

## Executive Departments

## CHAPTER 4

## GOVERNOR

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**4.01 CUSTODIAN OF STATE PROPERTY.** In addition to the powers and duties prescribed by the constitution, the governor shall be the custodian of all property of the state not especially intrusted by law to other officers and may take possession thereof without legal process and adopt such measures for its safe-keeping as he deems proper.

[R. L. s. 26] (54)

**4.02 SECRETARY AND OTHER EMPLOYEES.** The governor shall appoint a private secretary, who shall keep a record of all important official letters to and from the governor and of such others as the governor shall direct, which record shall be preserved in the executive office and produced before the legislature whenever requested. He shall appoint an executive clerk, a stenographer, and two executive messengers. The governor shall prepare and enforce rules fixing the details of service for all these employees.

[R. L. s. 27] (55)

**4.03 PROCLAMATIONS.** When the governor convenes the legislature in extra session he shall do so by proclamation, giving to the members such notice as he deems necessary of the time of meeting; and when assembled he shall inform them of the purposes for which they are convened. He shall set apart and proclaim one day in each year as a day of solemn and public thanksgiving to Almighty God for His blessings to the people and no business shall be transacted on that day at any of the departments of state. All proclamations of the governor required or authorized by law shall be filed with the secretary of state.

[R. L. s. 28] (57)

**4.04 POWERS.** The governor shall appoint and when necessary commission all officers and employees of the state whose selection is not otherwise provided for by law and, at his pleasure, may remove any such appointee whose term of service is not by law prescribed. He shall exercise such powers of appointment, suspension, and removal in respect of other officials as are conferred on him by law. Whenever the great seal of the state is lost or worn out, the governor shall cause the same to be replaced.

[R. L. s. 29] (58)

4.05 [Repealed, 1961 c 561 s 17]

**4.06 VACANCY, SUCCESSION.** When a vacancy occurs, from any cause whatever, in the office of governor, the lieutenant governor shall become governor, and the last duly elected president pro tempore of the senate shall become lieutenant governor for the remainder of the term. When a vacancy occurs, from any cause whatever, in the office of governor and in the office of lieutenant governor, the president pro tempore of the senate shall become governor for the remainder of the term. If there be no president pro tempore of the senate, then the speaker of the house of representatives shall become governor for the remainder of the term; or if there be none, then the secretary of state, or the auditor, or the treasurer, or the attorney general, in that order, shall upon his resignation from office, become governor for the remainder of the term.

In case of the death or other failure to take office of the governor-elect, the lieutenant governor-elect shall become governor from the same time and in the same manner and for the same term as provided for the governor-elect. In case of the death or other failure to take office of both the governor-elect and lieutenant governor-elect, the last duly elected president pro tempore of the senate, or in the case of his death or other failure to take office, the last duly elected speaker of

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the house of representatives, or in the case of his death or other failure to take office, the secretary of state-elect, or under the same circumstances the auditor-elect, the treasurer-elect or the attorney general-elect, in that order shall become governor from the same time and in the same manner and for the same term as provided for the governor-elect.

[1961 c 573 s 1]