

CACR 26 - AS INTRODUCED

2022 SESSION

22-2601

07/11

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **26**

RELATING TO: the house of representatives.

PROVIDING THAT: 100 of the representatives are elected using party list proportional representation.

SPONSORS: Rep. Labranche, Hills. 22; Rep. Laughton, Hills. 31

COMMITTEE: Legislative Administration

ANALYSIS

This constitutional amendment concurrent resolution mandates that 100 members of the house of representatives be elected by determining the proportions of each party voting in the given election and allocating the amount of members out of 100 to each party based on such proportions.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

PROVIDING THAT: 100 of the representatives are elected using party list proportional representation.

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 9 of the second part of the constitution read as follows:

2 [Art.] 9. [Representatives Elected Every Second Year; Apportionment of Representatives.]
3 There shall be in the legislature of this state a house of representatives, biennially elected and
4 founded on principles of equality, and representation therein shall be as equal as circumstances will
5 admit. The whole number of representatives to be chosen from the towns, wards, places, and
6 representative districts thereof established hereunder, shall be not less than three hundred seventy-
7 five or more than four hundred. ***One hundred of the representatives shall be elected using***
8 ***party list proportional representation, where each political party is given a number of***
9 ***these seats commensurate with the voting proportion it received in the given election as***
10 ***determined by a voter's party choice on the election's ballot. Each party shall then fill its***
11 ***allocated seats based upon a list that the voters agreed upon in the primary immediately***
12 ***before the election.*** As soon as possible after the convening of the next regular session of the
13 legislature, and at the session in 1971, and every ten years thereafter, the legislature shall make an
14 apportionment of ***the remaining*** representatives according to the last general census of the
15 inhabitants of the state taken by authority of the United States or of this state. In making such
16 apportionment, no town, ward or place shall be divided nor the boundaries thereof altered.

17 II. That the above amendment proposed to the constitution be submitted to the qualified
18 voters of the state at the state general election to be held in November, 2022.

19 III. That the selectmen of all towns, cities, wards and places in the state are directed to
20 insert in their warrants for the said 2022 election an article to the following effect: To decide
21 whether the amendments of the constitution proposed by the 2022 session of the general court shall
22 be approved.

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

24 "Are you in favor of amending the second part of the constitution by amending article 9 to read as
25 follows:

26 [Art.] 9. [Representatives Elected Every Second Year; Apportionment of Representatives.]
27 There shall be in the legislature of this state a house of representatives, biennially elected and

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1 founded on principles of equality, and representation therein shall be as equal as circumstances will
2 admit. The whole number of representatives to be chosen from the towns, wards, places, and
3 representative districts thereof established hereunder, shall be not less than three hundred seventy-
4 five or more than four hundred. One hundred of the representatives shall be elected using party list
5 proportional representation, where each political party is given a number of these seats
6 commensurate with the voting proportion it received in the given election as determined by a voter's
7 party choice on the election's ballot. Each party shall then fill its allocated seats based upon a list
8 that the voters agreed upon in the primary immediately before the election. As soon as possible after
9 the convening of the next regular session of the legislature, and at the session in 1971, and every ten
10 years thereafter, the legislature shall make an apportionment of the remaining representatives
11 according to the last general census of the inhabitants of the state taken by authority of the United
12 States or of this state. In making such apportionment, no town, ward or place shall be divided nor
13 the boundaries thereof altered."

14 V. That the secretary of state shall print the question to be submitted on a separate ballot or
15 on the same ballot with other constitutional questions. The ballot containing the question shall
16 include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in
17 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall
18 be the same as the regular official ballot except that the words "Questions Relating to Constitutional
19 Amendments proposed by the 2022 General Court" shall be printed in bold type at the top of the
20 ballot.

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

23 VII. Voters' Guide.

24 AT THE PRESENT TIME, all representatives in the New Hampshire house of
25 representatives are apportioned to districts across the state based upon the last general census of the
26 United States.

27 IF THE AMENDMENT IS ADOPTED, one hundred of the representatives will be
28 apportioned to the political parties at amounts equal to their percentage of voters in the general
29 election and those seats shall be filled by the parties through lists approved by the voters in each
30 party's primary immediately preceding the general election.