



General Assembly

***Substitute House Joint
Resolution No. 95***

January Session, 2017

* _____HJ00095GAE___032217_____*

***RESOLUTION PROPOSING A STATE CONSTITUTIONAL
AMENDMENT TO PERMIT EARLY AND REGIONAL VOTING.***

Resolved by this Assembly:

1 Section 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 7 of article sixth of the Constitution is amended to read as
6 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] do not appear at a polling place on the day of election,
14 provided any such voting in person shall occur not more than five
15 days prior to such day of election.

16 Section 9 of article third of the Constitution is amended to read as
17 follows:

18 At all elections for members of the general assembly the presiding
19 officers in the several towns shall [receive the votes of the electors,
20 and] count and declare [them] the votes of the electors in open
21 meeting. The presiding officers shall make and certify duplicate lists of
22 the persons voted for, and of the number of votes for each. One list
23 shall be delivered [within three days] to the town clerk, and [within
24 ten days after such meeting,] the other shall be delivered under seal to
25 the secretary of the state.

26 Section 4 of article fourth of the Constitution is amended to read as
27 follows:

28 [At the meetings of the electors in the respective towns held
29 quadrennially as herein provided for the election of state officers, the
30 presiding officers shall receive the votes and shall count and declare
31 the same in the presence of the electors] The votes at the election of
32 state officers shall be counted and declared in open meeting by the
33 presiding officers in the several towns. The presiding officers shall
34 make and certify duplicate lists of the persons voted for, and of the
35 number of votes for each. One list shall be delivered [within three
36 days] to the town clerk, and [within ten days after such meeting,] the
37 other shall be delivered under seal to the secretary of the state. The
38 votes so delivered shall be counted, canvassed and declared by the
39 treasurer, secretary, and comptroller, within the month of November.
40 The vote for treasurer shall be counted, canvassed and declared by the
41 secretary and comptroller only; the vote for secretary shall be counted,
42 canvassed and declared by the treasurer and comptroller only; and the
43 vote for comptroller shall be counted, canvassed and declared by the
44 treasurer and secretary only. A fair list of the persons and number of
45 votes given for each, together with the returns of the presiding officers,
46 shall be, by the treasurer, secretary and comptroller, made and laid
47 before the general assembly, then next to be held, on the first day of
48 the session thereof. In the election of governor, lieutenant-governor,
49 secretary, treasurer, comptroller and attorney general, the person
50 found upon the count by the treasurer, secretary and comptroller in

51 the manner herein provided, to be made and announced before
52 December fifteenth of the year of the election, to have received the
53 greatest number of votes for each of such offices, respectively, shall be
54 elected thereto; provided, if the election of any of them shall be
55 contested as provided by statute, and if such a contest shall proceed to
56 final judgment, the person found by the court to have received the
57 greatest number of votes shall be elected. If two or more persons shall
58 be found upon the count of the treasurer, secretary and comptroller to
59 have received an equal and the greatest number of votes for any of
60 said offices, and the election is not contested, the general assembly on
61 the second day of its session shall hold a joint convention of both
62 houses, at which, without debate, a ballot shall be taken to choose such
63 officer from those persons who received such a vote; and the balloting
64 shall continue on that or subsequent days until one of such persons is
65 chosen by a majority vote of those present and voting. The general
66 assembly shall have power to enact laws regulating and prescribing
67 the order and manner of voting for such officers. The general assembly
68 shall by law prescribe the manner in which all questions concerning
69 the election of a governor or lieutenant-governor shall be determined.

70 RESOLVED: That the foregoing proposed amendment to the
71 Constitution be continued to the next session of the General Assembly
72 elected at the general election to be held on November 6, 2018, and
73 published with the laws passed at the present session, or be presented
74 to the electors at the general election to be held on November 6, 2018,
75 whichever the case may be, according to article sixth of the
76 amendments to the Constitution. The designation of said proposed
77 amendment to be used on the ballots at such election shall be "Shall the
78 Constitution of the State be amended to expand eligibility for voting
79 by absentee ballot and permit electors to vote in person up to five days
80 prior to the day of an election?"

GAE *Joint Favorable Subst.*

