

CACR 4 – AS INTRODUCED

2013 SESSION

13-0208
06/10

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **4**

RELATING TO: the supreme court.

PROVIDING THAT: rules made by the chief justice of the supreme court governing the administration of the courts in the state and the practice and procedure to be followed in all such courts shall not have the force and effect of law.

SPONSORS: Rep. Christiansen, Hills 37

COMMITTEE: Judiciary

ANALYSIS

This constitutional amendment concurrent resolution deletes the provision that rules made by the chief justice of the supreme court that govern the administration of the courts and the practice and procedure to be followed in such courts have the force and effect of law.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the supreme court.

PROVIDING THAT: rules made by the chief justice of the supreme court governing the administration of the courts in the state and the practice and procedure to be followed in all such courts shall not have the force and effect of law.

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 73-a of the second part of the constitution be amended to read as follows:

2 [Art.] 73-a. [Supreme Court, Administration.] The chief justice of the supreme court shall be the
3 administrative head of all the courts. He shall, with the concurrence of a majority of the supreme
4 court justices, make rules governing the administration of all courts in the state and the practice and
5 procedure to be followed in all such courts. [~~The rules so promulgated shall have the force and effect~~
6 ~~of law.~~]

7 II. That the above amendment proposed to the constitution be submitted to the qualified
8 voters of the state at the state general election to be held in November, 2014.

9 III. That the selectmen of all towns, cities, wards and places in the state are directed to
10 insert in their warrants for the said 2014 election an article to the following effect: To decide
11 whether the amendments of the constitution proposed by the 2013 session of the general court shall
12 be approved.

13 IV. That the wording of the question put to the qualified voters shall be:

14 “Are you in favor of amending article 73-a of the second part of the constitution to read as follows:

15 [Art.] 73-a. [Supreme Court, Administration.] The chief justice of the supreme court shall be the
16 administrative head of all the courts. He shall, with the concurrence of a majority of the supreme
17 court justices, make rules governing the administration of all courts in the state and the practice and
18 procedure to be followed in all such courts.”

19 V. That the secretary of state shall print the question to be submitted on a separate ballot or
20 on the same ballot with other constitutional questions. The ballot containing the question shall
21 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made in
22 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall
23 be the same as the regular official ballot except that the words “Questions Relating to Constitutional
24 Amendments proposed by the 2013 General Court” shall be printed in bold type at the top of the
25 ballot.

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