

**CACR 8 – AS INTRODUCED**

2015 SESSION

15-0284  
06/09

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **8**

RELATING TO: the nomination and appointment of officers.

PROVIDING THAT: judicial officers shall be confirmed by the legislature.

SPONSORS: Rep. Hoell, Merr 23; Rep. Itse, Rock 10; Rep. Tucker, Rock 23;  
Rep. Ingbretson, Graf 15; Rep. Sylvia, Belk 6; Sen. Avard, Dist 12

COMMITTEE: Judiciary

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ANALYSIS

This constitutional amendment concurrent resolution provides that the appointment of judicial officers shall be confirmed by the legislature.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the nomination and appointment of officers.

PROVIDING THAT: judicial officers shall be confirmed by the legislature.

*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 of Officers.] All ~~judicial officers,~~ **civil commissioned**  
3 **officers**, the Attorney General, and all officers of the Navy, 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~~ **seven** days prior to such appointment; and no appointment shall take  
6 place, unless a majority of the Council agree thereto. **All judicial officers shall be nominated**  
7 **either by the Governor or the Council, and confirmed by a majority of the Legislature in**  
8 **joint session.**

9 II. That the above amendment proposed to the constitution be submitted to the qualified  
10 voters of the state at the state general election to be held in November, 2016.

11 III. That the selectmen of all towns, cities, wards and places in the state are directed to  
12 insert in their warrants for the said 2016 election an article to the following effect: To decide  
13 whether the amendments of the constitution proposed by the 2015 session of the general court shall  
14 be approved.

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

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

17 [Art.] 46. [Nomination and Appointment of Officers.] All civil commissioned officers, the  
18 Attorney General, and all officers of the Navy, and general and field officers of the militia, shall be  
19 nominated and appointed by the Governor and Council; and every such nomination shall be made at  
20 least seven days prior to such appointment; and no appointment shall take place, unless a majority  
21 of the Council agree thereto. All judicial officers shall be nominated by either the Governor or the  
22 Council, and confirmed by a majority of the Legislature joint session.”

23 V. That the secretary of state shall print the question to be submitted on a separate ballot or  
24 on the same ballot with other constitutional questions. The ballot containing the question shall  
25 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made in  
26 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall  
27 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 2015 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.