

POWER OF ELECTORS TO REMOVE ELECTED OFFICIALS

Shall Article I, paragraph 2 of the Constitution be amended, as proposed by the Legislature, to provide for the recall election of elected officials?

INTERPRETIVE STATEMENT

This amendment to the Constitution permits the voters to remove elected officials, after at least one year of service, through the process of a recall election. Upon petition of registered voters, the question of whether to remove or retain an elected official may be submitted to popular vote. This applies to any elected official in this State and to the United States Senators and Congressmen elected from New Jersey. The Legislature is required to enact those laws necessary to implement the operation of this constitutional amendment. If legislation to implement this constitutional amendment is not enacted within one year of the adoption of the amendment, the Secretary of State shall, by regulation, implement the constitutional amendment, except that regulations adopted by the Secretary of State shall be superseded by any subsequent legislation consistent with this constitutional amendment governing recall elections. The amendment also provides that the reasons for a recall election shall be a political question, so that the courts cannot set aside a recall on the grounds that the reasons for it are in some way inadequate.

At present, statutory provisions make certain elected municipal and county officials subject to removal by a recall election. However, constitutional rather than statutory provisions are necessary to provide for the recall election of the Governor, members of the Legislature, U.S. Senators, and Congressmen. There are presently 15 states that have a statewide recall election.

COUNTIES	YES	NO
Atlantic	36,914	12,969
Bergen	207,166	62,420
Burlington ..	69,090	21,960
Camden	79,827	25,693
Cape May	20,156	6,603
Cumberland ..	13,345	4,619
Essex	73,473	26,984
Gloucester ..	44,837	15,108
Hudson	52,339	14,551
Hunterdon ...	21,950	6,049
Mercer	55,996	22,938
Middlesex ...	104,631	37,582
Monmouth	125,783	33,867
Morris	98,033	27,628
Ocean	82,391	22,021
Passaic	53,632	14,967
Salem	15,695	4,022
Somerset	49,881	15,414
Sussex	31,344	8,341
Union	68,131	25,598
Warren	22,043	5,591
TOTAL	1,326,657	414,925