SENATE CONCURRENT RESOLUTION No. 78

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator CHRISTOPHER J. CONNORS
District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Proposes constitutional amendment restricting use of funds realized from transfer of State government and independent State authority capital assets only for capital projects and not for State government operating expenses.

CURRENT VERSION OF TEXT

As introduced.

A CONCURRENT RESOLUTION proposing to amend Article VIII, Section II, paragraph 2 of the Constitution of the State of New Jersey.

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

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

PROPOSED AMENDMENT

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

2. No money shall be drawn from the State treasury but for appropriations made by law. All moneys for the support of the State government and for all other State purposes as far as can be ascertained or reasonably foreseen, shall be provided for in one general appropriation law covering one and the same fiscal year; except that when a change in the fiscal year is made, necessary provision may be made to effect the transition. No general appropriation law or other law appropriating money for any State purpose shall be enacted if the appropriation contained therein, together with all prior appropriations made for the same fiscal period, shall exceed the total amount of revenue on hand and anticipated which will be available to meet such appropriations during such fiscal period, as certified by the Governor.

No general appropriation law or other law appropriating money shall be enacted if the total amount of revenue on hand and anticipated as certified by the Governor includes revenue from the proceeds from the transfer of all or any part of a legal interest in any real property held by any State department or held by any independent State authority, any improvements thereon, or the granting of an easement in or across such real property, or from the transfer or conveyance of any other capital asset held by the State or by an independent State authority, unless that law appropriating money shall appropriate those proceeds exclusively for capital projects; and provided further, that no law appropriating money shall appropriate those proceeds in any manner, directly or indirectly, for any otherwise recurring, ordinary expense entailed in the regular operation of State government.

(cf: Art. VIII, Sec. II, par. 2)

2. When this proposed amendment to the Constitution is finally agreed to pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election

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.

occurring more than three months after the final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate, the Speaker of the General Assembly and the Secretary of State, not less than three months prior to the general election.

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

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	REQUIRES THAT MONEY FROM STATE GOVERNMENT AND INDEPENDENT AUTHORITY REAL PROPERTY TRANSFERS BE USED FOR CAPITAL PROJECTS AND NOT AS OPERATING EXPENSES Do you approve amending the Constitution to require the State use money it gets from selling or leasing real property owned by a State department or independent authority only on capital projects? The amendment also would prohibit the use of such money for ordinary operating expenses of State Government.
NO	INTERPRETIVE STATEMENT This proposed amendment requires the State to use money from the transfer of State and independent authority real property only for capital projects. It also prohibits the use of such money for the ordinary operating expenses of State government.

STATEMENT

This amendment to the State Constitution requires the State to use proceeds from the transfer of assets of the State or any of its independent authorities for capital projects and prohibits the State from using those proceeds for State government operating expenses.

The transfer of assets of independent authorities would include transfers by the New Jersey Turnpike Authority. Transfers include sales and leases of legal interest in real property. By limiting the use of proceeds from such transfers exclusively for State capital projects, rather than for State operating expenses, this amendment aims to ensure that the State uses revenues from asset transfers only towards State capital improvements.