

# SENATE CONCURRENT RESOLUTION No. 37

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## STATE OF NEW JERSEY

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INTRODUCED JANUARY 29, 1996

By Senator BASSANO

1     A CONCURRENT RESOLUTION proposing to amend Article VII, Section II,  
2     paragraph 2 of 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 agreed to:

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### 10                   PROPOSED AMENDMENT

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12     Amend Article VII, Section II, paragraph 2 to read as follows:

13       2. County clerks, surrogates and sheriffs shall be elected by the people of  
14     their respective counties at general elections, except as hereinafter provided.  
15     The term of office of county clerks and surrogates shall be five years, and of  
16     sheriffs three years; except that a county clerk, surrogate or sheriff holding  
17     office on or after January 2, next following approval of this amendment, who  
18     completes at least two full, consecutive elected terms in that office before or  
19     after that date, shall acquire tenure in office and shall continue to serve during  
20     good behavior, without being required to submit to re-election. County clerks,  
21     surrogates and sheriffs, including those who have acquired tenure in office,  
22     shall be subject to the recall provisions of Article I, paragraph 2 of the  
23     Constitution and may also be removed from office for cause in a manner to be  
24     established by statute. Whenever a vacancy shall occur in any such office it  
25     shall be filled in the manner to be provided by law.

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

**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.

1 three months prior to the general election.

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

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

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

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

12 b. In every municipality the following question:

1		GRANTS LIFE TENURE DURING GOOD BEHAVIOR FOR COUNTY CLERKS, SURROGATES AND SHERIFFS UPON COMPLETION OF TWO CONSECUTIVE ELECTED TERMS
6	YES	Shall an amendment to Article VII, Section II, paragraph 2 of the Constitution, as agreed to by the Legislature, establishing tenure in office for county clerks, surrogates and sheriffs upon completion of two full, consecutive elected terms of office and allowing for their removal by recall, or for cause in a manner to be established by statute, be approved?
15	NO	<p>INTERPRETIVE STATEMENT</p> <p>This proposed amendment would establish tenure in office for each county clerk, surrogate and sheriff, once the officeholder has completed a second full, consecutive term of elected office. County clerks, surrogates and sheriffs holding office on or after January 2, next following approval of this proposed amendment, who complete at least two full, consecutive elected terms in that office before or after that date, would be granted tenure. All tenured officeholders would continue to serve during good behavior. The proposed amendment would allow a tenured county clerk, surrogate or sheriff to be removed from office by the Constitutional recall provisions or for cause in a manner to be established by statute.</p>

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## 35 STATEMENT

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37 This proposed constitutional amendment would establish tenure in office for  
38 county clerks, surrogates and sheriffs holding office on or after the January 2,  
39 next following approval of this proposed amendment, who complete at least  
40 two full, consecutive elected terms in that office before or after that date. The  
41 proposed amendment would allow for the removal of a county clerk, surrogate  
42 or sheriff by the recall provisions of Article I, paragraph 2 of the State

1 Constitution or for cause in a manner to be established by statute.

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- 3 Proposes constitutional amendment establishing tenure in office for county  
4 clerks, surrogates and sheriffs.