



General Assembly

**House Joint  
Resolution No. 88**

January Session, 2011

LCO No. 3155

\*        HJ00088GAE        032411        \*

Referred to Committee on Government Administration and  
Elections

Introduced by:  
(GAE)

**RESOLUTION AMENDING THE STATE CONSTITUTION TO GRANT  
AUTHORITY TO THE GENERAL ASSEMBLY REGARDING ELECTION  
ADMINISTRATION.**

Resolved by this Assembly:

1 That the following be proposed as an amendment to the  
2 Constitution of the State, which, when approved and adopted in the  
3 manner provided by the Constitution, shall, to all intents and  
4 purposes, become a part thereof:

5 Section 1. Section 7 of article sixth of the Constitution is amended to  
6 read as follows:

7 The general assembly may provide by law for voting in the choice of  
8 any officer to be elected or upon any question to be voted on at an  
9 election by qualified voters of the state [who are unable to appear at  
10 the polling place on the day of election because of absence from the  
11 city or town of which they are inhabitants or because of sickness or  
12 physical disability or because the tenets of their religion forbid secular

13 activity] who do not appear in person at a polling place on the day of  
14 an election.

15 Sec. 2. Section 4 of article fourth of the Constitution is amended to  
16 read as follows:

17 [At the meetings of the electors in the respective towns held  
18 quadrennially as herein provided for the election of state officers, the  
19 presiding officers shall receive the votes and shall count and declare  
20 the same in the presence of the electors.] The votes at the election of  
21 state officers shall be counted and declared by the presiding officers of  
22 the respective towns. The presiding officers shall make and certify  
23 duplicate lists of the persons voted for, and of the number of votes for  
24 each. One list shall be delivered [within three days] to the town clerk [,  
25 and within ten days after such meeting,] and the other shall be  
26 delivered under seal to the secretary of the state. The votes so  
27 delivered shall be counted, canvassed and declared by the treasurer,  
28 secretary, and comptroller, within the month of November. The vote  
29 for treasurer shall be counted, canvassed and declared by the secretary  
30 and comptroller only; the vote for secretary shall be counted,  
31 canvassed and declared by the treasurer and comptroller only; and the  
32 vote for comptroller shall be counted, canvassed and declared by the  
33 treasurer and secretary only. A fair list of the persons and number of  
34 votes given for each, together with the returns of the presiding officers,  
35 shall be, by the treasurer, secretary and comptroller, made and laid  
36 before the general assembly, then next to be held, on the first day of  
37 the session thereof. In the election of governor, lieutenant-governor,  
38 secretary, treasurer, comptroller and attorney general, the person  
39 found upon the count by the treasurer, secretary and comptroller in  
40 the manner herein provided, to be made and announced before  
41 December fifteenth of the year of the election, to have received the  
42 greatest number of votes for each of such offices, respectively, shall be  
43 elected thereto; provided, if the election of any of them shall be  
44 contested as provided by statute, and if such a contest shall proceed to  
45 final judgment, the person found by the court to have received the

46 greatest number of votes shall be elected. If two or more persons shall  
47 be found upon the count of the treasurer, secretary and comptroller to  
48 have received an equal and the greatest number of votes for any of  
49 said offices, and the election is not contested, the general assembly on  
50 the second day of its session shall hold a joint convention of both  
51 houses, at which, without debate, a ballot shall be taken to choose such  
52 officer from those persons who received such a vote; and the balloting  
53 shall continue on that or subsequent days until one of such persons is  
54 chosen by a majority vote of those present and voting. The general  
55 assembly shall have power to enact laws regulating and prescribing  
56 the order and manner of voting for such officers. The general assembly  
57 shall by law prescribe the manner in which all questions concerning  
58 the election of a governor or lieutenant-governor shall be determined.

59 Sec. 3. Section 9 of article third of the Constitution is amended to  
60 read as follows:

61 At all elections for members of the general assembly the presiding  
62 officers in the several towns shall [receive the votes of the electors,  
63 and] count and declare [them] votes of the electors in open meeting.  
64 The presiding officers shall make and certify duplicate lists of the  
65 persons voted for, and of the number of votes for each. One list shall  
66 be delivered within three days to the town clerk, and within ten days  
67 after such meeting, the other shall be delivered under seal to the  
68 secretary of the state.

69 RESOLVED: That the foregoing proposed amendment to the  
70 Constitution be continued to the next session of the General Assembly  
71 elected at the general election to be held on November 6, 2012, and  
72 published with the laws passed at the present session, or be presented  
73 to the electors at the general election to be held on November 6, 2012,  
74 whichever the case may be, according to article sixth of the  
75 amendments to the Constitution. The designation of said proposed  
76 amendment to be used on the voting machine ballot labels and  
77 absentee ballots at such election shall be "Shall the Constitution of the  
78 State be amended to remove restrictions concerning absentee ballots

79 and to permit a person to vote without appearing at a polling place on  
80 the day of an election?"

**GAE**      *Joint Favorable*