

Amendment to CACR 8

1 Amend the resolution by replacing all after the resolving clause with the following:

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3 I. That article 71 of the second part of the constitution be amended to read as follows:

4 [Art.] 71. [County Treasurers, ~~[Registers of Probate,]~~ County Attorneys, Sheriffs, and Registers
5 of Deeds Elected.] The County Treasurers, ~~[registers of probate,]~~ County Attorneys, Sheriffs and
6 Registers of Deeds, shall be elected by the inhabitants of the several towns, in the several counties
7 in the State, according to the method now practiced, and the laws of the State, Provided
8 nevertheless the Legislature shall have authority to alter the manner of certifying the votes, and
9 the mode of electing those officers; but not so as to deprive the people of the right they now have of
10 electing them.

11 II. That article 81 of the second part of the constitution be amended to read as follows:

12 [Art.] 81. [Judges ~~[and Registers of Probate]~~ Not to Act as Counsel.] No judge~~[-or register of~~
13 ~~probate,]~~ shall be of counsel, act as advocate, or receive any fees as advocate or counsel, in any
14 ~~[probate]~~ business which is pending, or may be brought into any court ~~[of probate]~~ in the county of
15 which he is judge~~[-or register]~~.

16 III. That article 82 of the second part of the constitution be amended to read as follows:

17 [Art.] 82. [Clerks of Courts, by Whom Appointed.] The judges of the courts ~~[(those of probate~~
18 ~~excepted)]~~ shall appoint their respective clerks to hold their office during pleasure: And no such
19 clerk shall act as an attorney or be of counsel in any cause in the court of which he is clerk, nor
20 shall he draw any writ originating a civil action.

21 IV. That the above amendments proposed to the constitution be submitted to the qualified
22 voters of the state at the state general election to be held in November, 2018.

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

27 VI. That the wording of the question put to the qualified voters shall be:

28 "Are you in favor of amending articles 71, 81, and 82 of the second part of the constitution to read as
29 follows:

30 [Art.] 71. [County Treasurers, County Attorneys, Sheriffs, and Registers of Deeds Elected.] The
31 County Treasurers, County Attorneys, Sheriffs and Registers of Deeds, shall be elected by the
32 inhabitants of the several towns, in the several counties in the State, according to the method now

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2 alter the manner of certifying the votes, and the mode of electing those officers; but not so as to
3 deprive the people of the right they now have of electing them.

4 [Art.] 81. [Judges Not to Act as Counsel.] No judge shall be of counsel, act as advocate, or
5 receive any fees as advocate or counsel, in any business which is pending, or may be brought into
6 any court in the county of which he is judge.

7 [Art.] 82. [Clerks of Courts, by Whom Appointed.] The judges of the courts shall appoint their
8 respective clerks to hold their office during pleasure: And no such clerk shall act as an attorney or
9 be of counsel in any cause in the court of which he is clerk, nor shall he draw any writ originating a
10 civil action."

11 VII. That the secretary of state shall print the question to be submitted on a separate ballot
12 or on the same ballot with other constitutional questions. The ballot containing the question shall
13 include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made
14 in either of the squares, the ballot shall not be counted on the question. The outside of the ballot
15 shall be the same as the regular official ballot except that the words "Questions Relating to
16 Constitutional Amendments proposed by the 2017 General Court" shall be printed in bold type at
17 the top of the ballot.

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