

The office and powers of the Governor:

Under the terms of the Northwest Ordinance of 1787, territorial governors were selected at the pleasure of the Congress of the United States. The territorial governor served a term of three years and enjoyed a freehold estate of 1,000 acres while exercising that office. Their responsibilities, set out in Sections 3-8 of that document, included selecting and adapting laws of the original states to form the core of territorial codes (subject to amendment by eventual territorial assemblies); leading the territorial militia and naming its officers; appointment of some magistrates and civil officers and nominating citizens to the congressionally-appointed Legislative Council, as well as dividing the territory into legal administrative districts.

What else lay within the purview of territorial governors was broad, inferred by the ordinance and often dictated by custom, local necessity and the ambitions of the incumbents. Arkansas's territorial governors proved to be a mixed bag: James Miller spent more time away from Arkansas than in it during his tenure, and diffident George Izard left little mark upon the territory. In contrast, John Pope set in motion the construction of the State House, and principled William Fulton offered legal objections to the premature drafting and submission of a state constitution; nearly a decade's service in the U.S. Senate from Arkansas indicated that the people did not hold a grudge.

The powers of Arkansas's governor are today laid out in Article VI of the Arkansas Constitution, adopted in 1874 and often amended since then. From 1874 until 1984, Arkansas governors (and other constitutional officers) were elected to two-year terms; Amendment 63 extended these terms to four years' duration. Amendment 73 imposed a two-term cap on gubernatorial service.

The duties of the governor are a mixture of ceremonial and practical. The governor is expected to deliver to the Assembly periodic messages concerning "the state of the state," including a summary farewell message before leaving office, and is the custodian of the great Seal attached to enacted legislation, proclamations, executive orders and honorary certificates. Like the President, the governor has the duty of approving or disapproving legislation, the latter subject to legislative over-ride; unlike the President, however, the governor enjoys veto power over any item or items of any bill appropriating money, again subject to override by the legislature. The governor also enjoys wide power to grant reprieves, commutations and pardons, and to remit fines and forfeitures.

The governor's power over the legislature is not limited to the veto. He or she may by proclamation convene the Assembly in extraordinary session to consider matters specified in the proclamation. The Constitution also stipulates that the governor may ordain the temporary adjournment of the Assembly "in cases of disagreement between the two houses"; this step is meant to allow the governor to settle such differences, diffusing legislative impasses by acting as a mediator or conciliator. One final notable power is that of appointment to many, though not all, government offices. The Constitution allows the governor to fill vacancies in elected offices excepting mayoral vacancies; all such commissions or appointments expire no later than the next general election.