

Amendment to HB 1044

1 Amend the bill by replacing section 1 with the following:

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3 1 County Officers; Vacancies. RSA 661:9, II is repealed and reenacted to read as follows:

4 II.(a) If a vacancy occurs in the office of a county commissioner, the members of the county  
5 convention shall fill the vacancy as follows:

6 (1) If voting for the commissioners in the biennial election is not by district or is not  
7 restricted to residents of the district, all of the county convention members shall vote to fill the  
8 vacancy by a majority of the ballots cast until the next biennial election of county officers.

9 (2) If the commissioners of the county in the biennial elections are elected by district  
10 and voting for the commissioner is restricted to residents of the district, only members of the county  
11 convention who represent city wards or towns in the district shall be eligible to vote.

12 (3) If limiting the vote to county convention members representing city wards and  
13 towns in the district results in fewer than 3 members eligible to vote for the vacancy, all members of  
14 the county convention are eligible to vote for the vacancy.

15 (4) If the term filled is less than the unexpired term, then notwithstanding any  
16 provisions of RSA 653:1, VI, the commissioner district filled pursuant to this paragraph shall be  
17 added to the next biennial election ballot to be chosen by the voters of the county for the remainder  
18 of the term. The person elected shall take office at the next meeting of the county commissioners  
19 after any recount is completed.

20 (b) The provisions of subparagraph (a) shall apply only where the vacancy occurred no  
21 later than 30 days preceding the printing of the ballots for the primary election.

22 (c) The provisions of RSA 655:32 and RSA 655:37, relating to nominations by  
23 appropriate party committees for vacancies in an office on a primary or general election ballot,  
24 respectively, shall apply to vacancies to be filled under this paragraph.

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AMENDED ANALYSIS

This bill requires a vacancy in the office of county commissioner to be filled by the members of the county convention and allows district-based voting where applicable.