

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE CONCURRENT  
RESOLUTION No. 1**

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**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

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ADOPTED OCTOBER 15, 2012

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**  
**District 3 (Cumberland, Gloucester and Salem)**  
**Senator SHIRLEY K. TURNER**  
**District 15 (Hunterdon and Mercer)**  
**Assemblywoman SHEILA Y. OLIVER**  
**District 34 (Essex and Passaic)**  
**Assemblyman TIMOTHY J. EUSTACE**  
**District 38 (Bergen and Passaic)**  
**Assemblywoman L. GRACE SPENCER**  
**District 29 (Essex)**

**Co-Sponsored by:**

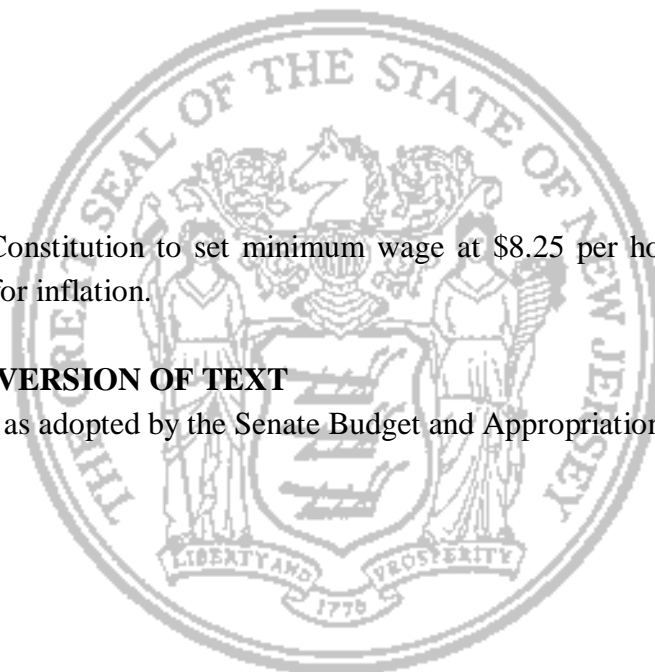
**Senators Ruiz, Stack, Greenstein, Assemblyman Diegnan, Senator Codey,**  
**Assemblywomen Tucker and Mosquera**

**SYNOPSIS**

Amends Constitution to set minimum wage at \$8.25 per hour with annual adjustments for inflation.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Budget and Appropriations Committee.



**(Sponsorship Updated As Of: 2/15/2013)**

1 **A CONCURRENT RESOLUTION** proposing to amend Article I of the  
2 New Jersey Constitution by adding a new paragraph thereto.

3

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

6

7 1. The following proposed amendment to the Constitution of  
8 the State of New Jersey is agreed to:

9

10 **PROPOSED AMENDMENT**

11

12 Amend Article I of the State Constitution by the addition of the  
13 following paragraph:

14 23. Every employer shall, beginning the January 1 next  
15 following the date of the approval of this amendment by the people  
16 pursuant to Article IX of the Constitution, pay each employee  
17 subject to the "New Jersey State Wage and Hour Law," P.L.1966,  
18 c.113 (C.34:11-56a et seq.), or a successor State statute, a wage rate  
19 of not less than the rate required by that act, or \$8.25 per hour,  
20 whichever is more. On the September 30 next following the date of  
21 the approval of this amendment, and on September 30 of each  
22 subsequent year, the State minimum wage rate shall be increased,  
23 effective the following January 1, by any increase during the one  
24 year prior to that September 30 in the consumer price index for all  
25 urban wage earners and clerical workers (CPI-W) as calculated by  
26 the federal government. If, at any time, the federal minimum  
27 hourly wage rate set by section 6 of the federal "Fair Labor  
28 Standards Act of 1938" (29 U.S.C. s.206), or a successor federal  
29 law, is raised to a level higher than the State minimum wage rate,  
30 then the State minimum wage rate shall be increased to the level of  
31 the federal minimum wage rate and all subsequent increases based  
32 on increases in the CPI-W pursuant to this paragraph shall be  
33 applied to the State minimum wage rate as increased to match the  
34 federal minimum wage rate. This paragraph shall not be construed  
35 as altering or amending any provision of the "New Jersey State  
36 Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.) or a  
37 successor State statute, other than the hourly rate set by that act, or  
38 prohibiting the Legislature from amending that act.

39

40 2. When this proposed amendment to the Constitution is finally  
41 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it  
42 shall be submitted to the people at the next general election  
43 occurring more than three months after the final agreement and  
44 shall be published at least once in at least one newspaper of each  
45 county designated by the President of the Senate, the Speaker of the  
46 General Assembly and the Secretary of State, not less than three  
47 months prior to the general election.

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

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

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

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

12 b. In every municipality the following question:  
 13

	YES	<p style="text-align: center;">CONSTITUTIONAL AMENDMENT TO                  SET A STATE MINIMUM WAGE WITH                  ANNUAL COST OF LIVING INCREASES</p> <p>Do you approve amending the State Constitution to set a State minimum wage rate of at least \$8.25 per hour? The amendment also requires annual increases in that rate if there are annual increases in the cost of living.</p>
	NO	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This amendment to the State Constitution sets the State minimum wage at the level in effect under current law, or \$8.25 per hour, whichever is more. Cost of living increases would be added each year. Also, if the federal minimum wage rate is raised above the State rate, the State rate would be raised to match the federal rate. Future cost of living increases then would be added to that raised rate.</p>