

**CACR 12 – AS INTRODUCED**

2014 SESSION

14-2318  
06/01

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **12**

RELATING TO: nomination and appointment of officers.

PROVIDING THAT: judges and the attorney general shall be elected.

SPONSORS: Rep. Hoell, Merr 23

COMMITTEE: Judiciary

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ANALYSIS

This constitutional amendment concurrent resolution provides for the election of the attorney general and judges.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: nomination and appointment of officers.

PROVIDING THAT: judges and the attorney general shall be elected.

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

2 [Art.] 46. [Nomination ~~and~~, Appointment, **and Election** of Officers.] All ~~judicial officers, the~~  
3 ~~attorney general, and all~~ officers of the ~~navy~~ **armed forces**, and general and field officers of the  
4 militia, shall be nominated and appointed by the governor and council; and every such nomination  
5 shall be made at least three days prior to such appointment; and no appointment shall take place,  
6 unless a majority of the council agree thereto. **No judicial officer or attorney general shall be**  
7 **given tenure by appointment. All justices and the attorney general shall be elected by the**  
8 **people, excepting justices of the peace and military officers, who shall be appointed by the**  
9 **governor and council**

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

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

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

17 “Are you in favor of amending Article 46 of the second part of the constitution to read as follows:

18 [Art.] 46. [Nomination, Appointment and Election of Officers.] All officers of the armed forces,  
19 and general and field officers of the militia, shall be nominated and appointed by the governor and  
20 council; and every such nomination shall be made at least three days prior to such appointment; and  
21 no appointment shall take place, unless a majority of the council agree thereto. No judicial officer or  
22 attorney general shall be given tenure by appointment. All justices and the attorney general shall be  
23 elected by the people, excepting justices of the peace who shall be appointed by the governor and  
24 council.”

25 V. That the secretary of state shall print the question to be submitted on a separate ballot or  
26 on the same ballot with other constitutional questions. The ballot containing the question shall  
27 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made in

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1 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall  
2 be the same as the regular official ballot except that the words “Questions Relating to Constitutional  
3 Amendments proposed by the 2014 General Court” shall be printed in bold type at the top of the  
4 ballot.

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