

## **Chapter 147.**

### **State Officers.**

#### Article 1.

##### Classification and General Provisions.

#### **§ 147-1. Public State officials classified.**

The public officers of the State are legislative, executive, and judicial. But this classification shall not be construed as defining the legal powers of either class. (1868-9, c. 270, ss. 1, 2; Code, s. 3317; Rev., s. 5323; C.S., s. 7624.)

#### **§ 147-2. Legislative officers.**

The legislative officers are:

- (1) Fifty Senators;
- (2) One hundred and twenty members of the House of Representatives;
- (3) A Speaker of the House of Representatives;
- (4) A clerk and assistants in each house;
- (5) A Sergeant-at-arms and assistants in each house;
- (6) As many subordinates in each house as may be deemed necessary. (1868-9, c. 270, s. 3; Code, s. 3318; Rev., s. 5324; C.S., s. 7625; 1995, c. 379, s. 13.)

#### **§ 147-3. Executive officers.**

(a) Executive officers are either:

- (1) Civil;
- (2) Military.

(b) Civil executive officers are:

- (1) General, or for the whole State;
- (2) Special, or for special duties in different parts of the State;
- (3) Local, or for a particular part of the State.

(c) The general civil executive officers of this State are as follows:

- (1) A Governor;
- (2) A Lieutenant Governor;
- (3) Private secretary for the Governor;
- (4) A Secretary of State;
- (5) An Auditor;
- (6) A Treasurer;
- (7) An Attorney General;
- (8) A Superintendent of Public Instruction;
- (9) The members of the Governor's Council;
- (10) A Commissioner of Agriculture;
- (11) A Commissioner of Labor;
- (12) A Commissioner of Insurance. (1868-9, c. 270, ss. 24, 25, 26; Code, s. 3319; 1899, c. 54, ss. 3, 4; c. 373; 1901, c. 479, s. 4; Rev., s. 5325; C.S., s. 7626; 1931, c. 312, s. 5; 1943, c. 170.)

#### **§ 147-4. Executive officers – election; term; induction into office.**

The executive department shall consist of a Governor, a Lieutenant Governor, a Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Instruction, an Attorney General, a Commissioner of Agriculture, a Commissioner of Insurance, and a Commissioner of Labor, who shall be elected for a term of four years, by the qualified electors of the State, at the same time and places, and in the same manner, as members of the General Assembly are elected. Their term of office shall commence on the first day of January next after their election and continue until their successors are elected and qualified. The persons having the highest number of votes, respectively, shall be declared duly elected, but if two or more be equal and highest in votes for the same office, then one of them shall be chosen by joint ballot of both houses of the General Assembly. Contested elections shall be determined by a joint ballot of both houses of the General Assembly in such manner as shall be prescribed by law. (Const., art. 3, ss. 1, 3; 1897, c. 1, ss. 1, 2, 3; Rev., s. 5326; C.S., s. 7627; 1931, c. 312, s. 5; 1953, c. 2; 1981, c. 504, s. 7; 1985, c. 563, s. 12.)

**§ 147-5. Executive officers – report to Governor; reports transmitted to General Assembly.**

It shall be the duty of the officers of the executive department to submit their respective reports to the Governor to be transmitted by him with his message to the General Assembly. (1813, c. 60, s. 2, P.R.; Rev., s. 5373; C.S., s. 7628.)