

# Article XI, Section V, Paragraph 1

## New Jersey Constitution

### LEGISLATIVE HISTORY CHECKLIST

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(Apportionment of Legislative Districts, number of Senators)

**New Jersey Constitution:** Article XI, Section V, Paragraph 1

**BILL NO:** Constitutional Convention of 1966, proposal no. 45

**SPONSOR:** Goldberg, Crabiel, Keegan

**DATE INTRODUCED:** May 12, 1966

**COMMITTEE:** Apportionment

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** N/A

**SENATE:** N/A

**FILED WITH SECRETARY OF STATE:** N/A

**DATE OF ADOPTION:** Nov. 8, 1966

**EFFECTIVE:** Dec. 8, 1966

#### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (Introduced bill enacted) Yes

**SPONSOR'S STATEMENT:** No

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

**SENATE:** No

**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:** Yes

974.90 Constitutional Convention of 1966  
C785  
1966-1966f

J342 Unfinished business : the New Jersey Constitutional Convention of 1966  
R424 Reock, Earnest

**HEARINGS:** Yes

974.90 ...Hearing before Committee on Structure of the Legislature : held at Rutgers University,

C785 the State University of New Jersey, New Brunswick, New Jersey.  
1966e

974.90 ...Hearing before Committee on Apportionment of the Legislature  
C785  
1966f

**NEWSPAPER ARTICLES:**

Yes

Senatro Musto, William V., 'A Unicameral Legislature', *Asbury Park Press*, 3/22/1965  
'Convention Should Study A Unicameral Legislature', *Asbury Park Press*, 5/4/1965  
'A Stronger Legislature', *Asbury Park Press*, 1/16/1966  
'A Unicameral Legislature', *Asbury Park Press*, 3/23/1966  
'Unicameral Legislature', *Asbury Park Press*, 4/8/1966  
'Getting Used to the Look of a New Room', *Bergan Evening Record*, 4/15/1966  
'The Forms Shift But Take Shape', *Bergan Evening Record*, 4/5/1966  
'Good Decision By Convention', *Daily Home News, The*, New Brunswick, NJ 4/5/1966  
'Government in One House', *Hudson Dispatch*, 4/5/1966  
'The Case for Unicameralism', *Paterson Evening News*, 5/26/1965  
'But Seriously ...', *Trentonian, The*, 2/13/1966  
'One House Is Enough', *Trentonian, The*, 4/4/1966  
'Strong Case For One House', *Trenton Times, The*, 4/8/1966  
'Which State Wants Help?', *Trenton Times, The*, 4/8/1966  
'One House', *Jersey Journal, The*, 4/11/1966  
'One House Too Many', *Jersey Journal, The*, 4/24/1958  
Bilder, Walter J., 'Unicameral Preferred'  
Kolesar, John, 'The Voter Prevails', *Trenton Evening Times, The*, 5/25/1966 pg 38  
Josephson, Earl, 'Apportion Foes Drop Campaign', *Trenton Evening Times, The*, 7/20/1966 pg 8  
'Hunterdon LWV Gears For Ballot', *Trenton Evening Times, The*, 10/12/1966 pg 28  
'No On Reapportionment', *Trenton Evening Times, The*, 10/23/1966 pg 40  
Deitz, David, 'Letters to the Editor: Question 1', *Trenton Evening Times, The*, 10/31/1966 pg 26

KA

STATE OF NEW JERSEY  
CONSTITUTIONAL CONVENTION OF 1966

DIGEST OF PROPOSALS

with names of introducers, date of introduction, reference committee or committees, indication as to whether each (a) is a general resolution or proposes a specific plan, (b) provides for a unicameral or bicameral legislature, and if bicameral whether it deals with a Senate or Assembly or both, and (c) includes specific constitutional amendments.

New Jersey State Library

May 26, 1966

## INDEX OF PROPOSALS BY SUBJECT

### Apportionment base

|                               |    |
|-------------------------------|----|
| 1965 estimated population --- | 13 |
| Votes cast ---                | 33 |
| Registered voters ---         | 44 |

### Bicameral legislature

|                       |  |
|-----------------------|--|
| Senate & Assembly --- | 2, 15, 16, 20, 28, 29, 32, 34,<br>36, 37, 39, 41, 45, 48, 49, 50, 51 |
| Senate only ---       | 22, 24, 52   |
| Assembly only ---     | 4, 7, 11, 18, 23, 25, 27, 40, 47                                     |

Counties, respecting boundaries --- 3

### Deviations

|                            |        |
|----------------------------|--------|
| Relative, 15% ---          | 36, 39 |
| Relative, 20% ---          | 14     |
| Combined relative, 15% --- | 15, 16 |

### Districts

|                          |  |
|--------------------------|--|
| Senate                   |  |
| At large, varying no. -  | 2, 15, 16, 28, 29, 45, 48, 51, 52                    |
| Single member ---        | 2, 5, 20, 24, 32, 34, 36, 37, 40,<br>41, 49, 50      |
| Combination ---          | 22, 39   |
| Assembly                 |  |
| At large, varying no. -  | 2, 5, 7, 15, 16, 29, 45                              |
| 2-member districts ---   | 23, 25, 32   |
| 4-member districts ---   | 51   |
| 5-member districts ---   | 27, 47   |
| Single member ---        | 11, 18, 19, 20, 28, 34, 36, 37<br>39, 40, 41, 49, 50 |
| Combination ---          | 48   |
| Residency provision ---  | 40   |
| Unicameral               |  |
| At large, varying no. -- | 12, 26   |
| Single member ---        | 8, 43  |
| Combination ---          | 10, 17, 21, 38, 42, 46                               |
| Local Option ---         | 33   |

Equal Proportions, method of --- 5, 10, 11, 12, 14, 15, 17, 18  
 21, 23, 24, 26, 27, 28, 29, 33,  
 36, 38, 39, 40, 42, 43, 45, 46,  
 47, 48, 51

Future Reapportionment

Commission or board (bipartisan) - 5, 18, 19, 20, 28, 33, 34,  
 36, 37, 39, 40, 42, 43, 48

Legislature --- 29, 32, 43, 45, 51

Convention --- 35

Legislature, no action by --- 6

Municipalities, respecting boundaries - 3

Population equality, paramount consideration --- 9

Population ratio, State to least populous county --- 30

Supreme Court, jurisdiction or review -- 5, 19, 28, 36, 39, 42, 48

Terms

Senate

5-year --- 5, 31, 39  
 4-year --- 2, 20, 22, 24, 36, 37, 45, 49,  
 50, 51  
 2-year --- 28, 48

Assembly

5-year --- 31  
 4-year --- 25  
 3-year --- 4, 11  
 2-year -- 2, 5, 20, 27, 28, 36, 37, 39,  
 45, 47, 48, 49, 50, 51

Unicameral

5-year --- 31  
 4-year --- 12, 14, 26, 33, 38, 43, 46  
 2-year --- 26, 42

Unicameral legislature --- 1, 8, 10, 12, 14, 17, 21, 26,  
 33, 38, 42, 43, 46

Weighted voting

Senate & Assembly --- 2  
 Assembly only --- 29

Index of Proposals by Delegates

| <u>Sponsor</u>                       | <u>Proposal No.</u> |
|--------------------------------------|---------------------|
| Andora, Anthony D. (Bergen)          | 3, 7,17             |
| Bailey, Charles P. (Union)           | 19,34,39            |
| Bartoletta, Samuel P. (Bergen)       | 41                  |
| Bate, Frank L. (Essex)               | 37                  |
| Bateman, Raymond H. (Somerset)       | 13,32               |
| Beadleston, Alfred N. (Monmouth)     | 36                  |
| Becton, Henry P. (Bergen)            | 33                  |
| Bertini, Charles L. (Bergen)         | 3,17                |
| Biber, Samuel L. (Passaic)           | 4                   |
| Borg, Donald G. (Bergen)             | 33                  |
| Borst, Donald L. (Middlesex)         | 18                  |
| Bozarth, Austin J., Jr. (Atlantic)   | 30                  |
| Caulfield, Martin F. (Gloucester)    | 2                   |
| Cawley, James M. (Union)             | 11,19,34,35,39,44   |
| Clancy, John J. (Essex)              | 3                   |
| Clapp, Alfred C. (Essex)             | 20,37               |
| Connery, Thomas F., Jr. (Gloucester) | 1, 3                |
| Cotton, Harris Y. (Gloucester)       | 1, 7,14             |
| Crabiel, J. Edward (Middlesex)       | 15,45               |
| Cucci, Albert J. (Ocean)             | 1,12                |
| Curry, Harold J. (Warren)            | 3,29                |
| Davis, John W. (Salem)               | 29                  |
| Dietz, Christopher (Union)           | 5,40                |
| Duff, John B. (Essex)                | 3, 7                |
| Dugan, James P. (Hudson)             | 10                  |
| Durkin, Martin T. (Bergen)           | 3, 4, 8,17          |
| Evanko, John, Jr. (Middlesex)        | 22,23,27,47,49,50   |

| <u>Sponsor</u>                  | <u>Proposal No.</u> |
|---------------------------------|---------------------|
| Evers, John F. (Passaic)        | 49,50               |
| Gallagher, John P. (Middlesex)  | 18                  |
| Gannon, Joseph A. (Union)       | 16                  |
| Georges, John L. (Morris)       | 3                   |
| Glauberman, Isadore (Hudson)    | 48                  |
| Goldberg, David J. (Mercer)     | 45,46               |
| Gross, Mason W. (Monmouth)      | 3                   |
| Handler, Charles (Essex)        | 1                   |
| Hollander, Sanford L. (Sussex)  | 7,42                |
| Hume, Edmund T. (Essex)         | 37                  |
| Hunt, John E. (Gloucester)      | 49,50               |
| Inglima, Robert J. (Bergen)     | 8,17,42             |
| Jacks, Robert E. (Middlesex)    | 15                  |
| Jacobson, Joel R. (Essex)       | 1, 3, 7,21          |
| Jamison, Barbara B. (Union)     | 1,43                |
| Jones, Walter H. (Bergen)       | 33                  |
| Keegan, Joseph M. (Passaic)     | 45                  |
| Kimmelman, Irwin I. (Essex)     | 37                  |
| Lance, Wesley L. (Hunterdon)    | 36                  |
| Leap, S. Rusling (Salem)        | 49,50               |
| Lockard, Walter Duane (Mercer)  | 28,42               |
| Lynch, Richard A. (Essex)       | 7                   |
| Manahan, David V. (Morris)      | 1,38,42             |
| Maraziti, Joseph J. (Morris)    | 32,52               |
| Meredith, Arthur S. (Somerset)  | 1,38                |
| Metzer, Karl (Middlesex)        | 15                  |
| Musto, William V. (Hudson)      | 1                   |
| McCord, Sidney P., Jr. (Camden) | 49,50               |
| McDonough, Peter J (Union)      | 19,34,39            |
| McGowan, James M. (Union)       | 16                  |

| <u>Sponsor</u>                      | <u>Proposal No.</u> |
|-------------------------------------|---------------------|
| Novins, Robert J. (Ocean)           | 49,50               |
| Orkin, Saul (Union)                 | 1,16,42             |
| Ozzard, William E. (Somerset)       | 31,32               |
| O'Connor, Jeremiah F. (Bergen)      | 9                   |
| Peer, Richard S. (Bergen)           | 3, 4,17             |
| Pfaltz, Hugo M., Jr. (Union)        | 19,34,35,39         |
| Phelps, Phelps (Hudson)             | 1                   |
| Reilly, John J. (Monmouth)          | 3                   |
| Rittenhouse, Oscar W. (Hunterdon)   | 7,26,38             |
| Roach, William L., Jr. (Morris)     | 28,42               |
| Sammartino, Peter (Bergen)          | 33                  |
| Sandman, Charles W., Jr. (Cape May) | 24,25               |
| Sarcone, Robert C. (Essex)          | 6,36,37             |
| Scholz, Frederick J. (Camden)       | 49,50               |
| Schreiber, Sidney M. (Union)        | 19,39               |
| Shaffer, Irving E. (Somerset)       | 28,42               |
| Skevin, John (Bergen)               | 3, 4,51             |
| Stiles, Beatrice M. (Essex)         | 37                  |
| Tate, Herbert H. (Essex)            | 37                  |
| Thatcher, Frank W. (Camden)         | 49,50               |
| Thomas, Peter W. (Morris)           | 32                  |
| Tompkins, William F. (Essex)        | 37                  |
| Van Riper, Walter D. (Essex)        | 37                  |
| Weber, Walter W. (Bergen)           | 33                  |
| Weinberg, Barry M. (Camden)         | 49,50               |
| Willis, Mildred G. (Middlesex)      | 49,50               |
| Woodcock, Joseph C., Jr. (Bergen)   | 33                  |
| Woolfenden, Milton, Jr. (Sussex)    | 49,50               |
| Yelencsics, Anthony M. (Middlesex)  | 15                  |

PROPOSAL NO. 43 Jamison

Intro. - 5/12/66  
Ref. - Structure, Apportionment  
Specific plan  
Unicameral

Provides for a unicameral Legislature of 112 members apportioned among the counties according to Equal Proportions and elected in 2 classes for 4-year terms from single-member, equal-population districts; and vests districting, after the 1970 census and each succeeding census, in the Legislature, or, failing such determination thereby, in a 13-member Apportionment Commission, comprised of 5 members each appointed by the State chairmen of the 2 major political parties and 3 members selected by the 10 so chosen.

PROPOSAL NO. 44 Cawley

Intro. - 5/12/66  
Ref. - Apportionment  
General resolution

Provides that (a) each member of the General Assembly shall represent a unit of population, which unit shall be adjusted after each census by the percentage the State population changes; and (b) each Senator shall represent a unit of registered voters to be determined by the Convention, and the number of Senators apportioned to each county or county grouping, based on the number of registered voters at the prior general election, shall be certified by the Secretary of State prior to each election for Senator.

PROPOSAL NO. 45 Goldberg, Crabiell, Keegan

Intro. - 5/12/66  
Ref. - Apportionment  
Specific plan  
Bicameral

Provides for (a) a Senate of no more than 40 senators apportioned according to Equal Proportions among Senate districts composed of whole, contiguous counties and elected at large in 2 classes for 4 year terms; and (b) for an Assembly of no more than 70 members apportioned according to Equal Proportions among Assembly districts composed of whole counties and elected at large for 2-year terms; and (c) provides that at the first session after the next and each subsequent census, the Legislature shall establish the Senate and Assembly districts, apportion the members and establish the 2 classes of senators.



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AMENDMENTS TO THE  
1947 CONSTITUTION

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# Amendments to the 1947 Constitution

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## PROPOSED AMENDMENTS ADOPTED

Amend Article IV, Section I, Paragraph 2 of the State Constitution to read as follows :

2. No person shall be a member of the Senate who shall not have attained the age of thirty years, and have been a citizen and resident of the State for four years, and of the district for which he shall be elected one year, next before his election. No person shall be a member of the General Assembly who shall not have attained the age of twenty-one years and have been a citizen and resident of the State for two years, and of the district for which he shall be elected one year, next before his election. No person shall be eligible for membership in the Legislature unless he be entitled to the right of suffrage.

Amend Article IV, Sections II and III of the State Constitution to read as follows :

### SECTION II.

1. The Senate shall be composed of forty senators apportioned among Senate districts as nearly as may be according to the number of their inhabitants as reported in the last preceding decennial census of the United States and according to the method of equal proportions. Each Senate district shall be composed, wherever practicable, of one single county, and, if not so practicable, of two or more contiguous whole counties.

2. Each senator shall be elected by the legally qualified voters of the Senate district, except that if the Senate district is composed of two or more counties and two senators are apportioned to the district, one senator shall be elected by the legally qualified voters of each Assembly district. Each senator shall be elected for a term beginning at noon of the second Tuesday in January next following his election and ending at noon of the second Tuesday in January four years thereafter, except that each senator, to be elected for a term beginning in January of the second year following the year in which a decennial census of the United States is taken, shall be elected for a term of two years.

3. The General Assembly shall be composed of eighty members. Each Senate district to which only one senator is apportioned shall constitute an Assembly district. Each of the remaining Senate districts shall be divided into Assembly districts equal in number to the number of senators apportioned to the Senate district. The Assembly districts shall be composed of contiguous territory, as nearly compact and equal in the number of their inhabitants as possible, and in no event shall each such district contain less than eighty per cent nor more than one hundred twenty per cent of one-fortieth of the total number of inhabitants of the state as reported in the last preceding decennial census of the United States. Unless necessary to meet the foregoing requirements, no county or municipality shall be divided among Assembly districts unless it shall contain more than one-fortieth of the total number of inhabitants of the state, and no county or municipality shall be divided among a number of Assembly districts larger than one plus the whole number obtained by dividing the number of inhabitants in the county or municipality by one-fortieth of the total number of inhabitants of the state.

4. Two members of the General Assembly shall be elected by the legally qualified voters of each Assembly district for terms beginning at noon of the second Tuesday in January next following their election and ending at noon of the second Tuesday in January two years thereafter.

### SECTION III.

1. After the next and every subsequent decennial census of the United States, the Senate districts and Assembly districts shall be established, and the senators and members of the General Assembly shall be apportioned among them, by an Apportionment Commission consisting of ten members, five to be appointed by the chairman of the state committee of each of the two political parties whose candidates for governor receive the larger number of votes at the most recent gubernatorial election. Each state chairman, in making such appointments, shall give due consideration to the representation of the various geographical areas of the state. Appointments to the Commission shall be made on or before November 15 of the year in which such census is taken and shall be certified by the Secretary of State on or before December 1 of that year. The Commission, by a majority of the whole number of its members, shall certify the establishment of Senate and Assembly districts and the apportionment of senators and members of the

General Assembly to the Secretary of State within one month of the receipt by the Governor of the official decennial census of the United States for New Jersey, or on or before February 1 of the year following the year in which the census is taken, whichever date is later.

2. If the Apportionment Commission fails so to certify such establishment and apportionment to the Secretary of State on or before the date fixed or if prior thereto it determines that it will be unable so to do, it shall so certify to the Chief Justice of the Supreme Court of New Jersey and he shall appoint an eleventh member of the Commission. The Commission so constituted, by a majority of the whole number of its members, shall, within one month after the appointment of such eleventh member, certify to the Secretary of State the establishment of Senate and Assembly districts and the apportionment of senators and members of the General Assembly.

3. Such establishment and apportionment shall be used thereafter for the election of members of the Legislature and shall remain unaltered until the following decennial census of the United States for New Jersey shall have been received by the Governor.

Amend Article XI by adding thereto Section V as follows :

#### SECTION V.

1. For the purpose of electing senators in 1967 and until the 1970 decennial census of the United States for New Jersey shall have been received by the Governor, the forty senators are hereby allocated among fifteen Senate districts, as follows :

First District—the counties of Gloucester, Atlantic and Cape May, two senators ;

Second District—the counties of Salem and Cumberland, one senator ;

Third District—the county of Camden, three senators ;

Fourth District—the counties of Burlington and Ocean, two senators ;

Fifth District—the county of Monmouth, two senators ;

Sixth District—the county of Mercer, two senators ;

Seventh District—the county of Middlesex, three senators ;

Eighth District—the county of Somerset, one senator ;

Ninth District—the county of Union, three senators ;

Tenth District—the county of Morris, two senators ;

Eleventh District—the county of Essex, six senators;  
Twelfth District—the county of Hudson, four senators;  
Thirteenth District—the county of Bergen, five senators;  
Fourteenth District—the county of Passaic, three senators; and  
Fifteenth District—the counties of Sussex, Warren and Hunterdon, one senator.

2. For the purpose of electing members of the General Assembly and the senators from Assembly districts where so required in 1967 and until the 1970 census of the United States for New Jersey shall have been received by the Governor, the Assembly districts shall be established by an Apportionment Commission consisting of ten members, five to be appointed by the chairman of the state committee of each of the two political parties whose candidates for governor receive the largest number of votes at the most recent gubernatorial election. Each state chairman, in making such appointments, shall give due consideration to the representation of the various geographical areas of the state. Such Apportionment Commission shall be appointed no earlier than November 10 nor later than November 15, 1966, and their appointments shall be certified by the Secretary of State on or before December 1, 1966. The Commission, by a majority of the whole number of its members, shall certify the establishment of Assembly districts to the Secretary of State on or before February 1, 1967.

3. If such Apportionment Commission fails so to certify the establishment of Assembly districts to the Secretary of State on or before the date fixed or if prior thereto it determines that it will be unable so to do, it shall so certify to the Chief Justice of the Supreme Court of New Jersey, and he shall appoint an eleventh member of the Commission. Such Commission, by a majority of the whole number of its members, shall within one month after the appointment of such eleventh member certify to the Secretary of State the establishment of Assembly districts.

4. The Assembly districts so established shall be used thereafter for the election of members of the General Assembly and shall remain unaltered until the following decennial census of the United States for New Jersey shall have been received by the Governor.

Adopted November 8, 1966.