



MEMORANDUM

TO: Chris Rickert
FROM: Madeline Kasper, managing legislative analyst
DATE: October 26, 2022
SUBJECT: Information about the office of the lieutenant governor

Overview

This memorandum describes the powers and duties of the lieutenant governor; elections for and vacancies in the office of the lieutenant governor; operations of the office of the lieutenant governor; and significant changes to the powers and duties of the lieutenant governor since statehood. The memorandum concludes with a list of all Wisconsin lieutenant governors who have served.

I. Powers and duties

Duties assigned by the governor in writing. Wis. Stat. § [14.34](#) provides that the lieutenant governor has the duties that are “assigned by the governor in writing,” which “may include”:

- The designation as the governor’s representative on any statutory commission, board, or committee on which the governor is entitled to membership.¹
- The designation as the governor’s representative on any nonstatutory committee created by the governor under Wis. Stat. § [14.019](#).²
- The designation to coordinate state services and programs under Wis. Stat. § [14.03](#) and such other statutory responsibility of the governor for this purpose.³
- The designation as the governor’s representative on any intergovernmental body created for the purpose of maintaining relationships with the federal government, state government, regional agencies, or local government.⁴

¹ Wis. Stat. § [14.34 \(1\)](#).

² Wis. Stat. § [14.34 \(2\)](#).

³ Wis. Stat. § [14.34 \(3\)](#). For these designations, the governor must “specify in writing to state agencies the nature, areas and extent of such designated authority.”

⁴ Wis. Stat. § [14.34 \(4\)](#).

Accept certain moneys. The lieutenant governor is authorized to accept gifts, grants, bequests or devises, or federal moneys authorized by the governor under Wis. Stat. § [16.54](#), to be used for the authorized functions of the office of the lieutenant governor.⁵

Conduct conferences or prepare and sell publications. The lieutenant governor may conduct conferences or prepare and sell publications or promotional materials related to the authorized functions of the office of the lieutenant governor.⁶

Serve as governor or acting governor under certain circumstances. Wis. Const. art. V, § [7\(1\)](#) provides that the lieutenant governor must become governor for the balance of an unexpired term upon the governor's death, resignation, or removal from office. Additionally, under Wis. Const. art. V, § [7\(2\)](#), if the governor is "absent from this state, impeached, or from mental or physical disease, becomes incapable of performing the duties of the office, the lieutenant governor shall serve as acting governor for the balance of the unexpired term or until the governor returns, the disability ceases or the impeachment is vacated."⁷

In 1979, the Wisconsin Attorney General opined that the Wisconsin Supreme Court would probably construe an absence from the state to mean an "effective absence," which he explained to mean "an absence which prevents the governor from discharging duties which need to be done before his return."⁸ He reasoned that the framers of the Wisconsin Constitution likely presumed that any physical absence from the state would prevent the governor from discharging the duties of his office, which was a threat to the continued operation of government. However, with the advent of modern technologies, he argued that this is no longer the case. The supreme court has not adjudicated this constitutional provision.

When acting as governor because of a vacancy in the office of governor created by the any of the contingencies specified in Wis. Stat. § [17.03](#), the lieutenant governor must receive "the annual salary and all other rights, privileges and emoluments of the office of the governor."⁹

Fill in for the governor on the Disability Board. In the case of the absence or disability of the governor for a particular meeting of the Disability Board, the lieutenant governor must serve in the governor's place.¹⁰

II. Elections and vacancies

Under Wis. Const. art. V, § [1](#), the lieutenant governor is elected at the same time as the governor for a four-year term. To be eligible for the office, an individual must be a citizen and a qualified elector of the state.¹¹ The constitution further provides that the governor and lieutenant governor

⁵ Wis. Stat. § [14.35 \(1\)](#).

⁶ Wis. Stat. § [14.35 \(2\)](#).

⁷ See also Wis. Stat. § [17.025 \(4\) \(b\)](#).

⁸ [68 Wis. Op. Att'y Gen. 109](#), 112 (1979), <https://www.doj.state.wi.us>.

⁹ Wis. Stat. § [14.32 \(2\)](#).

¹⁰ Wis. Stat. § [14.015 \(1\)](#).

¹¹ Wis. Const. art. V., § [2](#).

must be elected by the qualified electors of the state “at the times and places of choosing members of the legislature” but requires that they must be chosen jointly.¹²

The office of the lieutenant governor is a partisan elective state office and the individual holding the office of lieutenant governor is a partisan elective state official.¹³ Accordingly, lobbyist contributions to a candidate for the office of the lieutenant governor are regulated under Wis. Stat. ch. [13](#), and campaign contributions are regulated under Wis. Stat. ch. [11](#). An individual or a candidate committee may contribute a maximum of \$20,000 to a candidate for lieutenant governor.¹⁴ A political action committee—or a person other than an individual or candidate committee—may contribute a maximum of \$26,000.¹⁵ However, the candidate committee for governor and the candidate committee for lieutenant governor of the same political party may receive contributions and make disbursements for both candidates from either candidate committee’s depository account.¹⁶

The lieutenant governor’s regular full term of office begins on the first Monday of the January following his or her election.¹⁷ The lieutenant governor must take the oath of office before entering upon the duties of the office.¹⁸

If the lieutenant governor wishes to resign, he or she must resign to the legislature if it is in session; otherwise he or she resigns to the secretary of state.¹⁹ When there is a vacancy in the office of lieutenant governor, Wis. Const. art. XIII, § [10 \(2\)](#) provides that the governor must nominate a successor to serve for the balance of the unexpired term who must take office after confirmation by the senate and by the assembly.

Further, under Wis. Const. art. V, § [8](#), if there is a vacancy in the office of the lieutenant governor and the governor dies, resigns, or is removed from office, the secretary of state must become the governor for the balance of the term.²⁰ Likewise, if there is a vacancy in the office of the lieutenant governor and the governor is absent from the state, is impeached, or becomes incapable of performing the duties of the office due to mental or physical disease, the secretary of state must serve as acting governor for the balance of the term or until the governor returns, the disability ceases, or the impeachment is vacated.²¹

The constitution prohibits the lieutenant governor from acting as a member of the court in a trial of impeachment against a governor.²²

¹² See also Wis. Stat. § [5.01 \(5\)](#), which outlines procedures for breaking a tie, and Wis. Stat. § [8.25 \(4\) \(a\)](#), which states that the lieutenant governor “shall be elected at the general election in 1970 and quadrennially thereafter.”

¹³ Wis. Stat. § [13.62 \(11p\)](#) and [\(11r\)](#).

¹⁴ Wis. Stat. § [11.1101 \(1\) \(a\)](#) and [\(2\) \(a\)](#).

¹⁵ Wis. Stat. § [11.1101 \(3\) \(b\)](#) and [\(4\) \(b\)](#).

¹⁶ Wis. Stat. § [11.0205](#). See also Wis. Stat. § [11.1104 \(8\)](#), which provides that an unlimited amount of money may be transferred between the candidates for governor and lieutenant governor of the same political party.

¹⁷ Wis. Stat. § [8.25 \(4\) \(b\) 2](#).

¹⁸ Wis. Stat. § [19.10](#).

¹⁹ Wis. Stat. § [17.01 \(1\)](#).

²⁰ See also Wis. Stat. § [17.19 \(3m\)](#).

²¹ See also Wis. Stat. § [17.025 \(4\) \(b\)](#).

²² Wis. Const. art. VII., § [1](#).

III. Operations

Office. The office of the lieutenant governor is created under Wis. Stat. § [14.31](#). The statutes require the lieutenant governor to keep a room in the capitol.²³

Appropriations. Wis. Stat. § [20.540](#) contains the appropriations for the salaries and general operation of the office of the lieutenant governor. The operations appropriation for the office of the lieutenant governor is a GPR sum certain appropriation. The 2021–23 biennial budget act annually appropriated a total of \$470,500 GPR to the office of the lieutenant governor.

Compensation. The annual salary for the lieutenant governor is set at 1.9 percent above the minimum of the salary range for executive salary group 4.²⁴ The state’s current compensation plan provides that a lieutenant governor who assumes office on or after January 1, 2023, will receive an annual salary of \$87,423.²⁵

As previously stated, when acting as the governor because of a vacancy in the office of governor created by the any of the contingencies specified in Wis. Stat. § 17.03, the lieutenant governor must receive the annual salary of the office of the governor.²⁶ This annual salary is in lieu of all other compensation provided for the lieutenant governor. A person holding the office of lieutenant governor must receive creditable service on a full-time basis for the period during which the office is held.²⁷

Employees. The lieutenant governor may employ, within the limits of the office’s appropriations, “such staff as he or she deems necessary outside the classified service for such period and upon such terms as the lieutenant governor determines.”²⁸ However, the statutes provide that the position of administrative assistant to the lieutenant governor is treated the same as executive assistants for the purposes of pay.²⁹ The 2021–23 biennial budget act provided for five GPR FTE positions in the office of the lieutenant governor. The office of the lieutenant governor’s 2021–23 budget request identified these positions as: the lieutenant governor; chief of staff; deputy chief of staff/legislative policy director; executive assistant and constituent services; and scheduling and operations.³⁰

IV. Significant changes to the powers and duties of the lieutenant governor

The original Wisconsin Constitution provided for a lieutenant governor that was elected separately from the governor for a two-year term. The constitution further provided that the

²³ Wis. Stat. § [16.835](#).

²⁴ Wis. Stat. § [20.923 \(2\) \(g\)](#).

²⁵ Wis. Dept. of Administration, [State of Wisconsin Compensation Plan, 2021–2023](#), (Madison, WI: Wisconsin Department of Administration), B-4.

²⁶ Wis. Stat. § [14.32 \(2\)](#). Under Wis. Stat. § [14.32 \(3\)](#), this compensation is paid from the appropriation to the office of the governor under Wis. Stat. § [20.525 \(1\) \(a\)](#).

²⁷ Wis. Stat. § [40.02 \(17\) \(a\)](#).

²⁸ Wis. Stat. § [14.33](#). See also Wis. Stat. § [230.08 \(2\) \(r\)](#), which specifies that all employees appointed by the lieutenant governor are part of the unclassified service.

²⁹ Wis. Stat. § [20.923 \(9\)](#).

³⁰ Office of the Lieutenant Governor, [Agency Budget Request, 2021–23 biennium](#), (Madison, WI: September 15, 2020), 5.

lieutenant governor would become “acting governor,” while still remaining lieutenant governor, in certain temporary or permanent circumstances. Additionally, the constitution designated the lieutenant governor to preside over the senate. Not only was the lieutenant governor able to rule on parliamentary points of order, but he also maintained the tie-breaking vote.

Since statehood, voters have ratified certain constitutional amendments that significantly altered the office of lieutenant governor. First, in 1967, constitutional amendments were adopted to provide for a joint election of governor and lieutenant governor and to increase the term lengths for both offices to four years. Then, in 1979, the constitution was amended to enable the senate to choose its own presiding officer from among its members, thus terminating the lieutenant governor’s function as president of the senate. The constitution was also amended in 1979 to state that the lieutenant governor becomes governor, instead of serving only as “acting governor,” whenever there is a permanent vacancy in the office of the governor and to require that a successor nominated by the governor to the office of lieutenant governor must be confirmed by the state senate and assembly.

Since the 1980s, the powers and duties of the lieutenant governor have remained more or less limited to the powers and duties enumerated above. The total biennial budget and total number of employees in the office of the lieutenant governor have fluctuated slightly over this time period, as shown below.

Period	Total budget	FTEs
1981–82	\$447,600	9.00
1985–86	\$381,000	5.00
1991–92	\$809,000	8.00
1995–96	\$929,800	8.00
2001–02	\$1,126,600	7.75
2005–06	\$763,700	4.00
2011–12	\$787,000	4.00
2015–16	\$574,200	4.00
2021–22	\$941,000	5.00

V. Lieutenant governors since statehood

A total of 43 different lieutenant governors have served Wisconsin since statehood. These lieutenant governors are listed below. Seven of these lieutenant governors assumed the role of “acting governor” or governor during their terms, while five of these lieutenant governors went on to be elected as governor at some point in their careers.

Name	Party	Service	Residence ¹
John E. Holmes	Democratic	1848–1850	Jefferson
Samuel W. Beall	Democratic	1850–1852	Taycheedah
Timothy Burns	Democratic	1852–1854	La Crosse
James T. Lewis	Republican	1854–1856	Columbus
Arthur McArthur ²	Democratic	1856–1858	Milwaukee

Erasmus D. Campbell	Democratic	1858–1860	La Crosse
Butler G. Noble	Republican	1860–1862	Whitewater
Edward Salomon ³	Republican	1862–1864	Milwaukee
Wyman Spooner	Republican	1864–1870	Elkhorn
Thaddeus C. Pound	Republican	1870–1872	Chippewa Falls
Milton H. Pettit ⁴	Republican	1872–3/23/73	Kenosha
Charles D. Parker	Democratic	1874–1878	Pleasant Valley
James M. Bingham	Republican	1878–1882	Chippewa Falls
Sam S. Fifield	Republican	1882–1887	Ashland
George W. Ryland	Republican	1887–1891	Lancaster
Charles Jonas	Democratic	1891–1895	Racine
Emil Baensch	Republican	1895–1899	Manitowoc
Jesse Stone	Republican	1899–1903	Watertown
James O. Davidson ⁵	Republican	1903–1907	Soldiers Grove
William D. Connor	Republican	1907–1909	Marshfield
John Strange	Republican	1909–1911	Oshkosh
Thomas Morris	Republican	1911–1915	La Crosse
Edward F. Dithmar	Republican	1915–1921	Baraboo
George F. Comings	Republican	1921–1925	Eau Claire
Henry A. Huber	Republican	1925–1933	Stoughton
Thomas J. O'Malley	Democratic	1933–1937	Milwaukee
Henry A. Gunderson ⁶	Progressive	1937–10/16/37	Portage
Herman L. Ekern ⁷	Progressive	5/16/38–1939	Madison
Walter S. Goodland ⁸	Republican	1939–1945	Racine
Oscar Rennebohm ⁹	Republican	1945–1949	Madison
George M. Smith	Republican	1949–1955	Milwaukee
Warren P. Knowles	Republican	1955–1959	New Richmond
Philleo Nash	Democratic	1959–1961	Wisconsin Rapids
Warren P. Knowles	Republican	1961–1963	New Richmond
Jack Olson	Republican	1963–1965	Wisconsin Dells
Patrick J. Lucey	Democratic	1965–1967	Madison
Jack Olson	Republican	1967–1971	Wisconsin Dells
Martin J. Schreiber ¹⁰	Democratic	1971–1979	Milwaukee
Russell A. Olson	Republican	1979–1983	Randall
James T. Flynn	Democratic	1983–1987	West Allis
Scott McCallum ¹¹	Republican	1987–2/1/01	Fond du Lac
Margaret A. Farrow ¹²	Republican	5/9/01–2003	Pewaukee
Barbara Lawton	Democratic	2003–2011	Green Bay
Rebecca Kleefisch	Republican	2011–2019	Oconomowoc
Mandela Barnes	Democratic	2019–	Milwaukee

1. Residence at the time of election. 2. Served as acting governor 3/21/1856 to 3/25/1856 during dispute over outcome of gubernatorial election. 3. Became acting governor on the death of Governor Harvey, 4/19/1862. 4. Died in office. 5. Became

acting governor when Governor La Follette resigned, 1/1/1906. 6. Resigned. 7. Appointed to serve the rest of Gunderson's term. 8. Became acting governor on the death of Governor-elect Orland Loomis, 1/1/1943. 9. Became acting governor on the death of Governor Goodland, 3/12/1947. 10. Became acting governor when Governor Lucey resigned, 7/6/1977. 11. Became governor when Governor Thompson resigned, 2/1/2001. 12. Appointed to serve the rest of McCallum's term.