

ASSEMBLY CONCURRENT RESOLUTION No. 113

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1997

By Assemblyman CARROLL

1 A CONCURRENT RESOLUTION proposing to amend Article I, paragraph 2 of  
2 the Constitution of the State of New Jersey.

3

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

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

9

10 PROPOSED AMENDMENT

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12 Amend Article I, paragraph 2 to read as follows:

13 2. a. All political power is inherent in the people. Government is instituted  
14 for the protection, security, and benefit of the people, and they have the right  
15 at all times to alter or reform the same, whenever the public good may require  
16 it.

17 b. The people reserve unto themselves the power to recall, after at least  
18 one year of service, any elected official in this State or representing this State  
19 in the United States Congress. The Legislature shall enact laws to provide for  
20 such recall elections. Any such laws shall include a provision that a recall  
21 election for an elected official other than the Governor or a United States  
22 Senator shall be held upon petition of at least 25% of the registered voters in  
23 the electoral district of the official sought to be recalled. A recall election for  
24 the Governor or a United States Senator shall be held upon the petition of at  
25 least 500,000 registered voters. If legislation to implement this constitutional  
26 amendment is not enacted within one year of the adoption of the amendment,  
27 the Secretary of State shall, by regulation, implement the constitutional  
28 amendment, except that regulations adopted by the Secretary of State shall be  
29 superseded by any subsequent legislation consistent with this constitutional  
30 amendment governing recall elections. The sufficiency of any statement of  
31 reasons or grounds procedurally required shall be a political rather than a

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

Matter underlined thus is new matter.

1 judicial question.

2 (cf: Article I, paragraph 2 amended effective January 1, 1994)

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

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

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

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

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

22 b. In every municipality the following question:

1		CONSTITUTIONAL AMENDMENT TO
2		REDUCE NUMBER OF SIGNATURES
3		NECESSARY TO RECALL THE
4		GOVERNOR OR A UNITED STATES
5		SENATOR
6		
7		Shall the amendment to Article I, paragraph 2 of
8		the Constitution, agreed to by the Legislature,
9	YES	reducing to at least 500,000 the number of
10		signatures of registered voters necessary to recall
11		the Governor or a United States Senator, be
12		adopted?
13		INTERPRETIVE STATEMENT
14		This amendment would reduce to at least 500,000
15		the number of signatures of registered voters
16		necessary to cause a recall election to be held to
17		recall the Governor or a United States Senator.
18		Currently, a recall election is held upon the petition
19		of at least 25 percent of the registered voters in the
20	NO	electoral district of the official sought to be recalled.
21		Thus, at least one million signatures would be
22		needed to recall the Governor or a U.S. Senator
23		since there are presently about four million
24		registered voters in the State.
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STATEMENT

30 This concurrent resolution proposes a constitutional amendment to reduce  
31 to at least 500,000 the number of signatures necessary to cause a recall  
32 election to be held to recall the Governor or a United States Senator.  
33 Currently, a recall election is held upon the petition of at least 25 percent  
34 of the registered voters in the electoral district of the official sought to be  
35 recalled. Thus, at least one million signatures would be needed to recall the  
36 Governor or a U.S. Senator since there are presently about four million  
37 registered voters in the State.

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42 Proposes constitutional amendment to reduce to 500,000 the number of

- 1 signatures necessary to recall the Governor or a US Senator.