

GOVERNMENTAL REPORTING IN TEXAS

STATE ADMINISTRATION

THESIS

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By

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GOVERNMENTAL REPORTING IN TEXAS  
STATE ADMINISTRATION

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## PREFACE

This study, like most initial efforts, was planned first as a magnum opus to cover a wide territory of subject matter and to treat exhaustively and at length a complicated problem. The process of shrinkage soon began, fortunately, and the original program of "What can a citizen learn of his State administration?" was modified to "What can a citizen learn from the formal administrative reports issued by State agencies?" In this restricted form it is presented, with my gratitude to Dr. Frank M. Stewart for his kind advice that produced the restriction.

Needless to say, it is the beginning of a larger study that will be made perhaps in the tortuous process of revealing the whole truth in Texas State administration. A study of the entire subject of governmental reporting in Texas is needed. An effort to indicate the importance of publicity in representative government has been made in the first chapter of this consideration; a suggestion of further factors to be studied in the field is made in the last chapter. The intermediate pages are devoted to an examination of the formal reporting by certain administrative agencies. As a whole, then, the thesis is at once a suggestion of the entire problem

and a consideration of one specific phase of it. This explanation is offered to warn any possible reader that the word "reporting" in the title does not imply newspaper reporting nor campaign declarations of achievement but only the printed reports issued annually or biennially for the Governor, for the Legislature, and, theoretically, for the public.

In examining the reports a deliberate effort was made to cite good features with emphasis equal to that given the weaknesses. In measuring the value of content of the reports a policy of almost misleading leniency was followed, as a matter of fact, to the extent of giving credit where credit could possibly be given. If, in general, the weak points of content, form, and distribution outweigh the strong, it should be kept in mind that this condition is probably true in most state administrative reporting, and the inadequacies are by no means unique to Texas. Furthermore, the executives who submit these reports are not at fault. They can hardly be expected to be efficient specialists in their respective tasks and, at the same time, to perform the difficult technical work of knowing what the public would be most interested in reading and how to prepare this information in the most attractive manner. They work in a faulty system; they have done perhaps as well as might be expected in the circumstances.



My gratitude is due, again, to Dr. Stewart, who directed the study and constantly stimulated an interest in State conditions and affairs by his own unfailing interest and knowledge. It goes likewise to Dr. C.P. Patterson, who first introduced me to the absorbing subject of government as a curricular study and who inspired continued work in it. To Dr. C.E. Ayres go my thanks for his critical reading of the manuscript with Drs. Stewart and Patterson. Sincere gratitude goes, too, to Julia Boggess McCamy, who prepared two charts, and to Mrs. Mildred Eldridge and Miss Doris Connerly for their patience and aid in the State Library.

J.L.M.

Austin, Texas  
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## CHAPTER I

### THE PLACE OF PUBLICITY IN REPRESENTATIVE GOVERNMENT

The unquestioned necessity of supervision of the administrative agencies has been recognized in theory and in fact since the beginning of representative government, usually with paramount emphasis upon the ultimate power of control by public opinion. Due attention has been given, too, to the desirability of facts as a basis for public opinion, since this diffuse and conglomerate medley of attitudes is, in democracy, the final commander of public affairs and should be endowed with a degree of wisdom.

Alexander Hamilton, to cite an early American advocate, fought his battles in the belief that the most important factor in politics is the enlistment of interest in government.<sup>1</sup> When the Constitution of the United States was amended to include the precautionary Bill of Rights, the first amendment provided for freedom of the press and of speech, the press being the only institution specifically given protection in the Constitution.<sup>2</sup> The people wanted information on

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<sup>1</sup> Henry J. Ford, Representative Government, p. 141. (1924).

<sup>2</sup> Gerald W. Johnson, What Is News?, pp. 73-84 (1926).

government and trusted the newspapers of that post-revolution day to keep a watchful eye. As the first political scientist completely to recognize in representative government a distinct system under the sun, and not merely a substitute for direct legislation by the people or an incident of limited monarchy, François Pierre Guillaume Guizot (1787-1874) gave his views in lectures between 1820 and 1822 and published them some three years later as a book, The History of the Origin of Representative Government in Europe. He argued that the true principles of representative government are "First, the division of the powers; second, election; <sup>3</sup>third, publicity." It should be remembered that Guizot was a Doctrinaire and advocated the type of government--a sort of middle ground between absolutism and popular government--that his party favored, yet his classification of publicity as an essential element of representative supervision is not necessarily a partisan theory.

The Utilitarian view of public management, as expressed by James Mill, was a realistic statement of distrust in executive altruism.

For, as there is no individual or combination of individuals, except the community itself, who would not have an interest in bad government if intrusted with its powers, and as the community itself is incapable of exercising those powers, and must intrust them to certain individuals, the conclusion is obvious: the community itself must check those individuals; else they will follow their interest and produce bad government. <sup>4</sup>

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<sup>3</sup>

Ford, op. cit., pp. 127-129.

<sup>4</sup>

James Mill, Government; quoted in Ford, op. cit., p.132.



Mill realized, too, that the legislature, which he recognized as the only instrument the community at large could use to check the individuals in government, must have a degree of power sufficient for the accomplishment of checking. Obviously a knowledge of the activities of those individuals who might profit from bad government was an essential part of the legislative power of supervision.

John Stuart Mill, following James Mill and seeing representative government in its essential nature as a system of trusteeship with its integrity depending upon the adequate provision for strict accounting and definite responsibility, held supervision and control of the administration to be properly the major function of the legislature.

Instead of the function of governing, for which it is radically unfit, the proper office of a representative assembly is to watch and control the government: to throw the light of publicity on its acts: to compel a full exposition and justification of all of them which any one considers questionable; to censure them if found condemnable, and, if the men who compose the government abuse their trust, or fulfil it in a manner which conflicts with the deliberate sense of the nation, to expel them from office, and either expressly or virtually appoint their successors. This is surely ample power, and security enough for the liberty of the nation. 5

Here again is a recognition of the necessity of "throwing the light of publicity" on the acts of government as a prerequisite of control.

When the theories of John Stuart Mill were studied and applied, following sixty years, by Henry J. Ford, the desirable function of supervision and control (and necessarily publicity) was equally, or even more, pronounced. After discussing the development of legislative supervision of the executive in England, Professor Ford concludes,

The way in which the advance of democracy is expanding the sphere of government and enlarging its authority is the most outstanding feature of the times. The force of this tendency intensifies the need of corresponding development in the means of control, and the most important task to which political science can apply itself is to explain the principle upon which effective control may be established....The true distinction between despotism and constitutional government does not lie in limitation of power but in the existence of means for making power accountable for its behavior. 6

So from Hamilton to Ford have students of representative government recognized control as an essential element. Today, in the advocacy of integration and the strong executive, the qualification is usually made: "providing sufficient control over the executive is established." To secure adequate control through public opinion and its consequent direction of the representative body, supervision of the administration is essential. A necessary factor in supervision is publicity,

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Ford, op. cit., pp. 124, 304. The growing fear of irresponsible bureaucracy is well known as a tendency in present-day political thinking. The fervent, but not objective, judicial view of the Lord Chief Justice of England, Lord Hewart of Bury, was given recently in The New Despotism. To Lord Hewart the growing power of administrative agencies to legislate without being subject to publicity and control is dreadfully insidious.

either in audits, in personal contact between the assembly and the administrators, in legislative investigations, or in the reporting processes with which we are concerned here.

#### IS A PUBLIC AUDIT OF ADMINISTRATION POSSIBLE?

"Who is 'the public'?" asks the National Committee on Municipal Reporting, and the answer follows, "The fact is that we do not know. All of us have some philosophy as to the ability of 'the public' to perform an audit of governmental affairs through the medium of reports; but the trouble is that these philosophies conflict."<sup>7</sup> Suppose, however, as Dr. Herman C. Beyle suggests, that the people under a government should take their responsibility seriously and actually decide to make an audit of the administration.<sup>8</sup> Many there are who, afraid of the consequences, would deplore any such attempt by the uninitiated crowd; others would be little concerned from a belief that the electorate would never possibly take an interest in the processes of government. Dr. Beyle, as a pioneer student of public reporting, is inclined to believe such a public audit is possible and that the creation of means for the practice is not without promise.

First, he says, the citizen in his individual private contacts with government can readily form an opinion

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<sup>7</sup> National Committee on Municipal Reporting, Public Reporting, pp. 3-4 (1931).

<sup>8</sup> Herman C. Beyle, Governmental Reporting in Chicago, pp. 1-6 (1928).

concerning the efficiency of those particular agencies which serve him. Perhaps, in the cases of these actual contacts, means might be developed of giving the citizen information of greater extent and more accuracy than his personal observation. It is even possible that some device might be designed to allow the citizen to express his opinions without waiting for election day.

Second in Dr. Beyle's list of encouraging factors is the presence of leaders and specialists who might perform the audit of governmental affairs for the benefit of their respective groups or who might adequately be kept informed of public processes for the purpose of passing on the information to their followers.

The extensive development of instruments for the diffusion of knowledge is another cause for hope.

Finally, Dr. Beyle sees the citizen moving in a complexity of interlocking groups, a fact which makes possible a general diffusion of knowledge and the development of widely accepted agreement of opinion.

But preliminary to the participation of any citizen or group in an understanding of governmental activity information is essential. It may come, perhaps with errors due to the personal factor, from the individual contacts of the citizen with government; it may come from partisan sources and be colored to gain the ends of a machine; or it may come from some authorized and capable source in accurate statements of important facts. Furthermore, as Dr. Lowell realized, before



any public opinion is possible, the facts of this essential information must be either matters of common knowledge or must have been so much discussed that familiarity with them is generally diffused.<sup>9</sup> The inadequacy of diffusion in the present-day complexity of public administration is unquestioned, but this failure of the public to acquire facts, or of government to give out facts, is not necessarily proof that public opinion on administrative affairs is impossible. President Lowell states the situation thus,

It is not improbable, therefore, that the amount of knowledge needed for the administration of public affairs is increasing more rapidly than the diffusion of such knowledge, and that this is lessening the capacity of the ordinary citizen to form an opinion of his own on the various matters that arise in conducting the government. If so, the range of questions about which the public cannot form a real opinion tends to enlarge, or at least does not diminish. This is particularly true where the special knowledge of experts is involved, because it is not easy for the community at large to weigh expert opinion. Few things are, in fact, more difficult or require greater experience; and yet the number of questions on which the advice of experts is indispensable grows with every advance in technical knowledge and mechanical invention....The fact that on many of the questions arising in the administration of a modern state no true public opinion is possible does not mean that with such questions popular government has no concern, or that public opinion cannot control their determination. The presence of such matters involves no condemnation of democracy, but a consideration of its mode of operation. It demands a careful study of the subjects to which public opinion is directly applicable, and the regulation of others by one of the indirect popular methods.<sup>10</sup>

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A. Lawrence Lowell, Public Opinion and Popular Government, Ch. iii; reprinted in W. Brooke Graves, Readings in Public Opinion, p. 119 (1928).

10

Ibid., pp. 121, 123.

Following this line of thought, the problem in this study is not so much a theoretical consideration of whether the public is capable of forming an opinion on administrative questions, but an examination of what diffusion of facts is provided and of what clarity in presenting these facts is attained. Public opinion on affairs of government is possible but only when the information of government has been broadcast in an understandable form.

#### THE PLACE OF REPORTING

Since the diffusion of information is a prerequisite to supervision and control of the government, formal reporting by the administrative agencies has a place in the ideal scheme of a representative system. In the normal organization of a commercial corporation the immediate contact between executive and policy-forming groups, together with the punctual filing of administrative reports, is invariable. In the model representative systems of Switzerland and Barbados the same contact and careful supervision is possible.<sup>11</sup> In the United States we have<sup>12</sup> not allowed such intimate surveillance of the executive. Furthermore, reporting can never be regarded as a panacea for this whole American difficulty of the lack of communication between legislative and executive branches. It may, however,

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<sup>11</sup>

Ford, op. cit., pp. 191-192.

<sup>12</sup>

Ibid., p. 198.

be a desirable, if not essential, immediate precaution to weave into a vast fabric of means by which eventually supervision and control will be made adequate.

This study has for its aim only a survey of the present means of reporting by certain of the administrative agencies in Texas. It does not consider the greater problem of finding a method of supervising the activities of the assembly, the question "Who will watch the watchmen?" remaining for some future consideration. The reporting observed here is only one means by which the watchmen, the Legislature and the public, may watch the workmen of government. It is a method intended to be an integral part of the Texas machinery, as will be shown in Chapter II, and recognized, in effect if not in actual design, as the diffusion of information necessary to all representative governments.

In addition to the place of reporting in the diffusion of information for the development of and control by public opinion, certain other beneficial results are complementary.

In the first place, it is an axiom among advertisers and copy-writers that publicity is two-edged, moulding the attitudes of the functioning personnel at the same time it provides facts for the outside public. An inevitable prestige is attached to the worker in a company which manufactures a product high in public esteem. With prestige comes a desire to perform in a commendable manner, a pride in work and a feeling of loyalty to an employer deserving of praise. Few, if any,

The so-called "house organ", or publication for the workers in an industry, is evidence of this belief.

workers ever stop to analyze such a succession of attitudes and to find that advertising is the root; but the tracing of such a chain is of no importance so long as the fact remains that workers do, if we are to believe the advertising men, have a higher sense of pride in their service to an employer whose products are raised by publicity into public favor.

Again, wise advertisers know that publicity to remain effective must be honest. Not all propaganda can by any means be considered ethical in its origin, but probably most has a basis of truth. Since this honesty is really the best policy, publicity has a noticeable tendency to reveal the weak points in a product or in the process of production. It is, as the advertising man who taught Great Britain how to use publicity in the war declares, "more than a weapon; it is a test. If sufficiently wide and compelling and continuous, it forces exactitude or it annihilates."<sup>14</sup>

Closely allied to the general problem of enabling public opinion to arise and control, but distinct in its relation to a special problem in the American system, is the correlation between a knowledge of government and interest in voting. This relationship was tested to some extent by Harold Foote Gosnell<sup>15</sup> in Chicago in 1924 and 1925. The results can be summarized sketchily in the statement that elementary American history, geography, civics, patriotic songs and legends, and other subjects

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<sup>14</sup>

Charles Frederick Higham, Looking Forward, p. 101 (1920).

<sup>15</sup>

Harold Foote Gosnell, Getting Out the Vote (1927).



taught in the public schools form a part of the tradition behind the electoral system; that the more schooling a citizen has had, the more interest he takes in elections;<sup>16</sup> and that a knowledge of the most simple facts of government results in increased interest in registering and voting.

Knowledge of English, formal schooling, and familiarity with the simplest features of American political institutions are all factors which vary directly with the interest shown in elections....The educated and those who are well posted upon political matters do not need to be reminded in a direct personal fashion regarding the mechanics of registration and voting. By and large, they can be trusted to find out these things for themselves, if the matters are given reasonable publicity.<sup>17</sup>

Several of the Texas State administrative agencies, furthermore, have been established primarily for the purpose of protecting the public. Examining boards will prevent incompetent physicians and dentists or optometrists from preying on the public. The Food and Drug Division of the State Department of Health has for its function the inspecting of dairies, groceries, ice cream factories, abbatoirs, drug stores and the other dispensaries of goods for human consumption. Certainly the greatest weapon such agencies can hold over malefactors is that of publicity. A fine might be imposed, but unless the penalty receives publicity the guilty firm would feel too little damage to be discouraged seriously from continued infractions of the laws.

It so happens that the violations of the food and drug regulations are seldom of sufficient seriousness to merit much

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<sup>16</sup>

Ibid., pp. 96-98.

<sup>17</sup>

Ibid., p. 109.

attention by the newspapers. In the smaller towns newspaper policy prohibits even mentioning any news of such cases, especially when the violator is a reputable member of the community. Yet the public should know when a trusted food dispensary is being operated in an unsanitary manner. The most accessible means of presenting this information is to be found in the reports of the law enforcing agency, and this is the means used in Texas. Reporting, then, has a specialized value as a means of protecting the public through forcing such regulated business enterprises to fear inspections and their possible damage.

Reporting has a place, too, in the expression of expert advice on matters of administration. In a representative system, as in business, it is conceded that the professional, or permanent, administrators are qualified best to provide the policy-forming branch with facts. In the ideal organization perhaps this advice, at least in paramount matters, should be given by the executive agents meeting face to face with the representative assembly in a colloquy, though this is not practiced in the United States. The executive agents do meet with committees of the assembly, but in these contacts the influence of partisan interests may work to discredit expert advice on any save abstract and technical matters. This partisan attitude is not confined to the representative but extends to the executive, and the incumbent administration

may press its political issues in the guise of advice to the assembly. Reporting could not, and probably should not, replace such contacts in committee. It does tend, however, to enforce accuracy and judicious restraint by presenting in unmistakable language, free from the intonations of oratory, the opinions of the executive agents. The need for advice is recognized frequently in Texas statutes, as indicated by provisions for submitting in reports recommendations deemed to be of public interest and value. Apparently the possibility of careful study of these recommendations is greater when the advice is printed than when it is delivered verbally to committees.

Finally, the need for a diffusion of information within the administration can be satisfied to a great extent by formal reporting. The efficient person is struck with amazement on his first insight into the administration of Texas, for example, and the early discovery that here dozens of important departments, all working for the public good, proceed with little or no knowledge of what other agents are doing. Reporting of an efficient type would provide at least an elementary record of functions for inter-departmental benefit.

Formal reporting has, then, a vital place in the process of supervision of the administrative branch, in the supplying of facts by which public opinion can be formed, in improving and maintaining the morale of the administration, in giving the citizen an interest in elections, in increasing the accuracy and judicious aspect of expert advice, in protecting the public against disapproved practitioners, and in diffusing

information within the administration itself. These results are important in the successful operation of representative government. The importance of reporting should grow with each increase in executive authority or function, hence the attention given to reporting should presumably have gone forward in recent years along with the trend toward administrative integration, or the development of a strong executive.

#### ATTENTION GIVEN REPORTING

The technique of governmental reporting has had, however, comparatively little notice from students of political problems. A few, though, have recognized the need for some improvement in reporting, and extended studies will probably follow. Some examples of this awakening to the importance of functional reports will indicate the trend.

In his Principles of Public Administration W.F. Willoughby, as chief critic of the national administration, recognized the importance of work assignments and progress reports and of administrative functional reports and saw, too, the inadequate consideration of efficient methods.

It might seem at first sight difficult to justify the devotion of space to a consideration of a device the general function of which is so well known as that of the administrative reports. In point of fact, it can, it is believed, be shown that not only have the possibilities of this device as a tool of administration been very inadequately appreciated, but that hardly an approach has been made towards the perfection of its technical character. 19



Mr. Willoughby discusses in a general way the broad needs that functional reports should satisfy and concludes that few, if any, of our governments have such reports.<sup>20</sup> He does not present, however, any detailed examination of the present system of reporting in the national administration nor any extensive recommendations for specific improvements. In his bibliographical notes he cites several studies of parts of the problem but discovers that no comprehensive description of the accounting and reporting system of the national government has ever been published.<sup>21</sup>

Consideration of reporting by the state administrations has been directed largely toward methods of formulating and presenting financial statements, the important subject of functional reporting having had little attention.<sup>22</sup> In their comprehensive study of the government of Texas, Professors Stewart and Clark realized the importance of reporting and also the inadequacies of the present practice, but in a general study there was no opportunity for them to treat the

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20

Ibid., p. 203.

21

Ibid., p. 705.

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Willoughby (Ibid. pp. 708-709) lists several studies of accounting and reporting methods, citing Francis Oakey, Principles of Government Accounting and Reporting as the "only work dealing in a comprehensive way with the whole problem of accounting and reporting of the states and municipalities." This work is a study of financial accounting and reporting.

23  
problem separately.

Probably the most comprehensive study of functional reporting in municipalities in general is the report of the National Committee on Municipal Reporting published by the Municipal Administration Service of New York in 1931.<sup>24</sup> This committee represented the American Municipal Association, the Governmental Research Association, the International City Managers' Association, and the National Municipal League; and the summary of its study is a survey of recommended methods of presenting facts on city affairs.

For a study of reporting in a single city or county, the doctoral dissertation of Dr. Herman C. Beyle on reporting in Chicago is unique, as the introduction by Charles E. Merriam in the published version points out.

Municipal reporting in the United States may be called a jungle through which run only a few trails, and some of those are little used. Few explorers have ventured into this domain, and little has been done to survey or map it, to say nothing of the greater task of civilizing it....The rule remains a low level of inadequacy....Dr. Beyle is one of the pioneers in the systematic study of municipal reports....Every study of municipal government, and every official, taxpayer, and voter, will be his debtor. 25

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Frank M. Stewart and Joseph L. Clark, The Constitution and Government of Texas, pp. 93-94 (1930). "Accurate and prompt reporting," the authors say, "is an essential element of responsible government....Rarely are departmental reports ready for the regular session....The contents and methods of presentation of most reports make them practically useless to the average citizen or legislator."

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National Committee on Municipal Reporting, op. cit.

25

Beyle, op. cit., p. ix.

## THE PROBLEM IN TEXAS

To point out that all the foregoing discussion of the necessity of and place of reporting in a representative system applies to the government of Texas is obviously superfluous. The fact is that owing to the disintegrated, planless nature of our State administration, reporting is even more essential here than it might be in an organization providing a closer contact between the various executive agencies. We have allowed the administrative units to multiply without a thought for an ultimate accounting; we have added to the original plan without providing a connecting link with some supervisory headquarters. Reporting, as one means of providing this connection, is more necessary than ever.

The executive departments (not including colleges and the University, eleemosynary units, or units operating from special funds) spend some six million dollars a year in an increasing variety of functions. They may interrupt the tranquility of life by establishing and enforcing martial law; they may paralyze transportation by a livestock quarantine. They may decide the qualifications of prospective professional practitioners or hold an autocratic hand over State banks or building and loan associations. They may perform many other functions of drastic effect in the invasion of so-called personal or individual rights. Some of them, while not so powerful, have been given highly important work to do, and their

failure would mean serious damage to the State. The chief concern here is not the fact that these functions have been added but a question of the accounting which these powerful and important agencies give to the Chief Executive, to the Legislature, or to the people. If they are operating in the obscurity of their entangled growth, without divulging the nature or results of their activities, this truth should be known. If they are keeping careful records of their work, to be delivered in clear and adequate reports to the Legislature and to the people, this study will have served as a recognition of merit.

The problem in its most comprehensive form is that of learning: 1. what functional accounting is delivered; 2. in what form is the accounting made; and 3. what diffusion of the information is accomplished. In other words these questions are: 1. How much do the administrative agencies tell of their work; 2. is it told so it can be understood; and 3. what opportunity does the Legislature or citizen have for receiving the information?

Answering these questions will involve a study of the intention, or plan of reporting, as it is recorded in the legal provisions on reporting and a study of the actual contents, form, and distribution of the reports.

Following the principle of a representative government in which the assembly watches the administration, we must see if the administrative agencies provide the assembly with sufficient facts to allow an effective scrutiny. If the Constitutional



Convention and the Legislature have placed upon the executive officers a definite responsibility of regular reporting, we must see if those officers have obeyed their legal instructions. Secondly, following the ideas of President Lowell, we must see if those facts are presented in a form that will permit a ready understanding of them.<sup>26</sup> Finally, in the same idea, we must determine what distribution is given to the information presented in these printed reports. If it is true, as one member of the Legislature claimed,<sup>27</sup> that departmental reports are stored in the Capitol basement where they serve no useful end, the condition should be known. So too, the quality of the delivery given the reports should be ascertained. If they are delivered in poor condition or too late, obviously the possibility of legislative supervision of the administration is sadly damaged.

This examination of the functional reporting by administrative agencies in Texas is limited to fifty-two officials, departments, boards, and commissions engaged strictly in the conduct of the executive affairs of government. Of these fifty-two, twenty-four have issued the printed reports considered in this study.<sup>28</sup> The more or less independent institutions of higher education have not been considered because of

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<sup>26</sup>

Lowell, op.cit.

<sup>27</sup>

42nd. Leg., reg. sess., General Laws, Ch. 69 (1931).  
An act requiring the approval of the Governor or Board of Control for the printing of reports.

<sup>28</sup>

See Chapter III for list.

the limitation of time and space. Later, possibly, this study should be expanded to include a survey of these reports. In general, reports issued within the past four years have been the basis for the conclusions concerning form and content.<sup>29</sup> Most of the documents show little variation from year to year, each consecutive official following a pattern left by his predecessors. It can be said that the more recent reports are typical of most preceding ones, and certainly the ones printed during the past few years are of major importance as a basis for proposing improvements. This concentration on the more recent reports does not extend, however, to the consideration in Chapter II of compliance with the legal requirements on printing and filing reports. This phase was studied in reporting from 1900 until the last available publications.

Such facts and conclusions as we may develop will be taken from the ultimate evidence, the reports themselves, rather than from the reporting agencies. There will not be a single reference to a State Editor or central official charged with shaping the reports. These officials do not exist. There will be little to show that sufficient attention has been given to reporting by the various agencies. Yet the fact remains that

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Annual reports of 1928, 1929, and 1930 and biennial reports issued in 1928 and 1930 were the publications studied in the majority of cases. When there was insignificant variation between the reports of various years, the last issued report was used as a basis for measurement. Exceptions to the normal selection follow: reports of the Prison Board for 1929, 1930, 1931; of the Auditor for 1931; of the Industrial Accident Board for 1922-24 (last printed); the Livestock Sanitary Commission for 1922-24 (last printed); and the Board of Control for 1924-26 (last printed).

reporting is essential in a representative system. If Texas officials fail to accept this necessity and fail to provide adequate, readable reports, the damage to democratic efficiency is inevitable.

## CHAPTER VII

### CONCLUSION

Recommendations for the improvement of any governmental process have a deplorable tendency to be futile, since the hypothetical utopias generally conceived have the inevitable stamp of academic theory, and theory, it seems, has little merit in the eyes of legislators. It is much easier to decide that reporting should be adequate in content, clear in form, and popular in its distribution than to entertain a hope that the State's reportorial procedure will be revised in any near future. The recommendations in this particular phase of governmental function, nevertheless, are so evident that a compilation of them here is little more than a statement of the apparent. A summary view of the field will demonstrate the major needs for revision in the legal requirements on reporting, in the content and form of reports, and in distribution.

### LEGAL REQUIREMENTS

In the first place, an obvious improvement would result from a repeal of all the present diffuse and inconsistent statutes requiring individual reports and from a substitution of

one general, blanket requirement of reports from all <sup>1</sup> save a few specified agencies. This general provision could specify printing, designate a routine process for submitting the copy to a central agency for editing and printing, and specify the dates and intervals of reporting.

There is no convincing reason why the content and distribution of the reports should be set forth in legal requirements. In some years conditions will demand a variation of content to emphasize matters of immediate importance; in some cases the value of reports will be unusually great for certain groups of readers. Legal restrictions on content and distribution would prevent the utilization of such exceptional opportunities for discussing temporary conditions and for securing specialized distribution.

Having reached a coordination of the laws on reporting in one blanket provision, a method of enforcing the law should be designed to eliminate the present evils of ignoring the existing general requirement of printing.<sup>2</sup> Such an enforcement agency might be established in the Board of Control under the recent provision which gives that body the

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<sup>1</sup>  
Some agencies, such as the Anatomical Board which secures and distributes bodies to medical colleges, might do better work without publicity and should be exempt from public reporting. Reports from these units might be required but not distributed.

<sup>2</sup>  
Art. 13.

authority to approve or disapprove the printing of reports<sup>3</sup> after the Governor has failed to act. It might, of course, be established in the Governor's office. The need for some office to keep an eye on the filing and printing of reports in the best possible promptness and form calls for a central editorial agency at some point in the administrative organization.

#### IMPROVEMENTS IN CONTENT AND FORM

The existing inadequacies of content and form, as well as the lack of regard for the law on filing and printing, could be removed by the creation of this central editorial office and by the employment of a competent supervisory reporter for the State.

In the matter of content, this reporter could study the jurisdiction and function of each reporting unit and recommend certain standard data to be included in all public reports issued by the agency. It would be his duty to ascertain the relative importance of various types of information and the interest shown by readers. He would select special themes for treatment in many of the reports and would plan the development of the reports against the background of these themes.

From experience in preparing reading matter for the public, he could suggest the inclusion of information concerning the fourteen topics discussed in Chapter III, and he could add topics as the individual cases might suggest. He could, in short, recommend to the head of each reporting unit the information to be included in each report as a means of enlisting the maximum of reader-interest and of providing the most essential facts for the Legislature.

In the matter of form, this editor would be charged with applying a technical knowledge to the presentation of information in the manner easiest to grasp and most conducive to thorough reading. He would select titles and format, prescribe charts and graphs, select photographs for illustration, select subjects for illumination through maps, rearrange tables to make them effective and understandable, and make the various other decisions so necessary for the technical production of a good report. Having designed the form of the report, it would be his task to see the publication through the entire process of printing. Editing the original typescript and reading all the proofs would be included in this phase of his work. Keeping the production cost at a minimum would also be his task.

If economy is argued as a reason for not having such a technician in the State administration, it might be suggested that eliminating the present waste in writing and printing



reports which are not sufficiently interesting to attract readers would be compensation for the moderate expenditure of funds to maintain this office.

#### DISTRIBUTION

This waste would be eliminated still further, it is submitted, by placing upon this central reporting office the duty of compiling and maintaining standing lists of organizations, persons, and newspapers who would be interested in the reports of the various administrative units. Such mailing lists might be compiled for each unit, and reports could be sent to all addresses on the respective lists without waiting for requests. Certainly, it seems that some measure should be adopted for distributing the functional reports to a larger public than now receives them.

The practice in Texas has indicated a theory on the part of the reporters that their reports are designed solely for the Governor and Legislature and, perhaps, for a limited number of persons or firms affected. The conception of reports for the public has apparently not gained wide acceptance. A central editorial agency might bring improvement in this particular phase of the problem by prescribing different reports for the technicians affected by the work of the unit and for the Legislature and public, assuming always that reports for the Legislature should be fully as clear as reports for the public and that the same accounting will serve for both. It



might develop that a consolidated report to the public in the form of a collection of the most salient information from each of the various functional reports would prove desirable. If not this "yearbook," it might be practicable for the State to issue separate, condensed reports for the public. This method of reaching the public with selected information is advocated, for example, in the case of the budget.<sup>4</sup> The budget message and statistical summary, giving a panoramic view of the financial plan, might be printed separately from the entire budget document and distributed broadcast.

Various other schemes for diffusing information concerning the administration might be devised by an official charged with the task. Thus it is conceivable that a brief statement of the major accomplishments of the State with a graph showing the sources and expenditures of the public dollar might be prepared in pamphlet form for distribution with the annual tax statements. Or, a brief, concise explanation of certain governmental problems might be given to voters at the time they pay their poll taxes.

It is a true, though undesirable, fact that none of the modernly accepted methods of diffusing public information has been utilized by more than a negligible number of the State agencies. The administrative reports, as a rule, have been

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<sup>4</sup>

A.E. Buck, Public Budgeting, p. 56 (1929).

distributed to such a limited field that they can hardly be given the name of public reporting. It is not the purpose here to enumerate all the possibilities of diffusion. Some of the methods will not be suitable for all agencies, and the number of possibilities will vary from time to time. It is evident, however, that distributive procedure is archaic and inadequate and that such effective methods as the radio, direct-mail, pamphleteering, the cinema, budget exhibits, and news releases have not been used to give the public sufficient facts concerning the operations of their government. Each of these methods might be utilized to supplement the formal reporting.

#### NEED FOR FURTHER STUDY

This consideration of the formal printed reports issued by State administrative units is only an introduction to the problem of publicity in representative government in Texas. To improve the means of informing the Texas public, a continued study in the larger field is necessary.

Such an extended study would involve an examination of the non-reportorial publications issued by State departments. The need for these bulletins, the adequacy of their content, and the extent of their distribution will be phases of considerable influence in the diffusion of information concerning the State government. Each of these publications must inevitably indicate the manner in which the respective agency has been performing its functions; the data will show by its

completeness and accuracy whether the agency which compiled it was competent and diligent.

Still another source of information on the activities of the State administration which should be studied is the newspaper. Here, in fact, is the most immediate and effective means of reaching the great far-flung field where the public opinion is developed. Here, too, is the opportunity for giving the public continuous information between the dates of regular, periodic reports. In its competitive methods and in the momentum of its appalling development, the press has become more dependent than ever upon recognized news sources and upon the provision of news by those sources. Publicity, as a phase of the development, has become, no longer a nefarious, illicit factor in modern journalism, but simply the modern way of getting attention. It is neither evil nor good but only a method which may be either. It is now merely the process of putting ideas or information before the public which is the judge.<sup>5</sup> It is, furthermore, used by practically all major business or social organizations and increasingly by governmental agencies, and it is accepted as a fact by most newspapers that everything printed by a newspaper is propaganda for some person or group. Herbert Bayard Swope, executive manager of the late New York World, analyzed the situation in

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<sup>5</sup>

John C. Long, Public Relations, p. 13 (1924).

an address to newspaper editors.

Since it is true that everything we print is an advertisement, direct or indirect, of something or of somebody, the touchstone, the standard of measurement, is very easily approximated. On any story that may reach us, through channels open to scrutiny, our question is simply: What news value does it contain? If it does possess that quality our course is easily recognized.... Can we call by any other name but propaganda a Presidential message sent to the Congress, advocating the passage of some special legislation?....It seems to me that those three elements--Truth, Importance, Interest--assert themselves in all matter offered us for publication. 6

The essential point in this proposed study of the newspaper field of publicity in Texas State government is that State officials, because of their importance as news sources and the willingness of the newspapers to accept prepared statements, are in a position to use the press extensively for the diffusion of information concerning State activities. The growing practice of issuing prepared news from certain of the administrative units could be studied to ascertain the quality and character of these releases and to determine the extent of their distribution. If these officials are taking advantage of their position to gain personal advertisement instead of presenting unbiased news of State activities, the facts should be known.

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From an address before the American Society of Newspaper Editors. Quoted from Contact in Long, op. cit., pp. 11-12.

Finally, the reporting of administrative achievements during political campaigns should be studied in this major consideration of State publicity. It is a legitimate privilege of candidates for re-election to cite their successes. Whether these attainments are considered important as campaign bids and whether the statements of work done are generally honest might well be ascertained in a comprehensive study of how much the citizen can learn about his State government. So far, these matters are answered only by conjecture.

This consideration of the printed reports is, to repeat, only the beginning of a complete survey that is needed to provide comprehensive information in the field. It has indicated numerous weaknesses in the reports themselves, and it has demonstrated a wide field for improving the distribution of information concerning State administration.



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Labor Commissioner  
Land Commissioner  
Tax Commissioner  
Comptroller  
Reclamation Engineer  
Secretary of State

State Treasurer  
Department of Agriculture  
Department of Education  
Department of Health  
Board of Insurance Comm'rs.  
Board of Water Engineers  
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