

The Bureaucracy

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GOVT 2306

Summer I 2020

1 The Bureaucracy

A bureaucracy is a system of non-elected officials administering government policies and programs. This can occur at both the federal and state level.

Texas has about 220 bureaucracies in Texas, and they don't report to one person. **Policy makers** decide what is going to be done, and bureaucrats implement those decisions.

Policy Makers

Elected and Appointed Policy Makers

- Elected:
 - **Attorney General (AG)** - Lawyer for all officials, boards, and agencies in state government. The AG can issue an *attorney generals opinion*, which is an interpretation of the constitution and laws. It tells the elected officials whether an action is constitutional or not. They also represent the state and its government in civil and criminal litigation
 - **Comptroller of Public Accounts** - Chief tax collector and pre-audit accounting officer. Comptroller must certify Texas' biennial budget. They work with state legislation on the budget.
 - **Commissioner of the General Land Office** - Manages rentals and leases for state owned lands, leasing mineral rights, explorations, etc.
 - **Commissioner of Agriculture** - heads the department of agriculture, which is in charge of administration of laws, research, and regulatory activities relating to agriculture.
 - **Lt. Governor** - Ex officio chair of the legislative budget board, council, and audit board.
- Appointed:
 - Appointed by the governor, approved by the Senate
 - **Secretary of State** - Last position in the executive branch. Only appointed member of the plural executive. Main responsibility is to serve as the chief election officer of Texas. They also keep official and business records that are filed with the state.
 - **Adjutant General** - Top ranking military official. Administrative jurisdiction over the Texas National Guard and Texas State Guard.
 - **Health and Human Services Commissioner** - Oversees the consolidated Texas Health and Human Services system.
 - **Insurance Commissioner** - Oversees the department of insurance, and regulate the Texas insurance industry.

Boards and Commissions

- **Texas Railroad Commission** - Regulates gas utilities, oil and gas pipelines, intrastate railroad transportation. States oldest agency.
- **Texas Education Agency** - Regulates the Texas public school system, curriculum, drop out prevention, accreditation, etc.
- **Ex Officio Boards** - Other boards that are made of officers from other boards

Recognizing a Bureaucracy

Some characteristics to help recognize a bureaucracy

- Size - most are large because they have so many responsibilities
- Neutrality
 - Neutrality in how the service or benefits are distributed
 - Neutrality in hiring, and who the organization employs. Used to operate on the “spoils” system, not we use the civil service or “merit” system.
- Hierarchy - formal authority and control is exercised as successive levels from the top to the bottom. This could be an org-chart or chain of command.
- Expertise - having an understanding of the job and understanding how your decisions affect others.
- Privatization - some want to privatize bureaucracies. It would probably be cheaper to outsource bureaucratic work to outside companies, but control would be lost.

The Bureaucracy and Public Policy

Clientele interest groups are groups of people or corporations that are interested in bureaucracy. Bureaucrats have impact on how those interest groups can do business, so they often give financial support to the bureaucrats to get what they want.

Legislature and their presiding officers can help bureaucratic power grow, usually by increasing funding for an agency. The governor can influence the legislatures influence over agencies.

What does a bureaucracy need?

- Public support - Agencies need public support to survive and thrive
- Expertise - Agencies need the necessary people to implement policy.
- Ability to gather information - Agencies need to know what laws are needed or wanted, and they pass this information along to the state legislature.

Administration of the Law

When the state legislature and other policy makers create a law, the details are hazy. It's the agencies job to turn it into a complete idea. **Administrative review** is when an agency's administrator will interpret a law and form a plan on how to implement it. All laws go through administrative review.

Administrative law is the specific set of rules written by the administrators. This has a lot of influence over how effective the law is.

Accountability

There is not a central figure that the agencies are responsible to, but there are some types of accountability

- **Elective accountability** - It's the obligation of elected officials to be directly answerable to the people. People don't really understand what each official does though, so this doesn't really work that well.
- **Legislative accountability** - The legislature can audit and have oversight of the agencies. They typically don't have time to monitor all the agencies.
- **Accountability to the chief executive (governor)** - this doesn't work because of the plural executive.
- **Bureaucratic accountability** - the agency is really accountable to the clientele interest groups. Agencies want to satisfy their interest groups, but the interest group often puts pressure on the legislature to pull funding from the agencies.

How to make Administrators accountable to the public

- **Open meeting laws** - All meetings of government bodies that make decisions concerning the public must be public.
- **Open records laws** - Most records from meetings must be public, and the public can file an open records request.
- **Whistle-blowers** - there are laws to protect government employees from retaliation after exposing corruption or incompetence.
- **Ombudsman** - This position hears complaints from employees and citizens concerning government administrators. They can bring these complaints to higher ups, but can't make decisions. Ann Richards loved this position.