ASSEMBLY CONCURRENT RESOLUTION No. 49

STATE OF NEW JERSEY
216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:
Assemblyman JAY WEBBER
District 26 (Essex, Morris and Passaic)
Assemblywoman ALISON LITTELL MCHOSE
District 24 (Morris, Sussex and Warren)

Co-Sponsored by:
Assemblyman Space

SYNOPSIS
Proposes amendment to State Constitution to limit members of Senate to three successive terms and members of General Assembly to five successive terms.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel
ACR49 WEBBER, MCHOSE

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A CONCURRENT RESOLUTION proposing to amend Article IV,
Section II, paragraphs 2 and 4 of the Constitution of the State of
New Jersey.

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

a. Amend Article IV, Section II, paragraphs 2 and 4 to read as
follows:

2. Each senator shall be elected by the legally qualified voters
of the Senate district, except that if the Senate district is composed
of two or more counties and two senators are apportioned to the
district, one senator shall be elected by the legally qualified voters
of each Assembly district. Each senator shall be elected for a term
beginning at noon of the second Tuesday in January next following
his election and ending at noon of the second Tuesday in January
four years thereafter, except that each senator, to be elected for a
term beginning in January of the second year following the year in
which a decennial census of the United States is taken, shall be
elected for a term of two years. No person who has been elected or
appointed as a member of the Senate for three successive terms,
including for an unexpired term, shall again be eligible to hold that
office until after at least one intervening Senate term during which
the member did not serve.
Terms of service shall be considered successive unless there is a
break in service consisting of one intervening term.
(cf: Art.IV, Sec.II, para.2, amended effective December 8, 1966)

4. Two members of the General Assembly shall be elected by
the legally qualified voters of each Assembly district for terms
beginning at noon of the second Tuesday in January next following
their election and ending at noon of the second Tuesday in January
two years thereafter. No person who has been elected or appointed
as a member of the General Assembly for five successive terms,
including for an unexpired term, shall again be eligible to hold that
office until after at least one intervening two-year term of the
General Assembly during which the member did not serve.
Terms of service shall be considered successive unless there is a
break in service consisting of one intervening term.
(cf: Art.IV, Sec.II, para.4, amended effective December 8, 1966)

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.
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 Secretary of State, 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:

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 LIMIT LEGISLATIVE TERMS</th>
<th>Shall the amendments to the New Jersey Constitution, agreed to by the Legislature, limiting the members of the Senate to serving three successive terms in office and limiting the members of the General Assembly to serving five successive terms in office, with members not eligible to again hold that office until after at least one intervening term of office following the expiration of the successive terms, be approved?</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO</td>
<td>INTERPRETIVE STATEMENT</td>
<td>This amendment to the Constitution of the State of New Jersey, if approved, would limit service as a member of the Senate to three successive terms in office, or a total of ten years, and limit service as a member of the General Assembly to five successive terms, or ten years in office. Members would not be eligible to again hold that office until after at least one intervening term of office following the expiration of the successive terms. This amendment would be applicable to members of the Senate and the General Assembly elected at the general election in 2011.</td>
</tr>
</tbody>
</table>

**SCHEDULE**

This constitutional amendment shall be applicable first to the terms of the members of the Senate and the General Assembly elected at the general election in 2011.

**STATEMENT**

Currently, there are no limits on the number of terms of office a member of the Senate or the General Assembly may serve. This amendment to the Constitution, if approved, would limit service as a member of the Senate to three successive terms in office, or a total of ten years, and limit service as a member of the General Assembly to five successive terms in office, or also a total of ten years, with members not eligible to again hold that office until after at least one
intervening term of office following the expiration of the last successive term. Terms of service will be considered successive unless there is a break in service consisting of one intervening term of that House.

The amendment would be applicable to the Senate and General Assembly members elected at the general election in 2011. No term of office prior to the general election in 2011 will be considered in determining an individual’s eligibility to serve as an elected member of the Senate or General Assembly.