

2004 Lieutenant Governors' Elections

By Julia Hurst

Lieutenant governors lead today and prepare for tomorrow. Most have significant state leadership roles and all are first in line of succession to become governor. The 2004 election factors and results indicate this office is continuing to grow in influence and that lieutenant governors will further impact state legislative trends and governments.

The results of the 2004 elections indicate the office of lieutenant governor continues to be on the rise in notoriety and influence. In this election cycle, the following four factors point to the significant and growing impact these officeholders will have on state government: 1) the rate of re-election of incumbents, 2) the vast government background and experience of those who ran for the office, 3) the outcome of ballot questions related to the office of lieutenant governor, and 4) ongoing consideration of the creation of the office in several states. These indicators were present in a total of 13 states covering every region of the country reinforcing the fact the growing influence of this office appears to be a consistent national trend, not an anomaly.

In 2004, 14 states prominently considered questions related to the office of lieutenant governor and gubernatorial succession. In nine states, lieutenant governors faced election. Five of the six incumbent lieutenant governors won re-election while the four new officeholders have significant government backgrounds. Some lieutenant governor-elects have already announced they will be given more powers in the office of lieutenant governor than in past history. In addition, three states' voters approved ballot measures to deepen gubernatorial succession lines or retain powers in the office. Two more states are likely to create the office of lieutenant governor in the next 12–24 months. These factors warrant a deeper look at the growing importance and power of the office of lieutenant governor.

Lieutenant Governor Elections

For the purposes of this article, a lieutenant governor is defined as the officeholder in a state or territory first in line for succession to governor. Forty-two states and four territories have the office of lieutenant governor as successor; five states have the Senate presiding officer as successor; and three states and one territory have the secretary of state as successor. Twenty-four states and four territories elect the governor and lieutenant governor as a team in the general election. The remaining 18 states with a

lieutenant governor elect that office separately in the general election from the governor.

Five of the six incumbent lieutenant governors running for reelection in 2004 won. The Indiana lieutenant governor, who is elected as a team with the governor, was defeated. The lieutenant governor had not previously held elected office and had assumed the office through appointment when the governor succeeded to the office in 2003. In addition, of the states with a senate president first in line of gubernatorial succession, Maine alone elected a new senate president since the sitting president was term limited out of office.

In January of 2005, 18 of the 54 sitting lieutenant governors (33 percent) were expected to be women (New Jersey will have a vacancy). This is substantially identical to the 19 women of 55 officeholders serving after the 2002 elections. As of this writing (December 2004), Republicans continue to hold more offices of lieutenant governor than Democrats with 30 being Republican, 23 being Democrat, and one being from the Popular Democratic Party.

Between September 2003 and November 2004, four gubernatorial successions occurred, three due to gubernatorial resignations (Utah, Connecticut and New Jersey) and one due to death (Indiana). Absent any other unexpected occurrence, in January 2005, six of the sitting governors will have once held the position of lieutenant governor (or first in line of gubernatorial succession). These will be the governors of Arkansas, Connecticut, Delaware, Louisiana, New Jersey and Texas. That said, given the number of vacancies opening in the president's Cabinet and his past record of tapping governors for some positions, it is quite possible additional gubernatorial successions will occur as the year begins.

Lieutenant governors will also have more power in 2005 than perhaps ever in history. In July 2004, South Carolina statutorily moved the Office of Elder Affairs under the direct supervision and authority of the lieutenant governor. Likewise, Utah's Lt. Gov. Gary Herbert told the *Daily Herald* in November that the plans of he and the governor will likely

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lead to a greatly expanded role for him as lieutenant governor. The state requires the Utah lieutenant governor to act as chief elections officer. Herbert said, though, that he also anticipates roles in transportation, public lands issues, and local government relations, as well as work in legislative relations.

Experienced Candidates

Perhaps the growing powers of the office of lieutenant governor helped to draw the experienced field of candidates running for the office in 2004. The four new lieutenant governors have significant government experience, three as state senate leaders and one as a long-serving county commissioner. The experience of the lieutenant governor candidates who ran and won in open seats, and defeated one incumbent, is notably higher than the candidates in 2002.

In Indiana, Lt. Gov. Becky Skillman has been a state senator since 1992. She previously served as county recorder and county clerk since 1977. She was the first woman elected to Senate Republican leadership and served as majority caucus chairman. Missouri Lt. Gov. Peter Kinder had been in the state Senate since 1992 and he served as president pro tem since 2001. He also served as a U.S. congressional staffer for three years in the 1980s.

Montana Lt. Gov. John Bohlinger served three terms in the Montana House of Representatives and was in his second term in the state Senate when elected. On an interesting note, Bohlinger is a Republican who was elected to office on a team ticket with a Democrat governor. Lt. Gov. Gary Herbert was Utah County's longest serving county commissioner, with 14 years of public service under his belt.

Ballot Questions

In both Indiana and Virginia, voters approved Constitutional amendments that deepen and clarify the lines of gubernatorial succession. In both states, the reason noted for addressing the issue of succession was the realization, after September 11, 2001, of the importance of having established clear gubernatorial succession (*Munster Times, Virginia Times Dispatch*). Succession establishes which officeholder becomes governor if both the governor and lieutenant governor are unable to discharge the duties.

In Indiana, the speaker of the Indiana House and the Senate president pro tem will be next in line of gubernatorial succession, after the lieutenant governor, until the General Assembly can meet and select a new governor. Virginia's measure identifies additional elected officials who will succeed the governor in cases of "an emergency or enemy attack and

until the House of Delegates is able to meet to elect a governor." Two years ago, the Secure Virginia Panel recommended this action. The succession line begins with lieutenant governor, then attorney general, speaker of the house, the chairmen of the 14 standing committees of the House of Delegates, then the Senate president pro tem, and finally the Senate majority leader.

A Nebraska ballot question further indicated that voters are backing power in the office of lieutenant governor. By a margin of 61 percent to 39 percent, Nebraskans defeated an effort to remove the power to preside over the Senate from the lieutenant governor.

More Lieutenant Governors

The gubernatorial successor in New Jersey has potentially more power than any other lieutenant governor or governor in the country. On November 15, 2004, New Jersey Senate President Richard Codey became governor through succession upon the resignation of the previous governor (New Jersey has no lieutenant governor so the Senate president is first in line of succession). Unlike any other state, Codey retains all his power as Senate president and acquires all power of the governor.

This unusual "power" situation and the frequency with which successions have occurred in New Jersey have led the legislature to seriously debate putting the question of creating the office of lieutenant governor before the voters. At this writing, the New Jersey House had passed a measure to create the office and the Senate was considering the same. If passed and signed by the governor, voters would vote whether to amend the Constitution to create this office. An October 28, 2004, Gannett news report said support is growing among New Jersey residents to create such an office. It would be only the second statewide elected office in the state, the other being the office of governor.

A similar amendment may be placed before voters in Arizona in the next 24 months. In the 2004 legislative session, Arizona House Concurrent Resolution 2003 was considered. The resolution, if passed and subsequently approved by voters, would have changed the title of the state's secretary of state, the office holder first in line of gubernatorial succession, to 'lieutenant governor.' The resolution passed the House but was narrowly defeated in a Senate committee. Press reports indicated the measure died only due to debate over when the title change would become effective if passed. Some said an immediate title change might give a greater advantage to the sitting secretary of state if she chose to run for governor.

Future Trends

The constitutional and legislative power of the office, coupled with the initiative taken by the lieutenant governor and the duties given by the governor, may have bearing on lieutenant governors successes in future elections, both in re-election efforts and in runs for higher office. Certainly states will continue to refine the role of lieutenant governor, in some cases creating the office, in others deepening the gubernatorial succession lines, and in still others adding duties and powers to the office. The growing power and influence of the office may also continue the trend of drawing more experienced candidates to the office. Some would argue, as well, that the understanding and attention of the both the press and the electorate in a given state will affect the future of the office. Those who realize that this officeholder can become governor at a moment's notice may give more attention to the office and the accomplishments of the person holding it.

About the Author

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