

Article IV, Section VII, Paragraph 12 New Jersey Constitution

LEGISLATIVE HISTORY CHECKLIST
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New Jersey Constitution: Article IV, Section VII, Paragraph 12

BILL NO: ACR1

SPONSOR: Weingarten, Holzapfel, Heck, Farragher, O'Toole, Inverso, DiFrancesco

DATE INTRODUCED: 5/11/2000

COMMITTEE: **Assembly:** Law and Public Safety

Senate: Judiciary

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 6/15/2000

SENATE: 6/29/2000

FILED WITH SECRETARY OF STATE: 6/30/2000

DATE OF ADOPTION: 11/7/2000

EFFECTIVE: 12/7/2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

SPONSOR'S STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: Yes

974.90 Public hearing before Assembly Law and Public Safety Committee : Assembly concurrent resolution no. 1
S518 (proposes constitutional amendment establishing that state may make available to general public certain
2000 information identifying sex offenders) : [June 1, 2000, Trenton, New Jersey]2020a

NEWSPAPER ARTICLES:

Yes

Associated Press, 'State senate introduces Megan's Law amendment', *The Times*, 5/12/2000, pg A6

Schwaneberg, Robert, 'Megan Web plan is center of debate – Amendment faces uncertain legalities', *The Star-Ledger*, 5/22/2000, pg 1

Wire services, 'New Jersey State Briefs', *The Press of Atlantic City*, 5/23/2000, pg A6

Schwaneberg, Robert, 'Sex crime Web site passes test – Key panels approve amendment to publish names of offenders', *The Star-Ledger*, 5/23/2000, pg 1

Ruderman, Wendy, 'Megan's Law may be expanded', *The Times*, 5/23/2000, pg A1

McAlpin, John P., Associated Press, 'Know Thy Neighbor', *The Trentonian*, 5/23/2000

Cooper, Candy J., 'Megan's Law Notice An Awkward Exercise – Limits Stir Confusion, Free-Speech Issues', *The Record*, 5/28/2000, pg A1

Schwaneberg, Robert, 'Sex offender amendment swiftly advanced – Legislative approval of Internet warning bill would put issue before voters in November', *The Star-Ledger*, 6/2/2000, pg 28

Schwaneberg, Robert, 'Assembly clears plan to put sex offenders on Net – Constitutional amendment would allow creation of detailed registry', *The Star-Ledger*, 6/16/2000, pg 29

Ruderman, Wendy, 'Megan's list going to voters', *The Times*, 6/16/2000, pg A1

Donohue, Brian, 'Posting of sex offenders on Net to be decided by voters', *The Star-Ledger*, 6/30/2000, pg 21

Zolper, Thomas, 'Senate Ok's Proposal To Put Sex-Offender Data Online – Amendment Needs Voter Approval', *The Record*, 6/30/2000, pg A3

Jennings, Michael, 'Megan's Law may go on 'Net'', *The Times*, 6/30/2000, pg A1

McAlpin, John P., 'Web Browsers', *The Trentonian*, 6/30/2000

Schwaneberg, Robert, 'U.S. judge upholds Megan's Law anew – Ruling casts doubt on Internet listing', *The Star-Ledger*, 9/12/2000, pg 23

Aseltine, Peter, 'Megan's Law survives challenge', *The Times*, 9/12/2000, pg A1

Ahearn, James, 'Megan's Law Still Rippling, Here And Abroad', *The Record*, 9/20/2000, pg L9

Associated Press, 'Court says ballot question on tax is legal', *The Times*, 10/11/2000, pg A10

McAlpin, John P., Associated Press, 'Voters to decide fate of online sex-offender registry', *The Star-Ledger*, 10/15/2000, pg 25

Aseltine, Peter, 'E-notification a vote away', *The Times*, 10/30/2000, pg A1

'Ballot Question No. 2 / Reject Amendment', *The Press of Atlantic City*, 10/31/2000, pg A10

Wiggins, Ovetta, 'Voters To Decide On Wide Publicity For Sex Offenders', *The Record*, 11/1/2000, pg A1

'Say 'no' to sex offender site', *The Star-Ledger*, 11/3/2000, pg 22

'Public questions', *The Times*, 11/3/2000

Schwaneberg, Robert, 'The world could trace Jersey sex offenders – Constitutional change would allow creation of Web registry', *The Star-Ledger*, 11/5/2000, pg 1

Dee, Joseph, 'Voters asked to address 'revised' Megan's Law', *The Times*, 11/5/2000, pg 10

Associated Press, 'Election 2000 / Voters Change N.J. Constitution For Megan's Law, Transportation', *The Press of Atlantic City*, 11/8/2000, pg A11

Woolley, Wayne 'Voters okay questions on transit and sex offenders e-list', *The Star-Ledger*, 11/8/2000, pg 26

'Ballot questions pass', *The Times*, 11/8/2000, pg A4

Associate Press, 'Parents' Rights Top State Assembly Agenda Today', *The Press of Atlantic City*, 11/21/2000, pg A9

Aseltine, Peter, 'GOP puts 'Parental rights' bills on Assembly agenda', *The Times*, 11/20/2000, pg A1

Aseltine, Peter, 'Sex-offender registry on hold', *The Times*, 11/21/2000, pg A1

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**ASSEMBLY CONCURRENT
RESOLUTION No. 1**

STATE OF NEW JERSEY

209th LEGISLATURE

INTRODUCED MAY 11, 2000

Sponsored by:

Assemblyman JOEL WEINGARTEN

District 21 (Essex and Union)

Assemblyman JAMES W. HOLZAPFEL

District 10 (Monmouth and Ocean)

Co-Sponsored by:

**Assemblywomen Heck, Farragher, Assemblyman O'Toole, Senators
Inverso and DiFrancesco**

SYNOPSIS

Proposes constitutional amendment establishing that State may make available to general public certain information identifying sex offenders.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2000)

1 **A CONCURRENT RESOLUTION** proposing to amend Article IV,
2 Section 7 of the Constitution of the State of New Jersey by adding
3 a new paragraph 12 thereto.

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 the
9 State of New Jersey is hereby agreed to:

10
11 **PROPOSED AMENDMENT**

12
13 Amend Article IV, section 7 by adding a new paragraph 12 to read
14 as follows:

15 12. Notwithstanding any other provision of this Constitution and
16 irrespective of any right or interest in maintaining confidentiality, it
17 shall be lawful for the Legislature to authorize by law the disclosure
18 to the general public of information pertaining to the identity, specific
19 and general whereabouts, physical characteristics and criminal history
20 of persons found to have committed a sex offense. The scope, manner
21 and format of the disclosure of such information shall be determined
22 by or pursuant to the terms of the law authorizing the disclosure.

23
24 2. When this proposed amendment to the Constitution is finally
25 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
26 shall be submitted to the people at the next general election occurring
27 more than three months after the final agreement and shall be
28 published at least once in at least one newspaper of each county
29 designated by the President of the Senate, the Speaker of the General
30 Assembly and the Secretary of State, not less than three months prior
31 to the general election.

32
33 3. This proposed amendment to the Constitution shall be submitted
34 to the people at that election in the following manner and form:

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

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

39 If you favor the proposition printed below make a cross (X), plus
40 (+), or check (T) in the square opposite the word "Yes." If you are
41 opposed thereto make a cross (X), plus (+) or check (T) in the square
42 opposite the word "No."

43 b. In every municipality the following question:

<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p>YES</p>	<p>CONSTITUTIONAL AMENDMENT TO PERMIT THE LEGISLATURE TO AUTHORIZE BY LAW THE DISCLOSURE TO THE GENERAL PUBLIC OF INFORMATION CONCERNING PERSONS FOUND TO HAVE COMMITTED A SEX OFFENSE.</p> <p>Shall the amendment to Article IV of the Constitution, agreed to by the Legislature, permitting the Legislature to authorize by law the disclosure to the general public of information pertaining to the identity, specific and general whereabouts, physical characteristics and criminal history of persons found to have committed a sex offense, notwithstanding any other provision of the Constitution and irrespective of any right or interest in maintaining confidentiality, and providing that the scope, manner and format of the disclosure of such information shall be determined by or pursuant to the terms of the law authorizing the disclosure, be approved?</p>
<p>23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42</p>	<p>NO</p>	<p>INTERPRETIVE STATEMENT</p> <p>This constitutional amendment would permit the Legislature to enact laws authorizing the disclosure to the general public of information pertaining to the identity, general and specific whereabouts, physical characteristics and criminal history of persons found to have committed a sex offense. This information would enable the public to take appropriate precautions to avoid or reduce the possibility of recidivist acts by such offenders. The amendment clarifies that the disclosure of this information as authorized by the Legislature would not be constrained by any other provision of the Constitution or any other right or interest in maintaining confidentiality. It further clarifies that the Legislature would be authorized to establish by law the scope, manner and format of any such disclosure.</p>

STATEMENT

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2

3 This proposed constitutional amendment would establish that the
4 Legislature may enact laws authorizing the disclosure to the general
5 public of certain information concerning persons registered as sex
6 offenders. This information will enable members of the public to take
7 appropriate precautions to avoid or reduce the possibility of recidivist
8 acts against themselves or members of their families by these
9 offenders.

10 The amendment also clarifies that the disclosure of this information,
11 as authorized by the Legislature, would not be constrained by any
12 other provision of the State Constitution or any other right or interest
13 in maintaining confidentiality. It further authorizes the Legislature to
14 establish by law the scope, manner and format of any such disclosure.

**SENATE CONCURRENT
RESOLUTION No. 2**

**STATE OF NEW JERSEY
209th LEGISLATURE**

INTRODUCED MAY 11, 2000

Sponsored by:

Senator PETER A. INVERSO

District 14 (Mercer and Middlesex)

Senator DONALD T. DIFRANCESCO

District 22 (Middlesex, Morris, Somerset and Union)

SYNOPSIS

Proposes constitutional amendment establishing that State may make available to general public certain information identifying sex offenders.

CURRENT VERSION OF TEXT

As introduced.



1 **A CONCURRENT RESOLUTION** proposing to amend Article IV,
2 Section 7 of the Constitution of the State of New Jersey by adding
3 a new paragraph 12 thereto.

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

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

10
11 **PROPOSED AMENDMENT**

12
13 Amend Article IV, section 7 by adding a new paragraph 12 to read
14 as follows:

15 12. Notwithstanding any other provision of this Constitution and
16 irrespective of any right or interest in maintaining confidentiality, it
17 shall be lawful for the Legislature to authorize by law the disclosure
18 to the general public of information pertaining to the identity, specific
19 and general whereabouts, physical characteristics and criminal history
20 of persons found to have committed a sex offense. The scope, manner
21 and format of the disclosure of such information shall be determined
22 by or pursuant to the terms of the law authorizing the disclosure.

23
24 2. When this proposed amendment to the Constitution is finally
25 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
26 shall be submitted to the people at the next general election occurring
27 more than three months after the final agreement and shall be
28 published at least once in at least one newspaper of each county
29 designated by the President of the Senate, the Speaker of the General
30 Assembly and the Secretary of State, not less than three months prior
31 to the general election.

32
33 3. This proposed amendment to the Constitution shall be submitted
34 to the people at that election in the following manner and form:

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

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

39 If you favor the proposition printed below make a cross (X), plus
40 (+), or check (T) in the square opposite the word "Yes." If you are
41 opposed thereto make a cross (X), plus (+) or check (T) in the square
42 opposite the word "No."

43 b. In every municipality the following question:

SCR2 INVERSO, DIFRANCESCO

1		CONSTITUTIONAL AMENDMENT TO
2		PERMIT THE LEGISLATURE TO
3		AUTHORIZE BY LAW THE
4		DISCLOSURE TO THE GENERAL
5		PUBLIC OF INFORMATION
6		CONCERNING PERSONS FOUND TO
7		HAVE COMMITTED A SEX OFFENSE.
8		
9		Shall the amendment to Article IV of the
10		Constitution, agreed to by the Legislature,
11		permitting the Legislature to authorize by law
12		the disclosure to the general public of
13		information pertaining to the identity, specific
14		and general whereabouts, physical
15		characteristics and criminal history of persons
16	YES	found to have committed a sex offense,
17		notwithstanding any other provision of the
18		Constitution and irrespective of any right or
19		interest in maintaining confidentiality, and
20		providing that the scope, manner and format
21		of the disclosure of such information shall be
22		determined by or pursuant to the terms of the
23		law authorizing the disclosure, be approved?
24		INTERPRETIVE STATEMENT
25		This constitutional amendment would permit
26		the Legislature to enact laws authorizing the
27		disclosure to the general public of information
28		pertaining to the identity, general and specific
29		whereabouts, physical characteristics and
30		criminal history of persons found to have
31		committed a sex offense. This information
32		would enable the public to take appropriate
33		precautions to avoid or reduce the possibility
34	NO	of recidivist acts by such offenders. The
35		amendment clarifies that the disclosure of this
36		information as authorized by the Legislature
37		would not be constrained by any other
38		provision of the Constitution or any other
39		right or interest in maintaining confidentiality.
40		It further clarifies that the Legislature would
41		be authorized to establish by law the scope,
42		manner and format of any such disclosure.
43		

1 STATEMENT

2

3 This proposed constitutional amendment would establish that the
4 Legislature may enact laws authorizing the disclosure to the general
5 public of certain information concerning persons registered as sex
6 offenders. This information will enable members of the public to take
7 appropriate precautions to avoid or reduce the possibility of recidivist
8 acts against themselves or members of their families by these
9 offenders.

10 The amendment also clarifies that the disclosure of this information,
11 as authorized by the Legislature, would not be constrained by any
12 other provision of the State Constitution or any other right or interest
13 in maintaining confidentiality. It further authorizes the Legislature to
14 establish by law the scope, manner and format of any such disclosure.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY CONCURRENT RESOLUTION No. 1

STATE OF NEW JERSEY

DATED: MAY 22, 2000

The Assembly Law and Public Safety Committee reports favorably Assembly Concurrent Resolution No. 1.

The amendment to the State Constitution proposed in Assembly Concurrent Resolution No. 1 establishes that the Legislature may enact laws authorizing the disclosure to the general public of information pertaining to the identity, specific and general whereabouts, physical characteristics and criminal histories of persons convicted of a sex offense. The constitutional amendment also authorizes the Legislature to establish by law the scope, manner and format of the disclosure of this information.

The purpose of authorizing disclosure of sex offender information is to enable members of the public to take appropriate precautions to avoid or reduce the possibility of recidivist acts against themselves or members of their families by these offenders.

The constitutional amendment also clarifies that the disclosure of sex offender information, as authorized by the Legislature, would not be constrained by any other provision of the State Constitution or any other right or interest in maintaining confidentiality.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE CONCURRENT RESOLUTION No. 2

STATE OF NEW JERSEY

DATED: MAY 22, 2000

The Senate Judiciary Committee reports favorably Senate Concurrent Resolution No. 2.

This concurrent resolution proposes a constitutional amendment authorizing the Legislature to enact laws allowing the disclosure to the general public of certain information concerning persons registered as sex offenders. It is intended that the disclosure of this information will enable members of the public to take appropriate precautions to avoid or reduce the possibility of recidivist acts against themselves or members of their families by these offenders. If approved by the voters, the amendment would also clarify that the disclosure of this information, as authorized by the Legislature, would not be constrained by any other provisions of the State Constitution or any other right or interest in maintaining confidentiality. The concurrent resolution would further authorize the Legislature to establish by law the scope, manner and format of any such disclosure.