Chapter 8

THE PLURAL EXECUTIVE AND THE BUREAUCRACY
Learning Objectives

• Differentiate between cabinet and plural executive forms of government
• Explain the roles of the Lieutenant Governor, Attorney General, Comptroller, Land Commissioner and Commission of Agriculture
• Explain the selection process for the State Board of Education and the Railroad Commission
Learning Objectives

• Differentiate among the functions of various types of boards and commissions

• Explain how appointed boards can limit the governor’s power

• Describe the purpose and process of The Sunset Advisory Commission
Introduction

- **Cabinet** - A form of government where the chief executive appoints other major executive department heads

- **Plural Executive** - A political system whereby major executive officers are elected independent of the governor

- **Texas plural executive** - governor, lieutenant governor, attorney general, comptroller, land commissioner, and agriculture commissioner are elected independently
FIGURE 8.1 The Executive Branch Offices.
Elected Officials

• **The Lieutenant Governor** - Many political scientists believe that the office of lieutenant governor is the most powerful position in the state.
  
• Greatest powers are in the legislative arena.
  
• Succeeds the governor in the case of death, removal, or resignation.
  
• Serves in the governor’s capacity when the latter is out of the state.
Lt. Governor David Dewhurst speaks with members of the press. Why are most of the office’s powers considered legislative?
Elected Officials

• **THE ATTORNEY GENERAL** - The state’s lawyer
• Defends the state and its constitution in court, and represents Texas in any litigation that the office initiates
• However, despite campaign ads to the contrary, has relatively little to do with criminal prosecution
• Serves a four-year term, no term limits
The Attorney General

- Office of the Attorney General (OAG) has about 4,200 employees –
- Employs some 400 attorneys and has 70 regional offices
- Consumer Protection Division
- Child Support Enforcement Division
- Collections Division
- Opinion Committee
Elected Officials

• THE COMPTROLLER OF PUBLIC ACCOUNTS - Chief accountant and financial officer
• 1) Tells the legislature how much money it has to spend
• 2) Finds ways to save the state money and to spend funds more efficiently
• 3) Fills out federal grant paperwork
• Employs about 3,000 workers
Comptroller Susan Combs at a press conference.

Why is the comptroller an integral part of the budgetary process in Texas?
What can you do?

Do you think you might have left money in a forgotten bank account or failed to claim a utility deposit? Perhaps you are owed insurance benefits or corporate dividends. If this might apply to you, call (800) 654-3463 or check on the Internet at http://www.window.state.tx.us/up/.
Elected Officials

• **The Commissioner of the General Land Office**

• State official responsible for overseeing the leases and uses of state-owned land

• Much of the state’s public land is dedicated to the Permanent School Fund (PSF) –
  – Market value of about $24 billion

• Chair of the Veterans Land Board
Elected Officials

• **The Commissioner of Agriculture**
• The only statewide elected executive office that is not constitutionally mandated
  – Created by statute in 1907 - requires the candidate to be a practicing farmer
• 650-employee Texas Department of Agriculture (TDA) –
  – Regulates pesticides and provides information, training, and licenses
  – Establishes accuracy of weights and measures
Todd Staples, Texas Commissioner of Agriculture (c) speaks with John Whitmire (l) of Houston and Lt. Governor David Dewhurst (r) in the Texas Senate. Why is it important for executive officials to meet with legislative leaders?
Are you a member of a group interested in adopting a beach? Call the land commissioner's office at (877) TXCOAST for more information or use the Internet and go to http://www.glo.state.tx.us/adopt-a-beach/cleanup.html.

Have a question about pesticides or another agriculture issue? Call the Texas Department of Agriculture at (800) TELL-TDA. The agriculture commissioner's Web site is http://www.agr.state.tx.us/.
The Texas Constitution mandates the creation of the major offices of the executive branch, requiring the election of all but the secretary of state. The Agriculture Commission is created by state law.

**ARTICLE 4. EXECUTIVE DEPARTMENT**

Sec. 1. OFFICERS CONSTITUTING THE EXECUTIVE DEPARTMENT. The Executive Department of the State shall consist of a Governor, who shall be the Chief Executive Officer of the State, a Lieutenant Governor, Secretary of State, Comptroller of Public Accounts, Commissioner of the General Land Office, and Attorney General. (Amended November 7, 1995)

Sec. 2. ELECTION OF OFFICERS OF EXECUTIVE DEPARTMENT. All the above officers of the Executive Department (except Secretary of State) shall be elected by the qualified voters of the State at the time and places of election for members of the Legislature.
Appointed Offices

- **Secretary of State**
  - The state’s chief election officer; appointed by the governor
  - Interprets the election code
  - Provides training for election clerks and maintains a master roll of all registered voters in the state
  - Issues charters for businesses incorporated in the state
Appointed Offices

• **INSURANCE COMMISSIONER**

• About 1,700 employees - regulates insurance company practices

• Helps ensure the companies have financial resources to cover potential claims

• Recent deregulatory efforts have left most homeowners policies, as well as auto insurance rates, outside of the state’s regulatory reach
Appointed Offices

• **ADJUTANT GENERAL**

• With the exception of the governor, the adjutant general is the highest-ranking state military leader

• Along with 2 assistants – oversees the Army National Guard, the Air National Guard, and the Texas National Guard

• Serves a two-year term
The Bureaucracy

• Executive branch departments that carry out the law
• Without myriad government agencies working in cooperation with each other, no public policy goal would ever be accomplished
• **SIZE** - About 150,000 employees (not counting education workers)
• Local governments in Texas employ almost three-quarters of a million additional workers
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*15 most populous states

The Bureaucracy

• **HIERARCHY AND EXPERTISE** - In a hierarchy, there is a definite chain of command

• Intended to create experts and therefore instill efficiency in government

• In the past, a person needed “connections” to get a government job - the “spoils system”

• Trend is toward a merit system of hiring for most government employees
The Bureaucracy

- **Accountability** - The governor does not exercise direct control over agencies, and most state boards and commissions are directly accountable to no one.
- Are much more accountable to the legislature –
  - 1) Depend on legislative appropriations
  - 2) Sunset review process allows the legislature to close or modify an agency.
Elected Boards and Commissions

- **Texas Railroad Commission** —
- Began regulating railroad transportation in Texas, however -
- Over the years - gained control over pipelines, oil and gas production, and trucking
- Most important – TRC’s control over oil and natural gas production levels and rates
Elected Boards and Commissions

**STATE BOARD OF EDUCATION (SBE)** –

- Elected board that oversees the Texas Education Agency
- 15 board members serve overlapping four-year terms and are elected by district
- The education commissioner, the SBE forwards three suggestions to the governor
Administrative Boards

• **Parks and Wildlife Department** –
  • 9-member board appointed by the governor
    – Headed by an executive director, who is appointed by the board

• **Health and Human Services Commission** – 11 agencies merged into 4
  • e.g. - Aging and Disability, Assistive and Rehabilitative Services, Family and Protective Services, and State Health Services
Administrative Boards

• **DEPARTMENT OF TRANSPORTATION** –
  • One of the largest agencies - about 15,000 fulltime workers
  • TxDOT’s executive director is appointed by the 3-member board and must be an engineer
  • Develops a statewide transportation plan
  • An appointed 6-member Motor Vehicle Board regulates motor vehicle registration
University Boards and the Coordinating Board

• Dual system of oversight for public universities

• Each system has its own board, each with members appointed by the governor

• Texas Higher Education Coordinating Board oversees all higher education
  – 18-member board administers the Texas Higher Education Assessment (THEA)
Occupational Licensing Boards

• Set standards for occupational licensing
• Examples - Texas State Board of Plumbing Examiners and Board of Nurse Examiners
• Most are comprised of both workers in the field and members of the public
• Licensing is regulated in areas as diverse as cosmetology, dentistry, occupational therapy, polygraphy, and audiology
Regulatory Boards

- **PUBLIC UTILITY COMMISSION** –
- Regulates utility companies and sets rates
- Holds public hearings on the proposed increases before setting rates
- Authority over privately owned utility companies, but not those operated by city governments
- Regulates electric and phone companies
The Sunset Advisory Commission

- Created in 1977 to help determine if agencies had outlived their usefulness
  - 5 senators appointed by the lieutenant governor, 5 representatives appointed by the Speaker, and 2 members of the public - 1 appointed by the Speaker and the other by the lieutenant governor
- Full-time staff aids in research and review
The Sunset Advisory Commission

- **All** nonconstitutionally mandated agencies must be renewed every 12 years
- Agency completes a self evaluation then public hearings are held
- The commission recommends the agency be continued, abolished, or merged
- This is not binding; the legislature has the final say as to the fate of an agency