

1
Article
Executive Department

Sec. 1. The executive power of the state shall be vested in a governor, who shall hold his office ^{the term of} for two years; and no person shall ~~be eligible more than four~~ ^{be eligible to} ~~such~~ such office more than four, in any period of six years.

Sec. 2 No person, except a citizen of the United States, shall be eligible to the office of governor, nor shall any person be eligible to that office, who shall not have attained the age of thirty years, and who shall not have been three years next preceding his election, a resident within this state.

Sec. 3. No member of Congress or person holding any office under the United States, or under this State, shall fill the office of governor.

Sec. 4. The governor shall be elected by the qualified electors of the state at the times and places of choosing members of the legislature. And the returns of every election for governor shall ~~Sec. 5~~ be sealed up and transmitted to the Secretary of State, directed to the Speaker of the House of Representatives, who shall open and publish them ~~same~~ in the presence of both houses of the Legislature

Sec. 5. The person having the highest number of votes for governor, shall be elected; but in case two or more persons shall have an equal and the highest number of votes for governor, the two houses of the legislature, at ~~the~~ ^{regular} next ~~annual~~ ^{thereof} session shall forthwith, by joint vote, proceed to elect one of the said persons governor.

Sec. 6. Contested elections for governor shall be determined by the legislature in such manner as may be prescribed by law.

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Sec. 7. The official term of the governor shall commence on the second Monday of January in the year one thousand eight hundred and fifty eight and on the same day every second year thereafter.

Sec. 8. In case of the removal of the governor from office, or of his death, resignation, or inability to discharge the duties of the office, the same shall devolve on the Secretary of State; and in case of the removal from office, death, resignation, or inability both of the governor and Secretary of State, the President of the Senate shall act as governor, until the ~~vacancy~~ ~~shall be filled or the disability shall cease~~ Disability be removed, or a governor be elected.

Sec. 9. The Governor shall be commander-in-chief of the military and naval forces of this state, and may call out such forces to execute the laws, to suppress insurrection, or to repel invasion.

Sec. 10. He shall take care that the laws be faithfully executed.

Sec. 11. He shall from time to time give to the Legislature, information touching the condition of the state, and recommend such measures as he shall judge to be expedient.

Sec. 12. He may on extraordinary occasions, convene the legislature by proclamation and shall state to ~~them~~ both houses when assembled, the purpose for which they shall have been convened.

Sec. 13. He shall transact all necessary business with the officers of government ^{and may require information} in writing from the officers ^{and military} of the administrative departments upon any subject relating to the duties of their respective offices.

Sec. 14. He shall have power to grant reprieves, commutations, and pardons after conviction, for ~~for~~ all offences except treason, subject to such regulations as may be provided by law. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the legislature at its next meeting, when the legislature shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall have power to remit fines and forfeitures under such regulations as may be prescribed by law; and shall report to the legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same; and also

the names of all persons in whose favor remission of fines and forfeiture shall have been made, and the several amounts remitted; Provided, however that the Legislature may by law constitute a Council, to be composed of officers of State without whose advice and consent the governor shall not have power to grant pardons in any case, except such as may by law be left to his sole power.

Sec. 15. Every bill which shall have passed the legislature, shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it; but if not, he shall return it with his objections to that house in which it shall have originated, which house shall enter the objections at large upon the journal, and proceed to re-consider it. If, after such re-consideration, two thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be re-considered, and if approved by two thirds of the members present, it shall become a law. But in all ~~cases~~ ~~the~~ such cases, the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the

bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within ^{five} ~~five~~ days, Sundays excepted, after it shall have been presented to him, it shall be a law without his signature, unless the general adjournment shall prevent its return, in which case it shall be a law, unless the governor, ~~shall~~ within five days next after the adjournment shall file such bill with his objections thereto in the office of the Secretary of State, who shall lay the same before the legislature at its next session, in like manner as if it had been returned by the governor.

Sec. 16. When, during a recess of the legislature, a vacancy shall happen in any office, the appointment to which is vested in the legislature; or when at any time a vacancy shall have occurred in any other state office, or in the office of judge of any court, the governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified. -

Sec. 17. He shall issue writs of election to fill such vacancies as may have occurred in the legislature.

Sec. 18. All commissions shall issue in the name of the state, shall be signed by the governor, sealed with the seal of the state, and attested by the Secretary of State.

Article 5

Executive Department

Read 1st time, ~~and pass.~~

22^d Aug 25-

Read 2^d time - and

referred to Committee
of the whole Aug 27-

Ordered to be

impressed and

Read 3^d time. On

Thursday Sept 1/31

after the word "Governor" Sec 3
add "except as ^{may} otherwise ^{be} provided
in ~~by~~ ~~this~~ constitution."

Adopted

Strike out the word "Six" in Section 9th Sec
and insert "Eight" = Adopted

Introduction Journal

2000

OrHi 94676

1st Amend Sect 1st by adding
the word "Chief" before the word
"President" in the 1st line.

Amend Sec 7 1st line.
Strike out all after the
word "shall" and insert
"be two years, and shall
commence at such time as
may be provided by ^{law or} this constitution"
adopted

OrHi 94657

4

OrHi 94680

1st Amend Sect 1st by adding
the word "Chief", before the word
"Executive" in the first line

adopted

2nd Sect 3 Amend by adding after
the word "State", the words "or any other
power,"

adopted

3rd Strike out all after the word
"permitted" in the 14th Section

adopted

4