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The Second Amendment to the US Constitution

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Approved by Congress September 29, 1789. Ratification by the states authenticated by Secretary of State Thomas Jefferson and adopted by Congress December 15, 1791,

THE
CONSTITUTION
OF THE
STATE OF COLORADO,

ADOPTED IN

CONVENTION, MARCH 14, 1876;

ARTICLE XVII.

MILITIA.

SECTION 1. The militia of the State shall consist of all able-bodied male residents of the State, between the ages of eighteen and forty-five years; except such persons as may be exempted by the laws of the United States, or of the State.

SEC. 2. The organization, equipment and discipline of the militia shall conform, as nearly as practicable, to the regulations for the government of the armies of the United States.

SEC. 3. The Governor shall appoint all general, field and staff officers, and commission them. Each company shall elect its own officers, who shall be commissioned by the Governor; but if any company shall fail to elect such officers within the time prescribed by law, they may be appointed by the Governor.

SEC. 4. The General Assembly shall provide for the safe-keeping of the public arms, military records, relics and banners of the State.

SEC. 5. No person having conscientious scruples against bearing arms shall be compelled to do militia duty in time of peace; *provided*, such person shall pay an equivalent for such exemption.

THE
CONSTITUTION
OF THE
STATE OF COLORADO,

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ARTICLE IV.

EXECUTIVE DEPARTMENT.

SEC. 1. The Executive Department shall consist of a Governor, Lieutenant Governor, Secretary of State, Auditor of State, State Treasurer, Attorney General, and Superintendent of Public Instruction, each of whom shall hold his office for the term of two years, beginning on the second Tuesday of January next after his election; *provided*, that the terms of office of those chosen at the first election held under this Constitution, shall begin on the day appointed for the first meeting of the General Assembly. The officers of the Executive Department, excepting the Lieutenant Governor, shall, during their term of offices, reside at the seat of government, where they shall keep the public records, books and papers. They shall perform such duties as are prescribed by this Constitution or by law.

SEC. 2. The supreme executive power of the State shall be vested in the Governor, who shall take care that the laws be faithfully executed.

SEC. 3. The officers named in section one of this article, shall be chosen on the day of the general election, by the qualified electors of the State. The returns of every election for said officers shall be sealed up and transmitted to the Secretary of State, directed to the Speaker of the House of Representatives, who shall immediately, upon the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of the members of both Houses of the General Assembly, who shall for that purpose assemble in the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected, but if two or more have an equal and the highest number of votes for the same office, one of them shall be chosen thereto by the two Houses, on joint ballot. Contested elections for the said offices shall be determined by the two Houses, on joint ballot, in such manner as may be prescribed by law.

SEC. 4. No person shall be eligible to the office of Governor, Lieutenant Governor or Superintendent of Public Instruction, unless he should have attained the age of thirty years, nor to the office of Auditor of State, Secretary of State, or State Treasurer, unless he shall have attained the age of twenty-five years, nor to the office of Attorney General unless he shall have attained the age of twenty-five years, and be a licensed attorney of the Supreme Court of the State, or of the Territory of Colorado, in good standing. At the first election under this Constitution, any person being a qualified elector at the time of the adoption of this Constitution, and having the qualifications above herein prescribed for any one of said officers, shall be eligible thereto; but thereafter no person shall be eligible to any one of said offices, unless, in addition to the qualifications above prescribed therefor, he shall be a citizen of the United States, and have resided within the limits of the State two years next preceding his election.

SEC. 5. The Governor shall be commander-in-chief of the military forces of the State, except when they shall be called into actual service of the United States. He shall have power to call out the militia to execute the laws, suppress insurrection, or repel invasion.

SEC. 6. The Governor shall nominate, and by and with the consent of the Senate, appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for, and may remove any such officer for incompetency, neglect of duty or malfeasance in office. If during the recess of the Senate a vacancy occur in any such office, the Governor shall appoint some fit person to discharge the duties thereof until the next meeting of the Senate, when he shall nominate some person to fill such office. If the office of Auditor of State, State Treasurer, Secretary of State, Attorney General, or Superintendent of Public Instruction, shall be vacated by death, resignation, or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. The Senate in deliberating upon Executive nominations may sit with closed doors, but in acting upon nominations they shall sit with open doors, and the vote shall be taken by ayes and noes, which shall be entered upon the journal.

SEC. 7. The Governor shall have power to grant reprieves, commutations and pardons after conviction, for all offenses except treason, and except in case of impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons, but he shall in every case where he may exercise this power, send to the General Assembly, as its first session thereafter, a transcript of the petition, all proceedings, and the reasons for his action.