

5:12-9 et al.

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:12-9 et al (Casinos-- amend licensing provision and other provisions)

LAWS OF: 1987 **CHAPTER:** 355

Bill No: A3568

Sponsor(s): Schuber and Crecco

Date Introduced: December 18, 1986

Committee: **Assembly:** Independent and regional Authorities

Senate: Institutions, Health and Welfare

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: **Assembly:** June 29, 1987
Senate: December 21, 1987

Date of Approval: January 4, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: Yes

974.90 New Jersey. Legislature. General Assembly. Independent and Regional
G191 Authorities Committee.
1987 Public meeting on . . . A3568, held 1-12-87, 2-5-87, 2-27-87, Trenton, 1987.

(OVER)

Case referred to in press release:

Hotel and Restaurant Employees and Bartenders Intern. Union Local 54 v. Danziger, 104 S. Ct. 479; 709 F2d 815, 536 F Supp 317, 597 F Supp 1451, 597 F Supp 1431 104 SCT 3179.

Report, by SCI, referred to in clipping:

974.901 New Jersey. State Commission of Investigation
I83 Report and recommendations on organized crime-affiliated subcontractors...
1986

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3568**STATE OF NEW JERSEY**

INTRODUCED DECEMBER 18, 1986

By Assemblyman SCHUBER and Assemblywoman CRECCO

AN ACT to amend the "Casino Control Act," approved June 2, 1977
(P. L. 1977, c. 110).

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

1 1. Section 9 of P. L. 1977, c. 110 (C. 5:12-9) is amended to read
2 as follows:

3 9. "Casino Key Employee"—Any natural person employed in
4 the operation of a licensed casino in a supervisory capacity or
5 empowered to make discretionary decisions which regulate casino
6 operation, **[and who is not within an employee category defined**
7 **elsewhere in this act,]** including, without limitation, pit bosses**[,];**
8 shift bosses**[,];** *credit executives; casino cashier supervisors***[,** and
9 *cashiers***];** casino managers and assistant managers; *and* managers
10 or supervisors of casino security employees; *or any other natural*
11 *person empowered to make discretionary decisions which regulate*
12 *the management of an approved hotel, including, without limitation,*
13 *hotel managers; entertainment directors; and food and beverage*
14 *directors; [and] or any other employee so designated by the Casino*
15 *Control Commission for reasons consistent with the policies of this*
16 *act.*

1 2. Section 12 of P. L. 1977, c. 110 (C. 5:12-12) is amended to
2 read as follows:

3 12. "Casino Service Industry"—Any form of enterprise which
4 provides **[casinos]** *casino applicants or licensees* with goods or
5 services **regarding the realty, construction, maintenance, or busi-*
6 *ness of a proposed or existing casino hotel or related facility** on

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

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted June 22, 1987.**

7 a regular or continuing basis, including, without limitation, secu-
 8 rity businesses, gaming schools, manufacturers, distributors and
 9 servicers of gaming devices or equipment, garbage haulers, main-
 10 tenance companies, food purveyors, **and* construction companies*
 11 **[or any other enterprise which does business with]* [licensed*
 12 *casinos] *[casino applicants or licensees on a regular or continuing*
 13 *basis]*. Notwithstanding the foregoing, any form of enterprise en-*
 14 *gaged in the manufacture, sale, distribution or repair of slot ma-*
 15 *chines within New Jersey, other than antique slot machines as*
 16 *defined in N. J. S. 2C:37-7, shall be considered a casino service*
 17 *industry for the purposes of this act regardless of the nature of*
 18 *its business relationship, if any, with licensed casinos in this State.*

19 *For the purposes of this section, "casino applicant" includes any*
 20 *person *[who has applied for any necessary license or approval*
 21 *required to be obtained in accordance with subsection a. of section*
 22 *82 of P. L. 1977, c. 110 (C. 5:12-82)]* *required to hold a casino*
 23 *license pursuant to section 82 of P. L. 1977, c. 110 (C. 5:12-82) who*
 24 *has applied to the commission for a casino license or any approval*
 25 *required under P. L. 1977, c. 110 (C. 5:12-1 et seq.)*.*

1 3. Section 45 of P. L. 1977, c. 110 (C. 5:12-45) is amended to
 2 read as follows:

3 45. "Slot machine"—Any mechanical, electrical or other device,
 4 contrivance or machine which, upon insertion of a coin, token or
 5 similar object therein, or upon payment of any consideration what-
 6 soever, is available to play or operate, the play or operation of
 7 which, whether by reason of the skill of the operator or application
 8 of the element of chance, or both, may deliver or entitle the person
 9 playing or operating the machine to receive cash or tokens to be
 10 exchanged for cash, or to receive merchandise or any thing of value
 11 whatsoever [or a token to be exchanged for merchandise or any
 12 thing of value], whether the payoff is made automatically from the
 13 machine or in any other manner whatsoever, except that: a. no
 14 merchandise or thing of value shall be offered as part of a payoff
 15 of any slot machine unless such merchandise or thing of value has
 16 a cash equivalent value of at least \$5,000.00, and b. the cash equiva-
 17 lent value of any merchandise or other thing of value shall not be
 18 included in the total of all sums paid out as winnings to patrons
 19 for purposes of determining gross revenues as defined by section
 20 24 of P. L. 1977, c. 110 (C. 5:12-24) or be included in determining
 21 the payout percentage of any slot machine. The commission shall
 22 promulgate rules defining "cash equivalent value" in order to as-
 23 sure fairness, uniformity and comparability of valuation of slot
 24 machine payoffs.

1 4. Section 82 of P. L. 1977, c. 110 (C. 5:12-82) is amended to
2 read as follows:

3 82. Casino License—Applicant Eligibility. a. No casino shall
4 operate unless all necessary licenses and approvals therefor have
5 been obtained in accordance with law.

6 b. Only the following persons shall be eligible to hold a casino
7 license; and, unless otherwise determined by the commission with
8 the concurrence of the Attorney General which may not be un-
9 reasonably withheld in accordance with subsection c. of this section,
10 each of the following persons shall be required to hold a casino
11 license prior to the operation of a casino in the hotel with respect
12 to which the casino license has been applied for:

13 (1) Any person who either owns an approved hotel building or
14 owns or has a contract to purchase or construct a hotel which in
15 the judgment of the commission can become an approved hotel
16 building within 30 months or within such additional time period
17 as the commission may, upon a showing of good cause therefor,
18 establish;

19 (2) Any person who, whether as lessor or lessee, either leases
20 an approved hotel building or leases or has an agreement to lease
21 a hotel which in the judgment of the commission can become an
22 approved hotel building within 30 months or within such additional
23 time period as the commission may, upon a showing of good cause
24 therefor, establish;

25 (3) Any person who has a written agreement with a casino
26 licensee or with an eligible applicant for a casino license for the
27 complete management of a casino; and

28 (4) Any other person who has any control over either an
29 approved hotel building or the land thereunder or the operation
30 of a casino.

31 c. Prior to the operation of the casino, every agreement to lease
32 an approved hotel building or the land thereunder and every
33 agreement for the management of the casino shall be in writing
34 and filed with the commission. No such agreement shall be effective
35 unless expressly approved by the commission. The commission may
36 require that any such agreement include within its terms any
37 provision reasonably necessary to best accomplish the policies of
38 this act. Consistent with the policies of this act:

39 (1) The commission, with the concurrence of the Attorney Gen-
40 eral which may not be unreasonably withheld, may determine that
41 any person who does not have the ability to exercise any significant
42 control over either the approved hotel building or the operation of

43 the casino contained therein shall not be eligible to hold or required
44 to hold a casino license;

45 (2) The commission, with the concurrence of the Attorney Gen-
46 eral which may not be unreasonably withheld, may determine that
47 any owner, lessor or lessee of an approved hotel building or the
48 land thereunder who does not own or lease the entire approved
49 hotel building shall not be eligible to hold or required to hold a
50 casino license;

51 (3) The commission shall require that any person or persons
52 eligible to apply for a casino license organize itself or themselves
53 into such form or forms of business association as the commission
54 shall deem necessary or desirable in the circumstances to carry out
55 the policies of this act;

56 (4) The commission may issue separate casino licenses to any
57 persons eligible to apply therefor;

58 (5) As to agreements to lease an approved hotel building or the
59 land thereunder, unless it expressly and by formal vote for good
60 cause determines otherwise, the commission shall require that each
61 party thereto hold either a casino license or casino service industry
62 license and that such an agreement be for a durational term exceed-
63 ing 30 years, concern 100% of the entire approved hotel building
64 or of the land upon which same is located, and include within its
65 terms a buy-out provision conferring upon the casino licensee-lessee
66 who controls the operation of the approved hotel the absolute right
67 to purchase for an expressly set forth fixed sum the entire interest
68 of the lessor or any person associated with the lessor in the
69 approved hotel building or the land thereunder in the event that
70 said lessor or said person associated with the lessor is found by
71 the commission to be unsuitable to be associated with a casino
72 enterprise;

73 (6) The commission shall not permit an agreement for the leasing
74 of an approved hotel building or the land thereunder to provide
75 for the payment of an interest, percentage or share of money
76 gambled at the casino or derived from casino gaming activity or
77 of revenues or profits of the casino unless the party receiving pay-
78 ment of such interest, percentage or share is a party to the approved
79 lease agreement; unless each party to the lease agreement holds
80 either a casino license or casino service industry license and unless
81 the agreement is for a durational term exceeding 30 years, con-
82 cerns a significant portion of the entire approved hotel building or
83 of the land upon which same is located, and includes within its
84 terms a buy-out provision conforming to that described in para-
85 graph (5) above;

86 (7) As to agreements for the management of a casino, the com-
 87 mission shall require that each party thereto hold a casino license,
 88 that the party thereto who is to manage the casino own at least
 89 10% of all outstanding equity securities of any casino licensee or
 90 of any eligible applicant for a casino license if the said licensee or
 91 applicant is a corporation and the ownership of an equivalent
 92 interest in any casino licensee or in any eligible applicant for a
 93 casino license if same is not a corporation, and that such an
 94 agreement be for the complete management of the casino, provide
 95 for the sole and unrestricted power to direct the casino operations
 96 of the casino which is the subject of the agreement, and be for
 97 such a durational term as to assure reasonable continuity, stability
 98 and independence in the management of the casino;

99 (8) The commission may permit an agreement for the manage-
 100 ment of a casino to provide for the payment to the managing
 101 party of an interest, percentage or share of money gambled at the
 102 casino or derived from casino gaming activity or of revenues or
 103 profits of the casino; and,

104 (9) As to agreements to lease an approved hotel building or the
 105 land thereunder, agreements to jointly own an approved hotel
 106 building or the land thereunder and agreements for the manage-
 107 ment of a casino, the commission shall require that each party
 108 thereto shall be jointly and severally liable for all acts, omissions
 109 and violations of this act by any party thereto regardless of actual
 110 knowledge of such act, omission or violation and notwithstanding
 111 any provision in such agreement to the contrary.

112 d. No corporation shall be eligible to apply for a casino license
 113 unless ***[the corporation shall]***:

114 (1) ***[Be]*** **The corporation shall be** incorporated in the State
 115 of New Jersey, although such corporation may be a wholly or
 116 partially owned subsidiary of a corporation which is organized
 117 pursuant to the laws of another state of the United States or of a
 118 foreign country;

119 (2) ***[Maintain]*** **The corporation shall maintain** an office of
 120 the corporation in the premises licensed or to be licensed;

121 (3) ***[Comply]*** **The corporation shall comply** with all the re-
 122 quirements of the laws of the State of New Jersey pertaining to
 123 corporations;

124 (4) ***[Maintain]*** **The corporation shall maintain** a ledger in
 125 the principal office of the corporation in New Jersey which shall at
 126 all times reflect the current ownership of every class of security
 127 issued by the corporation and shall be available for inspection by
 128 the commission or the division and authorized agents of the com-

129 mission and the division at all reasonable times without notice;

130 (5) *~~【Maintain】~~* *The corporation shall maintain** all operat-
131 ing accounts required by the commission in a bank in New Jersey;

132 (6) *~~【Include】~~* *The corporation shall include** among the pur-
133 poses stated in its certificate of incorporation the conduct of casino
134 gaming and provide that the certificate of incorporation includes
135 all provisions required by this act;

136 (7) *~~【If】~~* *The corporation, if** it is not a publicly traded cor-
137 poration, *shall** file with the commission such adopted corporate
138 charter ~~【or bylaws】~~ provisions as may be necessary to establish
139 the right of *prior approval by* the commission ~~【to approve future】~~
140 *with regard to* transfers of ~~【corporate】~~ securities, shares, and
141 other interests in the applicant corporation *~~【and in any non-~~
142 publicly traded holding company, intermediary company, or sub-
143 sidiary thereof】* ; and, if it is a publicly traded corporation, *~~【said~~
144 corporation shall】* provide in its corporate charter ~~【or bylaws】~~
145 that any securities of such corporation are held subject to the con-
146 dition that if a holder thereof is found to be disqualified by the
147 commission pursuant to the provisions of this act, such holder shall
148 dispose of his interest in the corporation; provided, however, that,
149 notwithstanding the provisions of N. J. S. 14A:7-12 and N. J. S.
150 12A:8-101 et seq., nothing herein shall be deemed to require that
151 any security of such corporation bear any legend to this effect;
152 *~~【and】~~*

153 (8) *~~【If】~~* *The corporation, if** it is not a publicly traded cor-
154 poration, *shall** establish to the satisfaction of the commission
155 that appropriate charter ~~【or bylaw】~~ provisions create the absolute
156 right of such nonpublicly traded corporations and companies to
157 repurchase at the market price or the purchase price, whichever
158 is the lesser, any security, share or other interest in the corpora-
159 tion in the event that the commission disapproves a transfer in
160 accordance with the provisions of this act*~~【.】~~* *;*

161 **(9) Any publicly traded holding, intermediary, or subsidiary*
162 *company of the corporation, whether the corporation is publicly*
163 *traded or not, shall contain in its corporate charter the same pro-*
164 *visions required under paragraph (7) for a publicly traded cor-*
165 *poration to be eligible to apply for a casino license; and*

166 *(10) Any nonpublicly traded holding, intermediary or subsidiary*
167 *company of the corporation, whether the corporation is publicly*
168 *traded or not, shall establish to the satisfaction of the commission*
169 *that its charter provisions are the same as those required under*
170 *paragraph (8) for a nonpublicly traded corporation to be eligible*
171 *to apply for a casino license.*

172 *Notwithstanding the foregoing, any corporation or company*
 173 *which had bylaw provisions approved by the commission prior to*
 174 *the effective date of this 1987 amendatory act shall have one year*
 175 *from the effective date of this 1987 amendatory act to adopt ap-*
 176 *propriate charter provisions in accordance with the requirements*
 177 *of this subsection.**

178 *The provisions of this subsection shall apply with the same force*
 179 *and effect with regard to casino license applicants and casino*
 180 *licensees which have a legal existence that is other than corporate*
 181 *to the extent which is appropriate***],** and the provisions of para-*
 182 *graphs (7) and (8) of this subsection shall have the same force and*
 183 *effect with regard to the holding companies, intermediary com-*
 184 *panies and subsidiaries of casino licensees, as well as the corporate*
 185 *charters and partnership agreements of such entities]*.*

186 e. No person shall be issued or be the holder of more than three
 187 casino licenses. For the purpose of this subsection a person shall be
 188 considered the holder of a casino license if such license is issued to
 189 such person or if such license is held by any holding, intermediary
 190 or subsidiary company thereof, or by any officer, director, casino
 191 key employee or principal employee of such person, or of any hold-
 192 ing, intermediary or subsidiary company thereof.

1 5. Section 92 of P. L. 1977, c. 110 (C. 5:12-92) is amended to
 2 read as follows:

3 92. Licensing and Registration of Casino Service Industries.

4 a. (1) All casino service industries offering goods or services
 5 which directly relate to casino or gaming activity, including gaming
 6 equipment manufacturers, suppliers and repairers, schools teach-
 7 ing gaming and either playing or dealing techniques, and casino
 8 security services, shall be licensed in accordance with the provi-
 9 sions of this act prior to conducting any business whatsoever with
 10 a casino *applicant or* licensee, its employees or agents, and in the
 11 case of a school, prior to enrollment of any students or offering of
 12 any courses to the public whether for compensation or not; pro-
 13 vided, however, that upon a showing of good cause by a casino
 14 *applicant or* licensee for each business transaction, the commission
 15 may permit an applicant for a casino service industry license to
 16 conduct business transactions with such casino *applicant or* licensee
 17 prior to the licensure of that *service industry* applicant under this
 18 subsection.

19 (2) In addition to the requirements of paragraph (1) of this
 20 subsection, any casino service industry intending to manufacture,
 21 sell, distribute or repair slot machines within New Jersey, other
 22 than antique slot machines as defined in N. J. S. 2C:37-7, shall be

23 licensed in accordance with the provisions of this act prior to
24 engaging in any such activities; provided, however, that upon a
25 showing of good cause by a casino *applicant or* licensee for each
26 business transaction, the commission may permit an applicant for
27 a casino service industry license to conduct business transactions
28 with the casino *applicant or* licensee prior to the licensure of that
29 *service industry* applicant under this subsection; and provided
30 further, however, that upon a showing of good cause by an appli-
31 cant required to be licensed as a casino service industry pursuant
32 to this paragraph, the commission may permit the *service industry*
33 applicant to initiate the manufacture of slot machines or engage in
34 the sale, distribution or repair of slot machines with any person
35 other than a casino *applicant or* licensee, its employees or agents,
36 prior to the licensure of that *service industry* applicant under this
37 subsection.

38 b. Each casino service industry in subsection a. of this section,
39 as well as its owners, management and supervisory personnel and
40 other principal employees must qualify under the standards, except
41 residency, established for qualification of a casino key employee
42 under this act. In addition, if the business or enterprise is a school
43 teaching gaming and either playing or dealing techniques, each
44 resident director, instructor, principal employee, and sales repre-
45 sentative employed thereby shall be licensed under the standards
46 established for qualification of a casino employee under this act;
47 provided, however, that nothing in this subsection shall be deemed
48 to require, in the case of a public school district or a public insti-
49 tution of higher education, the licensure or qualification of any
50 individuals except those instructors and other principal employees
51 responsible for the teaching of playing or dealing techniques. The
52 commission, in its discretion, may issue a temporary license to an
53 applicant for an instructor's license upon a finding that the appli-
54 cant meets the educational and experiential requirements for such
55 license, that the issuance of a permanent license will be restricted
56 by necessary investigations, and that temporary licensing is nec-
57 essary for the operation of the gaming school. Unless otherwise
58 terminated pursuant to this act, a temporary license issued pur-
59 suant to this subsection shall expire six months from the date of its
60 issuance and be renewable, at the discretion of the commission,
61 for one additional six-month period.

62 c. All casino service industries not included in subsection a. of
63 this section shall be licensed in accordance with rules of the com-
64 mission prior to commencement or continuation of any business
65 with a casino *applicant or* licensee or its *employees or* agents.

66 Such casino service industries, whether or not directly related to
 67 gaming operations, shall include suppliers of alcoholic beverages,
 68 food and nonalcoholic beverages; garbage handlers; vending ma-
 69 chine providers; linen suppliers; maintenance companies; shop-
 70 keepers located within the approved hotels; **[and]** limousine ser-
 71 vices *and construction companies* contracting with casino *applicants*
 72 *or licensees or their employees or agents*. The commission may
 73 exempt any person or field of commerce from the licensing require-
 74 ments of this subsection if the person or field of commerce demon-
 75 strates (1) that it is regulated by a public agency or that it will
 76 provide goods or services in insubstantial or insignificant amounts
 77 or quantities, and (2) that licensing is not deemed necessary in
 78 order to protect the public interest or to accomplish the policies
 79 established by this act. Upon granting an exemption or at any time
 80 thereafter, the commission may limit or place such restrictions
 81 thereupon as it may deem necessary in the public interest, and
 82 shall require the exempted person to cooperate with the commis-
 83 sion and the division and, upon request, to provide information in
 84 the same manner as required of a casino service industry licensed
 85 pursuant to this subsection; provided, however, that no exemption
 86 that be granted unless the casino service industry complies with
 87 the requirements of sections 134 and 135 of this act.

88 d. Licensure pursuant to subsection c. of this section of any
 89 casino service industry may be denied to any applicant disqualified
 90 in accordance with the criteria contained in section 86 of this act.

1 6. Section 93 of P. L. 1977, c. 110 (C. 5:12-93) is amended to
 2 read as follows:

3 93. Registration of Labor Organizations. a. Each labor organi-
 4 zation, union or affiliate seeking to represent employees licensed
 5 or registered under this act and employed by a casino hotel or a
 6 casino licensee shall register with the commission annually, and
 7 shall disclose such information to the commission as the commission
 8 may require, including the names of all affiliated organizations,
 9 pension and welfare systems and all officers and agents of such
 10 organizations and systems; provided, however, that no labor
 11 organization, union, or affiliate shall be required to furnish such
 12 information to the extent such information is included in a report
 13 filed by any labor organization, union, or affiliate with the Secretary
 14 of Labor pursuant to 29 U. S. C. § 431 et seq. or § 1001 et seq. if a
 15 copy of such report, or of the portion thereof containing such in-
 16 formation, is furnished to the commission pursuant to the aforesaid
 17 federal provisions. The commission may in its discretion exempt
 18 any labor organization, union, or affiliate from the registration

19 requirements of this subsection where the commission finds that
20 such organization, union or affiliate is not the certified bargaining
21 representative of any employee licensed or registered under this
22 act, is not involved actively, directly or substantially in the control
23 or direction of the representation of any such employee, and is not
24 seeking to do so.

25 b. [No labor organization, union or affiliate registered or re-
26 quired to be registered pursuant to this section and representing
27 or seeking to represent employees licensed or registered under this
28 act may receive any dues from any employee licensed or registered
29 under this act and employed by a casino licensee or its agent, or
30 administer any pension or welfare funds, if any officer, agent, or
31 principal employee of the labor organization, union or affiliate is
32 disqualified in accordance with the criteria contained in section 86
33 of this act. The commission may for the purposes of this subsection
34 waive any disqualification criterion consistent with the public policy
35 of this act and upon a finding that the interests of justice so re-
36 quire.] *No person may act as an officer, agent or principal em-
37 ployee of a labor organization, union or affiliate registered or re-
38 quired to be registered pursuant to this section and representing
39 or seeking to represent employees licensed or registered under
40 P. L. 1977, c. 110 (C. 5:12-1 et seq.) if the person has been found
41 disqualified by the commission in accordance with the criteria con-
42 tained in section 86 of that act. The commission may, for purposes
43 of this subsection, waive any disqualification criterion consistent
44 with the public policy of this act and upon a finding that the inter-
45 ests of justice so require.*

46 c. Neither a labor organization, union or affiliate nor its officers
47 and agents not otherwise individually licensed or registered under
48 this act and employed by a casino licensee may hold any financial
49 interest whatsoever in the casino hotel or casino licensee whose
50 employees they represent.

51 d. *Any person, including any labor organization, union or affil-
52 iate, who shall violate, aid and abet the violation, or conspire or
53 attempt to violate this section is guilty of a crime of the fourth
54 degree.*

55 e. *The commission or the division may maintain a civil action
56 and proceed in a summary manner, without posting bond, against
57 any person, including any labor organization, union or affiliate, to
58 compel compliance with this section, or to prevent any violations,
59 the aiding and abetting thereof, or any attempt or conspiracy to
60 violate this section.*

61 *f. In addition to any other remedies provided in this section, a*
 62 *labor organization, union or affiliate registered or required to be*
 63 *registered pursuant to this section and representing or seeking to*
 64 *represent employees licensed or registered under P. L. 1977, c. 110*
 65 *(C. 5:12-1 et seq.) may be prohibited by the commission from re-*
 66 *ceiving any dues from any employee licensed or registered under*
 67 *that act and employed by a casino licensee or its agent, if any*
 68 *officer, agent or principal employee of the labor organization, union*
 69 *or affiliate has been found disqualified and if such disqualification*
 70 *has not been waived by the commission in accordance with sub-*
 71 *section b. of this section. The commission or the division may pro-*
 72 *ceed in the manner provided by subsection e. of this section to en-*
 73 *force an order of the commission prohibiting the receipt of dues.*

74 *g. Nothing contained in this section shall limit the power of the*
 75 *commission to proceed in accordance with subsection c. of section*
 76 *107 of P. L. 1977, c. 110 (C. 5:12-107).*

1 7. Section 100 of P. L. 1977, c. 110 (C. 5:12-100) is amended
 2 to read as follows:

3 100. Games and Gaming Equipment. a. This act shall not be con-
 4 strued to permit any gaming except the conduct of authorized
 5 games in a casino room in accordance with this act and the regula-
 6 tions promulgated hereunder.

7 b. Gaming equipment shall not be possessed, maintained or ex-
 8 hibited by any person on the premises of a casino hotel complex
 9 except in the casino room and in secure areas used for the inspec-
 10 tion, repair or storage of such equipment and specifically designated
 11 for that purpose by the casino licensee with the approval of the
 12 commission. No gaming equipment shall be possessed, maintained,
 13 exhibited, brought into or removed from a casino room by any
 14 person unless such equipment is necessary to the conduct of an
 15 authorized game, has permanently affixed, imprinted, impressed or
 16 engraved thereon an identification number or symbol authorized
 17 by the commission, is under the exclusive control of a casino licensee
 18 or his employees, and is brought into or removed from the casino
 19 room at times authorized for that purpose by the commission or at
 20 other times when prior notice has been given to and written
 21 approval granted by an authorized agent of the commission.

22 *Notwithstanding the foregoing, a person may, with the prior ap-*
 23 *proval of the commission and under such terms and conditions as*
 24 *may be required by the commission, possess, maintain or exhibit*
 25 *gaming equipment in any other area of the casino hotel complex*
 26 *provided such equipment is used for nongaming purposes.*

27 c. Each casino hotel shall contain a count room and such other

28 secure facilities as may be required by the commission for the
29 counting and storage of cash, [coin] *coins*, tokens and checks re-
30 ceived in the conduct of gaming and for the inspection, counting
31 and storage of dice, cards, chips and other representatives of value.
32 All drop boxes and other devices wherein [mash] *cash*, coins, or
33 tokens are deposited at the gaming tables or in slot machines, and
34 all areas wherein such boxes and devices are kept while in use,
35 shall be equipped with two locking devices, one key to which shall
36 be under the exclusive control of the commission and the other
37 under the exclusive control of the casino licensee, and said drop
38 boxes and other devices shall not be brought into or removed from
39 the casino room, or locked or unlocked, except at such [time]
40 *times*, in such places, and according to such procedures as the com-
41 mission may require.

42 d. All chips used in gaming at all casinos shall be of such size
43 and uniform color by denomination as the commission shall require
44 by regulation.

45 e. All gaming shall be conducted according to rules promulgated
46 by the commission. All wagers and pay-offs of winning wagers at
47 table games shall be made according to rules promulgated by the
48 commission, which shall establish such minimum wagers and other
49 limitations as may be necessary to assure the vitality of casino
50 operations and fair odds to and maximum participation by casino
51 patrons; provided, however, that a licensee may establish a higher
52 minimum wager with the prior approval of the commission. Each
53 slot machine shall have a minimum payout of 83%.

54 f. Each casino licensee shall make available in printed form to
55 any casino patron upon request the complete text of the rules of the
56 commission regarding games and the conduct of gaming, pay-offs
57 of winning wagers, an approximation of the odds of winning for
58 each wager, and such other advice to the player as the commission
59 shall require. Each casino licensee shall prominently post within
60 the casino room according to regulations of the commission such
61 information about gaming rules, pay-offs of winning wagers, the
62 odds of winning for each wager, and such other advice to the player
63 as the commission shall require.

64 g. Each gaming table shall be equipped with a sign indicating the
65 permissible minimum and maximum wagers pertaining thereto.
66 It shall be unlawful for a casino licensee to require any wager to
67 be greater than the stated minimum or less than the stated maxi-
68 mum; provided, however, that any wager actually made by a patron
69 and not rejected by a casino licensee prior to the commencement of
70 play shall be treated as a valid wager.

71 h. No slot machine shall be used to conduct gaming unless it is
 72 identical in all electrical, mechanical and other aspects to a model
 73 thereof which has been specifically tested by the division and
 74 licensed for use by the commission. The commission shall, by
 75 regulation, establish such technical standards for licensure, includ-
 76 ing mechanical and electrical reliability, security against tamper-
 77 ing, the **comprehensive** *comprehensibility* of wagering, and noise
 78 and light levels, as it may deem necessary to protect the player
 79 from fraud or deception and to insure the integrity of gaming. In
 80 no event shall slot machines, including walkways between them,
 81 occupy more than 30% of the first 50,000 square feet of floor space
 82 of a casino, or more than 25% of any additional floor space of a
 83 casino larger than 50,000 square feet. The commission shall, by
 84 regulation, determine the permissible density of particular licensed
 85 slot machines or combinations thereof, based upon their size and
 86 light and noise levels, so as to create and maintain a gracious play-
 87 ing environment in the casino and to avoid deception or frequent
 88 distraction to players at gaming tables. The denominations of such
 89 machines shall be set by the licensee, subject to the prior approval
 90 of the commission.

91 i. Each casino shall be arranged in such fashion as to allow floor
 92 space for each gaming table, including the space occupied by the
 93 table, in accordance with the following:

94 Baccarat—300 square feet

95 Blackjack—100 square feet

96 Craps—200 square feet

97 Roulette—150 square feet

98 Bix Six Wheel—150 square feet

99 j. Each casino shall be arranged in such fashion as to assure
 100 that gaming tables shall at all times be present, whether in use or
 101 not, according to the following:

102 (1) At least one baccarat **minibaccarat** **or minibaccarat**
 103 table for every 50,000 square feet of casino space or part thereof;
 103A *and*

104 (2) **At least one craps table for every 10,000 square feet of**
 105 casino space or part thereof;

106 (3) At least one roulette table for every 10,000 square feet of
 107 casino space or part thereof;

108 (4) At least four blackjack tables for every 10,000 square feet
 109 of casino space or part thereof; and

110 (5) **No more than one Big Six Wheel and table for every 10,000**
 111 square feet of casino space or part thereof.

112 k. It shall be unlawful for any person to exchange or redeem
 113 chips for anything whatsoever, except currency, negotiable per-
 114 sonal checks, negotiable counter checks or other chips. A casino
 115 licensee shall, upon the request of any person, redeem that licensee's
 116 gaming chips surrendered by that person in any amount over \$25.00
 117 with a check drawn upon the licensee's account at any **[bank]**
 118 *banking* institution in this State and made payable to that person.

119 l. It shall be unlawful for any casino licensee or his agents or
 120 employees to employ, contract with, or use any shill or barker to
 121 induce any person to enter a casino or play at any game or for any
 122 purpose whatsoever.

123 m. It shall be unlawful for a dealer in any authorized game in
 124 which cards are dealt to deal cards by hand or other than from a
 125 device specifically designed for that purpose.

126 n. It shall be unlawful for any casino *key* employee, other than
 127 a **[a]** jacket **[,]** representative, or any casino employee, other than
 128 a bartender, waiter, waitress, or other casino employee who in the
 129 judgment of the commission is not directly involved with the con-
 130 duct of gaming operations, to wager at any game in any casino in
 131 this State.

132 o. (1) It shall be unlawful for any casino key employee or box-
 133 man, floorman, or any other casino employee who shall serve in a
 134 supervisory position to solicit or accept, and for any other casino
 135 employee to solicit, any tip or gratuity from any player or patron
 136 at the casino where he is employed.

137 (2) A dealer may accept tips or gratuities from a patron at the
 138 table at which such dealer is conducting play, subject to the pro-
 139 visions of this subsection. All such tips or gratuities shall be
 140 immediately deposited in a **[lock box]** *lockbox* reserved for that
 141 purpose, accounted for, and placed in a pool for distribution pro
 142 rata among the dealers on a weekly basis, with the distribution
 143 based upon the number of hours each dealer has worked.

1 8. Section 104 of P. L. 1977, c. 110 (C. 5:12-104) is amended to
 2 read as follows:

3 104. Casino Licensee—Leases and Contracts. a. (1) Unless other-
 4 wise provided in this subsection, no agreement which provides for
 5 the payment, however defined, of any direct or indirect interest,
 6 percentage or share of any money or property gambled at a casino
 7 or derived from casino gaming activity or of any such interest,
 8 percentage, or share of any revenues, profits or earnings of a
 9 casino shall be lawful.

10 (2) Agreements which provide only for the payment of a fixed
 11 sum which is in no way affected by the amount of any such money,

12 property, revenues, profits or earnings shall not be subject to the
 13 provisions of this subsection; and receipts, rentals or charges for
 14 real property, personal property or services shall not lose their
 15 character as payments of a fixed sum because of contract, lease, or
 16 license provisions for adjustments in charges, rentals or fees on
 17 account of changes in taxes or assessments, cost-of-living index
 18 escalations, expansion or improvement of facilities, or changes in
 19 services supplied.

20 (3) Agreements between a casino licensee and its employees
 21 which provide for casino employee or casino key employee profit
 22 sharing and which are in writing and have been filed with the com-
 23 mission shall be lawful and effective only if expressly approved as
 24 to their terms by the commission.

25 (4) Agreements to lease an approved hotel building or the land
 26 thereunder and agreements for the complete management of a
 27 casino shall not be subject to the provisions of this subsection but
 28 shall rather be subject to the provisions of subsections b. and c. of
 29 section 82 of this act.

30 (5) Agreements which provide for percentage charges between
 31 the casino licensee and a holding company or intermediary company
 32 of the casino licensee shall be in writing and filed with the com-
 33 mission but shall not be subject to the provisions of this subsection.

34 b. Each casino applicant or licensee shall be required to present
 35 to the commission any maintain, in accordance with the rules of
 36 the commission, a record of each written or unwritten agreement
 37 regarding the realty *of its*, construction, maintenance, or
 38 business of a proposed or existing casino hotel facility, or any
 39 business or person doing business with it or doing business with
 40 it or its agents on the premises of its casino hotel or
 41 related facility. The foregoing obligation shall apply regardless
 42 of whether the casino applicant or licensee is a party to the agree-
 43 ment. Such Any such agreement shall may be reviewed by
 44 the commission on the basis of the reasonableness of its terms, in-
 45 cluding the terms of compensation, and of the qualifications of the
 46 person owners, officers, and directors of any enterprise in-
 47 volved in the agreement with such casino applicant or licensee
 48 or agent thereof, which qualifications shall be reviewed accord-
 49 ing to the standards enumerated in section 86 of this act. If the
 50 commission does not approve disapproves such an agree-
 51 ment or association the owners, officers, or directors of any
 52 enterprise involved therein, the commission may require its
 53 termination.

54 Every agreement **[with a casino hotel]** *required to be main-*
 55 *tained**, and every related agreement the performance of which is
 56 *dependent upon the performance of any such agreement,** shall be
 57 deemed to include a provision ***[for its]*** **to the effect that, if the*
 58 *commission shall require termination of an agreement pursuant to*
 59 *this subsection, such** termination **shall occur** without liability
 60 on the part of the **[licensee]** *casino applicant or licensee or* ***[agent**
 61 *thereof,* if the commission shall disapprove of the business or of
 62 any person associated therewith, by reason of a finding that said
 63 business or person is unsuitable to be associated with a casino**]***
 64 **[enterprise in accordance with the regulations promulgated under**
 65 **this act]** ***[applicant or licensee]*** **any qualified party to the*
 66 *agreement or any related agreement**. Failure expressly to include
 67 such a ***[condition]*** **provision** in the agreement shall not con-
 68 stitute a defense in any action brought to terminate the agreement.
 69 If the agreement is not **maintained or** presented to the commis-
 70 sion in accordance with commission regulations, or the disapproved
 71 agreement ***[or association]*** is not terminated, the commission
 72 may pursue any remedy or combination of remedies provided in
 73 this act.

74 *For the purposes of this subsection, "casino applicant" includes*
 75 *any person* ***[who has applied for any necessary license or ap-**
 76 *proval required to be obtained in accordance with subsection a. of*
 77 *section 82 of P. L. 1977, c. 110 (C. 5:12-82)]* **required to hold a*
 78 *casino license pursuant to section 82 of P. L. 1977, c. 110 (C.*
 79 *5:12-82) who has applied to the commission for a casino license*
 80 *or any approval required under P. L. 1977, c. 110 (C. 5:12-1 et*
 81 *seq.)**.*

82 c. Nothing in this act shall be deemed to permit the transfer of
 83 any license, or any interest in any license, or any certificate of
 84 compliance or any commitment or reservation.

1 9. Section 105 of P. L. 1977, c. 110 (C. 5:12-105) is amended to
 2 read as follows:

3 105. Disposition of Securities by Corporate Licensee. a. The sale,
 4 assignment, transfer, pledge or other disposition of any security
 5 issued by a corporation which holds a casino license is conditional
 6 and shall be ineffective if disapproved by the commission.

7 b. Every security issued by a corporation which holds a casino
 8 license shall bear, on both sides of the certificate evidencing such
 9 security, a statement of the restrictions imposed by this section,
 10 except that in the case of a publicly traded corporation incorpo-
 11 dated prior to the effective date of this act, a statement of restric-

12 tion shall be necessary only insofar as certificates are issued by
13 such corporation after the effective date of this act.

14 c. The Secretary of State shall not accept for filing any articles
15 of incorporation of any corporation which includes as a stated
16 purpose the conduct of casino gaming, or any amendment which
17 adds such purpose to articles of incorporation already filed, unless
18 such articles or amendments have been approved by the commission
19 and a copy of such approval is annexed thereto upon presentation
20 for filing with the Secretary of State.

21 d. If at any time the commission finds that an individual owner
22 or holder of any security *~~or interest~~* of a corporate licensee or
23 of a holding or intermediary company with respect thereto is not
24 qualified under this act, and if as a result the corporate licensee is
25 no longer qualified to continue as a casino licensee in this State, the
26 commission shall, pursuant to the provisions of this act, propose
27 any necessary action to protect the public interest, including the sus-
28 pension or revocation of the casino license of the corporation; pro-
29 vided, however, that if the holding or intermediary company is a
30 publicly traded corporation and the commission finds disqualified
31 any holder of any security thereof who is required to be qualified
32 under section 85 d. of this act, and the commission also finds that:
33 (1) the holding or intermediary company has complied with the
34 provisions of section 82 d. (7) of this act; (2) the holding or in-
35 termediary company has made a good faith effort, including the
36 prosecution of all legal remedies, to comply with any order of the
37 commission requiring the divestiture of the security interest held
38 by the disqualified holder; and (3) such disqualified holder does
39 not have the ability to control the corporate licensee or any holding
40 or intermediary company with respect thereto, or to elect one or
41 more members of the board of directors of such corporation or
42 company, the commission shall not take action against the casino
43 licensee or the holding or intermediary company with respect to
44 the continued ownership of the security interest by the disqualified
45 holder. For purposes of this act, a security holder shall be pre-
46 sumed to have the ability to control a publicly traded corporation,
47 or to elect one or more members of its board of directors, if such
48 holder owns or beneficially holds 5% or more of securities of such
49 corporation, unless such presumption of control or ability to elect
50 is rebutted by clear and convincing evidence.

51 e. Commencing on the date the commission serves notice upon
52 ~~a corporation~~ *~~an entity~~* *a corporation* of the determina-
53 tion of disqualification under subsection d. of this section, it shall
54 be unlawful for the named individual:

55 (1) To receive any dividends or interest upon any such secur-
56 ities ***["or interest"]***;

57 (2) To exercise, directly or through any trustee or nominee, any
58 right conferred by such securities ***["or interest"]***; or

59 (3) To receive any remuneration in any form from the corporate
60 licensee for services rendered or otherwise.

61 f. After a nonpublicly traded corporation has been issued a
62 casino license pursuant to the provisions of this act, but prior to
63 the issuance or transfer of any security to any person required to
64 be but not yet qualified in accordance with the provisions of this
65 act, such corporation shall file a report of its proposed action with
66 the commission, and shall request the approval of the commission
67 for the transaction. If the commission shall deny the request, the
68 corporation shall not issue or transfer such security. After a
69 publicly traded corporation has been issued a casino license, such
70 corporation shall file a report quarterly with the commission,
71 which report shall list all owners and holders of any security issued
72 by such corporate casino licensee.

73 g. Each corporation which has been issued a casino license pur-
74 suant to the provisions of this act shall file a report of any change
75 of its corporate officers or members of its board of directors with
76 the commission. No officer or director shall be entitled to exercise
77 any powers of the office to which he was so elected or appointed
78 until qualified by the commission in accordance with the provisions
79 of this act.

1 10. Section 131 of P. L. 1977, c. 110 (C. 5:12-131) is amended
2 to read as follows:

3 131. Declaration of State's *Limited* Exemption from Operation
4 of Provisions of 15 U. S. C. (1172).

5 Pursuant to section 2 of an Act of Congress of the United States
6 entitled "An act to prohibit transportation of gambling devices
7 in interstate and foreign commerce," approved January 2, 1951,
8 being chapter 1194, 64 Stat. 1134, and also designated as 15 U. S. C.
9 (1171-1177), the State of New Jersey, acting by and through the
10 duly elected and qualified members of its Legislature, does hereby,
11 in accordance with and in compliance with the provisions of section
12 2 of said Act of Congress, declare and proclaim that **["it is exempt**
13 **from the provisions of section 2 of said Act of Congress"]** *section 2*
14 *of that Act of Congress shall not apply to any gambling device in*
15 *this State where the transportation of such a device is specifically*
16 *authorized by and done in compliance with the provisions of P. L.*
17 *1977, c. 110 (C. 5:12-1 et seq.), any other applicable statute of this*
18 *State, and any regulations promulgated pursuant thereto, and that*

19 *any such gambling device transported in compliance with State law*
20 *and regulations shall be exempt from the provisions of that Act*
21 *of Congress.*

1 11. This act shall take effect immediately.

GAMBLING—CASINOS

Amends "Casino Control Act" concerning licensure and other requirements.

STATEMENT

This bill makes various changes in the "Casino Control Act" concerning applicants for and holders of casino and casino service industry licenses, labor unions representing casino employees, casino key employees, and games and gaming equipment.

The bill (1) specifies that the term "casino key employee" includes credit executives, casino cashier supervisors, and anyone empowered to make discretionary decisions which regulate the management of an approved hotel; (2) specifies that the term "casino service industry" includes enterprises which offer goods and services to casino applicants as well as to casino licensees and that construction companies are among those enterprises, and requires the licensing of casino service industries conducting business with a casino applicant; (3) removes the language in the definition of "slot machine" which refers to receipt of a token to be exchanged for merchandise; (4) extends to holding companies, intermediary companies and subsidiaries of casino licensees and to casino license applicants and licensees which are noncorporate entities certain requirements which presently apply only to corporate entities and partnerships; (5) prohibits disqualified persons from serving as officers or agents of labor unions representing casino employees and clarifies the power of the commission to compel compliance; (6) allows exhibit and maintenance of gaming equipment for nongaming purposes in noncasino areas of casino-hotels; (7) eliminates the present space requirements with respect to craps, roulette, and blackjack tables and permits a minibaccarat table to be considered in satisfying the space requirement, which is retained, for baccarat tables; (8) requires applicants as well as licensees to maintain records of written and unwritten agreements and permits the commission to review those agreements at its discretion (presently, the commission is mandated to review all licensee agreements); and (9) clarifies provisions regarding the interstate transportation of gambling devices to make them consistent with the original legislative intent.

GAMBLING—CASINOS

Amends "Casino Control Act" concerning licensure and other requirements.

ASSEMBLY INDEPENDENT AND REGIONAL
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3568

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 1987

The Assembly Independent and Regional Authorities Committee reports favorably Assembly Bill No. 3568 with committee amendments.

As amended, this bill amends various sections of the "Casino Control Act," P. L. 1977, c. 110 (C. 5:12-1 et seq.) concerning licensure and other casino-gaming related requirements. The bill:

(1) amends section 9 of the act to include within the definition of "casino key employee" persons with discretionary decision-making powers over management of an approved hotel (section 9 currently includes persons in supervisory or managerial positions involved in regulation of casino operations);

(2) amends section 12 of the act to expand the definition of casino service industry to include enterprises which regularly provide goods or services to casino applicants as well as licensees and to specifically include construction companies within the definition (at present, this section refers only to licensees);

(3) amends section 45 of the act to remove recently enacted language in the definition of "slot machine" referring to receipt of a token to be exchanged for merchandise in order to assure the integrity and fairness of slot machine payoffs involving merchandise;

(4) amends section 82 of the act to extend to holding companies, intermediary companies and subsidiaries of casino licensees and to casino license applicants and licensees which are non-corporate entities certain requirements which presently apply only to corporate entities and partnerships;

(5) amends section 93 of the act to prohibit persons disqualified by the commission from serving as officers or agents of labor unions representing or seeking to represent casino employees and to clarify enforcement powers of the commission to compel compliance with this section;

(6) amends section 100 of the act to allow exhibit and maintenance of gaming equipment for non-gaming purposes in non-casino areas of casino-hotels (currently, gaming equipment must be maintained on the casino floor or in a secure area designated for the equipment);

(7) amends section 100 of the act to eliminate current space requirements for blackjack, craps and roulette tables and to permit mini baccarat tables to be considered on satisfaction of the space requirement, which is retained, for baccarat tables (at present, this section requires a mandatory mix of various casino table games depending upon square footage of casino space);

(8) amends section 104 of the act to require casino applicants in addition to licensees to maintain records of written and unwritten agreements and to permit discretionary review of those agreements by the commission (presently, the commission is required to review all business agreements entered into by casino licensees); and

(9) amends section 131 of the act to clarify provisions concerning interstate transportation of gambling devices consistent with the original legislative intent (currently, this section provides for a Statewide exemption from the federal prohibition on interstate transportation of gambling devices whereas the intent was to exempt from the federal ban only certain gaming devices brought into the State authorized by the "Casino Control Act" and regulations adopted pursuant thereto).

The amendments adopted by the committee:

(1) clarify that the definition of casino service industry refers to enterprises which provide services concerning realty, construction, maintenance or business of a proposed or existing casino hotel or related facility;

(2) provide for a one-year transition period during which time those corporations with prior approval from the commission as to their bylaw provisions may adopt appropriate charter provisions to conform to the requirements of section 82 of the act;

(3) specify that records of agreements concerning realty, construction, maintenance or business of a proposed or existing casino hotel shall be maintained by each casino applicant or licensee regardless of whether the applicant or licensee is a party to the agreement;

(4) specify that persons involved in such agreements maintained by an applicant or licensee shall refer to owners, officers and directors involved in the agreement thereby allowing the commission to require termination of such an agreement if it disapproves of either the terms of the agreement or the qualifications of an owner, officer or director involved in the agreement;

(5) provide that such agreements shall be deemed to include a provision for termination without liability to the applicant or licensee if the commission requires termination and to provide that related agreements whose performance is dependent upon an agreement for which the commission requires termination, shall also be deemed to include a provision limiting liability of persons who are parties to the agreements.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3568

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 1987

The Senate Institutions, Health and Welfare Committee favorably reports Assembly Bill No. 3568 OCR.

This bill makes various changes in the "Casino Control Act" concerning casino key employees, applicants for and holders of casino and casino service industry licenses, labor unions representing casino employees, and games and gaming equipment.

The bill amends the definition of:

(1) "casino key employee" to include credit executives, casino cashier supervisors and any other person empowered to make discretionary decisions which regulate the management of an approved hotel;

(2) "casino service industry" to include enterprises which regularly provide goods and services to casino applicants as well as licensees regarding the realty, construction, maintenance or business of a proposed or existing casino hotel or related facility, and to specifically include construction companies in the definition; and

(3) "slot machine" to remove the language which refers to receipt of a token to be exchanged for merchandise.

The bill amends section 82 of the "Casino Control Act" to extend to holding, intermediary and subsidiary companies of casino licensees and to casino license applicants and licensees which are noncorporate entities certain requirements which presently apply only to corporate entities and partnerships.

Section 93 of the act is amended to prohibit persons disqualified by the commission from serving as officers or agents of labor unions representing casino employees and clarifies the power of the commission to compel compliance.

Section 100 of the act is amended to permit the exhibition and maintenance of gaming equipment for nongaming purposes in noncasino areas of casino hotels. The bill also eliminates the present space requirements with respect to craps, roulette and blackjack tables and provides that a minibaccarat table may be considered in satisfying the requirement for baccarat tables, which is retained.

Section 104 of the act is amended to require casino applicants in addition to licensees to maintain records of written and unwritten agreements and to permit discretionary review of those agreements by the commission, rather than to require the commission to review the agreements, as the law currently provides.

Finally, section 131 of the act is amended to clarify provisions regarding the interstate transportation of gambling devices to make the provisions consistent with the original legislative intent of the act. Currently, this section exempts the State from the federal prohibition on interstate transportation of all gambling devices, whereas the intent was to exempt from the federal ban only those gambling devices specifically authorized by the commission and transported in compliance with the "Casino Control Act."

This bill is identical to Senate Bill No. 2896 Sca (Codey), which the committee also reported favorably on this date.

977, 901,
601



OFFICE OF THE GOVERNOR

NEWS RELEASE

Governor Thomas H. Kean
TRENTON, N.J. 08625
Release:

CN-001
Contact:

JOHN SAMERJAN
609-292-8956 OR 292-6000 EXT. 207

MON., JAN. 4, 1988

Governor Thomas H. Kean today signed five bills reforming the Casino Control Act in the areas of licensure and definitions of "casino employees."

A-3568/S-2896, sponsored by Assemblyman Pat Schuber, R-Bergen, Assemblywoman Marion Crecco, R-Essex and Senator Richard Codey, D-Essex, expands the definition "casino service industry" to expressly include construction companies who must now obtain licenses when providing service to the casino industry.

The legislation also embodies the United States Supreme Court ruling concerning Bartenders Local No. 54 by prohibiting person disqualified by the Casino Control Commission from serving as officers or agents of labor unions representing casino employees.

The legislation also eliminates current space requirements for blackjack, craps and roulette tables.

Effective immediately.

S-2462, sponsored by Senator Richard Codey, D-Essex, provides that after a casino licensee has received its second one-year renewal of its license, subsequent renewals will be for two years. The legislation also provides that the minimum renewal fee for a two-year license will be \$200,000.

Effective immediately.