The Texas Executive

Lone Star Politics, Chapter 4

Texas Governors

- Must be at least 30 years of age
- Must be a US Citizen
- Must be a Resident of Texas for 5 years
- Must not hold any other office (public or private)

Texas Governors

Most have been...
- Well-Educated, Middle-Aged, Protestant, Affluent, Anglo Males
- Two have been women
  - Miriam "Ma" Ferguson (1924 & 1932)
  - Ann Richards (1991)
Texas Governor Trivia

Miriam "Ma" Ferguson became the nation’s second female governor when she was inaugurated 15 days after Wyoming elected Nellie Tayloe Ross the first female governor in a special election to succeed her deceased husband in 1925.

Texas’ Governors

- All were Democrats from Reconstruction until 1978
- Bill Clements 1978 & 1986
- Government Experience not required
- Recent political rookies:
  - Bill Clements 1978 & 1986
  - George W. Bush 1994

The Office of Governor

- Four-year terms
- Had been two-year term until 1972
- Elected in even-numbered, non-presidential years
Impeachment

The Texas Governor can be removed by office by proceedings initiated in the House and conviction in the Senate

* James E. “Pa” Ferguson was removed from office in 1917 for misuse of public funds.

The Impeachment of Pa Ferguson

Ferguson vetoed the entire appropriation bill for UT because they refused to fire a faculty member he found objectionable. He was found guilty on 10 charges by the Senate, including misapplication of public funds, failure to enforce banking laws, and accepting $156,000 in funds from a source he would not reveal. He later ran for Governor (1918), President (1920), and US Senate (1922) before getting his wife elected governor in 1924.

Line of Succession

After the governor, lieutenant governor, and president pro tempore of the senate are unavailable, the following become governor:
- the Speaker of the House
- the Attorney General
- the chief justices of the 14 courts of appeals, in the numerical order of the supreme judicial districts the courts serve.

On April 8, 2000, President Pro-Tempore Senator Rodney Ellis serves as “Governor for a day” when Governor Bush and Lt. Governor Perry were both out of the state.
Salary and Perks

- $115,345 a year
- A Mansion
- A Staff
- Travel Expenses
- Access to State Cars and Planes

General Powers

- Ensure that the laws are faithfully executed
- Commander in chief of state militia
- Grant pardons on the recommendation of the Board of Pardons and Paroles

Legislative Powers

- Message power
  - Calling special sessions
  - Veto power
Legislative Power: Veto

- If the Legislature is in session the Governor has 10 days (Sundays excepted) after it has been presented to him to sign or veto a bill.
- If the Legislature has adjourned the Governor has twenty days after adjournment to act.
- In contrast to the U.S. President, if the governor does not take action the bill become law without the governor’s signature.

Specialized Veto Powers

- **Line-item veto**
  - The power to remove specific spending items in appropriations bill
  - 43 states, including Texas
- **Reduction veto**
  - Power to reduce amount spent on a project.
  - 12 states
- **Amendatory veto**
  - Governor may re-write bills and send them back to legislature
  - 8 states

Appointment Powers

- Secretary of State
- Education Commissioner (1970s)
- Insurance Commissioner (1990s)
- Health and Human Services Commissioner
  - (added in 1993)
- Director of Department of Housing and Urban Affairs
Appointive Powers

- Over a 4 year term our governor appoints member to about 4,000 people to 150 small boards and commissions
- All appointees (except personal staff) must be approved by two-thirds vote of Senate

Vacancies

- The governor can appoint people to temporarily fill vacancies in
  - U.S. Senate
  - Elected executives
  - Judges

Does not appoint

- Comptroller
- Attorney General
- Commissioner of Agriculture
- Land Commissioner
- Judges
Removal Powers

- With the approval of the Senate, the Texas governors may remove their own appointees (with a 2/3 vote of the Senate).
- May not remove those of previous governors.

Governors’ Budget Powers

- Only three states—Mississippi, South Carolina, and Texas—make their governor share budget authority with others.
- The Legislative Budget Board prepares its own budget with the Governor’s Office of Planning and Budget often being ignored.

The Divided Executive

- In 1998 the Texas Attorney General sued the Texas Governor to keep Bush from trying to block the payment of lawyers in a tobacco case.
Other Texas Executives

“The Plural Executive”

Lieutenant Governor
David Dewhurst

- Elected separately from governor
- Limited executive power but extensive legislative powers
- Replaced by a state senator elected by the Texas Senate if a vacancy occurs

Attorney General
Greg Abbott

- Chief legal officer
- Represents the state in lawsuits and enforces state law
“The comptroller’s office is a constitutional office; there’s nothing like it in any other state. I tell the Legislature what they can spend, and I certify that the budget is balanced. Unless and until I certify that budget, there is no appropriations bill, and there is nothing for the governor to line-item veto.”

Comptroller Carole Keeton Strayhorn
Texas Monthly December 2003, p. 163
Agriculture Commissioner
Todd Staples
- Oversees agriculture policies
- Promotes Texas agricultural goods overseas

Secretary of State
Esperanza “Hope” Andrade
- Appointed by the governor
- Administers state election laws

Texas Railroad Commission
- 3 members elected by public to 6 year terms
- Most are originally appointed by the governor to fill vacancies
- Originally created to regulate railroads
- In 2005 rail safety regulation was transferred to TxDOT
- Today the commission regulates oil and gas exploration and production
State Board of Education

- 15 members elected by districts to 4 year terms oversee the Texas Education Agency
- Oversees the Permanent School Fund, school curricula and textbook recommendations

Do we elect too many officials?

The "long ballot" may give most voters more choices than they can make effectively