

**SENATE CONCURRENT
RESOLUTION No. 132**

**STATE OF NEW JERSEY
218th LEGISLATURE**

INTRODUCED JUNE 27, 2018

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

SYNOPSIS

Amends State Constitution to create joint legislative and executive branch New Jersey Revenue Certification Board to provide consensus certification of revenues for State budget purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/27/2018)

SCR132 SWEENEY, OROHO

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1 A **CONCURRENT RESOLUTION** proposing to amend Article VIII,
2 Section II, paragraph 2 of the Constitution of the State of New
3 Jersey.

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

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

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11 PROPOSED AMENDMENT

12
13 Amend Article VIII, Section II, paragraph 2 to read:

14 2. a. No money shall be drawn from the State treasury but for
15 appropriations made by law. All moneys for the support of the State
16 government and for all other State purposes as far as can be
17 ascertained or reasonably foreseen, shall be provided for in one
18 general appropriation law covering one and the same fiscal year;
19 except that when a change in the fiscal year is made, necessary
20 provision may be made to effect the transition. No general
21 appropriation law or other law appropriating money for any State
22 purpose shall be enacted if the appropriation contained therein,
23 together with all prior appropriations made for the same fiscal
24 period, shall exceed the total amount of revenue on hand and
25 anticipated which will be available to meet such appropriations
26 during such fiscal period, as certified by the **[Governor]** New
27 Jersey Revenue Certification Board.

28 b. There is established the New Jersey Revenue Certification
29 Board, which shall consist of three members as follows: the State
30 Treasurer, ex officio, or its successor in the executive branch of
31 State government, the Legislative Budget and Finance Officer, ex
32 officio, or its successor in the legislative branch of State
33 government, and a third public member who shall be jointly
34 selected thereby. The public member shall serve for a term of four
35 years and shall hold minimum qualifications established by law. A
36 vacancy in the public member position of the group shall be filled
37 by the joint selection of the other members. The New Jersey
38 Revenue Certification Board shall provide a consensus certification
39 of State revenues on hand and anticipated to be received by the
40 State during the present and next commencing State fiscal years to
41 support annual State appropriations. The New Jersey Revenue
42 Certification Board shall convene one or more public hearings at
43 the place or places it designates during the second quarter of each
44 State fiscal year. The board shall receive public testimony and may
45 invite other participants who, in the judgment of the board, may

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.

SCR132 SWEENEY, OROHO

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1 provide guidance on the current conditions in, and probable outlook
2 for, the performance of the economy of the State, as well as the
3 effect of such conditions and such performance on State revenues.
4 (cf: Art.VIII, Sec.II, par.2, effective January 1, 1948)

5
6 2. When this proposed amendment to the Constitution is finally
7 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
8 shall be submitted to the people at the next general election
9 occurring more than three months after the final agreement and
10 shall be published at least once in at least one newspaper of each
11 county designated by the President of the Senate, the Speaker of the
12 General Assembly and the Secretary of State, not less than three
13 months prior to the general election.

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

18 There shall be printed on each official ballot to be used at the
19 general election, the following:

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

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

26 b. In every municipality the following question:

SCR132 SWEENEY, OROHO

	YES	<p>CREATES NEW JERSEY REVENUE CERTIFICATION BOARD TO CERTIFY REVENUE FOR STATE BUDGET PURPOSES</p> <p>Do you approve amending the State Constitution to create a New Jersey Revenue Certification Board? The board would certify the amount of revenue on hand and anticipated for the current and upcoming State fiscal years. The revenue for the upcoming fiscal year would have to be equal to or greater than the amount of proposed spending for the State to adopt a budget.</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>This amendment creates a New Jersey Revenue Certification Board. The board would have three members: one from the executive branch of government; one from the legislative branch of government; and one public member selected by the other two members. The board would certify the amount of revenue on hand and anticipated for the current and upcoming State fiscal years. The revenue certified by the board for the upcoming fiscal year would have to be equal to or greater than the amount of proposed spending for the State to adopt a budget. Currently, the governor alone certifies the amount of revenue on hand and anticipated for the current and upcoming State fiscal years.</p>

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SCHEDULE

This constitutional amendment shall take effect and shall apply to the next State fiscal year following voter approval of this amendment.

STATEMENT

This constitutional amendment creates a New Jersey Revenue Certification Board. The board consists of three members: the State Treasurer, or its successor in the executive branch of State government, the Legislative Budget and Finance Officer, or its

SCR132 SWEENEY, OROHO

1 successor in the legislative branch of State government, and a third
2 public member selected by the other two members. The public
3 member serves for a term of four years and is required to have
4 certain qualifications set forth by law.

5 The New Jersey Revenue Certification Board will provide a
6 consensus certification of State revenues on hand and anticipated to
7 be received by the State during the present and next commencing
8 State fiscal years to support annual State appropriations. The
9 amendment requires the New Jersey Revenue Certification Board to
10 convene one or more public hearings at the place or places it
11 designates during the second quarter of each State fiscal year, at
12 which the board will receive public testimony.

13 The revenue certified by the board for the upcoming State fiscal
14 year would be required to be equal to or greater than the amount of
15 proposed spending for the upcoming State fiscal year in order for
16 the State to adopt an annual appropriations act. Currently, the
17 governor alone certifies the amount of revenue on hand and
18 anticipated for the current and upcoming State fiscal years.