



B R I E F L Y

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Time to Reorganize?

A dozen years ago, in a report called "The Reorganization of Washington State Government: The Power to Govern," the Washington Research Council concluded, "The office of the governor in Washington is structurally weaker than it is in all but a handful of other states."

Little has changed since then.

As they look forward to the challenges of the new millenium, the citizens of Washington should consider whether the power of the governor within the executive branch should be strengthened.

The people of Washington directly elect an uncommonly large number of state officials. As well as the governor, these include the lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands and insurance commissioner. For all but the insurance commissioner, voter election is required by the state constitution.

In addition, the heads of many other departments are appointed by boards or commissions rather than by the governor.

The council's report observed that only three states had more elected state officials than Washington. Agencies reporting directly to the governor accounted for only about 40 percent of budgeted funds or executive branch employees. The report cited University of North Carolina Prof. Thad Beyle's calculation that only nine state governors had less power than Washington's.

The council published its report the year after Gov. Booth Gardner's Task Force on Reorganization pointed up the limits of the governor's managerial authority and the consequent lack of public accountability.

Every Washington Governor during the past 50 years has wanted some greater or lesser reorganization of the executive branch, with some notable successes. But no governor in recent memory has sought control of any of the other statewide elective offices.

The issue has come to the fore, albeit in abbreviated form, now that Sen. Alex Deccio, R-Yakima, is sponsoring a bill authorizing the governor to appoint the state's insurance commissioner, who traditionally has been elected by a direct vote of the people.

Unfortunately, the issue of whether the executive branch is most efficient and effective when the governor has the power to appoint agency directors is blurred by the personality and politics of the current insurance commissioner, Deborah Senn, who is highly controversial. Some believe she has been a marvelous consumer advocate, others that she's been a rank demagogue.

Some revere her for championing health-insurance reforms, others condemn her for undermining the market for individual health insurance.



Sen. Deccio is one of Senn's critics. But he denies Senn is the reason for his bill. "She's not the problem; the elected office is the problem," he said. In most states, the insurance commissioner is appointed. "That takes the politics out of the office," Deccio said.

For her part, Senn contends her office should remain elective. After Deccio introduced his bill, last month, Senn in a prepared statement said that "having the insurance commissioner directly accountable to voters is the best way to make sure the citizens of this state are getting the protection they deserve."

The argument for making not only the insurance commissioner but nearly all executive offices appointive likewise appeals to the touchstone of accountability: If the governor, as the state's chief executive officer, may not choose the department directors critical to carrying out the priorities of his administration, then he cannot be held fully accountable for its efficiency and effectiveness.

Former Gov. Dixy Lee Ray once put it this way: "The governor's authority should reflect the governor's responsibility. As long as the (state) constitution requires a plethora of independent officers, who inhibit the governor's authority, there will be frustration."

During the last legislative session a disagreement between Locke and Senn impeded efforts to fix the problems afflicting the market for individual health insurance. Senn publicly questioned some provisions of an insurance bill that Locke had approved. The substance of the bill resulted from a series of stakeholder meetings Locke personally chaired. Senn took it upon herself to write to state legislators and imply her opposition to sections of the bill affecting guaranteed policy renewal and insurance rate setting, which she declared "is good for insurers, but it is bad for business and individual consumers".

If Senn's actions provoked Locke, he's kept it to himself. His health policy advisor, Sue Crystal, said only that the governor understood Senn would speak out. "He was not surprised," she said.

How does Locke feel about Deccio's bill? "The governor has taken no position on it," Crystal said.

The problem of divided responsibility is not limited to the Office of Insurance Commissioner.

Salmon protection is another critical policy area where the fragmentation of executive authority has the potential to threaten an effective state response. Two of the major executive branch players are not responsible to the governor: The Director of the Department of Fish and Wildlife is appointed by the Fish and Wildlife Commission. The Commissioner of Public Lands, who heads the Department of Natural Resources, is directly elected by the people.

Likewise, in transportation the role of the governor is weakened because he does not appoint the Secretary of Transportation.

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