

# Lieutenant Governors and the Role of Succession

By Mary Branham

*West Virginia Gov. Joe Manchin's election to the U.S. Senate in 2010 set off a series of events the state hadn't seen in 140 years and raised questions about the line of succession to the governor's office. The situation mirrored one in New Jersey in the early 2000s, when several governors left the office and senate presidents took on the role of "acting governor." As in New Jersey, the change sparked debate about the need for the office of lieutenant governor.*

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When former West Virginia Gov. Joe Manchin was elected to the U.S. Senate in November 2010, he set off a chain of events not seen in the state for 140 years. That's the last time a vacancy occurred in the governor's office and the last time the state had to consider its line of succession.

Under the state's constitution, Senate President Earl Ray Tomblin took over the duties of running the state after Manchin's departure. But the change raised several questions that the West Virginia Supreme Court had to decide. Among those questions, how soon an election must be held to select a permanent replacement to fill out Manchin's unexpired term and whether Tomblin's role as "acting governor" created a conflict under the separation of powers provision in the state constitution as he also served as president of the Senate.

Tomblin said the situation illustrated the need for the office of lieutenant governor to give West Virginia a more distinct line of succession to the governor's office. Tomblin, who's served as senate president—and thus, the next in line for the governor's office—for the past 17 years, thinks the line of succession should be clearer.

"This has only happened one other time in the history of our state, and it was after our first governor was elected to the United States Senate," Tomblin said. "The Senate president at that time served for six days until it was time for the new governor (who had just been elected) to take office."

Two years remained on Manchin's term when he resigned as governor to move to the U.S. Senate. As president of the Senate, Tomblin took over as soon as Manchin's resignation took effect, Nov. 15, 2010. But by virtue of having to hold the office of Senate president to serve as acting governor, Tomblin had to be re-elected to that post in the 2011 legislative session to continue serving in the governor's office. In addition, the succession triggered a legal challenge about when the next election for governor should be held.

The West Virginia Supreme Court ruled in January that an "acting governor" could hold the office for only one year, which means an election to fill Manchin's unexpired term must be held by Nov. 15, 2011.<sup>1</sup> That will leave just one more year on the term. Tomblin is a candidate for the office, as are several other legislative leaders. But Tomblin pushed the idea of amending the state's constitution to include the office of lieutenant governor. In 2000, the state bestowed upon the senate president the title of lieutenant governor, but it didn't have constitutional backing, Tomblin said. And, it still left questions he thought would best be addressed by establishing the office through constitutional amendment.

The legislature didn't see it that way. In fact, a resolution proposing an amendment requiring a statewide vote on creation of the lieutenant governor's post was never introduced in the 2011 legislative session. West Virginia is one of only four states that put a legislator next in line of succession for the top executive branch seat.<sup>2</sup> The line of succession also raised the question of separation of powers as outlined in the state constitution. Tomblin stressed throughout that he would not preside over the Senate while acting as governor. In fact, he said in a statement Dec. 28, 2010, that he was working with colleagues in the Senate to establish the position of acting Senate president to preside while he served as acting governor.

Many in the Senate agreed with Tomblin's assessment. If the Senate president is serving as acting governor, the Senate would need an acting leader, many in the state argued. Sen. Brooks McCabe said in his blog that while some legislators contend the acting governor should also retain his position as Senate president, a majority of lawmakers disagreed. "... One doesn't have to be a constitutional scholar to recognize potential conflicts of interest and possible problems associated with compromising a separation of powers,"

he wrote Jan. 18.<sup>3</sup> McCabe argued that should the acting governor maintain dual power, the state Supreme Court could nullify any decisions during that tenure, thus creating the need for the position of “acting Senate president.”<sup>4</sup>

### West Virginia Mirrors New Jersey

The West Virginia situation this year mirrored one in New Jersey several years ago. In 2005, voters approved a constitutional amendment there to establish the office of lieutenant governor and resolve the murkiness surrounding such a situation that occurred in New Jersey, as well as issues it had faced several times in recent years.

Kim Guadagno—who voted against the amendment creating the position in 2005<sup>5</sup>—became New Jersey’s first lieutenant governor in 2010. She also serves as secretary of state.

“You really are writing on a clean slate. You have to think of everything—not only with what I’d like to see, but what do you think lieutenant governors are going to want to see or need in the future?” she said in January 2011.<sup>6</sup> Guadagno worked with Gov. Chris Christie to shape the responsibilities of her office. In the combined office, Guadagno has taken over the role of the secretary of state—including overseeing the arts, tourism and cultural programs as well as the Division of Elections—and has taken on a key economic development role in Christie’s administration.<sup>7</sup>

The amendment to the New Jersey State Constitution, which took effect Jan. 17, 2006, required a substantial role for the lieutenant governor, who runs on a ticket with the governor. Article V, Section 1, Paragraph 10 says:

“The Governor shall appoint the Lieutenant Governor to serve as the head of a principal department or other executive or administrative agency of State government, or delegate to the Lieutenant Governor duties of the office of Governor, or both. The Governor shall not appoint the Lieutenant Governor to serve as Attorney General. The Lieutenant Governor shall in addition perform such other duties as may be provided by law.”<sup>8</sup>

Like West Virginia, the first in line of succession in New Jersey had been the president of the state Senate. But beginning in 2001, New Jersey faced a series of acting governors after the elected governor left office and the Senate president succeeded to the position. Then-Gov. Christine Todd Whitman became head of the U.S. Environmental

Protection Agency in January 2001, and then-Senate President Donald DiFrancesco became acting governor. He served as acting governor until Jan. 8, 2002, when a new legislature was installed. That legislature had equal membership from the Democrat and Republican parties, so co-Senate presidents John O. Bennett and Richard Codey consecutively served as acting governors until Jan. 15, 2002, when Gov. James E. McGreevey was sworn in for a four-year term.<sup>9</sup> Codey again served as acting governor from Nov. 15, 2004, to Jan. 17, 2006, when McGreevey resigned the office.<sup>10</sup> At that time, the governor was the only statewide elected official—nonfederal—in New Jersey.

“I think primarily we wanted to be assured—notwithstanding the wonderful job that Gov. DiFrancesco and Gov. Codey did—that constitutionally the anomaly was to have one person serve both as senate president and as governor. Controlling two-thirds of our government is really not what’s appropriate and in the best interest of the people,” Assemblyman John McKeon told NJN Public Television and Radio in an interview Jan. 19, 2011, explaining the reasoning behind establishing the lieutenant governor’s position.<sup>11</sup> Sen. Joseph Kyriillos, in that same interview, said, “It’s too much power for one person and it became clear that we were an anomaly in the country.”<sup>12</sup>

### The Office and Succession

In four states, senate presidents are the first in line of succession to the governor’s office. Two of those states—Tennessee and West Virginia—bestow the title of lieutenant governor in recognition of that function.<sup>13</sup> In the other two states—New Hampshire and Maine—the Senate president is first in line of succession but does not carry the title of lieutenant governor.<sup>14</sup> In three other states—Arizona, Oregon and Wyoming—the secretary of states move to the governor’s office when there’s a vacancy; the remaining 43 states include an office of lieutenant governor.<sup>15</sup>

Arizona voters considered Proposition 111, which would have amended the state constitution to replace the office of secretary of state with the office of lieutenant governor. The proposition, which voters considered in November 2010, would have taken effect in 2014 with the first lieutenant governor taking office in 2015.<sup>16</sup>

The proposal had supporters and detractors, even among those who were running for secretary of state in the 2010 election. Sam Wercinski, a former state real estate commissioner, said having

an office of lieutenant governor would make clear the line of succession. “It makes it clear to voters who is next behind the governor. We know that ... people are surprised when the secretary of state becomes governor.”<sup>17</sup> His opponent, state Rep. Chris Deschene, was concerned about conflict of interest with regard to elections if the lieutenant governor served as secretary of state. “If we look at a race where there’s a sitting lieutenant governor and a governor, and they’re both part of the same party, now we have the lieutenant governor administering the election for his boss,” said Deschene.<sup>18</sup>

Historian Philip VanderMeer, a professor who studies the history of the western United States, told *The Arizona Republic* in October 2010 that the push for a lieutenant governor in Arizona was likely rooted in the state’s recent history.<sup>19</sup> Since 1988, three secretaries of state have succeeded to the office of governor, the most recent being Gov. Jan Brewer after Gov. Janet Napolitano was appointed as U.S. Secretary of Homeland Security.<sup>20</sup> “If it happens once every 25 years, people don’t notice it too much. When it starts happening more frequently, people say, ‘This is a problem,’” VanderMeer said.<sup>21</sup>

Voters rejected the amendment in the general election.

Regardless, the office of lieutenant governor has been shown to be an important one in state governments across the country. Despite varying job responsibilities, they all share one—that of succeeding to the governor’s office should a vacancy occur. That clear line of succession can help states avoid problems such as questions regarding one person controlling two branches of government, a lack of checks and balances, the role of an acting governor retaining the role of Senate president, that the governor is not a statewide elected official and related legal challenges such as those that have arisen in the West Virginia case.<sup>22</sup> And, according to Julia Nienaber Hurst, executive director of the National Lieutenant Governors Association, the office is an important training ground for future governors. Nearly one in four governors for the past 100 years have previously served as lieutenant governor, a 2006 study commissioned by NLGA found.<sup>23</sup>

## Notes

<sup>1</sup> Phil Kabler, “Supreme Court Orders Election For Governor by Nov. 15,” *The Charleston Gazette*, Jan. 18, 2011, <http://wvgazette.com/> (accessed Jan. 25, 2011).

<sup>2</sup> (Kabler 2011).

<sup>3</sup> Brooks McCabe, “Maintaining Stability in the West Virginia Senate,” posted Jan. 18, 2011, <http://www.brooks-mccabewv.com/2011/01/18/maintaining-stability-in-the-west-virginia-senate/> (accessed March 17, 2011).

<sup>4</sup> (McCabe 2011).

<sup>5</sup> Chris Bishop, “If you’re having a problem, call me, text me,” *phillyburbs.com*, March 10, 2011, [http://www.phillyburbs.com/news/local/business/article\\_8a151685-9bea-5b85-88a0-5a1411ecl19ad.html](http://www.phillyburbs.com/news/local/business/article_8a151685-9bea-5b85-88a0-5a1411ecl19ad.html) (accessed March 16, 2011).

<sup>6</sup> Lisa Fleisher, “Kim Guadagno to become New Jersey’s first lieutenant governor,” *nj.com*, Jan. 19, 2010, [http://www.nj.com/news/index.ssf/2010/01/new\\_jersey\\_gets\\_its\\_first\\_lieu.html](http://www.nj.com/news/index.ssf/2010/01/new_jersey_gets_its_first_lieu.html) (accessed Feb. 15, 2011).

<sup>7</sup> (Fleisher 2011).

<sup>8</sup> Rutgers/Eagleton Institute of Politics, “New Jersey Lieutenant Governor,” <http://www.njvoterinfo.org/lieutenantgov.php/> (accessed Feb. 15, 2011).

<sup>9</sup> National Governors Association, “New Jersey Governor Donald T. DiFrancesco,” <http://www.nga.org/portal/site/nga/menuitem.29fab9fb4add37305ddcbeeb501010a0/?vgnextoid=47c6ae3effb81010VgnVCM1000001a01010aRCRD&vgnnextchannel=e449a0ca9e3f1010VgnVCM1000001a01010aRCRD> (accessed March 18, 2011).

<sup>10</sup> National Governors Association, “New Jersey Governor Richard J. Codey,” <http://www.nga.org/portal/site/nga/menuitem.29fab9fb4add37305ddcbeeb501010a0/?vgnextoid=0347ae3effb81010VgnVCM1000001a01010aRCRD&vgnnextchannel=e449a0ca9e3f1010VgnVCM1000001a01010aRCRD> (accessed March 18, 2011).

<sup>11</sup> Marie DeNoia Aronsohn, “Lieutenant Governor Guadagno’s One Year Anniversary,” *NJNews.com*, <http://njnewspublictv.wordpress.com/2011/01/19/guadagnoone-yearanniversary/> (accessed March 18, 2011).

<sup>12</sup> (Aronsohn 2011).

<sup>13</sup> Julia Nienaber Hurst, “Lieutenant Governors: Significant and Visible,” in *The Book of the States 2006*, ed. Keon S. Chi, 181–183. Lexington: The Council of State Governments, 2006.

<sup>14</sup> (Hurst 2006).

<sup>15</sup> (Hurst 2006).

<sup>16</sup> Carol West, “Despite flaws in Proposition 111, Arizona could use a lieutenant governor,” *Inside Tucson Business*, Sept. 17, 2010, [http://www.insidetucsonbusiness.com/opinion/columnists/carol\\_west/despite-flaws-in-proposition-arizona-could-use-a-lieutenant-governor/article\\_b8fb664e-09a3-5bf6-8262-01b9cc438b6c.html](http://www.insidetucsonbusiness.com/opinion/columnists/carol_west/despite-flaws-in-proposition-arizona-could-use-a-lieutenant-governor/article_b8fb664e-09a3-5bf6-8262-01b9cc438b6c.html) (accessed March 18, 2011).

<sup>17</sup> “Lieutenant Governor Could Replace Secretary of State in Arizona,” *The Tucson Citizen*, July 18, 2010, <http://tucsoncitizen.com/national-news/2010/07/18/lieutenant-governor-could-replace-secretary-of-state-in-arizona/> (accessed March 18, 2011).

<sup>18</sup> (*The Tucson Citizen*, 2010).

<sup>19</sup>Richard Ruelas, “Arizona secretary of state vs. lieutenant governor,” *The Arizona Republic*, Oct. 14, 2010, <http://www.azcentral.com/travel/articles/2010/10/14/20101014arizona-secretary-state-lieutenant-governor.html> (accessed March 18, 2011).

<sup>20</sup>(Ruelas 2011).

<sup>21</sup>(Ruelas 2011).

<sup>22</sup>Julia Nienaber Hurst, “Executive Branch Successors and the Line of Succession,” in *The Book of the States 2009*, ed. Audrey S. Wall, 214–217. Lexington: The Council of State Governments, 2009.

<sup>23</sup>Julia Nienaber Hurst, “Lieutenant Governors: Quantified as Risen Powers,” in *The Book of the States 2007*, ed. Keon S. Chi, 193–195. Lexington: The Council of State Governments, 2007.

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### About the Author

**Mary Branham** is the managing editor for The Council of State Governments, including its bimonthly magazine, *Capitol Ideas*.

**Table A**  
**STATE SUCCESSION OF POWERS**

<i>State or other jurisdiction</i>	<i>Authority</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>
<b>Alabama</b> .....	Article 5, Section 127	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of House of Reprs.	Atty. General	State Auditor	Sec. of State	State Treasurer	
<b>Alaska</b> .....	Chapter 3, Sections 3.9-3.14	Governor	Lieut. Gov.							
<b>Arizona</b> .....	Article 5, Section 6	Governor	Sec. of State	Atty. General	State Treasurer	Supt. of Public Ed.				
<b>Arkansas</b> .....	Article 6, Sections 12-13; Constitutional Amendment 6	Governor	Lieut. Gov.	Senate Pres.	Speaker of the Assembly					
<b>California (a)</b> .....	CAL. CONST. art. 5, § 10; CAL GOV CODE § 12058; CAL GOV CODE § 12061	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of the Assembly	Sec. of State	Atty. General	Treasurer	Controller	Supt. of Public Instruction
<b>Colorado</b> .....	Article 4, Section 13	Governor	Lieut. Gov.	Senate Pres. (who is member of same party as Governor)	Spkr. of House (who is member of same party as Governor)	Minority Ldr. of House (who is member of same party as Governor)	Minority Ldr. of Senate (who is member of same party as Governor)			
<b>Connecticut</b> .....	Article 4, Sections 18-21	Governor	Lieut. Gov.	Senate Pres. Pro Tem						
<b>Delaware</b> .....	Article 3, Section 20	Governor	Lieut. Gov.	Sec. of State	Atty. General	Senate Pres. Pro Tem	Speaker of House of Reprs.			
<b>Florida</b> .....	Article 4, Section 3	Governor	Lieut. Gov.	Atty. General	Chief Financial Officer					
<b>Georgia</b> .....	Article 5, Section 1, Paragraph 5	Governor	Lieut. Gov.							
<b>Hawaii</b> .....	Article 4, Section 4; Statute § 26-2	Governor	Lieut. Gov.	Senate Pres.	Speaker of House of Reprs.					
<b>Idaho</b> .....	Article 4, Sections 12-14	Governor	Lieut. Gov.	Senate Pres. Pro Tem						
<b>Illinois</b> .....	Article 4, Sections 6-7; 15 ILCS 5	Governor	Lieut. Gov.	Atty. General	Sec. of State					
<b>Indiana</b> .....	Article 5, Sections 10-11	Governor	Lieut. Gov.	Speaker of House of Reprs.	Senate Pres. Pro Tem	Treasurer of the State	Auditor of the State	Sec. of State	State Supt. of Public Instruction	
<b>Iowa</b> .....	Article 4, Sections 17-19	Governor	Lieut. Gov.	Senate Pres.	Speaker of House of Reprs.					
<b>Kansas</b> .....	Article 1, Section 11 & KSA Statute 75-125	Governor	Lieut. Gov.	Senate Pres.	Speaker of House of Reprs.					

See footnotes at end of table.

**STATE SUCCESSION OF POWERS — Continued**

<i>State or other jurisdiction</i>	<i>Authority</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>
<b>Kentucky</b> .....	Sections 84, 85, and 87 & KRS 118.710	Governor	Lieut. Gov.	Senate Pres. (if Senate in session)	Atty. General (if Senate not in session)	State Auditor (if Senate not in session and Atty. General fails to qualify)	Presiding Off. of House of Reps.			
<b>Louisiana</b> .....	Const. Article IV	Governor	Lieut. Gov.	Atty. General	Treasurer	Presiding Off. of Senate				
<b>Maine</b> .....	Article 5, Part 1, Sections 14-15	Governor	Senate Pres.	Speaker of House of Reps.	Sec. of State					
<b>Maryland</b> .....	Article 2, Section 6	Governor	Lieut. Gov.							
<b>Massachusetts</b> .....	Constitution of Massachusetts, Part 2, c. 2, § 2, Art. III	Governor	Lieut. Gov.	Sec. of State	Atty. General	Treasurer and Receiver General	State Auditor			
<b>Michigan</b> .....	Article 5, Sections 26-27	Governor	Lieut. Gov.	Sec. of State	Atty. General					
<b>Minnesota</b> .....	Article 5, Section 5	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of House of Reps.	Sec. of State	State Auditor	Atty. General		
<b>Mississippi</b> .....	Article 5, Section 131	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of House of Reps.					
<b>Missouri</b> .....	Article 4, Sections 11(a)-11(c)	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Spkr. of House	Sec. of State	State Auditor	State Treasurer	Atty. General	
<b>Montana</b> .....	Article 6, Sections 6 & 14 & 2009 Revised Statutes: 2-16-513-521.	Governor	Lieut. Gov.	Senate Pres.	Spkr. of House	Senior Member of Legislature (if tie, Eldest to Youngest of Senior Member of Legislature)				
<b>Nebraska</b> .....	Article 4, Section 16	Governor	Lieut. Gov.	Spkr. of the Legislature						
<b>Nevada</b> .....	Legislature under its authority of Article 4, Section 37 Section 223.080 of the Nevada Revised Statutes (NRS)	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of the Assembly	Sec. of State				
<b>New Hampshire</b> ....	NH Const. Pt. 2 Art. 49	Governor	Senate Pres.	Spkr. of House	Sec. of State	State Treasurer				

See footnotes at end of table.

**LIEUTENANT GOVERNORS**

**STATE SUCCESSION OF POWERS — Continued**

<i>State or other jurisdiction</i>	<i>Authority</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>
<b>New Jersey</b> .....	Article 5, Section 1, Paragraphs 6-9 & Article IV, Section VI, Paragraph 7 the Legislature adopted the "Emergency Interim Executive Succession Act," N.J.S.A. 52:14A-1 et seq.	Governor	Lieut. Gov.	Senate Pres.	Speaker of Gen. Assembly	Atty. General	State Highway Commr. (Commr. of Transp.)			
<b>New Mexico</b> .....	Article 5, Section 7	Governor	Lieut. Gov.	Sec. of State	Senate Pres. Pro Tem	Spkr. of House				
<b>New York (b)</b> .....	Article 4, Sections 5-6 & the NYS Defense Emergency Act Article I-A (NYS DEA)	Governor	Lieut. Gov.	Senate Pres.	Speaker of the Assembly	Atty. General	Comptroller	Commr. of Transp.	Commr. of Health	Commr. of Commerce
<b>North Carolina (c)</b> ..	Article 3, Section 3 & Statutes § 147-11.1	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Spkr. of House	Sec. of State	Auditor of the State	Treasurer	Supt. of Public Instruction	Atty. General
<b>North Dakota</b> .....	Article 5, Section 11	Governor	Lieut. Gov.	Sec. of State						
<b>Ohio</b> .....	Article 3, Section 15 & Ohio Revised Code, Section 161.03	Governor	Lieut. Gov.	Senate Pres.	Speaker of House of Reprs.	Sec. of State	State Treasurer	Auditor of the State	Atty. General	
<b>Oklahoma</b> .....	Article 6, Sections 15-16	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of House of Reprs.					
<b>Oregon</b> .....	Article 5, Section 8a	Governor	Sec. of State	State Treasurer	Senate Pres.	Speaker of House of Reprs.				
<b>Pennsylvania</b> .....	PA Constitution Article 4, Sections 13 and 14	Governor	Lieut. Gov.	Senate Pres. Pro Tem						
<b>Rhode Island</b> .....	Article 9, Sections 9-10	Governor	Lieut. Gov.	Speaker of House of Reprs.						
<b>South Carolina</b> .....	Article 3, Sections 1.3.110-1.3.150 & Article 4, Sections 6, 7, 9, 11-12	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of House of Reprs.					
<b>South Dakota</b> .....	Article 4, Section 6	Governor	Lieut. Gov.							

See footnotes at end of table.

STATE SUCCESSION OF POWERS — Continued

<i>State or other jurisdiction</i>	<i>Authority</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>
<b>Tennessee</b> .....	Article 3, Section 12 & Acts 1941, ch. 99, § 1; C. Supp. 1950, § 1871; T.C.A. (orig. ed.), § 8-105	Governor	Speaker of the Senate/ Lieut. Gov.	Spkr. of House Pro Tem	Sec. of State	Comptroller of Treasury				
<b>Texas</b> .....	Article 3, Section 9; Article 4, Sections 3a, 16-18 & Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987	Governor	Lieut. Gov.	Senate Pres. Pro Tem	Speaker of House of Reps.	Atty. General	Chief justices of the courts of appeals, in the numerical order of the supreme judicial districts the courts serve			
<b>Utah</b> .....	Article 7, Sections 10-11 & Emergency Interim Succession Act found in Title 63K, Chapter 1	Governor	Lieut. Gov.	Senate Pres.	Speaker of House of Reps.	Atty. General	State Auditor	State Treasurer		
<b>Vermont</b> .....	VSA, Chapter 7, Section 183	Governor	Lieut. Gov.	Speaker of House of Reps.	Senate Pres. Pro Tem	Sec. of State	State Treasurer			
<b>Virginia</b> .....	Virginia Constitution, Article V, Executive, Section 16	Governor	Lieut. Gov.	Atty. General	Spkr. of House of Delegates	House of Delegates convenes to fill vacancy				
<b>Washington</b> .....	Washington State Constitution, Article III, Section 10	Governor	Lieut. Gov.	Sec. of State	Treasurer	Auditor	Atty. General	Supt. of Public Instruction	Commr. of Public Lands	
<b>West Virginia</b> .....	Article 7, Section 7-8	Governor	Acting Pres. of the Senate	Spkr. of House of Delegates						
<b>Wisconsin</b> .....	Article 5, Section 7-8	Governor	Lieut. Gov.	Sec. of State						
<b>Wyoming</b> .....	Article 4, Section 6	Governor	Sec. of State							
<b>Dist. of Columbia</b> ..	Title IV—District Charter, Section 421, Part B	Mayor	Chair of D.C. Council							
<b>American Samoa</b> ..	Article IV	Governor	Lieut. Gov.	Senate Pres.	Spkr. of House					
<b>Commonwealth of No. Mariana Is.</b> .....	Article 3, Section 7	Governor	Lieut. Gov.	Senate Pres.	Spkr. of House					

See footnotes at end of table.



STATE SUCCESSION OF POWERS — Continued

<i>State or other jurisdiction</i>	<i>Authority</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>
<b>Guam</b> .....	48 U.S.C. Section 1422b Subsection (A) (C), Guam Code Annotated §§ 1101 and 1102	Governor	Lieut. Gov.	Speaker or Acting Speaker of Guam Legislature						
<b>Puerto Rico (d)</b> .....	July 24, 1952, No. 7, p. 12, § 1, Jan. 10, 1998, No. 19, § 1; May 2, 2005, No. 7, § 1	Governor	Sec. of State	Sec. of Justice	Sec. of Treasury	Sec. of Ed.	Sec. of Labor and Human Resources	Sec. of Transp. and Public Works	Sec. of Ec. Dev. and Commerce	Sec. of Health
<b>U.S. Virgin Islands</b> .....	July 27, 1972, No. 3280, Sess. L. 1972, p. 247; amended June 15, 1984, No. 4964, § 1(b), Sess. L. 1984	Governor	Lieut. Gov.	Commr. of Finance	Atty. General	Dir. of Office of Mgmt. and Budget	Commr. of Education	Commr. of Public Works	Commr. of Housing, Parks, and Recreation	Police Commr.

*Sources:* The National Emergency Management Association and The Council of State Governments, April 2011.

*Additional Reference Material:*

[http://www.esg.org/policy/documents/TIA\\_FF\\_Succession\\_Law\\_000.pdf](http://www.esg.org/policy/documents/TIA_FF_Succession_Law_000.pdf)

<http://www.nlga.us/web-content/LiGovernors/SuccessionLawGov&LG.html>

*Key:*

(a) California's line of succession continues after the Superintendent of Public Instruction, with the Insurance Commissioner and then the Chair of the Board of Equalization.

(b) New York's line of succession continues after the Commissioner of Commerce, with the Industrial Commissioner, then the Chairman of the Public Service Commission and then the Secretary of State.

(c) North Carolina's line of succession continues after the Attorney General, with the Commissioner of Agriculture, then the Commissioner of Labor and then the Commissioner of Insurance.

(d) Puerto Rico's line of succession continues after the Secretary of Health, with the Secretary of Agriculture.