



— FACT SHEET —

The Process for Appointing a United States Senator in Minnesota and the Process of Succession for the Office of Lieutenant Governor

Appointment of a United States Senator

The Governor of Minnesota may make a temporary appointment to fill a vacant United States Senate seat. When a U.S. Senate seat is vacated, state law dictates how that seat is filled. First, the Governor chooses a temporary appointment, and sends a letter to the President of the United States Senate. Then that appointee holds the office until a successor is elected in a special election, which is held during the next November election. These Minnesota laws outline the appointment process:

Minn. Stat. § 204D.28:

Subd. 11. **Temporary appointment.** The governor may make a temporary appointment to fill any vacancy. An appointee shall hold office until a successor is elected and qualified at a special election or until a successor is elected pursuant to subdivision 12.

Subd. 12. **Succession by regularly elected senator.** An individual who is elected to the office of United States senator for a regular six-year term when the office is vacant or filled by an individual appointed pursuant to subdivision 11, shall also succeed to the office for the remainder of the unexpired term.

Minn. Stat. § 204D.28 (2017):

If a vacancy occurs in the United States Senator's office, it shall be filled for the remainder of the term by special election. Subd. 6. **The special election shall be held at the next November election if the vacancy occurs at least 11 weeks before the regular state primary preceding the election.** If the vacancy occurs less than 11 weeks before the regular state primary preceding the next November election, the special election shall be held at the second November election after the vacancy occurs.

Succession of a Lieutenant Governor

According to Article V, Sec. 5 of the [Minnesota Constitution](#), if there is a vacancy in the Office of Lieutenant Governor, the President of the Minnesota Senate becomes the Lieutenant Governor:

Sec. 5. **Succession to offices of governor and lieutenant governor.** In case a vacancy occurs from any cause whatever in the office of governor, the lieutenant governor shall be governor during such vacancy. The compensation of the lieutenant governor shall be prescribed by law. **The last elected presiding officer of the senate shall become lieutenant governor in case a vacancy occurs in that office.**

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Previous United States Senate Appointments

Senator	Appointment Date	Succession Description
Dean Barkley (I)	November 4, 2002	Appointed to fill the vacancy caused by the death of Senator Paul Wellstone.
Muriel Humphrey (DFL)	January 25, 1978	Appointed to fill the vacancy caused by the death of Senator Hubert H. Humphrey.
Wendell Anderson (DFL)	December 30, 1976	Appointed to fill the vacancy caused by the resignation of Senator Walter Mondale who was elected Vice President.
Walter Mondale (DFL)	December 30, 1964	Appointed to fill the vacancy caused by the resignation of Senator Hubert H. Humphrey who was elected Vice President.
Joseph Ball (R)	October 14, 1940	Appointed to fill the vacancy caused by the death of Senator Ernest Lundeen.
Elmer Benson (FL)	December 27, 1935	Appointed to fill the vacancy caused by the death of Senator Thomas D. Schall.

Previous Lieutenant Governor Successions

Lt. Governor	Succession Date	Succession Description
Alec Olson (DFL)	December 29, 1976	As President of the Senate, Olson assumed office of Lt. Governor when Rudy Perpich (then Lt. Governor) became Governor on the resignation of Wendell Anderson.
William Richardson (R)	August 24, 1936	Richardson was actually president pro tem of Minnesota Senate; became acting Lt. Governor when Lt. Governor Hjalmar Petersen became Governor after the death of Floyd B. Olson, but Richardson was never sworn in.
Henry Swift (R)	March 4, 1863	Swift became Lt. Governor when Ignatius Donnelly resigned to take a seat in the U.S. House (March 4, 1863). Swift then became Governor when Alexander Ramsey resigned to take a U.S. Senate seat (July 10, 1863).

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