

52:27H-37

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:27H-37 (Atlantic City Convention Hall - delays transfer from city to authority)

LAWS 1982 CHAPTER 104

Bill No. A1657

Sponsor(s) Matthews and Gormley

Date Introduced June 17, 1982

Committee: Assembly -----

Senate County and Municipal Government

Amended during passage Yes ~~No~~ Amendments denoted by asterisk:

according to Governor's recommendations:  
Date of Passage: Assembly June 17, 1982

Re-enacted 7-8-82

Senate June 24, 1982

Re-enacted 7-22-82

Date of approval July 30, 1982

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly ~~Yes~~ No

Senate ~~Yes~~ No

Fiscal Note ~~Yes~~ No

Veto Message Yes ~~No~~

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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ASSEMBLY, No. 1657

STATE OF NEW JERSEY

INTRODUCED JUNE 17, 1982

By Assemblymen MATTHEWS and GORMLEY

AN ACT concerning the improvement and operation of certain convention centers and amending \***[P. L. 1947, c. 71 and]**\* P. L. 1981, c. 459.

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

1 \***[1. Section 7 of P. L. 1947, c. 71 (C. 40:48-8.21) is amended to**  
2 read as follows:

3 7. All revenues collected under any such ordinance by the Direc-  
4 tor of the Division of Taxation pursuant to section 1 of P. L. 1980,  
5 c. 60 (C. 54:32B-24.1) shall be apportioned according to the follow-  
6 ing schedule:

7 (a) Through June 30, 1981, all such revenues shall be deposited  
8 in the general fund of the municipality and may be used for general  
9 municipal purposes, including the reduction and liquidation of  
10 bonded indebtedness, the payment of salaries, construction, recon-  
11 struction, maintenance and repair of municipal buildings, installa-  
12 tions and properties, and for such other purposes as may be  
13 provided by existing ordinance or ordinances hereafter enacted for  
14 general municipal purposes;

15 (b) For revenues collected during the period from July 1, 1981  
16 through February 28, 1982, 66 $\frac{2}{3}$ % of such revenues shall be paid  
17 to the municipality and deposited and used as provided in sub-  
18 section (a) of this section and 33 $\frac{1}{3}$ % of such revenues shall be  
19 retained by the State Treasurer for deposit in the fund established  
20 pursuant to the provisions of section 5 of P. L. 1979, c. 273

**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 amendments adopted in accordance with Governor's recommendations July 1, 1982

21 (C. 40:48-8.3), to be used and distributed according to the terms  
22 herein provided;

23 (c) For revenues collected during the period from March 1,  
24 1982 through **June 30, 1982** *December 31, 1982*, two-sevenths  
25 of such revenues shall be paid to the municipality and deposited  
26 and used as provided in subsection (a) of this section, and five-  
27 sevenths of such revenues shall be retained by the State Treasurer  
28 for deposit in the fund established pursuant to section 5 of P. L.  
29 1979, c. 273 (C. 40:48-8.30) and be distributed according to the  
30 terms of this amendatory and supplementary act;

31 (d) On and after **July 1, 1982** *January 1, 1983*, all such rev-  
32 enues shall be retained by the State Treasurer for deposit in the  
33 fund established pursuant to section 5 of P. L. 1979, c. 273 (C.  
34 40:48-8.30) and distributed according to the terms herein pro-  
35 vided.]\*

1 \***[2.]**\* \*1.\* Section 9 of P. L. 1981, c. 459 (C. 52:27H-37) is  
2 amended to read as follows:

3 9. The authority shall enter into a contract with any political  
4 subdivision of the State which owns or leases any convention  
5 center, convention hall and related or ancillary facilities for the  
6 operation thereof. The convention center, convention hall and  
7 related or ancillary facilities shall be in a municipality wherein  
8 casino gambling has been duly authorized, except that the authority  
9 may operate, pursuant to contract, related or ancillary facilities  
10 necessary to the operation of a convention center or hall, which are  
11 not located within the borders of a municipality wherein casino  
12 gambling is authorized, but which are located within the same  
13 county as that municipality.

14 Any contract entered into pursuant to this section shall not  
15 exceed 5 years in duration. The first contract so entered into shall  
16 have an effective date of **July 1, 1982** *January 1, 1983*. A contract  
17 shall prescribe the use or disposition of any revenues resulting  
18 from the operation of any convention center, convention hall and  
19 related or ancillary facilities. The provisions of any contract  
20 entered into shall not conflict with any bond resolution or trust  
21 agreement relating to any facilities subject to the terms of the  
22 contract.

1 \***[3.]**\* \*2.\* This act shall take effect immediately.

25 of such revenues shall be paid to the municipality and deposited  
 26 and used as provided in subsection (a) of this section, and five-  
 27 sevenths of such revenues shall be retained by the State Treasurer  
 28 for deposit in the fund established pursuant to section 5 of P. L.  
 29 1979, c. 273 (C. 40:48-8.30) and be distributed according to the  
 30 terms of this amendatory and supplementary act;

31 (d) On and after **[July 1, 1982]** *January 1, 1983*, all such rev-  
 32 enues shall be retained by the State Treasurer for deposit in the  
 33 fund established pursuant to section 5 of P. L. 1979, c. 273 (C.  
 34 40:48-8.30) and distributed according to the terms herein provided.

1 2. Section 9 of P. L. 1981, c. 459 (C. 52:27H-37) is amended to  
 2 read as follows:

3 9. The authority shall enter into a contract with any political  
 4 subdivision of the State which owns or leases any convention  
 5 center, convention hall and related or ancillary facilities for the  
 6 operation thereof. The convention center, convention hall and  
 7 related or ancillary facilities shall be in a municipality wherein  
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 11 not located within the borders of a municipality wherein casino  
 12 gambling is authorized, but which are located within the same  
 13 county as that municipality.

14 Any contract entered into pursuant to this section shall not  
 15 exceed 5 years in duration. The first contract so entered into shall  
 16 have an effective date of **[July 1, 1982]** *January 1, 1983*. A contract  
 17 shall prescribe the use or disposition of any revenues resulting  
 18 from the operation of any convention center, convention hall and  
 19 related or ancillary facilities. The provisions of any contract  
 20 entered into shall not conflict with any bond resolution or trust  
 21 agreement relating to any facilities subject to the terms of the  
 22 contract.

1 3. This act shall take effect immediately.

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#### STATEMENT

This bill amends the "Atlantic City Convention Center Authority Act," P. L. 1981, c. 459 (C. 52:27H-29 et seq.) and the Atlantic City "luxury tax" statute, P. L. 1947, c. 71 (C. 40:48-8.15 et seq.) to delay from July 1, 1982 to January 1, 1983 the transfer of operations of the Atlantic City convention hall from the city to the authority. Under the bill, Atlantic City would retain the two-sevenths of the revenues collected from the "luxury tax" for an additional 6 months in order to compensate for any operating deficit incurred by the city on the convention hall.

A1657 (1982)

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

July 1, 1982

ASSEMBLY BILL NO. 1657

To the General Assembly:

Pursuant to Article V, Section I, paragraph 14 of the Constitution, I herewith return Assembly Bill No. 1657 with my objections for reconsideration.

This bill would delay for six months transfer of operations of the Atlantic City Convention Center from the city to the convention authority, and make certain technical changes in the timing of the formula for handling of luxury tax revenues.

Working with local legislators and municipal officials, our overall goal has been to get the Convention Center built while at the same time maintaining this Administration's commitment to housing in Atlantic City.

The action taken in this conditional veto corrects certain technical legal concerns which might have jeopardized the \$11.5 million issue of notes in support of low and middle income housing in Atlantic City. It also ensures that the regressive room tax as imposed by the original legislation will not take effect. This tax was especially burdensome on small business hotel operators in Atlantic City.

After consulting with everyone involved, I will be supporting a revised luxury tax formula which is unique in that it protects the small business tourist industry in Atlantic City. This approach will ensure that we can all move forward together in support of the promising future of Atlantic City by removing unnecessary regressive burdens upon the small restaurants, small bars, and small businesses which play so significant a role in the tourist industry in the Atlantic City area.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

2.

Accordingly, I recommend the following amendments for concurrence by the Legislature:

Page 1, Section 1, Lines 1-24: Delete entirely.

Page 2, Section 1, Lines 25-34: Delete entirely.

Page 2, Section 2, Line 1: Omit "2.", insert "1."

Page 2, Section 3, Line 1: Omit "3.", insert "2."

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

(seal)

/s/ W. Cary Edwards

CHIEF COUNSEL TO THE GOVERNOR