ASSEMBLY CONCURRENT RESOLUTION No. 129

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED MARCH 10, 2014

Sponsored by:
Assemblyman DAVID W. WOLFE
District 10 (Ocean)
Assemblyman JACK M. CIATTARELLI
District 16 (Hunterdon, Mercer, Middlesex and Somerset)
Assemblyman ERIK PETERSON
District 23 (Hunterdon, Somerset and Warren)

Co-Sponsored by:
Assemblyman S.Kean

SYNOPSIS
Proposes constitutional amendment to increase mandatory retirement age for judges and justices from 70 to 75.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 5/9/2014)
A CONCURRENT RESOLUTION proposing to amend Article VI, Section VI, paragraph 3 of the New Jersey Constitution.

BE IT RESOLVED by the General Assembly of the State of New Jersey (the Senate concurring):

1. The following proposed amendment to the Constitution of the State of New Jersey is agreed to:

PROPOSED AMENDMENT

Amend Article VI, Section VI, paragraph 3 to read as follows:

3. The Justices of the Supreme Court and the Judges of the Superior Court shall hold their offices for initial terms of 7 years and upon reappointment shall hold their offices during good behavior; provided however, that, upon the abolition of the juvenile and domestic relations courts or family court and county district courts as provided by law, the judges in office in those former courts who have acquired tenure and the Judges of the Superior Court who have acquired tenure as a judge in those former courts prior to appointment to the Superior Court, shall have tenure as Judges of the Superior Court. Judges of the juvenile and domestic relations courts or family court and county district courts who have not acquired tenure as a judge of those former courts shall hold their offices for the period of their respective terms which remain unexpired and shall acquire tenure upon reappointment to the Superior Court. Such justices and judges shall be retired upon attaining the age of 70 years. Provisions for the pensioning of the Justices of the Supreme Court and the Judges of the Superior Court shall be made by law.

(cf: Art.VI, Sec.VI, par.3; amended effective December 8, 1983.)

2. When this proposed amendment to the Constitution is finally agreed to pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than three months after the final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate, the Speaker of the General Assembly and the Attorney General, not less than three months prior to the general election.

3. This proposed amendment to the Constitution shall be submitted to the people at that election in the following manner and form:

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
There shall be printed on each official ballot to be used at the general election, the following:

a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (X), plus (+), or check (✔) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✔) in the square opposite the word "No."

b. In every municipality the following question:

<table>
<thead>
<tr>
<th>YES</th>
<th>CONSTITUTIONAL AMENDMENT TO INCREASE MANDATORY RETIREMENT AGE FOR JUSTICES AND JUDGES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Do you approve amending the Constitution to increase the mandatory retirement age for Justices of the Supreme Court and Judges of the Superior Court from age 70 to age 75?</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>NO</th>
<th>INTERPRETIVE STATEMENT</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Currently, the Constitution requires Justices of the New Jersey Supreme Court and Judges of the New Jersey Superior Court to retire at age 70. This amendment would increase the mandatory retirement age. These Justices and Judges would be required to retire at age 75.</td>
</tr>
</tbody>
</table>

STATEMENT

This concurrent resolution proposes an amendment to Article VI, Section VI, paragraph 3 of the New Jersey Constitution which would increase the mandatory retirement age for Justices of the Supreme Court and Judges of the Superior Court. Currently, the Constitution requires these Justices and Judges to retire at age 70. Under the amendment, mandatory retirement would be at age 75.