

**ASSEMBLY CONCURRENT
RESOLUTION No. 129**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

SYNOPSIS

Proposes amendment to Constitution permitting justices and judges to engage in extra-judicial activities for compensation as permitted by court rule.

CURRENT VERSION OF TEXT

As introduced.



1 **A CONCURRENT RESOLUTION** proposing to amend Article VI,
2 Section VI, paragraph 6 of the Constitution of the State of New
3 Jersey.

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

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

10
11 PROPOSED AMENDMENT

12
13 Amend Article VI, Section VI, paragraph 6 to read as follows:

14 6. The Justices of the Supreme Court and the Judges of the
15 Superior Court shall receive for their services such salaries as may
16 be provided by law, which shall not be diminished during the term
17 of their appointment, except for deductions from such salaries for
18 contributions, established by law from time to time, for pensions as
19 provided for under paragraphs 3 and 5 of Section VI of this Article,
20 health benefits, and other, similar benefits.

21 They shall not, while in office, engage in the practice of law or
22 other gainful pursuit, except for such activities and for such
23 compensation as the Supreme Court may permit by court rule, and
24 subject to the Supreme Court's regulation. However, in no case
25 shall the compensation received by a justice or judge in a single
26 calendar year for participation in such activities exceed 15 percent
27 of the justice's or judge's annual salary, and in no case shall the
28 compensation received be an honorarium.

29 As used herein, "honorarium" means a payment of money or any
30 thing of value for an appearance, speech or article, or a series of
31 appearances, speeches, or articles, if the subject matter is directly
32 related to a justice's or judge's official duties or status.

33 (cf: Art. VI, Sec. VI, par. 6; amended effective December 6, 2012)

34
35 2. When this proposed amendment to the Constitution is finally
36 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
37 shall be submitted to the people at the next general election
38 occurring more than three months after the final agreement and
39 shall be published at least once in at least one newspaper of each
40 county designated by the President of the Senate, the Speaker of the
41 General Assembly and the Secretary of State, not less than three
42 months prior to the general election.

43
44 3. This proposed amendment to the Constitution shall be
45 submitted to the people at that election in the following manner and
46 form:

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
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- There shall be printed on each official ballot to be used at the general election, the following:
- a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:
- If you favor the proposition printed below make a cross (X), plus (+), or check (✓) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✓) in the square opposite the word "No."
- b. In every municipality the following question:

	YES	<p>CONSTITUTIONAL AMENDMENT TO PERMIT JUSTICES AND JUDGES TO PARTICIPATE IN CERTAIN EXTRA-JUDICIAL ACTIVITIES FOR COMPENSATION</p> <p>Do you approve amending the New Jersey Constitution to permit State Supreme Court Justices and Superior Court Judges to participate in and receive compensation for certain outside activities?</p> <p>The activities that a justice or judge could participate in would be established by the Supreme Court by court rule and would be subject to Supreme Court regulation. In a single year, the compensation for outside activities would be limited to no more than 15 percent of a justice’s or judge’s annual salary. Additionally, a justice or judge could not receive compensation in the form of an honorarium directly related to the official duties or status of the justice or judge.</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>Presently, State Supreme Court Justices and Superior Court Judges are not permitted to engage in the practice of law or other gainful pursuit. This amendment would allow them to engage in certain extra-judicial activities and to receive compensation for those activities.</p> <p>The Supreme Court would regulate which activities and what compensation are permitted. The yearly total compensation would be limited to 15 percent of a justice’s or judge’s annual salary. Also, the justice or judge could not receive compensation in the form of an honorarium, which is a payment of money for an appearance, speech, or article directly related to the justice’s or judge’s official duties or status.</p>

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

This proposed amendment to the New Jersey Constitution would permit State Supreme Court Justices and Superior Court Judges to participate in and receive compensation for certain extra-judicial activities, as permitted by the Supreme Court by court rule and subject to Supreme Court regulation. Presently, State Supreme Court Justices and Superior Court Judges are not permitted to engage in the practice of law or other gainful pursuit. See N.J. Const., Art. VI, Sec. VI, par. 6.

The total compensation a justice or judge could receive in a single year would be limited to no more than 15 percent of the justice's or judge's annual salary. Additionally, a justice or judge would not be permitted to receive compensation in the form of an honorarium, which is a payment of money or any other thing of value for an appearance, speech, or article directly related to the justice's or judge's official duties or status.