

ARTICLE V EXECUTIVE BRANCH

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Section 1. Governor as chief executive; term of office; period of eligibility. The chief [sic] executive power of the State, shall be vested in a Governor, who shall hold his office for the term of four years; and no person shall be eligible to such office more than Eight, in any period of twelve years.—

Section 2. Qualifications of Governor. 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. The minimum age requirement of this section does not apply to a person who succeeds to the office of Governor under section 8a of this Article. [Constitution of 1859; Amendment proposed by H.J.R. 52, 1973, and adopted by the people Nov. 5, 1974]

Section 3. Who not eligible. No member of Congress, or person holding any office under the United States, or under this State, or under any other power, shall fill the Office of Governor, except as may be otherwise provided in this Constitution.—

Section 4. Election of Governor. The Governor shall be elected by the qualified Electors of the State at the times, and places of choosing members of the Legislative Assembly; and the returns of every Election for Governor, shall 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 in the presence of both houses of the Legislative Assembly.—

Section 5. Greatest number of votes decisive; election by legislature in case of tie. 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 Legislative Assembly at the next regular session thereof, shall forthwith by joint vote, proceed to elect one of the said persons Governor.—

Section 6. Contested elections. Contested Elections for Governor shall be determined by the Legislative Assembly in such manner as may be prescribed by law.—

Section 7. Term of office. The official term of the Governor shall be four years; and shall commence at such

times as may be prescribed by this constitution, or prescribed by law.—

Section 8. Vacancy in office of Governor. [Constitution of 1859; Amendment proposed by S.J.R. 10, 1920 (s.s.), and adopted by the people May 21, 1920; Amendment proposed by S.J.R. 8, 1945; and adopted by the people Nov. 5, 1946; Repeal proposed by initiative petition filed July 7, 1972, and adopted by the people Nov. 7, 1972 (present section 8a of this Article adopted in lieu of this section)]

Section 8a. Vacancy in office of Governor. In case of the removal from office of the Governor, or of his death, resignation, or disability to discharge the duties of his office as prescribed by law, the Secretary of State; or if there be none, or in case of his removal from office, death, resignation, or disability to discharge the duties of his office as prescribed by law, then the State Treasurer; or if there be none, or in case of his removal from office, death, resignation, or disability to discharge the duties of his office as prescribed by law, then the President of the Senate; or if there be none, or in case of his removal from office, death, resignation, or disability to discharge the duties of his office as prescribed by law, then the Speaker of the House of Representatives, shall become Governor until the disability be removed, or a Governor be elected at the next general biennial election. The Governor elected to fill the vacancy shall hold office for the unexpired term of the outgoing Governor. The Secretary of State or the State Treasurer shall appoint a person to fill his office until the election of a Governor, at which time the office so filled by appointment shall be filled by election; or, in the event of a disability of the Governor, to be Acting Secretary of State or Acting State Treasurer until the disability be removed. The person so appointed shall not be eligible to succeed to the office of Governor by automatic succession under this section during the term of his appointment. [Created through initiative petition filed July 7, 1972, and adopted by the people Nov. 7, 1972 (this section adopted in lieu of former section 8 of this Article)]

Section 9. Governor as commander in chief of state military forces. The Governor shall be commander in chief [sic] of the military, and naval forces of this State, and may call out such forces to execute the laws, to suppress insurrection [sic], or to repel invasion.

Section 10. Governor to see laws executed. He shall take care that the Laws be faithfully executed.—

Section 11. Recommendations to legislature. He shall from time to time give to the Legislative Assembly information touching the condition of the State, and recommend [sic] such measures as he shall judge to be expedient.—

Section 12. Governor may convene legislature. He may on extraordinary occasions convene the Legislative Assembly by proclamation, and shall state to both houses when assembled, the purpose for which they shall have been convened.—

Section 13. Transaction of governmental business. He shall transact all necessary business with the officers of government, and may require information in writing from the offices of the Administrative, and Military Departments upon any subject relating to the duties of their respective offices.—

Section 14. Reprieves, commutations and pardons; remission of fines and forfeitures. He shall have power to grant reprieves, commutations, and pardons, after conviction, for all offenses [sic] 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 Legislative Assembly, at its next meeting, when the

Legislative Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a farther [sic] reprieve.—

He shall have power to remit fines, and forfeitures, under such regulations as may be prescribed by law; and shall report to the Legislative Assembly 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 forfeitures shall have been made, and the several amounts remitted.[.]

Section 15. [This section of the Constitution of 1859 was redesignated as section 15b by the amendment proposed by S.J.R. 12, 1915, and adopted by the people Nov. 7, 1916]

Section 15a. Single item and emergency clause veto. The Governor shall have power to veto single items in appropriation bills, and any provision in new bills declaring an emergency, without thereby affecting any other provision of such bill. [Created through S.J.R. 12, 1915, and adopted by the people Nov. 7, 1916; Amendment proposed by S.J.R. 13, 1921, and adopted by the people June 7, 1921]

Section 15b. Legislative enactments; approval by Governor; notice of intention to disapprove; disapproval and reconsideration by legislature; failure of Governor to return bill. (1) Every bill which shall have passed the Legislative Assembly shall, before it becomes a law, be presented to the Governor; if the Governor approve, the Governor shall sign it; but if not, the Governor shall return it with written objections to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider it.

(2) If, after such reconsideration, 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 reconsidered, and, if approved by two-thirds of the members present, it shall become a law. But in all 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.

(3) If any bill shall not be returned by the Governor within five days (Saturdays and Sundays excepted) after it shall have been presented to the Governor, it shall be a law without signature, unless the general adjournment shall prevent its return, in which case it shall be a law, unless the Governor within thirty days next after the adjournment (Saturdays and Sundays excepted) shall file such bill, with written objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislative Assembly at its next session in like manner as if it had been returned by the Governor.

(4) Before filing a bill after adjournment with written objections, the Governor must announce publicly the possible intention to do so at least five days before filing the bill with written objections. However, nothing in this subsection requires the Governor to file any bill with objections because of the announcement. [Created through S.J.R. 12, 1915, and adopted by the people Nov. 7, 1916; Amendment proposed by H.J.R. 9, 1937, and adopted by the people Nov. 8, 1938; Amendment proposed by S.J.R. 4, 1987, and adopted by the people Nov. 8, 1988]

Note: See note at section 15, Article V.

Section 16. Governor to Fill Vacancies by Appointment. When during a recess of the legislative assembly a vacancy occurs in any office, the appointment to which is vested in the legislative assembly, or when at any time a vacancy occurs 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 has been elected and qualified. When any vacancy

occurs in any elective office of the state or of any district or county thereof, the vacancy shall be filled at the next general election, provided such vacancy occurs more than sixty-one (61) days prior to such general election. [Constitution of 1859; Amendment proposed by H.J.R. 5, 1925, and adopted by the people Nov. 2, 1926; Amendment proposed by H.J.R. 30, 1985, and adopted by the people May 20, 1986; Amendment proposed by S.J.R. 4, 1993, and adopted by the people Nov. 8, 1994]

Note: The deadline to section 16 was a part of the measure submitted to the people by H.J.R. 5, 1925.

Section 17. Governor to issue writs of election to fill vacancies in legislature. He shall issue writs of Election to fill such vacancies as may have occurred [sic] in the Legislative Assembly.

Section 18. Commissions. All commissions shall issue in the name of the State; shall be signed by the Governor [sic], sealed with the seal of the State, and attested by the Secretary of State.—

ARTICLE VI ADMINISTRATIVE DEPARTMENT

- Sec. 1. Election of Secretary and Treasurer of state; terms of office; period of eligibility
2. Duties of Secretary of State
3. Seal of state
4. Powers and duties of Treasurer
5. Offices and records of executive officers
6. County Officers
7. Other officers
8. County officers' qualifications; location of offices of county and city officers; duties of such officers
9. Vacancies of county, township, precinct and city offices
10. County home rule under county charter

Section 1. Election of Secretary and Treasurer of state; terms of office; period of eligibility. There shall be elected by the qualified electors of the State, at the times and places of choosing Members of the Legislative Assembly, a Secretary, and Treasurer of State, who shall severally hold their offices for the term of four years; but no person shall be eligible to either of said offices more than Eight in any period of Twelve years.—

Section 2. Duties of Secretary of State. The Secretary of State shall keep a fair record of the official acts of the Legislative Assembly, and Executive Branch; and shall when required lay the same, and all matters relative thereto before either chamber of the Legislative Assembly. The Secretary of State shall be by virtue of holding the office, Auditor of Public Accounts, and shall perform such other duties as shall be assigned to the Secretary of State by law. [Constitution of 1859; Amendment proposed by H.J.R. 44, 2011, and adopted by the people Nov. 6, 2012]

Section 3. Seal of state. There shall be a seal of State, kept by the Secretary of State for official purposes, which shall be called "The seal of the State of Oregon".—

Section 4. Powers and duties of Treasurer. The powers, and duties of the Treasurer of State shall be such as may be prescribed by law.—

Section 5. Offices and records of executive officers. The Governor, Secretary of State, and Treasurer of State shall severally keep the public records, books and papers at the seat of government in any manner relating to their respective offices. [Constitution of 1859; Amendment proposed by S.J.R. 13, 1985, and adopted by the people Nov. 4, 1986]

Section 6. County Officers: There shall be elected in each county by the qualified electors thereof at the time of holding general elections, a county clerk, treasurer and sheriff who shall severally hold their offices for the term of four years. [Constitution of 1859; Amendment