

CA CR 30 - AS INTRODUCED

2022 SESSION

22-2770

07/11

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **30**

RELATING TO: officers of the government.

PROVIDING THAT: the elected positions of inspectors general are created.

SPONSORS: Rep. Abramson, Rock. 37

COMMITTEE: Executive Departments and Administration

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ANALYSIS

This constitutional amendment concurrent resolution establishes the positions of inspectors general to investigation elections fraud and fraud by elected officials, as well as allows an inspector general with probable cause to prosecute findings of fraud.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: officers of the government.

PROVIDING THAT: the elected positions of inspectors general are created.

*Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:*

1 I. That the second part of the constitution be amended by inserting after article 96 the  
2 following new article:

3 [Art.] 96-a. [Inspectors General; mode of election, duties, compensation, etc.] There shall be  
4 biennially elected, by ballot, five inspectors general, for investigating instances of fraud, bribery,  
5 corruption, waste, abuse, and perjury involving any elected or appointed official or public institution.  
6 Inspectors general shall also have the authority to investigate fraud occurring during state, county,  
7 and municipal government elections. The freeholders and other inhabitants in each county,  
8 qualified to vote for senators, shall some time in the month of November, give in their votes for one  
9 inspector general; which votes shall be received, sorted, counted, certified, and returned to the  
10 secretary's office, in the same manner as the votes for senators, to be by the secretary laid before the  
11 senate and house of representatives on the first Wednesday following the first Tuesday of January.  
12 Upon finding probable cause that an elected or appointed official, or a public institution, operating  
13 under an official capacity has engaged in fraud, bribery, corruption, waste, abuse, and perjury, an  
14 inspector general shall have the power to petition the court to remove that official, or investigation of  
15 the institution, with the cost of legal fees for the accused paid by the state if they are acquitted.  
16 Upon finding probable cause that any person engaged in election fraud pertaining to state, county,  
17 and municipal government elections under this article, an inspector general shall have the power to  
18 prosecute such instances of fraud. The rate of compensation for inspectors general shall be set by  
19 the general court as a matter of law, and the votes on such compensation occurring in both houses  
20 shall be determined by yeas and nays, and the names of persons, voting for or against the bill, shall  
21 be entered on the journal of each house respectively.

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

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

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

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1 “Are you in favor of amending the second part of the constitution by inserting after article 96 a new  
2 article to read as follows:

3 [Art.] 96-a. [Inspectors General; mode of election, duties, compensation, etc.] There shall be  
4 biennially elected, by ballot, five inspectors general, for investigating instances of fraud, bribery,  
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18 prosecute such instances of fraud. The rate of compensation for inspectors general shall be set by  
19 the general court as a matter of law, and the votes on such compensation occurring in both houses  
20 shall be determined by yeas and nays, and the names of persons, voting for or against the bill, shall  
21 be entered on the journal of each house respectively.”

22 V. That the secretary of state shall print the question to be submitted on a separate ballot or  
23 on the same ballot with other constitutional questions. The ballot containing the question shall  
24 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made in  
25 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall  
26 be the same as the regular official ballot except that the words “Questions Relating to Constitutional  
27 Amendments proposed by the 2022 General Court” shall be printed in bold type at the top of the  
28 ballot.

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

31 VII. Voters' Guide.

32 AT THE PRESENT TIME, the attorney general, who is appointed, is tasked with  
33 prosecuting instances of fraud committed by an elected or appointed official or public institution and  
34 enforcing all election laws in New Hampshire.

35 IF THE AMENDMENT IS ADOPTED, inspectors general, elected in the same  
36 number and manner as executive counselors, shall have the authority to investigate and prosecute  
37 elected or appointed official or public institutions for instances of fraud, as well as investigate and

- 1 prosecute instances of election fraud.