage of legislation. A lobbyist can work with a legislator to draft legislation, and continue to support it by lobbying citizenry, members of the Executive Commissions, as well as other legislators. Legislators work closely with lobbyists, who shares ideals, to draft legislation in order to better represent a legislator's supporters. Furthermore, this allows the legislator to focus on legislative session while the lobbyist continues to push for support for the bill.

**Hard money-** Contributions made directly to a candidate. These donations are subject to limitations.

legislation, and will attempt to persuade the opinions of or affirm the party loyalty of said legislator.

It is important to recognize that although lobbyist does have a great deal of monetary support at their disposal, they do not typically employ bribery as a means to gather support. It is very true that lobbyist provide support for legislators campaigns, these hard money donations are meant to help the campaigns of those candidates whose beliefs are in accordance with the lobbyist views, not as a bribe. Donations are not meant to sway the legislator's opinions, but rather to support the election of those who will support the lobbyist opinions. An understanding of this interaction is imperative. Any legislators who do not understand this should ask a counselor for clarification.

In addition to the daily interactions between the two groups, the lobbyist hosts a Mocktail party. This allows groups, legislators and lobbyist alike, a forum to discuss their legislation, and the legislation of others. In addition to current legislation, legislators can use the mocktail party as a means to further support their party or constituency's interests by learning about and lobbying for other legislation. Although socializing occupies a large portion of time during the mocktail party, legislators should take full advantage of this time to lobby for their bills, and the bills of their supporters. Remember in the world of Politics, even social time is working time.

From another perspective, a legislator will frequently be approached and lobbied by various lobbyists. They will be seeking support for other

## Political Parties

Although Legislators are not required to vote along party lines, party loyalty remains important. Legislators are expected by their party delegates and their same-party-constituents to uphold those tenets held dear by their party [see "Party Platform", inside-front-cover]. Disparaging party beliefs means betraying the trust of these groups, as, along with lobbyist organizations and interest groups; they are responsible for your election to your position. Although your views outside of OBS may be quite different from those instituted by your OBS party, the role-play remains imperative during the week. The role-play can be considered a means to better

understand those who oppose you, giving you the edge in future debates. Those who are having difficulty following these party platforms should talk to a Legislative Program Counselor.

The Political Party delegates, like the Lobbyists, are a group of individuals who can be used to spread influence concerning your measures. They are often in close contact with the Governor and his Executive Commissions, and as they sponsor the two Conventions, they provide a forum to reach the entire citizenry of your party, thus increasing support for Initiatives and Referrals.

## Executive Commissions

Every legislator should remember that the final step in the bill process is approval or disapproval by the Governor. Thus, drafting legislation and lobbying various groups is all in vain if a legislator fails to gain support from his Governor. Legislators can do this by influencing the Governor's Executive Commission members. These are the Governor's chief advisors,

advising him whether to pass or veto a bill. As a point of strategy, a legislator who expects a veto from a governor may choose to present his legislation as a ballot initiative, rather than as a bill. This allows the general population to vote whether to pass or reject the legislation.

## The Bill Process

### Introduction

The process by which a bill becomes a law is one with several distinct steps. Although the process may sometimes appear difficult and time-consuming, the distinct steps of the process allow for a traceable path—from the idea, to ratification by the Governor—and simultaneously performs checks and balances,

preventing one chamber from dominating the legislative branch.

Passing legislation is a difficult feat. For a bill to pass, it must be well written, and well thought-out. At the closing ceremonies, all legislation that was passed will be recognized, and the authors congratulated.

### Step One: Preparation

All bills begin as an idea. The idea may be in response to a current problem, such as endangered species or an under-funded state budget, or simply to improve the quality of life, such as a bill to allocate funding for park improvement in the author's hometown. The idea can relate to any part of OBS life, from taxation to tattooing, environment to engineering, but should reflect the views of the constituency, or interest group. Anybody can draft a bill, but at Boys State each legislator is required to draft legislation, as they will be dealing with the bills and other legislation on a daily basis. Furthermore, a legislator, who essentially takes over responsibility for the measure, must sponsor those measures drafted by non-legislators.

Bills can be sponsored by any Senator or Representative, regardless of party affiliation or representative districts. One exception does exist; bills regarding money must be sponsored by a Representative, as they must be introduced in the House of Representatives.

Each Senator is required to draft two articles of legislation. Representatives will be paired with lobbyist, and will be required to produce three pieces of legislation between the two—either co-authoring bills or individually.

Following the inception of the idea, the bill must be put to paper. Drafting a bill is difficult. Bills must be specific and unambiguous, paying close attention to semantics (such as the difference between 'and' and 'or'). Bills must be thorough and well conceived. Once a final draft is produced, the bill must receive sponsorship from a legislator. The due date for submission for all bills is Tuesday evening at 5:00 PM.

After being drafted, Bills are approved by the Bill Review Board and are sent to the appropriate committees as determined by the concurrence of the President of the Senate and the Speaker of the House. Committees discuss bills and hear testimony from citizens and fellow legislators. After deliberations the committees assign each bill a pass, pass as amended or do not pass recommendation. A do not pass recommendation reflects the committee's disapproval of a bill, but still allows for the discussion of the issue in the general assembly. A bill may also be tabled in committee with the knowledge that any tabled bill usually dies. Committees then refer the

bills to the Rules Committee of the senator or legislator's house. The Rules Committee establishes

which bills the house will discuss first, creating the docket for each session.

## Step Two: Committees

Once written and sponsored, a bill is placed in one of several categories, depending upon its topic. Each category or topic represents a committee, a small group of legislators—two representatives and one senator—who are

*Docket:* The ordered list of bills to be debated and voted.  
*Tabled:* Set aside indefinitely,

The committee is where the majority of work gets done. Committees discuss the validity of the bill, hear outside testimony (such as from citizenry, lobbyist, etc.), and finally determine the fate of the bill. The committee can assign a pass, pass as amended, does not pass, or tabled. Tabled bills are essentially killed, although they may be brought back to the floor if a motion is passed by the chamber. “Pass”, “pass as amended”, and “does not pass”, are committee recommendations, leaving the bill open for debate in the general assembly. Members of the general assembly should respect the recommendation of the committee, as the committee does generally have a better understanding of the issues, but are not obligated to agree.

specialized to the topic. The eight committees (joint House-Senate) are as follows:

1. Health, Education and Welfare
2. Environment and Land Use
3. Trade and Economic Development
4. Justice
5. Labor
6. Energy
7. Consumer Affairs
8. Boys State Affairs (bill review board)

Committees are reliant, although not dependant, upon testimony from outside sources. A lobbyist or any other citizen may be given the chance to speak to a committee regarding specific bills. This sort of testimony allows the legislators to gauge the priorities of their constituency, and also allows them to better understand complex or unfamiliar issues.

The bill is then sent to the rules committee, which determines which bills each chamber will hear first, thus creating the docket.

## Step Three: Floor Session

Once a bill is placed on the docket, it is then sent to the chamber of the sponsor, either the Senate or the House of Representatives. From there, the bill is debated, edited or revised as needed, and finally voted upon. A simple majority is required to pass the bill. If passed, the bill is then moved to the top of the docket of the other chamber. If the bill makes it to the other chamber, it must then be debated, edited or revised as needed again, and finally voted on, just as in the previous chamber. If revisions are made in either chamber, these revisions must be approved by the other chamber, a process repeating itself until

both agree on the content of a single version. This version is then passed on either to the Governor, or, if previously determined, as a referral.

Once both chambers approve the measure it is sent to the Governor. The governor has two choices – to ratify the bill, thus enacting it as law, or to veto the bill, killing it. A Governor’s veto can, however, be overridden by a 2/3 majority vote by each house. The legislature will have a chance to override any vetoes on Friday during the Legislative Veto Session.

## Bill Submission Process

**Bills submitted to the Boys State Legislature can be written by any citizen, but must be printed on a Boys State bill form and sponsored by a senator or representative.** Citizens are encouraged to write their own bills on topics they feel are important to the state. The requisite forms can be obtained in the Legislative Office.

Bills are classified in different types and the formats. There are bill-writing sessions to help citizens and legislators draft clear and effective pieces of legislation. Questions about how to write bills are answered at the bill writing help sessions.

Bills may be submitted to the Legislature throughout the week. The Bill Review Board checks all bills for grammar, structure, basic content and duplication. The Board assigns summary headings and assigns the bills to the appropriate committees but does not rewrite bills. If a bill is non-sensical or can be combined with similar bills, or returned to the sponsor for correction. Returned bills must be resubmitted to the Legislative Office.

## Order of Business

The Presiding officers first call the respective Houses to order. The following order shall be used as a guide:

1. Roll Call
2. Reading and correction of the Journal
3. Reading of communications
4. Presentation of petitions, resolutions and memorials
5. Reports of standing committees
6. Reports of Special committees
7. Consideration of messages from the Governor

8. Considerations of messages from the other house
9. Motions and considerations of petitions, resolutions and memorials
10. Introduction, first reading and reference of bills, petitions, resolutions and memorials
11. Second reading of bills
12. Third reading of bills
13. Consideration of the general calendar
14. Miscellaneous business

## The Fundamental Principals of Parliamentary Procedure

1. Rules exist to promote cooperation and harmony.
2. The vote of the majority decides.
3. All members have equal rights, privileges and obligations.
4. The minority has rights, which must be protected.
5. Full and free discussion of all propositions is a right.
6. Simplest and most direct procedure should be used.

7. Logical precedence governs introduction and disposition of motions.
8. One question at a time is the necessary order of business.
9. Members have a right to know what their votes mean.
10. The membership may delegate power but must retain responsibility.
11. Rules must be administered impartially.

## Basic Pattern for a Good Meeting

If the bylaws do not contain an order of business, parliamentary law has established the following pattern for a meeting:

1. Call to order
2. Reading or disposition of minutes of the previous meeting
3. Reports of officers, boards and standing committees

4. Reports of special committees
  5. Unfinished business
  6. New business
  7. Announcements
  8. Adjournment
- If there is an invocation or roll call, this usually follows the call to order.

## Steps in handling a Motion

1. A member rises and addresses the presiding officer.
2. The presiding officer recognizes the member.
3. The member states his motion.
4. Another member seconds the motion.
5. Presiding officer states the motion to the assembly.

6. Members may discuss the motion, if debatable.
7. Presiding officer takes the vote.
8. Presiding officer announces the results.

## Precedence of Motions

The motions named “privileged” or “subsidiary” below have precedence or rank, which determines when they may be brought before the assembly. The chair will allow only one question to be considered at a time. This question will be the one of the highest rank, the last one received, and that one becomes the “immediately pending question.” The other motions are “pending questions,” and each takes its turn according to rank.

The main motion is the most important but the last in precedence. The other motions on the floor must be disposed of first in order that the main motion can be disposed of in a manner that will accurately reflect the will of the group. Rank or precedence, then, operates to facilitate an orderly and smooth handling of business.

The following page classifies motions according to precedence and gives the principal rules that govern them.

## **Table of Parliamentary Motions**

Motion	Purpose	May interrupt Speaker	Mover must be Recognized	Requires a Second	Debatable	Vote Required	Amendable
<b>Privileged Motions: (Take precedence over all other motions)</b>							
5. Adjourn to specific time	To set time of next meeting	No	Yes	Yes	No	Major	Yes
4. To adjourn	To dismiss the meeting	No	Yes	Yes	No	Major	No
3. To make a recess	To dismiss for given period	No	Yes	Yes	No	Major	Yes
2. Question of Privilege	To make request during debate	Yes	No	No	No	Chair	No
1. Call for orders of day	To demand assembly to conform to established rules of business and the announced program	Yes	No	No	No	None	No
<b>Incidental Motions:</b>							
To appeal a decision of the chair	To obtain vote reversing the chairman	Yes	Yes	Yes	No	Major	No
To call for a division of the house	To ascertain correct vote	Yes	No	No	No	None	No
To raise a point of order	To correct a parliamentary error	Yes	No	No	No	Chair	No
To object to consideration	To prevent consideration of a motion	Yes	No	No	No	2/3	No
To divide motion	To consider in separate parts	No	Yes	Yes	No	Major	Yes
To withdraw a motion	To remove from the floor	No	Yes	No	No	Major	No
To suspend rules	To permit action contrary to standing rules	No	Yes	Yes	No	2/3	No
To close nominations	To prevent admission of additional candidates	No	Yes	Yes	No	2/3	Yes
To rise for parliamentary inquiry	To ascertain proper procedure	Yes	No	No	No	None	No
To rise for information	To ascertain status of business	Yes	No	No	No	None	No
<b>Subsidiary Motions:</b>							
8. To table	To deter action	No	Yes	Yes	No	Major	No
7. To previous question	To close debate and force vote	No	Yes	Yes	No	2/3	No
6. To limit or extend limit of debate	To control length of time for discussion	No	Yes	Yes	No	2/3	Yes
5. To postpone to a certain time	To deter action, or to create a special order	No	Yes	Yes	Yes	2/3	Yes
4. To refer to committee	To allow consideration of house by special group	No	Yes	Yes	Yes	Major	Yes
3. To amend an amendment	To clarify an amendment	No	Yes	Yes	Yes	Major	No
2. To amend a substitute	To modify a motion	No	Yes	Yes	Yes	Major	Yes
1. To postpone indefinitely	To suppress action	No	Yes	Yes	Yes	Major	No
<b>Main Motion:</b>							
The bill or resolution	To introduce business	No	Yes	Yes	Yes	Major	Yes
<b>Renewal Motion:</b>							



To reconsider	To reopen debate and consideration	No	Yes	Yes	Yes	Major	No
To reconsider, and have entered on minutes	To enter on minutes for subsequent reconsideration	No	Yes	Yes	Yes	Major	No
To rescind	To reverse earlier action	No	Yes	Yes	Yes	Major	Yes
To take from table	To return to consideration previously deferred	No	Yes	Yes	No	Major	No

When addressing another colleague, he should always be referred to as “Senator” or “Representative” (name).

All debates must be addressed to the Speaker of the House or the President of the Senate. An officer should be referred to by his title of “Mr. Speaker” or “Mr. President.”

To permit debate, there must be a debatable question before the body, and some member must have been recognized as entitled to speak. During debate, various motions are in order and if the question were not otherwise disposed of previously, it is brought to a vote at the conclusion of the debate and disposed of permanently. Then another question can be brought before the body and, if it is debatable, debate follows on it.

A member is not entitled to address the house or to offer a motion or present a question of other business without first obtaining recognition. When any member desires to speak or present any matter to the House or Senate, he should rise at his seat and respectfully address the Speaker or President. When the Speaker or President recognizes the member by calling him by name, the member is entitled to the

floor and may address the body or present a matter of business. While a member is speaking, he should remain standing at his seat and when he has finished, he should resume his seat.

A member, once recognized and having the floor, is entitled to freedom from interruptions unless something arises which requires immediate consideration. Questions of privilege requiring immediate consideration justify an interruption. A member can be interrupted and called to order if he digresses from the subject under debate, or if he uses improper language, or if he exceeds a time limit on speeches.

When a member is speaking and another member interrupts to request recognition, it is the right of the Speaker or President to permit the person rising to state why he desires the floor. If the question he desires is entitled based on precedence, the member originally speaking should relinquish the floor until the question having precedence is disposed of, but he is entitled to resume the floor as soon as the privileged question has been disposed of.

## The Senate

The Senate is comprised of a minimum of twenty members elected at the county level of Boys State. The Senate President by virtue of his office is the President of the Senate. The President shall preside over sessions of the Senate; and with the approval of the Senate, shall assign members to committees. The President shall appoint the Secretary of the Senate and other Administrative Officers.

The Senate shall elect on a partisan basis a President Pro Tempore. The majority party shall elect a Majority and Assistant Majority Floor Leader, and the minority party shall elect a Minority and Assistant Minority Floor Leader.

## The House of Representatives

The House of Representatives is made up of a minimum of forty members who are elected at a city level. The Speaker of the House shall be elected from among these members during the House’s organizing session. The Speaker shall preside over session of the House, and shall assign chairmanships of all

committees and the memberships of the committees of the House. The Speaker shall also appoint the Chief Clerk and the other administrative officers of the House. The majority and minority parties shall each elect a Floor Leader and Assistant Floor Leader.

## Types of Legislation

The Legislative Assembly may take action through the following types of measures: a Bill, a Resolution, a Joint Resolution, a Memorial, and a Joint Memorial. Any of these measures may be

introduced in either house. However, a bill for raising revenue may be introduced only in the House of Representatives.

## Bill

A Bill creates a new law, amends or repeals existing law, appropriates money, prescribes fees, transfers functions from one state agency to another, provides penalties, or takes other action. A measure

intended to have the effect of statutory law must be enacted as a Bill. This great flexibility in function is why most legislation can be proposed as a bill.

## Resolution

A Resolution is used by a single house of the Legislative Assembly to take action affecting concerns or procedures, such as appointing a

committee of members or expressing an opinion or sentiment on a matter of public interest.

## Joint Resolution

A Joint Resolution is used for proposing constitutional amendment, taking action affecting both legislative bodies, and giving directions to a state agency or office. Resolutions express legislative

approval of the action taken or authorize action to be taken and expressing legislative congratulations, commendations, or sympathy.

## Memorial

A Memorial is used to make a request or express an opinion to Congress or The President of the United States, or both. Memorials are used when one house requests or expresses an opinion. Memorials

are not used to commemorate the dead. Both houses of the Legislature adopt a Joint Memorial.

## Referendum and Initiative

The Referendum and Initiative processes complement the Legislature by giving citizens the opportunity to address issues the Legislature fails to act on when the constitution is being revised or amended. In 1902 Oregon was the first state to adopt the initiative and referendum process. Since then

many initiatives have become ballot measures voted on by the citizens of Oregon. Many bills passed by the Legislature have been overturned directly by the state's voters.

## Referendum Process

During the week certain joint resolutions passed by the Legislature and signed by the Governor are referred to a vote of the people for final approval. As in the initiative process, a drafted proposal must be submitted to the Election office to be deemed a clear

presentation of a single issue. If approved, the Elections office places the measure on the ballot. The results will be announced at the Closing Ceremonies of the week.

## Initiative Process

A citizen or group of citizens wishing to place an initiative on the ballot for the general election must first submit a draft of the proposed law to the Elections office for approval. The Elections office, with the help of the Secretary of State, determines the clarity of the proposed initiative. Upon the office's approval the authors will be supplied with petition forms, assigns a deadline for the signatures to be

collected and how many will be needed (50). If the individual or group collects the required number of signatures by the deadline, the Boys State citizens place the measure on the ballot for a vote. The results will be announced at the Closing Ceremonies of the session.

## Sine Die - The Group Bill

## Overview

The purpose of the Group bill is to present to the Oregon government the views of today's youth on important issues. Drafting this bill is meant to expand the scope of what you have learned at OBS. This bill is a chance to apply the tools you have learned, as well as to express the views of today's youth to a Government which has been responsible for significant changes to this generation's education. During your week at OBS we have attempted to teach you the basics of the legislative process. This bill is a chance to apply your new skills to the real world, and

to introduce you to government participation—the key to democracy, and the ultimate goal of the Oregon Boys State Program.

Early in the week we will be attempting to find a time for a short, open forum to discuss possible topics for the bill(s). This will be done in association with the Lobbyists Association, and possibly with select Party Delegates. Although topics will be chosen early in the week, we will not begin drafting the bill until after the Floor session.

## Sine Die

Following the completion of the Legislative session, a bill or bills on the topics previously chosen will be drafted as a group. A rough draft will be produced, which will be formatted and printed by the Legislative Office, and distributed to each legislator, each lobbyist, Governor of Oregon, and select members of the Oregon Legislature. In addition to the completed measure, any OBS legislator desiring a response will be given the opportunity to have his contact information accompany the bill to the Governors desk.

Drafting of this measure will be time permitting, based upon early completion of Floor Session. This time is not to be considered free time. Attendance, as before, is mandatory, and although participation in the drafting the group bill is not required, some activity is required. Those who do not wish to participate in drafting the bill can draft their own legislation, debate current issues, or remain otherwise on task.

## Legislative Glossary

**Appropriation** — Prescribing a particular use for particular moneys or property.

**Biennial** — Occurring every two years.

**Calendar** — A publication or posting of legislative measures showing a chronological listing of action taken. The Calendar also shows dates of hearings and votes scheduled.

**Call of the House or Senate** — Requires all members, unless excused, to be present for a vote.

**Conference Committee** — A committee made up of members of each chamber appointed by presiding officers upon the refusal of one chamber to concur in passage of a measure as passed by the other chamber.

**Enactment Date** — Unless declared to have an "emergency clause" compelling enactment upon passage, all measures passed by the legislature go

into effect 91 days following the adjournment of the session.

**Fiscal Impact Statement** — Statement by an independent governmental body projecting future costs or revenues of a measure.

**Minutes** — A written record of the proceedings of a committee.

**Pro-Tempore** — Officer elected to serve as leader in the absence of the President or Speaker.

**Single Subject Rule** — The Oregon Constitution requires a measure must embrace only one subject and the subject is clearly expressed in the title of the measure.

**Statute** — A codified law.

**Sine die** — Suspension of the meeting of a legislative body until a later time.

## How to Handle a Bill on the Floor

The House and Senate discuss Bills as they appear on the docket or schedule of business. Once a Bill reaches the top of the docket it undergoes the following process:

1. **Explanation** -- The sponsor of the Bill is given three minutes to speak on behalf of his Bill.

2. **Question** -- Two minutes of a question and answer period. The sponsor of the Bill answers questions about the Bill. A motion may be made to extend the time for questions.

3. **Debate** -- Once the time for the question period has expired, the House moves into debate.

Debate alternates Pro (for the Bill) and Con (against the Bill). Debate lasts until everyone who wishes to speak has done so or until someone calls the question.

4. **Vote** -- After debate ends or the call of the question passes, the Bill is voted on. All those in favor of the Bill say "Aye" and all those opposed to the Bill say "Nay." If a voice seems close, anyone may call for division. A hand vote is then taken.



## Injunction Application

# Injunction Application

## *Oregon Boys State Supreme Court*

This form must be completed in its entirety. Any failure to do so will void it and its intent and legal status. This form should be returned to the Judicial Office promptly for immediate consideration by the Supreme Court.

### **Information about the congressman filing this application**

Position (Senator/ Rep):	
Name of Petitioner:	
County:	
City:	

### **Information about the bill in question**

Bill Name:	
Bill Description:	
Author:	
Grounds for Injunction:	

### **Information about the lawyer arguing this application**

Position:	
Name:	
County:	

City:			
<b>Signature of Petitioner</b>		<b>Signature of Lawyer</b>	
<b>Date</b>		<b>Date</b>	

## Parliamentary Procedure

Parliamentary procedure ensures meetings function smoothly and helps protect the rights of minorities. Familiarity increases the pace. The chair leads meetings. People may speak only after being recognized by the chair. Hand raising or standing are ways to gain recognition.

**Motions** — A state of action to be taken. There are several different types of motions. Only one motion can be made at a time. That motion must be seconded to be discussed then voted on before another motion can be made. To make a motion, say, "I move..."

**Second** — A show of support for a motion. A motion must have a second in order to be considered. Without a second the motion dies. After a motion is made, simply say "Second."

**Table** — A motion that delays action. A bill or motion may either be tabled indefinitely or tabled until a later date; the bill or motion is automatically reconsidered at that date.

**Amend** — Both bills and motions may be amended. There are two types of amendments, regular and friendly. Friendly amendments are usually corrections in grammar or spelling, but they may also be changes in the bill or motion. Friendly amendments are not voted upon, but must be accepted by the sponsor of the bill or the motion. Regular amendments are voted upon and must be accepted by the same process as a regular motion. First questions are answered and then there is a debate, then a vote. After the amendment is voted upon, the original motion is reconsidered either as is or as amended. The process continues as before the amendment was made.

**Point of Order** — Any time someone violates parliamentary procedure, anyone may raise a point of order. The chair decides if a mistake is made.

**Point of Clarification** — A point of clarification is a question of procedure. The chair answers points of clarifications.

**Point of Information** — A point of information offers information someone may have asked for or is helpful.

**Recess** — A motion to break for a certain amount of time.

**Call the Question** — A motion to end debate and vote on the bill. Calling the question is voting on whether or not to vote. A call of the question must be seconded.

The house and Senate discuss bills as they appear on the docket or schedule of business. Once a bill reaches the top of the docket it undergoes the following process:

1. **Explanation** — The sponsor of the bill is given three minutes to speak on behalf of his bill.

2. **Question** — Two minutes of a question and answer period. The sponsor of the bill answers questions about the bill. A motion may be made to extend the time for questions.

3. **Debate** — Once the time for the question period has expired, the house moves into debate. Debate pro (for the bill) and Con (against the bill) will be completed in alternate format for the allotted time period. Debate lasts until everyone who wishes to speak has done so or until someone calls the question.

4. **Vote** — After debate ends or the call of the question passes the bill is voted on. All those in favor of the bill say "Aye" and all those opposed to the bill say "Nay." If a voice seems close anyone may call for division. A hand vote is then taken.

## Bill Writing

A bill is a document, which when introduced into the legislature, passed by both houses (House and Senate) and when approved by the Governor, becomes law.

A bill will have the following parts, and in most cases is a simple fill-in the blanks exercise. The work is in writing the body.

**Uniform Heading** — the uniform heading for both houses is always the same.

**Title** — the title of a bill states in clear, concise terms the content and purpose of the bill.

**Body** — The body of the bill is what the bill is about. This is where the author clearly explains the purpose and scope of the bill. Each general idea is called a Section and would correspond to a

paragraph. Beginning with the body, each line of the bill is numbered for easy reference. There is no minimum or maximum length for the body of a bill.

**Definition Clause** — The Definition Clause makes specific definitions of items in the body that may need to be defined for exact recognition and public understanding.

**Penalty Clause** — The penalty clause sets the penalty for violation of the law — if it can be violated. It always begins: “**THE PENALTY FOR A VIOLATION OF THIS ACT WILL/SHALL BE...**”

**Repeal Clause** — Under normal conditions any act, which conflicts with the bill, would be repealed by title and number. However, for cases at Oregon Boys State, the repeal clause will always read: “**ALL**

## **ACTS OR PARTS OF ACTS IN CONFLICT ARE HERBY REPEALED.”**

**Severability Clause** — This action divides each part of the bill into automatically separate actions so that if one part of the bill is unconstitutional, the other parts remain in effect. It is written, “The provisions of this act are severable and should any part be declared unconstitutional, it shall not affect the remaining parts.”

**Effective Dates** — This action states the date the law is to go into effect. (It must be at least 90 days from the date of the Governor’s signature.)

**Emergency Clause** — The emergency clause provides that the law shall go into effect upon the signature of the Governor. However, this clause does require a 2/3 vote for passage.

## **Bill Submission Process**

Bills submitted to the Boys State Legislature can be written by any citizen, but must be entered onto the electronic preformatted Boys State bill form and sponsored by a senator or representative. Citizens are encouraged to write their own bills on topics they feel are important to the state. The requisite forms can be obtained in the Legislative Office.

The following list may serve as a guide for the writing of Bills. Citizens are not restricted to these subjects, but subjects of your choosing should be state in scope:

- Voluntary School Prayer
- Censorship of Internet Transmissions
- Habitual Criminals
- Public Financing of General Elections
- Flat Rate Income Tax
- Minimum Sentences for Drug Offenders
- Uniform Poll Closing for Presidential Elections
- Environmental Issues

- English as the Official Language of the United States

- Immigration Matters
- Desecration of the United States Flag
- Terrorism in the United States

Bills are classified in different types and formats. There are bill writing sessions to help citizens and legislators draft clear and effective pieces of legislation. Questions about how to write bills are answered at the bill writing help sessions.

Bills may be submitted to the Legislature throughout the week. The Bill Review Board checks all bills for grammar, structure, basic content and duplication. The Board assigns or clarifies summary headings and assigns the bills to the appropriate committees but does not rewrite bills. If a bill is nonsensical or can be combined with similar bills, it is returned to the sponsor for correction. Returned bills must be resubmitted to the Legislative Office.

## **Legislative Judicial Review**

One of the major roles of the judicial branch of government is to be a check on the other two branches. In this spirit, please inform your fellow city and county citizens of the following section.

If a bill in the Legislature is going to pass (either in the House or the Senate) and a congressman from your city or county thinks there is a legal problem with it, such as constitutionality, he may bring it to judicial for legal processing.

If you have a congressman from your city or county who wishes to file an injunction on a piece of legislation, come by the Judicial Office and obtain an injunction form. Have this form signed by a congressman from your city or county as well as the lawyer who will argue the case. Any lawyer may argue an injunction at Oregon Boys State. This means that the following positions may argue a law:

- City Attorney

- City Public Defender
- District Attorney
- District Public Defender

Congressmen themselves cannot argue a law or file an injunction; they must have a lawyer do it for them. All injunction forms will be presented to the Supreme Court of Oregon Boys State, and they will decide which, if any, to hear.

If an injunction is heard, the applying lawyer will have an opportunity to plead his case before the Supreme Court according to the rules of a moot court.

If a case is accepted, the Congress will be notified and congressmen in support of the law will have an opportunity to defend the law during the hearing. They too must use an eligible lawyer.





## Example of a Bill

Official Legislative Form: \_\_\_\_\_

Authorization

Bill Number: \_\_\_\_\_

(Leave Blank)

Author: George Hegel

County: Hanson County

Sponsor: Senator John J. Smith

Committee (Leave Blank): \_\_\_\_\_

Title: Establishing a Beverage Containers Deposit/Refund Program

Be it enacted by the People of the State of Oregon:

Section 1:

All retailers of beverages sold in glass or aluminum containers shall establish a deposit/refund system for those containers. Glass containers shall be labeled "Oregon Refund 10 cents." Aluminum containers shall be labeled "Oregon Refund 5 cents."

Section 2:

Collection and redistribution of the deposits shall be conducted by the retailers and distributors of the beverages.

Section 3:

The retailers who sell beverages subject to this bill shall also serve as a collection point for beverage containers. The empty containers may be refunded to these vendors for a refund of the deposit.

Section 4:

The returned empty containers shall be recycled by the Beverage Company.

## Lobbyist

### Introduction

Lobbyists' main responsibilities during the week include preparing bills, lobbying legislators, participating in legislative committees and floor sessions, and writing *Letters to the Editors* for *The Statesman* (regarding Ballot Initiatives only). Since they are some of the most active participants in the political arena, their role and their actions can have an almost direct effect on what goes on in the legislative chambers.

Not only will elected Lobbyists be representing their constituent city or county, they will also be acting on behalf of two interest groups. One of the two interest groups will be chosen for each lobbyist based on city and county demographics. Lobbyists will also represent the interests of another group that they have had relations with in the past, whether it donating to a candidate's campaign, working to support or defeat legislation, or a variety of other dealings. After the initial meeting, lobbyists will then begin representing their interest groups by working

with members of the legislature to produce at least two bills (although more is recommended and encouraged), which will be presented to the legislature.

In addition to the Senate and House of Representatives in Oregon, an important group of individuals interact with the legislators on a daily basis -- lobbyists. Lobbyists attempt to influence legislators to support their group's cause so that legislation reflects the interests of the group. Lobbyists are an essential part of the legislature. Legislators often do not have the time or knowledge necessary to discuss and vote on many of the bills that arise.

Lobbyists represent blocks of voters the legislator or official may not want to offend for fear of losing votes or support: lobbyists can arrange large campaign contributions that can make or break a political career.

### Lobbyist Association

The entire membership of the Lobbyist Association is composed of all registered Oregon Boys State lobbyists. Each city will have four lobbyists, selected on a partisan basis -- two Federalists and two Nationalists. Lobbyists will be

chosen during the City Elections. Each Lobbyist will receive \$10,000 from their Interest Groups. Because of their financial support they become key players in campaigns for initiatives and state candidates.

### The Mocktail Party

Perhaps the highlight of the week, The Lobbyist

Association sponsors an exclusive Mocktail party

event where members are able to interact with those invited guests. This social gathering provides a friendly atmosphere where networking can occur. Though initially meant to be an informal event in honor of our beloved legislators, some lobbyists do not hesitate to get down to business.

While this event is a fun social gathering, it provides a valuable opportunity for the lobbyists to network with the members of the legislature and other people working on issues similar to their own.

## ***Inside Lobbying: Seeking Influence***

### **Introduction**

Modern government provides a supportive environment for interest groups. Since government is involved in so many issues – business regulations, income maintenance, urban renewal, cancer research, and energy development, to name only a few – little interest in society can hardly have influence over policies and programs. Government decisions are made without much publicity and with the participation of a relatively small group of officials. These conditions are conducive to group influence.

A group's ability to gain government support depends on several factors – its size, its financial strength, and the nature of its policy demands. Groups seek support through lobbying.

There are two main lobbying strategies that are referred to as *inside lobbying* and *outside lobbying*. Both techniques involve interactions between legislators and lobbyists; however, they differ as to what is communicated, who does the communicating, and who receives the communication.

### **Acquiring Access to Officials**

Inside Lobbying is designed to give a group direct access to officials in order to present their argument regarding important decisions. Access, although a first step, is not the same as influence, which is the real strength behind affecting policy decisions.

Old forms of lobbying once depended solely on bribery. Though strongly looked down upon, such activity undoubtedly exists today. Modern lobbying may involve more subtle and sophisticated methods than providing money or personal favors to officials.

Interest groups' chances of success improve if they have effective lobbyist working on their behalf. For the most part, these lobbyists direct their efforts at policy makers who are inclined to support the group rather than those who have opposed it in the past. This tendency reflects both the difficulty of persuading opponents to change long-held views and the advantage of having trusted allies who will actively support the group's position in policy deliberations.

### **Lobbying the Legislature**

The benefits of a close relationship with members of state legislature are substantial. With their support, interest groups can obtain the help they need to achieve their policy goals. On the same token, legislators gain from this relationship. Because of the volume of legislation facing legislators, they rely so much on trusted lobbyist to identify bills that deserve their attention and support.

Lobbyist effectiveness with legislators depends in part on their reputation for fair play. Legislative action normally requires compromise among competing interests. If an interest group is adamant about getting everything it wants, more than likely, it will end up with nothing. Lobbyists are expected to play it straight and avoid arm-twisting.

### **The Parties and Money**

The political parties' major role in campaigns is

campaign funds, provided the funds are not

**Hard Money** – Campaign funds given directly to candidates to spend as they choose.

the raising and spending of money. Because of a loophole in campaign finance laws, parties have a nearly unlimited opportunity to raise and spend

channeled directly to a party's candidates.

Elections for state office are regulated by the states, which in some cases limit financial contributions towards candidates. Party contributions,

**Soft Money** – Campaign contributions that are not subject to legal limits and are given to parties

along with money from individual contributors and interest groups, are termed hard money since it goes directly to the candidate and can be spent as desired.

Lobbyists can also make contributions to a candidate's political party. These types of contributions that are not subject to legal limits are referred to as soft money – the loophole in campaign finance regulation. In states where the law limits how much an individual can give directly to a candidate, the loophole permits a contributor to give an

unlimited amount to a party. Therefore, if a wealthy contributor, for example, can only lawfully give a candidate \$1,000, that same contributor could give \$1 million or more to the candidate's party. By law, this soft money is to be spent only on party activities, such as advertising campaigns; but, of course, this money in the end actually helps particular candidates because it funds campaign activities of benefit to them

## **Outside Lobbying: Seeking Influence Through Public Pressure**

### **Introduction**

Although lobbyists greatly rely on the actual act of lobbying, this approach alone does not likely guarantee success. Lobbyists must demonstrate convincingly that its concerns reflect those of a vital constituency. They then engage in outside lobbying,

which involves bringing public (outside) pressure to bear on policy makers. This outside approach typically takes the form of either constituency advocacy or electoral action.

### **Constituency Advocacy**

Some interest groups depend heavily on grassroots lobbying. To mobilize constituents, groups can mount advertising and public relations campaigns through the media. They can also encourage their

members to write or call their elected representatives, or even see their representatives personally.

### **Electoral Action**

#### *Votes*

As part of an outside strategy, organized groups work to elect their supporters and defeat their opponents. The possibility of electoral opposition

from a powerful group can keep an officeholder from openly obstructing its goals.

### ***Frequently Asked Questions***

#### **What is the difference between lobbying and “buying votes”?**

Lobbyists give worthy contributions to candidates or their parties who reflect the interests of their organization. The money is not meant to purchase his support; instead, it is a method used to guarantee successful elections to candidates who have the same agenda.

#### **Will I have an opportunity to speak before legislators during sessions?**

No; however, lobbyists attend legislative sessions and sometimes pass notes to sponsors regarding specific bills. Lobbyists may be able to speak to the legislature during a caucus prior to and after sessions.

#### **How many bills do I have to write?**

Lobbyists and Legislators' are required to compose two bills. Like in the past, citizens are allowed to write more than two. However, it is the quality of the bill, not quantity written that will make a difference.

#### **How long should my bill be?**

Length of bill proposals is not important; the quality and thoroughness of a bill, however, is crucial. Bills that display a poor job of expressing complete information are not likely to even make it pass legislative committees. Work with your legislature partner to compose the best quality bill possible.

#### **The Bills I have written either did not make it into the bill book or have died in committees. What do I do now?**

Depending on the time of the week, lobbyists may still have the opportunity to write additional bills or compose ballot initiatives. Another option is to assist fellow lobbyists in promoting bills or to work to kill bills that are not in accordance to their interests. Political parties also serve as an arena where they can expand their sphere of influence. They may help party delegates, who would otherwise not be familiar with the legislative branch, endorse bills and candidates.

#### **What is a constituent petition?**

A constituent petition is another way to get your legislation. Often times, bills are denied during committee or legislative session. Constituent petitions provide the opportunity for your idea to make it into law. Using the proper form (found in the

Elections Office), you may go collect 25 signatures. If the proper fee and deadline is met, the petition can be submitted for approval by the voters of Boys' State.

**Lobbyist Account Register**

*Account Register*

CHECK NUMBER	DATE	DESCRIPTION OF TRANSACTION (Recipient of Contribution)	EXPENSE	CREDIT	BALANCE

*Introduction*

Throughout the week, lobbyists will be interacting with many people to work toward the objectives of their interest groups. During this

process, lobbyists will find themselves making many financial transactions. To keep track of accounts,

Lobbyists will need to complete this form to avoid accounts from having negative balances.

All transactions must be noted and accounted for. Transactions are public information, and are subject

to publication and inspection. You may be asked to show this register in case of a dispute.

## **Local Government**

Since the United States constitution makes no mention of local government, states are charged with creating local-level leadership. While the trend since 1980 has been to decrease the size of the federal government, local government has seen much growth. Citizens seem to expect more from the state

to enhance education, maintain roads, keep public order, dispose of waste, and provide basic necessities such as clear air and water.

## **City Government**

Boys State cities reside in each floor of the Bean Complex and operate under the last name of the Past Department (State) Commander using his hometown "City Charter and Administrative Code." Each city at Oregon Boys State will have differences in documented requirements based on the differences contained in the provided "City Charter." Primary goal of this is to ensure citizens' quality of life and to protect their rights. Happy citizens equal a happy city, and the best cities will be given mention in the state's official end-of-the-session quality of life publication, Top Boys State Cities to live in. The state's top city is honored as First City at the Session's closing ceremonies on Saturday.

Together with input from the general citizenry, the city governments must find creative solutions to their citizen's concerns and their city's problems — from crime to finances, education and public planning. Officials who succeed often receive accolades from executive officials and go on to

become highly coveted political players after the session (See "City and County Problems").

During the special city elections on Sunday, the city must elect officials as outlined in the provided real city documentation. The documentation becomes the alias name for your city during your week at Boys State. Sunday election ballot development is based on inputs provided (part of application to attend program) to the Oregon Boys State ballot committee.

The city council shall appoint a city manager, other positions necessary to conduct city business as outlined in the "City Charter" at the first city meeting after the voting results have been released. The city council will serve as the executive force in the city and operate within the "City Charter" guidelines. The "City Charter" shall be the governing document for the affected city at Oregon Boys State with position descriptions and authority outlined within.

## **Example City-Elected Government Officials**

### ***System #1: Council-Manager***

CITY COUNCIL MEMBER (4): Legislative Power

Elected city official who carries out the legislative function of government. In Boys State, each member should be assigned and responsible for at least one area of the city's Community Performance Index (CPI; refer to the "Cities & Counties Program" section of this handbook).

CITY MANAGER (1): Executive Power

City executive who is hired by the city council to supervise the day-to-day operations of the city. In

Boys State, he is responsible for ensuring communication among the council in order to submit resolution reports.

MAYOR: Ceremonial/Legislative Powers

City council member appointed by the other councilors to exercise the position's ceremonial powers. In Boys State, he must act as elections clerk and preside over all city meetings (as well as carry out council duties).

### ***System #2: Strong Mayor-Council***

STRONG MAYOR (1): Ceremonial/Executive Powers

Elected city executive. In Boys State, act as elections clerk and preside over all city meetings. Additionally, he must approve all resolution reports. If a report is vetoed for being unsatisfactory, it must be returned to the council for revision (unless overridden by majority vote of council).

CITY COUNCIL MEMBER (4): Legislative Powers

Elected city official who carries out the legislative function of government. In Boys State, each member should be assigned and responsible for at least one area of the city's CPI (refer to the "Cities & Counties Program" section of this handbook).

### ***System #3: Weak Mayor-Council***

WEAK MAYOR (1): Ceremonial/Executive Powers

Elected city executive. In Boys State, he must act as elections clerk and preside over all city meetings.

CITY COUNCIL MEMBER (4): Executive/Legislative Powers

Elected city official who carries out the legislative function of government. In Boys State, each member should be assigned and responsible for at least one area of the city's CPI (refer to the "Cities & Counties Program").

### ***System #4: Commission***

CITY COMMISSIONER (5): Ceremonial/Executive/Legislative Powers

City official who has both executive and legislative authority. In Boys State, each commissioner sets policy by being assigned and responsible for his own area of the city's CPI (refer to the "Cities & Counties Program" section of this handbook).

MAYOR: Ceremonial/Executive/Legislative Powers

City commissioner appointed by the other commissioners to act as elections clerk. Additionally, he must ensure that commissioners rotate to preside over each city meeting (as well as carry out commission duties).

### ***City-Elected Government Officials (In Addition to above)***

STATE REPRESENTATIVE (2): State official who represents his constituents in the Boys State House of Representatives.

POLITICAL PARTY DELEGATE (1 Federalist & 1 Nationalist): Representative to his party's caucus who assists in determining which state executive officer petitioner's best represent the corresponding political party.

LOBBYIST (2): As a member of The Lobbyists Association, he represents a designated interest group and applies pressure to state and local officials in order to promote his organization's agenda.

MUNICIPAL COURT JUDGE (1): Presides over the Municipal Court which deals with all trials within the city.

CITY ATTORNEY (1): City's legal representative during Municipal Court proceedings.

CITY PUBLIC DEFENDER (1): Acts as the defense attorney during Municipal Court proceedings.

CITY POLICE CHIEF (1): Advises the city administrators on law enforcement and crime-related matters; also serves as bailiff during Municipal Court proceedings.

CITY REPORTER (1): Reports the activities of his city to The Statesman. Covers assignments delegated by the editor of The Statesman.

## **County Government**

Much like cities, counties (two cities make up a county) require administration to find solutions to county problems. For more information about county problems refer to the section entitled "City and County Problems" of this handbook. Following is the order of elections and a description of the various county officials.

CHAIRMAN- Must be elected first. Presides over county meetings and has sole power to call special county meetings. He can make special appointments in the administration of the county. He

is a part of the County Commission and gets to vote accordingly. Also, the Chairman acts as the election clerk, supervising county elections and advising candidates of relevant conflicts.

COMMISSIONER'S (2) - Act as legislators for the county, formulating county decisions.

COUNTY CLERK- NOT ELECTED BY THE COUNTY. He is chosen by the Commissioner's from among themselves, acts as secretary, keeps minutes of county meetings and maintains a calendar of events throughout the week.

CIRCUIT COURT JUDGE- Presides over County, or Circuit court trials and all trials within the county. He must pass the bar examination.

COUNTY SHERIFF- Advises the commission on public safety and crime related issues for the county commission as needed.

SENATOR (2) - Represents the county in the legislature.

DISTRICT ATTORNEY- Represents the county in all legal actions. Must pass the bar examination.

PUBLIC DEFENDER- Acts as the defending attorney in circuit court trials. Must pass the bar examination.

COUNTY REPORTER- The Reporter's job is to report the activities of his county to the Statesman, the Boys State daily newspaper.

## **Money**

At Boys State money plays just as important a role in government and politics as it does in the real world. At times, money is the only common language between opposing political entities with differing agendas and ideologies. Money has the power to sway votes – for the better and for the worse. During the week, citizens will be presented with several opportunities to invest their money in politics. From supporting candidates and ballot measures to buying advertising and paying political party dues, the Boys

State government's daily operations involve money. In addition, other state concerns, such as the economy, environment and implementation of laws can only be addressed through a well-financed bureaucratic infrastructure – paid by taxes. Candidates and political parties that seek to best serve the state will also address these financial matters.

## **Program Overview & Objective**

It is undeniable that money plays a large part of politics. A politician's career starts with the election. This is probably his first exposure to the political idea of money. Due to the massive amount of money needed for a campaign he's not expected to front all his own money. Instead he must ask other's to fund him. These other people all have agendas separate agendas that they want brought to the front. If he takes their money he's expected to help their cause. Before he's even elected he has been influenced greatly by money.

The objective of the Boys' State money program is to help create a better simulation of this real-world political atmosphere. We do this by giving each citizen, lobbyist, and political party money with which they can buy election supplies help support campaigns. The supplies might include, butcher paper, pens, tape, cardboard, 8x11 sheets of paper and statesmen ads. Prices for these things will change throughout the week.

Also, each politician wishing to run for state office has several fees that he must pay. For all of the state offices except Superintendent of Public Instruction there are two fees: The initial Primary Fee, which is \$13,000 and the General Election Fee, which is \$6,500. The office of Superintendent of Public Instruction does not pay this fee. They pay a \$1,500 dollar Primary Fee and skip the General Election Fee. This system requires each candidate to do at least some lobbying.

When a citizen arrives at Boys State they will receive \$1,000 of "Boys State Money" with which they can do as they please. I liken this money to "soft money" as it is impossible to track, and therefore could have come from anywhere. The lobbyists and political parties each also receive a bank account with \$10,000 in it. They can write checks on this bank account just like in real life. But with that comes the possibility of overdrawing.

## **Campaign Support Goods and Services**

In order to have a successful campaign each candidate will need supplies in order to advertise and become "known." These items are available from the money office. They include butcher paper, pens,

Statesmen ads and other miscellaneous advertising materials. For a full list and pricing, please see the Money office.

## **Time Line**

The following is a list of the few very important times in the Money department. The exact times will be listed in daily schedule.

Tuesday 11:00 PM (City Meeting) (Same time as Declaration of Intent)  
\$3,000 Primary Fee is due.

\$2,000 Party Nomination Convention fee for all other candidates is due.

Wednesday 10:30 PM (City Meeting) (Same time as Voter's Guide statements)

\$13,000 General Election Fee for all partisan candidates is due.

In general terms the money department should be staffed as often as possible. During each activity

block the citizens may wish to buy something. The times immediately preceding each election deadline will probably be very busy. On another note the sale of advertising while wax and wane through the week. As primaries and general elections approach the need for advertising increases, such does the sale.

## Citizens

Each citizen can utilize the Boys State dollars provided as you please. If you choose to run for office, it will be your initial base. If you choose to support a fellow citizen, any part of your money can be donated. You can even sit on your money for the

entire week. It is your choice but ensure you are able to pay your obligations such as taxes and admission to events.

## Lobbyists

The 16 lobbyists at Boys State represent a high concentration of the political influence of the state. Due to their monetary support Lobbyists are a major player in campaigns for ballot initiatives and also

State Executive officer candidates. Each Lobbyist will receive Boys State dollars from their respective interest group.

## Political Parties

The two major political parties at Boys State are given Boys State dollars in order to support their respective candidates and ballot measures. However, if they wish to compete, political parties must seek

donations from members, wealthy citizens and lobbyists.

## Election Fees

As a candidate at Boys State, you will need money to register for the ballot during elections. Example fees are:

Party Nomination Convention:

General Election Fee:

Primary Election Fee:

Campaign Support Goods and Services:

In order to have a successful campaign each candidate will need supplies in order to and advertise and become "known." These items are available from the money office. They include butcher paper, pens, Statesmen ads and other miscellaneous advertising materials. For a full list and pricing, please see the Money office.

## Political Parties

Our two Political Parties are a vital ingredient in the American democratic system and they are the principle means by which we select the leaders of our nation. In addition to fueling the election process, political parties stimulate public discussion of issues, serve as a bridge between the people and the government and stand as a check on the political

extremists from both sides. Granted, neither of today's two main political parties performs all of these functions well all of the time, but each of them has succeeded in representing the many interests of the voters well enough for over a hundred years without serious challenges.

## Role-Playing is the Key

As a whole, Boys State stresses the importance of role-playing during the week -- this is the most crucial aspect of the political parties program. The

success of the political parties and candidates is often based on the ability of the entire party delegation to form a unified political force. At Boys State, many



citizens within the party have to adopt a political philosophy otherwise not believed outside of Boys State. This type of role-play is requested for the simple benefit of the program. Knowledge of both philosophies and their view on the issues will empower the citizens to become well informed,

independent-thinking voters. Remember, when promoting party beliefs, the decisions are based on the overall philosophy of the parties, rather than on personal beliefs. However, citizens should vote for the best man for the job.

## Boys State Political Parties

At Boys State, the two political parties are based on opposing philosophical views of what role the government should play in society. Each citizen is placed in one of the two parties and asked to role-play within their party's political ideology *for one week*. Within their assigned party, a citizen may choose to be conservative, moderate or liberal, much the same way Mark Hatfield and Pat Buchanan are both Republicans but take more conservative or more liberal stances on similar issues. Thus, citizens get the best of both worlds: they reap the benefits of being unified together with other Federalist or Nationalist Party Members to achieve a common political goal and are allowed certain flexibility within their own party to establish their own political identity. At Boys

State each party's members have their own specialized concerns and interests relating to issues of public policy. Throughout the week, citizens will have the opportunity to lobby those interests through their party chairs and campaign committee.

The Boys State political party system is based on the two majority parties formed over the history of government in the United States. The political parties at the session are the Federalists Party (represented by the color Red) and the Nationalist Party (represented by the color Blue). These two parties clash philosophically on the role of the government in the constitutional system. The following are the platforms of the two parties:

### Federalist Party Platform (Red)

We, the members of the Federalist Party, do hereby come together to promote our common beliefs in a strong competitive America of free citizens, and do hereby establish this party platform to guide and unite us in our endeavors.

- 1) Health Care Reform
  - a) Federal health care shall provide coverage for pharmaceuticals.
  - b) Federal health care shall provide coverage for children 18 years and under with no other form of coverage.
  - c) We support a patient bill of rights.
- 2) Education and Reform
  - a) More stringent teacher standards.
  - b) Increased State funding to programs.
- 3) Environmental Protection
  - a) Support stronger enforcement on environmental regulations.
  - b) Promote the exploration of alternate energy sources.

- 4) Crime Prevention and Law Enforcement
  - a) We support stricter restrictions on gun control.
    - i) Stricter penalties for violent crimes.
    - ii) Stricter penalties for hate crimes.
- 5) Ethnic and Cultural Relations
  - a) Seek unity within our diversity.
  - b) Promotion of cultural awareness and respect.
- 6) Welfare Reform
  - a) Combat welfare fraud and abuses.
  - b) Strong support for the "Help yourself and we will help support you" philosophy.
- 7) Abortion
  - a) It is a women's right to terminate a pregnancy in any circumstance. "Day-After" pills are a suitable form of birth control.

### Nationalist Party Platform (Blue)

We recommend that the educational system be held accountable for providing a higher standard of educational for Oregon's youth, without the increased support of state funds.

1. We are in favor of balancing consumer and business needs with environmental conservation. We are also in favor of increased environmental studies.
2. We believe in the 2nd amendment right and the responsible right of gun ownership.

3. We are in favor of stiffer penalties for criminals.
4. We believe it is not the choice of the mother to terminate the life of her pre-natal child.
5. We support instituting a moment of silence in public educational instructions, which would be optional.

6. We are in favor of a patient Bill of Rights, which insures the patient's right to choose his/her own doctor.

7. We are in favor of campaign finance reform by requiring the publication of funding sources and limiting lobbyist gifts to legislators/ candidates.

8. We are in favor of job training programs, which help people get off welfare and into the workplace.

## **Party Structure**

For organizational purposes, the party delegates elect the following officers:

### **Party Chairperson**

The Chairperson organizes the party in establishing a vision that will lead to the party's success, and for maintaining the unity of the party under a core set of beliefs and values. The Chairperson oversees scheduling, administrative details, party-building activities, and leads the Primary Rally and Nominating Convention. He must balance the party's efforts with the legislature, lobbyists, Executive Commissions, and fundraising, with efforts on behalf of the State Executive Office

campaigns (the focus of the Campaign Coordinator). He is chiefly responsible for coordinating the delegates in carrying out the actions necessary to reach all of the party's goals, which entails careful synchronization of the party's lean staff.

In cooperation with the Vice-Chair, he also oversees the operations of and delegate's authority to the Campaign Committee as well as the party's other administrative details.

### **Party Vice-Chair**

The Vice-Chair is crucial to the party's administrative business. He is the Chair's "right-hand

man," and assists in running party business (See above).

### **Secretary**

The Secretary keeps all the party's records and finances in order. He records the results of all elections for the party and meticulously accounts for the party's financial records. A good Secretary will strive to keep the party out of both financial ruins and the grasps of the law by providing updated

information to all groups. The Secretary also transfers funds to and from committee accounts and, at the end of each business day, reports to the Elections Office on the party's electoral status and reports the days' financial transactions to the Money Office.

### **Campaign Chairperson**

The Campaign Chairperson focuses on the party's efforts in electing State Executive Officers. The Campaign Chairperson is responsible for assessing what kind of assistance each candidate needs, and conferring with the Party Chairman to assign delegates to work with them accordingly. For example, after the Wednesday morning primary, the Campaign Chairperson may appoint each delegate to

serve as Campaign Manager for a single State office campaign. A nonvoting member of the party committee, the Campaign Chairperson oversees the fundraising and expenditures of committee funds in promoting the party's candidates for State Offices and reports to the party secretary on the status of the accounts.

### **Campaign Committee**

The Campaign Committee has the dynamic task of implementing party goals. Along with three of the officers, they choose the parties two primary nominees for each State Office at the Nominating

Convention. Under the direction of the Campaign Chairperson, the committee (made up of four voting members) can manage their nominees' campaigns for State Office. Campaigns may require funding,

advertising, press conferences, training for speeches, debates and general campaigning. With the Party Chair, the committee develops activities and schedules for the Rally and Convention, and other outreach plans. And the Political Action Coordinator may direct committee members in advancing the party line to legislators and lobbyists. The committee members are the true workhorses of grassroots political organization.

### ***Political Action Coordinator***

The Political Action Coordinator focuses on the party's efforts to advance their agenda outside of the State Office campaigns, spreading influence across OBS politics. He may help to craft focus-issues (based on the platform or polling) for the party to emphasize in all its work. Then the party can write, or find and support, such legislation or ballot measures, or pursue other tactics. This requires close cooperation with lobbyists, regular contact with the party's legislative caucus and leadership, fundraising, and communication of party message with other

Up until the Wednesday morning primary, the committee may have to support several candidates in each office. After the results of the primary, each committee member will be responsible for a single candidate's campaign -- one for each of the partisan-elected state offices -- including funding, advertising, press conferences, speeches, debates and general campaigning.

citizens. The Political Action Coordinator should familiarize himself with how to utilize these interactions with other programs for the party. This position requires flexibility in responding to other developments, such as coordinating efforts with lobbyists. The Political Action Coordinator must cooperate with the Party Chair and Campaign Coordinator in directing delegate's efforts where most needed, and is responsible for interactions with party leadership in the legislature.

### **Interactions**

One of the most important attributes of a successful party delegate is the ability to communicate and form networks with a variety of people in a variety of positions. This means talking, talking, and talking. This means telling constituents what your party stands for to reinforce their beliefs, getting to know what they want, and making sure they know what their party wants.

Although very important, talking is not the only way that parties make their voice heard. Political party rallies are held to encourage the party's sense of unity and strengthen and remind its members of the

party's beliefs. All too often members are uncertain of their party's beliefs or do not know how to decide on important issues. These rallies help to influence members in the proper direction when those times come.

The following sections depict how you, the political party delegate, can spread your influence to party members in different positions. These outlines are merely springboards, designed to get you started, but definitely not to limit your involvement.

### **Lobbyists**

One of the most valuable networks a delegate can make is with supportive lobbyists. Each lobbyist in Boys' State has \$10,000 at their discretion. Lobbyists are often compelled to make generous donations called soft money to their party. This money is used to meet the high costs of running a party, helping to fund candidates, and perhaps most valuably, can be used to buy advertising. These contributions are invaluable to the party. However a lobbyist and his money are not always so easily separated – lobbyists may need some encouragement or convincing.

Lobbyists are not only able to provide generous donations to the party, but also have a vast sphere of influence, including legislators, executive commission members, and their local constituents. Because of their expansive influence, a lobbyist can reach many people you can not, and will also

reinforce the influence that you give to many others by speaking to them again and from a different angle. Although a legislator may not agree with what you have to say, he may feel obligated to agree with a highly supportive lobbyist, especially if that lobbyist represents a large constituency.

Tips to get involved:

- Remind Lobbyists of party loyalty when they are formulating bills on Monday and Tuesday.
- Begin early to solicit donations. Consult the Lobbyists Directory provided to you to seek out the lobbyists during meals and other breaks.
- Emphasize a mutual dependence or symbiosis.

## Legislators

**Soft Money** – Campaign contributions that are not subject to legal limits and are given to parties rather than directly to candidates.

Maintaining tight relations with legislators is of great benefit for parties. Because senators and representatives are the primary law-makers, influencing those increases the chances that your interests are manifested in the laws they produce.

Communicating with legislators means reminding them of where their priorities lie. A legislator may have overlooked the interests that his party stands for when considering or drafting a piece of legislation. Remember, legislators are elected to represent the beliefs and concerns of their constituents. Thus, if a legislator votes outside of his party beliefs he is not working for his constituents. Such an action could result in a loss of constituent support or a loss of financial support from you, his Political Party (especially if he is running for an executive office). Reminding legislators of their responsibility to support their party and constituents' concerns encourages them to vote in accordance with party beliefs.

## Executive Commissions

As previously discussed, influencing the legislators influences the bills that become enacted into law. However, this is only a partial truth, for any bill that passes through both chambers must also be signed by the Governor before becoming law. Thus, without support from the Governor, influencing the legislators may be in vain. Because the Executive Commission members are the primary advisors to the Governor, informing them of the benefits of certain bills and telling them the bills the party supports can have a profound effect on the Governor's decisions.

Party Delegates may elect to prepare presentations to Executive Commission members.

## Citizenry

The citizenry of Boys' State are often overlooked when it comes to spreading influence. Many assume that it is too difficult to contact enough citizens to really make a difference. However, this is not true. There are many means by which delegates can reach their supportive citizens. If each delegate makes an effort to contact their local supporters, the majority of citizens can easily be reached. Such a grassroots effort can be very effective for gaining support for state elections as well as ballot initiatives. Advertising in the statesman, on the other hand, can be used to reach many citizens at once and to foster a sense of party unity and strength. Advertising also serves to inform citizens of what their party delegates

Once Legislative Floor session has begun, delegates will have the excellent opportunity to meet with Legislative leadership briefly at both the beginning and end of each subsequent activity block. This time allows the delegates to emphasize party loyalty, express support or opposition to specific bills, and influence the docket.

Tips to get involved:

- Contact Legislators early to let them know about the party's goals and prime issue interests.
- Maintain contact with Legislative leadership in order to influence the docket.
- Remind Legislators that Executive Commission members work closely with political parties, so drafting legislation contrary to party philosophy may not be supported by the Governor

Computer use and paper/pen use can be arranged and bought through the Money Office.

Tips to get involved:

- Contact Executive Commission members later in the week (starting Wednesday evening) to discuss the party's support and opposition of bills.
- Prepare presentations or reports to submit to members regarding the party's views on bills passed in both chambers

are in support of. In addition to these means, the conventions each party hosts can be used to gain support by emphasizing party beliefs.

Tips to get involved:

- Prepare advertising to display in cities and counties.
- Discuss party goals and achievements during city and county meetings.
- Talk to party members during meals and other breaks.
- The possibilities are endless. Be creative, resourceful, and determined.

# Party Financing

## Introduction

Political Parties have a wide variety of tasks, most of which require financing. Party conventions cost money, advertising costs money for supplies, polling requires funding, and the party even has a very substantial registration fee. Thus, money is

essential, not only for success, but also simply to remain an official party. It is the job of the secretary to keep detailed records of all transactions, as these can and may be made public at any time.

## Funding Sources

There are three main sources of funding for political parties at Boys' State. Each party is initially supplied with \$60,000 dollars to use as they wish for the rest of the week. This is the largest source of income for the party; however \$50,000 of this will go towards the party registration fee. A smaller source of funding comes from constituent donations. Each citizen has \$1,000. Although many citizens use this to support the fees that state office candidates face, many citizens decide to use their money to support their party. Although each individual does not have much to give, there are many citizens who are potential donors. Thus, soliciting contributions during party rallies and conventions can be a great source of party income. Donations from lobbyists represent a potentially large source of funding. Each lobbyist has

\$10,000 to use as he sees fit. Many lobbyists use their money to support the campaigns of legislators and executive officials. These types of donations are called hard money, and are subject to limitations. Lobbyists can avert the hard money limitations by providing funding directly to a party, for there is no maximum allowance for these soft money donations.

Lobbyists may also make contributions for purposes other than legislator campaigning. These donations can be used for a variety of purposes, such as advertising for or against ballot initiatives, campaigning for state office candidates, providing polling, or simply helping to fund party dues. Because there are so many lobbyists, they represent a large potential for party funding.

## Uses of Money

**Hard Money** – Campaign funds given directly to candidates to spend as they choose.  
**Soft Money** – Campaign contributions that are not subject to legal limits and are given to parties rather than directly to candidates.

The largest need for money comes from the party registration fee. This is charged to parties in order to officially recognize as a party. Only parties registered with the Political Parties Office are allowed to put candidates in voter guides or to have candidates displayed on ballots. Thus, registering your party is essential for your success.

In addition to registration, parties have many uses for their money. Each candidate for state office has fees they must pay. Candidates unable to allocate these funds from citizen and lobbyists solicitations may turn to the party for help. If the party feels that said candidate stands a good chance and will support the party's beliefs, the party may decide to sponsor the candidate.

Your party can support candidates through advertising as well. Advertising leads to name

recognition, a powerful tool for gaining influence from undecided voters. Advertising also allows candidates to express their views and beliefs on a larger scale than grassroots efforts can.

Parties that know the major concerns of their members are better suited to serve them, and thus, better suited to receive donations from their constituents. Knowledge of the issues that are important to the citizens allows the party to focus their attention on pertinent bills and ballot initiatives, as well as preparing candidates to field questions regarding these issues. In order to gain this knowledge, parties often use polls (see "Polling"). Polling, thus, can be a great use of funds.

## The Money Office

The Money office is located in First Floor Moore. It is here that party delegates can acquire the materials and resources they need for their many tasks, such as advertising and computer time for poll

preparation. Updated price lists will be posted outside of first floor Moore each morning and should be consulted before any purchases.

In addition to providing the tools necessary to build successful campaigns, ballots, and other party goals, the money office, in cooperation with The Statesman, is responsible for keeping track of party

expenditures. Thus, it is vital that all transactions are accounted for.

## Conventions

### Introduction

Each party has the opportunity to put on two conventions – the party nominating convention **Tuesday** and a Party rally **Wednesday**. These conventions provide the parties with a unique opportunity to speak to the entirety of their supporters. Each member of the party is in attendance, giving the parties an excellent chance to discuss goals, express support for candidates and ballot initiatives, and strengthen party beliefs.

As a benefit for the parties, the First Citizen has generously offered his time for either of the conventions. If either party would like to take advantage of this opportunity, they should let their Senior Counselor know with ample time to prepare him.

### Party Nominating

Each party sponsors a nominating convention on **Tuesday** during which the party's candidates for primary elections are officially introduced to party members. There are five state positions for which each party nominates two candidates. Candidates

should be chosen who both best embody the beliefs of the party and who have the qualities, such as charisma, pre-existing support, and speaking ability, which make them good candidates

There are six state offices, but because the Superintendent of Public Instruction is elected on a non-partisan basis, a party does not nominate them. However, this does not mean a party cannot support a candidate for this office.

## Party Rally

Political parties put on rallies in order to increase support from their members by expressing support for state office candidates and ballot initiatives, reiterating the party platform, and discuss the party's accomplishments to date. These can be done in many ways here at Boys' State –speeches from state candidates, presentations by successful legislators or

local officials, or a run down of what the party has been up to so far in the week, just to name a few. Whatever the delegates decide to do, keeping its members excited, interested, and informed makes for more active supporters.

## Polling

### Introduction

The use of polls can be a very powerful tool for a political Party, and is possible for both parties at Boys' State. Because each individual has his own personal interests based on their home region, personal beliefs, and their political party, there are many varied interests that need addressing. Polls allow parties to determine which issues are most important to their constituents and allow candidates to focus on the important issues, anticipate questions

during the debates, and recognize voter concerns for speeches and various publishing's.

There are a variety of polls available, and results from the OBS Issue Interest Poll taken at the beginning of the week can be purchased starting Monday morning through the Political Parties Office. Delegates should understand the importance and benefits of a poll, but should also be aware of costs, both in time and money.

## Uses of Polling

By determining what issues are most important to their constituents, a political party is able to focus on the most pressing issues. Members of the party are often very passionate about specific issues and feel that these issues take priority. Parties that are not emphatic about their constituent's deepest concerns, but rather focus on the trivial matters, are not doing their job to the best of their potential.

Political Polls have other uses as well. Knowing what is weighing heavily upon the minds of both their constituents as well as members of other parties allows delegates to better prepare the questions they may face in a debate, as well as the issues the candidate should emphasize in speeches. Candidates

who are focused on the issues important to the voters stand a far better chance than those who do not express opinions about major issues. Similarly, candidates who understand the concerns of voters can anticipate questions they may be asked during debates as well as on the street or in Statesman interviews.

Furthermore, an understanding of voter interests gives delegates and other party members in the political arena the knowledge to formulate more pertinent ballot initiatives and choose better qualified candidates for state offices. As can be seen, political polls have a wide variety of benefits.

## Types of Polls

### *OBS Issue Interest Poll*

At the beginning of the week the Political Parties office conducted a poll to determine the major concerns of the citizens of Boys State. Parties can purchase these results from the Political Parties office. The results of this poll have a variety of uses for political parties as described in the above section.

Later in the week the political parties may wish to administer a second poll to further analyze the

interests of the voters. This can be used to determine the concerns of a single party or differentiate between concerns in a single topic—such as differentiating between protection of salmon and product testing of animals in the topic of animal rights.

### *Exit Polls*

Exit polls are used to forecast the results of elections. They are controversial, their opposition claiming that the results influence those who are yet to vote. Exit polls are implausible at OBS, but variations, such as polling citizens to determining

why they voted how they did in the primary elections, may prove to be very helpful to delegates trying to determine focus issues.

## Political Parties and Lobbyists

Aside from the Legislature, Lobbyists and political parties form one of the most symbiotic relationships in Boys State. Without each other, the two would not effectively influence the US political system. Accordingly, the two political parties must work closely with lobbyists so that both achieve their goals: the parties need large amounts of money to

fund their rallies, campaigns and other operations; the lobbyists want to influence Boys State government policy for the benefit either of themselves or the organization, cause or business they represent. The two must work together to establish a relationship based on compromise, not corruption.

## Special Programs

### Citizen Debates

#### Introduction

Each year, the OBS Staff creates two initiatives concerning current and prominent issues in the State of Oregon.

Citizens will have not only the opportunity to create initiatives for the General Election Ballot, but also the opportunity to practice their oratory skills and to discuss the Staff initiatives in a public forum.

The Citizen Debates are yet another occasion to role-play at Boys State. Each of the two debates covers one of the Staff Initiatives.

Due to time constraints, not all citizens may have the opportunity to participate in the Citizen Debates.

The selection process for the debates begins with an application. After being interviewed and selected for the debates, citizens (with permission) may use their activity block to research the debate topics.

## **The Citizen Debate Process**

The following is a list of tasks which are either required or recommended to those who are interested in participating in the debates (consult your Daily Schedule for exact times and locations):

- Obtain a Citizen Debate Packet. Citizens must complete the Citizen Debate Application Form.
- (NOTE: Citizens should apply competitively. Selections are based on the written responses to the application questions. Grammar, punctuation, sentence

structure, diction, and approach may be taken into account.)

- Attend the Issue Workshops to discuss the OBS Staff Ballot Initiatives and to witness citizen reactions.
- Submit the Citizen Debate Application Form by the deadline (schedule an interview with the Elections Office at this time).

(NOTE: Any question should be directed to the Elections Office.)

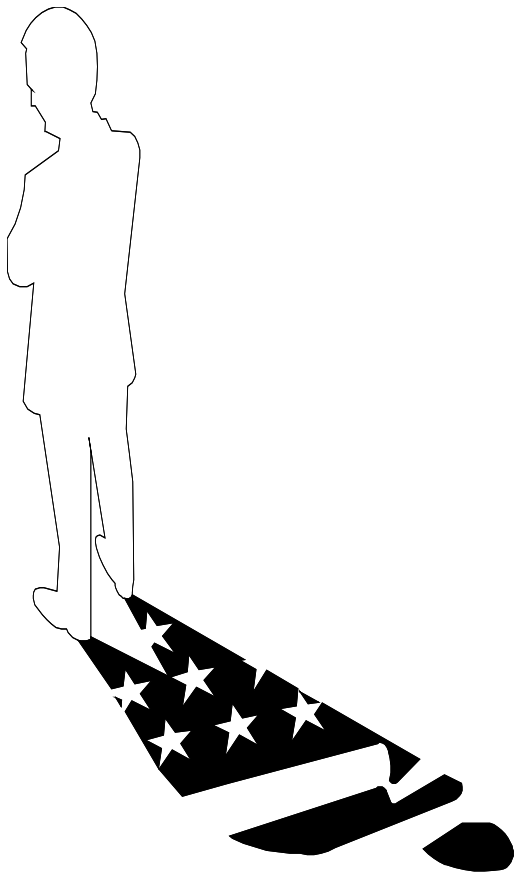
## **The Citizen Debate Format**

Each of the Citizen Debates normally has the format described below; however, format may be modified to accommodate time constraints.

- AFFIRMATION: Opening Statement (4 Minutes)
- NEGATION: Opening Statement (4 Minutes)
  
- AFFIRMATION: Rebuttal (3 Minutes)
- NEGATION: Rebuttal (3 Minutes)

- AFFIRMATION: Cross-Examination (5 Minutes)
- NEGATION: Cross-Examination (5 Minutes)
  
- AFFIRMATION: Closing Statement (3 Minutes)
- NEGATION: Closing Statement (3 Minutes)





## Leadership Seminars

Leadership Seminars provide citizens the opportunity to learn more about leadership by learning how to use the skills in becoming better leaders. The seminars explore the theories of leadership in an effort to better understand what goes into being a good leader. The process is examined and the elusive term "leadership" is defined. Role-plays and other activities are used to relate the seminar's conclusions to the real world. Seminars are held and listed in the Daily Schedule and will be held throughout the week.

These seminars are a combination of "how to" and self-awareness of personal leadership. Admirable qualities leaders need to possess are discussed in an environment allowing an individual to grow as a leader. Diverse issues of leadership styles, creative problem solving, impromptu public speaking and time organization are among the topics covered.

## Issue Workshops

Several times throughout the week Boys State citizens attend issue workshops. Issue workshops cover various pertinent topics. Counselors begin discussions by presenting background and history of the issue. Pros and cons about both ends of the spectrum of the argument are presented. The counselor presents the issue and the citizens attending the issue workshop debate using the presented material and outside knowledge.

## Talent Show

Boys State citizens are given a chance to showcase their unique talents and skills. The Boys State talent show is open to everyone in attendance during the session. Prior to performing, all aspiring participants must audition with their specialized

talent, act, performances, comical skits or other unusual and exciting exhibitions. Information regarding auditions and limitations are available upon request in the Special Programs Office.

## College Information Fair

The College Information Fair is an opportunity to talk to admissions representatives from northwest schools and the military. The representatives answer

questions about campus life, admissions requirements, deadline, etc.

## Recreation

Recreation such as field events (ultimate Frisbee, flag football), swimming events, basketball, and knowledge bowl are scheduled. These events give everyone the opportunity to blow off a little steam

and relax during a busy week. There are events and competitions coordinated by the counseling staff throughout the week between cities and counties.

## Civil Service Seminars

Boys State offers the Civil Service Seminars to better acquaint citizens with the many other types of occupations still directly benefiting the community. Seminars present a wide range of non-elected

government occupations. The discussions are small and informal. Citizens have ample time to discuss and ask questions.

## *The Media*

### **Statesman Newspaper**

The primary form of media in the Oregon Boys State world is the Statesman. Staffed by members of the Statesman team and the County Reporters, the daily publication of the paper serves as the medium through which reporters feature the ongoing activities at Boys State. Writing feature articles, commenting on current issues relevant to the state and relaying pertinent outside events (news, sports scores and weather reports) to citizens and staff, is offered through the Statesman. Experience is great, but nothing replaces desire and commitment.

Interested journalists are strongly encouraged to inquire about becoming involved in and/or submitting stories directly to the Statesman Office. In the OBS world, as in real life, free-lance journalists are critical in the quest for the delivery of information to the people.

Advertising space is available for cities, counties, individuals, causes, etc. Advertisement must be approved and edited by the staff and editor. Candidates are allowed no more than a 50-word blurb per day. After the primaries the remaining candidates are allowed not more than 125-word blurb. The Editor gives City and County reporter space. **For Advertising Costs see the “Money” section of the current daily price.**

