

CONSTITUTION ARTICLE IV, SECTION 7, PARAGRAPH 2
(1969 Amendment - Authorization of State Lottery (ACR 32 of 1969))

Resolutions 1955 to 1969:

1955	ACR3	Musto
1956	ACR10	Musto
1957	ACR12	Musto
1958	ACR3	Musto
	ACR9	Werner
1959	ACR1	Werner
	ACR7	Musto
1960	ACR18	Musto
	ACR27	Werner
1961	ACR10	Musto
	ACR25	Werner
1962	ACR6	Musto
	ACR36	Werner
1963	ACR1	Musto
1964	ACR4	Musto, Kijewski
1965	ACR14	Musto, Werner, Sweeney, Kijewski
	SCR10	Kelly
1966	ACR15	McLaughlin, McLeon, Friedland, Brady, Sweeney
	ACR18	McLaughlin, Fekety, Albanese, Friedland, Brady, Sweeney
	SCR7	Musto, Kelly, Guarini
	SJR21	Keegan - Study Commission
1967	ACR12	McLaughlin, Fekety, Friedland, McLeon, Sweeney
	ACR21	Perski, Fekety, McLeon, Horn Cryant
	SCR15	Musto, Kelly, Guarini
	SJR15	Keegan - Study Commission
1968	Al18	(Referendum to ascertain voted sentiment) Hailman and others
	ACR22	Brown, McLeon, Fekety, Friedland, Jackman, Digiammo
	SCR10	Musto, W. Kelly, Guarini, Hauser
1969	Al035	(\$25,000 to Planning Commission)
	AJR15	Commission to make plans
	SCR11	Musto, W. Kelly, Guarini, Hauser

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The resolution that passed and was successful in the general election of November 4, 1969 was:

1969 ACR32
February 3 - Introduced by Brown and 18 others
April 2 - Passed in Assembly
May 1 - Passed in Senate
May 27 - Filed

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For background material see:

New Jersey

J342 Baisden, Richard. Charter for New Jersey; the New Jersey
B16 Constitutional Convention of 1947. New Jersey Department
of Education, 1952.
Chapter III, "The Problem of Gambling".

New York Lottery

Constitution - Article 1, Section 9.
State Lottery Law - Tax 1300 - 1315 (L. 1967, c.278).

New Hampshire Sweepstakes

State Sweepstakes Commission - Chapter 284, Section 21-a - 21q
(L. 1963, 52:1).

Hearings and reports:

974.90 New Jersey Assembly. Special Committee ... to study the
G191 matter of permitting municipalities to enact ordinances
1948 allowing bingo or lottery games to benefit charitable
institutions.

Public hearing on A518 before the committee ...

974.90 New Jersey Legislature. Senate Judiciary Committee
G191 Public hearing on S26, the bingo bill. Held ...
1952 March 13, 1952 before Senate Judiciary committee.
Trenton, 1952
Senator David Young III, Chairman.

974.90 Public hearing ACR7, proposed constitutional amendment -
G191 state conducted lotteries. Held February 24, 1959,
1959 Trenton.

974.90 New Jersey Legislature. Assembly. Committee on
G191 Public Safety, Defense and Veterans Affairs.
1959b Public hearing... on Assembly concurrent resolution
no.7 (state lotteries). Held September 15, 1959,
Trenton.

- 974.90 New Jersey Legislature. Senate. Judiciary
G191 Committee
1966 Public hearing on Senate Concurrent Resolution
no.7 (State Lottery Resolution) held in Trenton...
June 1, 1966.
- 974.90 New Jersey Legislature. Assembly. Judiciary
G191 Committee.
1968 Public hearing... on ACR22 proposing to
amend Article IV, Section VII, Paragraph 2 ...
- 974.90 New Jersey Legislature. Assembly Committee on
G191 Taxation.
1969 Public hearing on Assembly Concurrent Resolution
no. 32, (State conducted lotteries)
March 5, 1969.

The 1969 public hearing on ACR32 was held March 5, 1969 by the Assembly Taxation Committee. We have not yet received copies of this hearing.

Newspaper clippings:

The State Library has news clippings in the vertical file under New Jersey - Gambling, New Jersey - Lotteries, and New Jersey - Finance. The selected articles listed below date only from 1969 and Xerox copies are enclosed.

Harris, Roger.

"Lottery's year? This time Hughes' support may put it over" Star Ledger, January 28, 1969.

"Hardy perennial" editorial, Star Ledger, January 31, 1969.

Bently, Art.

"Legal lottery won't worry Jersey Mafia", Courier Post, February 8, 1969.

"Hughes recommends lottery referendum", Philadelphia Inquirer, February 12, 1969.

(4)

"State lottery offers gamble that can't win"
editorial, Trenton Evening Times, Feb. 13, 1969.

"Another parch on the patches" editorial, Hackensack Record, February 14, 1969.

Lamendola, Linda.

"Jersey talks about a lottery on Wednesday", Star-Ledger
March 2, 1969.

"State lottery's sad history" editorial, Courier-Post,
March 8, 1969.

"Senate should kill it" editorial Courier-Post
April 5, 1969.

"What is \$200 million?" editorial, Newark Evening News
April 6, 1969.

Carter, Peter.

"Lottery vote nearly sure", Newark Evening News
April 29, 1969.

"Stand by for millions" editorial, Newark Evening News,
April 30, 1969

"Taking a chance" editorial, Star-Ledger,
May 6, 1969.

Davis John O.

"Get ready lottery bill is sought" Courier-Post,
June 7, 1969.

"Voters approval of state lottery held certain
Courier Post, June 26, 1969

Gregory, Franklin. Series of 8 special Star-Ledger reports
on New Jersey's Lottery.

1. "Can New Jersey find happiness with a lottery?"
Star-Ledger, September 28, 1969.
4. "Lottery: If only Hamilton's advice had been followed"
Star-Ledger, October 1, 1969.

5. "Lottery: Federal laws hobble the horse races from riding high" Star-Ledger, October 2, 1969.
6. "Lottery: The states try to make the wheel of fortune roll faster", Star-Ledger, October 3, 1969.
7. "Jersey must destroy the numbers racket" Star-Ledger October 5, 1969.
8. "Lottery: State's profits depend on keeping expenses down" Star-Ledger, October 6, 1969.

Note: We do not have the 2nd and 3rd reports and hence have not cited them here. Judging by the dates they must have appeared in the Star-Ledger on September 29 and 30, 1969, respectively.

"Lottery - vote Yes" editorial, Star-Ledger
October 27, 1969

"No is vote on lottery" editorial Courier-Post,
October 28, 1969.

Josephson, Earl.

"A state lottery good bet, but ..."
Trenton Evening Times, October 29, 1969.

Law Review Articles:

Searched New Jersey Law Journal Index without success.
Index to Legal Periodicals for 1969 lists no articles on lotteries.

Statement by Robert J. Burkhardt, Secretary of State accompanying newspaper publication of the proposed constitutional amendment; copy enclosed of this statement.

Filed with
Sec. of State

5/27/69

ASSEMBLY CONCURRENT RESOLUTION No. 32

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1969

By Assemblymen BROWN, MABIE, HEILMANN, IRWIN, GARIBALDI, HIRKALA, HAELIG, OLSEN, SUMINSKI, ESPOSITO, LITTELL, GAVAN, CAPUTO, LASKIN, FIORE, COBB, PEDERSEN, KIEHN and FONTANELLA

Referred to Committee on Judiciary

A CONCURRENT RESOLUTION proposing to amend Article IV, Section VII, paragraph 2, of the Constitution of the State of New Jersey.

1 BE IT RESOLVED *by the General Assembly of the State of New Jersey (the*
2 *Senate concurring)*:

1 1. The following proposed amendment to the Constitution of the State
2 of New Jersey is hereby agreed to:

PROPOSED AMENDMENT

3 Amend Article IV, Section VII, paragraph 2, to read as follows:

4 2. No gambling of any kind shall be authorized by the Legislature unless
5 the specific kind, restrictions and control thereof have been heretofore sub-
6 mitted to, and authorized by a majority of the votes cast by, the people at
7 a special election or shall hereafter be submitted to, and authorized by a
8 majority of the votes cast thereon by, the legally qualified voters of the
9 State voting at a general election, except that, without any such submission
10 or authorization;

11 A. It shall be lawful for bona fide veterans, charitable, educational, re-
12 ligious or fraternal organizations, civic and service clubs, volunteer fire
13 companies and first-aid or rescue squads to conduct, under such restrictions
14 and control as shall from time to time be prescribed by the Legislature by
15 law, games of chance of, and restricted to, the selling of rights to partici-
16 pate, and the awarding of prizes, in the specific kind of game of chance some-
17 times known as bingo or lotto, played with cards bearing numbers or other
18 designations, 5 or more in one line, the holder covering numbers as objects,
19 similarly numbered, are drawn from a receptacle and the game being won
20 by the person who first covers a previously designated arrangement of

21 numbers on such a card, when the entire net proceeds of such games of
 22 chance are to be devoted to educational, charitable, patriotic, religious or
 23 public-spirited uses, in any municipality, in which a majority of the qualified
 24 voters, voting thereon, at a general or special election as the submission
 25 thereof shall be prescribed by the Legislature by law, shall authorize the
 26 conduct of such games of chance therein.

27 B. It shall be lawful for the Legislature to authorize, by law, bona fide
 28 veterans, charitable, educational, religious or fraternal organizations, civic
 29 and service clubs, volunteer fire companies and first-aid or rescue squads to
 30 conduct games of chance of, and restricted to, the selling of rights to par-
 31 ticipate, and the awarding of prizes, in the specific kinds of games of chance
 32 sometimes known as raffles, conducted by the drawing for prizes or by the
 33 allotment of prizes by chance, when the entire net proceeds of such games
 34 of chance are to be devoted to educational, charitable, patriotic, religious or
 35 public-spirited uses, in any municipality, in which such law shall be adopted
 36 by a majority of the qualified voters, voting thereon, at a general or special
 37 election as the submission thereof shall be prescribed by law and for the
 38 Legislature, from time to time, to restrict and control, by law, the conduct of
 39 such games of chance, and

40 C. It shall be lawful for the Legislature to authorize the conduct of
 41 State lotteries restricted to the selling of rights to participate therein and
 42 the awarding of prizes by drawings when the entire net proceeds of any such
 43 lottery shall be for State institutions, State aid for education.

1 2. When this proposed amendment to the Constitution is finally agreed to,
 2 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted
 3 to the people at the next general election occurring more than 3 months after
 4 such final agreement and shall be published at least once in at least one news-
 5 paper of each county designated by the President of the Senate and the
 6 Speaker of the General Assembly and the Secretary of State, not less than
 7 3 months prior to said general election.

1 3. This proposed amendment to the Constitution shall be submitted to the
 2 people at said election in the following manner and form:

3 There shall be printed on each official ballot to be used at such general
 4 election, the following:

5 1. In every municipality in which voting machines are not used, a legend
 6 which shall immediately precede the question, as follows:

7 If you favor the proposition printed below make a cross (X), plus (+)
 8 or check (V) in the square opposite the word "Yes." If you are opposed
 9 thereto make a cross (X), plus (+) or check (V) in the square opposite the
 10 word "No."

11 2. In every municipality the following question:

	Yes.	Shall the amendment of Article IV, Section VII, paragraph 2, of the Constitution, agreed to by the Legislature authorizing the conducting of State lotteries by the selling of rights to participate therein and the awarding of prizes by drawings, when the entire net proceeds of any such lottery shall be used for State institutions, State aid for education, be adopted?
	No.	

STATEMENT

Conventional methods of taxation have reached a level which has evoked increasing public resistance to increase in taxes, yet the need for additional revenue confronts legislative bodies annually. The programs requiring these additional expenditures are mainly in the field of public welfare, public roads and education, ones which cannot lightly be set aside.

Throughout recorded history governments have recognized the presence of some measure of the gambling instinct in many of their citizens and have turned to lotteries as a source of revenue.

Our colonial ancestors in all 13 colonies established and operated lotteries for many purposes: schools, colleges, churches, bridges, docks, canals, turnpikes, poor relief, and government buildings. The practice was continued by various State Legislatures until almost the end of the nineteenth century.

Today we are familiar with the Irish Sweepstakes and the football pools in Great Britain, while a lesser known lottery in Puerto Rico nets the government \$90,000.00 per week.

In 1963, New Hampshire enacted legislation authorizing a State lottery. This lottery yielded to the State a net revenue of approximately \$5.3 million in the initial 18 months of operation, all of which is earmarked for state aid to education.

In the summer of 1965, the New Jersey State Treasurer indicated to Governor Hughes that a State lottery could gross at least \$60 million annually with a net profit of \$30 to \$35 million.

New Jersey, in 1965, netted over \$28.6 million from racing and larger profits from the tracks went to private individuals, yet few would recommend the discontinuance of racing. In recent years we have authorized bingo and raffles for charitable purposes based on a referendum approved by a majority of the electorate. In the November 1966 election, the people of the State of New York approved a constitutional amendment which permits the State Legislature to de-

wise a State Lottery, the proceeds of which will provide additional funds for education in the State of New York. It is evident, therefore, that the public does not condemn gambling per se, if it is for a worthy cause.

Illegal gambling, on the other hand, is a multi-billion dollar business in the United States taking much and giving little to the participants, yet it illustrates the basic desire of a large segment of the population to risk a small amount to gain a sizable one. Surveys have shown a majority of people to be in favor of limited gambling, and it is estimated that over half the nation's adults have broken laws against gambling providing, in the main, tremendous profit for an unsavory element of the population.

In almost every instance, the establishment of legal, government-sponsored lotteries has provided an outlet for the gambling urge and protected the bettor against being cheated; it has guaranteed the honesty of the operation and merely transferred the profits from the hoodlum element to the public benefit.

It is a well known fact that many of our senior citizens are retired on pensions and extremely limited incomes which do not permit them to live with the dignity they justly deserve. Many of these men and women, retired not by choice but because of the retirement regulations of their former employers, are still capable and anxious to pursue gainful employment within the limits of their advanced years. A State lottery would have the additional benefit of providing employment opportunities suitable for senior citizens.

It is the purpose of this resolution, therefore, to provide authority by constitutional amendment for State lotteries dedicated to the support of public welfare, education.