

5:12-5 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:12-5 et al (Casino Control Act--various amendments)

LAWS OF: 1985 CHAPTER: 350

BILL NO: A1353

Sponsor(s): Riley

Date Introduced: February 23, 1984

Committee: Assembly: Independent Authorities and Commissions

Senate: State Government, Federal and Interstate Relations and Veterans' Affairs

Amended during passage: Yes Substituted for S1484 (not attached since identical to A1353). Amendments during passage.

Date of Passage: Assembly: February 25, 1985

Senate: September 9, 1985

Date of Approval: November 7, 1985

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: No

See newspaper clippings--attached:

"Kean signs bill allowing minibaccarat," 11-9-85 Asbury Park Press.

"Kean enacts casino amendments," 11-9-85 Star Ledger.

"Casino rule changes keep legislators busy," 2-27-85 Trenton Times.

356 11-7-85  
[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1353

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 23, 1984

By Assemblyman RILEY

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

3 5. "Authorized Game" or "Authorized Gambling Game"—  
4 Roulette, baccarat, blackjack, craps, big six wheel, slot machines,  
5 **\*\*[sic bo, paiggow, fan tan,]\*\*** minibaccarat and any variations  
6 or composites of such games, provided that such variations or com-  
7 posites are found by the commission suitable for casino use after  
8 an appropriate test or experimental period under such terms and  
9 conditions as the commission may deem appropriate**\*\*[\*]**, and  
10 *provided further that no casino licensee shall be permitted to con-*  
11 *duct sic bo, paiggow, or fan tan until six months after a licensee*  
12 *makes the initial application to the Casino Control Commission for*  
13 *authorization to conduct sic bo, paiggow, or fan tan, as the case may*  
14 *be, and then only the game for which application is made shall be*  
15 *permitted to be conducted. The commission shall determine and*  
16 *approve the space to be allocated for sic bo, paiggow, and fan*  
17 *tan\*\*].*

1 2. 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

**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 amendment adopted February 14, 1985.

\*\*—Senate committee amendments adopted May 2, 1985

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 **[anything]***  
 11 ***any thing** of value whatsoever or a token to be exchanged for*  
 12 *merchandise or **[anything]** **any thing** of value, whether*  
 13 *the payoff is made automatically from the machine or in any other*  
 14 *manner whatsoever**;** provided, however**]**, **except** that**:**  
 15 *a. no merchandise or thing of value shall be offered as part of*  
 16 *a payoff of any slot machine unless such merchandise or thing of*  
 17 *value has a cash equivalent value of at least \$5,000.00 **;*****;**  
 18 *and **[provided further, however, that]** **b.** the cash equiv-*  
 19 *alent value of any **[such]** merchandise or other thing of value*  
 20 *shall not be included in the total of all sums paid out as winnings*  
 21 *to patrons for purposes of determining gross revenues as defined*  
 22 *by section 24 of P. L. 1977, c. 110 (C. 5:12-24)**;** and such cash*  
 23 *equivalent value shall not**]** **or** be included in determining*  
 24 *the payout percentage of any slot machine. The commission shall*  
 25 *promulgate rules defining "cash equivalent value" in order to as-*  
 26 *sure fairness, uniformity and comparability of valuation of slot*  
 27 *machine payoffs.**

1 3. Section 85 of P. L. 1977, c. 110 (C. 5:12-85) is amended to  
 2 read as follows:

3 85. Additional Requirements. a. In addition to other information  
 4 required by this act, a corporation applying for a casino license  
 5 shall provide the following information:

6 (1) The organization, financial structure and nature of all busi-  
 7 nesses operated by the corporation; the names and personal  
 8 employment and criminal histories of all officers, directors and  
 9 principal employees of the corporation; the names of all holding,  
 10 intermediary and subsidiary companies of the corporation; and  
 11 the organization, financial structure and nature of all businesses  
 12 operated by such of its holding, intermediary and subsidiary com-  
 13 panies as the commission may require, including names and per-  
 14 sonal employment and criminal histories of such officers, directors  
 15 and principal employees of such corporations and companies as the  
 16 commission may require;

17 (2) The rights and privileges acquired by the holders of different  
 18 classes of authorized securities of such corporations and companies  
 19 as the commission may require, including the names, addresses  
 20 and amounts held by all holders of such securities;

21 (3) The terms upon which securities have been or are to be  
 22 offered;

23 (4) The terms and conditions of all outstanding loans, mort-  
24 gages, trust deeds, pledges or any other indebtedness or security  
25 devices utilized by the corporation;

26 (5) The extent of the equity security holding in the corporation  
27 of all officers, directors and underwriters, and their remuneration  
28 in the form of salary, wages, fees or otherwise;

29 (6) Names of persons other than directors and officers *who*  
30 *occupy positions specified by the commission or whose compensa-*  
31 *tion exceeds [\$25,000.00 per annum, and amounts thereon] an*  
32 *amount determined by the commission, and the amount of their*  
33 *compensation;*

34 (7) A description of all bonus and profit sharing arrangements;

35 (8) Copies of all management and service contracts; and

36 (9) A listing of stock options existing or to be created.

37 b. If a corporation applying for a casino license is, or if a cor-  
38 poration holding a casino license is to become, a subsidiary, each  
39 holding company and each intermediary company with respect  
40 thereto must, as a condition of the said subsidiary acquiring or  
41 retaining such license, as the case may be:

42 (1) Qualify to do business in the State of New Jersey; and

43 (2) If it is a corporation, register with the commission and  
44 furnish the commission with all the information required of a  
45 corporate license as specified in subsection a. (1), (2) and (3) of  
46 this section and such other information as the commission may  
47 require; or

48 (3) If it is not a corporation, register with the commission and  
49 furnish the commission with such information as the commission  
50 may prescribe. The commission may, in its discretion, make such  
51 investigations concerning the officers, directors, underwriters,  
52 security holders, partners, principals, trustees or persons owning  
53 or beneficially holding any interest in any holding company or  
54 intermediary company as it deems necessary, either at the time  
55 of initial registration or at any time thereafter.

56 c. No corporation shall be eligible to hold a casino license unless  
57 each officer; each director; each person who directly or indirectly  
58 holds any beneficial interest or ownership of the securities issued  
59 by the corporation; any person who in the opinion of the commis-  
60 sion has the ability to control the corporation or elect a majority  
61 of the board of directors of that corporation, other than a banking  
62 or other licensed lending institution which holds a mortgage or  
63 other lien acquired in the ordinary course of business; each princi-  
64 pal employee; and any lender, underwriter, agent, employee of the  
65 corporation, or other person whom the commission may consider

66 appropriate for approval or qualification would, but for residence,  
67 individually be qualified for approval as a casino key employee  
68 pursuant to the provisions of this act.

69 d. No corporation which is a subsidiary shall be eligible to re-  
70 ceived or hold a casino license unless each holding and intermediary  
71 company with respect thereto:

72 (1) If it is a corporation, shall comply with the provisions of  
73 subsection c. of this section as if said holding or intermediary  
74 company were itself applying for a casino license; provided,  
75 however, that the commission with the concurrence of the director  
76 may waive compliance with the provisions of subsection c. hereof  
77 on the part of a publicly-traded corporation which is a holding  
78 company as to any officer, director, lender, underwriter, agent or  
79 employee thereof, or person directly or indirectly holding a bene-  
80 ficial interest or ownership of the securities of such corporation,  
81 where the commission and the director are satisfied that such officer,  
82 director, lender, underwriter, agent or employee is not significantly  
83 involved in the activities of the corporate licensee, and in the case  
84 of security holders, does not have the ability to control the publicly-  
85 traded corporation or elect one or more directors thereof; or

86 (2) If it is not a corporation, shall comply with the provisions  
87 of subsection e. of this section as if said company were itself  
88 applying for a casino license.

89 e. Any noncorporate applicant for a casino license shall provide  
90 the information required in subsection a. of this section in such  
91 form as may be required by the commission. No such applicant  
92 shall be eligible to hold a casino license unless each person who  
93 directly or indirectly holds any beneficial interest or ownership  
94 in the applicant, or who in the opinion of the commission has the  
95 ability to control the applicant, or whom the commission may con-  
96 sider appropriate for approval or qualification, would, but for  
97 residence, individually be qualified for approval as a casino key  
98 employee pursuant to the provisions of this act.

1 4. Section 100 of P. L. 1977, c. 110 (C. 5:12-100) is amended to  
2 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 c. Each casino hotel shall contain a count room and such other  
23 secure facilities as may be required by the commission for the  
24 counting and storage of cash, coin, tokens and checks received in  
25 the conduct of gaming and for the inspection, counting and storage  
26 of dice, cards, chips and other representatives of value. All drop  
27 boxes and other devices wherein mash, coins, or tokens are deposited  
28 at the gaming tables or in slot machines, and all areas wherein such  
29 boxes and devices are kept while in use, shall be equipped with  
30 two locking devices, one key to which shall be under the exclusive  
31 control of the commission and the other under the exclusive control  
32 of the casino licensee, and said drop boxes and other devices shall  
33 not be brought into or removed from the casino room, or locked or  
34 unlocked, except at such time, in such places, and according to such  
35 procedures as the commission may require.

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

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

48 f. Each casino licensee shall make available in printed form to  
49 any casino patron upon request the complete text of the rules of the  
50 commission regarding games and the conduct of gaming, pay-offs  
51 of winning wagers, an approximation of the odds of winning for  
52 each wager, and such other advice to the player as the commission  
53 shall require. Each casino licensee shall prominently post within

54 the casino room according to regulations of the commission such  
55 information about gaming rules, pay-offs of winning wagers, the  
56 odds of winning for each wager, and such other advice to the player  
57 as the commission shall require.

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

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

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

88 Baccarat—300 square feet

89 Blackjack—100 square feet

90 Craps—200 square feet

91 Roulette—150 square feet

92 Bix Six Wheel—150 square feet

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

96 (1) At least one baccarat table for every **[25,000]** 50,000 square  
97 feet of casino space or part thereof;

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

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

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

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

106 k. It shall be unlawful for any person to exchange or redeem  
107 chips for anything whatsoever, except currency, negotiable per-  
108 sonal checks, negotiable counter checks or other chips. A casino  
109 licensee shall, upon the request of any person, redeem that licensee's  
110 gaming chips surrendered by that person in any amount over \$25.00  
111 with a check drawn upon the licensee's account at any bank insti-  
112 tution in this State and made payable to that person.

113 l. It shall be unlawful for any casino licensee or his agents or  
114 employees to employ, contract with, or use any shill or barker to  
115 induce any person to enter a casino or play at any game or for any  
116 purpose whatsoever.

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

120 n. It shall be unlawful for any casino employee, other than a  
121 a junket, representative, or any casino employee, other than a  
122 bartender, waiter, waitress, or other casino employee who in the  
123 judgment of the commission is not directly involved with the con-  
124 duct of gaming operations, to wager at any game in any casino in  
125 this State.

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

131 (2) A dealer may accept tips or gratuities from a patron at the  
132 table at which such dealer is conducting play, subject to the pro-  
133 visions of this subsection. All such tips or gratuities shall be  
134 immediately deposited in a lock box reserved for that purpose,  
135 accounted for, and placed in a pool for distribution pro rata among  
136 the dealers on a weekly basis, with the distribution based upon  
137 the number of hours each dealer has worked.

1 5. This act shall take effect on the 60th day after enactment.

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106 k. It shall be unlawful for any person to exchange or redeem  
 107 chips for anything whatsoever, except currency, negotiable per-  
 108 sonal checks, negotiable counter checks or other chips. A casino  
 109 licensee shall, upon the request of any person, redeem that licensee's  
 110 gaming chips surrendered by that person in any amount over \$25.00  
 111 with a check drawn upon the licensee's account at any bank insti-  
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 118 which cards are dealt to deal cards by hand or other than from a  
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 123 judgment of the commission is not directly involved with the con-  
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 127 man, floorman, or any other casino employee who shall serve in a  
 128 supervisory position to solicit or accept, and for any other casino  
 129 employee to solicit, any tip or gratuity from any player or patron  
 130 at the casino where he is employed.

131 (2) A dealer may accept tips or gratuities from a patron at the  
 132 table at which such dealer is conducting play, subject to the pro-  
 133 visions of this subsection. All such tips or gratuities shall be  
 134 immediately deposited in a lock box reserved for that purpose,  
 135 accounted for, and placed in a pool for distribution pro rata among  
 136 the dealers on a weekly basis, with the distribution based upon  
 137 the number of hours each dealer has worked.

1 5. This act shall take effect on the 60th day after enactment.

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#### STATEMENT

This bill proposes sundry amendments to the "Casino Control Act," P. L. 1977, c. 110 (C. 5:12-1 et seq.) concerning: the definitions of authorized games, slot machines; certain information for licensing; and required baccarat tables per square foot.

A1353(1985)

ASSEMBLY INDEPENDENT AUTHORITIES AND  
COMMISSIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1353**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: FEBRUARY 14, 1985

This bill makes sundry amendments of the "Casino Control Act" to:

- (1) expand authorized games to include sic bo, paiggow, fan tan, and minibaccarat;
- (2) allow, under certain conditions, the receipt of merchandise or a token to be exchanged for merchandise as payoff from slot machines;
- (3) authorize the commission to specify the positions and the compensation the holders or recipients of which are to be identified by a corporation applying for a casino license;
- (4) change the space requirement for baccarat tables from one for every 25,000 square feet of casino space to one for every 50,000 square feet of casino space.

As amended, the bill provides that sic bo, paiggow, or fan tan cannot be conducted until six months after an initial application is made by a casino licensee for permission to conduct the game.

The committee reported the bill favorably as amended.

COMMITTEE ACTION

The committee amended the bill to delay the use of sic bo, paiggow, and fan tan until six months after an initial application is made in order to give the Casino Control Commission and the Division of Gaming Enforcement sufficient time to promulgate regulations and to train staff concerning those games.

SENATE STATE GOVERNMENT, FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS AFFAIRS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1353**

[OFFICIAL COPY REPRINT]  
with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: APRIL 29, 1985

As amended, this bill makes various changes in the Casino Control Act concerning authorized games, slot machines, licensing information, and required baccarat tables per square foot. It:

1. Entitles the person operating the slot machine to receive merchandise or any thing of value or a token to be exchanged for merchandise or any thing of value (provided that the merchandise or thing of value shall have a cash equivalent of at least \$5,000.00 and shall not be included in the total of sums paid out as winnings for the purposes of determining gross revenues or included in determining the payout percentage of any slot machine).

2. Provides that a corporation applying for a casino license shall give the Casino Control Commission names of persons who occupy positions specified by the commission or whose compensation exceeds an amount determined by the commission and not \$25,000.00 per annum as the existing law requires.

3. Changes the required number of baccarat tables from one table for every 25,000 square feet of casino space to one table for every 50,000 square feet of casino space.

4. Includes minibaccarat as an authorized gambling game but removes the authorization, as contained in the original bill, for sic bo, paiggow, and fan tan.



979.901  
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# OFFICE OF THE GOVERNOR

## NEWS RELEASE

CN-001

Contact: CARL GOLDEN  
609-292-8956

TRENTON, N.J. 08625

Release: FRIDAY, NOV. 8, 1985

Governor Thomas H. Kean today signed legislation amending the State's Casino Control Act to permit, among other things, casinos to offer the game of mini baccarat.

The bill, A-1353, sponsored by Assemblyman Dennis Riley, D-Camden, would:

- Permit casinos to offer the game of mini baccarat.
- Permit slot machines to award merchandise or anything of value provided that its worth exceeds \$5,000.
- Require an applicant for a casino license to disclose to the Casino Control Commission the name and salary of persons other than directors and officers who occupy positions specified by the company or whose compensation exceeds an amount determined by the Commission.
- Decrease the number of baccarat tables which a casino must provide from one table for every 25,000 square feet to one table for every 50,000 square feet of casino space.

Kean also signed:

S-3246, sponsored by Senator Walter Foran, R-Hunterdon, to increase the advertising bidding threshold for State construction contracts from \$10,000 to \$25,000. It also requires the Governor to adjust the threshold on construction contracts and on contracts for the purchase of goods and services to conform with the rise or fall in the Consumer Price Index.

- more -