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SYLVESTER SPONSOR TESTIMONY IN SUPPORT OF LD 442  
RESOLUTION, Proposing an Amendment to the Constitution of Maine To Create the Office of  
Lieutenant Governor

Chair Baldacci and Chair Matlack, esteemed colleagues of the Committee on State and Local Government, my name is Rep. Mike Sylvester and I represent District 39 which covers the eastern peninsula portion of Portland and the fighting islands of Casco Bay. I am here today to present and explain LD 442, RESOLUTION, Proposing an Amendment to the Constitution of Maine To Create the Office of Lieutenant Governor.

Now the first question that I always ask myself when proposing legislation is “how new is this idea” that I’m proposing?” Am I breaking new ground or am I proposing a solution that other states have found useful? In the case of LD 442, it is a solution that most states have found useful.

The Lieutenant Governor is an official state office in 45 out of 50 of the United States. Five states do not have a lieutenant governor. Maine is one of those. Currently, 26 states elect a lieutenant governor on a ticket with the governor, while 17 states elect a lieutenant governor separately. In West Virginia, the President of the Senate, as elected by the State Senators, serves as the state's lieutenant governor. I am proposing something slightly different here. I am proposing that we elect a Lieutenant Governor independently every four years like seventeen states currently do but I am proposing that we do so in the off-year cycles of the election of Governor. Why would I propose such a thing? To answer that, I have to get into the problems that I am trying to solve.

Generally, the lieutenant governor is the state's highest officer following the governor and assumes the role when the governor is out of state or incapacitated. The lieutenant governor also becomes the governor should the governor die, resign or be removed from office. They aid the Governor in whatever ways the Governor deems necessary and helpful.

Why do we need a Lieutenant Governor? Coming into my third term as a legislator and my second as a Committee Chair, I have had multiple occasions to work with the offices of two, separate governors. Often, the legislation I propose and that is proposed in my Committee involves communicating and occasionally negotiating with various Departments, Commissioners and the Governor’s staff. Often, these fine and hard working folks are waiting for a response from the Governor on whether or not the administration supports, opposes or has proposed fixes. Many bills have been worked by Department staff in very good faith only to change position when the Chief Executive is able to actually read and respond to the hundreds of bills that we submit. This is not a criticism of any individual. I received the same last minute responses to bills from the Lepage Administration as I do from the Mills Administration. It just points to one of the many reasons as to why Maine and the office of the Governor needs a Lieutenant Governor. There is just too much to do anymore for one person even when we aren’t literally trying to make decisions which save people’s lives. Many of these decisions need the literal eyeballs, ears, physical presence and decision making of an elected official accountable to the people. Too many decisions, tasks and events, in my opinion, for one person alone. I would propose that the Lieutenant Governor serve as a liaison to the Legislature but, obviously, that would be decided in coordination with the sitting Chief Executive.

So why stagger the elections? As legislators, you might have noticed that at times, things get a bit partisan. You might have noticed that on rare occasions things get bi-partisan and sometimes things even get “dispartisan”, a word I created to describe when nobody can seem to agree on anything. I am staggering these elections to present the real possibility that the Governor and Lieutenant Governor could be elected from two different parties. In my opinion, that might be a good thing. If both parties felt that they had a voice in state government, I support that. If both offices

end up coming from the same party, I support that. What I am hoping is that we offer the people of Maine a choice every two years to have their voice heard and to see themselves represented.

Why else should we stagger the elections? I feel like it could be important to sustaining institutional memory. As all of us are keenly aware, Maine has term limits. When Governors change, everything starts anew but a Lieutenant Governor would have the institutional memory to serve as a bridge between administrations. Even if, as in many states, the elected Lieutenant Governor ran for Governor and won, they would have a keen understanding of the processes in place, the initiatives moving forward and the people on the ground. I like efficiency and this would provide a sense of predictability and knowledge for Maine's office of the Governor.

So what does the bill actually do? If successful in the Legislature, LD 442 sends a question out to the Maine people which would read: "Do you favor amending the Constitution of Maine to create the office of Lieutenant Governor to assist the Governor in the performance of the Governor's duties?" In the end, the people would decide.

I am very thankful for your attention and for hearing this bill. I would be happy to answer any questions that you might have.

Best,

Representative Mike Sylvester  
District 39, Portland