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Office of Lieutenant Governor Casey Cagle

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Office of Lieutenant Governor Casey Cagle

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Executive Summary

During the spring semester of 2009 I was fortunate to receive an internship at the office of Lieutenant Governor Casey Cagle, splitting time between his legislative office, and campaign office. The majority of my time however was spent at his campaign office as a policy advisor to the campaign as well as constituent liaison. It was decided that in order for my previous work experience to be used most effectively that I would be better suited in this capacity. My previous work experience consists of previously serving as a legislative aide with the Georgia House of Representatives majority caucus office tracking legislation, conducting policy research, and constituent work as well. While the legislature is in session, information is vital and part of my job was to insure that the Lieutenant Governor's legislative and campaign staffs were all on the same page and well informed. Every legislative session has its specific areas of concern or otherwise issues that dominate the discussion and this legislative session was no different. In my past experiences these issues have generally surrounded health care and judicial matters, but during the 2009 session the discussion shifted to budgetary and transportation concerns facing the state. Budgetary issues impact all aspects of government; therefore more discussion was spent on this particular matter than all others during the past legislative session. Public Administration attempts to teach us how to be responsible managers of human and financial resources, as well as students of people and organizations. During my internship with the General Assembly in Georgia I was exposed to a wide range of concepts that public servants deal with every day of their lives; budgetary constraints, policy shifts, and public sentiment being among a few.

Introduction

The Georgia General Assembly is a bicameral body consisting of the Georgia Senate and the Georgia House of Representatives and was established in 1777 during the American Revolution as a unicameral body but changed to its current form in 1789. The body is considered a citizen part-time legislature or in other words a body that does not meet year round, but instead convenes on the second Monday in January of each year and meets no longer than forty legislative days. The body generally meets from January till April but has been know to convene longer depending on the pressing issues at hand, or to be called into special session by the Governor in special circumstances. The legislative branch in the State of Georgia is not unlike the federal government, in that a majority of the discussions and compromises are done in committee and sub-committee process. In the Georgia House of Representatives there are thirty five standing committees compared with thirty four standing committees in the Georgia Senate. The Lt. Governor and the Speaker of the House have the authority to establish special committees which are voted on by the entire chamber with appointments to the committee made by either the Speaker or Lt. Governor respectively. Also all assignments to committees and chairmanships of those committees are appointed by the Speaker and Lt. Governor respectively within each chamber.

Formal and Informal Roles

A distinction should first be made between formal and informal leadership positions within both the House of Representatives and Senate. Under the Georgia Constitution the legislative branch is to be divided into the House of Representatives and Senate. In the Georgia House of Representatives the Constitution calls only for the

election of a Speaker of the House, and a Speaker of the House Pro Tempore, which are currently held by Republicans Glenn Richardson and Mark Burkhalter respectively, since these positions are elected by popular vote both positions are generally held by the political party in the majority. In the Senate the structure is somewhat different but as in the House the Constitution calls for the election of only two positions. The Lt. Governor serves as President of the Senate, but is not elected by popular vote within the chamber but rather in a separate partisan statewide election, while the position of President of the Senate Pro Tempore is elected by the chamber by popular vote. Currently the positions of Lt. Governor and President of the Senate Pro Tempore are held by Republicans Casey Cagle and Tommie Williams respectively. As in the House of Representatives the position of President Pro Tempore is held by a member within the majority party. In both the House and the Senate there exist many officers which are considered informal or in other words non-constitutional officers. In the House and Senate there exist both a majority and minority leader, majority and minority whip, majority and minority caucus chairman, vice chairman, and secretary, who are elected by individuals within their same political party, with only the definition of majority and minority depending on the political party which controls the chamber. In addition to these positions all committee chairmanships are considered informal, because they are not required by the Georgia Constitution, but have become highly sought after, and are almost always filled by a member of the political party in the majority. Some of the more important committees include Appropriations, Judicial Civil and Non-Civil, Ethics, Rules, Finance, Education, and Transportation. The reason these committees are important, is because they deal with legislation and policy that most directly impacts the lives of citizens within the state.

The Appropriation committees deal with budgetary spending while the Finance committees deal with taxes and overall structure of the tax code. The Judicial committees are fairly self explanatory in that they deal with the laws of the state whether they are civil or non-civil in nature. Education and Transportation committees are extremely important due to the fact that approximately 60 to 70 percent of the states budget in any given year is designated to these two departments. The Rules committees may be the most important of them all due to the fact that these committees set the legislative calendar and docket for the next legislative day, or in other words decide which pieces of legislation will be brought to a vote by the entire legislative body. It is in the Rules committees that the committee chairman exercises an overwhelming amount of influences over legislative matters, because if a piece of legislation is not brought up for a vote by the entire body it is useless regardless of the piece of legislation's merits. Both the Speaker of the House and Lt. Governor exercise the right to appoint all chairmanships of committees as well as committee assignments for individual legislators, and therefore preference is generally given to individuals in the majority party for more desirable committee assignments, and those individuals who generally support the leadership within each chamber.

Budgeting Process

There could be an argument made that the most important committee in both the Georgia House of Representatives and Senate is the Appropriations Committees for each chamber. This is not only due to the fact that all revenue and budgetary requirements for state departments are considered in these committees, but also due to the fact that the only business that the Constitution of Georgia calls for during a legislative session is to

pass a balanced budget for the following fiscal year. To explain this more clearly, it would be perfectly acceptable for the legislature to take up no other business other than the budget, however unlikely it may be for this to happen. There are also procedural matters that must be taken into account when dealing with the budget, the most important being that all appropriation bills, including the budget, must originate in the House of Representatives. The entire budgeting process is fairly complicated but I will attempt to give you a cliff-notes version. As mentioned before the original budget is proposed by the Governor, and passed by both the House and Senate. This process is accomplished by the Governor's designated Floor Leader, or in other words a member of the House of Representatives or Senate who is appointed by the Governor to carry pieces of legislation through that body; this is because the Governor is not a member of the legislative branch and has no formal authority to propose legislation within the General Assembly. Since all revenue bills must begin in the House of Representatives the Georgia Senate does not formally begin work on the budget until it is passed by the House of Representatives and transferred to the Senate, it should be clarified that the Senate does begin work on the Governor's budget once it is introduced in the House, but is not done formally because there is no official Senate budget bill to speak of. This becomes even more complicated by the fact that in order for the Governor to sign the budget into law, both the House and Senate versions of the budget must be identical. During the legislative session the General Assembly does not pass only one budget but rather two separate budgets. The first budget that the General Assembly considers is call the amended budget, or in other words an amended version of the budget for the current fiscal year in question. Therefore during the past legislative session the General Assembly passed and Amended Fiscal

Year 2008 budget, as well as the Fiscal Year 2009 budget. There are many reasons for this particular process of budgeting, but generally the rationale behind working on two separate budgets include changing revenue estimates as well as changing estimated cost of transportation and educational programs that are extremely difficult to correctly project.

Once the Governor has proposed his Amended and General budgets for the current and proposed fiscal years, and the associated bill has been introduced in the House of Representatives it is assigned to the House Appropriations committee which is then broken down into sub-committees to allow for more detailed review of budget proposals. In the House Appropriations committee there are eight sub-committees each with their own vice-chairman, and these sub-committees include economic development, education, general government, health, human resources, higher education, public safety, and special projects. These sub-committees are broken up so to reflect the major areas of funding within the Governor's budget. The Georgia Senate has similar sub-committees within its Appropriations Committee with the exception of one additional sub-committee. To further complicate the matter, the Governor has the power to raise or lower expected revenue estimates based on the current economic environment, and with the state of the current economy the Governor did lower the revenue estimates on two separate occasions just prior to the beginning of the legislative session, and again while budget negotiations were taking place, to bring a total of just over three billion dollars of expected revenue shortfalls. The reason that this matter is extremely important is because the Georgia Constitution requires that the General Assembly pass a budget within the allotted 40 day period but also that the budget be balanced which is done so with respect to estimated

revenue projections given by the Governor and his budgeting staff, which among other things gives the Governor an extra ordinary amount of power of the budgeting process. In situations such as the one presented during the 2009 legislative session, in which revenue projections are lowered, the legislative and executive branches find that they have two options available to them, the first is the possibility of raising revenue in the form of fees and taxes and the second is to cut spending, or otherwise use some combination of both. With the option of deficit spending out of the question due to the fore mentioned Constitutional requirements the legislative and executive branches took the route of reducing spending. A majority of these cuts came from the educational and transportation budgets and programs which was not all that unexpected since approximately two-thirds of the state budget in any given fiscal year is spent in these particular departments. Cuts were also made in other areas such as special projects, justice, and health services.

Intergovernmental Relations

The relationships between federal, state, and local governments are extremely fluid, and the 2009 legislative session was an extremely good example of how these different levels of government interact. There were two specific examples during the previous session that show how each level of government is dependent on the other. These examples show the relationship between the federal and state governments, the large stimulus package passed by the United States Congress, and state and local governments, the extension of homestead tax exemptions for counties and cities. The first issue mentioned, the stimulus package passed by Congress, was an seven hundred and eighty seven billion dollar stimulus package aimed at kick starting the slowing United

States economy, while also including money for the extension of benefits such as Medicaid, Medicare, Unemployment Benefits, and additional funds for educational and transportation projects and programs. In this Act, the American Recovery and Reinvestment Act, the State of Georgia was set to receive approximately six billion in stimulus funds for the fore mentioned programs and projects. Before this Act was signed into law, the State of Georgia had slowed the legislative session down to a trickle waiting to see how the funds would help with budgeting problems that faced the state, and had at one point agreed to break for approximately a month to insure that the money was used wisely. Surprisingly the Federal government did not waste much time in approving the stimulus package and the break in session never came to pass. The additional funds however did have a profound impact on the budgeting process particularly in the areas of Medicaid and the Department of Transportation which received approximately one and a half billion dollars a piece for a wide range of programs and projects. The second issue, the extension of homestead tax exemptions, allowed counties and cities to continue their policies of tax exemptions for property taxes to individuals who reside within that county or city. This did cause some concerns due to the lowered projections in tax revenues, and a good bit of debate followed with respect to its impact to cities and counties being able to carry out the business of the people without these revenue streams.

Zero-Based Budgeting

A piece of legislation of particular interest to public administration and which was one of the projects that I was involved with tracking were the bills commonly known as the Zero-Sum Budgeting Bills designated Senate Bill 1 and House Bill 44 introduced by Sen. David Shafter and Rep. Tom Graves respectively. In essence these two bills were

one in the same, but introduced in both the House and Senate to help the process of finding compromises between both chambers. Zero-Based Budgeting is not a new concept in the State of Georgia and has actually been in place since the late 1970's as the budgeting process required by all executive and legislative branches, however in an extremely diluted form. The concept of Zero-Based budgeting is the process of requiring all departments to justify their expenditures from year to year and line by line rather than simply justifying increases in expenditures on a year to year basis as is done in Incremental or Traditional Budgeting practices. In Georgia's version of Zero-Based Budgeting the requirement of justifying a new project or expenditure within that department does require a line by line justification to show how the new appropriations will be spent, but after the initial proposal the expenditure or program returns to the traditional form of budgeting in the fiscal years to follow, in that only increases in funding from previous years must be justified. The budgeting process in the State of Georgia therefore goes as follows, each department within the state, such as education and transportation, must submit an individual budget for their department to the Governor, but only required to explain increases in funding, if their happens to be an increase this and if that program or expenditure was not present in the previous fiscal year's budget. In other words each department is given the courtesy of expect funding at the previous fiscal years levels, and only required to explain increases in funding such as what is the purpose of the funding, how it will effect specific target groups, and so on, but not required to explain why funding levels should remain for all other items within their budgets. This form of budgeting allows budget analysis within the departments as well as the Governor's budget staff to focus on new programs, and the increase in funding for specific areas. In

contrast Zero-Based budgeting requires each department to justify funding for items regardless of the previous years funding levels, and not just increases or new items to be funded. During a Zero-Based budgeting process as proposed in the legislation mentioned before, each department would be required to justify every dollar requested and spent at a minimum of every four years. It was argued that if passed the Zero-Based budgeting legislation would allow for a more transparent process of budgeting holding departments accountable with respect to how appropriations were being spent within their department. The process of Zero-Based budgeting was not necessarily called into question on its merits, but rather the resources available to all parties involved of completing the process correctly, including, ironically, the funding and human resources required to correctly carry out this process. These bills did not pass out of the legislature and were not signed into law by the Governor. This does not mean that the bills are “dead” but rather must start from square one during the next legislative session, which includes making its way through the designated committees in both the House and Senate, the floor of each chamber, most likely a conference committee, which is a special committee consisting of member of both the House and Senate in order to agree on an identical version of the bill, that can be sent to the Governor and be signed into law.

Transportation Funding

Two other issues in which a majority of my time was spent concerned problems within the Department of Transportation, one being additional funding sources of transportation projects, and the second and much more complex issue of reorganizing the leadership structure of the Department of Transportation itself. Finding additional sources of funding for transportation projects, two separate ideas came to the fore front of

discussion, and to no surprise one originated in the House of Representatives and one in the Senate and both supported by their respected leaderships. The House version of funding transportation projects the Speaker and a majority of its members supported a state wide transportation funding mechanism which included a one cent state wide sales tax designated to fund transportation projects. In contrast the Senate, including the Lt. Governor, and a majority of its member supported legislation which would allow counties and/or regions to vote on a regional sales tax for funding transportation projects. Both the state wide and regional approaches to funding transportation would require a referendum to be place on the next election ballot, in order for citizens to vote on whether they agree to the additional tax. These two approaches were studied in a Joint Study Committee following the 2007 legislative session and co-chaired by the chairmen of both the House and Senate Transportation Committees. Despite the study committee's findings, and the Speaker's and Lt. Governor's public dedication to solving the Department of Transportation's funding crisis, which is expected to reach in excess of eight billion dollars over the next seven years, no action was taken to correct the problem during the past legislative session. When discussing the issue with legislators, lobbyist, and individual citizens major concerns centered around the allocation of these tax revenues at a regional level particularly between metro and rural Georgia, and this fear was made worse with the uncertainty with the proposed reorganization of the Department of Transportation and its future leadership. To further explain these concerns, the argument simply came down to Metro Georgia's concern that state wide funding, which a majority of the revenue would come from the metro area, would be funneled to projects outside the metro area, and vice versa. When speaking about funding with respect to

regional approaches fear existed primarily in rural Georgia that without metro funds, much of rural Georgia transportation projects would not receive funding, due to a diminished tax base. These fears seems to bring both the Senate and House to an impasse and when the session adjourned for the 2009 legislative session nothing had been accomplished with respect to funding for the Department of Transportation. This does not mean that the legislation is dead, and much like the Zero-Based budgeting legislation, will have to go through the entire process when session begins again in January of 2010.

Transportation Governance

The major and highly publicized issue that surrounded the 2009 legislative session other than the budgeting shortfall concerns across the state was the reorganization proposal of the Department of Transportation by Governor Sonny Perdue. In order to understand the situation surrounding the Department of Transportation it is necessary to explain some background information, as well as explain the current structure that the Department of Transportation currently employs, at least until January 1 of 2010 when Senate Bill 200 takes effect. Currently the Department of Transportation is governed by a thirteen member board in which individuals are elected by United States Congressional districts, by the members of the Georgia House and Senate that represent districts within these specific congressional districts for five year terms. The thirteen member board then elects a chairman and vice-chairman from among its ranks by popular vote. Currently the chairman of the State Transportation board is held by Bill Kuhlke, Jr. of the 10th Congressional District. The thirteen member board is responsible for the allocation of the Department of Transportation's budget in conjunction with the Commissioner of Transportation, who is appointed by the members of the State Transportation Board,

which is currently held by Commissioner Vance Smith. The controversy surrounding the Department of Transportation was highly personal in nature but its impact had extreme influence on the Executive and Legislative Branches attempts to reorganize the department during the past legislative session. The previous Commissioner of the Department of Transportation position was held by Gena Evans, who's appointment was supported by Governor Perdue and Lt. Governor Cagle, over Rep. Vance Smith, the previous Chairman of the Transportation Committee in the House of Representatives, who's candidacy was back by Speaker of the House Glenn Richardson. By an extremely small margin, one vote, which was cast by then Chairman of the State Transportation Board Mike Evans, Gena Evans was appointed as Commissioner. This caused some tension between the Governor, Lt. Governor, and Speaker, but was paled in comparison to the tension that grew out of the romantic relationship that soon followed between Chairman Evans and Commissioner Evans. The reason for the concern was the conflict of interest that may arise from this situation, and therefore Chairman Evans of the Transportation Board resigned his post in April of 2008. Putting this controversy aside, Commissioner Evans found that the Department of Transportation had been ran extremely poorly for quite some time, and that the department was facing approximately eight billion dollars of revenue shortfalls over the next seven years, and commenced to cut projects already in the works, while postponing other project set to begin. The decision was made by the Commissioner that a new method of assigning weight to projects would be implemented, and among other things would tend to favor those projects in Metro Georgia and all of which was done without consulting the State Transportation Board. With respect to public administration, the path taken by

Commissioner Evans was extremely poor and done in a manner which seemed to bypass the hierarchal structure of the Department of Transportation. Having already been under strain from issues outside those of her job requirements, not involving members of the State Transportation Board, who many had gone out of their way to have her appointed, was not good management practices, not to mention boarding on unlawful use of her authority. There has always been and for the foreseeable future is, an element of “politics” particularly in high profile positions such as the Commissioner of Transportation and as public administrators we should use this situation as an example of what not to do if put in the same situation. Combining the personal controversy surround the Commissioner and the lack of consultation with the Board lead to her dismissal prior to the beginning of the 2009 legislative session. Combining the controversy mention, with the extreme lack of organization within the Board lead the Governor to propose eliminating the Board all together and to establish a new transportation organization in which its members would be appointed by the Governor, Lt. Governor, and Speaker. Each would be allowed to appoint three members to the organization with the position of Commissioner to be appointed by the Governor. This initial plan did not gain much traction, primarily due to the fact that individual Senators and Representatives would be stripped of their power to elected members to the Board based on Congressional Districts, and it was feared that too much power was being place in the hand of two few. The fear by many legislators and their constituencies was that by allowing the Speaker, Lt. Governor, and Governor to control the appointments to the new Transportation Authority, it would greatly diminish the chance of holding these individuals accountable, There was also concern that having qualified individuals appointed to these positions

would in essence be taken out of the hands of citizens and transferred to only a few. It is common knowledge that the smaller area that an elected official covers, the more likely that individual is accessible to the general public, and therefore held more accountable. By taking the power to appoint these individuals out of the hands of local officials and placed in the hand of a few, with the exception of possibly the Speaker who is not elected on a state wide basis, the balance of power would be tilted in a direction which is generally looked down upon. Though this particular plane did not pass the legislative process, legislation did pass both the Senate and House that created the position of Planning Director within the Department of Transportation and is to be appointed by the Governor and serve at their pleasure. The bill designated Senate Bill 200 did not eliminate the thirteen member State Transportation Board or Commissioner, but does have provisions that allow more than twenty percent of the departments funds to be allocated by the General Assembly with the advice of the newly created position of Planning Director.

Other Legislation

In addition to these policies and pieces of legislation, the 2009 legislative session also saw a few more bills find approval, and though I did not work on these areas in as much detail, it was still my responsibility to know the general concepts, in case question arose during my time with the legislative office. Many of these pieces of legislation involved tax cuts and tax credits for middle income families, businesses, and consumers particularly with respect to energy efficient items and educational resources. In addition to my duties at the Lt. Governor's legislative office, where I spent a majority of my time in committee meetings, and speaking with constituents, legislators, and lobbyist, a large

part of my work was conducted outside the capital, and in particular the Lt. Governor's campaign office. Since the Lt. Governor at the time was an announced candidate for Governor in 2010, which has now changed, much of my time was spent speaking with individual over the phone, or at a wide range of events speaking on behalf of the Lt. Governor and answering questions about the current legislative session, and the positions held by the Lt. Governor, all of which entailed the work conducted while at the capital. This is not to say that some more than undesirable task were assigned to me such as data entry, organizing mass mailing, or other trivial errands such as picking up materials, but my experience with politics and my position as intern, tasks such as these are just the nature of the beast. I have come to realize that it is much more desirable to be a "Jack of all Trades, and a master of none" when in the environment of politics and campaigning.

The final question that might be asked is what exactly did I learn during my internship with the Lt. Governor's office? The sad thing to admit is that many aspects of the legislative process are so complex, and it could be said that I have only scratched the surface of what can be learned by working in this environment, and that is said after my second internship working in both the House of Representatives and Senate. During my first internship with the House leadership, the major issue of the day was funding for Medicaid and the SCHIP programs, as well as the health and continuation of the HOPE Scholarship program, and a wide range of policies and programs surrounding education, and higher education. During my second internship, the most recent with the Lt. Governor's office, the issue of the day included budgetary shortfalls, and the dysfunctional nature of the Department of Transportation by budgetary and organizationally. If nothing else can be said about working legislative sessions is no two

years are going to be the same, and you have to constantly be able to process information exceptionally fast, because policies and legislation are constantly changing until the General Assembly is called to a close for the year. I have mentioned to people in the past who have asked me what is like to work a legislative session and my answer has generally been there is nothing else like it, and it's something that you can't learn out of a book. Having received my Bachelor's degree in Political Science, and hopefully completing my Master's degree this semester, I have come to the conclusion that you really can't understand something as complex as government without working inside of it. The budgeting process is so complex and there are some many parties involved it is a wonder to me how anything is accomplished and that at the end of every legislative session as budget is passed out and signed into law by the Governor. Even more complex is the nature of the relationships between the Federal, State, and Local governments, all of whom have their own policy agendas and political preferences and how these relationships not only just get by, but often flourish. With respect to legislation and the development of policy, it is almost impossible to comprehend how the process actually works without experiencing it for yourself, and actually taking part in the process. Everything from political will, budgetary constraints, feasibility, and citizen concerns have to be taken into account with every change, or decision made, and at times it is quite overwhelming. It also shows how dependent elected officials are on the information that they receive, and how that information must be the best information that you can possible give, because not only does your career depend on providing good information, but your boss or bosses as well. This leads to the importance of having well educated professionals in all aspects of public service, from budget analysis to policy analysis,

county managers to chiefs of police, and fire fighters to hospital directors. Public administrators must truly understand all aspects of public service, from the Governor to city garbage collector.

Conclusions and Thoughts

There has always been an element of politics when working with the public or in the public sector, and this is an extremely important concept that we as public administrators should continually keep in mind. This reality does not change whether you are working at the federal, state, or local level or even in the area of non-profit organizations. As public administrators we should always attempt to let the data speak for itself, and allow political pressures to play out without becoming involved, but in reality this concept is almost always unattainable. Public administrators are always held accountable to someone or something, and every effort should be made to be unbiased and allow the data and concepts to speak for themselves. In a perfect world departments, organizations, and elected officials would always do what is in the best interest of the people that they serve, but biases and in many cases personalities make this realization unattainable. In my experience with the legislative and executive branches of Georgia government, the presence of personalities within its structure has a profound impact on policy agendas, and government itself. The example of Transportation Governance and Funding is a prime example of the role that individual personalities play in the governing process, and in this case the lack thereof. In a perfect world these individuals would set aside personal biases to do what is in the best interest of the people, but as shown during this past legislative session, this is in many cases impossible, so how do we as public administrators deal with issues such as these. The best way to deal with issues such as

these is not to consolidate authority and power, as was proposed in the transportation governance bill, but rather to spread responsibilities to a greater number of individuals. There are examples particularly with respect to water and waste management that allow for a greater number of individuals to have a seat at the table and therefore if nothing else give the illusion that their ideas and concerns are being considered. In assessing the problems of transportation across the state, consideration should be given to allow more individuals to participate, whether locally or on a state wide basis.

Transparency and accountability are also extremely important aspects of governing that public administrators should pay close attention to. These concepts can come in many forms including budgeting accountability as proposed with Zero-Based budgeting or simply being accessible to the general public to explain policies and concepts. Generally speaking citizens are much more open to ideas if they have a sense of being involved in the process, though this also causes other complications such as being unable to reach common agendas, or otherwise diluting concepts and programs that do not wholly correct the issues at hand. The concept of allowing more individuals to participate in the process of governing does not make the job of public administrator any easier, and in reality complicates things further from a management aspect, but is a necessary part of the process that has been overlooked in recent years. We as public administrators should continue to allow the numbers to speak for use, or in other words let the programs and policies speak for themselves, but should be careful not to ignore concerns of elected officials and the general public. There are always pros and cons to policy agendas and as public administrators should always allow for the realization that

what people generally want is to have their ideas and concerns to be heard, and we should deal with them accordingly, and on a case by case basis.

Appendix