



DEMOCRATIC ACCOUNTABILITY IN BOARD APPOINTMENTS

***THE PROBLEM:* STATE OCCUPATIONAL LICENSING BOARDS LACK DEMOCRATIC ACCOUNTABILITY**

One out of four workers is not allowed to do their job without an official state-issued license. Wielding government power, licensing boards control the marketplace for services in their industries. Twenty-three states have laws on the books that require their governor to select new members of licensing boards based on a list of candidates provided by the board or self-interested professional associations. This cuts against democratic accountability and violates the separation of powers. Governors are the chief executive in their state, and the buck stops with them. A democratically accountable officer must ultimately be responsible for the actions of licensing boards so that the people know whom to hold responsible if the board takes actions they dislike.

Restricting the possible candidates a governor may select insulates licensing boards from democratic accountability. The people do not cast votes for members of the Dental Board, Nursing Board, or Psychology Board. Unelected, unaccountable individuals cannot lawfully be given the power to set policy free from supervision or political accountability. Some may say this independence prevents licensing boards from being politicized, but instead of taking politics out of policymaking, this “independence” takes the people out of policymaking. This method not only undercuts democratic accountability but also increases the risks of cronyism and regulatory capture of these licensing boards.

***THE SOLUTION:* ENSURE THE BUCK STOPS WITH THE GOVERNOR**

To ensure that licensing boards are democratically accountable, governors must select and appoint members on their own. Of course, they may seek input from current board members and others, but ultimately governors must be responsible for selecting members. Otherwise, they can shift the blame to an unaccountable board if it takes actions the public dislikes.