

Larry J. Sabato's Crystal Ball

<http://www.centerforpolitics.org/crystalball/articles/ljs2010042201/>

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THE AG: Attorney General as Aspiring Governor

Political observers have had their attention directed to state attorneys general of late, due to the court suits against the federal health care reform bill initially filed by fifteen AGs (14 of them Republican, and a lone Democrat from Louisiana). With twenty or more states now signed on to the lawsuits, attorneys general are in the news more than ever.

There's an old joke about the National Association of Attorneys General—their registered name is supposedly the National Association of Aspiring Governors.

It's true in part. Just this year ten of the fifty current state attorneys general are running for governor:

Terry Goddard (D) in Arizona, Jerry Brown (D) in California, Bill McCollum (R) in Florida, Thurbert Baker (D) in Georgia, Mike Cox (R) in Michigan, Andrew Cuomo (D) in New York, Drew Edmonson (D) in Oklahoma, Tom Corbett (R) in Pennsylvania, Patrick Lynch (D) in Rhode Island, and Henry McMaster (R) in South Carolina.

All are credible candidates, and it will be a surprise if three or four of them aren't in the winner's circle come November. (Three other current or former state AGs are running for the U.S. Senate: Republican Kelly Ayotte of New Hampshire, and Democrats Richard Blumenthal of Connecticut and Jack Conway of Kentucky.)

What is unexpected is that, over time, so few state attorneys general actually do go on to the governorship. **Since 1984 there have been exactly 250 state AGs, but only 28 (a mere 11%) became governor.**

This is precisely half the gubernatorial success rate of lieutenant governors. In the last quarter-century, fully 22% of the state No. 2's became No. 1 (see our previous Crystal Ball on this subject:

<http://www.centerforpolitics.org/crystalball/articles/ljs2009073001/>). By the way, 43 states elect the attorney general and 43 elect the lieutenant governor, though the list of states in each case is not identical (the footnote below gives the full lists of each).

There's a major reason for the discrepancy, of course. Under most state constitutions, the lieutenant governor directly succeeds the governor when he or she leaves office mid-term (because of death, resignation, or impeachment). Just in recent years, 28 lieutenant governors have become governor in this fashion.

By contrast, **just one attorney general has succeeded to the governorship in recent decades**, Democrat Bruce Babbitt of Arizona. The governor of Arizona, Raul Castro (D), resigned to be appointed Ambassador to Argentina by President Carter in 1977. Secretary of State Wes Bolin (D) then became governor, but he died in a matter of months. Attorney General Babbitt was next in line, was sworn in as governor in March 1978, and went on to be elected on his own in 1978 and 1982. Babbitt also ran for president in 1988, and eventually became President Clinton's secretary of the interior in the 1990s.

Some states clearly have a greater propensity to elect attorneys general to the governorship, as the following chart shows. It was compiled by Crystal Ball researchers Isaac Wood and Joseph Figueroa.

Attorneys General and the Governorship, 1984-2010

| State | AGs | Govs | # of AGs elected Gov | % of AGs elected Gov | % of Govs who were AG | Names of AG-Governors |
|----------------|------------|------------|----------------------|----------------------|-----------------------|--|
| TOTAL | 250 | 252 | 28 | 11% | 11% | |
| Alabama | 6 | 6 | 1 | 17% | 17% | Don Siegelman (D) |
| Alaska* | 10 | 7 | 0 | 0% | 0% | |
| Arizona | 4 | 7 | 2 | 50% | 29% | Bruce Babbitt (D) Janet Napolitano (D) |
| Arkansas | 7 | 4 | 3 | 43% | 75% | Bill Clinton (D) Jim Guy Tucker (D) Mike Beebe (D) |
| California | 4 | 4 | 1 | 25% | 25% | George Deukmejian (R) |
| Colorado | 4 | 4 | 0 | 0% | 0% | |
| Connecticut | 3 | 4 | 0 | 0% | 0% | |
| Delaware | 4 | 6 | 0 | 0% | 0% | |
| Florida | 5 | 6 | 1 | 20% | 17% | Charlie Crist (R) |
| Georgia | 2 | 4 | 0 | 0% | 0% | |
| Hawaii* | 8 | 4 | 0 | 0% | 0% | |
| Idaho | 4 | 6 | 0 | 0% | 0% | |
| Illinois | 4 | 5 | 0 | 0% | 0% | |
| Indiana | 6 | 5 | 0 | 0% | 0% | |
| Iowa | 2 | 3 | 0 | 0% | 0% | |
| Kansas | 5 | 6 | 0 | 0% | 0% | |
| Kentucky | 6 | 6 | 1 | 17% | 17% | Steve Beshear (D) |
| Louisiana | 4 | 6 | 0 | 0% | 0% | |
| Maine** | 5 | 4 | 1 | 20% | 25% | Joseph E. Brennan (D) |
| Maryland | 3 | 5 | 0 | 0% | 0% | |
| Massachusetts | 5 | 6 | 0 | 0% | 0% | |
| Michigan | 3 | 3 | 1 | 33% | 33% | Jennifer Granholm (D) |
| Minnesota | 3 | 4 | 0 | 0% | 0% | |
| Mississippi | 3 | 5 | 1 | 33% | 20% | William Allain (D) |
| Missouri | 4 | 7 | 2 | 50% | 29% | John Ashcroft (R) Jay Nixon (D) |
| Montana | 5 | 5 | 0 | 0% | 0% | |
| Nebraska | 4 | 5 | 0 | 0% | 0% | |
| Nevada | 5 | 4 | 1 | 20% | 25% | Richard Hudson Bryan (D) |
| New Hampshire* | 7 | 6 | 1 | 14% | 17% | Steve Merrill (R) |
| New Jersey* | 13 | 8 | 0 | 0% | 0% | |
| New Mexico | 5 | 5 | 1 | 20% | 20% | Toney Anaya (D) |
| New York | 5 | 4 | 1 | 20% | 25% | Elliot Spitzer (D) |
| North Carolina | 4 | 4 | 1 | 25% | 25% | Mike Easley (D) |
| North Dakota | 4 | 4 | 1 | 25% | 25% | Allen I. Olson (R) |
| Ohio | 7 | 5 | 0 | 0% | 0% | |
| Oklahoma | 4 | 5 | 0 | 0% | 0% | |
| Oregon | 5 | 5 | 1 | 20% | 20% | Ted Kulongoski (D) |
| Pennsylvania | 5 | 5 | 0 | 0% | 0% | |
| Rhode Island | 6 | 5 | 0 | 0% | 0% | |
| South Carolina | 3 | 5 | 0 | 0% | 0% | |
| South Dakota | 5 | 4 | 1 | 20% | 25% | William J. Janklow (R) |
| Tennessee*** | 5 | 4 | 0 | 0% | 0% | |

| | | | | | | |
|---------------|----|---|---|-----|-----|--|
| Tennessee | 3 | 4 | 0 | 0% | 0% | |
| Texas | 4 | 5 | 1 | 25% | 20% | Mark White (D) |
| Utah | 4 | 6 | 0 | 0% | 0% | |
| Vermont | 3 | 4 | 0 | 0% | 0% | |
| Virginia | 13 | 8 | 3 | 23% | 38% | Gerald Baliles (D) Jim Gilmore (R) Bob McDonnell (R) |
| Washington | 3 | 5 | 1 | 33% | 20% | Christine Gregoire (D) |
| West Virginia | 5 | 6 | 0 | 0% | 0% | |
| Wisconsin | 5 | 4 | 1 | 20% | 25% | Jim Doyle (D) |
| Wyoming* | 7 | 4 | 0 | 0% | 0% | |

* Appointed by governor

** Appointed by state legislature

*** Appointed by state supreme court

All other attorneys general are elected

Data from January 1984-March 2010

Arkansas and Virginia have both seen three recent attorneys general rise to the top. The Razorback state started with a fellow named Bill Clinton, state AG for two years (1977-1878) before the first of his terms as governor. Clinton was eventually succeeded, when he left the state in 1993 to become president, by Jim Guy Tucker (who by then had become lieutenant governor). Arkansas' current governor, Mike Beebe, was the AG before his election in 2006.

In Virginia three of the last seven governors have been AGs. In part, this is because Virginia has a very short ballot, electing only the lieutenant governor and attorney general in addition to governor, and the governor is limited to one consecutive four-year term. (Virginia is the only state remaining with such a prohibition.) The other statewide elected officials are naturally considered in line for the statehouse, and they often run flat out for four years to get the promotion.

Arizona and Missouri are the only other states to have even as many as two AGs succeeding to the governorship.

Eighteen states have had one AG-to-governor transition. **But 28 states have not had a single attorney general elected to the governorship in recent years.**

The attorney general post is generally viewed as a more substantive one than the lieutenant governorship, since it is full time with a large staff. Most lieutenant governorships are part time with very small staffs and salaries. But if your goal is the governorship, an aspiring politician may want to reconsider his or her first statewide elective goal.

Lieutenant governors are an Avis-style No. 2, but at least with respect to the governorship, they try harder, and succeed more often.

Footnote: *There are seven states that appoint attorneys general: Alaska (appointed by governor), Hawaii (appointed by governor), Maine (appointed by legislature), New Hampshire (appointed by governor), New Jersey (appointed by governor), Tennessee (appointed by state supreme court), Wyoming (appointed by governor). In addition, seven states have no elected lieutenant governor: Arizona, Oregon, and Wyoming have an elected secretary of state that is the functional equivalent of a lieutenant governor and next in-line to the governor, while four other states (Maine, New*

Hampshire, Tennessee, and West Virginia) simply designate their state Senate president as the governor's immediate successor, but only Tennessee calls that legislator the "lieutenant governor."

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