

**SENATE CONCURRENT
RESOLUTION No. 35**

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Monmouth and Ocean)

Senator MICHAEL L. TESTA, JR.

District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Applies to Congress for Article V Convention of States to require balanced budget, impose term limits, and revise method of awarding electoral votes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **A CONCURRENT RESOLUTION** applying to the Congress of the
2 United States for the calling of an Article V Convention of States
3 for the purpose of requiring a balanced federal budget, imposing
4 term limits, and revising the method for awarding electoral votes.
5
6 **WHEREAS**, The founding of our nation created a mechanism within
7 our federal Constitution to provide state legislatures with the means
8 to call for amendments to that Constitution, which may be used to
9 address potential abuses of power within the federal government;
10 and
11 **WHEREAS**, The federal government has created a crushing national
12 debt through improper and imprudent spending; and
13 **WHEREAS**, Amending the United States Constitution to require a
14 balanced federal budget would mandate and create more
15 responsible spending by the federal government; and
16 **WHEREAS**, The public has lost confidence in the ability of members of
17 the United States Congress to always act in the best interests of the
18 country, having instead become more interested in taking action
19 that is most advantageous to the member's own prospect of
20 reelection; and
21 **WHEREAS**, A constitutional amending imposing reasonable term limits
22 on members of Congress would restore the people's confidence by
23 allowing for new ideas and fresh perspectives to be brought to the
24 federal legislative process and by diminishing incentives for
25 wasteful election-related spending through the mandate of more
26 frequent legislative turnover; and
27 **WHEREAS**, The average tenure of a Supreme Court Justice has
28 lengthened significantly since the federal Judiciary was created in
29 the 1700's, resulting in a substantial increase in influence of the
30 nine justices which was not envisioned by the framers of the
31 Constitution who created the federal Judiciary; and
32 **WHEREAS**, Constitutional term limits on the tenure of Supreme Court
33 Justices would create a more regular and less politically divisive
34 process for such judicial appointments; and
35 **WHEREAS**, The method for awarding electoral votes for presidential
36 candidates through the electoral college is based on an antiquated
37 and outdated system and may not represent the will of the people or
38 the actual votes cast by the electorate; and
39 **WHEREAS**, Providing a new constitutional mechanism for awarding
40 electoral votes for President, such as the Congressional District
41 Method, currently used by Maine and Nebraska which distributes
42 electoral votes based on who wins the popular vote in each of the
43 state's congressional districts, could create a more realistic
44 representation based on actual votes; and
45 **WHEREAS**, Calling for a Convention of States to consider placing
46 appropriate restrictions on the federal budget process, the terms of
47 members of Congress and the Supreme Court Justices, and the
48 procedure for allocating electoral votes is the solemn duty of the

1 state legislatures as such potential amendments to the Constitution
2 of the United States protect the rights of our people and the
3 effectiveness of our government; now, therefore,
4

5 **BE IT RESOLVED** *by the Senate of the State of New Jersey (the*
6 *General Assembly concurring):*
7

8 1. The Legislature of the State of New Jersey makes
9 application to the Congress of the United States for the calling of an
10 Article V Convention of States for the limited purpose of proposing
11 amendments to the Constitution of the United States that impose
12 fiscal restraints on the federal government by requiring a balanced
13 budget, reasonable term limits on members of Congress and the
14 Supreme Court, and change the allocation of electoral college votes
15 for President of the United States.
16

17 2. This application constitutes a continuing application in
18 accordance with Article V of the Constitution of the United States
19 until the legislatures of at least two-thirds of the several states have
20 made application on the same subject.
21

22 3. Copies of this resolution, as filed with the Secretary of State,
23 shall be transmitted by the Clerk of the General Assembly or the
24 Secretary of the Senate to the President and Vice President of the
25 United States, the Speaker of the United States House of
26 Representatives, the Minority Leader of the United States House of
27 Representatives, the Majority and Minority Leaders of the United
28 States Senate, each Senator and Representative from New Jersey in
29 the Congress of the United States, the governor of each state, and
30 the presiding officer of each house of each state legislature in the
31 United States, requesting their cooperation, and the National
32 Archives.
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34

35 STATEMENT
36

37 This resolution applies to the United States Congress for the
38 calling of an Article V Convention of States to consider potential
39 amendments to the United States Constitution. These amendments
40 would require a balanced federal budget, impose term limits on
41 members of Congress and the Justices of the Supreme Court, and
42 change the distribution of electoral college votes for presidential
43 candidates to the Congressional District Method currently used in
44 Maine and Nebraska. Such amendments would not only guard
45 against potential abuses of governmental power, but would also
46 serve to strengthen and reaffirm the people's confidence in our
47 federal government and its processes.

SCR35 SINGER, TESTA

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1 A constitutional requirement for a balanced budget would curb
2 wasteful spending by the federal government. Congressional term
3 limits would provide new perspectives and greater accountability in
4 federal governance. Term limits for Supreme Court Justices would
5 provide greater opportunity for elected officials to make
6 appointments to the Judiciary. Instituting a new method for
7 distributing electoral votes would provide greater assurances that
8 the voice of the American people is heard. The founders of this
9 nation provided the state legislatures with an important mechanism
10 for ensuring that the power of the federal government can be limited
11 to avoid abuse of power. This resolution seeks to use that
12 mechanism now.