

CACR 26 - AS INTRODUCED

2026 SESSION

26-2983

07/08

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **26**

RELATING TO: the powers of the governor.

PROVIDING THAT: the governor shall not call up the national guard without the approval of the executive council.

SPONSORS: Rep. H. Howard, Straf. 4; Rep. Tom Mannion, Hills. 1

COMMITTEE: Executive Departments and Administration

ANALYSIS

This constitutional amendment concurrent resolution would amend the New Hampshire constitution to allow the Executive Council to hold a vote to prevent the governor from having power over the military forces of this state.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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-Six

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the powers of the governor.

PROVIDING THAT: the governor shall not call up the national guard without the approval of the executive council.

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

1 I. That article 51 of the second part of the constitution be amended to read as follows:

2 [Art.] 51. [Powers and Duties of Governor as Commander-in-Chief.] The governor of this state
3 for the time being, shall be commander-in-chief of all the military forces of the state; and shall have
4 full power, by himself or by any chief commander, or other officer or officers, **unless otherwise**
5 **voted by the Executive Council**, from time to time, to train, instruct, exercise and govern the
6 militia; to call forth the militia and to put in warlike posture the inhabitants of the state; to execute
7 the laws of the state and of the United States; to suppress insurrection and to repel invasion; and, in
8 fine, the governor is hereby entrusted with all other powers incident to the office of commander in
9 chief to be exercised agreeably to the rules and regulations of the constitution and the laws of the
10 land.

11 II. That the above amendment proposed to the constitution be submitted to the qualified
12 voters of the state at the state general election to be held in November, 2026.

13 III. That the selectmen of all towns, cities, wards and places in the state are directed to
14 insert in their warrants for the said 2026 election an article to the following effect: To decide
15 whether the amendments of the constitution proposed by the 2026 session of the general court shall
16 be approved.

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

18 "Are you in favor of amending article 51 of the second part of the constitution to read as follows:

19 [Art.] 51. [Powers and Duties of Governor as Commander-in-Chief.] The governor of this state
20 for the time being, shall be commander-in-chief of all the military forces of the state; and shall have
21 full power, by himself or by any chief commander, or other officer or officers, unless otherwise voted
22 by the Executive Council, from time to time, to train, instruct, exercise and govern the militia; to call
23 forth the militia and to put in warlike posture the inhabitants of the state; to execute the laws of the
24 state and of the United States; to suppress insurrection and to repel invasion; and, in fine, the
25 governor is hereby entrusted with all other powers incident to the office of commander in chief to be
26 exercised agreeably to the rules and regulations of the constitution and the laws of the land."

27 V. That the secretary of state shall print the question to be submitted on a separate ballot

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1 with other constitutional questions or on the official ballot. The ballot containing the question shall
2 include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the
3 ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular
4 official ballot except that the words “Questions Relating to Constitutional Amendments proposed by
5 the 2026 General Court” shall be printed in bold type at the top of the ballot.

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

8 VII. Voters' Guide.

9 AT THE PRESENT TIME, the Executive Council cannot vote to prevent the governor
10 from having power over the military forces of this state.

11 IF THE AMENDMENT IS ADOPTED, the Executive Council may vote to prevent to
12 governor from having power over the military forces of this state.