

**Unofficial List**  
**Public Question Tally Sheet Submittal Report**  
**For 11/06/2012--GENERAL ELECTION**

Public Question NO. 2

CONSTITUTIONAL AMENDMENT ALLOWING CONTRIBUTIONS TO BE TAKEN FROM JUSTICES' AND JUDGES' SALARIES FOR THEIR EMPLOYEE BENEFITS

DO YOU APPROVE AN AMENDMENT TO THE NEW JERSEY CONSTITUTION, AS AGREED TO BY THE LEGISLATURE, TO ALLOW CONTRIBUTIONS SET BY LAW TO BE TAKEN FROM THE SALARIES OF SUPREME COURT JUSTICES AND SUPERIOR COURT JUDGES FOR THEIR EMPLOYEE BENEFITS?

**Interpretive Statement**

THIS AMENDMENT CLARIFIES THE LEGISLATURE'S AUTHORITY TO PASS LAWS REQUIRING CONTRIBUTIONS BE TAKEN FROM THE SALARIES OF SUPREME COURT JUSTICES AND SUPERIOR COURT JUDGES FOR THEIR EMPLOYEE BENEFITS. THESE BENEFITS INCLUDE THEIR PENSION AND HEALTH CARE COVERAGE.

THE AMENDMENT RESPONDS TO A QUESTION RAISED IN A 2011 LAWSUIT FILED BY A JUDGE AFTER THE LEGISLATURE PASSED AND THE GOVERNOR SIGNED INTO LAW P.L.2011, C.78. THAT LAW INCREASED THE CONTRIBUTIONS TAKEN FROM CURRENT AND FUTURE JUSTICES' AND JUDGES' SALARIES FOR THEIR BENEFITS, STARTING IN OCTOBER 2011. THE LAWSUIT, WHICH WAS APPEALED TO THE NEW JERSEY SUPREME COURT, ARGUED AGAINST TAKING THE HIGHER CONTRIBUTIONS FROM CURRENTLY APPOINTED JUSTICES AND JUDGES, CITING LANGUAGE IN THE CONSTITUTION THAT THEIR SALARIES CANNOT BE REDUCED DURING THEIR APPOINTED TERMS.

THE AMENDMENT CLARIFIES THAT SUCH CONTRIBUTIONS, SET BY LAW, MAY BE TAKEN FROM JUSTICES' AND JUDGES' SALARIES DURING THEIR TERMS. IT WOULD ALSO ALLOW FOR THE HIGHER CONTRIBUTIONS SET BY P.L.2011, C.78 TO BE DEDUCTED FROM CURRENT AND FUTURE JUSTICES' AND JUDGES' SALARIES.

<b>County</b>	<b>Yes Count</b>	<b>No Count</b>
ATLANTIC	66,968	15,760
BERGEN	168,299	39,741
BURLINGTON	129,794	22,610
CAMDEN	132,120	24,804
CAPE MAY	27,778	6,335
CUMBERLAND	26,818	5,160
ESSEX	125,744	27,881
GLOUCESTER	93,263	16,851
HUDSON	74,586	18,359
HUNTERDON	42,067	7,756
MERCER	97,807	19,180
MIDDLESEX	163,758	35,266
MONMOUTH	183,602	34,937
MORRIS	139,064	26,857
OCEAN	161,736	27,290
PASSAIC	74,352	14,784
SALEM	23,767	5,053
SOMERSET	91,324	18,284
SUSSEX	54,421	11,093
UNION	76,855	17,663
WARREN	30,646	6,201
<b>Total</b>	<b>1,984,769</b>	<b>401,865</b>