

CACR 5 – AS INTRODUCED

2013 SESSION

13-0576
06/04

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **5**

RELATING TO: bribery and corruption.

PROVIDING THAT: no person incarcerated for a crime, under a conditional release from incarceration, completing an order of restitution for a crime, nor any person who has been convicted of intentional murder shall hold any office of trust in the New Hampshire government.

SPONSORS: Rep. Baldasaro, Rock 5; Rep. Itse, Rock 10; Rep. Tamburello, Rock 5; Rep. Renzullo, Hills 37; Rep. Dumaine, Rock 4; Rep. Tremblay, Rock 4; Rep. Kappler, Rock 3; Rep. Groen, Straf 10; Rep. Tucker, Rock 23; Rep. W O'Brien, Hills 5

COMMITTEE: Election Law

ANALYSIS

This constitutional amendment concurrent resolution provides that no person incarcerated for a crime, under a conditional release from incarceration, completing an order of restitution for a crime, nor any person who has been convicted of intentional murder shall hold any office of trust in the New Hampshire government.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: bribery and corruption.

PROVIDING THAT: no person incarcerated for a crime, under a conditional release from incarceration, completing an order of restitution for a crime, nor any person who has been convicted of intentional murder shall hold any office of trust in the New Hampshire government.

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 96 of the second part of the constitution be amended to read as follows:

2 [Art.] 96. [~~Bribery and Corruption Disqualify for Office.~~] No person shall ever be admitted to
3 hold a seat in the legislature or any office of trust or importance under this government, who, in the
4 due course of law, has been convicted of bribery or corruption, in obtaining an election or
5 appointment, ***or is incarcerated for a crime, under a conditional release from incarceration
6 for a crime, completing an order of restitution for a crime, or has been convicted of
7 intentional murder.***

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

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

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

15 “Are you in favor of amending article 96 of the second part of the constitution to read as follows:

16 [Art.] 96. [~~Bribery and Corruption Disqualify for Office.~~] No person shall ever be admitted to
17 hold a seat in the legislature or any office of trust or importance under this government, who, in the
18 due course of law, has been convicted of bribery or corruption, in obtaining an election or
19 appointment, or is incarcerated for a crime, under a conditional release from incarceration for a
20 crime, completing an order of restitution for a crime, or has been convicted of intentional murder.”

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

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1 Amendments proposed by the 2013 General Court” shall be printed in bold type at the top of the
2 ballot.

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