

CACR 23 - AS INTRODUCED

2022 SESSION

22-2251

07/10

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **23**

RELATING TO: the New Hampshire constitution.

PROVIDING THAT: all references to persons in the New Hampshire constitution be gender-neutral.

SPONSORS: Rep. Labranche, Hills. 22; Rep. Laughton, Hills. 31; Rep. Cannon, Straf. 18; Rep. Hyland, Hills. 38; Rep. Toll, Ches. 16; Rep. M. Murray, Hills. 22; Rep. Query, Hills. 16; Rep. Bunker, Rock. 18; Rep. M. Smith, Straf. 6; Rep. Mullen, Hills. 7; Sen. Rosenwald, Dist 13

COMMITTEE: Legislative Administration

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ANALYSIS

This constitutional amendment concurrent resolution changes all gendered references to people in the constitution to gender-neutral references.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

## CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the New Hampshire constitution.

PROVIDING THAT: all references to persons in the New Hampshire constitution be gender-neutral.

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

1 I. That article one of the first part of the constitution be amended to read as follows:

2 Article 1. [Equality of ~~Men~~ **People**; Origin and Object of Government.]. All ~~men~~ **people** are  
3 born equally free and independent; Therefore, all government of right originates from the people, is  
4 founded in consent, and instituted for the general good.

5 II. That article 2 of the first part of the constitution be amended to read as follows:

6 [Art.] 2. [Natural Rights.] All ~~men~~ **people** have certain natural, essential, and inherent rights  
7 among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting,  
8 property; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall  
9 not be denied or abridged by this state on account of race, creed, color, sex or national origin.

10 III. That article 3 of the first part of the constitution be amended to read as follows:

11 [Art.] 3. [Society, its Organization and Purposes.] When ~~men~~ **people** enter into a state of  
12 society, they surrender up some of their natural rights to that society, in order to ensure the  
13 protection of others; and, without such an equivalent, the surrender is void.

14 IV. That article 5 of the first part of the constitution be amended to read as follows:

15 [Art.] 5. [Religious Freedom Recognized.] Every individual has a natural and unalienable right  
16 to worship God according to the dictates of ~~his~~ **their** own conscience, and reason; and no subject  
17 shall be hurt, molested, or restrained, in ~~his~~ **their** person, liberty, or estate, for worshipping God in  
18 the manner and season most agreeable to the dictates of ~~his~~ **their** own conscience; or for ~~his~~ **their**  
19 religious profession, sentiments, or persuasion; provided ~~he~~ **they** doth not disturb the public peace  
20 or disturb others in their religious worship.

21 V. That article 10 of the first part of the constitution be amended to read as follows:

22 [Art.] 10. [Right of Revolution.] Government being instituted for the common benefit, protection,  
23 and security, of the whole community, and not for the private interest or emolument of any one  
24 ~~man~~ **person**, family, or class of ~~men~~ **people**; therefore, whenever the ends of government are  
25 perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual,  
26 the people may, and of right ought to reform the old, or establish a new government. The doctrine of

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1 nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the  
2 good and happiness of mankind.

3 VI. That article 11 of the first part of the constitution be amended to read as follows:

4 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant  
5 of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every  
6 person shall be considered an inhabitant for the purposes of voting in the town, ward, or  
7 unincorporated place where ~~he has his~~ **they have their** domicile. No person shall have the right to  
8 vote under the constitution of this state who has been convicted of treason, bribery or any willful  
9 violation of the election laws of this state or of the United States; but the supreme court may, on  
10 notice to the attorney general, restore the privilege to vote to any person who may have forfeited it  
11 by conviction of such offenses. The general court shall provide by law for voting by qualified voters  
12 who at the time of the biennial or state elections, or of the primary elections therefor, or of city  
13 elections, or of town elections by official ballot, are absent from the city or town of which they are  
14 inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any  
15 officer or officers to be elected or upon any question submitted at such election. Voting registration  
16 and polling places shall be easily accessible to all persons including disabled and elderly persons who  
17 are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any  
18 question submitted at such election. The right to vote shall not be denied to any person because of  
19 the non payment of any tax. Every inhabitant of the state, having the proper qualifications, has  
20 equal right to be elected into office.

21 VII. That article 12 of the first part of the constitution be amended to read as follows:

22 [Art.] 12. [Protection and Taxation Reciprocal.] Every member of the community has a right to  
23 be protected by it, in the enjoyment of ~~his~~ **their** life, liberty, and property; ~~he is~~ **they are**  
24 therefore bound to contribute ~~his~~ **their** share in the expense of such protection, and to yield ~~his~~  
25 **their** personal service when necessary. But no part of a ~~man's~~ **person's** property shall be taken  
26 from ~~him~~ **them**, or applied to public uses, without ~~his~~ **their** own consent, or that of the  
27 representative body of the people. Nor are the inhabitants of this State controllable by any other  
28 laws than those to which they, or their representative body, have given their consent.

29 VIII. That article 14 of the first part of the constitution be amended to read as follows:

30 [Art.] 14. [Legal Remedies to be Free, Complete, and Prompt.] Every subject of this State is  
31 entitled to a certain remedy, by having recourse to the laws, for all injuries ~~he~~ **they** may receive in  
32 ~~his~~ **their** person, property, or character; to obtain right and justice freely, without being obliged to  
33 purchase it; completely, and without any denial; promptly, and without delay; conformably to the  
34 laws.

35 IX. That article 15 of the first part of the constitution be amended to read as follows:

36 [Art.] 15. [Right of Accused.] No subject shall be held to answer for any crime, or offense, until  
37 the same is fully and plainly, substantially and formally, described to ~~him~~ **them**; or be compelled to

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1 accuse or furnish evidence against ~~himself~~ **themselves**. Every subject shall have a right to produce  
2 all proofs that may be favorable to ~~himself~~ **themselves**; to meet the witnesses against ~~him~~ **them**  
3 face to face, and to be fully heard in ~~his~~ **their** defense, by ~~himself~~ **themselves**, and counsel. No  
4 subject shall be arrested, imprisoned, despoiled, or deprived of ~~his~~ **their** property, immunities, or  
5 privileges, put out of the protection of the law, exiled or deprived of ~~his~~ **their** life, liberty, or estate,  
6 but by the judgment of ~~his~~ **their** peers, or the law of the land; provided that, in any proceeding to  
7 commit a person acquitted of a criminal charge by reason of insanity, due process shall require that  
8 clear and convincing evidence that the person is potentially dangerous to ~~himself~~ **themselves** or to  
9 others and that the person suffers from a mental disorder must be established. Every person held to  
10 answer in any crime or offense punishable by deprivation of liberty shall have the right to counsel at  
11 the expense of the state if need is shown; this right ~~he is~~ **they are** at liberty to waive, but only after  
12 the matter has been thoroughly explained by the court.

13 X. That article 19 of the first part of the constitution be amended to read as follows:

14 [Art.] 19. [Searches and Seizures Regulated.] Every subject hath a right to be secure from all  
15 unreasonable searches and seizures of ~~his~~ **their** person, ~~his~~ **their** houses, ~~his~~ **their** papers, and  
16 all ~~his~~ **their** possessions. Therefore, all warrants to search suspected places, or arrest a person for  
17 examination or trial in prosecutions for criminal matters, are contrary to this right, if the cause or  
18 foundation of them be not previously supported by oath or affirmation; and if the order, in a warrant  
19 to a civil officer, to make search in suspected places, or to arrest one or more suspected persons or to  
20 seize their property, be not accompanied with a special designation of the persons or objects of  
21 search, arrest, or seizure; and no warrant ought to be issued; but in cases\* and with the formalities,  
22 prescribed by law.

23 XI. That article 35 of the first part of the constitution be amended to read as follows:

24 [Art.] 35. [The Judiciary; Tenure of Office, etc.] It is essential to the preservation of the rights of  
25 every individual, ~~his~~ **their** life, liberty, property, and character, that there be an impartial  
26 interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by  
27 judges as impartial as the lot of humanity will admit. It is therefore not only the best policy, but for  
28 the security of the rights of the people, that the Judges of the Supreme Judicial Court should hold  
29 their offices so long as they behave well; subject, however, to such limitations, on account of age, as  
30 may be provided by the Constitution of the State; and that they should have honorable salaries,  
31 ascertained and established by standing laws.

32 XII. That article 7 of the second part of the constitution be amended to read as follows:

33 [Art.] 7. [Members of Legislature Not to Take Fees or Act as Counsel.] No member of the  
34 general court shall take fees, be of counsel, or act as advocate, in any cause before either branch of  
35 the Legislature; and upon due proof thereof, such member shall forfeit ~~his~~ **their** seat in the  
36 Legislature.

37 XIII. That article 14 of the second part of the constitution be amended to read as follows:

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1 [Art.] 14. [Representatives, How Elected, Qualifications of.] Every member of the house of  
2 representatives shall be chosen by ballot; and, for two years, at least, next preceding [his] **their**  
3 election shall have been an inhabitant of this state; shall be, at the time of [his] **their** election, an  
4 inhabitant of the town, ward, place, or district [he] **they** may be chosen to represent and shall cease  
5 to represent such town, ward, place, or district immediately on [his] **their** ceasing to be qualified as  
6 aforesaid.

7 XIV. That article 21 of the second part of the constitution be amended to read as follows:

8 [Art.] 21. [Privileges of Members of Legislature.] No member of the House of Representatives, or  
9 Senate shall be arrested, or held to bail, on mesne process, during [his] **their** going to, returning  
10 from, or attendance upon, the Court.

11 XV. That article 22 of the second part of the constitution be amended to read as follows:

12 [Art.] 22. [House to Elect Speaker and Officers, Settle Rules of Proceedings, and Punish  
13 Misconduct.] The House of Representatives shall choose their own Speaker, appoint their own  
14 officers, and settle the rules of proceedings in their own House; and shall be judge of the returns,  
15 elections, and qualifications, of its members, as pointed out in this Constitution. They shall have  
16 authority to punish, by imprisonment, every person who shall be guilty of disrespect to the House, in  
17 its presence, by any disorderly and contemptuous behavior, or by threatening, or illtreating, any of  
18 its members; or by obstructing its deliberations; every person guilty of a breach of its privileges, in  
19 making arrests for debt, or by assaulting any member during [his] **their** attendance at any session;  
20 in assaulting or disturbing any one of its officers in the execution of any order or procedure of the  
21 House; in assaulting any witness, or other person, ordered to attend, by and during [his] **their**  
22 attendance of the House; or in rescuing any person arrested by order of the House, knowing them to  
23 be such.

24 XVI. That article 24 of the second part of the constitution be amended to read as follows:

25 [Art.] 24 [Journals and Laws to be Published; Yeas and Nays; and Protests.] The journals of  
26 the proceedings, and all public acts of both houses, of the legislature, shall be printed and published  
27 immediately after every adjournment or prorogation; and upon motion made by any one member,  
28 duly seconded, the yeas and nays, upon any question, shall be entered, on the journal. And any  
29 member of the senate, or house of representatives, shall have a right, on motion made at the time for  
30 that purpose to have [his] **their** protest, or dissent, with the reasons, against any vote, resolve, or  
31 bill passed, entered on the journal.

32 XVII. That article 29 of the second part of the constitution be amended to read as follows:

33 [Art.] 29. [Qualifications of Senators.] Provided nevertheless, that no person shall be capable of  
34 being elected a senator, who is not of the age of thirty years, and who shall not have been an  
35 inhabitant of this state for seven years immediately preceding [his] **their** election, and at the time  
36 thereof [he] **they** shall be an inhabitant of the district for which [he] **they** shall be chosen. Should

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1 such person, after election, cease to be an inhabitant of the district for which ~~[he was]~~ **they were**  
2 chosen, ~~[he]~~ **they** shall be disqualified to hold said position and a vacancy shall be declared therein.

3 XVIII. That article 30 of the second part of the constitution be amended to read as follows:

4 [Art.] 30. [Inhabitant Defined.] And every person, qualified as the constitution provides, shall  
5 be considered an inhabitant for the purpose of being elected into any office or place within this state,  
6 in the town, or ward, where ~~[he is]~~ **they are** domiciled.

7 XIX. That article 32 of the second part of the constitution be amended to read as follows:

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

19 XX. That article 33 of the second part of the constitution be amended to read as follows:

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

26 XXI. That article 38 of the second part of the constitution be amended to read as follows:

27 [Art.] 38. [Senate to Try Impeachments; Mode of Proceeding.] The senate shall be a court, with  
28 full power and authority to hear, try, and determine, all impeachments made by the house of  
29 representatives against any officer or officers of the state, for bribery, corruption, malpractice or  
30 maladministration, in office; with full power to issue summons, or compulsory process, for convening  
31 witnesses before them: But previous to the trial of any such impeachment, the members of the  
32 senate shall respectively be sworn truly and impartially to try and determine the charge in question,  
33 according to evidence. And every officer, impeached for bribery, corruption, malpractice or  
34 maladministration in office, shall be served with an attested copy of the impeachment, and order of  
35 the senate thereon with such citation as the senate may direct, setting forth the time and place of  
36 their sitting to try the impeachment; which service shall be made by the sheriff, or such other sworn  
37 officer as the senate may appoint, at least fourteen days previous to the time of trial; and such

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1 citation being duly served and returned, the senate may proceed in the hearing of the impeachment,  
2 giving the person impeached, if [he] **such person** shall appear, full liberty of producing witnesses  
3 and proofs, and of making [his] **a** defense, **personally** and **by** counsel, and may also, upon [his] **such**  
4 **individual** refusing or neglecting to appear hear the proofs in support of the impeachment, and  
5 render judgment thereon, [his] **such person's** nonappearance notwithstanding; and such judgment  
6 shall have the same force and effect as if the person impeached had appeared and pleaded in the  
7 trial.

8 XXII. That article 41 of the second part of the constitution be amended to read as follows:

9 [Art.] 41. [Governor; Supreme Executive Magistrate.] There shall be a supreme executive  
10 magistrate, who shall be styled the Governor of the State of New Hampshire, and whose title shall  
11 be [His] **Their** Excellency. The executive power of the state is vested in the governor. The governor  
12 shall be responsible for the faithful execution of the laws. [He] **The governor** may, by appropriate  
13 court action or proceeding brought in the name of the state, enforce compliance with any  
14 constitutional or legislative mandate, or restrain violation of any constitutional or legislative power,  
15 duty, or right, by any officer, department or agency of the state. This authority shall not be  
16 construed to authorize any action or proceedings against the legislative or judicial branches.

17 XXIII. That article 42 of the second part of the constitution be amended to read as follows:

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

30 XXIV. That article 43 of the second part of the constitution be amended to read as follows:

31 [Art.] 43. [In Cases of Disagreement Governor to Adjourn or Prorogue Legislature; If Causes  
32 Exist, May Convene Them Elsewhere.] In cases of disagreement between the two houses, with  
33 regard to the time or place of adjournment or prorogation, the governor, with advice of council, shall  
34 have a right to adjourn or prorogue the general court, not exceeding ninety days at any one time, as  
35 [he] **the governor** may determine the public good may require, and [he] **the governor** shall dissolve  
36 the same on the first Wednesday of December biennially. And, in cases whereby dangers may arise  
37 to the health or lives of the members from their attendance at the general court at any place, the

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1 governor may direct the session to be holden at some other the most convenient place within the  
2 state.

3 XXV. That article 44 of the second part of the constitution be amended to read as follows:

4 [Art.] 44. [Veto to Bills.] Every bill which shall have passed both houses of the general court,  
5 shall, before it becomes a law, be presented to the governor, if ~~[he approve]~~ **approved**, ~~[he]~~ **the**  
6 **governor** shall sign it, but if not, ~~[he]~~ **the governor** shall return it, with ~~[his]~~ objections, to that  
7 house in which it shall have originated, who shall enter the objections at large on their journal, and  
8 proceed to reconsider it; if after such reconsideration, two-thirds of that house shall agree to pass the  
9 bill, it shall be sent, together with such objections, to the other house, by which it shall likewise be  
10 reconsidered, and, if approved by two-thirds of that house, it shall become a law. But in all such  
11 cases the votes of both houses shall be determined by yeas and nays, and the names of persons,  
12 voting for or against the bill, shall be entered on the journal of each house respectively. If any bill  
13 shall not be returned by the governor within five days (Sundays excepted) after it shall have been  
14 presented to ~~[him]~~ **the governor**, the same shall be a law in like manner as if ~~[he]~~ **the governor** had  
15 signed it unless the legislature, by their adjournment, prevent its return, in which case it shall not  
16 be a law.

17 XXVI. That article 45 of the second part of the constitution be amended to read as follows:

18 [Art.] 45. [Resolves to Be Treated Like Bills.] Every resolve shall be presented to the governor,  
19 and before the same shall take effect, shall be approved by ~~[him]~~ **the governor**, or being disapproved  
20 by ~~[him]~~ **the governor**, shall be repassed by the senate and house of representatives, according to  
21 the rules and limitations prescribed in the case of a bill.

22 XXVII. That article 49 of the second part of the constitution be amended to read as follows:

23 [Art.] 49. [President of Senate, etc., To Act as Governor When Office Vacant; Speaker of House  
24 to Act When Office of President of Senate Is Also Vacant.] In the event of the death, resignation,  
25 removal from office, failure to qualify, physical or mental incapacity, absence from the state, or other  
26 incapacity of the governor, the president of the senate, for the time being, shall act as governor until  
27 the vacancy is filled or the incapacity is removed; and if the president of the senate, for any of the  
28 above-named causes, shall become incapable of performing the duties of governor, the same shall  
29 devolve upon the speaker of the house of representatives, for the time being, or in the case of the like  
30 incapacity of the speaker, upon the secretary of state, or in case of ~~[his]~~ like incapacity **of the**  
31 **secretary of state**, upon the state treasurer, each of whom, in that order, shall act as governor, as  
32 hereinabove provided, until the vacancy is filled or the incapacity removed. Whenever a vacancy for  
33 the duration or remainder of the governor's term of office occurs before the commencement of the last  
34 year of such term, a special election for governor shall take place to fill the vacancy, as provided by  
35 law. Whenever the speaker of the house acts as governor, ~~[he]~~ **the speaker of the house** shall act  
36 as such only until such time as the vacancy is filled or the incapacity removed in either the office of  
37 governor or of president of the senate, whichever occurs first. Whenever either the secretary of state

1 or the treasurer acts as governor, [he] **such person** shall act as such only until such time as the  
2 vacancy is filled or the incapacity removed in the offices of governor, of president of the senate or of  
3 speaker of the house, whichever occurs first. While acting as governor under this article, the  
4 president of the senate, speaker of the house, secretary of state or state treasurer, as the case may  
5 be, shall be styled Acting Governor, shall not be required to take an additional oath of office, shall  
6 have and exercise all the powers, duties and authorities of, and receive compensation equal to that of  
7 the office of governor; and the capacity of each such officer to serve as president of the senate as well  
8 as senator, speaker of the house of representatives as well as representative, secretary of state, or  
9 state treasurer, as the case may be, or to receive the compensation of such office, shall be suspended  
10 only. While the governor or an acting governor is absent from the state on official business,  
11 [he] **such person** shall have the power and authority to transact such business.

12 XXVIII. That article 49-a of the second part of the constitution be amended to read as  
13 follows:

14 [Art.] 49-a. [Prolonged Failure to Qualify; Vacancy in Office of Governor Due to Physical or  
15 Mental Incapacity, etc.] Whenever the governor transmits to the secretary of state and president of  
16 the senate [his] **a** written declaration that [he] **the governor** is unable to discharge the powers and  
17 duties of [his] **such** office by reason of physical or mental incapacity and until [he] **the**  
18 **governor** transmits to them a written declaration to the contrary, the president of the senate, for  
19 the time being, shall act as governor as provided in article 49, subject to the succession provisions  
20 therein set forth. Whenever it reasonably appears to the attorney general and a majority of the  
21 council that the governor is unable to discharge the powers and duties of [his] **such** office by reason  
22 of physical or mental incapacity, but the governor is unwilling or unable to transmit [his] **a** written  
23 declaration to such effect as above provided, the attorney general shall file a petition for declaratory  
24 judgment in the supreme court requesting a judicial determination of the ability of the governor to  
25 discharge the powers and duties of [his] **such** office. After notice and hearing, the justices of the  
26 supreme court shall render such judgment as they find warranted by a preponderance of the  
27 evidence; and, if the court holds that the governor is unable to discharge the powers and duties of  
28 [his] **such** office, the president of the senate, for the time being, shall act as governor as provided in  
29 article 49, subject to the succession provisions therein set forth, until such time as the disability of  
30 the governor is removed or a newly elected governor is inaugurated. Such disability, once  
31 determined by the supreme court, may be removed upon petition for declaratory judgment to the  
32 supreme court by the governor if the court finds, after notice and hearing, by a preponderance of the  
33 evidence that the governor is able to discharge the powers and duties of [his] **such** office. Whenever  
34 such disability of the governor, as determined by [his] **a** written declaration or by judgment of the  
35 supreme court, has continued for a period of 6 months, the general court may, by concurrent  
36 resolution adopted by both houses, declare the office of governor vacant. Whenever the governor-  
37 elect fails to qualify by reason of physical or mental incapacity or any cause other than death or

1 resignation, for a period of 6 months following the inauguration date established by this constitution,  
2 the general court may, by concurrent resolution adopted by both houses, declare the office of  
3 governor vacant. The provisions of article 49 shall govern the filling of such vacancy, either by  
4 special election or continued service of an acting governor. If the general court is not in session  
5 when any such 6-month period expires, the acting governor, upon written request of at least 1/4 of  
6 the members of each house, shall convene the general court in special session for the sole purpose of  
7 considering and acting on the question whether to declare a vacancy in the office of governor under  
8 this article.

9 XXIX. That article 51 of the second part of the constitution be amended to read as follows:

10 [Art.] 51. [Powers and Duties of Governor as Commander-in-Chief.] The governor of this state  
11 for the time being, shall be commander-in-chief of all the military forces of the state; and shall have  
12 full power, ~~by himself~~ **personally** or ~~by~~ **through** any chief commander, or other officer or officers,  
13 from time to time, to train, instruct, exercise and govern the militia; to call forth the militia and to  
14 put in warlike posture the inhabitants of the state; to execute the laws of the state and of the  
15 United States; to suppress insurrection and to repel invasion; and, in fine, the governor is hereby  
16 entrusted with all other powers incident to the office of commander-in-chief to be exercised agreeably  
17 to the rules and regulations of the constitution and the laws of the land.

18 XXX. That article 62 of the second part of the constitution be amended to read as follows:

19 [Art.] 62. [Subsequent Vacancies; Governor to Convene; Duties.] If any person thus chosen a  
20 councilor, shall be elected governor or member of either branch of the legislature, and shall accept  
21 the trust; or if any person elected a councilor, shall refuse to accept the office, or in case of the death,  
22 resignation, or removal of any councilor out of the state, the governor may issue a precept for the  
23 election of a new councilor in that county where such vacancy shall happen and the choice shall be in  
24 the same manner as before directed. And the governor shall have full power and authority to  
25 convene the council, from time to time, at ~~his~~ **the governor's** discretion; and, with them, or the  
26 majority of them, may and shall, from time to time hold a council, for ordering and directing the  
27 affairs of the state, according to the laws of the land.

28 XXXI. That article 64 of the second part of the constitution be amended to read as follows:

29 [Art.] 64. [Secretary to Record Proceedings of Council.] The resolution and advice of the council  
30 shall be recorded by the secretary, in a register, and signed by all members present agreeing thereto;  
31 and this record may be called for at any time, by either house of the legislature; and any member of  
32 the council may enter ~~his~~ **an** opinion contrary to the resolutions of the majority, with the reasons  
33 for such opinion.

34 XXXII. That article 68 of the second part of the constitution be amended to read as follows:

35 [Art.] 68. [State Records, Where Kept; Duty of Secretary.] The records of the state shall be kept  
36 in the office of the secretary, and ~~he~~ **the secretary of state** shall attend the governor and council,  
37 the senate and representatives, in person, or by deputy, as they may require.

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1 XXXIII. That article 69 of the second part of the constitution be amended to read as follows:  
2 [Art.] 69. [Deputy Secretary.] The secretary of the state shall, at all times, have a deputy, to be  
3 ~~[by him]~~ appointed **by the secretary of state**; for whose conduct in office ~~[he]~~ **the secretary of**  
4 **state** shall be responsible: And, in case of the death, removal, or inability of the secretary,  
5 ~~[his]~~ **the** deputy shall exercise all the duties of the office of secretary of this state, until another shall  
6 be appointed.

7 XXXIV. That article 70 of the second part of the constitution be amended to read as follows:  
8 [Art.] 70. [Secretary to Give Bond.] The secretary, before ~~[he enters]~~ **entering** upon the  
9 business of ~~[his]~~ **such** office, shall give bond, with sufficient sureties, in a reasonable sum, for the  
10 use of the state, for the punctual performance of ~~[his]~~ **the secretary's** trust.

11 XXXV. That article 73 of the second part of the constitution be amended to read as follows:  
12 [Art.] 73. [Tenure of Office To Be Expressed in Commissions; Judges to Hold Office During Good  
13 Behavior, etc.; Removal.] The tenure that all commissioned officers shall have by law in their offices  
14 shall be expressed in their respective commissions, and all judicial officers duly appointed,  
15 commissioned and sworn, shall hold their offices during good behavior except those for whom a  
16 different provision is made in this constitution. The governor with consent of the council may  
17 remove any commissioned officer for reasonable cause upon the address of both houses of the  
18 legislature, provided nevertheless that the cause for removal shall be stated fully and substantially  
19 in the address and shall not be a cause which is a sufficient ground for impeachment, and provided  
20 further that no officer shall be so removed unless ~~[he]~~ **the officer** shall have had an opportunity to  
21 be heard in ~~[his]~~ **the officer's** defense by a joint committee of both houses of the legislature.

22 XXXVI. That article 73-a of the second part of the constitution be amended to read as  
23 follows:  
24 [Art.] 73-a. [Supreme Court, Administration.] The chief justice of the supreme court shall be the  
25 administrative head of all the courts. ~~[He]~~ **The chief justice** shall, with the concurrence of a  
26 majority of the supreme court justices, make rules governing the administration of all courts in the  
27 state and the practice and procedure to be followed in all such courts. The rules so promulgated  
28 shall have the force and effect of law.

29 XXXVII. That article 75 of the second part of the constitution be amended to read as follows:  
30 [Art.] 75. [Justices of Peace Commissioned for Five Years.] In order that the people may not  
31 suffer from the long continuance in place of any justice of the peace who shall fail in discharging the  
32 important duties of ~~[his]~~ **their** office with ability and fidelity, all commissions of justice of the peace  
33 shall become void at the expiration of five years from their respective dates, and upon the expiration  
34 of any commission, the same may if necessary be renewed or another person appointed as shall most  
35 conduce to the well being of the state.

36 XXXVIII. That article 78 of the second part of the constitution be amended to read as  
37 follows:

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1 [Art.] 78. [Judges and Sheriffs, When Disqualified by Age.] No person shall hold the office of  
2 judge of any court, or judge of probate, or sheriff of any county, after ~~[he has]~~ **they have** attained the  
3 age of seventy years.

4 XXXIX. That article 79 of the second part of the constitution be amended to read as follows:

5 [Art.] 79. [Judges and Justices Not to Act as Counsel.] No judge of any court, or justice of the  
6 peace, shall act as attorney, or be of counsel, to any party, or originate any civil suit, in matters  
7 which shall come or be brought before ~~[him]~~ **them** as judge, or justice of the peace.

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

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

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

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

18 XLII. That article 84 of the second part of the constitution be amended to read as follows:

19 [Art.] 84. [Oath of Civil Officers.] Any person chosen governor, councilor, senator, or  
20 representative, military or civil officer, (town officers excepted) accepting the trust, shall, before  
21 ~~[he]~~ **such person** proceeds to execute the duties of ~~[his]~~ **their** office, make and subscribe the  
22 following declaration, viz. -

23 I, A.B. do solemnly swear, that I will bear faith and true allegiance to the United States of America  
24 and the state of New Hampshire, and will support the constitution thereof. So help me God.

25 I, A.B. do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge  
26 and perform all duties incumbent on me as ....., according to the best of my abilities, agreeably to  
27 the rules and regulations of this constitution and laws of the state of New Hampshire. So help me  
28 God.

29 Any person having taken and subscribed the oath of allegiance, and the same being filed in the  
30 secretary's office, ~~[he]~~ shall not be obliged to take said oath again.

31 Provided always, when any person chosen or appointed as aforesaid shall be of the denomination  
32 called Quakers, or shall be scrupulous of swearing, and shall decline taking the said oaths, such  
33 person shall take and subscribe them, omitting the word "swear," and likewise the words "So help  
34 me God," subjoining instead thereof, "This I do under the pains and penalties of perjury."

35 XLIII. That article 95 of the second part of the constitution be amended to read as follows:

36 [Art.] 95. [Incompatibility of Certain Offices.] No person holding the office of judge of any court,  
37 (except special judges) secretary, treasurer of the state, attorney general, register of deeds, sheriff,

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1 collectors of state and federal taxes, members of Congress or any person holding any office under the  
2 United States, including any person in active military service, shall at the same time hold the office  
3 of governor, or have a seat in the senate, or house of representatives, or council; but  
4 ~~[his]~~ **such person** being chosen and appointed to, and accepting the same, shall operate as a  
5 resignation of ~~[his]~~ **such person's** seat in the chair, senate, or house of representatives, or council;  
6 and the place so vacated shall be filled up. No member of the council shall have a seat in the senate  
7 or house of representatives.

8 XLIV. That the second part of the constitution be amended by inserting after article 101 the  
9 following new article:

10 [Art.] 102. Gender Neutral Language Required. All references to specific persons in the  
11 constitution shall be gender neutral.

12 XLV. That the above amendments proposed to the constitution be submitted to the qualified  
13 voters of the state at the state general election to be held in November, 2022.

14 XLVI. That the selectboards of all towns, cities, wards and places in the state are directed to  
15 insert in their warrants for the said 2022 election an article to the following effect: To decide  
16 whether the amendments of the constitution proposed by the 2022 session of the general court shall  
17 be approved.

18 XLVII. That, notwithstanding RSA 663:3, the wording of the question put to the qualified  
19 voters shall be:

20 "Are you in favor of amending the Constitution by changing specific references to gender neutral  
21 terms?"

22 XLVIII. That the secretary of state shall print the question to be submitted on a separate  
23 ballot or on the same ballot with other constitutional questions. The ballot containing the question  
24 shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is  
25 made in either of the squares, the ballot shall not be counted on the question. The outside of the  
26 ballot shall be the same as the regular official ballot except that the words "Questions Relating to  
27 Constitutional Amendments proposed by the 2022 General Court" shall be printed in bold type at the  
28 top of the ballot.

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

31 L. Voters' Guide.

32 AT THE PRESENT TIME, the constitution contains gender-specific language.

33 IF THE AMENDMENT IS ADOPTED, the constitution will only have gender-neutral  
34 references to people and offices.