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1987

PUBLIC HEARING

before

ASSEMBLY COUNTY GOVERNMENT COMMITTEE

Assembly Concurrent Resolution 108

(This Resolution proposes an amendment to the New Jersey Constitution to extend the term of office for County Sheriff from three years to five years)

March 9, 1987
Room 368
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

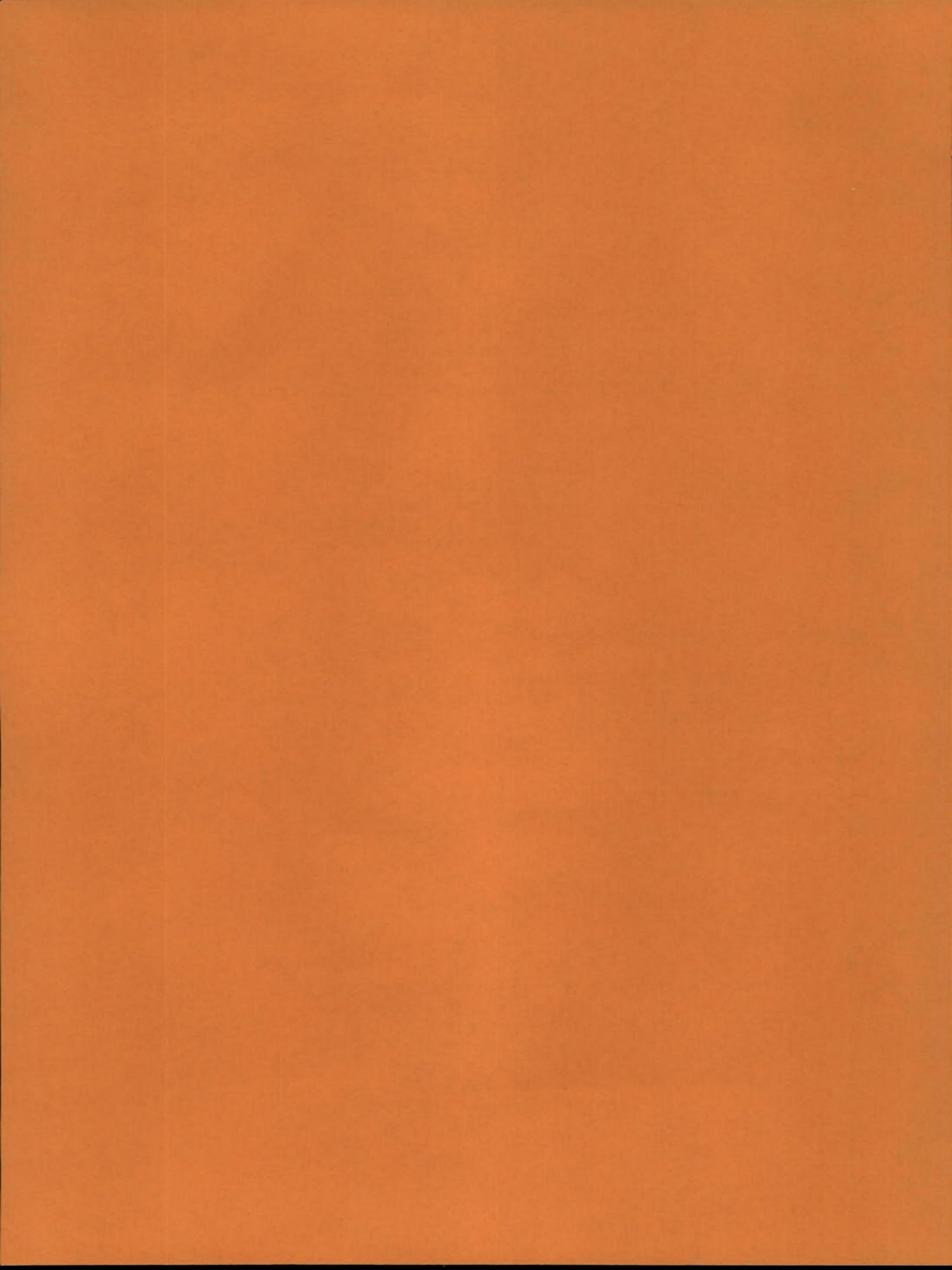
Assemblyman John Penn, Chairman
Assemblyman John T. Hendrickson, Jr. Vice Chairman
Assemblyman Frank M. Pelly

ALSO PRESENT:

Stephen L. Kuepper
Office of Legislative Services
Aide, Assembly County Government Committee

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Hearing Recorded and Transcribed by
Office of Legislative Services
Public Information Office
Hearing Unit
State House Annex
CN 068
Trenton, New Jersey 08625





JACK PENN
Chairman
JOHN T. HENDRICKSON, JR.
Vice-Chairman
EDWARD KLINE
HARRY A. McENROE
FRANK M. PELLY

New Jersey State Legislature
ASSEMBLY COUNTY GOVERNMENT COMMITTEE
STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625
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MEMORANDUM

February 25, 1987

**TO: MEMBERS OF THE ASSEMBLY COUNTY GOVERNMENT
COMMITTEE**

FROM: ASSEMBLYMAN JACK PENN, CHAIRMAN

SUBJECT: PUBLIC HEARING

(Address comments and questions to Stephen L. Kuepper,
Committee Aide)

Pursuant to the "Rules of the General Assembly of the State of New Jersey" and in accordance with the provisions of paragraph 1 of Article IX of the Constitution, a public hearing on Assembly Concurrent Resolution 108 shall be held before the Assembly County Government Committee on March 9, 1987. The hearing shall be conducted in Room 368 of the State House Annex and shall begin at 10:00 a.m.

ACR-108 amends the Constitution to extend the term of office for Sheriffs from three to five years.



ASSEMBLY CONCURRENT RESOLUTION No. 108

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1986

By Assemblymen KLINE and ZECKER

A CONCURRENT RESOLUTION proposing to amend Article VII,
Section II, paragraph 2 of the Constitution.

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

1 1. The following proposed amendment to the Constitution is
2 agreed to:

PROPOSED AMENDMENT

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

4 2. County clerks, surrogates and sheriffs shall be elected by the
5 people of their respective counties at general elections. The term
6 of office of county clerks [and], surrogates *and sheriffs* shall be
7 five years[, and of sheriffs three years]. Whenever a vacancy
8 shall occur in any such office it shall be filled in the manner to be
9 provided by law.

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

1 3. This proposed amendment to the Constitution shall be sub-
2 mitted to the people at said election in the following manner and
3 form:

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

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted September 15, 1986.

- 6 a. In every municipality in which voting machines are not used,
 7 the following legend shall immediately precede the question:
 8 If you favor the proposition printed below make a cross (X),
 9 plus (+) or check (✓) in the square opposite the word "Yes". If
 10 you are opposed thereto make a cross (X), plus (+) or check (✓)
 11 in the square opposite the word "No."
 12 b. In every municipality the following question:

	Yes.	<p style="text-align: center;">CONSTITUTIONAL AMENDMENT TO EXTEND TERMS OF OFFICE OF SHERIFFS</p> <p>Shall the amendment to Article VII, Section II, paragraph 2 agreed to by the Legislature, extending the terms of office of sheriffs elected on or after *[November 4, 1986]* *November 8, 1988* from three to five years be approved?</p>
	No.	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This amendment extends the terms of office of sheriffs elected on or after *[November 4, 1986]* *November 8, 1988* from three to five years.</p>

SCHEDULE

The five year term for the office of sheriff shall be first applicable to persons elected to that office on and after ***[November 4, 1986]*** *November 8, 1988*.

COUNTY GOVERNMENT

Amends Constitution to extend the term of office for sheriffs from three to five years.

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Ewing Township, New Jersey**

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ASSEMBLYMAN JOHN PENN (Chairman): Good morning, ladies and gentlemen. The first thing on our agenda this morning is the Constitutional amendment that would deal with increasing the term of the prosecutor (sic). This would be our second public hearing on that from a -- sheriff; excuse me, sheriff from the present term of three years to five years, to conform with the other Constitutional officers.

I believe we had previous testimony at the time, and this is our second public hearing on it. Is there anybody who wishes to be heard on this particular subject?

F R A N K W. H A I N E S: Sir, I don't know if, when I testified before, whether it was for the record or not. What I'd like to do, if it isn't, is I'd like to read into the record what I said when the Committee was first considering the bill. Or I will submit it, if she can read it.

ASSEMBLYMAN PENN: Your testimony from the previous -- was read into the record.

MR. HAINES: It was in the record?

ASSEMBLYMAN PENN: Yes, it is in the record. Yes.

MR. HAINES: I didn't know whether it was being recorded that day or not.

ASSEMBLYMAN PENN: Yes, it was. And, it was read into the record.

MR. HAINES: Oh, okay. No problem. Thank you.

ASSEMBLYMAN PENN: Okay. Fine. Is there anybody on our Committee that wishes to give any further testimony?

ASSEMBLYMAN HENDRICKSON: The only comment I might make is I think that it is, conceptually, a good piece of legislation. That the Constitutional office of the sheriff be made whole, if you will, and given a five-year term the same as the surrogate and the county clerk.

ASSEMBLYMAN PENN: Frank, do you have anything?

ASSEMBLYMAN PELLY: No.

ASSEMBLYMAN PENN: All right. At this time, we will conclude our public hearing on that, and move to our first bill.

(HEARING CONCLUDED)