

Robert C. Jubelirer

Testimony on Senate Bill 761

November 14, 2017

The committee is to be commended for holding a hearing on this significant subject. Many people across the Commonwealth are hoping this is the first step toward constitutional change truly in the public interest. While the apparent discord in the current administration has magnified interest, discussion of changing the method by which lieutenant governors are chosen reaches back decades.

My short tenure as lieutenant governor, double duty as it was termed due to the unprecedented circumstances, was instructive as to the possibilities and limitations of the existing structure. My experience was far different from the norm, because I had one foot in the executive branch and the other in the legislative branch, which creates a layer of sticky divided loyalty issues, no matter the personalities involved. But it was easy to imagine the difficulties posed for a governor when the traditional voter-arranged marriage results in being yoked to a partner who is not liked, not trusted, or not perceived as particularly capable or diligent. The consequence is more than unnecessary political drama. When there is estrangement, the likelihood of the lieutenant governor being properly prepared to take over in an emergency is alarmingly low.

Immediately after my stint concluded, I joined with Senator Jake Corman and others in pushing legislation changing the manner of selecting a lieutenant governor and addressing succession issues. Since then, my view has only strengthened that change is necessary, from the standpoints of practical operation and public confidence in state government becoming more effective and cost efficient.

Because of my manifold duties as state Senator and President Pro Tempore, I was not like the Maytag repairman, forlornly sitting around waiting for the lieutenant governor phone to ring. The assignments I had were interesting and meaningful, but as a fulltime occupation they would have been insufficiently challenging. This observation comes with the caveat that I was not searching for things to do as lieutenant governor, which the regular occupants of the office surely seek.

In these cost conscious times, it is not surprising there are voices calling for abolishing the office. That, I believe, would be a functional mistake. Since this proposed amendment rightfully retains the office, then it should be elevated in prominence. This can be accomplished by spelling out specific responsibilities in addition to the few presently assigned. With more formal responsibility given to the lieutenant governor, the governor might take even greater care in making his or her selection on a policy basis. Mark Singel, Mark Schweiker, and Jim Cawley can offer constructive suggestions on this point, given their more extensive experience and greater familiarity with gubernatorial interaction.

There is a smaller point to consider. The language in the bill reads as limiting the time frame for selection to the thirty-day post primary period. It seems reasonable to give gubernatorial candidates the option to indicate their preference before the primary. That discretionary step could be helpful to voters as they compare the qualifications of the competitors.

We all realize change comes hard in Pennsylvania, especially when it involves upending the way things have been for a very long time. We are all aware of constitutional changes launched with good intentions and strong justifications that never made it through the political obstacle course. So my purpose today is to provide encouragement, generate momentum, and recommend additions that can help build the case for changing the method of selecting lieutenant governors.