Welcome to America and Arizona Government for Elementary Teachers

Presentation 13: The Arizona Executive Branch

Audio: Welcome to America and Arizona Government for Elementary Teachers. This is presentation 13, The Arizona Executive Branch. In this presentation we turn to the executive branch in the State of Arizona. In its basic function, the executive branch for the State looks similar to the executive branch of the national government. Of course, the scale is smaller as are the budgets, but it is this branch that executes the laws that are set forth by the legislature. Arizona, however, has several unique characteristics that we will be focusing on.

Slide 2

Text: Presentation Objectives

AEPA objectives

0016 Understand state and local government in the United States
0019 Understand state government and government of American Indian nations in Arizona

Arizona Social Studies Standard, Strand 3
Concept 0002: Structure of Government

Audio: This presentation will examine AEPA objective 0016 understand state and local government in the United States, and 0019 understand state government and government of American Indian nations in Arizona. We'll also look at some of the objectives under concept 0002, structure of government contained within the Arizona Social Studies Standard Strand 3: Civics and Government. You're encouraged to look at the document on the Social Studies Standard Articulated by Grade Level, and look at some of the objectives listed under concept 0002 to ensure that you understand and are able to competently teach those principles and objectives to your future students.

Slide 3

Text: The Plural Executive

- Executive Power is divided
- Multiple Executives directly elected, not appointed by Governor

Audio: As you recall from earlier presentations the founders of Arizona constitution were heavily influenced by the progressive movement. In addition they were influenced by their
experience in the territories of having a territory legislator and a territory govern. That was often viewed as corrupt. Captured by corporate and business interest. And in this case of the territory govern carpet baggers who were appointed by the president and were not really connected to or even answerable to the people who lived in the territory. So as a result of this experience and their progressive impulses the power of the executive branch in Arizona is more divided then it is in most places. This makes the executive branch fairly weak compared to other state governments. Arizona has what's called a plural executive. This means that officials in the executive branch are elected separately. They are not appointed by the govern.

**Slide 4**

**Text:** The Plural Executive

- Executive Power is divided
- Multiple Executives directly elected, not appointed by Governor

[Photo of Governor Jan Brewer with President Barack Obama]

**Audio:** In the federal government, the President is able to appoint all of the Cabinet officials, the heads of all of the federal agencies, and all of the other executive level officers in the Executive Branch. As these people serve at the discretion of the President, their agenda remains in line with the President's agenda. If the head of an agency is working cross-purposes with the President, that person will either change their position or be removed. In the state, however, the people that are necessary to promote a policy agenda are independently elected. This means that the governor cannot count on their support and certainly cannot require their cooperation. In many cases the top executive officials in the state are from separate political parties and have contradicting agendas. This makes it very difficult to accomplish the governor's agenda. Now presumably this is exactly what the framers of the Arizona constitution had in mind. With the early territorial government corrupt and captured by corporate interests, the progressive framers wanted to make sure that all of the major policy makers in the state were directly answerable to the people to minimize the possibility of this occurring.

**Slide 5**

**Text:** The Plural Executive

- Governor
- Secretary of State
- Attorney General
- Superintendent of Public Instruction
- State Mine Inspector
- Corporation Commission
Audio: The executive offices that are elected positions are the Governor, the Secretary of State, the Attorney General, the Superintendent of Public Instruction, the State Mine Inspector, and the Corporation Commission. Having this many offices held by people with independent power bases means that, in Arizona, we often see gridlock that is similar to what we see in the Federal Government when the President and Congress are controlled by separate parties. Only in Arizona, the gridlock that occurs within the executive branch is in addition to whatever gridlock may occur between the legislative, judicial, and executive branches.

Slide 6

Text: Gridlock from Divided Power

[Photo of Sheriff Joe Arpaio]

Audio: There have been several times in recent Arizona history where elected officials in the Executive Branch have been at war with one another. Now this has been particularly true in the county level in the last few years, which also operates under a plural executive model. For example, internal battles in Maricopa County have dominated politics there for almost 20 years with fights between the sheriff and the county attorney and then between the sheriff and the attorney and county supervisors. I'll provide more details on that conflict when we have our presentation on county government, but similar battles occur at the state level, in particular between the governor and the attorney general. Those two are often at odds.

Slide 7

Text: Gridlock from Divided Power

[Photo of Governor Jan Brewer] [Photo of Attorney General Terry Goddard]

Audio: This presentation is being recorded in the summer of 2010, and the current struggle between Governor Brewer and Attorney General Goddard is a good illustration of the gridlock that can result from this divided power. In particular these two individuals are at odds over how to handle immigration policy, and this led to an unusual situation where Senate Bill 1070, which is the immigration bill that was passed in 2010, contains a provision in the law that authorizes the governor to hire a private law firm to defend that law when it would be challenged in court. Now this is because the state legislature felt that Goddard could not be trusted to defend the law given the fact that Goddard and Brewer would be competing against each other in the gubernatorial election that fall. Now Goddard as Attorney General is required to defend the state when it is sued by the federal government, and so it's highly unusual for the legislature to authorize the governor to hire a private attorney to defend the state in those cases. The point to make here is that other states do not have as many officials with independent power bases. So in other states the governor is able to more forcibly direct the Executive Branch. Not so here in Arizona. It's
much more difficult for the governor to convince or corral all of the important agents within the Executive Branch to work towards a common end.

**Slide 8**

**Text:** Governor is Chief Executive

[Photo of Jan Brewer] [Photo of Janet Napolitano] [Photo of Jane Dee Hull] [Photo of Fife Symington]

**Audio:** In this presentation we will look at each of the elected offices in the Executive Branch. Let's begin by focusing on the governor, as the governor's office is the most visible and arguably the most powerful elected office in the state. This slide shows the previous 4 governors for Arizona. Now the roles that the governor plays for the state are similar but not quite the same as the roles that the President plays for the country. Again, the President is the Chief Executive for the country. The governor is the Chief Executive for the state. So let's revisit some of that discussion about executive roles that were discussed in presentation 8.

**Slide 9**

**Text:** Roles of President

- Head of State
- CEO of the Executive Branch
- Party Leader
- National Leader
- World Leader

**Audio:** As a reminder, the roles that the President plays in performing the duty of the Chief Executive is the head of state, the CEO of the Executive Branch, the party leader, the national leader, and the world leader.

**Slide 10**

**Text:** Roles of Governor

- Head of State
- State Leader
- CEO of the Executive Branch

**Audio:** Similarly the governor functions as the head of state, the state's chief lobbyist and state leader, and the CEO of the Executive Branch. Now while the governor is expected to help the strength of the political party that she is from, the governor's not expected to undertake the fund raising and campaigning duties that the President does. The strength and success of the party is not viewed as a primary responsibility for the governor. So let's look at each of these roles that the governor plays in detail.
Slide 11

**Text:** Head of State

- Most Visible Official
- Head up Crisis Response
- Spokesperson for issue or legislation important to state
- Good PR representative

[Photo of Governor at a press conference]

**Audio:** As the head of state, the governor is the most visible person from the state. The governor is expected to address any major crises that occur in the state. So when there is a forest fire or a natural disaster, a flooding in the reservations or a health outbreak with the flu or some, you know, virus that comes out, the governor is the person who goes in front of the cameras, declares a state of emergency, goes to the scene of the crisis, and tries to shore up the morale and bolster the resources of the state to address that problem. The governor is also the spokesperson for issues or legislation that is important to the state, so making sure Arizona's water rights are taken care of, making sure our public lands are... Arizona's voice is heard in those federal debates on those issues. The governor is also expected to just generally be good public relations spokesperson and put a positive face on the state. Now this quality is subjective, and some people are better at it than others. Governor Mecham, for example, was notorious for his frequent gaffes and insensitive comments, even though by all accounts he was a kind and personable person in person. Governors Mofford and Symington were better at PR while they were governor. They charmed journalists and other politicians easily. Recently the controversy surrounding SB1070 has placed Arizona in the national spotlight. Governor Brewer has struggled to control the discourse and the debate about the law and about immigration policy in general. She's done this through her own press conferences, appearing in the national media quite frequently, and even visiting with President Obama in the White House. While not all governors have such a visible opportunity to function as the head of state, all governors have to figure out how to best be the embodiment of the state that comes with the head of state role.

Slide 12

**Text:** Head of State

- Commander in Chief

[Photo of soldiers marching in formation]

**Audio:** Another role that the governor has as part of the head of state function is to be the commander-in-chief of the state's armed forces. Now in the modern era, that means the Arizona National Guard. In times of emergency, the governor can call up the National Guard and assign them to assist people in need and maintain law and order in a chaotic situation. Now this is
otherwise largely a symbolic role. Although some governors have used it to great effect, Governor Hunt, the storied early governor who served several terms, enjoyed taking this role literally and camped with the troops on their training excursions. Governor Symington used the National Guard to make a political point when he called up the Guard and posted them at the entrance to the Grand Canyon as part of the dispute with the federal government over its threatened closure in the 1990's. The government... the federal government was going to close down the Grand Canyon as part of an overall closure of the government during a budget dispute between President Clinton and the Republican Congress, and so Symington threatened to use the National Guard to keep the park open even if the federal government closed it. Now they didn't follow through on that, and all that happened were a few Guardsmen stood by the entrance to the park, but the threat of doing that got the attention of the federal government, and they indeed did not close the Grand Canyon even while other parts of the federal government were closing down. Both Governors Napolitano and Brewer have sent the National Guard units to the Arizona border to assist the Federal Border Patrol with immigration enforcement. So historically this role as commander-in-chief is merely a symbolic role, but occasionally a strong governor faced with a crisis has used the Guard for political purposes.

**Slide 13**

**Text:** Head of State

- Commander in Chief
- Clemency
  - Pardon
  - Commute Sentence
  - Reprieve

[Photo of road sign for State Prison]

**Audio:** One final head of state function worthy of mention is the ability of the governor to grant clemency to prisoners. Again going back to the Progressive roots of the Constitution, the founders felt that allowing the governor to grant leniency would be a check on the potential abuse of power or a remedy to an unjust outcome of a trial. Now there are 3 options available to the governor. First they can pardon a criminal, which releases the convicted person from all criminal penalties and clears their record. Second, the governor can commute the sentence, which means to reduce the sentence. An example of this would be changing a death sentence to one of life imprisonment, or another example might be to take someone and declare that their sentence has been time served, which would allow for their immediate release. A third option is a reprieve, which just delays carrying out the sentence. A reprieve might be given for personal reasons or for health reasons. There was one example from early Arizona history where a gentleman had a device that he claimed could make electricity out of air, the ionization of the air, and the Governor from New Mexico was so taken by this device that they wanted that person to
go to Washington, DC to get a patent for it and start manufacturing it. The problem was the person who created this device was in prison in an Arizona prison for fraud, and so the Arizona governor granted a reprieve, which enabled this prisoner to leave and travel to Washington, DC, where he did indeed file a patent, and then he came back and served out the rest of his sentence. So it's fairly rare, but that power does exist that the governor has for clemency.

**Slide 14**

**Text:** State Leader

- Set Legislative Agenda
- State of State address
- Call special session
- Veto

[Photo of Janet Napolitano speaking]

**Audio:** The governor is expected to take a leading role in setting the legislative agenda for the state. The governor often proposes legislation, though unlike the President, the governor cannot directly submit a bill to the legislature. So that means the governor has to find a friendly legislator to formally submit that bill. In addition the governor gives a state of the state address each year and typically uses that speech as a way to attempt to set the legislative agenda for the upcoming legislative session. The governor can also call a special session of the legislature. This requires the legislature to reconvene and discuss whatever issue the governor had brought them for. Now the legislature is not obligated to do what the governor wants them to do, but it does draw attention to an issue and, again, sets the agenda that legislatures will discuss. Now legislators don't like having to come back to the Capitol building after the session is over, so sometimes even the threat of calling a special session will get the legislature to enact legislation that is favorable to the governor to prevent that from happening. Now another way the governor can effect the outcome of legislation is with the threat of a veto. Now while the legislature is capable of overriding the governor's veto, this actually rarely happens. The veto typically stands. The legislature... the legislation is often not passed until the very end of the session because of the dynamics of the legislature that was discussed in the previous presentation. It's usually a rush job at the end, and so there's not sufficient time to vote to overturn the veto. Also the legislature has relied on the majority party, the Republican caucus, to pass legislation, which means the Democratic caucus has no say in legislation, and therefore, very little interest in helping the leadership overcome a governor's veto. So for all those reasons, the vetoes typically stand. Another obstacle to overturn the veto is the required super majority, which, again, is difficult to muster. So this means that even the threat of a veto can sometimes alter the composition of a piece of legislation. Now one limitation to the use of the veto though is that the governor has to veto the entire bill or none of it, and so the governors will frequently resist vetoing a bill even if they don't like it because of the good provisions that are in that bill. Now an exception to this are
budgetary measures where the governor can do a line item veto, and we'll talk about that in a later presentation, but in general, the governor has to veto the entire bill. So this means that the legislature can package provisions the governor doesn't like with things the governor does like into the same bill. You do a package deal. It has an encouragement for the governor to not veto the bill. Now all the modern governors have used the veto or threatened to veto to try to influence legislation. So it's a powerful tool in the arsenal of the governor.

**Slide 15**

**Text:** State Leader

- Fiscal Policy
- Submit yearly budget
- Line-item veto

[Photo of Janet Napolitano speaking]

**Audio:** The Governor has a particular role to play when it comes to the State's fiscal policy. The Governors are required by the State Constitution to submit a budget for all state agencies and programs. Now, the legislature is not required to enact that budget, but the Governor's budget usually serves as a starting point for budgetary discussions in the legislature. So it can be quite powerful as an agenda-setting tactic. Perhaps the greatest tool government has, when it comes to fiscal policy, is the line-item veto. Unlike regular legislation, legislation that involves appropriating funds is subject to a line-item veto. This means the Governor can veto specific, select portions of the budget while leaving the rest of the bill intact. This makes it impossible for the legislature to bundle friendly and unfriendly provisions in the same bill. In a budget battle then, the Governor's wishes carry tremendous weight. Now, this can lead to conflict between the legislative and executive branches and that conflict was quite significant and defined the politics of Arizona in the late 2000s. The state was beginning to have some budgetary problems and the legislature sought to enact tax cuts, which would further decrease the revenues available to the state, combined with deep cuts in social programs and other programs that the Governor felt were essential. And so the Governor threatened a veto, but the legislature, in a move of solidarity and in a test of wills, sent a budget to the Governor anyways, fully expecting her to veto it, which she did. She then, Governor Napolitano, vetoed the bill, which enabled the legislature to blame the Governor for the shut-downs in government services that would occur if a budget was not passed. And so there was a bit of a staring contest between the Governor and the legislature to see who would blink first and which side would allow the state government to shut down in this budget impasse. Ultimately, the Governor was able to convince a few Republican legislatures to vote for a budget package that she would approve, which meant that the Governor essentially won that staring contest; the legislature blinked before the Governor did. But that battle is sort of emblematic of the real power that the Governor has when it comes to fiscal matters. On the federal level, the President of the United States does not have a line-item veto. Congress passed a
line-item veto briefly during the George Bush, Sr. administration sort of expecting that the next President would be a Republican. But when Bill Clinton became President, he began to use that line-item veto in ways that members of Congress didn't appreciate, and so the Republican Party activists took that law to the Supreme Court and the Supreme Court actually overturned the line-item veto. So, on the Federal level, the President has only had a line-item veto for a couple of years; they no longer have that power. And so, all of the negotiations over budget issues have to take place before Congress passes their budget package and Congress typically passes an omnibus budget bill so the entire budget is thrown into one piece that the President has to either veto or let pass. Contrast that with Arizona: with the line-item veto available for fiscal issues, the Governor has the upper hand on the legislature. The Governor can negotiate while the budget is being formed, and then the Governor can continue to negotiate after the budget has been passed by eliminating those parts of the budget the Governor doesn't want and requiring the legislature to go back and re-do those parts. The terms of combat, so to speak, are in the Governor's favor when it comes to budgetary issues. And so that's a power that is not unique to Arizona, but it helps explain a lot of the outcomes of the political battles with the budget here.

**Slide 16**

**Text:** CEO of Executive Branch

- Executive Orders
  - Appointments
  - Agency heads
  - Governing board
  - State Commissions
  - Judges
- Does not appoint key Executive Offices

[Photo of Governor Jane Dee Hull naming Judge Michael D. Ryan as a justice of the Arizona Supreme Court on May 22, 2002]

**Audio:** The last role to discuss for the Governor is that of CEO of the executive branch. The Governor is ultimately responsible for the actions of the state government and can direct agencies to do things that promote the Governor's agenda. One way to control state government then is through issuing executive orders. An example of this would be when Janet Napolitano was Governor. She wanted Arizona to participate in a regional climate initiative that was spearheaded by California and had the participation of Nevada and New Mexico. The legislature, on the other hand, was not interested at all in passing environmental legislation, particularly legislation that might cap carbon emissions. The state is already struggling with the EPA over air quality and the legislature did not want to make it even more difficult for the business sectors to operate here. So, in the absence of legislative action, Governor Napolitano issued an executive order for the Department of Environmental Quality, the Arizona DEQ, and ordered that
department to participate in these regional discussions for carbon reduction, carbon emission reductions, as well as other environmental protocols with water and air quality. When Napolitano resigned her position as Governor to take the post of Secretary of Department of Homeland Security under President Obama, Jan Brewer became the Governor and one of the very first things she did as Governor was reverse that executive order. And so Arizona then no longer -- the Department of Environmental Quality, no longer was authorized to develop environmental guidelines for carbon reductions or water or air reductions beyond that that was mandated by the federal government. And, in fact, the Governor issued a new executive order that prohibited the Arizona Department of Environmental Quality from even attending the meetings for the regional climate initiative and they couldn't even have that conversation anymore. So, it's an example of the Governor's power to control the state government and set the agenda through executive order. Now, another way to control the state government is through appointments. The Governor appoints the heads of the state agencies, appoints people to various governing boards and statewide commissions. The Governor also appoints judges. Now, these appointees, with the exception of the judges, serve at the pleasure of the Governor and so they could be expected to follow the Governor's directions or be replaced by someone who would follow those directions. Now, as you may recall, from the presentation on the bureaucracy though, in presentation 10, this does not necessarily mean that the government can control the state government. Bureaucracies have many ways to stall or redirect initiatives that come from the Chief Executive. Even when the heads of those agencies are pushing for those initiatives, the career employees at the state agencies know that, if they disagree with the policy direction, they can simply wait for a new Governor to come into town and that direction may change, sometimes dramatically, as we saw with the example of the DEQ and the regional climate initiative. The ability of the Governor to direct the State is further complicated by the fact that the Governor does not appoint key members of the executive branch. As discussed earlier, under the plural executive model that we have, these other officials are elected independent of the Governor. So, the Governor has very few ways to put pressure on those individuals. Let's now examine those other offices.

Slide 17

Text: Secretary of State

- Administer Elections
  - Oversee county recorders
  - Maintain voters rolls
  - Approve candidates and propositions
  - Produce and tally ballots
- Successor to Governor

[Image of the Arizona Secretary of State, Ken Bennett’s, ad]

Audio: The Secretary of State is the second most important position in the state government because the Secretary of State is the successor to the Governor. Jan Brewer was the Secretary of
State before she became Governor when Napolitano resigned. The Secretary of State Brewer assumed the office of the Governorship. So that's one important function of the Secretary of State, but unlike the Vice Presidency, the Secretary of State has an actual day job as well as just waiting in the wings for the Governor to die or retire. What the Secretary of State's primary responsibilities are is to administer elections in the state. They do this by overseeing the County Recorders; the counties actually run the elections in Arizona. They purchase the voting machines. They maintain the voting records. They collect the ballots and they report the results back into the Secretary of State. So, the Secretary of State's job is to make sure that that process is done in an orderly way and in a fair way so that the integrity of the vote is guaranteed. Now, if you recall from an earlier presentation, Arizona is under Department of Justice oversight when it comes to elections because of our examples, our previous past record of racist policies that had undermined the integrity of some of our elections. So the Secretary of State has to coordinate and cooperate with the Federal Department of Justice as they administer these elections and guarantee their integrity. The Secretary of State also maintains the voter rolls so that when you register to vote, you might turn that into the County Recorder, but the County Recorder then submits that registration information to the Secretary of State. And the Secretary of State is ultimately the entity that decides whose registration is valid and whose is not and which voting location a given voter is allowed to vote at. The Secretary of State also approves candidates and ballot propositions. So if you want to run for office, you have to go to the Secretary of State, you register as a candidate and the Secretary of State then gives you forms that you take and have registered voters sign a petition essentially. And you have to have a certain number of those petitions in order to qualify as a candidate. Likewise, a ballot proposition, if it is a voter initiative, has to have a certain amount of qualified voters sign those petitions. The Secretary of State's job is to go through those signature forms and make sure that the people who signed those petitions are indeed registered Arizona voters. And so they approve those candidates and also approve the final wording on the propositions and produce and distribute voter information packets on candidates and propositions. Finally, the Secretary of State is responsible for printing and distributing ballots to the County Recorders, who then handle the actual taking of the votes. And then, as those County Recorders return those results to the Secretary of State, the Secretary of State is responsible to tally the votes and issue the official outcome of a given vote. So, it's a fairly important job and can be quite busy on election years. The attention the job gets though is often that of the successor to the Governor because maintaining the integrity of elections is a quiet, behind-the-scenes job until the Governor retires or dies. At that point, the Secretary of State office receives a lot of attention. Now there is a proposition, which will be on the 2010 ballot that seeks to change the title of Secretary of State to that of Lieutenant Governor to make it more clear to voters that when they're voting for Secretary of State, they're also voting for who the next Governor will be. For example, in the 2006 election, Jan Brewer ran as Secretary of State unopposed. The Democrats did not even field a candidate for Secretary of State to run against Brewer even though Napolitano's name has already been distributed nationwide on a short list as a very real potential cabinet member, should a Democrat win the White House in
2008. And so, political observers could predict that, if the Democrats won the White House, then whoever was Secretary of State would become Governor. And yet, in spite of that, again the Democratic Party didn't even field a candidate. So by changing the name of the position to Lieutenant Governor, it would make it more clear what the impact of that office was so that voters could vote for Secretary of State, keeping that potential Governorship in mind. So we'll have to see whether the voters approve that proposition, but it underscores the importance of the Secretary of State positions in that particular instance of succession.

**Slide 18**

**Text:** Attorney General

- Legally Represent State
- Write legislative opinions
- Investigate and prosecute statewide crimes
- Supervise County Attorneys

[Photo of Arizona Attorney General, Terry Goddard, at a press conference]

**Audio:** The next executive office if the Attorney General. Now the Attorney General, as the name implies, is the highest ranking law enforcement office in the state of Arizona. The Attorney General's responsibilities are to investigate and prosecute statewide crimes, and direct the attorneys who work for the state in that regard. Now in that job of investigation state crimes the Attorney General is careful not to overstep the boundaries of municipal attorneys and prosecutors, and attorney... sorry, county attorneys and prosecutors, all of whom do the vast majority of criminal prosecutions in the state. But there are some crimes that are engaged in statewide that the Attorney General focuses on. In particular would be crimes that involve gambling and lottery crimes, in addition would be crimes that involve fraud, securities crimes, so crimes that are defrauding investors or using the mail, or email, or the phone to bilk people from their money, or identity theft. These kinds of crimes are larger in scale than a city or county attorney could investigate. So the statewide investigation can occur under the Attorney General's auspices. In addition a key part of the job of Attorney General is to legally represent the state, so when the federal government sues the state it is the Attorney General who represents the state. When the state sues another state, or is sued by another state, they're represented by the Attorney General. If the state has to appear in a federal court for any reason the Attorney General's office sends people. When, for example, a death penalty case goes to the Supreme Court it is a representative of the Attorney General who will go and argue that case before the Supreme Court. Arizona has a fairly good record actually in that domain of death penalty cases. In addition, the Attorney General will write legislative opinions. Quite often the legislature will write a bill that is vaguely worded, and how that bill is interpreted will impact how the bill is executed by other state and local authorities. And so that legal interpretation is necessary for state agencies or law enforcement to know how to enforce that law. So the Attorney General will
write a legislative opinion that then provides the ground rules that other agencies use. Now occasionally that legislative opinion may run counter to the legislative intent of the legislature. But nevertheless the Attorney General has the authority to make and write that opinion, that is then binding on other state and local entities. The Attorney General also supervises the county attorneys, so the Attorney General's job is to make sure that those attorneys are performing their jobs with integrity and not making legal mistakes, or misusing their office. Now the Attorney General doesn't actually use this power very often because the county attorneys are elected independently, and it would create a fairly serious political firestorm if the elected Attorney General were to publicly oppose and admonish and elected county attorney. But the Attorney General does have that authority to do so, it just barely happens. One final point to make about the Attorney General, because it does impact the way the office is administered, is that the Attorney General is a very publicly, vocal, and prestigious position. And so that position is often a springboard for candidates to run for Governor. And so quite often Arizona has 2 ambitious people who are either currently, or in the future will run against each other in a gubernatorial election, which means they are often at odds with 1 another, which further complicates the ability of the executive branch to function in a coherent way.

Slide 19

Text: State Treasurer

- State’s Chief financial officer
- Collects, invests, and disburses state funds

[Image of the seal of the Office of the Arizona State Treasurer]

Audio: The next stop is -- is the state treasurer. Similar to the secretary of state, the state treasurer is a publicly elected office that usually operates behind the scenes. The state treasurer does not typically have a very prominent role in the state's politics, but it is a very important office. The state treasurer is the state's chief financial officer which means that all the state employees who get a paycheck their check is signed by the state treasurer. It's the state treasurer's job to make sure that state's money is safe and that it is being collected and dispersed in an ethical manner that uses the best accounting processes possible. So, the treasurer's responsible for collecting revenue. So, the taxes and fees and other revenue streams that the state has the treasurer gathers that money in and makes -- keeps track of it. The treasurer also is responsible for investing the state funds. The state has a retirement fund that money is drawn out of employees every paycheck. And that money is then used to pay the obligations of current pensioners and retirees. Now the money that is drawn in exceeds the obligations to go out. And so, the state treasurer is responsible to invest that money in a way that protects the -- the capital but also provides a reasonable return on that investment so that future retirees when they retire that money will be available to them. Particularly, as the baby boomers retire, this problem will - - was -- could become a problem because, as the boomers retire, the money coming into the
retirement system will not be sufficient to pay the obligations. And so, this treasurer is going to need to cash in those investments in order to maintain the solvency of the state retirement system. So, it's -- it's a complex job that, again, is typically done behind the scenes but it is an elected position all the same.

**Slide 20**

**Text:** Superintendent of Public Instruction

- Manage Department of Education
- Certify teachers
- Direct AIMS testing
- Approve textbooks
- Direct funding for Public and Charter schools

**Audio:** The superintendent of public instruction is also independently elected. Now this position is actually a fairly weak position. It doesn't have the kind of power that the title suggest that it have. And one reason for its weakness is that there are many entities in the state that have a say in education policy. And so, the superintendent can provide direction but they can't really control the schools in Arizona because there's much more local control within the school districts than the title superintendent suggests. But the superintendent does have some responsibilities that do impact education policy. The superintendent is responsible for managing the department of education to make sure that that department runs smoothly and provides the direction and resources that the school districts around the state require to do their job sufficiently. The superintendent is also responsible for certifying teachers. So, that is a -- a statewide function. This makes it so that the local school districts can rely on that state certification so that they can hire teachers who are competent and qualified. The superintendent also directs the AIMS testing. AIMS is the standardized test to assess the competence of Arizona students in various areas. The test is written by the office of the superintendent. They may not actually write it but they are responsible for its content. And they select the questions that will be included in the test. They also are responsible for maintaining the integrity of the test and producing the -- and distributing copies of the test and -- and logistical things of that nature. Superintendent is responsible for approving textbooks. Now, in other states, textbooks are approved by local school districts. On the other hand, there are other states that all of the textbooks are purchased by the state department of education. Now, in Arizona, textbooks may be purchased by the local district but the local districts have to purchase those books from a list that is approved by the superintendent. So, it's -- Arizona is kind of a middle ground between other states that the central department does everything versus some states where the local district does everything. In Arizona, the superintendent approves the textbooks but the selection from the list of approved textbooks is made by the local districts. The superintendent also provides direct funding for public and charter schools. That funding may vary from district to district as local property taxes and bond issues may collect resources specific to those districts. But the state legislature allocates money
to be given to the schools around the state and it is the superintendent of public instruction that is
the conduit through which those state allocations of money make their way to the local schools.
So, again, the superintendent has to work with entities at the state level, with commissions and
the legislature and the governor, has to work with institutions at the federal level with
Department of Education. And also has to work with institutions at the local level with district
school boards and district superintendents. So, working in concert with all of those actors the
superintendent does have an impact on education policy. But it is, again, less of an impact than
some of the other executive branch offices that we have discussed.

Slide 21

Text: Corporation Commission

- Certifies Business
- Regulates stock and securities
- Regulates utilities
- Legalized monopolies
- Determine rates
- Oversee level and quality of service

[Image of the Seal of The Arizona Corporation Commission]

Audio: The corporation commission is another interesting and unique part of the executive
branch in Arizona. If you remember, if we go back to the progressive era, framers of the Arizona
constitution, and the territorial history of corruption that existed between the mining and
corporate interests and the territorial government, the founders of the constitution wanted an
independent voice that was answerable to the people and less likely to be captured by those
corporate interests. You know, they wanted that independent voice to manage the affairs of these
corporations and enable a way for citizens to not be taken advantage of or exploited by these
powerful corporations. The corporation commission then is responsible for certifying businesses.
Meaning to issuing business licenses. It regulates the stock and security exchanges in Arizona.
So, Arizona firms that want to sell stock have to be certified by the corporation commission and
have to abide by the rules and regulations and open themselves to the oversight of the
corporation commission. They also regulate utilities and other legalized monopolies. So, when
the water or power utility seeks to increase the rates that they watch charge their customers, they
have to take that rate increase to the corporation commission and receive the commission's
permission before it can enact that price increase. Or, if the utility wants to run a power line
across a mountain from power generating station down to a community, it is the corporation
commission who they must seek approval for in addition to whatever environmental regulations
they would have to comply with. The corporation commission is also responsible to make sure
that these utilities and legalized monopolies maintain a certain basic level of service to their
customers so that, if say a cable provider was providing really terrible service, then next time that
A cable company would come to the corporation commission and seek a rate increase, the commission might turn that increase down and say that until you improve your customer service you cannot increase your rates. So, the corporation commission is supposed to serve as an advocate for citizens and consumers in Arizona vis-a-vis the corporations. Now that has not always been the case because like any elected official interest groups and elected officials can form iron triangles to create regulations that are favorable to that industry. But when the public is engaged or when the corporation commission is vigilant it can serve as that consumer advocate.

**Slide 22**

**Text:** State Mine Inspector

- Other statewide health and safety inspectors are appointed
- Elected position harkens back to mistrust of framers

[Image of Arizona State Mine Inspector logo]

**Audio:** The final elected position is that of the State Mine Inspector. This position is also an outgrowth of the mistrust by the constitutional framers of what used to be the most powerful industry in the state, which was the mining industry. The founders of the constitution wanted to ensure an independent inspector to ensure the safety of workers, even when the mining industry might be controlling the governor's office. So the job of the State Mine Inspector is to look at the health and safety of the mines in Arizona. And I should note that other statewide health and safety inspectors are appointed by the governor. It's only the mining industry that has an independent elected official who inspects their industry. Again, it harkens back to the territorial days in Arizona when the mining industry was so powerful.

**Slide 23**

**Text:** Conclusion

[Image of Arizona Department of Environmental Quality logo]

**Audio:** So to conclude this presentation on the Arizona Executive Branch, what we've seen is that divided government makes it difficult for the executive branch to make a clear policy and it makes it difficult for any one governor to have a long term impact on that policy. Now earlier, I gave the example of Governor Napolitano giving an executive order to have Arizona participate in the regional climate compact and authorizing the Department of Environmental Quality to issue stringent rules on carbon emissions. And as soon as Napolitano went to Washington, her successor Governor Brewer reversed those rules, withdrew the state from the regional climate bond compact and prohibited the ADAQ from participating in any talks with neighboring states about that compact. Now, we combine this example with other recurring spats and arguments with other elected officials who hold real executive power in the state. It's easy to see that it's
difficult to accomplish anything in this state unless a consensus is built between the individuals within the executive branch and with the other legislative and judicial branches. Absent to that consensus, Arizona experiences half starts and reverses in policy domain. Now, the next presentation, we'll look at local government and what we will see there is that it too is divided by the same pluralization of power.

**Slide 23**

**Text:** This presentation is courtesy of Brian Dille. Professor of Political Science at Mesa Community College.

**Audio:** This presentation is courtesy of Brian Dille. I am the speaker and I'm a professor of political science at Mesa Community College, a college of the Maricopa Community College District in Mesa, Arizona. I hope you've enjoyed this presentation.