

CA CR 24 - AS INTRODUCED

2022 SESSION

22-2074
07/04

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **24**

RELATING TO: the attorney general.

PROVIDING THAT: the attorney general be elected by a majority vote of the members of the general court in a joint session.

SPONSORS: Rep. Silber, Belk. 2; Rep. Spillane, Rock. 2; Rep. Alliegro, Graf. 7; Rep. Bernardy, Rock. 16; Rep. Love, Rock. 6; Rep. Hough, Belk. 3; Rep. T. Lekas, Hills. 37; Rep. Wuelper, Straf. 3

COMMITTEE: Legislative Administration

ANALYSIS

This constitutional amendment concurrent resolution removes the governor and executive council's authority to nominate and appoint the attorney general and gives the authority to elect the attorney general to the New Hampshire senate and house of representatives.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

PROVIDING THAT: the attorney general be elected by a majority vote of the members of the

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, ~~[the attorney general,~~
3 ~~and]~~ all officers of the navy, and general and field officers of the militia, shall be nominated and
4 appointed by the governor and council; and every such nomination shall be made at least three days
5 prior to such appointment; and no appointment shall take place, unless a majority of the council
6 agree thereto. ***The attorney general shall be chosen by joint ballot of the Senators and***
7 ***Representatives assembled in one room. The term of the existing attorney general shall***
8 ***expire one year after adoption of this provision and the terms of future attorneys general***
9 ***shall be for periods of two years.***

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, 2022.

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 2022 election an article to the following effect: To decide
14 whether the amendments of the constitution proposed by the 2022 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 and Appointment of Officers.] All judicial officers, all officers of the navy,
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. The attorney general
22 shall be chosen by joint ballot of the Senators and Representatives assembled in one room. The term
23 of the existing attorney general shall expire one year after adoption of this provision and the terms of
24 future attorneys general shall be for periods of two years.”

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
28 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall

1 be the same as the regular official ballot except that the words “Questions Relating to Constitutional
2 Amendments proposed by the 2022 General Court” shall be printed in bold type at the top of the
3 ballot.

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

6 VII. Voters' Guide.

7 AT THE PRESENT TIME, the governor and the executive council, with the approval
8 of a majority of the council, has the power to appoint the attorney general.

9 IF THE AMENDMENT IS ADOPTED, the attorney general will be chosen by a joint
10 ballot of the senators and representatives, the current attorney general will remain in office for one
11 year following the adoption of this provision, and future attorneys general will serve terms of two
12 years.