

CACR 9 - AS INTRODUCED

2017 SESSION

17-0403

06/10

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **9**

RELATING TO: terms of office for state officers.

PROVIDING THAT: terms shall be for 4 years.

SPONSORS: Sen. Lasky, Dist 13; Sen. Fuller Clark, Dist 21; Sen. Hennessey, Dist 5; Sen. Kahn, Dist 10; Sen. Soucy, Dist 18

COMMITTEE: Election Law and Internal Affairs

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ANALYSIS

This constitutional amendment concurrent resolution provides for a 4-year term of office for the governor, executive council, state senators, and state representatives.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struck through.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seventeen*

CONCURRENT RESOLUTION PROPOSING CONSITUTIONAL AMENDMENT

RELATING TO: terms of office for state officers.

PROVIDING THAT: terms shall be for 4 years.

*Be it Resolved by the Senate, the House of Representatives concurring, that the Constitution of New Hampshire be amended as follows:*

1 I. That articles 9, 12, 15, 27, 32, 33, 42, 43, 60, and 66 of the second part of the constitution  
2 be amended to read as follows:

3 [Art.] 9. [Representatives Elected Every ~~[Second]~~ **Fourth** Year; Apportionment of  
4 Representatives.] There shall be in the legislature of this state a house of representatives,  
5 ~~[biennially]~~ elected **every 4 years** and founded on principles of equality, and representation therein  
6 shall be as equal as circumstances will admit. The whole number of representatives to be chosen  
7 from the towns, wards, places, and representative districts thereof established hereunder, shall be  
8 not less than three hundred seventy-five or more than four hundred. As soon as possible after the  
9 convening of the next regular session of the legislature, and at the session in 1971, and every ten  
10 years thereafter, the legislature shall make an apportionment of representatives according to the  
11 last general census of the inhabitants of the state taken by authority of the United States or of this  
12 state. In making such apportionment, no town, ward or place shall be divided nor the boundaries  
13 thereof altered.

14 [Art.] 12. ~~[[Biennial]~~ Election of Representatives in November.] The members of the house of  
15 representatives shall be chosen ~~[biennially,]~~ **every 4 years** in the month of November, **beginning**  
16 **with the general election in 2020**, and shall be the second branch of the legislature.

17 [Art.] 15. [Compensation of the Legislature.] The presiding officers of both houses of the  
18 legislature, shall severally receive out of the state treasury as compensation in full for their services  
19 for the term elected the sum of ~~[\$250]~~ **\$500**, and all other members thereof, seasonably attending  
20 and not departing without license, the sum of ~~[\$200]~~ **\$400** and each member shall receive mileage  
21 for actual daily attendance on legislative days, but not after the legislature shall have been in  
22 session for 45 legislative days or after the first day of July following the annual assembly of the  
23 legislature, whichever occurs first; provided, however, that, when a special session shall be called by  
24 the governor or by a 2/3 vote of the then qualified members of each branch of the general court,  
25 such officers and members shall receive for attendance an additional compensation of \$3 per day for  
26 a period not exceeding 15 days and the usual mileage. Nothing herein shall prevent the payment of  
27 additional mileage to members attending committee meetings or on other legislative business on  
28 nonlegislative days.

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1 [Art.] 27. [Election of Senators.] The freeholders and other inhabitants of each district, qualified  
2 as in this constitution is provided shall [~~biennially~~] give in their votes for a senator **every 4 years**,  
3 at some meeting holden in the month of November, ***beginning with the general election in 2020.***

4 [Art.] 32. [~~Biennial~~] Meetings, How Warned, Governed, and Conducted; Return of Votes, etc.]  
5 The meetings for the choice of governor, council and senators, shall be warned by warrant from the  
6 selectmen, and governed by a moderator, who shall, in the presence of the selectmen (whose duty it  
7 shall be to attend) in open meeting, receive the votes of all the inhabitants of such towns and wards  
8 present, and qualified to vote for senators; and shall, in said meetings, in presence of the said  
9 selectmen, and of the town or city clerk, in said meetings, sort and count the said votes, and make a  
10 public declaration thereof, with the name of every person voted for, and the number of votes for  
11 each person; and the town or city clerk shall make a fair record of the same at large, in the town  
12 book, and shall make out a fair attested copy thereof, to be by him sealed up and directed to the  
13 secretary of state, within five days following the election, with a superscription expressing the  
14 purport thereof.

15 [Art.] 33. [Secretary of State to Count Votes for Senators and Notify Persons Elected.] And that  
16 there may be a due meeting of senators and representatives on the first Wednesday of December,  
17 [~~biennially~~] **every 4 years**, the secretary of state shall, as soon as may be, examine the returned  
18 copy of such records; and fourteen days before the first Wednesday of December, he shall issue his  
19 summons to such persons as appear to be chosen senators and representatives, by a plurality of  
20 votes, to attend and take their seats on that day.

21 [Art.] 42. [Election of Governor, Return of Votes; Electors; If No Choice, Legislature to Elect One  
22 of Two Highest Candidates; Qualifications for Governor.] The governor shall be chosen [~~biennially~~]  
23 **every 4 years** in the month of November, ***beginning with the general election in 2020***; and the  
24 votes for governor shall be received, sorted, counted, certified and returned, in the same manner as  
25 the votes for senators; and the secretary shall lay the same before the senate and house of  
26 representatives, on the first Wednesday following the first Tuesday of January to be by them  
27 examined, and in case of an election by a plurality of votes through the state, the choice shall be by  
28 them declared and published. And the qualifications of electors of the governor shall be the same as  
29 those for senators; and if no person shall have a plurality of votes, the senate and house of  
30 representatives shall, by joint ballot elect one of the two persons, having the highest number of  
31 votes, who shall be declared governor. And no person shall be eligible to this office, unless at the  
32 time of his election, he shall have been an inhabitant of this state for 7 years next preceding, and  
33 unless he shall be of the age of 30 years.

34 [Art.] 43. [In Cases of Disagreement Governor to Adjourn or Prorogue Legislature; If Causes  
35 Exist, May Convene Them Elsewhere.] In cases of disagreement between the two houses, with  
36 regard to the time or place of adjournment or prorogation, the governor, with advice of council, shall  
37 have a right to adjourn or prorogue the general court, not exceeding ninety days at any one time, as  
38 he may determine the public good may require, and he shall dissolve the same on the first

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1 Wednesday of December [~~biennially~~] **every 4 years**. And, in cases whereby dangers may arise to  
2 the health or lives of the members from their attendance at the general court at any place, the  
3 governor may direct the session to be holden at some other the most convenient place within the  
4 state.

5 [Art.] 60. [Councilors; Mode of Election, etc.] There shall be [~~biennially~~] **every 4 years** elected,  
6 by ballot, five councilors, for advising the governor in the executive part of government. The  
7 freeholders and other inhabitants in each county, qualified to vote for senators, shall some time in  
8 the month of November, **beginning with the general election in 2020**, give in their votes for one  
9 councilor; which votes shall be received, sorted, counted, certified, and returned to the secretary's  
10 office, in the same manner as the votes for senators, to be by the secretary laid before the senate  
11 and house of representatives on the first Wednesday following the first Tuesday of January.

12 [Art.] 66. [Elections by Legislature May Be Adjourned From Day to Day; Order Thereof.] And,  
13 whereas the elections, appointed to be made by this constitution on the first Wednesday of January  
14 [~~biennially~~] **every 4 years**, by the two houses of the legislature, may not be completed on that day,  
15 the said elections may be adjourned from day to day, until the same be completed; and the order of  
16 the elections shall be as follows - the vacancies in the senate, if any, shall be first filled up: The  
17 governor shall then be elected, provided there shall be no choice of him by the people: And  
18 afterwards, the two houses shall proceed to fill up the vacancy, if any, in the council.

19 II. That the above amendment proposed to the constitution be submitted to the qualified  
20 voters of the state at the state general election to be held in November, 2018.

21 III. That the selectmen of all towns, cities, wards and places in the state are directed to  
22 insert in their warrants for the said 2018 election an article to the following effect: To decide  
23 whether the amendments of the constitution proposed by the 2017 session of the general court shall  
24 be approved.

25 IV. That the wording of the question put to the qualified voters shall be:  
26 "Are you in favor of amending articles 9, 12, 15, 27, 32, 33, 42, 43, 60, and 66 of the second part of  
27 the constitution to read as follows:

28 [Art.] 9. [Representatives Elected Every Fourth Year; Apportionment of Representatives.]  
29 There shall be in the legislature of this state a house of representatives, elected every 4 years and  
30 founded on principles of equality, and representation therein shall be as equal as circumstances will  
31 admit. The whole number of representatives to be chosen from the towns, wards, places, and  
32 representative districts thereof established hereunder, shall be not less than three hundred seventy-  
33 five or more than four hundred. As soon as possible after the convening of the next regular session  
34 of the legislature, and at the session in 1971, and every ten years thereafter, the legislature shall  
35 make an apportionment of representatives according to the last general census of the inhabitants of  
36 the state taken by authority of the United States or of this state. In making such apportionment, no  
37 town, ward or place shall be divided nor the boundaries thereof altered.

38 [Art.] 12. [Election of Representatives in November.] The members of the house of

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1 representatives shall be chosen every 4 years in the month of November, beginning with the general  
2 election in 2020, and shall be the second branch of the legislature.

3 [Art.] 15. [Compensation of the Legislature.] The presiding officers of both houses of the  
4 legislature, shall severally receive out of the state treasury as compensation in full for their services  
5 for the term elected the sum of \$500, and all other members thereof, seasonably attending and not  
6 departing without license, the sum of \$400 and each member shall receive mileage for actual daily  
7 attendance on legislative days, but not after the legislature shall have been in session for 45  
8 legislative days or after the first day of July following the annual assembly of the legislature,  
9 whichever occurs first; provided, however, that, when a special session shall be called by the  
10 governor or by a 2/3 vote of the then qualified members of each branch of the general court, such  
11 officers and members shall receive for attendance an additional compensation of \$3 per day for a  
12 period not exceeding 15 days and the usual mileage. Nothing herein shall prevent the payment of  
13 additional mileage to members attending committee meetings or on other legislative business on  
14 nonlegislative days.

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16 as in this constitution is provided shall give in their votes for a senator every 4 years, at some  
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19 meetings for the choice of governor, council and senators, shall be warned by warrant from the  
20 selectmen, and governed by a moderator, who shall, in the presence of the selectmen (whose duty it  
21 shall be to attend) in open meeting, receive the votes of all the inhabitants of such towns and wards  
22 present, and qualified to vote for senators; and shall, in said meetings, in presence of the said  
23 selectmen, and of the town or city clerk, in said meetings, sort and count the said votes, and make a  
24 public declaration thereof, with the name of every person voted for, and the number of votes for  
25 each person; and the town or city clerk shall make a fair record of the same at large, in the town  
26 book, and shall make out a fair attested copy thereof, to be by him sealed up and directed to the  
27 secretary of state, within five days following the election, with a superscription expressing the  
28 purport thereof.

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30 there may be a due meeting of senators and representatives on the first Wednesday of December,  
31 every 4 years, the secretary of state shall, as soon as may be, examine the returned copy of such  
32 records; and fourteen days before the first Wednesday of December, he shall issue his summons to  
33 such persons as appear to be chosen senators and representatives, by a plurality of votes, to attend  
34 and take their seats on that day.

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37 years in the month of November, beginning with the general election in 2020; and the votes for  
38 governor shall be received, sorted, counted, certified and returned, in the same manner as the votes

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1 for senators; and the secretary shall lay the same before the senate and house of representatives, on  
2 the first Wednesday following the first Tuesday of January to be by them examined, and in case of  
3 an election by a plurality of votes through the state, the choice shall be by them declared and  
4 published. And the qualifications of electors of the governor shall be the same as those for senators;  
5 and if no person shall have a plurality of votes, the senate and house of representatives shall, by  
6 joint ballot elect one of the two persons, having the highest number of votes, who shall be declared  
7 governor. And no person shall be eligible to this office, unless at the time of his election, he shall  
8 have been an inhabitant of this state for 7 years next preceding, and unless he shall be of the age of  
9 30 years.

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11 Exist, May Convene Them Elsewhere.] In cases of disagreement between the two houses, with  
12 regard to the time or place of adjournment or prorogation, the governor, with advice of council, shall  
13 have a right to adjourn or prorogue the general court, not exceeding ninety days at any one time, as  
14 he may determine the public good may require, and he shall dissolve the same on the first  
15 Wednesday of December every 4 years. And, in cases whereby dangers may arise to the health or  
16 lives of the members from their attendance at the general court at any place, the governor may  
17 direct the session to be holden at some other the most convenient place within the state.

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19 councilors, for advising the governor in the executive part of government. The freeholders and  
20 other inhabitants in each county, qualified to vote for senators, shall some time in the month of  
21 November, beginning with the general election in 2020, give in their votes for one councilor; which  
22 votes shall be received, sorted, counted, certified, and returned to the secretary's office, in the same  
23 manner as the votes for senators, to be by the secretary laid before the senate and house of  
24 representatives on the first Wednesday following the first Tuesday of January.

25 [Art.] 66. [Elections by Legislature May Be Adjourned From Day to Day; Order Thereof.] And,  
26 whereas the elections, appointed to be made by this constitution on the first Wednesday of January  
27 every 4 years, by the two houses of the legislature, may not be completed on that day, the said  
28 elections may be adjourned from day to day, until the same be completed; and the order of the  
29 elections shall be as follows - the vacancies in the senate, if any, shall be first filled up: The  
30 governor shall then be elected, provided there shall be no choice of him by the people: And  
31 afterwards, the two houses shall proceed to fill up the vacancy, if any, in the council.”

32 V. That the secretary of state shall print the question to be submitted on a separate ballot  
33 or on the same ballot with other constitutional questions. The ballot containing the question shall  
34 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made  
35 in either of the squares, the ballot shall not be counted on the question. The outside of the ballot  
36 shall be the same as the regular official ballot except that the words “Questions Relating to  
37 Constitutional Amendments proposed by the 2017 General Court” shall be printed in bold type at  
38 the top of the ballot.

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- 1           VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment,
- 2    it becomes effective when the governor proclaims its adoption.