

SENATE CONCURRENT RESOLUTION No. 126

STATE OF NEW JERSEY

INTRODUCED MAY 8, 1997

By Senators BASSANO, Cardinale and Schluter

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

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

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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 shall be held upon petition of registered voters in the electoral district
22 of the official sought to be recalled equal in number to at least 25% of the
23 registered voters [in the electoral district of the] in that electoral district who
24 voted in the last preceding election held to fill for a full term the office from
25 which recall of that official is sought [to be recalled]. If legislation to implement
26 this constitutional amendment is not enacted within one year of the adoption
27 of the amendment, the Secretary of State shall, by regulation, implement the
28 constitutional amendment, except that regulations adopted by the Secretary of
29 State shall be superseded by any subsequent legislation consistent with this
30 constitutional amendment governing recall elections. The sufficiency of any
31 statement of reasons or grounds procedurally required shall be

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 a political rather than a judicial question.

2 (cf: Amended November 2, 1993, 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
2		REDUCING REQUIRED RECALL
3		PETITION SIGNATURES
4		Shall Article I, paragraph 2 of the Constitution be
5		amended, as proposed by the Legislature, to
6	YES	provide for a reduction in the number of signatures
7		required on petitions to recall elected public
8		officials?
9		INTERPRETIVE STATEMENT
10		This amendment to the Constitution reduces the
11		number of signatures required to recall any elected
12		public official in this State or representing this State
13		in the Congress of the United States. If agreed to
14		by the voters, the number of signatures would
15		change from at least 25% of the registered voters
16	NO	in the electoral district of the official sought to be
17		recalled to at least 25% of the registered voters
18		voting in the electoral district in the last preceding
19		election at which the office of the official sought to
20		be recalled was filled for a full term.
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SCHEDULE

This constitutional amendment shall become part of the Constitution on January 1 following the election at which it is approved.

STATEMENT

This amendment to the Constitution reduces the number of signatures required to recall any elected public official in this State or representing this State in the Congress of the United States. If agreed to by the voters, the number of signatures would change from at least 25% of the registered voters in the electoral district of the official sought to be recalled to at least 25% of the registered voters voting in the last preceding election at which the office of the official sought to be recalled was filled for a full term.

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3 Amends Constitution to reduce number of signatures required to recall any

4 elected public official.