

ACTS

OF THE

Second Annual Session

OF THE

Two Hundredth Legislature

OF THE

STATE OF NEW JERSEY

AND

Twenty-ninth Under the New Constitution

CHAPTERS 250-579



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1983

AMENDMENTS ADOPTED IN 1983
TO THE
1947 CONSTITUTION

(2339)

Amendments Adopted in 1983 to the 1947 Constitution

ARTICLE V, SECTION I, PARAGRAPH 14

Amend Article V, Section I, paragraph 14, of the Constitution to read as follows:

14. (a) When a bill has finally passed both houses, the house in which final action was taken to complete its passage shall cause it to be presented to the Governor before the close of the calendar day next following the date of the session at which such final action was taken.

(b) A passed bill presented to the Governor shall become law:

(1) if the Governor approves and signs it within the period allowed for his consideration; or

(2) if the Governor does not return it to the house of origin, with a statement of his objections, before the expiration of the period allowed for his consideration; or

(3) if, upon reconsideration of a bill objected to by the Governor, two-thirds of all the members of each house agree to pass the bill.

(c) The period allowed for the Governor's consideration of a passed bill shall be from the date of presentation until noon of the forty-fifth day next following or, if the house of origin be in temporary adjournment on that day, the first day subsequent upon which the house reconvenes; except that:

(1) if on the said forty-fifth day the Legislature is in adjournment sine die, any bill then pending the Governor's approval shall be returned, if he objects to it, at a special session held pursuant to subparagraph (d) of this paragraph;

(2) any bill passed between the forty-fifth day and the tenth day preceding the expiration of the second legislative year shall be returned by the Governor, if he objects to it, not later than noon of the day next preceding the expiration of the second legislative year;

(3) any bill passed within 10 days preceding the expiration of the second legislative year shall become law only if the Governor signs it prior to noon of the seventh day following such expiration, or the Governor returns it to the House of origin, with a statement of his objections, and two-thirds of all members of each House agree to pass the bill prior to such expiration.

(d) For the purpose of permitting the return of bills pursuant to this paragraph, a special session of the Legislature shall convene, without petition or call, for the sole purpose of acting upon bills returned by the Governor, on the forty-fifth day next following adjournment sine die of the regular session; or, if the second legislative year of a 2-year Legislature will expire before said forty-fifth day, then the day next preceding the expiration of the legislative year.

(e) Upon receiving from the Governor a bill returned by him with his objections, the house in which it originated shall enter the objections at large in its journal or minutes and proceed to reconsider it. If, upon reconsideration, on or after the third day following its return, or the first day of a special session convened for the sole purpose of acting on such bills, two-thirds of all the members of the house of origin agree to pass the bill, it shall be sent, together with the objections of the Governor, to the other house; and if, upon reconsideration, it is approved by two-thirds of all the members of the house, it shall become a law. In all such cases the votes of each house shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal or minutes of each house.

(f) The Governor, in returning with his objections a bill for reconsideration at any general or special session of the Legislature, may recommend that an amendment or amendments specified by him be made in the bill, and in such case the Legislature may amend and reenact the bill. If a bill be so amended and reenacted, it shall be presented again to the Governor, but shall become a law only if he shall sign it within 10 days after presentation, except that any bill amended and reenacted within 10 days preceding the expiration of the second legislative year shall become law only if the Governor signs it prior to noon of the seventh day following such expiration. No bill shall be returned by the Governor a second time. No bill need be read three times and no emergency

resolution need be adopted for the reenactment of any bill at a special session of the Legislature.

Adopted November 8, 1983.

Effective December 8, 1983.

ARTICLE VI, SECTION III, PARAGRAPH 3, AND
SECTION VI, PARAGRAPHS 1 AND 3

Amend Article VI, Section III, paragraph 3, of the Constitution to read as follows:

3. The Superior Court shall be divided into an Appellate Division, a Law Division, and a Chancery Division, which shall include a family part. Each division shall have such other parts, consist of such number of judges, and hear such causes as may be provided by rules of the Supreme Court. At least two judges of the Superior Court shall at all times be assigned to sit in each of the counties of the State, who at the time of their appointment and reappointment were residents of that county; provided, however, that the number of judges required to reside in the county wherein they sit shall be at least equal in number to the number of judges of the county court sitting in each of the counties at the adoption of this amendment.

Amend Article VI, Section VI, paragraph 1, of the Constitution to read as follows:

1. The Governor shall nominate and appoint, with the advice and consent of the Senate, the Chief Justice and associate justices of the Supreme Court, the Judges of the Superior Court, and the judges of the inferior courts with jurisdiction extending to more than one municipality; except that upon the abolition of the juvenile and domestic relations courts or family court and county district courts as provided by law, the judges of those former courts shall become the Judges of the Superior Court without nomination by the Governor or confirmation by the Senate. No nomination to such an office shall be sent to the Senate for confirmation until after 7 days' public notice by the Governor.

Amend Article VI, Section VI, paragraph 3, of the Constitution to read as follows:

3. The Justices of the Supreme Court and the Judges of the Superior Court shall hold their offices for initial terms of 7 years and upon reappointment shall hold their offices during good behavior; provided, however, that, upon the abolition of the juvenile and domestic relations courts or family court and county district courts as provided by law, the judges in office in those former courts who have acquired tenure and the Judges of the Superior Court who have acquired tenure as a judge in those former courts prior to appointment to the Superior Court, shall have tenure as Judges of the Superior Court. Judges of the juvenile and domestic relations courts or family court and county district courts who have not acquired tenure as a judge of those former courts shall hold their offices for the period of their respective terms which remain unexpired and shall acquire tenure upon reappointment to the Superior Court. Such justices and judges shall be retired upon attaining the age of 70 years. Provisions for the pensioning of the Justices of the Supreme Court and the Judges of the Superior Court shall be made by law.

Adopted November 8, 1983.

Effective December 8, 1983.

ARTICLE VIII, SECTION I, PARAGRAPH 3

Amend Article VIII, Section I, paragraph 3, of the Constitution to read as follows:

3. Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war or other emergency as, from time to time, defined by the Legislature, in any branch of the Armed Forces of the United States shall be entitled annually to a deduction from the amount of any tax bill for taxes on real and personal property, or both, in the sum of \$50.00 or if the amount of any such tax bill shall be less than \$50.00, to a cancellation thereof, which deduction or cancellation shall not be altered or repealed. Any person hereinabove described who has been or shall be declared by the United States Veterans' Administration, or its successor, to have a service-connected disability, shall be entitled to such further deduction

from taxation as from time to time may be provided by law. The surviving spouse of any citizen and resident of this State who has met or shall meet his or her death on active duty in time of war or of other emergency as so defined in any such service shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction or cancellation in this paragraph provided for honorably discharged veterans and to such further deduction as from time to time may be provided by law. The surviving spouse of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction or cancellation in this paragraph provided for honorably discharged veterans and to such further deductions as from time to time may be provided by law.

Adopted November 8, 1983.

Effective December 8, 1983.

ARTICLE VIII, SECTION II, PARAGRAPH 3

Amend Article VIII, Section II, paragraph 3, of the Constitution to read as follows:

3. The Legislature shall not, in any manner, create in any fiscal year a debt or debts, liability or liabilities of the State, which together with any previous debts or liabilities shall exceed at any time one per centum of the total amount appropriated by the general appropriation law for that fiscal year, unless the same shall be authorized by a law for some single object or work distinctly specified therein. Regardless of any limitation relating to taxation in this Constitution, such law shall provide the ways and means, exclusive of loans, to pay the interest on such debt or liability as it falls due, and also to pay and discharge the principal

thereof within thirty-five years from the time it is contracted, and the law shall not be repealed until such debt or liability and the interest thereon are fully paid and discharged.

Except as hereinafter provided, no such law shall take effect until it shall have been submitted to the people at a general election and approved by a majority of the legally qualified voters of the State voting thereon. No voter approval shall be required for any such law authorizing the creation of a debt or debts in a specified amount or an amount to be determined in accordance with such law for the refinancing of all or a portion of any outstanding debts or liabilities of the State heretofore or hereafter created, so long as such law shall require that the refinancing provide a debt service savings determined in a manner to be provided in such law and that the proceeds of such debt or debts and any investment income therefrom shall be applied to the payment of the principal of, any redemption premium on, and interest due and to become due on such debts or liabilities being refinanced on or prior to the redemption date or maturity date thereof, together with the costs associated with such refinancing. All money to be raised by the authority of such law shall be applied only to the specific object stated therein, and to the payment of the debt thereby created. This paragraph shall not be construed to refer to any money that has been or may be deposited with this State by the government of the United States. Nor shall anything in this paragraph contained apply to the creation of any debts or liabilities for purposes of war, or to repel invasion, or to suppress insurrection or to meet an emergency caused by disaster or act of God.

Adopted November 8, 1983.

Effective December 8, 1983.