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Perry often turns to own staff for appointments

Several people in key posts worked for governor.

Governors historically hand out spots on key boards and commissions to like-minded men and women who have found great success in the private sector. It usually helps if the prospective appointees have helped governors campaign or raise money.

But Gov. Rick Perry, in a departure from at least his two most recent predecessors, has added a new wrinkle by repeatedly turning to members of his own staff to sit on the small panels that lead agencies such as the Texas Department of Transportation, the Texas Commission on Environmental Quality and the Public Utility Commission.

Perry's record nine years in office have already given him a greater hold than most governors have had on the boards that oversee agencies, guide universities and regulate industries. His use of former staffers has arguably further extended his power, because some of the people he's put in key posts owe a considerable amount of their professional success to Perry.

"Elections matter, and the governor is entitled under our constitution and laws to make appointments, including folks whom I may not agree with their point of view," said state Sen. Kirk Watson, D-Austin. "He also has the right to appoint people who he thinks he can trust. But their faithfulness ought to be to the system, to the policy and making government work, and not just to the person and his politics."

Perry is not afraid to make his position known to his appointees, such as when he tried to persuade the University of Texas System Board of Regents to hire one of his key allies as chancellor. And some of his associates have made clear that he expects a certain amount of loyalty from his employees, such as when Perry associates told two Texas Tech University System regents they should consider giving up their posts because they don't support Perry for re-election.

Perry spokeswoman Allison Castle said the governor is consistent in the types of people he appoints, regardless of their background.

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"The governor appoints smart, qualified individuals who have a commitment to public service and who share his conservative fiscal philosophy of government," Castle said.

Some observers say gubernatorial appointees will look out for the interests of Perry — or any governor — regardless of whether they used to work for him, and that the skills picked up in the governor's office are useful to someone trying to guide an agency. But others have questioned whether former aides' loyalty to Perry could cloud their judgment about the matters that come before them.

Insurance Commissioner Mike Geeslin has been expected since last summer to rule on whether State Farm Insurance Co. overcharged its customers for homeowners insurance and now owes those customers refunds. Alex Winslow of Texas Watch, which monitors insurance issues, said there is some speculation that Geeslin does not want to issue a ruling until after the March Republican primary between Perry and U.S. Sen. Kay Bailey Hutchison because any decision that Geeslin makes could have a negative impact on Perry's campaign.

"The commissioner is in a bit of a political pickle," Winslow said, because his choice may come down to forcing refunds on State Farm, whose employees may then withhold political support for Perry, or upsetting customers who have closely watched the battle between State Farm and state officials play out for years.

Geeslin was an aide to Perry who specialized in insurance and regulatory matters before he served as deputy commissioner for policy at the Department of Insurance. Perry made him commissioner in 2005, when Geeslin was 36.

"My experience with Commissioner Geeslin has been largely a good experience," Winslow said. "But I think Commissioner Geeslin owes a great deal to the governor. He was a young man when he went to work for the governor and was a young man when he was elevated to the position of Texas insurance commissioner. I think his loyalties are probably amplified, and certainly more acute, than some other appointees that didn't rise from the governor's office."

Department of Insurance spokesman Ben Gonzalez said there are thousands of pieces of evidence that Geeslin must consider before he makes a decision in the State Farm case. "The commissioner's decision is not tied to any election schedule," Gonzalez said.

In 2007, former Perry aide Buddy Garcia, a member of the Texas Commission on Environmental Quality, was on the winning side of a 2-1 vote to allow TXU Corp. to build a coal-fired power plant in Robertson County, even though two administrative law judges had recommended that the commission deny TXU's effort.

It was an example of the important decisions that Perry's appointees make, said Tom "Smitty" Smith of the watchdog group Public Citizen, which opposed that and other coal plants. "Perry was all over getting those coal plants permitted," Smith said.

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But Smith said he does not think former Perry aides look out for the governor's interests more than other Perry appointees.

"I don't see there being that much difference in the allegiance," Smith said. "There's always somebody in those agencies who's in a position to be really clear to the commissioners that this is what the governor might like on any given issue. It's done informally, but those messages are just as clear as a bell. It's Democrat and Republican."

Governors make thousands of appointments, and certainly most of the people appointed by Perry have not worked for him. But his former aides do hold a number of key jobs:

Two of the three members of the Public Utility Commission worked for Perry. Ken Anderson was the governor's appointments secretary from 2001 to 2008, before Perry appointed him to the commission. Before that he was a lawyer with a private practice in Dallas. Commissioner Donna Nelson also worked for Perry as an adviser on energy and telecommunications issues, although she also had worked at the commission.

Deirdre Delisi had been Perry's chief of staff from 2004 to 2007; in 2008, Perry tapped her to be chairwoman of the five-member Texas Transportation Commission.

Perry named Garcia to the Texas Commission on Environmental Quality in 2007. He had been Perry's liaison to the Senate and his border commerce coordinator.

Texas Workforce Commissioner Andres Alcantar dealt with work force issues in Perry's budget, planning and policy division before the governor named him to the Workforce Commission in 2008.

Commissioners of education have usually been plucked from the superintendent ranks, as were the first two appointed by Perry. But when he needed a commissioner in 2007, Perry turned to Robert Scott, a former senior adviser who had been running day-to-day operations at the Texas Education Agency for several years.

Texas A&M University System Chancellor Mike McKinney is a former Perry chief of staff.

Several former Perry aides did not receive gubernatorial appointments but today hold high-ranking jobs in state agencies.

Last year, the Teacher Retirement System board hired Brian Guthrie, who was a budget and policy aide to Perry, to serve as deputy executive director.

Michael Gerber worked for Perry before he was named executive director of the Texas Department of Housing and Community Affairs in 2006.

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And earlier this year, the executive director of the Texas Commission on Environmental Quality named Zak Covar deputy executive commissioner. Covar had left his role as Perry's environmental adviser a couple of years earlier to work at the agency, but he has far less experience there than is typical for his job.

Employees have jumped from the governor's office to jobs in agencies in previous administrations. It's the move from Perry's staff to appointed positions — the jobs that actually govern agencies — that is unusual, at least in recent years.

Terral Smith, who served former Gov. George W. Bush as chief of staff, said Bush tended not to look to his own staff when filling appointments.

"It just wasn't something that Gov. Bush was interested in doing," Smith said. "I think his philosophy was to appoint good commissioners and board members and let them decide who the executive director is and let them run it. It wasn't a steppingstone from our office."

With maybe an exception or two, the late Gov. Ann Richards also did not look to employees when making appointments, recalled Fred Ellis, her appointments secretary. People wanted to stay in the governor's office, and Richards wanted to keep good people working for her, Ellis said.

"The idea was to pick good people to do the commissions and then just let them run it," Ellis said. "I know there were a few times when we had to call in the appointees for something, but usually (the philosophy) was to just let them run it."

Appointees who come from Perry's office might not have as much expertise in a given subject as their colleagues. For example, Public Citizen's Smith said Garcia didn't come to the commission with the lengthy environmental background of his fellow commissioners. But he said Garcia is a "really smart guy" who knows how to handle contentious issues and put together compromises, which he described as important skills at the agency.

"Every governor has looked for people who have some understanding of the issues facing the agency and who share their political viewpoints," Smith said. "I disagree with the decisions the (environmental) commission is making, but as an appointment from within, Buddy was a trusted hand who could manage the agency and manage a series of very difficult decisions on coal plants and other major permit fights."

And Ellis, the former appointments secretary to Richards, said it might serve the state better if appointees have not spent years in the fields they oversee or regulate.

"A lot of times that experience in the area is a handicap, because you come in owing people favors, or you know people and you're going to bend over backwards and help them," Ellis said. "For a lot of these boards and commissions, we found people who were smart and had a good head on their shoulders, and then we put them in there, because you get up to speed pretty quickly."

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