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# A Warm Bucket of What? Assessing the Role of Lieutenant Governor in Illinois

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August 25, 2015

Dear Friend of the Paul Simon Institute:

Attached you will find a paper by Sheila Simon on the Office of Illinois Lieutenant Governor. In this paper Sheila takes a close look at the position, describing its historical evolution in the state and explaining its current role in Illinois government. She also gives a comparative perspective by analyzing how the office in Illinois compares to other states in the union.

She is uniquely qualified to write this informative paper. She recently completed a four year term in that office and has seen its role and responsibilities up close and personally. In addition, her father, Paul Simon, served in the same office from 1969 through 1972 where he set the historic precedent of being the only Lieutenant Governor in Illinois who served with a Governor of the opposite party.

Due to recent fiscal pressures, there has been a discussion of the need for all the constitutional offices in the state. Various proposals have been advanced for elimination or consolidation of one or more of the six statewide offices provided for by the 1970 Illinois constitution. Eliminating the office of Lieutenant Governor has been one of the plans discussed.

In this paper Sheila Simon explains what kinds of problems of succession the elimination of the office would create. She also points out that a vacancy in the governor's office and the elevation of the Lieutenant Governor to that position is not all that rare in the state and offers suggestions for how the office might be used in the future.

At the Paul Simon Institute we seek to contribute to the statewide discussion of important public policy questions. We think this paper makes such a contribution and is a very timely addition to the public discourse. We would be happy to hear from you if you have any questions or comments about it. Comments about Simon Institute papers can also be posted on our Facebook page. I can be reached at [dyepsen@siu.edu](mailto:dyepsen@siu.edu) and Sheila can be reached at [sheilajsimon@gmail.com](mailto:sheilajsimon@gmail.com).

Sincerely,



David Yepsen  
Director

## **The Simon Review**

**A Warm Bucket of What? Assessing the Role of Lieutenant Governor in Illinois**

*By: Sheila Simon  
Former Lieutenant Governor of Illinois  
Visiting Professor at Southern Illinois University Carbondale*

**Paper # 43  
August, 2015**

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With research assistance by Shiloh L. Deitz  
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## THE SIMON REVIEW

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## **EXECUTIVE SUMMARY**

The office of lieutenant governor in Illinois has often been the subject of debate, particularly during budget preparation time. This essay examines the history of the office of lieutenant governor in other states and in Illinois. Changes in the process of selecting the lieutenant governor are described, along with the current duties of the office. Finally, the author recommends changes in law and practice which would make the office of greater value to the state.

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## **A Warm Bucket of What? Assessing the Role of Lieutenant Governor in Illinois**

Sheila Simon

Vice President John Nance Garner is said to have described the vice presidency of the United States as "not worth a warm bucket of spit" (Fisher, 1978). Sadly, this is the socially acceptable version of the quote, which was more likely to have been a colloquial reference to urine rather than saliva (Fisher, 1978). So if the vice president's job is worth all that, can there be any value at all to a lieutenant governor of any state?

Yeah. I think there's some good public value in the office.

But then I'm biased. I served as the lieutenant governor of Illinois for four years. And if that's not enough to make me biased, my dad was lieutenant governor of Illinois for four years as well. We may be the only father/daughter team of lieutenant governors in the United States. But that information is on a par with pointless baseball statistics, like most walks in a game played in St. Louis on a day with low humidity. These things are facts, but facts of dubious value.

Along with my bias, I have some first-hand information that should help in assessing the role and the value of the lieutenant governor's office in Illinois. And this discussion comes up on a regular basis, most often during campaigns. But an assessment like this is best suited to discussion outside of the context of any particular election. Without that partisan lens we can take better stock of the office.

So (cue the Ken Burns documentary music) let's check out lieutenant governors and how they have worked in other states, how they have been a part of history in Illinois, and what they do in Illinois under our current constitution. Then we can make an assessment of the position in Illinois and how we might choose to reshape it.

### **1. LIEUTENANT GOVERNORS IN OTHER STATES**

Illinois is right in the mainstream of states in having a lieutenant governor. Forty five of the fifty states have one (The Council of State Governments 2014, table 4.14). In fact the only change in status recently has been one state that did not have a lieutenant governor, New Jersey, choosing to add one (Mercer, 2015). In 2001, New Jersey Governor Christine Todd Whitman resigned to become head of the U.S. Environmental Protection Agency (Mercer, 2015). Their state's succession laws required the state senate president to take over, which he did (Mercer, 2015). He then ran for governor and lost, and his term as senate president ended a week before the new governor was to take over (Mercer, 2015). To make matters worse, the newly elected senate had an even split of senators, resulting in co-senate presidents, who were then co-governors (Mercer, 2015). Toss in an attorney general who had to be governor for long enough to swear in the new co-leaders, and the state had five governors in eight days (Mercer, 2015). The state decided that having a lieutenant governor would be easier, and Kim Guadagno was elected as the first lieutenant governor of New Jersey in 2009 (The State of New Jersey, 2015).

The five states that still do not have lieutenant governors are Arizona, Maine, New Hampshire, Oregon, and Wyoming (The Council of State Governments 2014, table 4.14). They each have an order of succession that goes to either a secretary of state or a legislative leader (The Council of State Governments 2014, table 4.14, note (d)).

The only thing all lieutenant governors share is their place in the line of succession. But that's no small deal. Vice presidents have become presidents in the United States eight times because of the death of a president. Only one president, Richard Nixon, resigned, making Gerald Ford president. The rate of governors leaving their job is much higher.

Start counting as late as 2000, and 24 lieutenant governors have become governors (Mercer, 2014). It seems governors are a more transient lot than presidents. Some governors have died in office, but many leave office to serve in national government, like Governor Whitman, or Governor Kathleen Sebelius from Kansas, who took on health care for President Obama (Phillip, 2014). Others have left for no discernible reason, like Governor Sarah Palin of Alaska (Fund, 2009), or due to charges of questionable ethics, like Governor John Kitzhaber of Oregon (Ven Der Voo and Johnson, 2015). Of course Illinoisans are familiar with the impeachment of Governor Rod Blagojevich. He was the seventh governor in the history of our country to be impeached (Roberts, 2009).

Succession is the single unifying factor for lieutenant governors. Beyond succession, there are some duties that many share. The majority of lieutenant governors serve as acting governor when the governor is out of the state (The Council of State Governments 2014, table 4.14). The majority also preside over their state's senate (The Council of State Governments 2014, table 4.14).

The "other duties as assigned" cover a wide variety of issues. Some assignments are made by the legislature, some by executive order, and others are simply a choice of focus of the officeholder. A sample of these duties are serving as an advocate for seniors in Missouri, serving on a tourism board in Oklahoma, presiding over a judicial nomination council in Massachusetts, and presiding over pardons in Delaware (The Council of State Governments 2014, table 4.14).

The more interesting duties that only a very few lieutenant governors share are full-time, cabinet level responsibilities. In Indiana, Lieutenant Governor Sue Ellspermann is the Secretary of Agriculture and Rural Development, and in New Jersey, Lieutenant Governor Kim Guadagno serves also as the secretary of state. Each of these positions was an appointment by the governor (The Council of State Governments 2014, table 4.14, note c).

My favorite arrangement of this type, maybe because I like their lieutenant governor so much, is in Colorado. Governor Hickenlooper and Lieutenant Governor Joe Garcia didn't know each other well until Hickenlooper chose Garcia as his running mate (Malone, 2010). Most of Garcia's experience had been in higher education. Garcia had been president of Colorado State University-Pueblo, and before that he headed the three-campus Pikes Peak Community College (Colorado Department of Higher Education, 2015).



Hickenlooper had some political background, having been mayor of Denver, and made a wise choice in the classically nerdy Garcia (in my family the label "nerdy" is a compliment). But Hickenlooper made an even better decision when he was sworn in – to make the most of Garcia's background by picking Garcia to be Executive Director of the Colorado Department of Higher Education. Citizens of Colorado can probably see the benefit of getting the services of Garcia in two offices for just one paycheck. But in my assessment the benefits are even greater. Garcia has the opportunity to build his experience and be involved more directly in the executive branch. Hickenlooper has the benefit of building a deeper relationship with Garcia, which in turn allows Garcia to represent the governor better across a large and diverse state.

A good team like that in Colorado is not a given. While the majority of states have the governor and lieutenant governor run together on a ticket in the general election, not all states do. A minority of states elect the two offices separately, which can result in a governor and lieutenant governor of different parties (The Council of State Governments 2014, table 4.12). When this happens, as it often has in those states, the line of succession is one that would significantly alter the political landscape of the state. Which is to say governors in these states pay close attention to their diet, exercise, and preventative healthcare.

A governor/lieutenant governor pair that runs as a team has another advantage over unconnected officeholders -- diversity. Current governors can be described, in general, in two words: male and Caucasian. Of the 50 governors in the US, all but four are male, and all but four are Caucasian. Can you imagine hanging out with this crowd? I'm guessing they serve baloney sandwiches on white bread at breaks in their conferences, and there's a line at the men's room.

The lieutenant governors are different. Of the current 42 lieutenant governors, four are Latina or Latino, one is Native Hawaiian, and one is African American. Thirteen are women. This inclusiveness means more people are contributing their perspectives to state government, and the pool of talent for future elections is broader. And wouldn't you rather go to their party than the governors' club?

## **2. LIEUTENANT GOVERNORS IN ILLINOIS**

Illinois' experience with lieutenant governors is similar to other states. Each of our constitutions, from the founding of the state, has provided for the election of a lieutenant governor. And along the way we have done some fine tuning in both the role and the election process.

Our first lieutenant governor was Pierre Menard, from Chester, Illinois (Howard, 1999, 6). He served with Governor Shadrach Bond, from nearby Kaskaskia (Howard, 1999, 6). For those of you from the Chicago area, these are two locations in Southern Illinois, Kaskaskia being our first state capitol. That was back when Chicago was barely a dot on the map.

## ***A. PLENTY OF SUCCESSION***

Seven Illinois lieutenant governors have become governors because of succession. That's a big chunk of our state's 42 governors.

William Lee Davidson Ewing moved from lieutenant governor to governor in 1834, when Governor John Reynolds resigned to become a member of Congress (Howard, 1999, 39). John Wood became governor when Governor William Bissell became the first Illinois governor to die in office (Howard, 1999, 95). John Beveridge became the 16th governor of Illinois after Governor Richard Oglesby served only 10 days of his second term. Oglesby left to serve in the U.S. Senate, elected by a legislature that he had campaigned to elect (Howard, 1999, 120). John Marshall Hamilton also became governor when his governor, Shelby Cullom, was elected to the U.S. Senate (Howard, 1999, 139).

The second Illinois governor to die in office was Henry Horner. He was incapacitated by illness, but refused to resign because of his distaste for his lieutenant governor, John Stelle (Howard, 1999, 245 and 249). Sam Shapiro became governor in 1968 when Governor Otto Kerner resigned to become a federal judge (Howard, 1999, 287). And most recently, Pat Quinn became governor when Governor Rod Blagojevich was impeached by the Illinois House and removed from office by the Illinois Senate (Long, 2009).

While three Illinois governors have resigned to pursue other political offices, it appears that only two lieutenant governors have left office early for any reason other than to become governor. The easy winner in the contest for best named, Zedekiah Casey resigned as lieutenant governor in 1833 to become a member of Congress (Howard, 1999, 39). And in 1981, lieutenant governor Dave O'Neal resigned, stating, "I feel that I have met the challenges the office of Lieutenant Governor now offers...It is a confining job" (Illinois Issues, 1981). Mr. O'Neal's apparent boredom is often cited in conversations about whether Illinois should have a lieutenant governor at all.

## ***B. CHANGES MADE IN THE PROCESS OF SELECTION***

The process of selecting and electing lieutenant governors in Illinois has changed, or maybe lurched forward, in response to perceived problems with the system.

Our state constitutions have provided for separate elections of governor and lieutenant governor, with nothing more than a guess that the two would be of the same political party. The guess turned out to be a good one, and the only time our state elected people from different parties was in 1968 (Howard, 1999, 296). Richard Ogilvie, a Republican, was elected governor, and Paul Simon, a Democrat, was elected lieutenant governor.

Problems with this team were more anticipated than actual. At the time our constitution provided that the lieutenant governor would be acting governor whenever the governor left the state. The most anticipated problem was the unlikely scenario of a U.S. senator passing away in office while Governor Ogilvie was out of state. As acting governor, Simon, AKA Dad, would be able to appoint a replacement, maybe even himself. Dad promised Ogilvie that Dad would not make appointments in the absence of the governor, and so the governor felt free to leave the state

when he needed to or wanted to. Dad would always smile when he retold this story, pleased with the practical solution, remembering a time when leaders from differing parties could work together. Maybe the happiest person about this arrangement was my mother, because Dad would get the governor's paycheck for any days the governor was out of state. Mom and Dad appreciated this so much that they made a paper weight with a fancy marble bottom of the last check Dad got that way. As a kid I used to think that paperweight was so odd, now I appreciate how a nerdy couple savored their own little piece of Illinois constitutional history.

That four year term was not just the first time the governor/lieutenant governor team were of different parties, it was the last. The Constitutional Convention of 1970 provided for election of a team of running mates from that time forward (Constitution of the State of Illinois, Article V, Section 4).

But teaming up running mates after a primary didn't solve all problems. In at least two elections the problems seemed to center on inattention to the office or to the primary candidates or both. As South Dakota Lieutenant Governor Matt Michel noted, "Let's not kid ourselves. Normal people don't know the name of their lieutenant governor" (Mercer, 2015).

In 1986, former U.S. Senator Adlai Stevenson III won the Democratic primary for governor. That was the year many supporters of right wing extremist Lyndon LaRouche -- many of them apparently selected for their charming ballot names -- ran in the Democratic primary as well. Based, at least in my opinion, on his name, LaRouche supporter Mark Fairchild won the Democratic nomination for lieutenant governor over State Senator George Sangmeister (Locin, 1986) Stevenson had to create a third party to disentangle himself from Fairchild, but went on to lose the election anyway (Locin, 1986). The Stevenson/Fairchild ticket was an obvious problem, but not one that resulted in changes in how we pick running mates.

Scott Lee Cohen finally got our state to make a change. After Lieutenant Governor Pat Quinn became Governor, the next election featured an open seat for lieutenant governor. It attracted five candidates in the Democratic primary: State Representative Mike Boland, Thomas Michael Castillo, Scott Lee Cohen, State Senator Ricky Hendon, State Senator Terry Link, and State Representative Art Turner. Turner, a respected advocate for more justice in the state's criminal justice system, was expected by many to win. But Cohen, who spent millions of his own dollars on his campaign, won. Almost immediately, allegations began to appear about Cohen's character and past acts, including information about a domestic battery arrest, and sexual assault during a former marriage (Sweet, 2010). Cohen dropped out of the race in less than a week (Lutz, 2010).

This time the legislature acted to fix the problem. The new law, enacted quickly after the primary, requires governor and lieutenant governor candidates to run as a team in the primary (Hinz, 2013). The first time this system was used was in 2014, when all candidates ran as teams in the primary, including the ultimate winners, Governor Bruce Rauner and Lieutenant Governor Evelyn Sanguinetti.

### ***C. CURRENT DUTIES OF THE OFFICE***

So what happened after Scott Lee Cohen dropped off the ticket in 2010? Those of you who play team trivia for big prizes will want to know. The Democratic Party of Illinois got to choose a replacement for Cohen. Without precedent for guidance, the party chose a very open selection process. Anyone across the state could apply, and party leaders held meetings in three locations to screen candidates. After narrowing the field and getting input from Governor Quinn, the party's central committee chose me. Governor Quinn and I won the election by a slim margin, and I served as lieutenant governor of Illinois for four years. That's why you want me on your trivia team if the category "Lieutenant Governor Duties" ever comes up. And that's why you should probably take with a grain of salt my descriptions of the office.

The lieutenant governor of Illinois has two fewer duties than used to come with the job under the previous constitution. The lieutenant governor in Illinois no longer serves as acting governor when the governor leaves the state, and no longer presides over the senate. Removal of the duties with regard to the senate appears to have been based on concerns about party differences between the lieutenant governor and the majority party of the senate (Lousin, 2011, 142).

But the lieutenant governor in Illinois has responsibilities that come from statute and from executive orders. By statute, the lieutenant governor chairs three river coordinating councils, one each for the Illinois (20 Illinois Compiled Statutes 3967), and the Mississippi (20 ILCS 4003), and one for the combined Wabash and Ohio rivers (20 ILCS 4060). Another law names the lieutenant governor as head of the Interagency Military Base Support and Economic Development Council (20 ILCS 605/605-210). And by executive order starting back in 1987 and revised in 2011, the lieutenant governor chairs the Governor's Rural Affairs Council (Illinois Executive Order 11-04, 2011). All of these bodies are organized to coordinate federal, state, and local government representatives, along with stakeholders and citizens, on topics where coordination can be difficult.

The status of the lieutenant governor, even though I often make light of it, is what makes these groups come together. Former Lieutenant Governor Neil Hartigan gave me the best advice I got about the office. He told me that because of the word "Governor" in the title, people would return my phone calls, and they would meet with me and with people that they wouldn't ordinarily meet with because I asked them to. He was right. That power turned out to be helpful in solving some problems for Illinois.

I accepted other responsibilities along the way during my four years. I was asked to chair the Joint Education Leadership Committee of the state's P-20 Council. The Council focuses on the whole of Illinois public education, which is often fragmented. The committee that I chaired brought together the leaders at the highest levels of K-12 education, community colleges and universities, and it was often where good ideas in the abstract turned into coordinated action plans. I also chaired a commission on school consolidation, at the request of the General Assembly (PL 97-0503, 2011). Our group, which we called the Classrooms First Commission,

turned a political football into an opportunity to make progress in terms of easier school consolidation where it is desired, and easier ways to move toward greater efficiency and opportunity through working together across school district lines. I think each of these groups made a difference.

The office also comes with two powers that are entirely unofficial and not written down anywhere: first, the ability to focus attention. As lieutenant governor I was able to focus media and public attention on community colleges, the too often unknown center of opportunity for so many in our state. I also brought media and public attention to chronic underfunding of sexual assault response centers across the state. Attention doesn't always mean action, but it's pretty hard to get to action without the attention first.

And the ability to connect people with state government is the second almost invisible power of a lieutenant governor. As lieutenant governor you know that your one constitutional duty is to be ready to be governor. For me I saw that as a license to be nosy, to introduce myself to heads of departments of our government, to learn as much about each function of the state as I could. One of the results of that nosiness was that I often had answers for the many questions I got from people I met across the state. When people had questions or good ideas, I didn't direct them just to a state office, I could give names and contact information for people I knew in state government, people I knew who were outstanding public servants and eager to help. The kind of public servant who is so often forgotten in an age where it's politically popular to disrespect public employees.

The state's current lieutenant governor, Evelyn Sanguinetti, has launched herself into the duties assigned to her by statute and executive order. And Governor Rauner has added one task to her list through Executive Order 15-15. Sanguinetti has been given the thankless task of chairing the Local Government Consolidation and Unfunded Mandates Task Force. Like school consolidation, this topic is full of potential pitfalls, but Sanguinetti has a background in local government. She may well be able to use that background, along with the ability to bring people together, to help promote government efficiency.

### **3. ASSESSING THE OFFICE AND POTENTIAL CHANGES FOR ILLINOIS**

So, with all this information, let's tackle the question that comes up at least every four years: should Illinois eliminate the office of lieutenant governor? The resounding answer, which I can almost hear being chanted, is No WAY!

Having a lieutenant governor in Illinois provides for orderly succession, and as a state we have need to use that function frequently. We can predict that we'll need to use this process again, and the process is even better thanks to same party succession required by our current constitution. Without a lieutenant governor, whether the next successor would be the attorney general, secretary of state, or other office holder, there would be no guarantee of party continuity.

And our current statute that requires a pairing of running mates by selection rather than election helps our state get the benefit of diversity that other states are enjoying. Governor Bruce Rauner saw the benefit of having gender and ethnic diversity in his choice of Evelyn Sanguinetti. And four years before that, the Democratic Party selected me, which added gender and geographic diversity to the ticket. In a state as diverse as Illinois, opportunities to increase diversity in elected officials should be seized. Many people lament the last change we made that decreased diversity, the elimination of the three-member district in the Illinois House. We have no need to repeat that experience.

But can we do better with the system we have? I think so.

First, consider selecting the lieutenant governor candidate in the same way the Vice President of the U.S. is selected -- after the primary, by the winner of the primary. This idea was proposed by Senator Don Harmon in 2013, but was withdrawn in order to have at least one election with the newly amended selection procedure. We've now had that one election, and I think the proposed change is still valid. The most important benefit of selection after the primary is that the rest of the statewide ticket would be known, and selecting the lieutenant governor candidate would take place knowing what voices may be missing from that ticket.

Second, adopt -- by practice rather than statutory requirement-- the Colorado model of a lieutenant governor who fills that role as well as heads a state department or agency. This model takes full advantage of what any lieutenant governor brings to the office, while also giving her or him an effective way to build relationships with all other state agency heads.

Third, save money for the state by using the Colorado model. Many folks who suggest elimination of the office do so for strictly financial reasons. While budget pressure in Illinois is real and continuing, there is no need to eliminate the benefits to the state just to cut out spending. If our lieutenant governor is head of an agency, she or he will have a staff that can help share the work on the statutory and executive order functions that the office now has. The office had a budget of roughly \$2 million a year under Lieutenant Governor Pat Quinn, and I trimmed that spending by a third over four years. As a portion of state spending this budget is small, and the savings wouldn't have a big impact, but those who govern have an obligation to do so as efficiently as possible, and this will help.

Bottom line, history shows us that we need a lieutenant governor in Illinois because orderly, same-party succession works for our state. But we can get even more and pay even less to get this succession if we use the position wisely. Let's be smart about this -- keep the position, make it cheaper and better for the state, and then we get to keep all the jokes that go with the job as well.

Did I tell you about the lieutenant governor's secret handshake?....

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