

**Proposed
Amendments to the Constitution
of New Jersey**

CHAPTER 323, P. L. 1927.

An Act to provide for submitting proposed amendments to the Constitution of this State to the people thereof.

WHEREAS, Certain proposed amendments to the Constitution of this State were at the session of the Legislature held in the year one thousand nine hundred and twenty-six, agreed to by a majority of the members elected to each of the two houses thereof, and entered on the journals of each of said houses, with the yeas and nays taken thereon, and referred to the Legislature then next to be chosen; and

WHEREAS, The said proposed amendments were published as required by the Constitution; and

WHEREAS, In the Legislature then next chosen certain of those proposed amendments have been agreed to by a majority of all of the members elected to each house; and

WHEREAS, The Constitution of this State requires the Legislature to submit such proposed amendments as have been agreed to, as aforesaid, to the people, at a special election to be held for that purpose only, at least four months after the adjournment of the Legislature; therefore,

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. On Tuesday the twentieth day of September next, a special election shall be held in the several election districts or precincts of this State, at such places as are

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WHEREAS, The Constitution of this State requires the Legislature to submit such proposed amendments as have been agreed to, as aforesaid, to the people, at a special election to be held for that purpose only, at least four months after the adjournment of the Legislature; therefore,

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. On Tuesday the twentieth day of September next, a special election shall be held in the several election districts or precincts of this State, at such places as are

selected for holding the primary and general elections under and by virtue of the provisions of an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the supplements thereto and acts amendatory thereof, to enable the electors qualified to vote for members of the Legislature to vote for or against each of the said proposed amendments to the Constitution:

2. The district boards of registry and election in the several election districts and precincts shall conduct the said special election; the polls shall be opened and closed at the times now fixed by law for opening and closing polls at the election for members of the General Assembly, and said special election shall be conducted, so far as practicable, in the same manner as now required by law for conducting annual elections for members of the General Assembly, except as otherwise directed in this act.

3. The official ballot to be used and voted at said special election shall be substantially in the following form, clearly and distinctly printed upon white paper:

OFFICIAL BALLOT.

Special Election, September twentieth, one thousand nine hundred and twenty-seven. Proposed Amendments to the Constitution of the State of New Jersey.

FIRST AMENDMENT.

If you favor the adoption of the proposed amendment to the Constitution of the State of New Jersey first printed below, make an X mark or plus + mark in the square opposite the word "Yes;" if you are opposed thereto make an X mark or plus + mark in the square opposite the word "No." Black ink or black pencil may be used for such purpose.

3. To section six of Article IV of the State Constitution add a new paragraph to be known as paragraph "five" which shall read as follows:

5. The Legislature may enact general laws under which municipalities, other than counties, may adopt zoning ordinances limiting and restricting to specified districts and regulating therein, buildings and structures, according to their construction, and the nature and ex-

tent of their use, and the exercise of such authority shall be deemed to be within the police power of the State. Such laws shall be subject to repeal or alteration by the Legislature.

Shall this zoning amendment be adopted?	Yes.	
	No.	

SECOND AMENDMENT.

4. If you favor the adoption of the proposed amendment to the Constitution of the State of New Jersey first printed below, make an X mark or plus + mark in the square opposite the word "Yes;" if you are opposed thereto make an X mark or plus + mark in the square opposite the word "No." Black ink or black pencil may be used for such purpose.

The Legislature shall have power to establish water supply districts, sewage districts, drainage districts, and meadow reclamation districts; to alter and change the boundaries of any such district or districts so established; to provide for the selection of commissions for such districts and to prescribe the organization, jurisdiction, powers and duties of such commissions; to vest in such commissions powers to undertake, develop, complete and operate any public work or improvement for water supply, sewage disposal, drainage and meadow reclamation, to incur indebtedness therefor, which said indebtedness shall be the debt of the district, to fund such debt and to provide for the levy, assessment and collection of special benefits and of taxes for the payment of any such indebtedness so incurred by such district.

Shall this water supply district, etc., amendment be adopted?	Yes.	
	No.	

THIRD AMENDMENT.

5. If you favor the adoption of the proposed amendment to the Constitution of the State of New Jersey first printed below, make an X mark or plus + mark in the square opposite the word "Yes;" if you are opposed

thereto make an X mark or plus + mark in the square opposite the word "No." Black ink or black pencil may be used for such purpose.

Amend Article IX of the State Constitution so as to read as follows:

Any specific amendment or amendments to the Constitution may be proposed in the Senate or General Assembly, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon, and referred to the session of the Legislature then next to be convened otherwise than in special session by call of the Governor, and shall be published for three months previous to meeting in such session next to be convened, in at least one newspaper in each county, if any be published therein, at least once in each month; and if in the session of the Legislature next to be convened as aforesaid, such proposed amendment or amendments, or any of them, shall be agreed to by a majority of all of the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments, or such of them as may have been twice agreed to as aforesaid, to the people, in such manner as the Legislature shall prescribe, at the ensuing election to be held the first Tuesday after the first Monday in November; and if the people shall then approve and ratify such amendment or amendments, or any of them, by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments so approved and ratified shall become part of the Constitution; *provided*, that if more than one amendment be submitted they shall be submitted in such manner and form that the people may vote for or against each amendment separately and distinctly; but no amendment or amendments relating to the same subject shall be submitted to the people by the Legislature oftener than once in five years. In submitting any amendment or amendments to the people no vote shall be counted for or against any amendment where the voter shall have omitted affirmatively to vote for or against such amendment.

Shall this amendment regulating subsequent amendments to the Constitution, be adopted?

Yes.

No.

FOURTH AMENDMENT.

6. If you favor the adoption of the proposed amendment to the Constitution of the State of New Jersey first printed below, make an X mark or plus + mark in the square opposite the word "Yes;" if you are opposed thereto make an X mark or plus + mark in the square opposite the word "No." Black ink or black pencil may be used for such purpose.

Amend paragraph three, section one, Article IV, of the Constitution of the State of New Jersey, to read as follows:

3. Members of the Senate and General Assembly shall be elected every second year beginning with the year one thousand nine hundred and twenty-eight, on the first Tuesday after the first Monday in November; and the two houses shall meet separately in regular session on the second Tuesday in January next after the said day of election, at which time of meeting the legislative year shall commence; and at other times the two houses may meet separately in special session upon the joint call of the President of the Senate and the Speaker of the General Assembly for the purpose of acting upon only such matters as are designated in the call.

Amend paragraphs one and two of section two of Article IV, to read as follows:

1. The Senate shall be composed of one Senator from each county in the State, elected by the legal voters of the counties, respectively, for four years; *provided*, however, the term of Senators elected in the year one thousand nine hundred and twenty-six shall be extended to four years from the commencement of their terms. The term of Senators elected in the year one thousand nine hundred and twenty-seven shall be extended to five years from the commencement of their terms. As soon as the Senate shall meet after the election to be held in the year one thousand nine hundred and twenty-seven, there shall be selected by lot, under the direction of the Senate, three counties of those counties the term of

whose Senators expires in the years one thousand nine hundred and twenty-nine and at the election to be held in the year one thousand nine hundred and twenty-eight the Senators from these three counties shall be elected for two years and the remaining four Senators shall be elected for a term of four years. If vacancies happen, by resignation or otherwise, the persons elected to supply such vacancies shall be elected for the unexpired term only.

Amend paragraph one, section three Article IV; of the Constitution of the State of New Jersey, to read as follows:

1. The General Assembly shall be composed of members biannually elected by the legal voters of the counties, respectively, who shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. The present apportionment shall continue until the next census of the United States shall have been taken, and an apportionment of members of the General Assembly shall be made by the Legislature at its first session after the next and every subsequent enumeration or census, and when made shall remain unaltered until another enumeration shall have been taken; *provided*, that each county shall at all times be entitled to one member; and the whole number of members shall never exceed sixty.

Amend paragraph three of Article V of the Constitution of the State of New Jersey to read as follows:

3. Each Governor elected after the adoption of this amendment shall hold office for four years, to commence on the third Tuesday of January next ensuing the election for Governor by the people, and to end on the Monday preceding the third Tuesday of January, four years thereafter; and he shall be incapable of holding that office for four years next after his term of service shall have expired; and if a vacancy happen, by resignation or otherwise, the person elected to supply such vacancy shall be elected for the unexpired term only; and no appointment or nomination to office shall be made by the Governor during the last week of his said term.

Shall this amendment providing for biennial legislative sessions and changing terms of office of Governor and members of the Legislature, be adopted?	Yes.	
	No.	

FIFTH AMENDMENT.

7. If you favor the adoption of the proposed amendment to the Constitution of the State of New Jersey first printed below, make an X mark or plus + mark in the square opposite the word "Yes;" if you are opposed thereto make an X mark or plus + mark in the square opposite the word "No." Black ink or black pencil may be used for such purpose.

In Article VII, section two, paragraph two, strike out the words, "be appointed by the Senate and General Assembly, in joint meeting. They shall," so that the paragraph will read as follows:

Judges of the Court of Common Pleas shall hold their offices for five years; but when appointed to fill vacancies they shall hold for the unexpired term only.

Shall this amendment relating to term of office for Common Pleas judges be adopted?	Yes.	
	No.	

8. (a) It shall be the duty of the Secretary of State on or before the first day of August, nineteen hundred and twenty-seven, to prepare and have printed at least five hundred sample forms of ballots, conforming to the above provision, as to contents (including directions for voting) and style and arrangement; printed, however, in such size type and with such size and arrangement of space and form as will in his judgment simplify and make clear the propositions proposed to the voter; and also blank statements of the results of election and copies of this act; and the Secretary of State, on or before the fifteenth day of August next following, shall mail by registered mail to the county clerk of each county of the State, at least twenty-five of such printed sample form of ballot; which form shall be strictly fol-

lowed by the county clerks of the various counties in preparing and furnishing the sample and regular ballots for the election herein provided for, with such additions as to numbering for each election district and other additions made necessary by the locality in which they are to be used, so as to conform to the provisions of an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the supplements and amendments thereto; which act, so far as not inconsistent with this act, shall be applicable. And it shall be the duty of the clerk of each county of this State, at least two weeks before the date fixed for the said special election, to prepare and have printed a sufficient number of official and sample ballots required for the purpose of this act, in the form herein provided, for the use of all voters of such county, which sample ballots shall be typographically a copy of the official ballot to be so furnished, with the exception of number and the endorsements hereinafter provided for. The official ballots so prepared shall have endorsed thereon the following: "Official Ballot for Special Election, September twentieth, one thousand nine hundred and twenty-seven, for the county of"
(Name of county to be filled in.) Then shall show a facsimile of the signature of the county clerk of such county, and each official ballot so to be used shall be numbered serially from one upward, as official ballots are required to be numbered for general elections, according to the provisions of an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the acts amendatory thereof and supplemental thereto, so that the same shall be properly numbered for each of the said election districts of his county.

8. (b) It shall be the duty of the Secretary of State on or before the first day of August, nineteen hundred and twenty-seven, to prepare and have printed such portion or portions of the Constitution or a summary statement thereof as shall be necessary to clearly disclose to the voter the relation of the amendment or amendments submitted to the existing Constitution, as shall have been designated by the Attorney General in a writing filed with the Secretary of State in compliance with the provisions of an act entitled "An act to regulate elections"

(Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the acts amendatory thereof and supplemental thereto.

And the Secretary of State shall cause to be delivered on or before the first day of September, one thousand nine hundred and twenty-seven, to each county clerk a sufficient number of copies of the printed matter aforesaid to comply with the provisions of said act.

8. (c) It shall be the duty of the clerk of each county in this State, at least ten days before said election, to transmit to the several municipal clerks in this county a sufficient number of sample ballots and printed statements as aforesaid, together with a sufficient number of stamped envelopes for the use of the voters and boards of election in each of the election districts in their respective municipalities; which said sample ballots, printed statements and stamped envelopes shall, at least one week before said election, be delivered by said municipal clerks to the district boards of registry and election in each election district or precinct in his municipality. It shall be the duty of said boards of registry and election at least five days before said special election, to mail a copy of said sample ballot and printed statement to each of the voters whose names appear upon the registry list in their respective election districts as hereinafter provided. The official ballots in sealed packages shall be delivered by the clerks of each county in this State to the several municipal clerks in such county at least five days preceding said special election; which said official ballots in sealed packages shall be delivered by said municipal clerks to the district boards of registry and election in each election district in his municipality at the same time and together with the ballot boxes which are to be used at said special election.

8. (d) Each person entitled to vote shall receive one ballot, to be furnished by a member of the board of election, and shall retire with the same into one of the election booths to prepare his ballot, and shall then deliver the same folded to a member of the election board, who shall immediately deposit the same in the ballot box in the presence of the voter; the manner of voting and the procedure of the election officers shall in all respects, as far as practicable, conform to the requirements of the general law respecting elections.

9. Said ballot deposited in the ballot box shall be counted as a vote in favor of each of the amendments with reference to which an X or plus + mark has been made in the square opposite the word "Yes", and as a vote against each of the amendments with reference to which an X or a plus + mark has been made opposite the word "No," as aforesaid; and shall not be counted for a vote for or against any amendment unless the voter shall have made the plus + or X mark opposite the word "Yes," or opposite the word "No" with reference to such amendment, and shall not count as a vote for or against any amendment where the voter shall have made the plus + or X mark opposite the word "Yes" and the word "No," but the ballot shall be counted for or against any of the proposed amendments properly marked as aforesaid, notwithstanding that the voter may have so marked his ballot as not to count for or against other amendments on the ballot.

10. All persons entitled to vote in this State for members of the General Assembly at the time of the said special election shall be entitled to vote in their respective election district, or precincts; *provided*, they shall have been registered as herein provided.

11. It shall be the duty of the district boards of registry and election to make, alter and revise, as the case may require, the registry of voters entitled to vote in their several districts, or voting precincts, for use at said special election, in the manner now required by law for general elections, on Tuesday the sixth day of September, one thousand nine hundred and twenty-seven, at the same time and place, that they are required to meet for the holding of the last registry day in this act provided.

12. There shall be three registry days for the said special election. The first and second registry days shall be the days on which persons may register for the succeeding general election, pursuant to the provisions of an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the acts amendatory thereof and supplemental thereto. The third registry day shall be the first Tuesday in September, in the year one thousand nine hundred and twenty-seven, at which time the district boards of registry and election shall register such

persons who have not previously registered, or shall be registered in the manner now provided by law for the registry of persons entitled to vote for members of the General Assembly at the succeeding general election. On said third registry day the district board of registry and election shall for such purpose sit between the hours of one P. M. and nine P. M.

13. After finally closing the polls of such election the respective boards of registry and election shall count and canvass the ballots given relative to each of the said proposed amendments to the Constitution, and thereupon shall set down in writing the whole number of votes given for each of the said proposed amendments in the words in which the said proposed amendment is hereinbefore given, and the whole number of votes given against each of the said proposed amendments as hereinbefore given and shall certify and subscribe two statements of the result of the same, and shall cause the same so certified to be delivered one to the Secretary of State and one to the clerk of the county in which the election district or precinct is situated forthwith after said election, who shall forthwith file the same in his office as an official paper.

14. The county boards of election of the several counties of this State shall meet on Monday, the twenty-sixth day of September next, at the hour of eleven o'clock in the forenoon of that day, at the courthouses of their respective counties; the clerk of the county shall thereupon produce before said board the certificates filed in his office in pursuance of the preceding section of this act, and said board shall thereupon proceed to examine the same and make and certify duplicate statements of the result of said election as shown thereby, and cause one of such statements so certified to be delivered to the clerk of the county, who shall forthwith file the same in his office as an official paper; and said board shall cause the other such statements to be transmitted to the Secretary of State on or before the third day of October next, who shall forthwith file such statement in his office as an official paper; the said county board of election shall have power to adjourn their meeting, if necessary, in order to properly discharge their duties under this section.

15. It shall be the duty of the Governor to summon to attend him, on the eighteenth day of October next, at least four of the members of the Senate, who shall meet in the executive chamber, State House, in the city of Trenton, at the hour of two o'clock P. M., and they, with the Governor, shall constitute a Board of State Canvassers to canvass and estimate the votes given for and against each of the said amendments, and the said Board of State Canvassers shall proceed to organize and determine the result according to the provisions of an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the acts amendatory thereof and supplemental thereto, so far as they are applicable, and it shall be the duty of the Secretary of State to produce and lay before such board all such statements and copies as relate to such election which he shall have received or obtained pursuant to this act; or pursuant to the above stated act to regulate elections; the said Board of State Canvassers shall determine and declare which of said proposed amendments have been adopted, and shall forthwith deliver a statement of the result as to each amendment to the Secretary of State of this State, to be filed in his office as an official paper; and any proposed amendment which by said certificate and determination of the Board of State Canvassers shall appear to have received in its favor a majority of all the votes cast in the State for and against said proposed amendment shall, from the time of filing of such certificate be and become an amendment to and part of the Constitution of this State; and it shall be the duty of the Governor of this State forthwith, after such determination, to issue a proclamation declaring which of said proposed amendments have been adopted by the people.

16. Notice of the time and purpose of said special election, which notice shall contain such proposed amendments in full, shall be published in at least two newspapers printed and circulated in each county of this State for four weeks, once in each week, next preceding said third Tuesday in September, said newspapers to be designated by the President of the Senate, the Speaker of the House of Assembly and the Secretary of State, and the Secretary of State shall furnish a copy of such notice to each of the newspapers so selected, but neglect

or failure to make such publication shall not impair the validity of such special election.

17. The same notice of meeting of the district boards of registry and election for the purpose of making or revising registries to be used at such election, and the notice of such special election in the various election districts or precincts shall be given as is now required by law in the case of the election for members of the Legislature.

18. The registry lists for the special election shall be those which are prepared, revised and corrected on the first and second registry days and as added to or corrected on the third registry day. The registry lists shall be checked for the special election and a special poll book kept therefor, but the registry lists shall be prepared and kept as usual for the general election, at the same time.

19. The commissioner of registration and municipal clerks, as provided in chapter one hundred and thirty-six, Public Laws of one thousand nine hundred and twenty-seven, shall accept registrations for said election up to and including the fourth Tuesday preceding said special election.

20. For all the services and all duties required and imposed upon them under and by virtue of this act, the members of the district boards of registry and election shall each receive the sum of thirty dollars which expense shall be paid as provided by law for general elections.

21. This act shall take effect immediately.