

**SENATE CONCURRENT
RESOLUTION No. 18**

**STATE OF NEW JERSEY
215th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator KEVIN J. O'TOOLE

District 40 (Bergen, Essex, Morris and Passaic)

Co-Sponsored by:

Senators Doherty, Kyrillos and A.R.Bucco

SYNOPSIS

Amends Constitution to require that bills with net effect of raising State revenues by proposing a new State tax or a State tax increase pass each House of Legislature by two-thirds majority vote.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



SCR18 OROHO, O'TOOLE

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1 A CONCURRENT RESOLUTION proposing to amend Section IV,
2 paragraph 6 and Section VI, paragraph 1 of Article IV of the
3 Constitution of the State of New Jersey.
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5 BE IT RESOLVED by the Senate of the State of New Jersey (the
6 General Assembly concurring):
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8 1. The following proposed amendment to the Constitution is
9 agreed to:
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11 PROPOSED AMENDMENT
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13 a. Amend Article IV, Section IV, paragraph 6 to read as
14 follows:

15 6. All bills and joint resolutions shall be read three times in
16 each House before final passage. No bill or joint resolution shall be
17 read a third time in either House until after the intervention of one
18 full calendar day following the day of the second reading; but if
19 either House shall resolve by vote of three-fourths of all its
20 members, signified by yeas and nays entered on the journal, that a
21 bill or joint resolution is an emergency measure, it may proceed
22 forthwith from second to third reading. No bill or joint resolution
23 shall pass, other than a bill or joint resolution the net effect of
24 which is to raise State revenues by levying a new State tax or
25 providing for an increase in a State tax, unless there shall be a
26 majority of all members of each body personally present and
27 agreeing thereto, and the yeas and nays of the members voting on
28 such final passage shall be entered on the journal.

29 No bill or joint resolution the net effect of which is to raise State
30 revenues by levying a new State tax or providing for an increase in
31 a State tax shall pass, unless there be a two-thirds majority of all the
32 members of each body personally present and agreeing thereto, and
33 the yeas and nays of the members voting on such final passage shall
34 be entered on the journal.

35 (cf: Art.IV, Sect.IV, par.6, effective Jan. 1, 1948)

36 b. Amend Article IV, Section VI, paragraph 1 to read as
37 follows:

38 1. All bills for raising revenue shall originate in the General
39 Assembly; but the Senate may propose or concur with amendments,
40 as on other bills. However, an amendment to a bill or joint
41 resolution the net effect of which is to raise State revenues by
42 levying a new State tax or by providing for an increase in a State
43 tax may not be adopted or concurred with by either body other than
44 by a two-thirds majority of all the members of the proposing or

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.

SCR18 OROHO, O'TOOLE

1 concurring body personally present and agreeing thereto.
2 (cf: Art.IV, Sect.VI, par.1, effective Jan. 1, 1948)

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

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

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

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

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

24 b. In every municipality the following question:
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| | | <p>CONSTITUTIONAL AMENDMENT STATE TAX BILLS THAT RAISE STATE REVENUES REQUIRE PASSAGE BY TWO-THIRDS MAJORITY VOTE OF EACH HOUSE OF LEGISLATURE</p> <p>Do you approve amending Section IV, paragraph 6 and Section VI, paragraph 1 of Article IV of the Constitution of the State of New Jersey to require that bills and joint resolutions and amendments to bills and joint resolutions that have the net effect of raising State revenues by levying a new State tax or providing for an increase a State tax be passed by the Legislature by a vote of two-thirds of the members of each House of the Legislature?</p> |
| | YES | |

SCR18 OROHO, O'TOOLE

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| | | <p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>The purpose of this constitutional amendment is to require that any bill or joint resolution and any amendment to any bill or joint resolution that has the net effect of raising State revenues by levying a new State tax or increasing an existing State tax shall be passed by the Legislature only by a two-thirds majority vote of the members of each House of the Legislature, instead of by a majority vote as with other bills or resolutions.</p> |
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SCHEDULE

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This Constitutional amendment shall, if approved, be applicable to action upon bills and joint resolutions pending in either House of the Legislature during the legislative sessions commencing on and after approval of this amendment by the voters.

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STATEMENT

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This concurrent resolution proposes an amendment to the State Constitution to require that any bill or joint resolution and any amendment to a bill or joint resolution that has the net effect of raising State revenues by levying a new State tax or proposing to increase an existing State tax shall be passed by the Legislature only by a two-thirds majority vote of the members of each House of the Legislature, instead of by a majority vote as with other bills and resolutions.

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