

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1998

CHAPTER:141

NJSA: 5:12-100

"Poker Dealers -- Tips"

BILL NO: A1859 (Substituted for S312)

SPONSOR(S): LeFevre and Blee

DATE INTRODUCED: March 23, 1998

COMMITTEE:

ASSEMBLY: Commerce, Tourism

SENATE: ~~~~

AMENDED DURING PASSAGE:Yes

DATE OF PASSAGE:

ASSEMBLY: June 18, 1998; Re-enacted October 29, 1998

SENATE: June 22, 1998; Re-enacted December 10, 1998

DATE OF APPROVAL: December 11, 1998

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: 1st Reprint

(Amendments during passage denoted by superscript numbers)

A1859

SPONSORS STATEMENT: *Yes* (Begins on page 5 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY:*Yes*

SENATE:*No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

S312

SPONSORS STATEMENT: *Yes* (Begins on page 5 of original bill)
(Bill and Sponsors Statement identical to A1859)

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

VETO MESSAGE:*Yes*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

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REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

[First Reprint]

ASSEMBLY, No. 1859

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED MARCH 23, 1998

Sponsored by:

Assemblyman KENNETH C. LEFEVRE

District 2 (Atlantic)

Assemblyman FRANCIS J. BLEE

District 2 (Atlantic)

Co-Sponsored by:

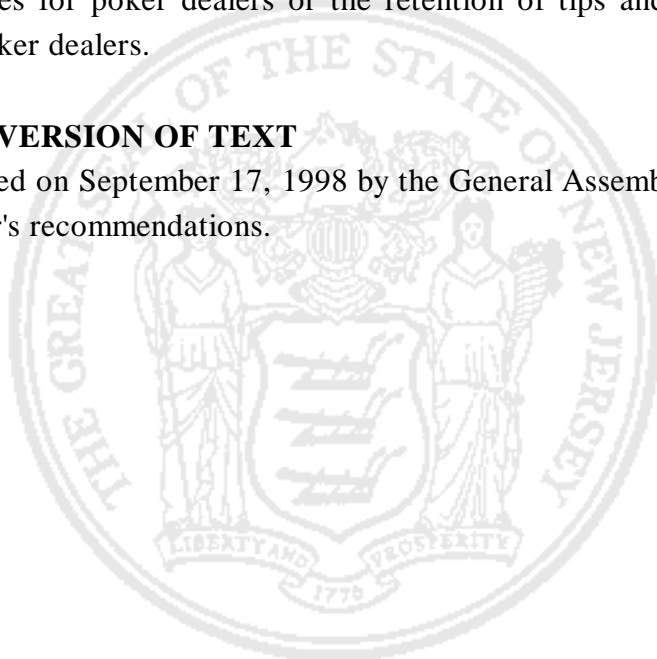
Assemblyman Azzolina and Senator Gormley

SYNOPSIS

Allows Casino Control Commission to permit either separate pool for tips and gratuities for poker dealers or the retention of tips and gratuities by individual poker dealers.

CURRENT VERSION OF TEXT

As amended on September 17, 1998 by the General Assembly pursuant to the Governor's recommendations.



(Sponsorship Updated As Of: 6/23/1998)

1 AN ACT concerning tips or gratuities received by poker dealers at
2 casinos and amending P.L.1977, c.110.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

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

9 100. Games and Gaming Equipment.

10 a. This act shall not be construed to permit any gaming except the
11 conduct of authorized games in a casino room in accordance with this
12 act and the regulations promulgated hereunder and in a simulcasting
13 facility to the extent provided by the "Casino Simulcasting Act,"
14 P.L.1992, c.19 (C.5:12-191 et al.). Notwithstanding the foregoing, if
15 the commission approves the game of keno as an authorized game
16 pursuant to section 5 of P.L.1977, c.110 (C.5:12-5), as amended, keno
17 tickets may be sold or redeemed in accordance with commission
18 regulations at any location in a casino hotel approved by the
19 commission for such activity.

20 b. Gaming equipment shall not be possessed, maintained or
21 exhibited by any person on the premises of a casino hotel except in a
22 casino room, in the simulcasting facility, or in restricted casino areas
23 used for the inspection, repair or storage of such equipment and
24 specifically designated for that purpose by the casino licensee with the
25 approval of the commission. Gaming equipment which supports the
26 conduct of gaming in a casino or simulcasting facility but does not
27 permit or require patron access, such as computers, may be possessed
28 and maintained by a casino licensee in restricted casino areas
29 specifically designated for that purpose by the casino licensee with the
30 approval of the commission. No gaming equipment shall be possessed,
31 maintained, exhibited, brought into or removed from a casino room or
32 simulcasting facility by any person unless such equipment is necessary
33 to the conduct of an authorized game, has permanently affixed,
34 imprinted, impressed or engraved thereon an identification number or
35 symbol authorized by the commission, is under the exclusive control
36 of a casino licensee or his employees, and is brought into or removed
37 from the casino room or simulcasting facility following 24-hour prior
38 notice given to an authorized agent of the commission.

39 Notwithstanding the foregoing, a person may, with the prior
40 approval of the commission and under such terms and conditions as
41 may be required by the commission, possess, maintain or exhibit

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

**¹ Assembly amendments adopted in accordance with Governor's recommendations
September 17, 1998.**

1 gaming equipment in any other area of the casino hotel; provided such
2 equipment is used for nongaming purposes.

3 c. Each casino hotel shall contain a count room and such other
4 secure facilities as may be required by the commission for the counting
5 and storage of cash, coins, tokens and checks received in the conduct
6 of gaming and for the inspection, counting and storage of dice, cards,
7 chips and other representatives of value. All drop boxes and other
8 devices wherein cash, coins, or tokens are deposited at the gaming
9 tables or in slot machines, and all areas wherein such boxes and
10 devices are kept while in use, shall be equipped with two locking
11 devices, one key to which shall be under the exclusive control of the
12 commission and the other under the exclusive control of the casino
13 licensee, and said drop boxes and other devices shall not be brought
14 into or removed from a casino room or simulcasting facility, or locked
15 or unlocked, except at such times, in such places, and according to
16 such procedures as the commission may require.

17 d. All chips used in gaming shall be of such size and uniform color
18 by denomination as the commission shall require by regulation.

19 e. All gaming shall be conducted according to rules promulgated
20 by the commission. All wagers and pay-offs of winning wagers shall
21 be made according to rules promulgated by the commission, which
22 shall establish such limitations as may be necessary to assure the
23 vitality of casino operations and fair odds to patrons. Each slot
24 machine shall have a minimum payout of 83%.

25 f. Each casino licensee shall make available in printed form to any
26 patron upon request the complete text of the rules of the commission
27 regarding games and the conduct of gaming, pay-offs of winning
28 wagers, an approximation of the odds of winning for each wager, and
29 such other advice to the player as the commission shall require. Each
30 casino licensee shall prominently post within a casino room and
31 simulcasting facility, as appropriate, according to regulations of the
32 commission such information about gaming rules, pay-offs of winning
33 wagers, the odds of winning for each wager, and such other advice to
34 the player as the commission shall require.

35 g. Each gaming table shall be equipped with a sign indicating the
36 permissible minimum and maximum wagers pertaining thereto. It shall
37 be unlawful for a casino licensee to require any wager to be greater
38 than the stated minimum or less than the stated maximum; provided,
39 however, that any wager actually made by a patron and not rejected by
40 a casino licensee prior to the commencement of play shall be treated
41 as a valid wager.

42 h. (1) No slot machine shall be used to conduct gaming unless it
43 is identical in all electrical, mechanical and other aspects to a model
44 thereof which has been specifically tested by the division and licensed
45 for use by the commission. The division may, in its discretion, and for
46 the purpose of expediting the approval process, refer testing to any

1 testing laboratory with a plenary license as a casino service industry
2 pursuant to subsection a. of section 92 of P.L.1977, c.110
3 (C.5:12-92). The division shall give priority to the testing of slot
4 machines which a casino licensee has certified it will use in its casino
5 in this State. The commission shall, by regulation, establish such
6 technical standards for licensure of slot machines, including mechanical
7 and electrical reliability, security against tampering, the
8 comprehensibility of wagering, and noise and light levels, as it may
9 deem necessary to protect the player from fraud or deception and to
10 insure the integrity of gaming. The denominations of such machines
11 shall be set by the licensee; the licensee shall simultaneously notify the
12 commission of the settings.

13 (2) The commission shall, by regulation, determine the permissible
14 number and density of slot machines in a licensed casino so as to:

15 (a) promote optimum security for casino operations;

16 (b) avoid deception or frequent distraction to players at gaming
17 tables;

18 (c) promote the comfort of patrons;

19 (d) create and maintain a gracious playing environment in the
20 casino; and

21 (e) encourage and preserve competition in casino operations by
22 assuring that a variety of gaming opportunities is offered to the public.

23 Any such regulation promulgated by the commission which
24 determines the permissible number and density of slot machines in a
25 licensed casino shall provide that all casino floor space and all space
26 within a casino licensee's casino simulcasting facility shall be included
27 in any calculation of the permissible number and density of slot
28 machines in a licensed casino.

29 i. (Deleted by amendment, P.L.1991, c.182).

30 j. (Deleted by amendment, P.L.1991, c.182).

31 k. It shall be unlawful for any person to exchange or redeem chips
32 for anything whatsoever, except for currency, negotiable personal
33 checks, negotiable counter checks, other chips, coupons or
34 complimentary vouchers distributed by the casino licensee, or, if
35 authorized by regulation of the commission, a valid charge to a credit
36 or debit card account. A casino licensee shall, upon the request of any
37 person, redeem that licensee's gaming chips surrendered by that person
38 in any amount over \$100 with a check drawn upon the licensee's
39 account at any banking institution in this State and made payable to
40 that person.

41 l. It shall be unlawful for any casino licensee or its agents or
42 employees to employ, contract with, or use any shill or barker to
43 induce any person to enter a casino or simulcasting facility or play at
44 any game or for any purpose whatsoever.

45 m. It shall be unlawful for a dealer in any authorized game in which
46 cards are dealt to deal cards by hand or other than from a device

1 specifically designed for that purpose, unless otherwise permitted by
2 the rules of the commission.

3 n. It shall be unlawful for any casino key employee or any person
4 who is required to hold a casino key employee license as a condition
5 of employment or qualification to wager in any casino or simulcasting
6 facility in this State, or any casino employee, other than a junket
7 representative, bartender, waiter, waitress, or other casino employee
8 who, in the judgment of the commission, is not directly involved with
9 the conduct of gaming operations, to wager in a casino or simulcasting
10 facility in the casino hotel in which the employee is employed or in any
11 other casino or simulcasting facility in this State which is owned or
12 operated by the same casino licensee. Any casino employee, other
13 than a junket representative, bartender, waiter, waitress, or other
14 casino employee who, in the judgment of the commission, is not
15 directly involved with the conduct of gaming operations, must wait at
16 least 30 days following the date that the employee either leaves
17 employment with a casino licensee or is terminated from employment
18 with a casino licensee before the employee may gamble in a casino or
19 simulcasting facility in the casino hotel in which the employee was
20 formerly employed or in any other casino or simulcasting facility in this
21 State which is owned or operated by the same casino licensee.

22 o. (1) It shall be unlawful for any casino key employee or boxman,
23 floorman, or any other casino employee who shall serve in a
24 supervisory position to solicit or accept, and for any other casino
25 employee to solicit, any tip or gratuity from any player or patron at the
26 casino hotel or simulcasting facility where he is employed.

27 (2) A dealer may accept tips or gratuities from a patron at the table
28 at which such dealer is conducting play, subject to the provisions of
29 this subsection. All such tips or gratuities shall be immediately
30 deposited in a lockbox reserved for that purpose, accounted for, and
31 placed in a pool for distribution pro rata among the dealers, with the
32 distribution based upon the number of hours each dealer has worked,
33 except that the commission may permit ~~【a separate pool to be~~
34 ~~established for】~~ ¹a separate pool to be established for dealers in the
35 game of poker, or may permit¹ tips or gratuities to be retained by
36 individual dealers in the game of poker.

37 (cf: P.L.1997, c.83, s.1)

38

39 2. This act shall take effect ¹~~【immediately】~~ 90 days after
40 enactment, but the commission may take such anticipatory
41 administrative action in advance of the effective date as shall be
42 necessary for the implementation of the act¹.

ASSEMBLY, No. 1859

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MARCH 23, 1998

Sponsored by:

Assemblyman **KENNETH C. LEFEVRE**

District 2 (Atlantic)

Assemblyman **FRANCIS J. BLEE**

District 2 (Atlantic)

Co-Sponsored by:

Assemblyman Azzolina and Senator Gormley

SYNOPSIS

Allows tips or gratuities to be retained by individual poker dealers.

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As introduced.



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2 casinos and amending P.L.1977, c.110.

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33 to the conduct of an authorized game, has permanently affixed,
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35 symbol authorized by the commission, is under the exclusive control
36 of a casino licensee or his employees, and is brought into or removed
37 from the casino room or simulcasting facility following 24-hour prior
38 notice given to an authorized agent of the commission.

39 Notwithstanding the foregoing, a person may, with the prior
40 approval of the commission and under such terms and conditions as
41 may be required by the commission, possess, maintain or exhibit
42 gaming equipment in any other area of the casino hotel; provided such
43 equipment is used for nongaming purposes.

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44 the purpose of expediting the approval process, refer testing to any
45 testing laboratory with a plenary license as a casino service industry
46 pursuant to subsection a. of section 92 of P.L.1977, c.110

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8 insure the integrity of gaming. The denominations of such machines
9 shall be set by the licensee; the licensee shall simultaneously notify the
10 commission of the settings.

11 (2) The commission shall, by regulation, determine the permissible
12 number and density of slot machines in a licensed casino so as to:

13 (a) promote optimum security for casino operations;

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15 tables;

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34 or debit card account. A casino licensee shall, upon the request of any
35 person, redeem that licensee's gaming chips surrendered by that person
36 in any amount over \$100 with a check drawn upon the licensee's
37 account at any banking institution in this State and made payable to
38 that person.

39 l. It shall be unlawful for any casino licensee or its agents or
40 employees to employ, contract with, or use any shill or barker to
41 induce any person to enter a casino or simulcasting facility or play at
42 any game or for any purpose whatsoever.

43 m. It shall be unlawful for a dealer in any authorized game in which
44 cards are dealt to deal cards by hand or other than from a device
45 specifically designed for that purpose, unless otherwise permitted by
46 the rules of the commission.

1 n. It shall be unlawful for any casino key employee or any person
2 who is required to hold a casino key employee license as a condition
3 of employment or qualification to wager in any casino or simulcasting
4 facility in this State, or any casino employee, other than a junket
5 representative, bartender, waiter, waitress, or other casino employee
6 who, in the judgment of the commission, is not directly involved with
7 the conduct of gaming operations, to wager in a casino or simulcasting
8 facility in the casino hotel in which the employee is employed or in any
9 other casino or simulcasting facility in this State which is owned or
10 operated by the same casino licensee. Any casino employee, other
11 than a junket representative, bartender, waiter, waitress, or other
12 casino employee who, in the judgment of the commission, is not
13 directly involved with the conduct of gaming operations, must wait at
14 least 30 days following the date that the employee either leaves
15 employment with a casino licensee or is terminated from employment
16 with a casino licensee before the employee may gamble in a casino or
17 simulcasting facility in the casino hotel in which the employee was
18 formerly employed or in any other casino or simulcasting facility in this
19 State which is owned or operated by the same casino licensee.

20 o. (1) It shall be unlawful for any casino key employee or boxman,
21 floorman, or any other casino employee who shall serve in a
22 supervisory position to solicit or accept, and for any other casino
23 employee to solicit, any tip or gratuity from any player or patron at the
24 casino hotel or simulcasting facility where he is employed.

25 (2) A dealer may accept tips or gratuities from a patron at the table
26 at which such dealer is conducting play, subject to the provisions of
27 this subsection. All such tips or gratuities shall be immediately
28 deposited in a lockbox reserved for that purpose, accounted for, and
29 placed in a pool for distribution pro rata among the dealers, with the
30 distribution based upon the number of hours each dealer has worked,
31 except that the commission may permit **[a separate pool to be**
32 **established for]** tips or gratuities to be retained by individual dealers
33 in the game of poker.

34 (cf: P.L.1997, c.83, s.1)

35

36 2. This act shall take effect immediately.

37

38

39

STATEMENT

40

41 At present, the law allows a casino dealer to accept tips or
42 gratuities from patrons at the table at which the dealer is conducting
43 play. Amounts received by dealers are pooled and distributed among
44 the dealers on a pro rata basis determined by the number of hours each
45 dealer has worked. The law authorizes the Casino Control
46 Commission to permit a separate pool to be established for dealers in

A1859 LEFEVRE, BLEE

6

1 the game of poker. This bill would eliminate the separate pool for
2 poker dealers and, instead, authorize the commission to allow tips or
3 gratuities to be retained by individual poker dealer.

ASSEMBLY COMMERCE, TOURISM, GAMING AND
MILITARY AND VETERANS' AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1859

STATE OF NEW JERSEY

DATED: JUNE 1, 1998

The Assembly Commerce, Tourism, Gaming and Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 1859.

Current law allows casino dealers to accept tips or gratuities from patrons at the table at which the dealer is conducting play. Amounts received by dealers are pooled and distributed among the dealers on a pro rata basis determined by the number of hours each dealer has worked. Recently enacted law (P.L.1997, c.83) permits a separate pool to be established for dealers in the game of poker which is distributed among the poker dealers on a pro rata basis determined by the number of hours each poker dealer has worked.

This bill eliminates the separate pool for dealers in the game of poker and allows an individual poker dealer to retain any tips or gratuities earned by that poker dealer.

This bill is identical to Senate Bill No. 312.

SENATE, No. 312

STATE OF NEW JERSEY
208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Senator WILLIAM L.GORMLEY

District 2 (Atlantic)

SYNOPSIS

Allows tips or gratuities to be retained by individual poker dealers.

CURRENT VERSION OF TEXT

As Introduced.



S312 GORMLEY

2

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2 casinos and amending P.L.1977, c.110.

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17 tickets may be sold or redeemed in accordance with commission
18 regulations at any location in a casino hotel approved by the
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20 b. Gaming equipment shall not be possessed, maintained or
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39 Notwithstanding the foregoing, a person may, with the prior
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Matter underlined thus is new matter.

S312 GORMLEY

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12 into or removed from a casino room or simulcasting facility, or locked
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26 wagers, an approximation of the odds of winning for each wager, and
27 such other advice to the player as the commission shall require. Each
28 casino licensee shall prominently post within a casino room and
29 simulcasting facility, as appropriate, according to regulations of the
30 commission such information about gaming rules, pay-offs of winning
31 wagers, the odds of winning for each wager, and such other advice to
32 the player as the commission shall require.

33 g. Each gaming table shall be equipped with a sign indicating the
34 permissible minimum and maximum wagers pertaining thereto. It shall
35 be unlawful for a casino licensee to require any wager to be greater
36 than the stated minimum or less than the stated maximum; provided,
37 however, that any wager actually made by a patron and not rejected by
38 a casino licensee prior to the commencement of play shall be treated
39 as a valid wager.

40 h. (1) No slot machine shall be used to conduct gaming unless it
41 is identical in all electrical, mechanical and other aspects to a model
42 thereof which has been specifically tested by the division and licensed
43 for use by the commission. The division may, in its discretion, and for
44 the purpose of expediting the approval process, refer testing to any
45 testing laboratory with a plenary license as a casino service industry
46 pursuant to subsection a. of section 92 of P.L.1977, c.110

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1 (C.5:12-92). The division shall give priority to the testing of slot
2 machines which a casino licensee has certified it will use in its casino
3 in this State. The commission shall, by regulation, establish such
4 technical standards for licensure of slot machines, including mechanical
5 and electrical reliability, security against tampering, the
6 comprehensibility of wagering, and noise and light levels, as it may
7 deem necessary to protect the player from fraud or deception and to
8 insure the integrity of gaming. The denominations of such machines
9 shall be set by the licensee; the licensee shall simultaneously notify the
10 commission of the settings.

11 (2) The commission shall, by regulation, determine the permissible
12 number and density of slot machines in a licensed casino so as to:

13 (a) promote optimum security for casino operations;

14 (b) avoid deception or frequent distraction to players at gaming
15 tables;

16 (c) promote the comfort of patrons;

17 (d) create and maintain a gracious playing environment in the
18 casino; and

19 (e) encourage and preserve competition in casino operations by
20 assuring that a variety of gaming opportunities is offered to the public.

21 Any such regulation promulgated by the commission which
22 determines the permissible number and density of slot machines in a
23 licensed casino shall provide that all casino floor space and all space
24 within a casino licensee's casino simulcasting facility shall be included
25 in any calculation of the permissible number and density of slot
26 machines in a licensed casino.

27 i. (Deleted by amendment, P.L.1991, c.182).

28 j. (Deleted by amendment, P.L.1991, c.182).

29 k. It shall be unlawful for any person to exchange or redeem chips
30 for anything whatsoever, except for currency, negotiable personal
31 checks, negotiable counter checks, other chips, coupons or
32 complimentary vouchers distributed by the casino licensee, or, if
33 authorized by regulation of the commission, a valid charge to a credit
34 or debit card account. A casino licensee shall, upon the request of any
35 person, redeem that licensee's gaming chips surrendered by that person
36 in any amount over \$100 with a check drawn upon the licensee's
37 account at any banking institution in this State and made payable to
38 that person.

39 l. It shall be unlawful for any casino licensee or its agents or
40 employees to employ, contract with, or use any shill or barker to
41 induce any person to enter a casino or simulcasting facility or play at
42 any game or for any purpose whatsoever.

43 m. It shall be unlawful for a dealer in any authorized game in which
44 cards are dealt to deal cards by hand or other than from a device
45 specifically designed for that purpose, unless otherwise permitted by
46 the rules of the commission.

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1 n. It shall be unlawful for any casino key employee or any person
2 who is required to hold a casino key employee license as a condition
3 of employment or qualification to wager in any casino or simulcasting
4 facility in this State, or any casino employee, other than a junket
5 representative, bartender, waiter, waitress, or other casino employee
6 who, in the judgment of the commission, is not directly involved with
7 the conduct of gaming operations, to wager in a casino or simulcasting
8 facility in the casino hotel in which the employee is employed or in any
9 other casino or simulcasting facility in this State which is owned or
10 operated by the same casino licensee. Any casino employee, other
11 than a junket representative, bartender, waiter, waitress, or other
12 casino employee who, in the judgment of the commission, is not
13 directly involved with the conduct of gaming operations, must wait at
14 least 30 days following the date that the employee either leaves
15 employment with a casino licensee or is terminated from employment
16 with a casino licensee before the employee may gamble in a casino or
17 simulcasting facility in the casino hotel in which the employee was
18 formerly employed or in any other casino or simulcasting facility in this
19 State which is owned or operated by the same casino licensee.

20 o. (1) It shall be unlawful for any casino key employee or boxman,
21 floorman, or any other casino employee who shall serve in a
22 supervisory position to solicit or accept, and for any other casino
23 employee to solicit, any tip or gratuity from any player or patron at the
24 casino hotel or simulcasting facility where he is employed.

25 (2) A dealer may accept tips or gratuities from a patron at the table
26 at which such dealer is conducting play, subject to the provisions of
27 this subsection. All such tips or gratuities shall be immediately
28 deposited in a lockbox reserved for that purpose, accounted for, and
29 placed in a pool for distribution pro rata among the dealers, with the
30 distribution based upon the number of hours each dealer has worked,
31 except that the commission may permit **[a separate pool to be**
32 **established for]** tips or gratuities to be retained by individual dealers
33 in the game of poker.

34 (cf: P.L.1997, c.83, s.1)

35

36 2. This act shall take effect immediately.

37

38

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STATEMENT

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41 At present, the law allows a casino dealer to accept tips or
42 gratuities from patrons at the table at which the dealer is conducting
43 play. Amounts received by dealers are pooled and distributed among
44 the dealers on a pro rata basis determined by the number of hours each
45 dealer has worked. The law authorizes the Casino Control
46 Commission to permit a separate pool to be established for dealers in

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6

1 the game of poker. This bill would eliminate the separate pool for
2 poker dealers and, instead, authorize the commission to allow tips or
3 gratuities to be retained by individual poker dealers.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 312

STATE OF NEW JERSEY

DATED: MARCH 2, 1998

The Senate Judiciary Committee reports favorably Senate Bill No. 312.

Present law allows a casino dealer to accept tips or gratuities from patrons at the table at which the dealer is conducting play. Amounts received by dealers are pooled and distributed among the dealers on a pro rata basis determined by the number of hours each dealer has worked. Present law also authorizes the Casino Control Commission to permit a separate pool to be established for poker dealers. This bill would eliminate the separate pool for poker dealers and instead, authorize the commission to allow tips or gratuities to be retained by individual poker dealers.

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

2

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

[seal]

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

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
Gene Herman
609-777-2600

RELEASE: December 14, 1998

Gov. Christie Whitman today signed the following pieces of legislation:

S-280, sponsored by Senator John A. Girgenti (D- Passaic), amends child labor laws to permit minors, who are 14 or 15, to be employed as little league umpires for leagues chartered by Little League Baseball, Incorporated, until 9:00 p. m. with written permission from a parent or legal guardian. Under current law, minors under 16, with a few exceptions during the summer months, are not permitted to work before 7:00 a. m. or after 7:00 p. m.

S-213 establishes a basic level of electrical standards for certain swimming pools, hot tubs or spas located on any property other than a one or two-family residential property, including but not limited to, swimming pools open for use of members, residents or the public.

The bill, which is designed to improve safety conditions for workers and the public, supplements the State Uniform Construction Code Act. It requires a pool to have a valid bonding and grounding certificate and an electrical certificate of compliance issued by the municipality.

The bill was sponsored by Senator Nicholas J. Sacco (R- Bergen/Hudson) and Assembly Members Anthony Impreveduto (D- Bergen/Hudson) and Joan M. Quigley (D-Bergen/Hudson).

S-926, sponsored by Senator Gerald Cardinale (R-Bergen) and Diane B. Allen (R- Burlington/Camden) and Assembly Members Nilsa Cruz-Perez (D-Camden/Gloucester) and John V. Kelly (R- Bergen/Passaic), repeals a 1987 state law which required family day care centers to be subject to the same restrictions as other home occupations under local zoning laws.

In 1991, the Legislature enacted a law that specified that registered family day care homes are permitted uses in all residential districts and are subject to the same requirements as single family dwellings only, but it did not repeal the 1987 law. A family day care home is defined as a private residence in which child care services are provided to no less than three and no more than five children at any one time for a minimum of 15 hours per week.

A-1859, sponsored by Assembly Members Kenneth C. LeFevre (R-Atlantic) and Francis J. Blee (R- Atlantic) and Senator William L. Gormley (R-Atlantic), allows the Casino Control Commission to authorize each poker dealer to retain tips or gratuities from patrons at the table at which the dealer is conducting play. Under previous law, poker dealers' tips could only be pooled with tips received by other poker dealers. Now, either option is permissible.