

ASSEMBLY BILL NO. 1860

To the General Assembly:

Pursuant to Article V. Section 1. Paragraph 14 of the New Jersey Constitution. I am returning Assembly Bill No. 1859 with my recommendations for reconsideration.

A. SUMMARY OF THE BILL

This bill would allow individual poker dealers at casinos to retain tips or gratuities received from patrons. Current law requires individual poker dealers to deposit their tips into a pool which is then shared with the other poker dealers at the casino. This bill does not affect other dealers at casinos, such as blackjack dealers, craps dealers and baccarat dealers, who are required to pool their tips and gratuities with one another. The bill grants the Casino Control Commission ("the Commission") the authority to determine if the individual tip or gratuity retention policy should be adopted for poker dealers.

B. RECOMMENDED ACTION

While I believe It Is appropriate to authorize the Commission to consider a new method of tip collection and disbursement for poker dealers, I have been advised that the bill will create implementation problems because of its immediate effective date. I therefore recommend that the effective date of the bill be delayed 90 days after enactment In order to provide the Commission sufficient time to promulgate regulations in the event It approves the newly proposed tip and gratuity structure.

In addition, the bill deletes the existing section of law that allows the Commission to authorize a separate tip pool for poker dealers, as is the current practice. In order to provide the Commission maximum flexibility in structuring rules governing dealer remuneration. I recommend that this language be reinserted.

STATE OF NEW JERSEY

EXECUTIVE DEPARTMENT

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Therefore, I herewith return Assembly Bill No. 1860 and recommend that it be amended as follows:

Page 5, Section 1, Lines 31-32:

After "permit" insert "a separate pool to be established for dealers in the game of poker, or may permit"

Page 5, Section 2, Line 36:

After "take effect," delete "immediately." And insert "90 days after enactment, but the commission may take such anticipatory administrative action in advance of the effective date as shall be necessary for the implementation of the act."

Respectfully,
/s/ Christine Todd Whitman
GOVERNOR

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Attest:
/s/ John J. Farmer, Jr.
Chief Counsel to the Governor