5:8-100 et. seq.

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1959 **CHAPTER:** 109

NJSA: 5:8-100 et. seq. ("Amusement Games Licensing Law")

BILL NO: S41

SPONSOR: Sandman

DATE INTRODUCED: January 19, 1959

COMMITTEE: **ASSEMBLY:** ---

SENATE: Revision and Amendment of Laws

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** April 6, 1959

SENATE: April 6, 1959

DATE OF ENACTEMENT: June 22, 1956

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Official Copy Reprint enacted)

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:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or mailto:refdesk@njstatelib.org.

REPORTS: Yes

HEARINGS: Yes

NEWSPAPER ARTICLES: No

974.90 G191 1956	Interim report of Senate committee pursuant to Senate resolution no. 8. New Jersey Legislature. Senate. Trenton, N.J.: The Committee, 1956
974.90 G191 1958	Public hearing before Senate Committee on State, County and Municipal Government: on Senate bills nos, 48 and 49 (amusement games licensing law, creating an amusement games control commission). Trenton, N.J.: The Committee, 1958
NJ/KA8 L4/A5 1960	Amusement games regulations/State of New Jersey, Department of Law and Public Safety, Office of Amusement Games Control

LAW

CHAPTER 109 LAWS OF N. J. 1959

APPROVED 6-16-59

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 41

STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1959

By Senator SANDMAN

Referred to Committee on Revision and Amendment of Laws

AN ACT authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. This act shall be known as and may be cited as the "Amusement Games Licensing Law."

2. It shall be lawful for the governing body of any municipality, at any time after this act shall become operative and except when prohibited by this act, to license the owner and operator of any amusement game or games, whether of skill or chance, or both and whether said game be played and operated with or without numbers or figures, to hold and operate such amuse-

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

6 ment game or games, which term is defined as a game or games played for
7 amusement or entertainment, in which the person or player actively partic-
8 ipates and the outcome of which is not in the control of the operator, and
9 which is so conducted that the sale of a right to participate, the event which
10 determines whether a player wins or loses and the award of the prize, all oc-
11 cur as a continuous sequence at the time when and place where the player or
12 players are all present, provided that the same are to be held and operated [at
13 a fair or] at a recognized amusement park or at a seashore or other resort
14 in that part thereof customarily constituting an amusement or entertainment
15 area according to the customary understanding of said terms in the com-
16 munity, and provided that the same shall be held, operated and conducted pur-
17 suant to this act and such license and the license issued by the State Amuse-
18 ment Games Control Commissioner, as hereinafter provided, and under such
19 conditions and regulations for the supervision and conduct thereof as shall be
20 prescribed by rules and regulations duly adopted from time to time by the
21 Amusement Games Control Commissioner, not inconsistent with the provi-
22 sions of this act, and for any person or persons to participate in and play
23 such amusement games conducted under such licenses.

1 3. Each applicant for such a license shall file with the clerk of the mu-
2 nicipality a written application therefor in the form prescribed in said rules
3 and regulations, duly executed and verified, in which shall be stated the name
4 and address of the applicant, together with sufficient facts relating to its in-
5 corporation and organization if the applicant be a corporation or organiza-
6 tion; the specific kind of amusement games intended to be held, operated and
7 conducted by the applicant, and the place or places where, the period, term,
8 date or dates and the time or times when, such amusement games are intended
9 to be conducted by the applicant, under the license applied for; and that no
10 prize or prizes will be offered and given under said license except of merchan-
11 dise only and same shall be of a value not in excess of the sum or value au-
12 thorized to be offered and given by this act and such other information as shall
13 be prescribed by such rules and regulations.

In each application there shall be set forth the name of each person, who shall be the applicant, or a bona fide officer, director, partner, member or employee of the applicant, and who is designated as the person or persons under and by whom the amusement game or games described in the application are to be held, operated and conducted and to the application shall be appended a statement executed by the applicant and by the person or persons, so designated, that in addition to the applicant, and the officers, directors, partners or members of any applicant other than a natural person, he or they will be responsible for the holding, operation and conduct of such amusement games in accordance with the terms of the license and the provisions of the rules and regulations governing the holding, operation and conduct of such amusement games and of this act, if such license be granted. Every such license so issued shall be inoperative unless the licensee named therein shall also procure a State license authorizing the licensee holding the municipal license to operate and conduct certain games according to the terms of such municipal license. The said State license shall be issued by the State Amusement Games Control Commissioner, if he find that all of the conditions, terms and requirements of this act and of said rules and regulations have been fully met and complied with. As a condition of granting any such State license the applicant therefor shall pay to the said commissioner an annual fee of $100.00. If any such municipal license authorizes the licensee to conduct and operate games at more than 1 place or of more than 1 specific kind the applicant for the State license shall pay the said annual fee of $100.00 for each such place and for each such specific kind.

4. The governing body of the municipality shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application, and if it shall determine that the applicant is duly qualified to hold, operate and conduct amusement games under the provisions of this act governing the issuance of licenses to hold, operate and conduct amusement games and the rules and regulations governing the holding, operation and conduct thereof in the mu-

8 nicipality; that the individual applicant and the officers, directors and stock
9 holders, including the officers, directors and stockholders of any corporation
10 holding 5% or more of the capital stock or outstanding indebtedness, of any
11 corporate applicant, as well as the partners or members, as the case may be,
12 of any partnership, association or organization applicant, and the person or
13 persons designated in the application to hold, operate or conduct or assist in
14 holding, operating or conducting the amusement games, to hold, operate and
15 conduct which the license is applied for, are persons of good moral character
16 and have never been convicted of crime and have never been found to have
17 violated the provisions of any act, rule or regulation affecting the sale of
18 alcoholic beverages or of narcotic drugs or the operation of games in which
19 the primary element determining the outcome is chance, and have never been
20 convicted of any offense involving misrepresentation, fraud, deceit, violence
21 or public disturbance; that such amusement games are to be held, operated
22 and conducted in accordance with the provisions of this act and in accord-
23 ance with the rules and regulations governing the holding, operation and
24 conduct thereof and if the governing body is satisfied that the prize or prizes
25 to be offered and given in any single game shall be of merchandise only of
26 a retail value not in excess of $15.00, and that no such prize or prizes will
27 be redeemed or redeemable, directly or indirectly, for money, it shall issue
28 a license to the applicant for the holding, operation and conduct of said
29 amusement games applied for, accordingly, upon payment of a license fee
30 or fees to be fixed by the governing body by ordinance taking into consid-
31 eration the number of days or period upon or during which the licensee shall
32 be authorized to operate or conduct the games, the number of units employed
33 therein, the number of places, the number of specific kinds of game to be
34 conducted and the number of persons who may become players of the games
35 at any 1 time, but in no case less than $10.00 for any 1 license for a period
36 of 1 year or for a lesser term.

37 No license for the holding, operation and conduct of any game or games
38 of amusement shall be issued under this act which shall be effective for a
39 period of more than 1 year.

5. Where the issuance of licenses is authorized by the municipality no application for the issuance of a license shall be refused by the governing body until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

Any license issued under this act may be amended, upon application made to the governing body of the municipality which issued it, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license and upon payment of such additional license fee, if any, as would have been payable, if it had been so included.

6. Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the commissioner and shall contain a description of the kind of amusement games authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the person or persons designated as the one or ones under and by whom such amusement games will be held, operated and conducted, and the place or places where and the period, term or date or dates and time or times when, such games of chance are to be conducted and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of amusement shall be conspicuously displayed at the place or places where the same is to be conducted at all times during the conduct thereof.

7. The governing body of any municipality issuing any license under this act shall have and exercise control and supervision over all amusement games held, operated or conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of such license, the rules and regulations promulgated by the commissioner and the provisions of this act governing the holding, operation and conduct of the same and such governing body and the commissioner shall have power

and authority to suspend any license issued by such governing body and to revoke the same, after hearing, for any violation of any such provision, and shall have the right of entry, by its officers and agents at all times into any premises where any such amusement game is being held, operated and conducted or where it is intended that any such amusement game shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

8. No more than $0.25 for any 1 game shall be charged or accepted by any licensee from any 1 player or participant as an entry fee or payment for the privilege of participating therein. No prize or prizes shall be offered or given in any single game except of merchandise and the merchandise prize or prizes so to be offered and given in any such game shall not exceed in the aggregate the sum of $15.00 of retail value and all winners shall be determined and all prizes shall be awarded in any game forthwith upon the completion of the game and before making or accepting any [change] *charge* for participation in any subsequent game.

9. The governing body of the municipality and the Control Commissioner shall have power to examine or cause to be examined the books and records of any licensee so far as they may relate to any transactions connected with the holding and conducting of any amusement game thereunder and to examine any manager, officer, director, agent or employee thereof under oath in relation to the conduct of any such amusement game under any such license but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this act.

10. Any applicant for, or holder of, any license issued or to be issued under this act aggrieved by any action of the municipal governing body of the municipality to which such application has been made or by which such license has been issued, may appeal to the Amusement Games Control Commissioner from the determination of said governing body by filing with the

governing body a written notice of appeal within 30 days after the determination or action appealed from, and upon the hearing of such appeal the evidence, if any, taken before the governing body and any additional evidence may be produced and shall be considered in arriving at a determination of the matters in issue, and the action of the Control Commissioner upon said appeal shall be binding upon said governing body and all parties to said appeal.

11. No person or corporation

(1) lawfully conducting, or participating in the conduct of,

(2) possessing, selling or in any manner disposing of, any shares, tickets or rights to participate in, or

(3) permitting the conduct upon any premises owned by him or it, of any amusement game conducted or to be conducted in compliance with any license lawfully issued and in force pursuant to this act, and in compliance with the rules and regulations of the Control Commissioner, shall be liable to prosecution or conviction for violation of any provision of chapters 112 and 121 of Title 2A, or of section 2A:170-18 of the New Jersey Statutes, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any amusement game under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of, any amusement game conducted under any license known to him or it to have been obtained by any such false or fraudulent pretense or statement.

12. Any person, association or corporation who or which shall make any false statement in any application for such license or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating or conducting of amusement games under any such license or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operat-

ing and conducting of any amusement game under any such license or shall violate any of the provisions of this act or of any term of such license shall be a disorderly person and if convicted as such shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to it under this act.

13. Nothing contained in this act shall be deemed to authorize the playing of bingo hereunder or to modify, change or supersede the Bingo Licensing Law (P. L. 1954, c. 6), or the Raffles Licensing Law (P. L. 1954, c. 5), except in regard to such raffles, other than draw raffles, where the prizes or awards to be given shall be of merchandise only of an aggregate retail value not in excess of $15.00; provided that no raffles of any kind may be conducted under licenses issued pursuant to this act where the applicants therefor are within a class of organization to whom licenses may be issued under the "Raffles Licensing Law."

14. Nothing contained in this act shall be deemed to authorize the playing for money, or other valuable thing at roulette wheels, at cards, dice or other game, with 1 or more dice, or with any other instrument, engine or device in the nature of dice, having 1 or more figures or numbers, or at billiards, pool, tennis, bowls, or shuffleboard, or A.B.C. or E.O. tables, or at faro bank, or other bank of a like nature by whatever name known, or with any slot machine or device in the nature of a slot machine. Nothing contained in this act shall be deemed to authorize bookmaking, off-track betting, pool selling, or the keeping of a gambling resort, or the racing for money or other valuable thing, by running, pacing or trotting of horses, mares or geldings, or the making or acceptance of any wager for money or other valuable thing conditioned in any way upon any occurrence at or upon the outcome of any athletic or sporting game or contest in which the person or player does not actively participate. For the purpose of this section "slot machines" or "devices in the nature of slot machines" are defined to be machines which operate mechanically, with the result principally controlled by the mechanical operation of the machines.

15. Temporary licenses may be issued by the governing body of any municipality pending the adoption and promulgation of rules and regulations by the Control Commissioner and the fixing of fees by municipal ordinances. Such temporary licenses may be so issued upon the payment of license fees to be fixed therefor by the said governing body based upon an approximation of the fees to be fixed permanently for the municipality and any such temporary license fee may also be for a proportionate part of a whole year where such apportionment is required. Temporary licenses issued under this section shall also be inoperative until the State license is also obtained in similar manner as in the case of licenses other than temporary.

16. Licenses issuable by a municipality under the provisions of this act may be issued only where in such municipality a majority of the votes cast therein upon the question whether this act shall be approved upon the submission of the question to the voters of all the State shall have been cast in favor of the adoption of this act. If the majority of the votes cast upon the said question of the adoption of this act in any municipality is against such adoption, then no license may be issued under this act by such municipality unless authorized by the votes cast on the question, in the municipality, by a municipal referendum as hereinafter provided in this act. If, in the municipality, a majority of the votes cast therein upon the question of whether this act shall be adopted is in the affirmative, such action by the voters of the said municipality shall be deemed to be an approval of the authority to the municipality to grant licenses under this act and such approval shall continue unless this act shall become inoperative in the municipality upon a referendum to the voters of the municipality as provided in this act.

17. Upon a petition signed by qualified voters of any municipality equal in number to at least 15% of the total number of votes cast therein at the latest preceding general election for members of the General Assembly and filed with the clerk of the municipality at least 60 days before such election, the governing body of the municipality shall provide for the submission to the

legal voters of the municipality at such general election, the question of whether this act shall become operative or cease to be operative in such municipality, as the case may be. If, upon such submission of the question, the majority of all the valid votes cast on the question shall be in favor of having this act inoperative in the municipality, then this act shall, 60 days thereafter, become inoperative in the municipality. The question shall be deemed to be a public question and shall be submitted to the voters as in the case of other public questions. The question shall be stated as follows:

	Yes.	Shall the act entitled "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State," become ..... (insert operative or inoperative) in this municipality?
	No.	

In the blank space set forth in the above box, the word "operative" or "inoperative" shall be inserted in the question when it is submitted to the voters of the municipality according to whether this act became operative by reason of the vote on the question submitted to all the voters of the State as to whether this act should become operative. If a majority of the voters in the municipality who voted on the said general public question was in the affirmative and, thereby, under the provisions of this act, municipal licenses are authorized, then the word "inoperative" should be included in the above blank space, but if this act does not become operative in the municipality be

cause a majority of the votes cast therein on the general public question was in the negative, then the word "operative" should be inserted in the above-mentioned blank space. If this act shall have become operative in any municipality by reason of a referendum vote therein, as herein provided, and a further referendum is authorized to determine the question of whether this act shall become inoperative notwithstanding such previous approval by the voters, then the word "inoperative" should be inserted in the above blank space.

18. For the purpose of complying with the provisions of the State Constitution this act shall be submitted to the people for their approval or rejection at the next general election.

19. There shall be printed on each official ballot to be used at such election the following:

If you favor making the act entitled below operative within the State, and operative within this municipality, make a cross ×, plus + or check √ in the square opposite the word "Yes."

If you are opposed to making the act entitled below so operative, make a cross ×, plus + or check √ in the square opposite the word "No."

	Yes.	Shall the act entitled "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State," become operative within this State?
	No.	

The date of the approval or passage of this act, as the case may be, shall be inserted in the appropriate place after the title.

In any election district in which voting machines are used the question shall be placed upon the official ballot to be used upon the voting machines with the foregoing instructions to the voters but with instructions to vote "Yes" or "No" by the use of such machines and without marking as aforesaid.

20. If at such election a majority of all the votes cast both for and against the approval of this act shall be cast in favor of the approval thereof, then all of its provisions shall forthwith take effect.

21. This section and sections 18, 19 and 20 of this act shall take effect immediately and the remainder of this act shall take effect as hereinbefore provided.

SENATE, No. 41

STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1959

By Senator SANDMAN

Referred to Committee on Revision and Amendment of Laws

AN ACT authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. This act shall be known as and may be cited as the "Amusement Games Licensing Law."

2. It shall be lawful for the governing body of any municipality, at any time after this act shall become operative and except when prohibited by this act, to license the owner and operator of any amusement game or games, whether of skill or chance, or both and whether said game be played and operated with or without numbers or figures, to hold and operate such amuse-

6 ment game or games, which term is defined as a game or games played for
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12 players are all present, provided that the same are to be held and operated at
13 a fair or at a recognized amusement park or at a seashore or other resort
14 in that part thereof customarily constituting an amusement or entertainment
15 area according to the customary understanding of said terms in the com-
16 munity, and provided that the same shall be held, operated and conducted pur-
17 suant to this act and such license and the license issued by the State Amuse-
18 ment Games Control Commissioner, as hereinafter provided, and under such
19 conditions and regulations for the supervision and conduct thereof as shall be
20 prescribed by rules and regulations duly adopted from time to time by the
21 Amusement Games Control Commissioner, not inconsistent with the provi-
22 sions of this act, and for any person or persons to participate in and play
23 such amusement games conducted under such licenses.

1 3. Each applicant for such a license shall file with the clerk of the mu-
2 nicipality a written application therefor in the form prescribed in said rules
3 and regulations, duly executed and verified, in which shall be stated the name
4 and address of the applicant, together with sufficient facts relating to its in-
5 corporation and organization if the applicant be a corporation or organiza-
6 tion; the specific kind of amusement games intended to be held, operated and
7 conducted by the applicant, and the place or places where, the period, term,
8 date or dates and the time or times when, such amusement games are intended
9 to be conducted by the applicant, under the license applied for; and that no
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15 shall be the applicant, or a bona fide officer, director, partner, member or em-
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17 and by whom the amusement game or games described in the application are
18 to be held, operated and conducted and to the application shall be appended a
19 statement executed by the applicant and by the person or persons, so desig-
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21 members of any applicant other than a natural person, he or they will be
22 responsible for the holding, operation and conduct of such amusement games
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24 regulations governing the holding, operation and conduct of such amusement
25 games and of this act, if such license be granted. Every such license so issued
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27 State license authorizing the licensee holding the municipal license to operate
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29 The said State license shall be issued by the State Amusement Games Control
30 Commissioner, if he find that all of the conditions, terms and requirements
31 of this act and of said rules and regulations have been fully met and complied
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2 of the qualifications of each applicant and the merits of each application,
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4 mine that the applicant is duly qualified to hold, operate and conduct amuse-
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7 regulations governing the holding, operation and conduct thereof in the mu-

8 nicipality; that the individual applicant and the officers, directors and stock-
9 holders, including the officers, directors and stockholders of any corporation
10 holding 5% or more of the capital stock or outstanding indebtedness, of any
11 corporate applicant, as well as the partners or members, as the case may be,
12 of any partnership, association or organization applicant, and the person or
13 persons designated in the application to hold, operate or conduct or assist in
14 holding, operating or conducting the amusement games, to hold, operate and
15 conduct which the license is applied for, are persons of good moral character
16 and have never been convicted of crime and have never been found to have
17 violated the provisions of any act, rule or regulation affecting the sale of
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19 the primary element determining the outcome is chance, and have never been
20 convicted of any offense involving misrepresentation, fraud, deceit, violence
21 or public disturbance; that such amusement games are to be held, operated
22 and conducted in accordance with the provisions of this act and in accord-
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6. Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the commissioner and shall contain a description of the kind of amusement games authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the person or persons designated as the one or ones under and by whom such amusement games will be held, operated and conducted, and the place or places where and the period, term or date or dates and time or times when, such games of chance are to be conducted and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of amusement shall be conspicuously displayed at the place or places where the same is to be conducted at all times during the conduct thereof.

7. The governing body of any municipality issuing any license under this act shall have and exercise control and supervision over all amusement games held, operated or conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of such license, the rules and regulations promulgated by the commissioner and the provisions of this act governing the holding, operation and conduct of the same and such governing body and the commissioner shall have power

and authority to suspend any license issued by such governing body and to revoke the same, after hearing, for any violation of any such provision, and shall have the right of entry, by its officers and agents at all times into any premises where any such amusement game is being held, operated and conducted or where it is intended that any such amusement game shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

8. No more than $0.25 for any 1 game shall be charged or accepted by any licensee from any 1 player or participant as an entry fee or payment for the privilege of participating therein. No prize or prizes shall be offered or given in any single game except of merchandise and the merchandise prize or prizes so to be offered and given in any such game shall not exceed in the aggregate the sum of $15.00 of retail value and all winners shall be determined and all prizes shall be awarded in any game forthwith upon the completion of the game and before making or accepting any change for participation in any subsequent game.

9. The governing body of the municipality and the Control Commissioner shall have power to examine or cause to be examined the books and records of any licensee so far as they may relate to any transactions connected with the holding and conducting of any amusement game thereunder and to examine any manager, officer, director, agent or employee thereof under oath in relation to the conduct of any such amusement game under any such license but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this act.

10. Any applicant for, or holder of, any license issued or to be issued under this act aggrieved by any action of the municipal governing body of the municipality to which such application has been made or by which such license has been issued, may appeal to the Amusement Games Control Commissioner from the determination of said governing body by filing with the

governing body a written notice of appeal within 30 days after the determination or action appealed from, and upon the hearing of such appeal the evidence, if any, taken before the governing body and any additional evidence may be produced and shall be considered in arriving at a determination of the matters in issue, and the action of the Control Commissioner upon said appeal shall be binding upon said governing body and all parties to said appeal.

11. No person or corporation

(1) lawfully conducting, or participating in the conduct of,

(2) possessing, selling or in any manner disposing of, any shares, tickets or rights to participate in, or

(3) permitting the conduct upon any premises owned by him or it, of any amusement game conducted or to be conducted in compliance with any license lawfully issued and in force pursuant to this act, and in compliance with the rules and regulations of the Control Commissioner, shall be liable to prosecution or conviction for violation of any provision of chapters 112 and 121 of Title 2A, or of section 2A:170–18 of the New Jersey Statutes, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any amusement game under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of, any amusement game conducted under any license known to him or it to have been obtained by any such false or fraudulent pretense or statement.

12. Any person, association or corporation who or which shall make any false statement in any application for such license or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating or conducting of amusement games under any such license or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operat-

ing and conducting of any amusement game under any such license or shall violate any of the provisions of this act or of any term of such license shall be a disorderly person and if convicted as such shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to it under this act.

13. Nothing contained in this act shall be deemed to authorize the playing of bingo hereunder or to modify, change or supersede the Bingo Licensing Law (P. L. 1954, c. 6), or the Raffles Licensing Law (P. L. 1954, c. 5), except in regard to such raffles, other than draw raffles, where the prizes or awards to be given shall be of merchandise only of an aggregate retail value not in excess of $15.00; provided that no raffles of any kind may be conducted under licenses issued pursuant to this act where the applicants therefor are within a class of organization to whom licenses may be issued under the "Raffles Licensing Law."

14. Nothing contained in this act shall be deemed to authorize the playing for money, or other valuable thing at roulette wheels, at cards, dice or other game, with 1 or more dice, or with any other instrument, engine or device in the nature of dice, having 1 or more figures or numbers, or at billiards, pool, tennis, bowls, or shuffleboard, or A.B.C. or E.O. tables, or at faro bank, or other bank of a like nature by whatever name known, or with any slot machine or device in the nature of a slot machine. Nothing contained in this act shall be deemed to authorize bookmaking, off-track betting, pool selling, or the keeping of a gambling resort, or the racing for money or other valuable thing, by running, pacing or trotting of horses, mares or geldings, or the making or acceptance of any wager for money or other valuable thing conditioned in any way upon any occurrence at or upon the outcome of any athletic or sporting game or contest in which the person or player does not actively participate. For the purpose of this section "slot machines" or "devices in the nature of slot machines" are defined to be machines which operate mechanically, with the result principally controlled by the mechanical operation of the machines.

15. Temporary licenses may be issued by the governing body of any municipality pending the adoption and promulgation of rules and regulations by the Control Commissioner and the fixing of fees by municipal ordinances. Such temporary licenses may be so issued upon the payment of license fees to be fixed therefor by the said governing body based upon an approximation of the fees to be fixed permanently for the municipality and any such temporary license fee may also be for a proportionate part of a whole year where such apportionment is required. Temporary licenses issued under this section shall also be inoperative until the State license is also obtained in similar manner as in the case of licenses other than temporary.

16. Licenses issuable by a municipality under the provisions of this act may be issued only where in such municipality a majority of the votes cast therein upon the question whether this act shall be approved upon the submission of the question to the voters of all the State shall have been cast in favor of the adoption of this act. If the majority of the votes cast upon the said question of the adoption of this act in any municipality is against such adoption, then no license may be issued under this act by such municipality unless authorized by the votes cast on the question, in the municipality, by a municipal referendum as hereinafter provided in this act. If, in the municipality, a majority of the votes cast therein upon the question of whether this act shall be adopted is in the affirmative, such action by the voters of the said municipality shall be deemed to be an approval of the authority to the municipality to grant licenses under this act and such approval shall continue unless this act shall become inoperative in the municipality upon a referendum to the voters of the municipality as provided in this act.

17. Upon a petition signed by qualified voters of any municipality equal in number to at least 15% of the total number of votes cast therein at the latest preceding general election for members of the General Assembly and filed with the clerk of the municipality at least 60 days before such election, the governing body of the municipality shall provide for the submission to the

6 legal voters of the municipality at such general election, the question of
7 whether this act shall become operative or cease to be operative in such munic-
8 ipality, as the case may be. If, upon such submission of the question, the ma-
9 jority of all the valid votes cast on the question shall be in favor of having
10 this act inoperative in the municipality, then this act shall, 60 days there-
11 after, become inoperative in the municipality. The question shall be deemed
12 to be a public question and shall be submitted to the voters as in the case of
13 other public questions. The question shall be stated as follows:

	Yes.	Shall the act entitled "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State," become ..... (insert operative or inoperative) in this municipality?
	No.	

14 In the blank space set forth in the above box, the word "operative" or
15 "inoperative" shall be inserted in the question when it is submitted to the
16 voters of the municipality according to whether this act became operative by
17 reason of the vote on the question submitted to all the voters of the State as
18 to whether this act should become operative. If a majority of the voters in
19 the municipality who voted on the said general public question was in the
20 affirmative and, thereby, under the provisions of this act, municipal licenses
21 are authorized, then the word "inoperative" should be included in the above
22 blank space, but if this act does not become operative in the municipality be-

23 cause a majority of the votes cast therein on the general public question was
24 in the negative, then the word "operative" should be inserted in the above-
25 mentioned blank space. If this act shall have become operative in any munic-
26 ipality by reason of a referendum vote therein, as herein provided, and a
27 further referendum is authorized to determine the question of whether this act
28 shall become inoperative notwithstanding such previous approval by the
29 voters, then the word "inoperative" should be inserted in the above blank
30 space.

1 18. For the purpose of complying with the provisions of the State Con-
2 stitution this act shall be submitted to the people for their approval or
3 rejection at the next general election.

1 19. There shall be printed on each official ballot to be used at such elec-
2 tion the following:

3 If you favor making the act entitled below operative within the State,
4 and operative within this municipality, make a cross ×, plus + or check √
5 in the square opposite the word "Yes."

6 If you are opposed to making the act entitled below so operative, make
7 a cross ×, plus + or check √ in the square opposite the word "No."

	Yes.	Shall the act entitled "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State," become operative within this State?
	No.	

8 The date of the approval or passage of this act, as the case may be, shall
9 be inserted in the appropriate place after the title.

10 In any election district in which voting machines are used the question
11 shall be placed upon the official ballot to be used upon the voting machines
12 with the foregoing instructions to the voters but with instructions to vote
13 "Yes" or "No" by the use of such machines and without marking as
14 aforesaid.

1 20. If at such election a majority of all the votes cast both for and
2 against the approval of this act shall be cast in favor of the approval
3 thereof, then all of its provisions shall forthwith take effect.

1 21. This section and sections 18, 19 and 20 of this act shall take effect
2 immediately and the remainder of this act shall take effect as hereinbefore
3 provided.

SENATE COMMITTEE AMENDMENT TO

SENATE, No. 41

STATE OF NEW JERSEY

ADOPTED FEBRUARY 2, 1959

Amend page 6, section 8, line 8, word "change" should be changed to read "charge".

[OFFICIAL COPY REPRINT]

SENATE, No. 41

STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1959

By Senator SANDMAN

Referred to Committee on Revision and Amendment of Laws

AN ACT authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. This act shall be known as and may be cited as the "Amusement Games Licensing Law."

2. It shall be lawful for the governing body of any municipality, at any time after this act shall become operative and except when prohibited by this act, to license the owner and operator of any amusement game or games, whether of skill or chance, or both and whether said game be played and operated with or without numbers or figures, to hold and operate such amuse-

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

6 ment game or games, which term is defined as a game or games played for
7 amusement or entertainment, in which the person or player actively partic-
8 ipates and the outcome of which is not in the control of the operator, and
9 which is so conducted that the sale of a right to participate, the event which
10 determines whether a player wins or loses and the award of the prize, all oc-
11 cur as a continuous sequence at the time when and place where the player or
12 players are all present, provided that the same are to be held and operated at
13 a fair or at a recognized amusement park or at a seashore or other resort
14 in that part thereof customarily constituting an amusement or entertainment
15 area according to the customary understanding of said terms in the com-
16 munity, and provided that the same shall be held, operated and conducted pur-
17 suant to this act and such license and the license issued by the State Amuse-
18 ment Games Control Commissioner, as hereinafter provided, and under such
19 conditions and regulations for the supervision and conduct thereof as shall be
20 prescribed by rules and regulations duly adopted from time to time by the
21 Amusement Games Control Commissioner, not inconsistent with the provi-
22 sions of this act, and for any person or persons to participate in and play
23 such amusement games conducted under such licenses.

1 3. Each applicant for such a license shall file with the clerk of the mu-
2 nicipality a written application therefor in the form prescribed in said rules
3 and regulations, duly executed and verified, in which shall be stated the name
4 and address of the applicant, together with sufficient facts relating to its in-
5 corporation and organization if the applicant be a corporation or organiza-
6 tion; the specific kind of amusement games intended to be held, operated and
7 conducted by the applicant, and the place or places where, the period, term,
8 date or dates and the time or times when, such amusement games are intended
9 to be conducted by the applicant, under the license applied for; and that no
10 prize or prizes will be offered and given under said license except of merchan-
11 dise only and same shall be of a value not in excess of the sum or value au-
12 thorized to be offered and given by this act and such other information as shall
13 be prescribed by such rules and regulations.

In each application there shall be set forth the name of each person, who shall be the applicant, or a bona fide officer, director, partner, member or employee of the applicant, and who is designated as the person or persons under and by whom the amusement game or games described in the application are to be held, operated and conducted and to the application shall be appended a statement executed by the applicant and by the person or persons, so designated, that in addition to the applicant, and the officers, directors, partners or members of any applicant other than a natural person, he or they will be responsible for the holding, operation and conduct of such amusement games in accordance with the terms of the license and the provisions of the rules and regulations governing the holding, operation and conduct of such amusement games and of this act, if such license be granted. Every such license so issued shall be inoperative unless the licensee named therein shall also procure a State license authorizing the licensee holding the municipal license to operate and conduct certain games according to the terms of such municipal license. The said State license shall be issued by the State Amusement Games Control Commissioner, if he find that all of the conditions, terms and requirements of this act and of said rules and regulations have been fully met and complied with. As a condition of granting any such State license the applicant therefor shall pay to the said commissioner an annual fee of $100.00. If any such municipal license authorizes the licensee to conduct and operate games at more than 1 place or of more than 1 specific kind the applicant for the State license shall pay the said annual fee of $100.00 for each such place and for each such specific kind.

4. The governing body of the municipality shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application, and if it shall determine that the applicant is duly qualified to hold, operate and conduct amusement games under the provisions of this act governing the issuance of licenses to hold, operate and conduct amusement games and the rules and regulations governing the holding, operation and conduct thereof in the mu-

8 nicipality; that the individual applicant and the officers, directors and stock-
9 holders, including the officers, directors and stockholders of any corporation
10 holding 5% or more of the capital stock or outstanding indebtedness, of any
11 corporate applicant, as well as the partners or members, as the case may be,
12 of any partnership, association or organization applicant, and the person or
13 persons designated in the application to hold, operate or conduct or assist in
14 holding, operating or conducting the amusement games, to hold, operate and
15 conduct which the license is applied for, are persons of good moral character
16 and have never been convicted of crime and have never been found to have
17 violated the provisions of any act, rule or regulation affecting the sale of
18 alcoholic beverages or of narcotic drugs or the operation of games in which
19 the primary element determining the outcome is chance, and have never been
20 convicted of any offense involving misrepresentation, fraud, deceit, violence
21 or public disturbance; that such amusement games are to be held, operated
22 and conducted in accordance with the provisions of this act and in accord-
23 ance with the rules and regulations governing the holding, operation and
24 conduct thereof and if the governing body is satisfied that the prize or prizes
25 to be offered and given in any single game shall be of merchandise only of
26 a retail value not in excess of $15.00, and that no such prize or prizes will
27 be redeemed or redeemable, directly or indirectly, for money, it shall issue
28 a license to the applicant for the holding, operation and conduct of said
29 amusement games applied for, accordingly, upon payment of a license fee
30 or fees to be fixed by the governing body by ordinance taking into consid-
31 eration the number of days or period upon or during which the licensee shall
32 be authorized to operate or conduct the games, the number of units employed
33 therein, the number of places, the number of specific kinds of game to be
34 conducted and the number of persons who may become players of the games
35 at any 1 time, but in no case less than $10.00 for any 1 license for a period
36 of 1 year or for a lesser term.

37 No license for the holding, operation and conduct of any game or games
38 of amusement shall be issued under this act which shall be effective for a
39 period of more than 1 year.

5. Where the issuance of licenses is authorized by the municipality no application for the issuance of a license shall be refused by the governing body until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

Any license issued under this act may be amended, upon application made to the governing body of the municipality which issued it, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license and upon payment of such additional license fee, if any, as would have been payable, if it had been so included.

6. Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the commissioner and shall contain a description of the kind of amusement games authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the person or persons designated as the one or ones under and by whom such amusement games will be held, operated and conducted, and the place or places where and the period, term or date or dates and time or times when, such games of chance are to be conducted and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of amusement shall be conspicuously displayed at the place or places where the same is to be conducted at all times during the conduct thereof.

7. The governing body of any municipality issuing any license under this act shall have and exercise control and supervision over all amusement games held, operated or conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of such license, the rules and regulations promulgated by the commissioner and the provisions of this act governing the holding, operation and conduct of the same and such governing body and the commissioner shall have power

and authority to suspend any license issued by such governing body and to revoke the same, after hearing, for any violation of any such provision, and shall have the right of entry, by its officers and agents at all times into any premises where any such amusement game is being held, operated and conducted or where it is intended that any such amusement game shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

8. No more than $0.25 for any 1 game shall be charged or accepted by any licensee from any 1 player or participant as an entry fee or payment for the privilege of participating therein. No prize or prizes shall be offered or given in any single game except of merchandise and the merchandise prize or prizes so to be offered and given in any such game shall not exceed in the aggregate the sum of $15.00 of retail value and all winners shall be determined and all prizes shall be awarded in any game forthwith upon the completion of the game and before making or accepting any [change] *charge* for participation in any subsequent game.

9. The governing body of the municipality and the Control Commissioner shall have power to examine or cause to be examined the books and records of any licensee so far as they may relate to any transactions connected with the holding and conducting of any amusement game thereunder and to examine any manager, officer, director, agent or employee thereof under oath in relation to the conduct of any such amusement game under any such license but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this act.

10. Any applicant for, or holder of, any license issued or to be issued under this act aggrieved by any action of the municipal governing body of the municipality to which such application has been made or by which such license has been issued, may appeal to the Amusement Games Control Commissioner from the determination of said governing body by filing with the

governing body a written notice of appeal within 30 days after the determination or action appealed from, and upon the hearing of such appeal the evidence, if any, taken before the governing body and any additional evidence may be produced and shall be considered in arriving at a determination of the matters in issue, and the action of the Control Commissioner upon said appeal shall be binding upon said governing body and all parties to said appeal.

11. No person or corporation

(1) lawfully conducting, or participating in the conduct of,

(2) possessing, selling or in any manner disposing of, any shares, tickets or rights to participate in, or

(3) permitting the conduct upon any premises owned by him or it, of any amusement game conducted or to be conducted in compliance with any license lawfully issued and in force pursuant to this act, and in compliance with the rules and regulations of the Control Commissioner, shall be liable to prosecution or conviction for violation of any provision of chapters 112 and 121 of Title 2A, or of section 2A:170-18 of the New Jersey Statutes, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any amusement game under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of, any amusement game conducted under any license known to him or it to have been obtained by any such false or fraudulent pretense or statement.

12. Any person, association or corporation who or which shall make any false statement in any application for such license or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating or conducting of amusement games under any such license or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operat-

ing and conducting of any amusement game under any such license or shall violate any of the provisions of this act or of any term of such license shall be a disorderly person and if convicted as such shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to him under this act.

13. Nothing contained in this act shall be deemed to authorize the playing of bingo hereunder or to modify, change or supersede the Bingo Licensing Law (P. L. 1954, c. 6), or the Raffles Licensing Law (P. L. 1954, c. 5), except in regard to such raffles, other than draw raffles, where the prizes or awards to be given shall be of merchandise only of an aggregate retail value not in excess of $15.00; provided that no raffles of any kind may be conducted under licenses issued pursuant to this act where the applicants therefor are within a class of organization to whom licenses may be issued under the "Raffles Licensing Law."

14. Nothing contained in this act shall be deemed to authorize the playing for money, or other valuable thing at roulette wheels, at cards, dice or other game, with 1 or more dice, or with any other instrument, engine or device in the nature of dice, having 1 or more figures or numbers, or at billiards, pool, tennis, bowls, or shuffleboard, or A.B.C. or E.O. tables, or at faro bank, or other bank of a like nature by whatever name known, or with any slot machine or device in the nature of a slot machine. Nothing contained in this act shall be deemed to authorize bookmaking, off-track betting, pool selling, or the keeping of a gambling resort, or the racing for money or other valuable thing, by running, pacing or trotting of horses, mares or geldings, or the making or acceptance of any wager for money or other valuable thing conditioned in any way upon any occurrence at or upon the outcome of any athletic or sporting game or contest in which the person or player does not actively participate. For the purpose of this section "slot machines" or "devices in the nature of slot machines" are defined to be machines which operate mechanically, with the result principally controlled by the mechanical operation of the machines.

15. Temporary licenses may be issued by the governing body of any municipality pending the adoption and promulgation of rules and regulations by the Control Commissioner and the fixing of fees by municipal ordinances. Such temporary licenses may be so issued upon the payment of license fees to be fixed therefor by the said governing body based upon an approximation of the fees to be fixed permanently for the municipality and any such temporary license fee may also be for a proportionate part of a whole year where such apportionment is required. Temporary licenses issued under this section shall also be inoperative until the State license is also obtained in similar manner as in the case of licenses other than temporary.

16. Licenses issuable by a municipality under the provisions of this act may be issued only where in such municipality a majority of the votes cast therein upon the question whether this act shall be approved upon the submission of the question to the voters of all the State shall have been cast in favor of the adoption of this act. If the majority of the votes cast upon the said question of the adoption of this act in any municipality is against such adoption, then no license may be issued under this act by such municipality unless authorized by the votes cast on the question, in the municipality, by a municipal referendum as hereinafter provided in this act. If, in the municipality, a majority of the votes cast therein upon the question of whether this act shall be adopted is in the affirmative, such action by the voters of the said municipality shall be deemed to be an approval of the authority to the municipality to grant licenses under this act and such approval shall continue unless this act shall become inoperative in the municipality upon a referendum to the voters of the municipality as provided in this act.

17. Upon a petition signed by qualified voters of any municipality equal in number to at least 15% of the total number of votes cast therein at the latest preceding general election for members of the General Assembly and filed with the clerk of the municipality at least 60 days before such election, the governing body of the municipality shall provide for the submission to the

6 legal voters of the municipality at such general election, the question of
7 whether this act shall become operative or cease to be operative in such munic-
8 ipality, as the case may be. If, upon such submission of the question, the ma-
9 jority of all the valid votes cast on the question shall be in favor of having
10 this act inoperative in the municipality, then this act shall, 60 days there-
11 after, become inoperative in the municipality. The question shall be deemed
12 to be a public question and shall be submitted to the voters as in the case of
13 other public questions. The question shall be stated as follows:

	Yes.	Shall the act entitled "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State," become ..... (insert operative or inoperative) in this municipality?
	No.	

14 In the blank space set forth in the above box, the word "operative" or
15 "inoperative" shall be inserted in the question when it is submitted to the
16 voters of the municipality according to whether this act became operative by
17 reason of the vote on the question submitted to all the voters of the State as
18 to whether this act should become operative. If a majority of the voters in
19 the municipality who voted on the said general public question was in the
20 affirmative and, thereby, under the provisions of this act, municipal licenses
21 are authorized, then the word "inoperative" should be included in the above
22 blank space, but if this act does not become operative in the municipality be-

cause a majority of the votes cast therein on the general public question was in the negative, then the word "operative" should be inserted in the above-mentioned blank space. If this act shall have become operative in any municipality by reason of a referendum vote therein, as herein provided, and a further referendum is authorized to determine the question of whether this act shall become inoperative notwithstanding such previous approval by the voters, then the word "inoperative" should be inserted in the above blank space.

18. For the purpose of complying with the provisions of the State Constitution this act shall be submitted to the people for their approval or rejection at the next general election.

19. There shall be printed on each official ballot to be used at such election the following:

If you favor making the act entitled below operative within the State, and operative within this municipality, make a cross ×, plus + or check √ in the square opposite the word "Yes."

If you are opposed to making the act entitled below so operative, make a cross ×, plus + or check √ in the square opposite the word "No."

	Yes.	Shall the act entitled "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State," become operative within this State?
	No.	

8 The date of the approval or passage of this act, as the case may be, shall
9 be inserted in the appropriate place after the title.

10 In any election district in which voting machines are used the question
11 shall be placed upon the official ballot to be used upon the voting machines
12 with the foregoing instructions to the voters but with instructions to vote
13 "Yes" or "No" by the use of such machines and without marking as
14 aforesaid.

1 20. If at such election a majority of all the votes cast both for and
2 against the approval of this act shall be cast in favor of the approval
3 thereof, then all of its provisions shall forthwith take effect.

1 21. This section and sections 18, 19 and 20 of this act shall take effect
2 immediately and the remainder of this act shall take effect as hereinbefore
3 provided.