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# LEGISLATIVE RESEARCH COMMISSION

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REPORT  
TO THE  
1979

GENERAL ASSEMBLY OF NORTH CAROLINA



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## LIEUTENANT GOVERNOR

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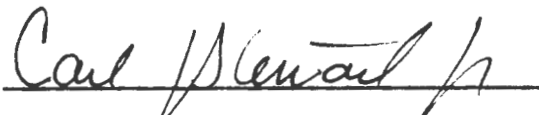
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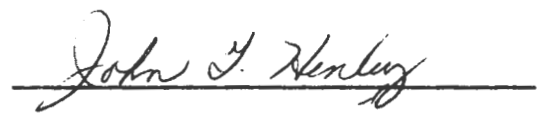
TO THE MEMBERS OF THE 1979 GENERAL ASSEMBLY:

The Legislative Research Commission herewith reports to the 1979 General Assembly of North Carolina on the matter of Duties of the Lieutenant Governor. The report is made pursuant to House Joint Resolution 1377 (ratified Resolution 93) of the 1977 General Assembly, First Session 1977.

This report was prepared by the Legislative Research Commission Committee to Study the Duties of the Lieutenant Governor and it is transmitted by the Legislative Research Commission to the members of the 1979 General Assembly for their consideration.

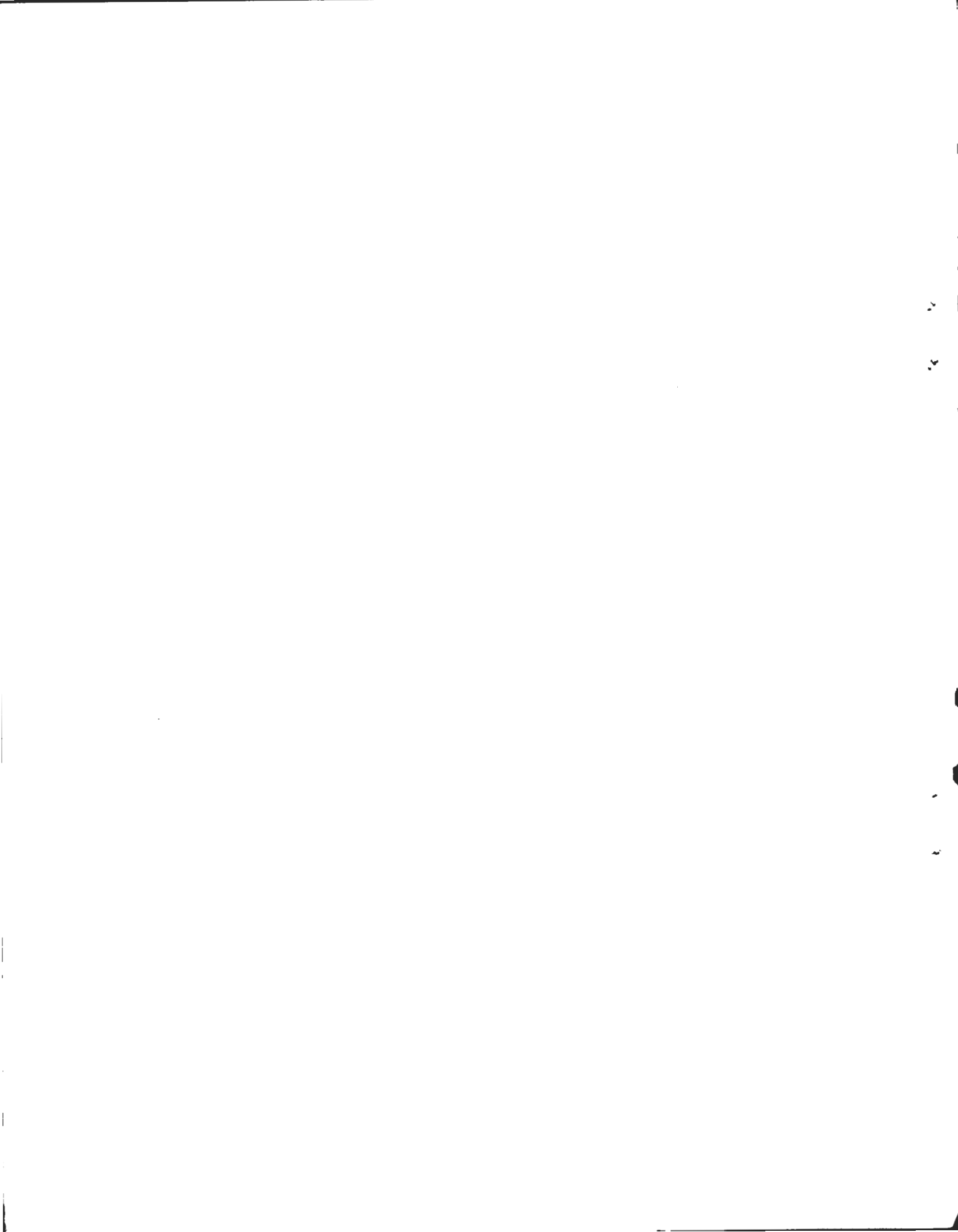
Respectfully submitted,

  
Carl J. Stewart, Jr.

  
John T. Henley

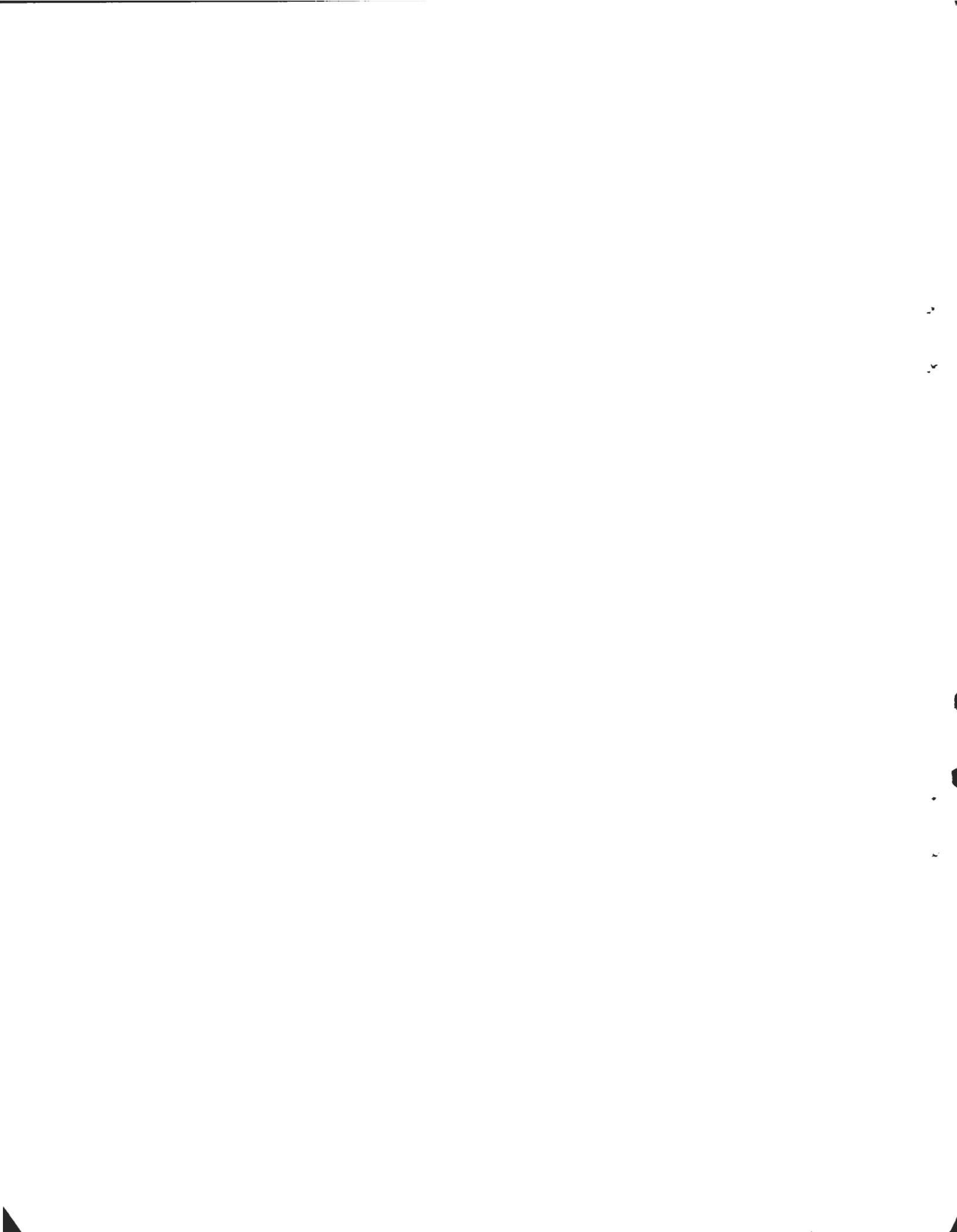
Co-Chairmen  
Legislative Research Commission

JR/451.N65.19.17



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## DUTIES OF THE LIEUTENANT GOVERNOR

### I. Introduction

The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is a general-purpose interim legislative study group. Among the Commission's duties is that of making or causing to be made, upon direction of the General Assembly or either of its houses,

such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner.  
(G.S. 120-30.17(1)).

A list of the membership of the 1977-79 Legislative Research Commission appears in Appendix A to this report.

Among the studies assigned by the General Assembly to the Commission during the 1977-79 interim was one to

study the duties of the Lieutenant Governor of North Carolina, and if appropriate, the Commission shall recommend legislation expanding or modifying the present duties.

Resolution 93 of the 1977 General Assembly, which assigned the study, appears in Appendix B.

The co-chairmen of the Legislative Research Commission appointed the following persons as a committee to make the study and to report back to the Commission:

Sen. Robert B. Jordan, III, Chairman

Sen. W. Craig Lawing, Co-Chairman

Rep. Liston B. Ramsey, Co-Chairman

Sen. Jack Childers

Rep. Richard R. Grady

Sen. Donald R. Kincaid

Rep. A. Neal Smith

Sen. Kenneth C. Royall, Jr.

Rep. Joseph E. Johnson

This document is the report of that committee.



## II. Plan of Study

The committee approached the study with several purposes in mind:

(1) To identify the purpose of the Office of Lieutenant Governor, and to evaluate the present role of the Lieutenant Governor in the light of that purpose;

(2) To examine the practices and experiences of other states and to explore the various types of roles which the Lieutenant Governor of North Carolina might properly be called on to fill;

(3) To look at constitutional and practical problems which might arise from various possible solutions; and

(4) If possible, to arrive at specific recommendations.

The committee held six meetings. Each of the purposes, with the exception of the last, was substantially achieved. For reasons detailed at the end of this report, the committee did not arrive at recommendations to be made to the Legislative Research Commission and to the General Assembly.

## III. Resources Utilized in the Study

The committee invited former Governors, Lieutenant Governors, and Speakers of the House to appear and express their views concerning appropriate duties for the Lieutenant Governor. Former Governor and former Lieutenant Governor Robert W. Scott, former Lieutenant Governor and former Speaker H. Patrick Taylor, and former Speaker Philip P. Godwin accepted the invitation. Their recitals of their experiences and their candid appraisals

of causes of and solutions to various problems of interrelationships between the Office of Lieutenant Governor and other key State offices provided the committee with very valuable insights especially into practical problems encountered by those various offices in dealing effectively with each other.

In addition, the chairman and co-chairmen from time to time discussed with Governor Hunt and Lieutenant Governor Green some of the questions which the committee was studying, and the results of these conversations were reported to the committee.

In its study of the practices and experiences of other states with respect to the office of Lieutenant Governor, the committee was aided greatly by a study, The Lieutenant Governor: The Office and its Powers made by the National Conference of Lieutenant Governors and published by the Council of State Governments which provided the staff for the study. At the invitation of the committee, Mr. Herbert L. Wiltsee, Executive Secretary of the Council of State Governments and for eleven years Secretary of the National Conference of Lieutenant Governors, met with the committee and contributed his special knowledge of the roles played by various Lieutenant Governors. A copy of the Council of State Governments' publication appears as Appendix C to this report.

The committee also had the benefit of several documents prepared by committee counsel either expressly for the committee or in connection with earlier studies relating to the office of Lieutenant Governor. These included "Functions of the Lieutenant Governors in the Various States," (June 1976), appearing in Appendix D; "Appointment of Standing Committees in American State Senates, (October 1975), appearing in Appendix E; "Provisions of the Constitution of North Carolina Relating to the Office of Lieutenant Governor", (November 1977), appearing in Appendix F; the certified budget for the Lieutenant Governor for the 1977-79 biennium, appearing in Appendix G; and a draft bill (not prepared at the direction of the commission) illustrating the possibilities of making the Lieutenant Governor a member of various State Boards and Commissions (Appendix H).

All of these materials are collected in appendices to this report because the committee believes that they can provide the informational basis upon which, at a more fortuitous time, recommendations concerning the appropriate duties of the Lieutenant Governor of North Carolina can be made.

#### IV. Summary of Findings

##### 1. The purpose of the Office of Lieutenant Governor

The role of the chief executive in North Carolina is of such importance that the public interest demands that adequate provision be made to ensure that the powers of the Office of Governor shall be continuously exercised. To accomplish this purpose, it is necessary (i) that a specific officer be identified as the successor to the Governor in case of a vacancy occurring during a term, and (ii) that the specified officer be sufficiently knowledgeable about the current operations

and programs of State government that he can assume the office of Governor at any time and function effectively from the very beginning of his tenure.

2. The present role of the Lieutenant Governor

The Constitution of North Carolina identifies the Lieutenant Governor as the officer to succeed to the office of Governor in the event of a vacancy occurring during a term (N.C. Const., Art. III, Sec. 3), specifies that he shall be President of the Senate (Art. III, Sec. 6), and makes him a member of the State Board of Education (Art. IX, Sec. 4). Both the General Assembly and the Governor are authorized to assign additional duties to the Lieutenant Governor (Art. III, Sec. 6).

Prior to 1973 the Lieutenant Governor was a part-time officer and his principal duty was to serve as President of the Senate. Under the Senate Rules, the President appoints standing and select committees. Although his office was established in the Executive Article of the Constitution, and his budget was a part of the Executive Department's budget, the Lieutenant Governor was a legislative officer in fact.

Effective January 1, 1973, the General Assembly fixed the salary of the Lieutenant Governor at \$30,000 per year (SL 1971, Ch. 913) and the office became a full-time operation. At present the salary is the same as that set for Superior Court Judges in the biennial appropriations acts (G.S. 147-43). When the office was established as a full-time position, however, no additional duties were prescribed by the General Assembly.

The Governor has not formally assigned any continuing duties to the Lieutenant Governor. The result of these facts is that the Lieutenant Governor is now a full-time officer with a significant budget and staff support, but his duties have remained as they were when he was a part-time officer. He is not afforded a significantly better opportunity to prepare to assume the office of Governor in the event of an emergency than he had prior to 1973.

### 3. Possible roles for the Lieutenant Governor

The trend in the American states is to remove the Lieutenant Governor entirely from the legislative process or to limit his participation to the formal role of presiding over the Senate, much as the Vice President of the United States functions in the United States Senate. The committee has reached no conclusion as to whether or not North Carolina should join this trend. In any event, the present legislative role of the Lieutenant Governor should not be diminished until a meaningful executive role has been defined.

Various states have developed executive duties for the Lieutenant Governor in a variety of ways. One possibility is to make the Lieutenant Governor a voting member of a wide range of major State commissions and boards, thus giving him a broad acquaintance with the various agencies and programs of State government. The difficulty with this approach is that the Governor plays a major role in appointing both the members and the chairmen of most of these boards and commissions, and if the Lieutenant Governor and the chairman both purport to represent the Governor at their meetings, conflict between

the chairmen and the Lieutenant Governor may cause substantial resentment. If the Lieutenant Governor represents himself and not the Governor, conflicts of a different nature are likely. Furthermore, the constant shifting from one subject to another in a role of participant rather than as a coordinator or overseer may amount to little more than a program of "busy" work for the Lieutenant Governor without a corresponding benefit either to him or to the State.

A second possibility is to make the Lieutenant Governor head of an individual executive department and to charge him with the usual duties and responsibilities of a department head. For example, in six States the Lieutenant Governor has the title of, or performs the duties of, the Secretary of State. In various other states he serves as Director of Tourism, Commissioner of Agriculture, Director of the Department of Commerce, or Director of Administration (by appointment of the Governor).

A third possibility is to have the Lieutenant Governor serve as ombudsman, dealing with complaints by citizens concerning the functioning of State government. The office would deal with the entire spectrum of State government, albeit on a somewhat accidental basis depending upon the incidence and areas of citizen problems; and it would bring to the ombudsman function the prestige of high office. On the negative side, unless

the Lieutenant Governor enjoys the full confidence of the Governor, the ombudsman function would provide the Lieutenant Governor with the opportunity to capitalize on individual instances of unsatisfactory performance by State offices to the discredit of the Governor.

Increasingly, the interrelationship between State and federal government and between State and local governments becomes more involved and critical. In at least three states the Lieutenant Governor has major responsibility for liaison with either federal or local governments, or both. The Lieutenant Governor of North Carolina could serve in that capacity as the representative of the Governor, and not in an independent capacity. In that role he could relieve the Governor of the necessity of personal attendance at many meetings, and would also be increasingly acceptable to local governments as a representative of the Governor in various ceremonial occasions which now place such a great demand upon the Governor's time.

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#### V. Possible Constitutional and Practical Problems

If the Lieutenant Governor is to continue in his present role as President of the Senate with the power to appoint committees, it may not be possible to expand his executive role. The North Carolina Constitution provides that "The legislative, executive, and supreme judicial powers of the State government shall be forever separate and distinct from each other." (Art. I, Sec. 6). The same constitution lists the Lieutenant Governor as an officer in the Executive Department (Art. III, Sec. 2) but also makes him President of the

Senate (Art. II, Sec. 13; Art. III, Sec. 6). The power to appoint Senate committees is vested in the President of the Senate by Senate rule, not by the constitution. The issue as to whether or not the appointment of legislative committees by an ostensibly executive officer violates the separation-of-powers doctrine has not been litigated because the Lieutenant Governor has been in fact, if not in law, a legislative officer. If he becomes increasingly a part of the Executive Branch, especially if he becomes an integral part of the Governor's office, the constitutional issue will become more pressing.

If the Lieutenant Governor is to have a major executive role, it is essential that he be an arm of, and not an obstacle to, the Governor. A sound system of checks and balances does not require or permit a structure where internal power struggles within any of the branches of State government obstruct sound programs and practices. The constitution provides that "The executive power of the State shall be vested in the Governor." (Art. III, Sec. 1). That power is already fragmented to an unusual degree by North Carolina's numerous constitutional officers who are elected by statewide vote and who therefore enjoy substantial independence of the Governor's office (the Council of State: Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor, and Commissioner of Insurance, Art. III, Sec. 7). The Governor's power should not be further fragmented.



If conflict and competition between Governor and Lieutenant Governor are to be minimized, some kind of "team" arrangement in the election process may be necessary. Some states require candidates for the two offices to join as a team in the primaries, whereas other states require that they run as a team in the general election only. If further study should show that a true team ticket is desired, with a vote for one member of the team automatically being a vote for both, a constitutional amendment would be required.

#### VI. Recommendation

Realistically, any major change in the duties of the Lieutenant Governor, and particularly a change in the day-to-day relationship between Governor and Lieutenant Governor, must take place at the beginning of a term. The personalities and political fortunes of the incumbent Governor and Lieutenant Governor should be minimized as factors bearing on the ultimate decision as to what structure of the Lieutenant Governor's office is best for the State. It is more nearly possible to minimize these factors after the last main legislative session of a current term of the two officers has ended.

Accordingly, the committee recommends that the Legislative Research Commission to be appointed after the adjournment of the 1979 main session of the General Assembly appoint a committee to continue the study conducted by the present committee, and to make its recommendations to the 1980 adjourned session of the 1979 General Assembly.

APPENDIX A

1977-79

LEGISLATIVE RESEARCH COMMISSION MEMBERSHIP

House Speaker Carl J. Stewart, Jr.

Chairman

Representative Chris S. Barker, Jr.

Representative John R. Gamble, Jr.

Representative A. Hartwell Campbell

Representative H. Parks Helms

Representative Lura S. Tally

Senate President Pro Tempore

John T. Henley, Chairman

Senator Dallas L. Alford, Jr.

Senator Russell Walker

Senator Cecil J. Hill

Senator Robert B. Jordan, III

Senator Vernon E. White

APPENDIX B

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1977  
RATIFIED BILL

RESOLUTION 93

HOUSE JOINT RESOLUTION 1377

A JOINT RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION  
TO STUDY THE DUTIES OF THE LIEUTENANT GOVERNOR.

Whereas, the Constitution of the State of North Carolina provides that the General Assembly may assign duties to the Lieutenant Governor; and

Whereas, there appears to be need to define more clearly the duties of the office of Lieutenant Governor so as to utilize appropriately the time and talent of the Lieutenant Governor and to serve the needs of the people; and

Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

Section 1. The Legislative Research Commission, as structured by G.S. 120-30.10 et seq., shall study the duties of the Lieutenant Governor of North Carolina, and if appropriate, the commission shall recommend legislation expanding or modifying the present duties. The commission shall report to the 1979 General Assembly.

Sec. 2. This resolution shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.

JAMES C. GREEN, SR.

James C. Green  
President of the Senate

CARL J. STEWART, JR.

Carl J. Stewart, Jr.  
Speaker of the House of Representatives

APPENDIX C

THE LIEUTENANT GOVERNOR:  
THE OFFICE AND ITS POWERS

The Council of State Governments  
Iron Works Pike  
Lexington, Kentucky 40511

May 1976

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## I. PRINCIPLES FOR THE OFFICE OF LIEUTENANT GOVERNOR

### Introduction

The Office of Lieutenant Governor is one of the oldest in state government. The Lieutenant Governor or Deputy Governor was established in colonial charters in Connecticut and Massachusetts, and the office was provided for in the constitutions of eight of the original 13 States. The primary purpose of the office then was to provide a successor to the Governor in the event of a vacancy.<sup>1</sup> Many of the early state constitutions supplemented the succession responsibility with the additional duty of presiding over the upper house of the state legislature.<sup>2</sup> Currently, 45 States and two territories elect statewide an official with responsibility for succeeding the Governor in the event of a vacancy;\* in 30 of these States he serves as presiding officer of the Senate.

The years since World War II have witnessed profound changes in the office of Lieutenant Governor. As state executive burdens have grown in dealing with the increasing complexities of operating state governments, Lieutenant Governors in many States have been called on to assume a variety of additional responsibilities often involving key management posts within state government. In some others, the essentially legislative nature of

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\*This total includes the Secretaries of State in Arizona, Oregon and Wyoming even though they do not have the official title of "Lieutenant Governor." In each of these States the Secretary of State is elected statewide and is first in line of succession to the Governor. Also included is Utah's Secretary of State who, in 1975, was given the additional title of Lieutenant Governor. The presiding officer of the Tennessee State Senate, who is elected from the membership of the Senate and bears the statutory title of Lieutenant Governor, is not included in the total because he is not elected statewide. Also not included are the states of Maine, New Hampshire, New Jersey and West Virginia where the Senate President is first in line of succession but not elected statewide.

the office has been retained--and, indeed, has been somewhat intensified as the legislative process itself has been strengthened and modernized. Concurrent with these developments have been numerous constitutional and statutory changes and legal constructions regarding the structure and operations of state government, and many of these changes have affected the office of Lieutenant Governor.

The changing nature of state government has raised basic questions about the proper role and function of the Lieutenant Governor. The National Conference of Lieutenant Governors offers the following principles as general guidelines for the office, recognizing that each State will approach the structuring of it, and the specific delegation of responsibilities to it, in light of that State's individual needs and traditions. The principles stem from a basic conviction that the Lieutenant Governor should be fully informed and capable of continuing the administration of state government in the event of a gubernatorial vacancy, and that the activities of the office and the involvement of an incumbent should prepare the Lieutenant Governor adequately for this ultimate responsibility. In addition, the Lieutenant Governor should have meaningful duties, whether they are constitutional, statutory or delegated by the Governor.

## PRINCIPLES

### A

The public interest requires that the executive powers of state government be continuously exercised, and each State should make specific provisions for the immediate filling of a gubernatorial vacancy.

This objective, and others identified in this report, can best be achieved if there is in each State a statewide elected Lieutenant Governor.



The Lieutenant Governor should succeed to the Governorship with full powers in the event of the Governor's death, resignation or incapacity. The legal provisions concerning the succession, either statutory or constitutional, should specify the line of succession following the Lieutenant Governor, and should make clear the procedures to be followed in determining incapacity of the Governor. Provision should also be made for filling the resulting vacancy in the office of Lieutenant Governor.

The Lieutenant Governor should become acting Governor upon absence of the Governor from the State. "Absence" should be defined by statute and is best considered in most jurisdictions as physical absence from the State. This authority for the Lieutenant Governor is especially important since emergency situations can arise requiring immediate decision and action, such as in the case of civil disturbances or natural disasters. The Governor when en route to distant cities or on important missions at home or abroad, for example, can be beyond the reach of instant communications. However, there should be no prohibition against the Governor and Lieutenant Governor leaving the State at the same time, so long as the law provides for an acting Governor.

#### B

As first in line of succession to the Governor, the Lieutenant Governor serves as the second highest executive official in state government. His paramount obligation is to become thoroughly knowledgeable about the operation of all facets of state government at the highest levels. The Lieutenant Governor, therefore, should not be isolated from high level communication and decision-making. He should have responsibilities, delegated or otherwise, that enable him to monitor the full range of state government activities.

At a minimum, he should have access to regular reporting, briefing and budget preparation activities of the state agencies and departments.

Access to the information which leads to executive decision-making and to information on the operations of the executive branch provides a type of training and active involvement that is necessary if the Lieutenant Governor is to be able to take over the reins of government when circumstances require.

#### C

The Lieutenant Governor should be a statewide elected official. Election by a statewide constituency gives the office wide visibility, promotes public acceptance of a transition and enhances the ability of the Lieutenant Governor to function effectively as the new head of the executive branch of state government. A high level of visibility, coupled with significant official responsibilities, heightens the credibility of a change in executive leadership and strengthens public confidence in the effective transfer of power.

#### D

The Lieutenant Governor should pursue his responsibilities on the basis of fulltime service as a member of state government, whether or not his duties are oriented toward the executive or legislative branch of government. The citizens of the State deserve and have a right to demand of the Lieutenant Governor, no less than of other high officials, fulltime attention to the problems of government.

E

The office of Lieutenant Governor should be staffed and compensated to reflect its significance in the structure of state government. As a fulltime statewide elected official with substantial responsibilities, the Lieutenant Governor should receive a salary and have staff resources adequate to do an effective job. Equally important, adequate staff and compensation, along with significant responsibilities, can be critical factors in attracting persons to the office who are competent to become Governor in the event of succession.

\* \* \* \* \*

The foregoing principles envision a Lieutenant Governor who is effectively informed about the basic policies and the major administrative efforts of the executive branch. These principles, in sum, postulate a Lieutenant Governor who, as the potential successor to the Governor, first is equipped with sufficient institutional resources to be adequately informed, and second is charged with significant responsibilities, whether of an executive or legislative nature or both, so as to attract persons of merit and substance to the office. The application of these principles, and the assembling of a specific array of duties and responsibilities for the Lieutenant Governor, remain matters for each State to determine. Their implementation should take into account the various ways the office is structured in the several States and, of course, the traditions of the specific State involved.

The years since World War II, it should be borne in mind, are the ones which have witnessed an unprecedented expansion in the activities and

concerns of state government; and to accommodate these, the capabilities of both the executive and legislative branches of government have been strengthened significantly. In this context, the office of Lieutenant Governor has taken on greater importance. Some highlights of the changes affecting the office during these years, derived from review of new constitutions, constitutional amendments, popular votes, and statutory actions, include the following.

--- The position of Lieutenant Governor as a statewide elective office has been increasing: from 37 States in 1950 to 41 a quarter of a century later. The four which have been added are Alaska, Florida, Hawaii and Maryland.

Utah's Secretary of State was given the statutory title of Lieutenant Governor in 1975 and in Arizona, Oregon and Wyoming the Secretary of State is elected statewide and is first in line of success to the Governor, but not officially titled Lieutenant Governor. When these offices are included, the current total reaches 45 States.\* Since 1950 the office of Lieutenant Governor has also been created in Guam and the Virgin Islands.

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\*Tennessee's Senate Presiding Officer, elected from the Senate membership; bears the statutory title of "Lieutenant Governor" and is first in line of succession. He is not included here since he is not elected statewide. Also excluded are Senate Presidents in Maine, New Hampshire, New Jersey and West Virginia, where they are first in line of succession.

- The concept of "team" election of the Governor and Lieutenant Governor, both being elected by a single ballot in the general election to avoid a party split, initiated by New York in 1953, has spread to over a third of the States. In four States, Florida, Kansas, Maryland and Montana, candidates team up going into the primary by filing as a team.
- Increasing numbers of jurisdictions have given the office an exclusively executive branch orientation. This group, which followed the lead of Massachusetts, now includes all six of the newest offices of Lieutenant Governor as well as Colorado, Illinois, Kansas, Louisiana, Minnesota and Montana.
- Some jurisdictions, in contrast, prefer to continue a Lieutenant Governor with some legislative branch responsibilities. Even in some of these, however, the extent of the Lieutenant Governor's legislative powers has been somewhat curtailed: in Kentucky a 1974 statute takes away the Lieutenant Governor's chairmanship of the multi-purpose Legislative Research Commission; and Georgia's incumbent Lieutenant Governor in 1975 initiated steps to share with Senate leaders the power of committee appointments.
- An ever-increasing majority of the Lieutenant Governors function as fulltime state officials, but there are wide differences in the duties performed by the incumbents.

The following table illustrates some of the developments just mentioned.

	<u>1950</u>	<u>1976</u>
Jurisdictions with a statewide elected Lieutenant Governor	40 States	45 States, 2 territories
Lieutenant Governors with legislative presiding power	36 States	30 States
Lieutenant Governors with no legislative functions	4 States	15 States, 2 territories

From the available evidence it can be seen that there has been an emergence in recent years of two rather distinct approaches to the structuring of the office of Lieutenant Governor. At one end of the spectrum is the exclusively executive branch approach; at the other end, the office is heavily oriented toward the legislative branch. In between are those jurisdictions, the majority, where the office has a mix of legislative and executive responsibilities.

In light of this situation, this Conference is of the view that it can best serve the States and their citizens not by suggesting one simple "model" for the office of Lieutenant Governor, but by identifying alternative "models," each of which is internally consistent and all of which are compatible with the five basic principles previously set forth. Each, however, has a different major orientation, as described below.

#### 1. The Traditional Plan

This approach, utilized in about half the States, involves a Lieutenant Governor whose legislative powers, except for presiding over the Senate, are nominal. In that capacity, the incumbent can serve most usefully as a representative of statewide interests or in a liaison capacity with the

chief executive. The Lieutenant Governor also can carry on various types of ministerial duties, especially in small States.

- a. Selection. The nomination of the Lieutenant Governor can be either independent of or tied in with the nomination of the Governor. Following nomination, it would not be inconsistent for the Governor and Lieutenant Governor to appear as a single ticket on the ballot in the general election.
- b. Responsibilities. In this situation the Lieutenant Governor's legislative duties likely will be less demanding than the Legislative Plan. Provided always that the incumbent is enabled to be informed of key policy developments and their administration, the Lieutenant Governor should be able to assume any of a wide range of assignments.

## 2. The Executive Plan

This approach is utilized in Colorado, Florida, Illinois, Kansas, Louisiana, Maryland, Massachusetts, Minnesota, and Montana. It seems best adapted to States which concentrate a high degree of executive branch authority in the person of the Governor and where there is a strong and viable two-party system. It contemplates a close working relationship between the Governor and the Lieutenant Governor, with the latter undertaking, for at least a significant portion of the time, those areas and assignments expressly designated by the Governor.

- a. Selection. In this system it is suggested the "team" approach can and probably should be utilized. Candidates for Governor and Lieutenant Governor should be double-bracketed as a single ticket prior to the general election.

States may also wish to provide for team election in the primary. Currently, four Executive Plan States team up the Governor and Lieutenant Governor in both the primary and general elections (Florida, Kansas, Maryland and Montana), while the remaining five states apply the concept only to the general election.

- b. Responsibilities. The Lieutenant Governor should be enabled to perform such duties as the Governor assigns. If there is a cabinet or executive council he should be a member of it, and should preside over it in the Governor's absence.

It is not inconsistent with this approach for the Lieutenant Governor to assume certain duties assigned by statute if these are not of a "line" department or agency nature. Departmental responsibilities should be minimal, to enable the Lieutenant Governor to be informed of the overall problems and programs of the State, and should be assigned only by the Governor.

Examples of assignments which can be made are extremely varied, as, in fact, they are in various States at present: to chair advisory councils and commissions on such matters as intergovernmental relations, energy, youth or aging. They might include directorship of a department of administration, or the Lieutenant Governor could serve as the Governor's "troubleshooter." The concept of Citizen's Advocate (sometimes called an ombudsman) could well be served under this, or other plans.



### 3. The Legislative Plan

This approach, employed in Alabama, Georgia, Mississippi, North Carolina, South Carolina and Texas, involves a Lieutenant Governor whose legislative duties go far beyond presiding over the Senate. It has special applicability, it appears, in States where the Governor is constitutionally weak, lacking strong control over significant departments and agencies, and also in States which are predominately one-party States. In the former situation, the Lieutenant Governor, solidly placed in the legislative branch, can contribute a statewide view to deliberations on public policy; in the latter situation, the Lieutenant Governor can serve as part of a check and balance system in state affairs.

- a. Selection. The nomination of the Lieutenant Governor should be independent of that of the Governor. Following nomination, it would be unlikely, although not impossible, that the Governor and Lieutenant Governor would appear as a single ticket on the ballot in the general election.
- b. Responsibilities. In addition to service as Senate President, the Lieutenant Governor should be able to assume duties as may be assigned by statute or which may be given him by the Governor.

If so desired by the Governor, he could serve as a member of the Governor's cabinet. Examples of assignments which can be made could include some of those listed under the preceding model, except that the demands of adequate service to the legislative branch obviously set limits on Lieutenant Governor's ability to assume some types of responsibilities.

#### 4. The Administrative Plan

In some States the official who is first in line of succession to the Governor and who thus serves, in effect, as the "Lieutenant Governor," is an independently nominated and elected statewide official. Examples include Arizona, Oregon, Utah and Wyoming, where the Secretary of State has given the responsibility for succeeding the Governor in the event of a vacancy. In Alaska and Hawaii the office of Lieutenant Governor includes among its responsibilities the traditional functions of the Secretary of State's office.

The official first in line of succession (whether Secretary of State or some other title) should be elected independent of the Governor and should be assigned meaningful constitutional and statutory functions. At the same time the integrity of the Governor's office as the Chief Executive Office of the State should be maintained. An independent election of the Lieutenant Governor will give the voters an opportunity to directly pass upon the qualification of the Lieutenant Governor. The assignment of meaningful functions to the office of Lieutenant Governor should induce the better qualified to seek the office.

- a. Selection. The nomination and election of the Lieutenant Governor should be independent of that of the Governor.
- b. Responsibilities. The Lieutenant Governor should have responsibilities specifically delegated by the state constitution and/or by statute. Such responsibilities, without infringing upon proper gubernatorial executive responsibilities, might typically include overseeing the operation of the state election system, the state treasurer function, administration of the state's business incorporation laws, tourism, or the state audit function. While the assumption

of these major responsibilities will necessarily limit the extent to which the Governor may assign additional duties to the Lieutenant Governor, it is obvious that a good working relationship between the Governor and Lieutenant Governor would be advantageous to the State.

## II. THE OFFICE OF LIEUTENANT GOVERNOR

### Historical Development

The origin of the office of Lieutenant Governor probably goes back to 16th Century England. In 1557 the English Crown established the office of Lord Lieutenant, a county official who represented the King in the management of local affairs. The Lord Lieutenant was originally a military officer responsible for the maintenance of peace in his shire. As the local representative of the King, however, he usually became the chief military and judicial officer of the county and controlled the appointment of local justices of the peace.<sup>3</sup> Although often cited as the forerunner of the office of Lieutenant Governor in the American States, the Lord Lieutenant more closely resembled a colonial American Governor.

The modern office of Lieutenant Governor in the American States is linked to the experience of the American colonies and the creation of the office of Vice President of the United States. The earliest reference to such an office in the American colonies appears in the Massachusetts Charter of 1629.<sup>4</sup> By 1701 the charters of Connecticut and Rhode Island recognized the position of "Deputy Governor" and the charters of Pennsylvania and Delaware referred to the "Governor or his Deputy."<sup>5</sup> Although several of the charters referred to such a Deputy Governor, the phrase "Lieutenant Governor" was used for the first time in the Massachusetts Charter of 1691. The charter also contained the first express provision that the Lieutenant Governor or Governor's Deputy would succeed to the Governorship in the event of a vacancy. Subsequent colonial charters typically included a provision for a Lieutenant or Deputy Governor,<sup>6</sup> and it was during this period that the practice of making the Lieutenant Governor successor to the Governor gained wide acceptance.<sup>7</sup>

The colonial office of Deputy or Lieutenant Governor seems to have been established to cope with the problem of gubernatorial absence. In some colonies titular Governors were often appointed who rarely, if ever, resided in the colony. In 1680 the English Crown forbade Governors to be absent from the colony they governed without arranging for a Deputy,<sup>8</sup> yet from 1706 to 1767 the Governor of Virginia never came to that colony and the position was filled by resident deputies.<sup>9</sup> It has been suggested that the state's political sophistication during the revolutionary and post-revolutionary periods is due to the colonial experience of self-government granted by errant English Governors.<sup>10</sup>

Some royal Governors served as administrator of two colonies, often spending a majority of time in the larger colony to the neglect of the other. Efforts were frequently made by Lieutenant Governors in such circumstances to exercise the powers of the absent Governor. The degree of success depended upon the Governor's willingness to permit it.<sup>11</sup>

Colonial charters usually made the Lieutenant Governor successor to the Governor and sometimes prescribed additional duties. The modern practice of designating the Lieutenant Governor to preside over the upper house of the state legislature may have had its roots in the occasional colonial practice of making the Lieutenant Governor the chief member of the Governor's council. These councils acted variously as an advisory body and as an upper house of the legislature. Although almost universally established, the colonial office of Lieutenant Governor received little attention and was not a position of power and influence.<sup>12</sup>

The creation of a United States Vice President further encouraged the establishment of the office of Lieutenant Governor in the American States. The almost complete acceptance of the bicameral legislature by

state governments attest to the significant influence of the federal constitutional model. States following that model may have seen an officer to succeed to the Governorship as a useful constitutional mechanism.\* The need for an upper-house presiding officer may also have encouraged this action. Whatever the reason, eight of the 13 original States established the office of Deputy or Lieutenant Governor and most other States created it upon admission to the Union.<sup>13</sup>

Although all 50 States have provisions for gubernatorial succession, the responsibility of succession coupled with statewide election have been the primary criteria for selecting those officials discussed and surveyed in this report. The President of the Senate is first in line of succession in the States of Maine, New Hampshire, New Jersey, Tennessee and West Virginia. In Tennessee that official even bears the title "Lieutenant Governor." The practice in some western States (Alaska, Arizona, Hawaii, Oregon, Utah and Wyoming) is to place the responsibility of succession in an office with duties usually performed by a Secretary of State. In Alaska and Hawaii this official bears the title "Lieutenant Governor," while in Arizona, Oregon and Wyoming he is known as the Secretary of State. In Utah he has been granted both titles. Regardless of title, in all six of these western States the official who succeeds the Governor is elected by statewide ballot and is in this respect quite similar to the more traditional "Lieutenant

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\*The succession responsibility is by no means a minor one. During the years 1900-1975, 92 Lieutenant Governors succeeded to the office of Governor in American States. Thirty-two of those officials were subsequently elected to a full term as Governor. Those 32 Lieutenant Governors, plus the 89 who were elected Governor without having succeeded to the office during those years, demonstrate the political importance of the office as a training ground for future Governors. In total, in the last 75 years, 181 persons have served as Lieutenant Governor and later as Governor of an American State. These figures are based upon The Governors of the States: 1900-1974, (Lexington, KY. The Council of State Governments, 1974).

Governors." Thus, 45 of the 50 States now have an official who is first in line of succession to the Governor and who is selected by statewide election. It is these 45 States upon which most of this report will focus.

#### Succession to the Office of Governor and Other Succession Provisions

Lieutenant Governors in all States having the office succeed to the Governorship upon death, resignation or removal of the Governor. In the three States where the Secretary of State performs the functions of Lieutenant Governor without the title, the Secretary of State is first in line to succession to the Governor. In cases where a vacancy occurs in the Office of Lieutenant Governor, most States leave that office unfilled until a general election. In sixteen States however, the Governor is granted the power to appoint a new Lieutenant Governor should a vacancy occur in that office. In the States where the office of Lieutenant Governor is allowed to remain vacant, other state officials are designated as next in line of succession to the Governorship. Nineteen States so designate the President Pro Tem of the Senate, while in Nebraska the Speaker of the unicameral legislature becomes next in the line of succession. Five States place the Secretary of State next in succession, and three declare that official to be the Attorney General. In Vermont the Speaker of the House follows the Lieutenant Governor in succession to the Governorship. (See Table 1).

#### Constitutional Qualifications and Terms\*

In most of the 45 States having Lieutenant Governors elected statewide there are constitutional qualifications for the office. The qualifications

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\*Information for this and succeeding sections is based primarily on a questionnaire distributed to all Lieutenant Governors in the Spring of 1975. Questionnaire responses were supplemented by an examination of constitutional provisions and telephone and postcard contacts.

for office and restrictions on the number of terms that may be served are shown in Table 2.

Age restrictions exist for Lieutenant Governors in 35 States. Twenty-seven States require the Lieutenant Governor to be 30 years of age; one State requires the age of 31; and the remaining seven States mandate the age of 25. Thirty States require U.S. citizenship, with 12 States requiring citizenship for a specified period ranging from 5 to 15 years. Constitutional requirements for state citizenship exist in eight States. Thirty-three States have durational residency requirements. These vary from 3 to 10 years. Seventeen States require that a candidate for Lieutenant Governor be a qualified voter, but only four of the 15 require that he have been eligible to vote for a specified period of time.

In all but three States the Constitutions provide that the Lieutenant Governor serve a four-year term. There is a definite trend to this length of term. Since 1966 seven States have shifted from two-year terms to four and Maryland and Florida established four-year terms when they created the office.

The States vary widely in their provisions for maximum numbers of terms that can be served consecutively. In at least 34 States no constitutional restriction exists and the Lieutenant Governor may be reelected any number of times. Three States prohibit the Lieutenant Governor from succeeding himself, although in most cases he may again be elected after at least one term out of office. Eight States place a two-term limit on the Lieutenant Governor; seven by Constitution and one by statute. In most of those eight States the two-term limit is absolute; in others it requires that he serve no more than two terms consecutively.



### Salaries and Benefits

In 1975 annual salaries of Lieutenant Governors averaged approximately \$22,000. They ranged from \$2,000 to \$60,000 with half the Lieutenant Governors earning more than \$24,000 and half earning less. Several Lieutenant Governors are paid partly on a per diem basis which is often linked to participation in a legislative session. Salaries are supplemented in some States by provision of an official residence or a separate allotment for room and board.

Twenty-one States provide the Lieutenant Governor with a lump sum for expenses. In some instances an additional mileage or per diem is provided. Eleven States pay actual expenses. Twelve Lieutenant Governors indicate that they do not receive compensation for expenses incurred in the course of state business.

Twenty-nine States provide an automobile for the Lieutenant Governor. This may be a state car or a private automobile leased by the State for the Lieutenant Governor's use. Twenty-four States allow the Lieutenant Governor access to the state motor pool, while 35 Lieutenant Governors are granted access to a state airplane. Fourteen States provide a driver for the Lieutenant Governor and 14 States provide a security officer. Some of these personnel are assigned on an as-needed basis. Frequently, a state police officer performs both the functions of driver and security officer.

Fourteen Lieutenant Governors report that they receive extra compensation when they serve as Governor, 25 respondents indicate that they do not. The six remaining Lieutenant Governors are in States where the

Lieutenant Governor does not succeed to the Governor's chair when he is temporarily out of the State.

Table 3 provides details on salaries, expense allowances, and benefits for the Lieutenant Governors.

## Budgets and Staff of the Lieutenant Governors

A survey of state budget documents reveals that at least 31 States have separate budgets for the office of Lieutenant Governor. They are listed below:

Arkansas	Kansas	Oklahoma
Arizona	Kentucky	Oregon
California	Louisiana	Pennsylvania
Colorado	Minnesota	South Carolina
Connecticut	Missouri	South Dakota
Delaware	Nebraska	Utah
Hawaii	Nevada	Vermont
Idaho	North Carolina	Virginia
Illinois	North Dakota	Washington
Indiana	Ohio	Wyoming
Iowa		

In nine States the Lieutenant Governor's budget is included in that for the executive office (Alaska, Florida, Maryland, Massachusetts, Michigan, Montana, New Mexico, Rhode Island and Wisconsin). In all of these States except Rhode Island the Governor and Lieutenant Governor run as a team. In three States the Lieutenant Governor's budget is included in that of the Legislature (Alabama, Georgia and Mississippi), while in Texas it is part of the Senate budget. New York's Lieutenant Governor receives funds from both the legislative budget and the executive office budget. In Indiana the Lieutenant Governor has additional statutory functions, such as Director of the Department of Commerce, with separate budgetary appropriations.

Fiscal year 1975 budgets for the Lieutenant Governors range from \$12,038 to \$4,000,000 with half the budgets above \$105,000 and half below. The size of Lieutenant Governors' staffs also varies greatly. New York's Lieutenant Governor has the largest\* permanent full-time staff: 14 professional and 13 clerical employees. Eleven respondents have additional part-time staff consisting primarily of interns. Additional staff during legislative sessions

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\*Except for those "Lieutenant Governors" who also function as Secretary of State.

is provided in 17 States. The size of additional legislative staff varies from one (Nevada, New Mexico, North Dakota and Washington, to six (Texas). Several Lieutenant Governors note that the additional legislative staff consist of pages or interns.

Eight States provide a Lieutenant Governor's office outside the capitol city. One Lieutenant Governor indicated that his office is in the capitol only during the legislative session and is located in his hometown for the remainder of the year. Budgets, staff size, and office accommodations are explained in more detail in Table 4. Variations in staff and budget size should be noted between most jurisdictions and those States where the "Lieutenant Governor" performs traditional functions of a Secretary of State. In these instances budget and staff size reflect a greater range of functions than in the other States discussed.

### Selection

Since New York introduced the concept in 1951, team election of the Governor and Lieutenant Governor has gained growing acceptance. In 1966 only seven States elected the Governor and Lieutenant Governor as a team in the general election. By 1975 that number had grown to 20.

Several advantages are claimed for team election. It assures compatibility of party affiliation and may also provide greater assurance of continuity in the policies established by the Governor. Proponents also feel that team election makes it more likely that the Governor will delegate significant executive responsibilities to his Lieutenant Governor.

Disadvantages to team election have also been noted. It is argued that independent election provides increased prestige and would heighten public confidence in a transfer of gubernatorial power. In addition, in one-party or weak-Governor States, a Lieutenant Governor with important legislative powers can contribute a statewide perspective to legislative

activities and serve as part of the governmental check and balance system. As the Principles section notes, the method of selection should reflect the culture and political system of individual States. The 20 States which provide for team election are listed below:

Alaska	Illinois	Michigan	New York
Colorado	Indiana	Minnesota	North Dakota
Connecticut	Kansas	Montana	Pennsylvania
Florida	Maryland	Nebraska	South Dakota
Hawaii	Massachusetts	New Mexico	Wisconsin

#### Nomination

Of the 20 team election States, 11 have candidates elected independently of the Governor in primary election (Alaska, Colorado, Hawaii, Illinois, Indiana, Massachusetts, Nebraska, New Mexico, New York, Pennsylvania and Wisconsin). In five States (Connecticut, Michigan, Minnesota, North Dakota and South Dakota) candidates are nominated by convention. In the remaining four States (Florida, Kansas, Maryland and Montana) candidates for Governor and Lieutenant Governor file and run as a team in the primary.

### III. CURRENT ROLE OF THE LIEUTENANT GOVERNOR

Regardless of what structure or powers are assigned to the office, there seems to be a trend toward making the office of Lieutenant Governor a more significant and important one. In 1972, 21 Lieutenant Governors indicated that the office required their full-time efforts. By 1975 that number had increased to 30.\* Lieutenant Governors in many States are assuming new duties which have great potential impact on the operation of state government. This section will examine the duties of the Lieutenant Governors in terms of the four "models" discussed at the beginning of this report. Trends toward a particular model indicate the changing needs of individual States rather than a universal "best system." Of course, the influence of Lieutenant Governors can vary greatly with changes in the political climate of individual States. This report does not discount this fact, but limits itself to definable mechanisms. Obviously, much overlap exists among the categories, but hopefully they still provide a useful descriptive framework.

#### The Traditional Plan

States with the traditional role of their Lieutenant Governors include the following:

Arkansas	Iowa	New Mexico	Rhode Island
California	Kentucky	New York	South Dakota
Connecticut	Michigan	North Dakota	Vermont
Delaware	Missouri	Ohio	Virginia
Idaho	Nebraska	Oklahoma	Washington
Indiana	Nevada	Pennsylvania	Wisconsin

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\*This total includes the following States: Alaska, Arizona, California, Colorado, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Washington, Wisconsin, Wyoming.

Within the traditional plan the duties of the Lieutenant Governor vary from State to State. Yet, by definition, all 24 of these States have Lieutenant Governors who preside over the State Senate, have some responsibilities within the executive branch, and generally serve as "combination" officers with both executive and legislative duties. None of the traditional Lieutenant Governors are elected as part of a team with the Governor in primary elections. Ten of the 24, however, run as a team in the general election.

As the Principles section of this report notes, Lieutenant Governors who fit the traditional model generally do not have legislative duties requiring full-time effort. Of the 15 Lieutenant Governors who consider their positions to be part-time, 12 are from States included in the traditional category. Although they may not require full-time efforts, certain legislative functions are common to many of the traditional style offices. Almost all of the traditional Lieutenant Governors (23) can break ties in Senate voting. However, in some States restrictions are placed upon the use of this power. Fourteen of the Lieutenant Governors in this category can assign bills to committees; 11 actually appoint standing committees themselves. The Lieutenant Governors of Iowa and Indiana are ex officio members of the Legislative Council, while North Dakota's Lieutenant Governor serves on the Government Organization Committee of that State's Legislative Council. Traditional Lieutenant Governors also serve on various other legislative committees; Insurance Laws Revision Committee in Wisconsin; the Legislative Process Study Commission in Virginia; the Audit and Fiscal Review Section of the Budget Committee in North Dakota; and as ex officio chairman of the Senate Rules Committee, and ex officio member of the Senate Facilities and Operatives Committee in Washington. Additional information on

the legislative role of the Lieutenant Governor in "traditional" type States may be found in Table 5.

The Governor is formally empowered to assign executive responsibilities to the Lieutenant Governor in 16 of the 24 traditional cases, although in some States there are restrictions on which functions may be assigned. One responsibility frequently granted to the Lieutenant Governor is service on various state boards and commissions. In California the Lieutenant Governor serves as a trustee of the state university, in New York the Lieutenant Governor serves as a trustee of two universities with land grant colleges: Syracuse University and Cornell University. In Connecticut the Lieutenant Governor is a member of the Corporation of Yale University. In Missouri he serves as chairman of the Governor's Conference on Education. In six States (Arkansas, Indiana, Michigan, Pennsylvania, Vermont and Wisconsin) the Lieutenant Governor serves either as chairman or a member of the State's Bicentennial Celebration Commission.

Ten States involve their Lieutenant Governor in various aspects of intergovernmental relations. Connecticut, Indiana, Ohio, South Dakota and Wisconsin have made the Lieutenant Governor a member of the State's Commission on Intergovernmental Cooperation. In Connecticut he also serves, by executive order, as head of the Office of Federal-State Relations. The Nevada representative to the Lake Tahoe Planning Agency is the Lieutenant Governor. In Kentucky the Lieutenant Governor serves in the Governor's absence as chairman of the County Debt Commission, and in Missouri he has served as chairman of the Governor's Council on Community Affairs. The Lieutenant Governor of Washington is an ex officio member of the Joint Committee on Washington/British Columbia Governmental Cooperation and in California that official serves as a member of the California/Mexico Commission. Michigan's Lieutenant Governor reports that he has been active in federal government liaison.



General administrative oversight functions have been assigned to some Lieutenant Governors. In Michigan the Lieutenant Governor is a member of both the State Administrative Board and the Executive Council. In Pennsylvania he serves as a member of the State Executive Board, and in Indiana the Lieutenant Governor is the director of the State Planning Services Agency.

One mechanism for administrative input by the Lieutenant Governor is the state cabinet. Of the 15 traditional States which have cabinets, 12 include the Lieutenant Governor as a formal or informal member. Those States are noted in Table 6. Three States (Indiana, Kentucky and Missouri) have made their Lieutenant Governor a member of the board which oversees the operation of state buildings. In Connecticut, Missouri, New York and Pennsylvania the Lieutenant Governor serves as a member or chairman of the state agency responsible for disaster preparedness and civil defense, and in Delaware and Pennsylvania he serves as head of the State Board of Pardons. Four States have assigned significant consumer protection functions to the Lieutenant Governor. The Lieutenant Governors of Missouri, New Mexico and New York act as ombudsmen for citizens dealing with the state government, while in Wisconsin the Lieutenant Governor serves as chairman of the Governor's Council for Consumer Affairs and as ombudsman for nursing home complaints.

Important economic or budgetary responsibility is granted to the Lieutenant Governors of Connecticut, New Mexico, Rhode Island, Virginia and Washington. In Washington the Lieutenant Governor is a member of the State Finance Committee, while in Rhode Island he is chairman of the Economic Task Force and co-chairman of the Economic Renewal Council. The Connecticut and New Mexico Lieutenant Governors are members of the Finance Advisory Committee and vice-chairmen of the Board of Finance, respectively.

In Virginia the Lieutenant Governor has been designated by the Governor as a member of his Budget Advisory Board and Revenue Resources Board. Various other administrative functions performed by "traditional" Lieutenant Governors include: member of the Board of Directors of the Virginia Museum and the Jamestown Foundation in Virginia; member of the Executive Committee on Human Rights and Opportunities in Connecticut; chairman of the State Division on Youth in Rhode Island; chairman of the Tourism and Recreation Commission and the Special Events Commission in Oklahoma; member of the State Capitol Committee, the Oil and Gas Conservation Committee, the State Patrol Retirement Board, and the State Health Care Facilities Authority in Washington; coordinator of the Labor Relations Act, Affirmative Action, and Criminal Justice in the State of Pennsylvania; member of the Stream Pollution Control Board, the New Harmony Commission, the Natural Resources Commission and the State Fair Board in Indiana; vice chairman of the Turnpike Commission and supervisor of management of the old Governor's mansion in Kentucky; member of the State Lands Commission in California; ex officio member of the Board to Canvass Votes for Presidential Electors and the Board on National Forests in Vermont; chairman of the Law Enforcement Planning Commission and the Land Board Subcommittee on Rental Rates in Idaho; member of the State Records Board and State Claims Board in Nebraska; member of the Court for the Trial of Impeachments in New York; and coordinator of volunteer programs, and director of the Loaned Executives Action Program in Missouri.

Only one State in the "traditional" category places the Lieutenant Governor at the head of a major executive department. In Indiana the Lieutenant Governor is by statute both the director of the Department of Commerce and Commissioner of Agriculture. The Governor of Indiana has appointed the Lieutenant Governor director of the State Planning Services Agency which is

responsible for coordinating planning among state agencies, regional planning commissions and local governments. As director of the State Department of Commerce, the Lieutenant Governor of Indiana is responsible for overseeing industrial and rural development, tourism, international trade, minority business enterprise, economic development planning, public information, and the state energy office. A tradition of legislative willingness to grant statutory responsibilities has resulted in Indiana's Lieutenant Governor becoming one of the most active of the "traditional" type. Additional information on the administrative and executive roles of the traditional Lieutenant Governors may be found in Table 6.

#### The Executive Plan

As the Principles section of this report notes, States with the Executive Plan have made their Lieutenant Governor an exclusively executive officer with no legislative responsibilities. Lieutenant Governors of this type do not preside over a house of the legislature, do not serve on legislative agencies or commissions, and are considered to be purely executive officers. Although Massachusetts created its office in 1780, the other States with this plan have instituted it only recently. Currently, the States of Colorado, Florida, Illinois, Kansas, Louisiana, Maryland, Massachusetts, Minnesota and Montana utilize this model.

Florida and Maryland adopted this form when they first created the position of Lieutenant Governor in their States. The remainder of the States in this category changed from the traditional style to an exclusively executive office. The fact that all adherents to this model except Massachusetts have adopted it within the last 15 years may be taken as a trend toward giving the office of the Lieutenant Governor a greater executive branch orientation.

The Lieutenant Governors of eight States in this category indicate their position requires full-time effort. The Lieutenant Governor of Kansas occupies a part-time position. In all of the States using the Maryland-Florida plan which have an institutionalized cabinet, the Lieutenant Governor is a member of that body. His membership may be by statute or by invitation. In Florida the cabinet is established by the Constitution but the Lieutenant Governor is not a member of that body. In Louisiana the Lieutenant Governor may become a cabinet member by appointment of the Governor. Lieutenant Governors from States using the Maryland-Florida plan are customarily elected on a joint ticket with the Governor. The only exception is in Louisiana where they are elected separately. Team primaries are used in Florida, Kansas, Maryland and Montana.

Governors are statutorily or constitutionally empowered to assign duties to the Lieutenant Governors in all nine States. In Florida the Lieutenant Governor has been designated as Secretary of the Department of Administration. As is the case in the traditional States, adherents to the executive model frequently place the Lieutenant Governor on various state boards and regulatory authorities. For example, Florida's Lieutenant Governor is chairman of that State's American Revolution Bicentennial Commission, and in Louisiana the Constitution provides that the Lieutenant Governor shall serve ex officio as a member of each committee, board and commission on which the Governor serves. In addition, he represents the Governor as Coordinator of International Relations, chairman of the Louisiana Energy Commission, and the Governor's representative for state parks and recreation.

The Illinois Lieutenant Governor is involved in such areas as minority and elderly affairs. He serves as chairman of the Department of Aging

Technical Advisory Committee, and coordinates the Governor's programs for the elderly and Latin populations. He is also a member of the Council on Aging. In addition, the Lieutenant Governor is chairman of the Abandoned Mined Lands Reclamation Council, a member of both the Commission on Intergovernmental Cooperation and the Governor's Traffic Safety Coordinating Committee, and vice chairman of the Energy Advisory Council on Coal Development. He also works on Illinois exports and economic development, and is involved in work with prison and mental health facilities.

In Montana the Lieutenant Governor is chairman of the Energy Advisory Council. He also functions as consultant to the State's Addictive Diseases Unit and is a member of the Executive Cabinet on Human Resources.

Maryland's Constitution prohibits the statutory assignment of responsibilities to the Lieutenant Governor. However, the Governor has granted the Lieutenant Governor broad responsibility in the areas of state budgeting and education.

Both the Kansas and Massachusetts Lieutenant Governors indicate that they are heavily involved in the area of intergovernmental relations. In Kansas the Lieutenant Governor is active in governmental reorganization and serves as liaison between federal, state, and local governments. He also serves as a member of the Governor's Committee on Criminal Justice Administration. In Massachusetts the Lieutenant Governor acts as the Governor's alternate to the New England Regional Commission and to the New England Governors' Conference. In addition, he supervises the Office of Federal-State Relations in the State House and in Washington, D.C.

The Minnesota Lieutenant Governor has been assigned responsibility for directing the implementation of the recommendations of the Loaned Executives Action Program. He is also chairman of the Human Services Council which

coordinates the activities of all state human services agencies. The Governor has appointed the Lieutenant Governor his liaison to numerous state boards such as the Commission on Intergovernmental Cooperation, the State Arts Council, the Indian Affairs Commission and the State Employees Insurance Benefit Board. The Lieutenant Governor also serves with other statewide elected officers as a member of the Minnesota Executive Council.

Colorado's Lieutenant Governor acts as executive ombudsman for the State, is active in the manpower and corrections areas and prepares the state tax plan for consideration of the legislature. By statutes he also has two responsibilities involving school districts. He serves as chairman of the School District Budget Review Board and names third parties in disputes between a local school district and a teacher. The Budget Review Board has unusual powers in that it may approve or reject school district annual budget increases. If an increase is approved, it amounts to an automatic tax increase. The Indian Affairs Bureau is also located in the Colorado Lieutenant Governor's office.

### The Legislative Plan

The Legislative Plan involves a Lieutenant Governor who may perform some executive branch duties but who is primarily a legislative figure. States using this model make the Lieutenant Governor presiding officer of a legislative house and grant significant legislative powers.

Alabama, Georgia, Mississippi, North Carolina, South Carolina and, of course, Texas are classified as using this approach. In none of these States are the Lieutenant Governor and the Governor elected as a team in either the primary or general election. As the Principles section of the report indicates, independence of election is to be both expected and encouraged for States with a strongly legislative Lieutenant Governor. Only

two (North Carolina and Texas) Lieutenant Governors in this category not that their position requires full-time effort.

In all States in this category except Georgia and South Carolina the Lieutenant Governor serves as Governor during his absence from the State. Georgia, North Carolina and South Carolina grant the Governor the statutory or constitutional authority to assign duties to the Lieutenant Governor. In the other States duties may be assigned informally. Governors' cabinets exist in only two of the six States (Alabama and North Carolina). In Alabama the Lieutenant Governor is not a member of the cabinet, while in North Carolina he does sit with that body. The Lieutenant Governors may have executive branch duties, but they are generally less involved in those activities than are other types of Lieutenant Governors. In North Carolina the Lieutenant Governor is a member of the Board of Education and various other state boards and commissions. The Lieutenant Governor of Mississippi is a member of both the Budget Commission and the State's Agricultural and Industrial Board. Georgia's Lieutenant Governor reports that he serves on several boards, including Chairman of the Economic Development Council. In Alabama, the Lieutenant Governor serves on numerous boards and is chairman of the Governor's Fiscal Advisory Committee. The Texas Lieutenant Governor is vice-chairman of the Governor's Energy Advisory Council.

As expected, the legislative duties of the Lieutenant Governor under the model are both numerous and important (see Table 5). All six assign bills to committees, and all influence committee appointments as well. In Alabama, Mississippi, North Carolina and Texas the Lieutenant Governors report that they appoint all Senate committees. In South Carolina the Lieutenant Governor appoints some committees, while in Georgia he is the chairman of the Committee on Committees which does the actual selecting.

All of the Lieutenant Governors in this category except Georgia are empowered to break tie roll call votes, while in Alabama, Mississippi and North Carolina the Lieutenant Governor may also break ties on matters of Senate organization. The Lieutenant Governor of Texas is the only one indicating that he is involved in preparation of the calendar.

Four of the six Lieutenant Governors report significant administrative or "housekeeping" functions. These are detailed in Table 5. One important characteristic of Lieutenant Governors in this category is their service on major legislative agencies. In South Carolina and Texas the Lieutenant Governor is chairman of the Legislative Council. In Texas he is also chairman of the Legislative Reference Library and wields great influence in the appropriations process as chairman of the Legislative Budget Board. An amendment to the Constitution also makes him a member of the Legislative Redistricting Board. The Alabama Lieutenant Governor serves on the Legislative Council and is chairman of both the Legislative Committee on Public Accounts and the Commission on Intergovernmental Cooperation. He is a member of the Legislative Fiscal Committee and several other committees.

Georgia's Lieutenant Governor is a member of both the Legislative Services Committee and is Chairman of the Fiscal Affairs Committee. Interestingly, all six of the Lieutenant Governors indicated that it would be appropriate for the Lieutenant Governor to have some executive responsibilities or serve as other than a purely legislative official. Four of the six believe that they are included in legislative activities to a satisfactory degree.

#### The Administrative Plan

States in which the Lieutenant Governor performs the functions traditionally assigned to the Secretary of State, and States in which the



Secretary of State has been made first in the line of succession to the Governor, are defined as having the Administrative Plan. Those States are Alaska, Arizona, Hawaii, Oregon, Utah and Wyoming. In Alaska and Hawaii the Lieutenant Governor has been granted the responsibilities of a Secretary of State, while the other States in this category have made their Secretary of State first in line of succession. The method of selection varies considerably within this category. In Arizona, Oregon, Utah, and Wyoming the Secretary of State "Lieutenant Governor" is not elected as a team with the Governor, and is in all respects an independent statewide elected official. In Alaska and Hawaii, however, the Lieutenant Governor is chosen separately from the Governor is a primary but must then run for office as a team in the general election.

In Alaska, Hawaii and Utah the Constitution or statutes empower the Governor to assign additional responsibilities to the Lieutenant Governor. In Hawaii, the Lieutenant Governor is head of the Hawaii State Prison Task Force and is chief liaison officer for the Executive Branch during the legislative session. Alaska's Lieutenant Governor is chairman of the Alaska Historical Commission, the Alaska Safety Council, the Alaska Growth Policy Council, the Parks and Recreation Advisory Council, and is the State's representative to the Committee on the Western Interstate Nuclear Compact. In addition, he is coordinator of a state government cost and efficiency study and is responsible for the Commission on Campaign and Financial Disclosure. In both States the above duties are in addition to those normally performed by a Secretary of State. Alaska, Hawaii and Wyoming have a Governor's cabinet; in Alaska and Wyoming the Lieutenant Governor is a member. The Lieutenant Governors of all six Administrative Plan States indicate that their position is a full-time one. Additional information on the duties of these six officials may be found in Table 6.

In addition to special duties as Lieutenant Governor, the Secretary of State in this category functions similarly (except for succession to the Governorship) to the Secretary of State in other jurisdictions. Responsibilities include the administration of elections, regulation of securities, registration of corporations, and the filing and publication of administrative rules and regulations. In addition the Oregon Secretary of State is supervisor of the State archives, administrator of public records and Auditor of Public Accounts.

## FOOTNOTES

<sup>1</sup>The Office of the Lieutenant Governor: Some Persisting Questions Concerning the Constitutional State Executive, (Lawrence: The University of Kansas Governmental Research Center, 1960), p. 1.

<sup>2</sup>J. William Davis, There Shall Also Be A Lieutenant Governor, (Austin: University of Texas at Austin, Institute of Public Affairs, 1967), p. 3.

<sup>3</sup>Duties and Powers of the Lieutenant Governor, (Boston: Massachusetts Legislative Research Council, December 29, 1971), pp. 12-13.

<sup>4</sup>R. F. Patterson, The Office of Lieutenant Governor in the United States, University of South Dakota, The Governmental Research Bureau, (Vermillion, South Dakota, June 1944, Report No. 13), p. 5.

<sup>5</sup>Ibid., p. 6.

<sup>6</sup>The Office of the Lieutenant Governor: Some Persisting Questions, p. 1.

<sup>7</sup>J. William Davis, op. cit., p. 2.

<sup>8</sup>Ibid.

<sup>9</sup>Thomas R. Morris, Virginia's Lieutenant Governors: The Office and the Person, University of Virginia, Governmental and Administrative Research Division, Institute of Government, (Charlottesville, Virginia, January 5, 1970), p. 4.

<sup>10</sup>The Lieutenant Governor: The Office and Its Powers, (Lexington, Kentucky: The Council of State Governments, 1972), p. 5.

<sup>11</sup>J. William Davis, op. cit., p. 2.

<sup>12</sup>Ibid., p. 3.

<sup>13</sup>The Office of the Lieutenant Governor: Some Persisting Questions, p. 1.

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# NATIONAL CONFERENCE OF LIEUTENANT GOVERNORS

SECRETARIAT: THE COUNCIL OF STATE GOVERNMENTS

June 1, 1976

TO: All Lieutenant Governors and Secretaries of State of  
Arizona, Oregon and Wyoming

FROM: Richard J. Carlson, Director of Research,  
The Council of State Governments 

SUBJECT: Updating the Report of the Committee on the Office of  
Lieutenant Governor

At its last meeting in Wilmington, Delaware on May 6-7, the Committee on the Office of Lieutenant Governor of the National Conference of Lieutenant Governors reviewed a draft of the Committee's report on THE LIEUTENANT GOVERNOR: THE OFFICE AND ITS POWERS. This is the same draft that was circulated to you for comment last March. The Committee made several changes and recommended that the revised version be circulated at the annual meeting of the Conference in Newport, RI, July 28-31, and published and released in the Fall of 1976.

The Committee also recommended that the factual data in the report, which is based on a 1975 survey of Lieutenant Governors, be updated to reflect developments in 1976. Accordingly, I have enclosed copies of the six basic tables of factual information now contained in the report along with a self-addressed envelope. PLEASE UPDATE THE INFORMATION IN EACH TABLE FOR YOUR STATE AND RETURN THE CORRECTED TABLES TO ME BY JUNE 17, 1976. This new tabular material will be incorporated in the report that will be submitted to the full conference this summer.

Your continuing cooperation is greatly appreciated.

RJC/dbr

Enclosures



Table 1

VACANCIES IN THE OFFICE OF LIEUTENANT GOVERNOR  
AND EFFECT UPON GUBERNATORIAL SUCCESSION

State	Governor Appoints A New Lieutenant Governor	Other Official Becomes Next In Line of Succession to the Governor
Alabama	. . .	President Pro Tem
Alaska	X	
Arizona	. . .	(a)
Arkansas	. . .	President Pro Tem
California	X	
Colorado	X	
Connecticut	. . .	President Pro Tem
Delaware	. . .	Secretary of State
Florida	X	
Georgia	. . .	President Pro Tem
Hawaii	. . .	President Pro Tem
Idaho	X	
Illinois	. . .	Attorney General
Indiana	X	
Iowa	. . .	President Pro Tem
Kansas	X	
Kentucky	. . .	President Pro Tem
Louisiana	X	
Maryland	X	
Massachusetts	. . .	Secretary of State
Michigan	. . .	Secretary of State
Minnesota	. . .	President Pro Tem
Mississippi	. . .	President Pro Tem
Missouri	. . .	President Pro Tem
Montana	X	
Nebraska	. . .	Speaker of the Legislature
Nevada	. . .	President Pro Tem
New Mexico	. . .	Secretary of State
New York	. . .	President Pro Tem
North Carolina	. . .	President Pro Tem
North Dakota	. . .	President Pro Tem
Ohio	. . .	President Pro Tem
Oklahoma	. . .	President Pro Tem
Oregon	X	
Pennsylvania	. . .	President Pro Tem

State	Governor Appoints A New Lieutenant Governor	Other Official Becomes Next In Line of Succession to the Governor
Rhode Island	X	
South Carolina	. . .	President Pro Tem
South Dakota	X	
Texas	. . .	President Pro Tem
Utah	X	
Vermont	. . .	Speaker of the House
Virginia	. . .	Attorney General
Washington	. . .	Secretary of State
Wisconsin	X	
Wyoming	X	

(a) The Assistant Secretary of State serves as Secretary of State until the next general election but the gubernatorial succession responsibility falls on the Attorney General.



Table 2  
 CONSTITUTIONAL QUALIFICATIONS AND TERMS  
 OF OFFICE FOR LIEUTENANT GOVERNORS  
 (In Years)

State	Age	State Citizen	U.S. Citizen	State Resident	Eligible Voter	Length of Term	Maximum Consecutive Terms Allowed
Alabama	30	7	10	...	...	4	2
Alaska(a)	30	...	7	7	X	4	2
Arizona	25	5	10	...	...	4	...
Arkansas	30	...	X	7	...	2	...
California	...	...	5	5	X	4	...
Colorado	30	...	X	2	...	4	...
Connecticut	30	...	...	...	X	4	...
Delaware	30	...	12	6	...	4	...
Florida	30	...	...	7	X	4	...
Georgia	30	6	15	...	...	4	...
Idaho	30	...	...	5	X	4	...
Illinois	30	...	X	2	...	4	...
Indiana	25	...	X	3	...	4	...
Iowa	30	...	5	5	...	4	...
Kansas	30	...	X	2	...	4	...
Kentucky	...	...	...	...	...	4	2
Louisiana	30	6	...	6	...	4	1
Maryland	25	...	5	5	...	4	2
Massachusetts	30	5	5	5	5	4	...
Michigan	...	...	...	7	...	4	...
Minnesota	30	...	...	...	4	4	...
Mississippi	25	...	X	1	...	4	...
Missouri	30	...	20	5	...	4	...
Montana	30	...	15	10	...	4	...
Nebraska	25	...	X	2	...	4	...
Nevada	30	5	X	5	...	4	...
New Mexico	25	...	...	2	X	4	2
New York	30	...	X	5	...	4	1
North Carolina	30	...	X	5	...	4	...
North Dakota	30	...	5	2	...	4	1
Ohio	30	...	X	5	X	4	...
Oklahoma	...	...	...	...	X	4	...
Oregon	31	...	X	...	10	4	...
Pennsylvania	...	...	...	...	...	4	2
Rhode Island	30	...	X	7	...	4	2

State	Age	State Citizen	U.S. Citizen	State Resident	Eligible Voter	Length of Term	Maximum Consecutive Terms Allowed
Rhode Island	...	...	...	...	X	2	...
South Carolina	30	5	5	5	...	4	...
South Dakota	...	...	X	2	...	4	2
Texas	30	...	X	5	...	4	...
Utah	30	...	...	5	X	4	...
Vermont	...	...	...	4	...	2	...
Virginia	30	...	X	5	5	4	...
Washington	...	...	X	...	X	4	...
Wisconsin	...	...	X	...	X	4	...
Wyoming	25	X	...	...	X	4	...

... No specific provision.

X Required by constitution but number of years not specified.

Table 3  
SALARIES AND BENEFITS FOR THE LIEUTENANT GOVERNOR

State	Annual Salary (1975)	1975** Expenses	1975 Misc. Benefits
Alabama	\$ 3,600(a)	\$42/day session(b)	SAPG
Alaska	44,000	(c)	---
Arizona	24,000	NA	SMP
Arkansas	2,500	\$ 9,600	APG(d)
California	35,000	5,000	SAG
Colorado	25,000	---(e)	SMA(f)P
Connecticut	18,000	3,500	SA
Delaware	12,000	2,200	---
Florida	36,000	---	MP
Georgia	25,000	---	SMAPG
Hawaii	35,700	(e)	SAG
Idaho	8,000*	(g)	P when acting Gov.
Illinois	37,500	---(h)	SPG(e)
Indiana	29,500	\$35/day session	SP
Iowa	12,000(i)	(j)	P
Kansas	10,400	1,875	MP
Kentucky	22,500*	5,000	SMAPG
Louisiana	40,000*	6,000	SMAPG
Maryland	44,856	7,000	SAPG
Massachusetts	25,000	---	M
Michigan	27,500*	---	SP
Minnesota	30,000	2,000	SMP
Mississippi	15,000*	10,000	SAPG
Missouri	16,000*	---	SP
Montana	24,000*	---	MP
Nebraska	25,000	3,515	MAP
Nevada	6,000	2,750	MP
New Mexico	15,000*	(k)	MP
New York	60,000	15,000	SMP
North Carolina	30,000	4,000	SMP
North Dakota	2,000*	4,500	---
Ohio	30,000	---	SMP
Oklahoma	24,000*	(h)	SMAPG(d)
Oregon	35,090	(e)	MP
Pennsylvania	45,000	25,000	SMAPG

\*\*Please update this column by answering the question on the following page.

State	Annual Salary (1975)	1975 Expenses	1975 Misc. Benefits
Rhode Island	\$25,000	(e)	SMP
South Carolina	17,500	1,300(l)	SAPG(d)
South Dakota	4,500	12,000	MP
Texas	7,200*	\$30/day session	SAPG(d)
Utah	22,000	---	SMP
Vermont	15,500	6,000	S
Virginia	10,500	5,000(m)	PG(f)
Washington	17,800*	(n)	SM
Wisconsin	28,500*	---	SP
Wyoming	23,000	1,200	SMP

\* Extra compensation when serving as Governor.

Abbreviations:

- NA - Not Available
- S - Assigned a state car
- M - Access to motor pool
- A - Assigned driver
- P - Access to a state plane
- G - Assigned security officer

- (a) Plus \$12/day during legislative sessions.
- (b) Plus \$1,500/month expense allowance.
- (c) Per diem when traveling; between \$40 and \$52/day depending on area traveled.
- (d) Driver and security officer are the same person.
- (e) No specific amount--some funds for expenses are available
- (f) As needed.
- (g) \$50/day plus travel and lodging.
- (h) Actual and necessary expenses.
- (i) Plus \$60/day on legislative business between sessions.
- (j) \$140/week during sessions, mileage and actual expenses during the interim.
- (k) \$50/day and mileage during sessions.
- (l) Plus \$25/day during sessions.
- (m) Plus \$44/day and mileage during sessions.
- (n) \$35/day out-of-state; \$25/day in-state.

INFORMATION ON 1976 EXPENSES: Please indicate whether or not you receive an expense allotment in addition to salary, the amount received, and the purpose for which the allotment can be expended. (Examples would include a per diem for days spent in the capitol city during legislative sessions; a per diem while traveling on state business; or a flat monthly or annual sum to be used at the discretion of the Lieutenant Governor or actual and necessary expenses.)

EXPENSES: YES  NO

AMOUNT (If any): \_\_\_\_\_

PURPOSE: \_\_\_\_\_

Table 4

BUDGETS AND STAFF OF THE LIEUTENANT GOVERNORS

State	Annual Office Budget*	Permanent Staff		Part-time Staff	Additional Legislative Staff		Office Away From Capitol City
		Prof.	Cler.		Prof.	Cler.	
Alabama	(a)	2	5	---	1	2	No
Alaska	\$221,700	3	2-3	---	---	---	No
Arizona	421,000	2	20-25	Interns	---	---	No
Arkansas	18,000	---	1	---	---	---	No
California	450,000	10	12	4-5	---	---	Yes(b)
Colorado	106,337	2(c)	3	Interns	---	---	Yes
Connecticut	70,491	3	2	---	1	1	No
Delaware	23,246	---	1	---	---	---	No
Florida	(d)	1	1	---	---	---	No
Georgia	(a)	2	4	2	1	1	No
Hawaii	968,996	7	5	(e)	---	2	No
Idaho	43,050	---	2-3	---	---	3	No
Illinois	397,546	7	8	Interns	---	---	Yes(f)
Indiana	90,000(g)	2(h)	4(h)	---	1	1	No
Iowa	60,000	1	1	---	---	---	No
Kansas	58,044	1	1	---	---	---	No
Kentucky	157,000	(i)	(i)	---	---	---	No
Louisiana	200,000	---	9	---	---	5	Yes
Maryland	150,000	2	2	---	---	---	No
Massachusetts	132,000	(j)	(j)	---	---	---	No
Michigan	125,000	2	2	---	---	---	No
Minnesota	155,000	6	2	---	---	---	No
Mississippi	(a)	2	2	---	---	---	No
Missouri	70,348	1(k)	1(k)	Interns	---	---	No
Montana	102,890	5	2	---	---	---	No
Nebraska	12,038	---	1	---	---	---	No
Nevada	31,546	---	1	---	1	---	Yes(l)
New Mexico	82,200	3	3	---	1	---	Yes(m)
New York	613,500(n)	14	13	Interns	---	---	Yes(o)
North Carolina	129,882	2	2	---	1	1	Yes
North Dakota	15,000	---	1	Interns	---	1	No
Ohio	138,524	3	1	1	---	---	No
Oklahoma	80,000	1	2	---	(p)	---	No
Oregon	4,000,000(q)	59	40(r)	---	---	---	---
Pennsylvania	225,000(s)	NA	NA	NA	NA	NA	Yes

State	Annual Office Budget*	Permanent Staff		Part-time Staff	Additional Legislative Staff		Office Away From Capitol City
		Prof.	Cler.		Prof.	Cler.	
Rhode Island	\$ 90,000	2	3	---	(p)	(p)	No
South Carolina	55,000	2	1	---	(p)	(p)	No
South Dakota	NA	---	1	---	1	1	No
Texas	(a)	10	12	---	4	2	No
Utah	1,450,000 (t)	3	2(u)	Interns	---	---	No
Vermont	38,000	---	1	---	---	---	No
Virginia	40,195	1	1-2	---	---	2	Yes(v)
Washington	51,217	---	2	---	1	---	No
Wisconsin	Sum Sufficient	4	2	---	---	---	Yes(w)
Wyoming	234,000	5	5	Interns	---	---	No

\*Please indicate total for fiscal 1976 (current column is for fiscal 1975).

NA - Not available.

- (a) Indefinite and included in legislative budget.
- (b) Offices in Los Angeles and San Diego.
- (c) Plus staff located in the ombudsman's office.
- (d) Included in the Governor's office budget.
- (e) Temporary receptionists and clerks, some assigned to elections division.
- (f) Additional office in Chicago.
- (g) Plus \$25,000 contingency fund to be spent at discretion of the Lieutenant Governor. Additional funds as head of three executive departments equal approximately \$4,000,000.
- (h) Includes personal staff only.
- (i) Staff usually ranges from 10-20.
- (j) Seven staff members (professional and clerical combined).
- (k) Plus staff members paid by federal sources.
- (l) Additional office in Las Vegas.
- (m) Citizen service centers.
- (n) Fiscal year 1976 (\$250,000 from executive budget; \$363,500 from legislative budget).
- (o) Additional offices in Rochester and New York City.
- (p) Pages and interns.
- (q) Includes expenditure for the audit function which is approximately \$2,000,000.
- (r) Approximately 70% professional (mostly accountants) and 30% clerical.
- (s) Fiscal year 1976.
- (t) Includes \$1,000,000 for building and grounds function at the State Capitol.
- (u) Plus approximately 110 employees for building and grounds.
- (v) Office in Capitol only during legislative sessions; remainder of time office is in Radford.
- (w) Has use of office in Milwaukee.

Please bring up to date for your State

Table 5

LEGISLATIVE RESPONSIBILITIES AND POWERS OF THE LIEUTENANT GOVERNORS

State	Preside Over Senate	Appoint Committees	Break Tie Roll Call	Votes Organization	Assign Bills	House-keeping Functions	Calendar Preparation
Alabama	Yes	Yes	Yes	Yes	Yes	O	No
Arkansas	Yes	Yes(a)	Yes	No	Yes	None	Yes(b)
California	Yes	No	Yes	No	No	None	No
Connecticut	Yes	No	Yes	Yes	Yes	None	No
Delaware	Yes	No	Yes	NA	Yes	None	No
Georgia	Yes	Yes(c)	No	No	Yes	None	No
Idaho	Yes	Yes	Yes	Yes	Yes	E	No
Indiana	Yes	Yes(d)	Yes	Yes	No	None	No
Iowa	Yes	Yes(e)	Yes(f)	Yes	Yes(e)	E	No
Kentucky	Yes	No	Yes	Yes	No	None	No
Michigan	Yes	No	Yes	No	Yes	None	No
Mississippi	Yes	Yes(g)	Yes	Yes	Yes	O,P,E,H	No
Missouri	Yes	No	Yes(f)	Yes	No	None	No
Nebraska	Yes	No	Yes	No	No	None	Yes
Nevada	Yes	Yes(h)	No	No	No	None	Yes
New Mexico	Yes	Yes(i)	Yes	Yes	Yes(j)	None	Yes
New York	Yes	No	Yes	Yes	No	O	No
North Carolina	Yes	Yes	Yes	Yes	Yes	H(k)	No
North Dakota	Yes	Yes(b)	Yes	Yes	Yes	E(l)	No
Ohio	Yes	No	Yes	No	No	None	No
Oklahoma	Yes	No	Yes	NA	No	None	No
Pennsylvania	Yes	No	Yes(f)	Yes	Yes	None	No
Rhode Island	Yes	No	Yes	No	Yes	None	No
South Carolina	Yes	Yes	Yes	No	Yes	None	P
South Dak	Yes	Yes	Yes	Yes	Yes	H	

State	Preside Over Senate	Appoint Committees	Break Tie Roll Call	Votes Organization	Assign Bills	House- keeping Functions	Calendar Preparation
Texas	Yes	Yes	Yes	No	Yes	None	Yes
Vermont	Yes	Yes(c)	Yes	Yes	Yes	None	Yes
Virginia	Yes	No	Yes	Yes	No	P	No
Washington	Yes	Yes(m)	Yes(f)	No	Yes	E	Yes
Wisconsin	Yes	Yes(h)	Yes	Yes	Yes	None	No

NA - Information Not Available.

S - Assigns seats.

O - Assigns offices.

P - Parking.

E - Approval of expenditures.

H - Hiring of staff.

(a) Some committees.

(b) By tradition the Lieutenant Governor appoints those persons suggested by the party leaders.

(c) The Lieutenant Governor is a member of the Committee on Committees which appoints the committees. In Georgia he is chairman.

(d) Some interim and joint committees.

(e) When the Lieutenant Governor is a member of the Senate majority party.

(f) Except for final passage.

(g) Except Rules and Legislative Services Committees.

(h) Conference Committees only.

(i) Conference and Joint Committees only.

(j) Only with sponsor's request.

(k) Committee clerks only.

(l) Ministerial function of signing House and Senate expense vouchers

(m) Subject to Senate confirmation.



Table 6

EXECUTIVE RESPONSIBILITIES OF THE LIEUTENANT GOVERNORS

State	Constitutional or Statutory Authority for Governor to Assign Duties	Head of Executive Department	Member of Cabinet	Serve when Governor is Absent From State
Alabama	No	No	No	Yes (a)
Alaska	Yes	(b)	Yes	Yes (c)
Arkansas	Yes	No	No	Yes
Arizona	No	Secretary of State	NC	Yes
California	Yes	No	No	Yes
Colorado	Yes	No	Yes	Yes
Connecticut	Yes	No	Yes	Yes
Delaware	NA	No	Yes	No
Florida	Yes	Administration	NC	No (d)
Georgia	Yes	No	NC	No
Hawaii	Yes	(b)	No	Yes
Idaho	Yes	No	NC	Yes
Illinois	Yes	No	No	(e)
Indiana	Yes	Agri., Commerce & St. Planning	Yes	No
Iowa	No	No	NC	No
Kansas	Yes	No	Yes	Yes (f)
Kentucky	No	No	Yes	Yes
Louisiana	Yes	No	NA	Yes
Maryland	Yes	No	Yes	Yes
Massachusetts	Yes	No	Yes	Yes
Michigan	Yes (g)	No	Yes (h)	Yes
Minnesota	Yes (g)	No	NC	No
Mississippi	No	No	NC	Yes
Missouri	No	No	Yes (h)	Yes
Montana	Yes (g)	No	Yes	Yes (i)
Nebraska	Yes	No	NC	Yes (j)
Nevada	No	No	No	Yes
New Mexico	Yes	No	Yes	Yes
New York	Yes	No	Yes	Yes
North Carolina	Yes	No	Yes	Yes
North Dakota	Yes	No	NC	Yes
Ohio	Yes	No	No	No
Oklahoma	No	Tourism & Recreation	NC	Yes
Oregon	No	Secretary of State	No	No
Pennsylvania	Yes	No	Yes	No

State	Constitutional or Statutory Authority for Governor to Assign Duties	Head of Executive Department	Member of Cabinet	Serve when Governor is Absent From State
Rhode Island	Yes	No	NC	Yes
South Carolina	Yes	No	NC	Yes (k)
South Dakota	Yes	No	Yes	Yes
Texas	No	No	NC	Yes
Utah	Yes	Secretary of State	NC	Yes
Vermont	No	No	Yes (h)	Yes
Virginia	Yes	No	Yes (l)	No
Washington	Yes	No	NC	Yes
Wisconsin	Yes	No	No	Yes
Wyoming	No	Secretary of State	Yes	Yes

NA - Not Available.

NC - No Cabinet.

- (a) After 20 days of absence.
- (b) Performs the functions generally belonging to Secretaries of State.
- (c) After 6 months of absence.
- (d) Lieutenant Governor does not serve as Governor in his absence; but Governor leaves Lieutenant Governor in charge of operations of Governor's Office to handle matters.
- (e) By invitation.
- (f) In Governor's absence the Lieutenant Governor may exercise only those responsibilities specifically designated by the Governor.
- (g) He may perform duties requested of him by the Governor, but no power vested in the Governor may be delegated.
- (h) Cabinet is an informal one.
- (i) The Lieutenant Governor serves as Governor when requested in writing by the Governor. After 45 day Governor absence the Lieutenant Governor serves as acting Governor.
- (j) The Attorney General has ruled that the Governor may undo Lieutenant Governor actions upon his return.
- (k) Has authority to act in an emergency during Governor's absence from the state.
- (l) Not a member by statute but Governor welcomes Lieutenant Governor's attendance.

APPENDIX D

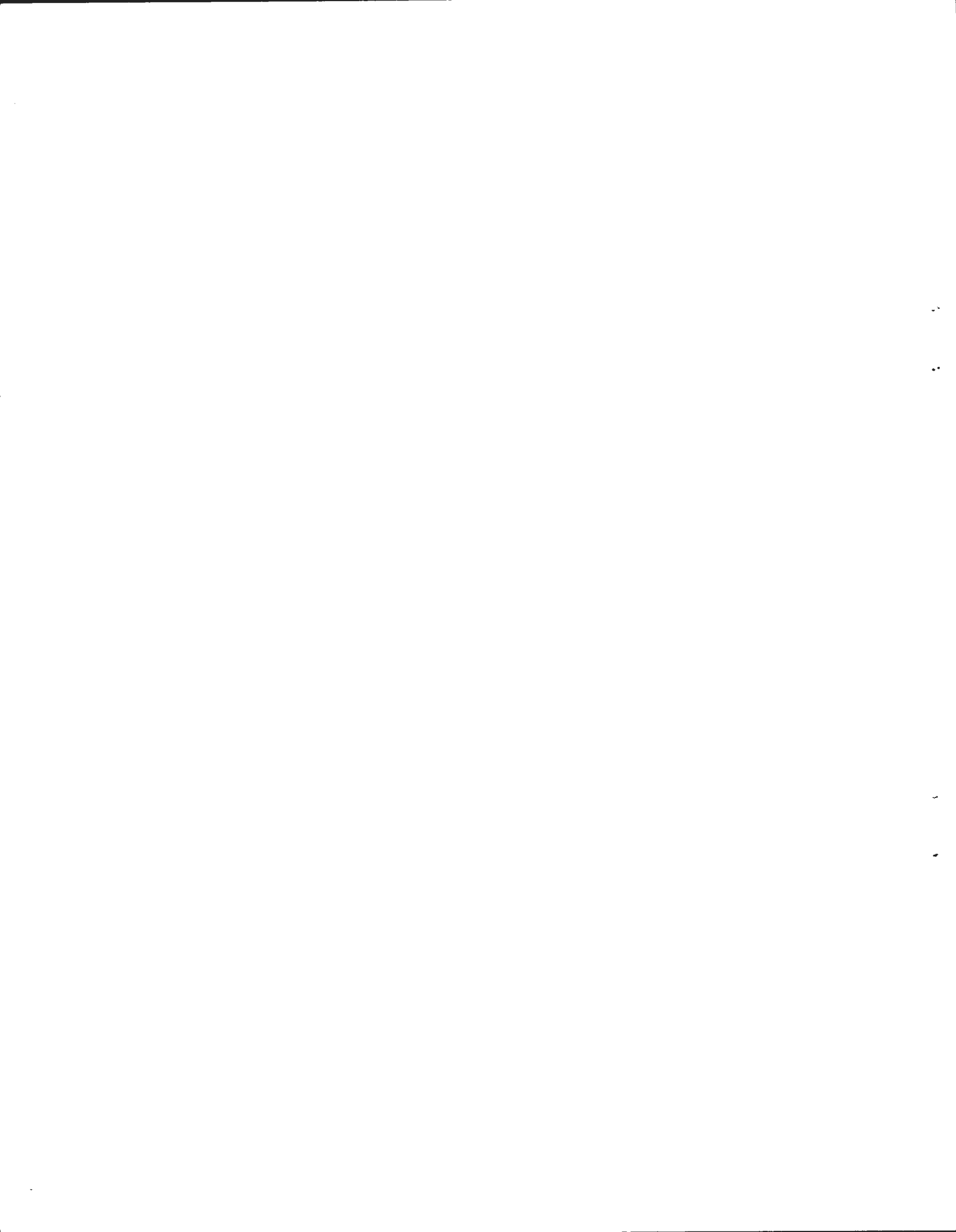
FUNCTIONS OF THE LIEUTENANT GOVERNORS IN THE AMERICAN STATES

By

CLYDE L. BALL

(Information in this report was obtained from publications of the Council of State Governments and from the Constitutions and statutes of the various states.)

June 10, 1976



## FUNCTIONS OF THE LIEUTENANT GOVERNOR IN THE AMERICAN STATES

1. Alabama. The Lieutenant Governor is primarily a legislative official. He serves as President of the Senate and appoints Senate committees. The state constitution requires that all executive officers except the Lieutenant Governor reside in the state capital during their terms. The constitution also prescribes the duties of all executive officers except the Governor and Lieutenant Governor. The Lieutenant Governor is a member of the Legislative Council, Chairman of the Legislative Committee on Public Accounts, and Chairman of the Commission on Intergovernmental Cooperation. His annual salary is \$3,600 plus \$12 per day for presiding over the Senate. His office is funded in the legislature's budget.
2. Alaska. The Lieutenant Governor is an administrative official and has no legislative duties. He runs with the Governor as a team in the general election. In 1970 a constitutional amendment assigned to the Lieutenant Governor the duties ordinarily performed by a Secretary of State. He is also Chairman of the Alaska Historical Commission, Chairman of the Alaska Safety Council, the Alaska Growth Policy Council, Parks and Recreation Advisory Council. He represents Alaska on the Western Interstate Nuclear Compact. He is a member of the Commission on Campaign and Financial Disclosure and is a member of the Governor's cabinet. His salary is \$44,000 and his office budget is \$221,000.
3. Arizona. Arizona has no officer designated as Lieutenant Governor. The Secretary of State is first in line of succession to the Governorship.

4. Arkansas. The Lieutenant Governor is President of the Senate but does not appoint committees. He is a part-time officer whose principal duties are with the Senate. He is a member of the Arkansas Bicentennial Celebration Commission. His annual salary is \$2,500 and his office budget is \$18,000.
  
5. California. The Lieutenant Governor is President of the Senate but does not appoint committees. He is a regent of the University of California; member of the Electronic Data Processing Committee; Chairman of the Reapportionment Commission which acts if the legislature fails to reapportion the state properly; a member of the State Lands Commission which deals with public lands, boundaries, development of gas and oil, etc.; a member of the Commission of the Californias which is charged with the development of favorable cultural and economic relations with Baja California; and a member of the Emergency Council which provides disaster relief services. His salary is \$35,000, and his office budget is \$450,000.
  
6. Colorado. The Lieutenant Governor is an executive officer with no legislative duties. He runs with the Governor as a team in the general election. He acts as executive ombudsman and prepares the state tax plan for consideration by the legislature. He is Chairman of the School District Review Board which may approve or disapprove school district annual budget increases (thereby automatically increasing taxes if necessary). He appoints third parties to deal with disputes between local school districts and their teachers. The Indian Affairs Bureau is located in his office. His salary is \$25,000 and his office budget is \$106,000.

7. Connecticut. The Lieutenant Governor is President of the Senate but does not appoint committees. He runs with the Governor as a team in the general election after nomination in convention. He is a member of the Corporation of Yale University; member of the Connecticut Commission on Intergovernmental Cooperation; head of the Office of Federal-State Relations; member of the Governor's cabinet; Chairman of the Finance Advisory Committee; Chairman of the state agency responsible for civil defense and disaster preparedness; member of the Executive Committee on Human Rights and Opportunities; and a member of the Governor's cabinet. His annual salary is \$18,000, and his office budget is about \$70,000.
  
8. Delaware. The Lieutenant Governor is President of the Senate but does not appoint committees. The Governor has no authority to assign duties to him, and an attempt to require that the Governor and Lieutenant Governor be of the same party was declared unconstitutional in 1966. The Lieutenant Governor is President of the Board of Pardons and is a member of the Governor's cabinet. His salary is \$10,500 as President of the Senate and \$1,500 for all other services; his annual office budget is about \$23,000.
  
9. Florida. The office of Lieutenant Governor was eliminated in 1885 and re-established by a new constitution in 1968, even though the Constitutional Revision Commission which produced the 1968 document did not recommend that the office be re-established. The Lieutenant Governor is an executive officer and has no legislative duties. He runs as a team with the Governor in both primary and general elections. The Legislature

or the Governor may designate him as head of a department. He is currently serving as Secretary of the Department of Administration and as Chairman of the Bicentennial Commission. His salary of \$36,000 is paid from the Governor's office budget.

10. Georgia. The Lieutenant Governor is President of the Senate but may not vote, even to break a tie. The Governor may assign duties to him. He is Chairman of the Economic Development Council; a member of the Georgia Building Authority for hospitals and for markets; and a member of the Georgia Seed Development Commission. His salary is \$25,000; the expenses of his office are paid from the Governor's office budget.

11. Hawaii. The Lieutenant Governor is an administrative officer and has no legislative duties. By statute he has been designated as Secretary of State of Hawaii and performs the duties of that office. He also serves as chief liaison officer between the Executive and the legislature during legislative sessions. His salary is \$35,700, and his office budget is slightly less than \$1 million.

12. Idaho. The Lieutenant Governor is President of the Senate and appoints committees with the consent of the Senate. He is Chairman of the Law Enforcement Planning Commission and of the Land Board Committee on Rental Rates. His annual salary is \$8,000. Session expenses are paid from the legislature's budget; other expenses are paid from the Lieutenant Governor's budget which totals some \$43,000.



13. Illinois. In 1970 Illinois adopted a new constitution which eliminated all legislative duties of the Lieutenant Governor; prior to that time he had served as President of the Senate. He runs with the Governor as a team in the general election; the constitution empowers the legislature to provide for joint nomination. The Lieutenant Governor is Chairman of the Department of Aging Technical Advisory Committee; Chairman of the Abandoned Mines Reclamation Council; member of the Illinois Commission on Intergovernmental Cooperation; member of the Governor's Traffic Safety Coordinating Committee; and Vice Chairman of the Energy Advisory Council on Coal Development. He coordinates the Governor's programs for the elderly and for the Latin populations and has major responsibilities with respect to economic development and prison and mental health facilities. His salary is \$37,500, and his office budget is about \$400,000.
14. Indiana. The Lieutenant Governor is President of the Senate and appoints some interim and joint committees. He is a member of the Legislative Council. By statute he is Director of the Department of Commerce and Commissioner of Agriculture. He is a member of the Bicentennial Celebration Commission; member of the Indiana Commission on Intergovernmental Cooperation; Director of the State Planning Services Agency; member of the Stream Pollution Control Board, the New Harmony Board, the Natural Resources Commission, and the State Fair Board. He is a member of the board that oversees operation of state buildings. His salary is \$29,500. His office budget is \$90,000 plus \$25,000 contingency fund; the executive agencies which he heads have budgets totalling about \$4,000,000.

15. Iowa. The Lieutenant Governor is President of the Senate and appoints committees when he is a member of the Senate majority party. He is a member of the Legislative Council. The Governor has no authority to assign duties to him. His salary is \$12,000 per year plus \$60 per day when engaged in legislative business between sessions. His office budget is \$60,000.
16. Kansas. The Lieutenant Governor is a part-time executive officer with no legislative duties. He runs as a team with the Governor in both primary and general elections. He is a member of the Governor's Committee on Criminal Justice Administration. He has been assigned by the Governor to serve as liaison among federal, state, and local governments and to work with state government reorganization. His salary is \$12,000, and his office budget is \$60,000.
17. Kentucky. The Lieutenant Governor is President of the Senate but does not appoint committees. He is a member of the Governor's cabinet. He is Vice Chairman of the Kentucky Turnpike Commission. He serves in the absence of the Governor as Chairman of the County Debt Commission and is a member of the board which oversees state buildings. His salary is \$22,500, and his office budget is \$157,000.
18. Louisiana. Under a new constitution just adopted, the Lieutenant Governor no longer serves as President of the Senate. The Constitution makes him an ex officio member of every committee, board, and commission on which the Governor serves. He is Coordinator of International Relations; Chairman of the Louisiana Energy Commission; and the Governor's representative for state parks and recreation. His salary is \$40,000, and his office budget is \$200,000.

19. Maine. Maine has no Lieutenant Governor.
20. Maryland. The Lieutenant Governor has no legislative duties. He runs with the Governor as a team in both the primary and general elections. The Governor may assign him duties, but the constitution prohibits the legislature from doing so. The Governor has assigned the Lieutenant Governor major responsibilities in the areas of education and budget. His salary is \$45,000, and his office budget is \$150,000.
21. Massachusetts. The Lieutenant Governor has no legislative duties. He runs as a team with the Governor in the general election, and is subject to assignment by the Governor. He serves as the Governor's alternate to the New England Regional Commission and to the New England Governor's Conference. He supervises the Office of State-Federal Relations in Boston and in Washington, D.C. His salary is \$25,000, and his office budget is \$132,000.
22. Michigan. The Lieutenant Governor is President of the Senate but does not appoint committees. He may perform duties requested by the Governor, but the Governor may not delegate power to him. He is a member of the Michigan Bicentennial Celebration Commission and of the State Administrative Board and Executive Council. He serves as liaison with the federal government. His salary is \$27,500, and his office budget is \$125,000.
23. Minnesota. The Lieutenant Governor has no legislative duties. He runs as a team with the Governor in the general election after nomination in convention. He is a member of the Minnesota Executive Council, the Commission on Intergovernmental Cooperation, the State Arts Council, the

the Indian Affairs Commission, and the State Employees Insurance Board. He is Chairman of the Human Services Council and directs the implementation of the recommendations of the Loaned Executives Action Program. His salary is \$30,000, and his office budget is \$155,000.

24. Mississippi. The Lieutenant Governor is President of the Senate and appoints committees except the Rules Committee and the Legislative Services Committee. He is a member of the Budget Commission and the Agricultural and Industrial Board. He is primarily a legislative officer who serves part time. His salary is \$15,000, and his office budget is included in the legislature's budget.

25. Missouri. The Lieutenant Governor is President of the Senate but does not appoint committees. He is Chairman of the Governor's Conference on Education and Chairman of the Governor's Council on Community Affairs. He is ombudsman for citizens dealing with state government, a member of the board which oversees the operations of state buildings, and Director of the Loaned Executives Action Program. His salary is \$16,000, and his office budget is about \$70,000.

\* 26. Montana. The Lieutenant Governor has no legislative duties. He runs as a team with the Governor in both primary and general elections. He is Chairman of the Montana Energy Advisory Council, a member of the Executive Cabinet on Human Resources, and consultant to the Montana Addictive Diseases Unit. His salary is \$24,000, and his office budget is about \$100,000.

27. Nebraska. The Lieutenant Governor is President of the Senate but does not appoint committees. He is a member of the State Records Board and of the State Claims Board. He is subject to assignment by the Governor. His salary is \$25,000, and his office budget is \$12,000.
28. Nevada. The Lieutenant Governor is President of the Senate but appoints conference committees only. He is Nevada's representative on the Lake Tahoe Planning Agency. He is a part-time officer. His salary is \$6,000, and his office budget is slightly more than \$30,000. He has an office in the state capital and in Las Vegas.
29. New Hampshire. New Hampshire has no Lieutenant Governor. The Senate elects its own President who succeeds to the Governorship in the event of a vacancy.
30. New Jersey. New Jersey has no Lieutenant Governor. The Senate elects its own President who succeeds to the Governorship in the event of a vacancy.
31. New Mexico. The Lieutenant Governor is President of the Senate but appoints only joint and conference committees. He serves as ombudsman for citizens dealing with state government. He is Vice-Chairman of the State Board of Finance which has general supervision of the fiscal affairs of the state. He runs as a team with the Governor in the general election. His salary is \$15,000, and his office budget is \$82,000.

32. New York. The Lieutenant Governor is President of the Senate but does not appoint committees. He serves as trustee of Cornell University and of Syracuse University. He is ombudsman for citizens dealing with state government; member of the state's disaster preparedness and civil defense agency; and President of the court for the trial of impeachments (except when the Governor or Lieutenant Governor is impeached). His salary is \$60,000, and he has an office budget of more than \$600,000, about 40% of which is funded through the executive budget and 60% through the legislative budget.
33. North Carolina. The Lieutenant Governor is President of the Senate and appoints committees. He is a member of the Council of State and of the State Board of Education. The Governor may assign him duties. His salary is \$30,000, and his office budget is about \$130,000.
34. North Dakota. The Lieutenant Governor is President of the Senate and appoints committees nominated by party leaders. He runs as a team with the Governor in the general election. He is a member of the Government Organization Committee of the Legislative Council and the audit and review Section of the Legislative Budget Committee. His salary is \$2,000 (it will increase to \$5,000 in 1977), and his office budget is \$15,000.
35. Ohio. The Lieutenant Governor is President of the Senate but does not appoint committees. He is deputy commander-in-chief of the military and naval forces of the state except when they are called into federal service; he is subject to assignment by the Governor as a member of his cabinet or as the Governor's representative on any board, etc., of which the Governor is a member and is authorized to appoint a representative. He is a

member of the Governor's Committee on Interstate Cooperation. His salary is \$30,000, and his office budget is about \$110,000.

36. Oklahoma. The Lieutenant Governor is President of the Senate but does not appoint committees. He is Chairman of the Oklahoma Tourism and Recreation Commission and Department with the duty "to promote the development and use of the state's lodges, parks and recreational areas; promote tourism by publicity and dissemination of information; assist in promotion of events sponsored by municipalities...." His salary is \$24,000, and his office budget is \$80,000. He receives expense reimbursement for travel on tourism business from that commission's budget.
37. Oregon. Oregon has no Lieutenant Governor. The Secretary of State is first in line of succession to the Governorship.
38. Pennsylvania. The Lieutenant Governor is President of the Senate but does not appoint committees. He is Chairman of the Board of Pardons; member of the State Council of Defense; member of the Commutation of Sentence Board; and member of the Bicentennial Commission. His salary is \$45,000, and his office budget is \$225,000.
39. Rhode Island. The Lieutenant Governor is President of the Senate but does not appoint committees, except for certain joint committees (water resources, accounts and claims of the General Assembly, highway safety, Legislative Council). He is a member of the Commission on Interstate Cooperation; chairman of the Economic Task Force; and chairman of the Economic Renewal Council. His salary is \$25,000, and his office budget is \$90,000.

40. South Carolina. The Lieutenant Governor is President of the Senate but does not appoint committees. He is primarily a legislative officer who serves part time. He is Chairman of the Legislative Council and a member of the Judicial Council. His salary is \$17,500, and his office budget is \$55,000.
41. South Dakota. The Lieutenant Governor is President of the Senate but does not appoint committees. He is elected as a team with the Governor in the general election after nomination in convention. He is a member of the South Dakota Commission on Intergovernmental Cooperation. His salary is \$4,500.
42. Tennessee. The Constitution of Tennessee makes no provision for a Lieutenant Governor but provides that the Speaker of the Senate, elected by that body from its membership, shall be first in line of succession to the Governorship. The General Assembly has by statute conferred the title of "Lieutenant Governor" upon the Speaker of the Senate
43. Texas. The Lieutenant Governor is President of the Senate and appoints committees. He is Vice Chairman of the Governor's Energy Advisory Council; Chairman of the Legislative Council; Chairman of the Legislative Reference Library; and Chairman of the Legislative Budget Board. His salary is \$7,200, and his office expenses are paid from the legislature's budget.



14. Utah. In Utah one official holds the titles of Lieutenant Governor and Secretary of State. He has no legislative duties. He performs the usual duties of Secretary of State, including maintenance of the State Capitol building and grounds. His salary is \$22,000, and his office budget is \$1,450,000, of which \$1,000,000 is for the buildings and grounds function.
15. Vermont. The Lieutenant Governor is President of the Senate and is a member of the Committee on Committees. He is a member of the Vermont Bicentennial Celebration Commission; member of the Board to Canvass Presidential Electors, and of the Board on National Forests. His salary is \$15,500, and his office budget is \$38,000.
16. Virginia. The Lieutenant Governor is President of the Senate but does not appoint committees. He serves on the Legislative Process Study Commission; the Governor's Budget Advisory Board; the Governor's Revenue Resources Board; and the Board of Directors of the Virginia Museum and the Jamestown Foundation. His salary is \$10,500, and his office budget is about \$40,000.
17. Washington. The Lieutenant Governor is President of the Senate and appoints committees upon recommendation of a Committee on Committees and the party caucuses. He is a member of the Senate Facilities and Operatives Committee; the Joint Committee on Washington/British Columbia Governmental Cooperation; and the State Finance Committee. His salary is \$17,800, and his office budget is about \$51,000.

48. West Virginia. West Virginia does not have a Lieutenant Governor. The President of the Senate, elected by that body from its membership, is first in line of succession to the Governorship.
49. Wisconsin. The Lieutenant Governor is President of the Senate but appoints only conference committees. He is a member of the Insurance Laws Revision Committee and of the Wisconsin Bicentennial Celebration Commission. His salary is \$28,500 and his office budget is \$234,000.
50. Wyoming. Wyoming does not have a Lieutenant Governor. The Secretary of State is first in line of succession to the Governorship.

APPENDIX E

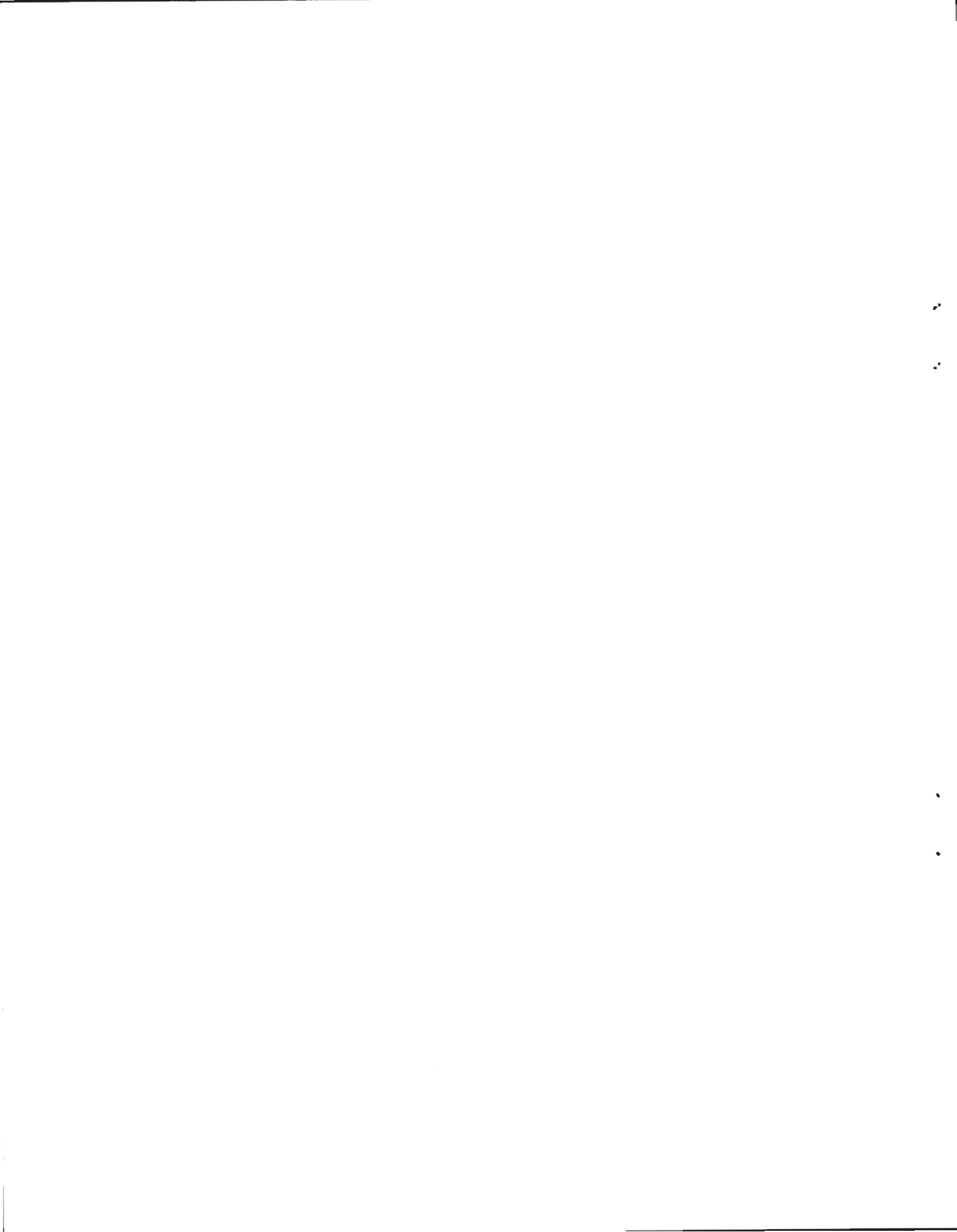
RESEARCH MEMORANDUM  
LEGISLATIVE SERVICES OFFICE

Appointment of Standing Committees  
in American State Senates

REVISED

by  
Clyde L. Ball  
Legislative Services Officer

October, 1975



APPOINTMENT OF STANDING COMMITTEES

IN AMERICAN STATE SENATES

Revised October 15, 1975

NOTE: This memorandum is a revision of a research memorandum on the same subject published in July, 1975. The earlier memorandum was based upon information published in the Book of the States, 1974-75. This revised memorandum is based upon information obtained from current files of the Council of State Governments and from interviews held at the National Conference of State Legislatures in Philadelphia, October 6-10, 1975.

The 50 American State Senates exhibit a varied pattern for the selection of their standing committees. Traditionally, the Lieutenant Governor has been the presiding officer of most State Senates and has appointed Senate standing committees. Because the Lieutenant Governor is not a member of the Senate (except in Tennessee), there has been a trend toward vesting the power to appoint standing committees in some other officer or group. This memorandum divides the states into those in which the Lieutenant Governor elected by statewide vote is President of the Senate, and those in which the Senate elects its own presiding officer.

1. Appointment of Senate Standing Committees in States where the Lieutenant Governor Serves as President of the Senate.

In 30 states the Lieutenant Governor elected by statewide vote is President of the Senate. In these 30 states, Senate standing committees are selected as follows:

(a) Lieutenant Governor Appoints Standing Committees.

The Lieutenant Governor appoints Senate standing committees in seven states:

Alabama  
Idaho (with the consent of the Senate)  
Louisiana  
Mississippi  
North Carolina  
Texas  
Washington (upon recommendation of the Committee on Committees and the respective party caucuses. The Committee on Committees selects committee chairmen, based on recommendations of the majority caucus leadership).

(b) President Pro Tempore Appoints Standing Committees.

In seven of the states where the Lieutenant Governor is President of the Senate, standing committees are appointed by the President pro tempore:

Connecticut  
Delaware  
Indiana  
Iowa (after conference with the President)  
Missouri  
New York  
Pennsylvania

(c) Majority Leader Appoints Standing Committees.

In one state--Rhode Island-- where the Lieutenant Governor is President of the Senate, the majority party leader appoints Senate standing committees.

(d) Party Caucuses Appoint Standing Committees.

In one state--Nevada--where the Lieutenant Governor is President of the Senate, the majority and minority caucuses appoint Senate standing committees. The majority party leader designates committee chairmen.

(e) Committee on Committees Appoints Standing Committees.

In 11 states where the Lieutenant Governor is President of the Senate, a Committee on Committees appoints Senate standing committees:

Arkansas (The Arkansas Committee on Committees consists of the five senior senators. Seniority is based upon length of continuous service in the Senate; where length of service is identical, alphabetical priority of surname prevails. The senior member of each standing committee is chairman of that committee. A Senator may serve on only two of the 10 Senate standing committees and may serve as chairman of no more than one).

Georgia (The Georgia Committee on Committees consists of the President, President pro tempore, and majority party leader).

Michigan

Nebraska (The Nebraska Committee on Committees is elected from nominations made on the floor. Leadership attempts to see that three Senators are elected from each of the state's three Congressional districts. The committee's recommendations are reported to the Senate floor for confirmation. Attempts (usually unsuccessful) are sometimes made to change the recommendations on the floor. Committee chairmen are elected by the Senate by secret ballot).

New Mexico

North Dakota

Ohio (The Ohio Committee on Committees is appointed by the President pro tempore).

Oklahoma (The Oklahoma Committee on Committees is appointed by the President pro tempore).

South Dakota (The South Dakota Committee on Committees consists of the President pro tempore, the majority leader, and the minority leader).

Vermont

Wisconsin (The Wisconsin Committee on Committees acts on recommendations from the party caucuses. Chairmen of standing committees are elected by the Senate on recommendation of the Committee on Senate Organization).

(f) Rules Committee Appoints Standing Committees.

In one state--California--where the Lieutenant Governor is President of the Senate, standing committees are appointed by the Senate Rules Committee.



(g) Senate Elects Standing Committees.

In two states where the Lieutenant Governor is President of the Senate, standing committees are elected by the Senate. The nominating machinery makes this method substantially the same as selection by a Committee:

South Carolina (South Carolina employs a seniority system much like that used in the United States Congress. Once a Senator is named to a committee, he may stay on that committee. The Senator with the highest seniority of service on that committee is chairman, subject to a rule that no Senator may hold more than one chairmanship; where there is a tie for seniority, alphabetical rank of surname prevails. The majority caucus applies the seniority rules and assigns new Senators to committee vacancies; this action is reported to the Senate which elects the committee members listed by the caucus).

Virginia (In Virginia the chairman of the majority party caucus appoints one Senator from each of the state's 10 Congressional districts to a steering committee which is chaired by the caucus chairman. This committee proposes a committee slate which is then voted on by the entire Senate. The senior member of a committee becomes its chairman).

II. Appointment of Senate Standing Committees in States where the Senate Elects Its Own President.

In 11 states the Lieutenant Governor elected by statewide vote does not serve as President of the Senate. In one state--Tennessee--the Senate elects its presiding officer (called the Speaker) and he thereby becomes Lieutenant Governor. In eight states the office of Lieutenant Governor does not exist.

(a) President Appoints Standing Committees.

In 12 states, the President of the Senate, elected by the members of the Senate from their own membership, appoints Senate standing committees:

Arizona	Oregon
Florida	Tennessee
Maine	Utah (upon recommendation of Committee on Committees)
Maryland	West Virginia
Massachusetts	Wyoming
New Hampshire	
New Jersey	

(b) Committee on Committees Appoints Standing Committees.

In four states where the Senate elects its President from its own membership, standing committees are appointed by a Committee on Committees:

Illinois	(In Illinois the Committee on Committees consists of the President and the minority leader).
Kentucky	
Minnesota	
Montana	

(c) Rules Committee Appoints Standing Committees.

In one state--Kansas--where the Senate elects its President from its own membership, Senate standing committees are appointed by the Committee on Organization, Calendar and Rules.

(d) Party Leaders Appoint Standing Committees.

In one state--Colorado--where the Senate elects its President from its own membership, Senate standing committees are appointed by the majority party leader and the minority party leader. The majority leader designates committee chairmen.

(e) Party Caucus Appoints Standing Committees.

In one state--Hawaii--where the Senate elects its President from its own membership, the party caucus selects standing committees.

(f) Senate Elects Standing Committees.

In one state--Alaska--where the Senate elects its President from its own membership, the Senate elects standing committees after nomination by a Committee on Committees.



ADDENDUM

## RESEARCH MEMORANDUM

## LEGISLATIVE SERVICES OFFICE

This addendum supplements the memorandum of October, 1975, on the Appointment of Standing Committees in American State Senates.

On page 3 of the revised memorandum, Section I (e), under the State of Michigan, insert the following:

(In Michigan all standing, select and interim committees are appointed by a Committee on Committees composed of the majority leader as chairman, the President pro tempore, the minority leader, the minority floor leader, and five other senators who are appointed by the majority caucus. All appointments of these committees are subject to the approval of the Senate by majority vote of the senators present and voting. The Michigan Legislature meets annually and stays in what amounts to virtual continuous session. Michigan senators serve for four-year terms, and committee appointments are made quadrennially. The Senate has 18 committees, all of which have 5 members except Appropriations which has 11 members and Finance which has 6 members. Members of the Appropriations Committee do not serve on any other committee. Michigan is a state in which the relative status of the two main parties shifts from time to time. At the time of the last quadrennial appointment of Senate committees, the Senate consisted of 19 members from each of the two main parties. The Lieutenant Governor, who is empowered to vote in case of a tie, was a Republican. Accordingly, the Republican Party organized the Senate.)

On page 4, Section I (e), of the revised memorandum insert the following opposite the State of New Mexico:

(In New Mexico the Committees Committee consists of the President pro tempore, the majority floor leader, majority whips (two), the minority floor leader, the minority whip, four members of the majority party appointed by the President pro tempore, and one member of the minority party appointed by the minority floor leader. In theory the Committees Committee recommends and the Senate must approve the appointments. In fact the Committees Committee action is final and is taken

for interim committees when the Senate is not sitting. Senators fill out committee preference lists and the Committee tries to accommodate. Seniority in the Senate - not on individual committees - prevails; thus, a senior senator may oust a junior member who has greater experience on a particular committee. The Committees Committee appoints committee chairmen. No senator may hold more than one chairmanship or vice-chairmanship. No senator may serve on more than two committees. The Committees Committee can change the number of members on individual committees. At present the largest committee is Finance with an authorized strength of 16 members (the Finance Committee handles both revenue and appropriations). Party caucuses are not active. At one time the Lieutenant Governor was chairman of the Legislative Council (roughly equivalent to our Legislative Services Commission). A change was made about 15 years ago, and the Lieutenant Governor is not now a major factor in Senate actions.)

APPENDIX F

PROVISIONS OF THE CONSTITUTION OF NORTH CAROLINA  
RELATING TO THE OFFICE OF LIEUTENANT GOVERNOR

Legislative Services Office  
November 29, 1977

ARTICLE I  
DECLARATION OF RIGHTS

*Sec. 6. Separation of powers.* The legislative, executive, and supreme judicial powers of the State government shall be forever separate and distinct from each other.

ARTICLE II  
LEGISLATIVE

*Section 1. Legislative power.* The legislative power of the State shall be vested in the General Assembly, which shall consist of a Senate and a House of Representatives.

*Sec. 11. Sessions.*

(1) *Regular sessions.* The General Assembly shall meet in regular session in 1973 and every two years thereafter on the day prescribed by law. Neither house shall proceed upon public business unless a majority of all of its members are actually present.

(2) *Extra sessions on legislative call.* The President of the Senate and the Speaker of the House of Representatives shall convene the General Assembly in extra session by their joint proclamation upon receipt by the President of the Senate of written requests therefor signed by three-fifths of all the members of the Senate and upon receipt by the Speaker of the House of Representatives of written requests therefor signed by three-fifths of all the members of the House of Representatives. (1969, c. 1270, s. 1.)

*Sec. 13. President of the Senate.* The Lieutenant Governor shall be President of the Senate and shall preside over the Senate, but shall have no vote unless the Senate is equally divided.

*Sec. 14. Other officers of the Senate.*

(1) *President Pro Tempore - succession to presidency.* The Senate shall elect from its membership a President Pro Tempore, who shall become President of the Senate upon the failure of the Lieutenant Governor-elect to qualify, or upon succession by the Lieutenant Governor to the office of Governor, or upon the death, resignation, or removal from office of the President of the Senate, and who shall serve until the expiration of his term of office as Senator.



## ARTICLE III EXECUTIVE

Section 1. *Executive power.* The executive power of the State shall be vested in the Governor.

Cross Reference. — See Art. I, § 6, and section are similar to those of the first note thereto. clause of Art. III, § 1, Const. 1868, as

Editor's Note.—The provisions of this amended in 1872-3 and 1944.

Sec. 2. *Governor and Lieutenant Governor: election, term, and qualifications.*

(1) *Election and term.* The Governor and Lieutenant Governor shall be elected by the qualified voters of the State in 1972 and every four years thereafter, at the same time and places as members of the General Assembly are elected. Their term of office shall be four years and shall commence on the first day of January next after their election and continue until their successors are elected and qualified.

(2) *Qualifications.* No person shall be eligible for election to the office of Governor or Lieutenant Governor unless, at the time of his election, he shall have attained the age of 30 years and shall have been a citizen of the United States for five years and a resident of this State for two years immediately preceding his election.

No person elected to the office of Governor or Lieutenant Governor shall be eligible for election to more than two consecutive terms of that same office.

Sec. 3. *Succession to office of Governor.*

(1) *Succession as Governor.* The Lieutenant Governor-elect shall become Governor upon the failure of the Governor-elect to qualify. The Lieutenant Governor shall become Governor upon the death, resignation, or removal from office of the Governor. The further order of succession to the office of Governor shall be prescribed by law. A successor shall serve for the remainder of the term of the Governor whom he succeeds and until a new Governor is elected and qualified.

(2) *Succession as Acting Governor.* During the absence of the Governor from the State, or during the physical or mental incapacity of the Governor to perform the duties of his office, the Lieutenant Governor shall be Acting Governor. The further order of succession as Acting Governor shall be prescribed by law.

Sec. 6. *Duties of the Lieutenant Governor.* The Lieutenant Governor shall be President of the Senate, but shall have no vote unless the Senate is equally divided. He shall perform such additional duties as the General Assembly or the Governor may assign to him. He shall receive the compensation and allowances prescribed by law.

Sec. 8. *Council of State.* The Council of State shall consist of the officers whose offices are established by this Article.

## ARTICLE IV JUDICIAL

**Section 1. *Judicial power.*** The judicial power of the State shall, except as provided in Section 3 of this Article, be vested in a Court for the Trial of Impeachments and in a General Court of Justice. The General Assembly shall have no power to deprive the judicial department of any power or jurisdiction that rightfully pertains to it as a co-ordinate department of the government, nor shall it establish or authorize any courts other than as permitted by this Article.

**Sec. 4. *Court for the Trial of Impeachments.*** The House of Representatives solely shall have the power of impeaching. The Court for the Trial of Impeachments shall be the Senate. When the Governor or Lieutenant Governor is impeached, the Chief Justice shall preside over the Court. A majority of the members shall be necessary to a quorum, and no person shall be convicted without the concurrence of two-thirds of the Senators present. Judgment upon conviction shall not extend beyond removal from and disqualification to hold office in this State, but the party shall be liable to indictment and punishment according to law.

## ARTICLE IX EDUCATION

**Sec. 4. *State Board of Education.***

**(1) *Board.*** The State Board of Education shall consist of the Lieutenant Governor, the Treasurer, and eleven members appointed by the Governor, subject to confirmation by the General Assembly in joint session. The General Assembly shall divide the State into eight educational districts. Of the appointive members of the Board, one shall be appointed from each of the eight educational districts and three shall be appointed from the State at large. Appointments shall be for overlapping terms of eight years. Appointments to fill vacancies shall be made by the Governor for the unexpired terms and shall not be subject to confirmation.

STATE OF NORTH CAROLINA  
DEPARTMENT OF ADMINISTRATION  
BUDGET DIVISION  
RALEIGH

TO THE STATE DISBURSING OFFICER:

The General Assembly of 1977 appropriated for Current Operations under Chapters 302 of 1977 for the fiscal year 1977-79 July 1, 1977, to June 30, 1979, for the use of

The Lieutenant Governor

Code 10141  
and available only by quarterly allotments under Section 17 and only for the Purposes and/or Objects herein enumerated as under Section 23 of the Executive Budget Act, Chapter 143, Article 1, Of the General Statutes of North Carolina.

PURPOSE AND/OR OBJECTS

	<u>1977-78</u>	<u>1978-79</u>
Total Requirements	\$ 195,524	\$ 195,079
Less Estimated Receipts	-	-
General Fund Appropriation	195,524	195,079
Number of Employees	7.5	7.5
Summary by Purposes:		
1110 Administration	195,524	195,404
1950 Reserve - Pro rata Reduction	-	(325)
Total	195,524	195,079
1110 Administration		
1110 Salaries - Agency Head	35,738 30,000	30,000 35,738
1210 Salaries - Regular	92,304	92,304
1219 Merit Salary Increments	260	1,395
1270 Salaries - Longevity Pay	316	316
1490 Other Salaries	4,720	4,720
1810 Social Security Contribution	5,390	5,507
1819 Social Security - Merit Increments	16	86
1820 Retirement Contribution	11,155	11,155
1829 Retirement - Merit Increments	24	127
1830 Hospitalization Insurance	1,599	1,599

Copy to Department or Institution

STATE OF NORTH CAROLINA  
DEPARTMENT OF ADMINISTRATION  
BUDGET DIVISION  
RALEIGH

The Lieutenant Governor - Cont'd.

Page 2

	<u>1977-78</u>	<u>1978-79</u>
<b>1110 Administration - Cont'd.:</b>		
1920 Consultant Fees	22,500	22,500
2600 Office Materials and Supplies	1,200	1,200
3100 Travel	10,000	10,000
3210 Telephone	5,350	5,350
3250 Postage	2,215	2,215
3400 Printing and Binding	450	450
3500 Repairs and Maintenance	455	455
3900 Other Services	750	750
4300 Rent of Miscellaneous Equipment	500	500
4910 Dues and Subscriptions	200	200
4920 Statutory Expense Allowance	4,000	4,000
5100 Office Furniture and Equipment	2,120	575
<b>Total</b>	<b>195,524</b>	<b>195,404</b>
<b>1950 Reserves and Transfers:</b>		
8319 Reserve - Pro rata Reduction	-	(325)
<b>Total Requirements</b>	<b>195,524</b>	<b>195,079</b>
<b>General Fund Appropriation</b>	<b>195,524 -</b>	<b>195,079</b>

*John W. Allison Jr.*

## APPENDIX H

Draftsman's note: The attached draft makes the Lieutenant Governor a voting member of 13 State boards and commissions which together touch most of the major areas of State Government. The sections are so arranged that any board or boards may be eliminated and the draft will still be sound, simply by renumbering the remaining sections in sequence.

In each case, addition of the Lieutenant Governor adds an additional member to the board. In no case has existing provision for selection of board chairman been changed.

Where, under existing law, the Lieutenant Governor appoints a member or members to a board, that appointive authority has been shifted to the President pro tempore.

Provisions for per diem, subsistence and travel allowances have been made inapplicable to the Lieutenant Governor, as he receives a full-time salary and has a special travel allowance.

A BILL TO BE ENTITLED AN ACT TO ASSIGN ADDITIONAL DUTIES TO THE  
LIEUTENANT GOVERNOR.

The General Assembly of North Carolina enacts:

Section 1. Subsection (b) of G.S. 143B-350 is amended:

(A) by inserting immediately following subparagraph (1)  
a new subparagraph to be numbered (1a) and to read as follows:

"(1a) The Lieutenant Governor shall be a member of the  
State Board of Transportation.";

(B) by striking out of line 4 of subparagraph (3) the  
words "Lieutenant Governor" and by inserting in lieu thereof  
the words "President pro tempore of the Senate";

(C) by inserting in the last sentence of subparagraph (4),  
immediately following the word "Board" the following:

", except the Lieutenant Governor";

---

Draftsman's note: Section 1 makes the Lieutenant  
Governor a member of the State Board of Transportation,  
and then provides that the President pro tempore,  
rather than the Lieutenant Governor, shall appoint  
the Senate member to the Board. The Board meets at  
least once every 60 days.

SB 213, now in the House Transportation Committee,  
completely rewrites G.S. 143B-350; if that bill  
passes, Section 1 of this bill will have to be rewritten  
to fit into the new text.

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Sec. 2. G.S. 159-3 is amended by striking out of subsection (a) the first two sentences and by inserting in lieu thereof the following:

"(a) The Local Government Commission consists of ten members. The Lieutenant Governor, the State Treasurer, the State Auditor, the Secretary of State, and the Secretary of Revenue each serve ex officio; the remaining five members are appointed to four-year terms as follows: three by the Governor, one by the President pro tempore of the Senate, and one by the Speaker of the House of Representatives."

Sec. 3. G.S. 159-4 is amended by rewriting the first sentence of subsection (a) to read as follows:

"(a) The Lieutenant Governor, the State Auditor, the State Treasurer, the Secretary of State, and the Secretary of Revenue shall constitute the executive committee of the Local Government Commission."

---

Draftsman's note: Section 2 makes the Lieutenant Governor a member of the Local Government Commission and then provides that the President pro tempore, rather than the Lieutenant Governor, shall appoint one of the other members.

Section 3 makes the Lieutenant Governor a member of the executive committee, which is vested with the full powers of the Commission when the Commission is not in session.

The Local Government Commission has broad regulatory and supervisory authority over fiscal affairs of local governments.

The Commission meets at least quarterly.

---

Sec. 4. Subsection (b) of G.S. 135-6 is amended: (A) by striking out of the first line of the subsection the figure "12" and by inserting in lieu thereof the figure "13";

(B) by inserting a new subparagraph immediately following subparagraph (2) to read as follows:

"(2a) The Lieutenant Governor, ex officio;"

(C) by inserting in line 3 of subparagraph (4) immediately following the word "President" the words "pro tempore".

---

Draftsman's note: Section 4 makes the Lieutenant Governor a member of the Board of Trustees of the Teachers' and State Employees' Retirement System, and then provides that the President pro tempore, rather than the Lieutenant Governor, shall appoint the Senate member of the Board.

---

Sec. 5. G.S. 106-2 is amended by inserting in line 7 immediately after the word and punctuation "meetings," the words and punctuation "the Lieutenant Governor,".

Sec. 6. G.S. 106-3 is amended by inserting in line 2 immediately following the word "Agriculture" the words and punctuation ", other than the Lieutenant Governor,".

---

Draftsman's note: Section 5 makes the Lieutenant Governor a member of the Board of Agriculture.

Section 6 specifies that the Lieutenant Governor shall not receive extra compensation by reason of his service on the Board of Agriculture.

The Board has broad advisory and consent duties with respect to the Department of Agriculture.

The Board meets at least twice per year.

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Sec. 7. G.S. 95-134 is amended: (A) by inserting in line 3 of subsection (a) immediately following the words "consisting of" the words "the Lieutenant Governor and";

(B) by inserting in both the second and third sentences of subsection (c), immediately following the words "Advisory Council" in each sentence the words and punctuation ", other than the Lieutenant Governor,".

---

Draftsman's note: Section 7 makes the Lieutenant Governor a member of the State Advisory Council on Occupational Safety and Health.

The second part of the section specifies that the Lieutenant Governor shall not receive mileage, subsistence, and per diem compensation for his service on the Council.

The Council advises, consults with and makes recommendations to the Commissioner of Labor concerning matters relating to the health and safety of workers.

The Council meets at least twice per year.

---

Sec. 8. G.S. 129-40 is amended by rewriting the first sentence to read as follows:

"There is hereby created the North Carolina Capital Building Authority which shall consist of the following: the Lieutenant Governor; a member of the Senate appointed by the President pro tempore of the Senate; a member of the House of Representatives appointed by the Speaker of the House; the Attorney General; the State Treasurer; the Secretary of Administration who shall serve as chairman; and two members to be appointed by the Governor."

---

Draftsman's note: Section 8 makes the Lieutenant Governor a member of the North Carolina Capital Building Authority, which selects architects, etc., for State buildings and approves awards of contracts for construction of the buildings.

The Lieutenant Governor is already a member of the Capital Planning Commission (G.S. 143B-374).

---

Sec. 9. G.S. 126-2 is amended by rewriting the first sentence of subsection (b) to read as follows:

"The Commission shall consist of the Lieutenant Governor and seven other members appointed by the Governor."

---

Draftsman's note: Section 9 makes the Lieutenant Governor a member of the State Personnel Commission.  
The Commission meets at least quarterly.

---

Sec. 10. G.S. 143B-372 is amended: (A) by rewriting the first sentence of the first paragraph of the section to read as follows:

"The State Goals and Policy Board of the Department of Administration shall consist of the Governor and Lieutenant Governor as ex officio members and 15 other members appointed by the Governor.";

(B) by rewriting the third paragraph of the section to read as follows:

"The Governor may remove any of the appointive members of the Board from office in accordance with the provisions of G.S. 143B-16"."

---

Draftsman's note: Section 10 makes the Lieutenant Governor a member of the State Goals and Policy Board.

The Board has the duty to identify long-range and short-range goals for the State and to recommend means of achieving those goals.

The Board meets at least quarterly.

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Sec. 11. G.S. 143B-265 is amended: (A) by rewriting the first sentence of the third paragraph of the section to read as follows:

"The Board of Correction shall consist of the Lieutenant Governor and nine other members appointed by the Governor to serve at his pleasure.";

(B) by rewriting the fourth paragraph of the section to read as follows:

"Appointive members of the Board shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5."

---

Draftsman's note: Sec. 11 makes the Lieutenant Governor a member of the Board of Correction and specifies that he shall not receive extra compensation and allowances by reason of service on the Board.

The Board advises and assists the Secretary of Correction with respect to program development and priority and other matters referred by the Secretary to the Board.

The Board meets at least quarterly.

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Sec. 12. G.S. 143B-141 is amended: (A) by striking out from the first line of paragraph 3 the words and punctuation "15 members:" and by inserting in lieu thereof the following:

"16 members: the Lieutenant Governor,";

(B) by inserting in the first line of paragraph 4, immediately following the word "Board" the following:

", other than the Lieutenant Governor,".

---

Draftsman's note: Section 12 makes the Lieutenant Governor a member of the Board of Human Resources and specifies that he shall not receive extra compensation or allowances by reason of his service on that Board.

The Board of Human Resources advises and assists the Secretary of Human Resources with respect to program development and priority and other matters referred to it by the Secretary. The Board meets at least quarterly.

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Sec. 13. G.S. 143B-166 is amended: (A) by inserting in line 2 of the first paragraph of the section, immediately following the words "shall consist of" the words "the Lieutenant Governor and";

(B) by inserting in line one of the second paragraph of the section, immediately following the word "any" the word "appointive";

(C) by inserting in line one of the fourth paragraph of the section, between the word "The" and the word "members" the word "appointive."

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Draftsman's note: Section 13 makes the Lieutenant Governor a member of the Medical Care Commission.

The Commission adopts statewide plans for the construction and maintenance of hospitals, medical centers, and related facilities.

The Commission meets at least quarterly.

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Sec. 14. G.S. 143B-280 is amended: (A) by striking out of line two of the third paragraph of the section the words and punctuation "25 members. The" and by inserting in lieu thereof the following:

"26 members. The Lieutenant Governor: the";

(B) by inserting in line one of the sixth paragraph of the section, immediately following the word "Board" the following:  
", other than the Lieutenant Governor,".

---

Draftsman's note: Section 14 makes the Lieutenant Governor a member of the Board of Natural and Economic Resources.

The Board advises and assist the Secretary of Natural and Economic Resources with respect to program development and priority and other matters referred to it by the Secretary.

The Board meets at least quarterly.

---

Sec. 15. Chapter 65 of the 1977 Session Laws of North Carolina is amended:

(A) by striking out of line two of G.S. 143-216 as the same appears in Section 1 of Chapter 65, the word "nine" and by inserting in lieu thereof the word "ten";

(B) by rewriting the last sentence of the first paragraph of G.S. 143-216 as the same appears in Section 1 of Chapter 65 to read as follows:

"The Authority shall consist of the Lieutenant Governor, seven members appointed by the Governor, one member appointed by the President pro tempore of the Senate, and one member appointed by the Speaker of the House of Representatives.";

(C) by striking out the words "Lieutenant Governor" wherever they appear in paragraph four of G.S. 143-216 as the same appears in Section 1 of Chapter 65 and by inserting in lieu thereof in each instance the words "President pro tempore of the Senate".

---

Draftsman's note: Section 15 makes the Lieutenant Governor a member of the State Ports Authority.

The Ports Authority has broad authority over the State Ports.

The Authority meets at least once every 60 days.

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Sec. 16. This act shall take effect July 1, 1977.



Liaison with local government

1. Local Government Commission.

Authority: Issues rules and regulations having force of law governing procedures for receipt, deposit, investment, transfer, and disbursement of money and other assets by units of local government and public authorities; supervises bonded indebtedness and servicing of debts of local governments.

Structure: In office of State Treasurer.

Membership: Ex officio -- Treasurer, Auditor, Secretary of State, Secretary of Revenue.

Appointed:-- 3 by Governor (one of whom has served as mayor or city councilman; one as county commissioner);  
1 by Lieutenant Governor;  
1 by Speaker of the House.

Term of each -- 4 years.

2. Municipal Board of Control.

Authority: Incorporates municipalities upon petition of voters in affected area and prepares and issues charters.

Structure:

Membership: Ex officio -- Chairman, Local Government Commission  
Chairman, House Committee on Local Govt.  
Chairman, Senate Comm. on Local Govt.

Appointed-- 2 by Governor (1 elected municipal official; 1 elected county official).

Term: At pleasure of Governor.

3. Board of Trustees, North Carolina Local Governmental Employees' Retirement System.

Authority: Administers Local Governmental Employees' Retirement System.

Structure; In office of State Treasurer.

Membership: Members of Board of Teachers' and State Employees' Retirement System.

2 members appointed by Governor (one mayor, city councilman or fulltime municipal employee from participating municipality; one county commissioner or fulltime county employee from participating county).

Local Government Commission 159-3 143A-33  
Municipal Board of Control 160A-6  
Teachers and State Employees Retirement System 135-6; 143A-34  
N.C. Local Government Employees' Retirement System 128-28; 143A-35.  
State Board of Education (alarady ex officio) 115-2; 43A-41  
Criminal Justice Education and Training System Council 17B-4  
Criminal Justice Training and Standards 17A-3  
N.C. State Board of Agriculture 106-2; 143A-59  
Rural Rehabilitation Corporation 137-31.3  
Safety and Health Review Board 95-135  
Insurance Advisory Board 58-27.1; 143A-76  
Building Code Council 143-136; 143A-78  
N.C. Capital Planning Commission 129-31  
N.C. Human Relations Commission 143-416  
Land Policy Council 113A-153  
N.C. Manpower Council 143-283.44  
State Personnel Commission 126-2  
N.C. Council on State Goals and Policy 143-376  
Board of Correction 143B-265  
Board of Human Resources 143B-141 /1973/  
N.C. Governor's Coordinating Council of Aging 143B-181  
Governor's Advocacy Council on Children and Youth 143B-187  
Council on Developmental Disabilities 143B-179  
Governor's Council on Employment of the Handicapped 143B-185 /1973/  
State Commission for Health Services 143B-143 /1973/

Commission for Human Skills and Resources Development 143B-199  
N.C. Medical Care Commission 143B-166  
Commission for Mental Health Services 143B-148  
Mental Health Council 143B-183  
Social Services Commission 143B-154  
Veterans Affairs Commission 143B-253  
Board of Natural and Economic Resources 143B-280 /1973/  
Community and Economic Development Council 143B-306  
Coastal Resources Commission 113A-104  
Earth Resources Council 143B-303  
Environmental Management Commission 143B-283 /1973/  
Science and Technology Committee 143-379  
Parks and Recreation Council 143B-312  
Soil and Water Conservation Commission 143B-295  
Board of Transportation 143A-98.1  
Secondary Roads Council 143A-98.2  
N.C. State Ports Authority 143-216  
State Board of Elections 163-19

