



General Assembly

January Session, 2017

## ***Amendment***

LCO No. 7574



Offered by:

REP. FOX, 148<sup>th</sup> Dist.  
SEN. FLEXER, 29<sup>th</sup> Dist.  
REP. WINKLER, 56<sup>th</sup> Dist.  
SEN. SLOSSBERG, 14<sup>th</sup> Dist.  
REP. ABERCROMBIE, 83<sup>rd</sup> Dist.  
REP. ALBIS, 99<sup>th</sup> Dist.  
REP. BARAM, 15<sup>th</sup> Dist.  
REP. CANDELARIA, 95<sup>th</sup> Dist.  
REP. CONLEY, 40<sup>th</sup> Dist.  
REP. COOK, 65<sup>th</sup> Dist.  
REP. CURREY, 11<sup>th</sup> Dist.  
REP. D'AGOSTINO, 91<sup>st</sup> Dist.  
REP. DEMICCO, 21<sup>st</sup> Dist.  
REP. DILLON, 92<sup>nd</sup> Dist.  
REP. ELLIOTT, 88<sup>th</sup> Dist.  
REP. FLEISCHMANN, 18<sup>th</sup> Dist.  
REP. GENGA, 10<sup>th</sup> Dist.  
REP. GODFREY, 110<sup>th</sup> Dist.  
REP. GRESKO, 121<sup>st</sup> Dist.  
REP. HADDAD, 54<sup>th</sup> Dist.  
REP. HALL, 7<sup>th</sup> Dist.  
REP. HAMPTON, 16<sup>th</sup> Dist.  
REP. HENNESSY, 127<sup>th</sup> Dist.  
REP. JOHNSON, 49<sup>th</sup> Dist.  
REP. LEMAR, 96<sup>th</sup> Dist.  
REP. LESSER, 100<sup>th</sup> Dist.  
REP. LOPES, 24<sup>th</sup> Dist.

REP. LUXENBERG, 12<sup>th</sup> Dist.  
REP. MCCARTHY VAHEY, 133<sup>rd</sup>  
Dist.  
REP. MCGEE, 5<sup>th</sup> Dist.  
REP. MILLER P., 145<sup>th</sup> Dist.  
REP. MORIN, 28<sup>th</sup> Dist.  
REP. PAOLILLO, 97<sup>th</sup> Dist.  
REP. PERONE, 137<sup>th</sup> Dist.  
REP. PORTER, 94<sup>th</sup> Dist.  
REP. REED, 102<sup>nd</sup> Dist.  
REP. REYES, 75<sup>th</sup> Dist.  
REP. RILEY, 46<sup>th</sup> Dist.  
REP. ROJAS, 9<sup>th</sup> Dist.  
REP. RYAN, 139<sup>th</sup> Dist.  
REP. SANCHEZ, 25<sup>th</sup> Dist.  
REP. SANTIAGO, 84<sup>th</sup> Dist.  
REP. SLAP, 19<sup>th</sup> Dist.  
REP. STAFSTROM, 129<sup>th</sup> Dist.  
REP. TERCYAK, 26<sup>th</sup> Dist.  
REP. TONG, 147<sup>th</sup> Dist.  
REP. URBAN, 43<sup>rd</sup> Dist.  
REP. VARGAS, 6<sup>th</sup> Dist.  
SEN. BYE, 5<sup>th</sup> Dist.  
SEN. CASSANO, 4<sup>th</sup> Dist.  
SEN. FONFARA, 1<sup>st</sup> Dist.  
SEN. GERRATANA, 6<sup>th</sup> Dist.  
SEN. KENNEDY, 12<sup>th</sup> Dist.  
SEN. WINFIELD, 10<sup>th</sup> Dist.

To: Subst. House Joint Resolution      File No. 464      Cal. No. 325  
No. 95

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

1      In the title, strike "AND REGIONAL"

2      Strike everything after the resolving clause and substitute the  
3 following in lieu thereof:

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

8      Section 7 of article sixth of the Constitution is amended to read as  
9 follows:

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

16      b. The general assembly may provide by law for voting in person in  
17 the choice of any officer to be elected or upon any question to be voted  
18 on at an election (1) by qualified voters of the state who do not appear  
19 at the polling place on the day of election, (2) for a minimum of eight  
20 hours on each day for not less than two days and not more than five  
21 days during the fourteen days prior to such day of election, and (3) in  
22 the city or town of which such qualified voters are inhabitants.

23      Section 9 of article third of the Constitution is amended to read as

24 follows:

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

33 Section 4 of article fourth of the Constitution is amended to read as  
34 follows:

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

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

77 RESOLVED: That the foregoing proposed amendment to the  
78 Constitution be continued to the next session of the General Assembly  
79 elected at the general election to be held on November 6, 2018, and  
80 published with the laws passed at the present session, or be presented  
81 to the electors at the general election to be held on November 6, 2018,  
82 whichever the case may be, according to article sixth of the  
83 amendments to the Constitution. The designation of said proposed  
84 amendment to be used on the ballots at such election shall be "Shall the  
85 Constitution of the State be amended to allow the General Assembly to  
86 provide opportunities for early voting in person during the fourteen  
87 days prior to the day of an election?"