

9184

2009-2010 Regular Sessions

I N A S S E M B L Y

October 13, 2009

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 19 of the constitution,
in relation to ratifying constitutional amendments

1 Section 1. Resolved (if the Senate concur), That section 1 of article
2 19 of the constitution be amended to read as follows:
3 Section 1. Any amendment or amendments to this constitution may be
4 proposed in the senate and assembly whereupon such amendment or amend-
5 ments shall be referred to the attorney-general whose duty it shall be
6 within twenty days thereafter to render an opinion in writing to the
7 senate and assembly as to the effect of such amendment or amendments
8 upon other provisions of the constitution. Upon receiving such opinion,
9 if the amendment or amendments as proposed or as amended shall be agreed
10 to by a majority of the members elected to each of the two houses, such
11 proposed amendment or amendments shall be entered on their journals, and
12 the ayes and noes taken thereon, and IF SUCH AMENDMENT IS PASSED BY A
13 SIMPLE MAJORITY OF ALL OF THE MEMBERS ELECTED TO EACH HOUSE THEN SUCH
14 AMENDMENT SHALL BE referred to the next regular legislative session
15 convening after the succeeding general election of members of the assem-
16 bly, and shall be published for three months previous to the time of
17 making such choice; [and] HOWEVER IF SUCH AMENDMENT SHALL BE AGREED TO
18 BY A TWO-THIRDS MAJORITY OF ALL OF THE MEMBERS ELECTED TO EACH HOUSE IN
19 A LEGISLATIVE SESSION OR if in such SECOND legislative session, such
20 proposed amendment or amendments shall be agreed to by a majority of all
21 the members elected to each house, then it shall be the duty of the
22 legislature to submit each proposed amendment or amendments to the
23 people for approval in such manner and at such times as the legislature
24 shall prescribe; and if the people shall approve and ratify such amend-
25 ment or amendments by a majority of the electors voting thereon, such
26 amendment or amendments shall become a part of the constitution on the
27 first day of January next after such approval. Neither the failure of

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 the attorney-general to render an opinion concerning such a proposed
2 amendment nor his or her failure to do so timely shall affect [th] THE
3 validity of such proposed amendment or legislative action thereon.

4 S 2. Resolved (if the Senate concur), That the foregoing be referred
5 to the first regular legislative session convening after the next
6 succeeding general election of members of the assembly, and, in conform-
7 ity with section 1 of article 19 of the constitution, be published for 3
8 months previous to the time of such election.