

5:12-5

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(Casinos--24 hour gambling)

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LAWS OF: 1992 CHAPTER: 9 8

BILL NO: S652

SPONSOR(S): Gormley

DATE INTRODUCED: March 30, 1992

COMMITTEE: ASSEMBLY: ---
SENATE: Judiciary

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by asterisks

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FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No
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HEARINGS: No

KBG:pp

P.L.1992, CHAPTER 9, approved May 19, 1992
1992 Senate No. 652 (First Reprint)

1 AN ACT concerning casino gambling, amending P.L.1977, c.110
2 ¹and P.L.1983, c.41¹, and repealing sections 3 and 24 of
3 P.L.1991, c.182.

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

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

9 5. "Authorized Game" or "Authorized Gambling Game"—
10 Roulette, baccarat, blackjack, craps, big six wheel, slot
11 machines, minibaccarat, red dog, pai gow, and sic bo; any
12 variations or composites of such games, provided that such
13 variations or composites are found by the commission suitable for
14 casino use after an appropriate test or experimental period under
15 such terms and conditions as the commission may deem
16 appropriate; and any other game which is [authorized by the
17 commission pursuant to section 3 of this amendatory and
18 supplementary act, P.L.1991, c.182 (C.5:12-5.1)] determined by
19 the commission to be compatible with the public interest and to
20 be suitable for casino use after such appropriate test or
21 experimental period as the commission may deem appropriate.
22 "Authorized game" or "authorized gambling game" includes
23 gaming tournaments in which players compete against one
24 another in one or more of the games listed herein or in approved
25 variations or composites thereof if the tournaments are
26 authorized by the commission.

27 (cf: P.L.1991, c.182, s.2)

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

30 7. "Casino Employee"—Any natural person employed in the
31 operation of a licensed casino, including, without limitation,
32 boxmen; dealers or croupiers; floormen; machine mechanics;
33 casino security employees; count room personnel; cage personnel;
34 slot machine and slot booth personnel; collection personnel;
35 casino surveillance personnel; and data processing personnel; or
36 any other natural person whose employment duties predominantly
37 involve the maintenance or operation of gaming activity or
38 equipment and assets associated therewith or who, in the
39 judgment of the commission, is so regularly required to work in a
40 restricted casino area [in gaming-related activities] that
41 licensure as a casino employee is appropriate.

42 (cf: P.L.1991, c.182, s.5)

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:
Senate SJU committee amendments adopted April 6, 1992.

1 13. 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 casino applicants or licensees with goods or services
5 regarding the realty, construction, maintenance, or business of a
6 proposed or existing casino hotel or related facility on a regular
7 or continuing basis, including, without limitation, junket
8 enterprises, security businesses, gaming schools, manufacturers,
9 distributors and servicers of gaming devices or equipment,
10 garbage haulers, maintenance companies, food purveyors, and
11 construction companies, or any other enterprise which purchases
12 goods or services from or which does any other business with
13 licensed casinos on a regular or continuing basis.
14 Notwithstanding the foregoing, any form of enterprise engaged in
15 the manufacture, sale, distribution or repair of slot machines
16 within New Jersey, other than antique slot machines as defined in
17 N.J.S.2C:37-7, shall be considered a casino service industry for
18 the purposes of this act regardless of the nature of its business
19 relationship, if any, with licensed casinos in this State.

20 For the purposes of this section, "casino applicant" includes
21 any person required to hold a casino license pursuant to section
22 82 of P.L.1977, c.110 (C.5:12-82) who has applied to the
23 commission for a casino license or any approval required under
24 P.L.1977, c.110 (C.5:12-1 et seq.).¹
25 (cf: P.L.1991, c.182, s.8)

26 14. Section 3 of P.L.1983, c.41 (C.5:12-29.1) is amended to
27 read as follows:

28 3. "Junket enterprise" -- Any person, other than the holder of
29 or an applicant for a casino license, who employs or otherwise
30 engages the services of a junket representative in connection
31 with a junket to a licensed casino, regardless of whether or not
32 those activities occur within the State of New Jersey.¹
33 (cf: P.L.1983, c.41, s.3)

34 1[3.] 5.¹ Section 70 of P.L.1977, c.110 (C.5:12-70) is amended
35 to read as follows:

36 70. Required Regulations. The commission shall, without
37 limitation on the powers conferred in the preceding section,
38 include within its regulations the following specific provisions in
39 accordance with the provisions of this act:

40 a. Prescribing the methods and forms of application which any
41 applicant shall follow and complete prior to consideration of his
42 application by the commission;

43 b. Prescribing the methods, procedures and form for delivery
44 of information concerning any person's family, habits, character,
45 associates, criminal record, business activities and financial
46 affairs;

47 c. Prescribing procedures for the fingerprinting of an
48 applicant, employee of a licensee, or registrant, or other methods
49 of identification which may be necessary in the judgment of the
50 commission to accomplish effective enforcement of restrictions
51 on access to the casino floor and other restricted areas of the
52 casino hotel complex;

53 d. Prescribing the manner and procedure of all hearings
54 conducted by the commission or any hearing examiner, including

- 1 s, ecial rules of evidence applicable thereto and notices thereof;
- 2 e. Prescribing the manner and method of collection of
3 payments of taxes, fees, and penalties;
- 4 f. Defining and limiting the areas of operation, the rules of
5 authorized games, odds, and devices permitted, and the method
6 of operation of such games and devices;
- 7 g. Regulating the practice and procedures for negotiable
8 transactions involving patrons, including limitations on the
9 circumstances and amounts of such transactions, and the
10 establishment of forms and procedures for negotiable instrument
11 transactions, redemptions, and consolidations;
- 12 h. Prescribing grounds and procedures for the revocation or
13 suspension of operating certificates and licenses;
- 14 i. Governing the manufacture, distribution, sale, and servicing
15 of gaming devices and equipment;
- 16 j. Prescribing for gaming operations the procedures, forms and
17 methods of management controls, including employee and
18 supervisory tables of organization and responsibility, and
19 minimum security standards, including security personnel
20 structure, alarm and other electrical or visual security measures;
- 21 k. Prescribing the qualifications of, and the conditions
22 pursuant to which, engineers, accountants, and others shall be
23 permitted to practice before the commission or to submit
24 materials on behalf of any applicant or licensee; provided,
25 however, that no member of the Legislature, nor any firm with
26 which said member is associated, shall be permitted to appear or
27 practice or act in any capacity whatsoever before the commission
28 or division regarding any matter whatsoever, nor shall any
29 member of the family of the Governor or of a member of the
30 Legislature be permitted to so practice or appear in any capacity
31 whatsoever before the commission or division regarding any
32 matter whatsoever;
- 33 l. Prescribing minimum procedures for the exercise of
34 effective control over the internal fiscal affairs of a licensee,
35 including provisions for the safeguarding of assets and revenues,
36 the recording of cash and evidence of indebtedness, and the
37 maintenance of reliable records, accounts, and reports of
38 transactions, operations and events, including reports to the
39 commission;
- 40 m. Providing for a minimum uniform standard of accountancy
41 methods, procedures and forms; a uniform code of accounts and
42 accounting classifications; and such other standard operating
43 procedures, including those controls listed in section 99a. hereof,
44 as may be necessary to assure consistency, comparability, and
45 effective disclosure of all financial information, including
46 calculations of percentages of profit by games, tables, gaming
47 devices and slot machines;
- 48 n. Requiring periodic financial reports and the form thereof,
49 including an annual audit prepared by a certified public
50 accountant licensed to do business in this State, attesting to the
51 financial condition of a licensee and disclosing whether the
52 accounts, records and control procedures examined are
53 maintained by the licensee as required by this act and the
54 regulations promulgated hereunder;

1 o. Governing the gaming-related advertising of casino
 2 licensees, their employees and agents, with the view toward
 3 assuring that such advertisements are in no way deceptive;
 4 provided, however, that such regulations shall not prohibit the
 5 advertisement of casino location, hours of operation, or types of
 6 games and other amenities offered, but in no circumstance shall
 7 permit the advertisement of information about odds, the number
 8 of games, or the size of the casino; and provided further,
 9 however, that such regulations shall require the words "Bet with
 10 your head, not over it," or some comparable language approved
 11 by the commission, to appear on all billboards, signs, and other
 12 on-site advertising of a casino operation and shall require the
 13 words "If you or someone you know has a gambling problem and
 14 wants help, call 1-800 GAMBLER," or some comparable language
 15 approved by the commission, ¹which language shall include the
 16 words "gambling problem" and "call 1-800 GAMBLER,"¹ to
 17 appear legibly on all print, [electronic,] billboard, and sign
 18 advertising of a casino operation; and

19 p. (Deleted by amendment, P.L.1991, c.182).

20 q. Concerning the distribution and consumption of alcoholic
 21 beverages on the premises of the licensee, which regulations shall
 22 be insofar as possible consistent with Title 33 of the Revised
 23 Statutes, and shall deviate only insofar as necessary because of
 24 the unique character of the hotel casino premises and operations;

25 r. (Deleted by amendment, P.L.1991, c.182).

26 (cf: P.L.1991, c.182, s.16)

27 ¹[4.] 6.¹ Section 83 of P.L.1977, c.110 (C.5:12-83) is amended
 28 to read as follows:

29 83. Approved Hotel. a. An approved hotel for purposes of this
 30 act shall be a hotel providing facilities in accordance with this
 31 section. Nothing in this section shall be construed to limit the
 32 authority of the commission to determine the suitability of
 33 facilities as provided in this act, and nothing in this section shall
 34 be construed to require a casino to be smaller than the maximum
 35 size herein provided.

36 b. (1) In the case of a casino hotel in operation on the
 37 effective date of this amendatory and supplementary act,
 38 P.L.1991, c.182, an approved hotel shall:

39 (a) contain at least the number of qualifying sleeping units, as
 40 defined in section 27 of P.L.1977, c.110 (C.5:12-27), which it has
 41 on the effective date of this amendatory and supplementary act,
 42 except that those units may be consolidated and reconfigured in
 43 order to form suites so long as there remain at least 500
 44 qualifying sleeping units; and

45 (b) contain a casino of not more than the amount of casino
 46 space authorized on the basis of the provisions of this section
 47 which were in effect on the day before the effective date of this
 48 amendatory and supplementary act and applicable to that casino
 49 at that time, unless the number of qualifying sleeping units under
 50 subparagraph (a) of this paragraph and the number of any
 51 qualifying sleeping units added after the effective date of this
 52 amendatory and supplementary act permit an increase on the
 53 following basis: 50,000 square feet for the first 500 qualifying
 54 sleeping units and 10,000 square feet for each additional 100

1 qualifying sleeping units above 500, up to a maximum of 200,000
2 square feet. No casino hotel in operation on the effective date of
3 this amendatory and supplementary act shall be required to
4 reduce the amount of its casino space below the amount
5 authorized as of the day before the effective date of this
6 amendatory and supplementary act unless the number of
7 qualifying sleeping units is reduced below the number required in
8 subparagraph (a) of this paragraph [or, during the two years after
9 that effective date, the amount of qualifying indoor public space,
10 including space serving as kitchen support facilities, is reduced in
11 violation of section 24 of this amendatory and supplementary act].

12 For the purpose of increasing casino space, an agreement
13 approved by the commission for the addition of qualifying
14 sleeping units within two years after the commencement of
15 gaming operations in the additional casino space shall be deemed
16 an addition of those rooms, but if the agreement is not fulfilled
17 due to conditions within the control of the casino licensee, the
18 casino licensee shall close the additional casino space or any
19 portion thereof as directed by the commission.

20 The calculation of the number of qualifying sleeping units
21 added with respect to any such casino hotel shall not include any
22 qualifying sleeping unit or other hotel or motel room in existence
23 in Atlantic City on the effective date of this amendatory and
24 supplementary act, whether or not that unit or room is offered or
25 usable for occupancy on the effective date, or any replacement
26 for such a unit or room which results from construction or
27 renovation after the effective date.

28 (2) In the case of a hotel in operation on the effective date of
29 this amendatory and supplementary act, P.L.1991, c.182, in which
30 a licensed casino was located and operated prior to, but not as of,
31 that effective date, and in which a casino is reestablished after
32 that effective date, an approved hotel shall:

33 (a) contain at least the number of qualifying sleeping units, as
34 defined in section 27 of P.L.1977, c.110 (C.5:12-27), which it had
35 on the date the casino ceased operations prior to the effective
36 date of this amendatory and supplementary act, except that those
37 units may be consolidated and reconfigured in order to form
38 suites so long as there remain at least 500 qualifying sleeping
39 units; and

40 (b) contain a casino of not more than the amount of casino
41 space the casino had on the date it ceased operations prior to the
42 effective date of this amendatory and supplementary act, unless
43 the number of qualifying sleeping units under subparagraph (a) of
44 this paragraph and the number of any qualifying sleeping units
45 added after the effective date of this amendatory and
46 supplementary act permit an increase on the following basis:
47 50,000 square feet for the first 500 qualifying sleeping units and
48 10,000 square feet for each additional 100 qualifying sleeping
49 units above 500, up to a maximum of 200,000 square feet. No
50 casino hotel which operates pursuant to this paragraph shall be
51 required to reduce the amount of its casino space below the
52 amount it had on the date it ceased operations unless the number
53 of qualifying sleeping units is reduced below the number required
54 in subparagraph (a) of this paragraph [or, during the two years

1 after the effective date of this amendatory and supplementary
2 act, the amount of qualifying indoor public space, including space
3 serving as kitchen support facilities, is reduced in violation of
4 section 24 of this amendatory and supplementary act).

5 For the purpose of increasing casino space, an agreement
6 approved by the commission for the addition of qualifying
7 sleeping units within two years after the commencement of
8 gaming operations in the additional casino space shall be deemed
9 an addition of those rooms, but if the agreement is not fulfilled
10 due to conditions within the control of the casino licensee, the
11 casino licensee shall close the additional casino space or any
12 portion thereof as directed by the commission.

13 The calculation of the number of qualifying sleeping units
14 added with respect to any such hotel shall not include any
15 qualifying sleeping unit or other hotel or motel room in existence
16 in Atlantic City on the effective date of this amendatory and
17 supplementary act, whether or not that unit or room is offered or
18 usable for occupancy on the effective date, or any replacement
19 for such a unit or room which results from construction or
20 renovation after the effective date.

21 c. In the case of a casino hotel not in operation prior to or on
22 the effective date of this amendatory and supplementary act,
23 P.L.1991, c.182, an approved hotel shall contain at least 500
24 qualifying sleeping units, as defined in section 27 of the "Casino
25 Control Act," P.L.1977, c.110 (C.5:12-27), and a single casino
26 room of not more than 50,000 square feet, except that for each
27 additional 100 qualifying sleeping units above 500, the maximum
28 size of the casino room may be increased by 10,000 square feet,
29 up to a maximum of 200,000 square feet. The calculation of the
30 number of qualifying sleeping units with respect to any such
31 casino hotel shall not include any qualifying sleeping unit or other
32 hotel or motel room in existence in Atlantic City on the effective
33 date of this amendatory and supplementary act, whether or not
34 that unit or room is offered or usable for occupancy on the
35 effective date, or any replacement for such a unit or room which
36 results from construction or renovation after the effective date.

37 d. Once a hotel is initially approved, the commission shall
38 thereafter rely on the certification of the casino licensee with
39 regard to the number of rooms [and, when applicable, the amount
40 of qualifying indoor public space] and shall permit rehabilitation,
41 renovation and alteration of any part of the approved hotel even
42 if the rehabilitation, renovation, or alteration will mean that the
43 casino licensee does not temporarily meet the requirements of
44 subsection c. so long as the licensee certifies that the
45 rehabilitation, renovation, or alteration shall be completed within
46 one year.

47 e. (Deleted by amendment, P.L.1987, c.352).

48 f. (Deleted by amendment, P.L.1991, c.182).

49 g. (Deleted by amendment, P.L.1991, c.182).

50 h. (Deleted by amendment, P.L.1991, c.182).

51 i. The commission shall not impose any criteria or
52 requirements regarding the contents of the hotel, including
53 indoor public space, in addition to the criteria and requirements
54 expressly specified in the "Casino Control Act," P.L.1977, c.110

1 (C.5:12-1 et seq.); provided, however, that the commission shall
 2 be authorized to require each casino licensee to establish and
 3 maintain an approved hotel which is in all respects a superior,
 4 first-class facility of exceptional quality which will help restore
 5 Atlantic City as a resort, tourist and convention destination.

6 (cf: P.L.1991, c.182, s.23)

7 ¹[5.] 7.¹ Section 39 of P.L.1977, c.110 (C.5:12-39) is amended
 8 to read as follows:

9 39. "Publicly traded corporation" --Any corporation or other
 10 legal entity, except a natural person, which:

11 a. Has one or more classes of security registered pursuant to
 12 section 12 of the Securities Exchange Act of 1934, as amended
 13 (15 U.S.C. section [781] 78L.), or

14 b. Is an issuer subject to section 15(d) of the Securities
 15 Exchange Act of 1934, as amended (15 U.S.C. [780] 78o.), or

16 c. Has one or more classes of securities traded in any open
 17 market in any foreign jurisdiction or regulated pursuant to a
 18 statute of any foreign jurisdiction which the commission
 19 determines to be substantially similar to either or both of the
 20 aforementioned statutes.

21 (cf: P.L.1978, c.7, s.7)

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

24 92. Licensing and Registration of Casino Service Industries. a.
 25 (1) All casino service industries offering goods or services which
 26 directly relate to casino or gaming activity, including gaming
 27 equipment manufacturers, suppliers and repairers, schools
 28 teaching gaming and either playing or dealing techniques, and
 29 casino security services, shall be licensed in accordance with the
 30 provisions of this act prior to conducting any business whatsoever
 31 with a casino applicant or licensee, its employees or agents, and
 32 in the case of a school, prior to enrollment of any students or
 33 offering of any courses to the public whether for compensation or
 34 not; provided, however, that upon a showing of good cause by a
 35 casino applicant or licensee for each business transaction, the
 36 commission may permit an applicant for a casino service industry
 37 license to conduct business transactions with such casino
 38 applicant or licensee prior to the licensure of that service
 39 industry applicant under this subsection.

40 (2) In addition to the requirements of paragraph (1) of this
 41 subsection, any casino service industry intending to manufacture,
 42 sell, distribute or repair slot machines within New Jersey, other
 43 than antique slot machines as defined in N.J.S. 2C:37-7, shall be
 44 licensed in accordance with the provisions of this act prior to
 45 engaging in any such activities; provided, however, that upon a
 46 showing of good cause by a casino applicant or licensee for each
 47 business transaction, the commission may permit an applicant for
 48 a casino service industry license to conduct business transactions
 49 with the casino applicant or licensee prior to the licensure of that
 50 service industry applicant under this subsection; and provided
 51 further, however, that upon a showing of good cause by an
 52 applicant required to be licensed as a casino service industry
 53 pursuant to this paragraph, the commission may permit the
 54 service industry applicant to initiate the manufacture of slot

1 machines or engage in the sale, distribution or repair of slot
2 machines with any person other than a casino applicant or
3 licensee, its employees or agents, prior to the licensure of that
4 service industry applicant under this subsection.

5 b. Each casino service industry in subsection a. of this section,
6 as well as its owners, management and supervisory personnel and
7 other principal employees must qualify under the standards,
8 except residency, established for qualification of a casino key
9 employee under this act. In addition, if the business or enterprise
10 is a school teaching gaming and either playing or dealing
11 techniques, each resident director, instructor, principal
12 employee, and sales representative employed thereby shall be
13 licensed under the standards established for qualification of a
14 casino employee under this act; provided, however, that nothing
15 in this subsection shall be deemed to require, in the case of a
16 public school district or a public institution of higher education,
17 the licensure or qualification of any individuals except those
18 instructors and other principal employees responsible for the
19 teaching of playing or dealing techniques. The commission, in its
20 discretion, may issue a temporary license to an applicant for an
21 instructor's license upon a finding that the applicant meets the
22 educational and experiential requirements for such license, that
23 the issuance of a permanent license will be restricted by
24 necessary investigations, and that temporary licensing is
25 necessary for the operation of the gaming school. Unless
26 otherwise terminated pursuant to this act, a temporary license
27 issued pursuant to this subsection shall expire six months from
28 the date of its issuance and be renewable, at the discretion of the
29 commission, for one additional six-month period.

30 c. All casino service industries not included in subsection a. of
31 this section shall be licensed in accordance with rules of the
32 commission prior to commencement or continuation of any
33 business with a casino applicant or licensee or its employees or
34 agents. Such casino service industries, whether or not directly
35 related to gaming operations, shall include junket enterprises;
36 suppliers of alcoholic beverages, food and nonalcoholic beverages;
37 garbage handlers; vending machine providers; linen suppliers;
38 maintenance companies; shopkeepers located within the approved
39 hotels; limousine services and construction companies contracting
40 with casino applicants or licensees or their employees or agents.
41 The commission may exempt any person or field of commerce
42 from the licensing requirements of this subsection if the person
43 or field of commerce demonstrates (1) that it is regulated by a
44 public agency or that it will provide goods or services in
45 insubstantial or insignificant amounts or quantities, and (2) that
46 licensing is not deemed necessary in order to protect the public
47 interest or to accomplish the policies established by this act.
48 Upon granting an exemption or at any time thereafter, the
49 commission may limit or place such restrictions thereupon as it
50 may deem necessary in the public interest, and shall require the
51 exempted person to cooperate with the commission and the
52 division and, upon request, to provide information in the same
53 manner as required of a casino service industry licensed pursuant
54 to this subsection; provided, however, that no exemption be

1 granted unless the casino service industry complies with the
2 requirements of sections 134 and 135 of this act.

3 d. Licensure pursuant to subsection c. of this section of any
4 casino service industry may be denied to any applicant
5 disqualified in accordance with the criteria contained in section
6 86 of this act.¹

7 (cf: P.L.1987, c.355, s.5)

8 ¹[6.] 9.¹ Section 97 of P.L.1977, c.110 (C.5:12-97) is amended
9 to read as follows:

10 97. Hours of Operation. a. No casino licensed pursuant to this
11 act shall operate between the hours of 6 a.m. and 10 a.m. on
12 Saturdays, Sundays and State and federal holidays, or between the
13 hours of 4 a.m. and 10 a.m. on all other days, except that [for a
14 period of three years following the effective date of this
15 amendatory and supplementary act, P.L.1991, c.182.] the
16 commission may extend the hours of operation, up to and
17 including 24 hours of operation, on any Saturday, Sunday, or State
18 or federal holiday, or on any day [on which the commission
19 determines that there is an event to be held in a casino or in
20 Atlantic City that will have a substantial citywide impact with
21 respect to the number of visitors to the city and will] that an
22 extension of operating hours would, in the judgment of the
23 commission, have an economic impact on the casino industry or
24 on Atlantic City which would justify the extension of those hours.

25 b. A casino licensee shall file with the commission a schedule
26 of hours prior to the issuance of an initial operation certificate.
27 If the casino licensee proposes any change in scheduled hours,
28 such change may not be effected until such licensee files a notice
29 of the new schedule of hours with the commission. Such filing
30 must be made 30 days prior to the effective date of the proposed
31 change in hours.

32 c. Nothing herein shall be construed to limit a casino licensee
33 in opening its casino later than, or closing its casino earlier than,
34 the times stated in its schedule of operating hours; provided,
35 however, that any such alterations in its hours shall comply with
36 the provisions of subsection a. of this section and with regulations
37 of the commission pertaining to such alterations.

38 (cf: P.L.1991, c.182, s.35)

39 ¹[7.] 10.¹ Section 100 of P.L.1977, c.110 (C.5:12-100) is
40 amended to read as follows:

41 100. Games and Gaming Equipment. a. This act shall not be
42 construed to permit any gaming except the conduct of authorized
43 games in a casino room in accordance with this act and the
44 regulations promulgated hereunder.

45 b. Gaming equipment shall not be possessed, maintained or
46 exhibited by any person on the premises of a casino hotel complex
47 except in the casino room and in [secure] restricted casino areas
48 used for the inspection, repair or storage of such equipment and
49 specifically designated for that purpose by the casino licensee
50 with the approval of the commission. Gaming equipment which
51 supports the conduct of gaming in the casino but does not permit
52 or require patron access, such as computers, may be possessed
53 and maintained by a casino licensee in restricted casino areas
54 specifically designated for that purpose by the casino licensee

1 with the approval of the commission. No gaming equipment shall
2 be possessed, maintained, exhibited, brought into or removed
3 from a casino room by any person unless such equipment is
4 necessary to the conduct of an authorized game, has permanently
5 affixed, imprinted, impressed or engraved thereon an
6 identification number or symbol authorized by the commission, is
7 under the exclusive control of a casino licensee or his employees,
8 and is brought into or removed from the casino room at times
9 authorized for that purpose by the commission or at other times
10 when prior notice has been given to and written approval granted
11 by an authorized agent of the commission.

12 Notwithstanding the foregoing, a person may, with the prior
13 approval of the commission and under such terms and conditions
14 as may be required by the commission, possess, maintain or
15 exhibit gaming equipment in any other area of the casino hotel
16 complex; provided such equipment is used for nongaming purposes.

17 c. Each casino hotel shall contain a count room and such other
18 secure facilities as may be required by the commission for the
19 counting and storage of cash, coins, tokens and checks received in
20 the conduct of gaming and for the inspection, counting and
21 storage of dice, cards, chips and other representatives of value.
22 All drop boxes and other devices wherein cash, coins, or tokens
23 are deposited at the gaming tables or in slot machines, and all
24 areas wherein such boxes and devices are kept while in use, shall
25 be equipped with two locking devices, one key to which shall be
26 under the exclusive control of the commission and the other
27 under the exclusive control of the casino licensee, and said drop
28 boxes and other devices shall not be brought into or removed
29 from the casino room, or locked or unlocked, except at such
30 times, in such places, and according to such procedures as the
31 commission may require.

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

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

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

1 g. Each gaming table shall be equipped with a sign indicating
 2 the permissible minimum and maximum wagers pertaining
 3 thereto. It shall be unlawful for a casino licensee to require any
 4 wager to be greater than the stated minimum or less than the
 5 stated maximum; provided, however, that any wager actually
 6 made by a patron and not rejected by a casino licensee prior to
 7 the commencement of play shall be treated as a valid wager.

8 h. (1) No slot machine shall be used to conduct gaming unless
 9 it is identical in all electrical, mechanical and other aspects to a
 10 model thereof which has been specifically tested by the division
 11 and licensed for use by the commission. The commission shall, by
 12 regulation, establish such technical standards for licensure,
 13 including mechanical and electrical reliability, security against
 14 tampering, the comprehensibility of wagering, and noise and light
 15 levels, as it may deem necessary to protect the player from fraud
 16 or deception and to insure the integrity of gaming. [In no event
 17 shall slot machines, including walkways between them, occupy
 18 more than 45% of the first 50,000 square feet of floor space of a
 19 casino, or more than 32% of any additional floor space of a casino
 20 larger than 50,000 square feet in the case of a casino hotel with
 21 fewer than 1,200 qualifying sleeping units or more than 45% of
 22 such additional floor space in the case of a casino hotel with at
 23 least 1,200 qualifying sleeping units. In the case of casinos in
 24 operation on the effective date of this amendatory and
 25 supplementary act, P.L.1991, c.182, up to 10% of the number of
 26 slot machines in operation on that effective date may be added
 27 by the end of the first year after the effective date, up to 20% of
 28 that number may be added by the end of the second year after
 29 the effective date, and up to 30% of that number may be added
 30 by the end of the third year after the effective date. The
 31 commission shall, by regulation, determine the permissible
 32 density of particular licensed slot machines or combinations
 33 thereof, based upon their size and light and noise levels, so as to
 34 create and maintain a gracious playing environment in the casino
 35 and to avoid deception or frequent distraction to players at
 36 gaming tables.] The denominations of such machines shall be set
 37 by the licensee, subject to the prior approval of the commission.

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

41 (a) promote optimum security for casino operations;

42 (b) avoid deception or frequent distraction to players at
 43 gaming tables;

44 (c) promote the comfort of patrons;

45 (d) create and maintain a gracious playing environment in the
 46 casino; and

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

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

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

52 k. It shall be unlawful for any person to exchange or redeem
 53 chips for anything whatsoever, except for currency, negotiable
 54 personal checks, negotiable counter checks [or], other chips, or

1 coupons or similar complimentary vouchers distributed pursuant
 2 to a program approved by the commission or maintained pursuant
 3 to commission regulation. A casino licensee shall, upon the
 4 request of any person, redeem that licensee's gaming chips
 5 surrendered by that person in any amount over \$25.00 with a
 6 check drawn upon the licensee's account at any banking
 7 institution in this State and made payable to that person.

8 l. It shall be unlawful for any casino licensee or its agents or
 9 employees to employ, contract with, or use any snail or barker to
 10 induce any person to enter a casino or play at any game or for
 11 any purpose whatsoever.

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

16 n. It shall be unlawful for any casino key employee, other than
 17 a junket representative, or any casino employee, other than a
 18 bartender, waiter, waitress, or other casino employee who in the
 19 judgment of the commission is not directly involved with the
 20 conduct of gaming operations, to wager at any game in any casino
 21 in this State.

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

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

34 (cf: P.L.1991, c.182, s.38)

35 ¹[8.] ¹¹ Section 101 of P.L.1977, c.110 (C.5:12-101) is
 36 amended to read as follows:

37 101. Credit. a. Except as otherwise provided in this section,
 38 no casino licensee or any person licensed under this act, and no
 39 person acting on behalf of or under any arrangement with a
 40 casino licensee or other person licensed under this act, shall:

41 (1) Cash any check, make any loan, or otherwise provide or
 42 allow to any person any credit or advance of anything of value or
 43 which represents value to enable any person to take part in
 44 gaming activity as a player; or

45 (2) Release or discharge any debt, either in whole or in part, or
 46 make any loan which represents any losses incurred by any player
 47 in gaming activity, without maintaining a written record thereof
 48 in accordance with the rules of the commission.

49 b. No casino licensee or any person licensed under this act, and
 50 no person acting on behalf of or under any arrangement with a
 51 casino licensee or other person licensed under this act, may
 52 accept a check, other than a recognized traveler's check or other
 53 cash equivalent from any person to enable such person to take
 54 part in gaming activity as a player, or may give cash or cash

1 equivalents in exchange for such check unless:

2 (1) The check is made payable to the casino licensee;

3 (2) The check is dated, but not postdated;

4 (3) The check is presented to the cashier or [his] ¹[or] ¹the
5 cashier's representative at a location in the casino approved by
6 the commission and is exchanged [only] for [a credit slip or slips]
7 cash or slot tokens which total an amount equal to the amount for
8 which the check is drawn, [which slip or slips may be] or the
9 check is presented [for chips] to the cashier's representative at a
10 gambling table in exchange for chips which total an amount equal
11 to the amount for which the check is drawn; and

12 (4) The regulations concerning check cashing procedures are
13 observed by the casino licensee and its employees and agents.

14 Nothing in this subsection shall be deemed to preclude the
15 establishment of an account by any person with a casino licensee
16 by a deposit of cash, recognized traveler's check or other cash
17 equivalent, or a check which meets the requirements of
18 subsection g. of this section, or to preclude the withdrawal,
19 either in whole or in part, of any amount contained in such
20 account.

21 c. When a casino licensee or other person licensed under this
22 act, or any person acting on behalf of or under any arrangement
23 with a casino licensee or other person licensed under this act,
24 cashes a check in conformity with the requirements of subsection
25 b. of this section, the casino licensee shall cause the deposit of
26 such check in a bank for collection or payment within (1) seven
27 calendar days of the date of the transaction for a check in an
28 amount of \$1,000.00 or less; (2) 14 calendar days of the date of
29 the transaction for a check in an amount greater than \$1,000.00
30 but less than or equal to \$5,000.00; or (3) 45 calendar days of the
31 date of the transaction for a check in an amount greater than
32 \$5,000.00. Notwithstanding the foregoing, the drawer of the
33 check may redeem the check by exchanging cash, cash
34 equivalents, chips, or a check which meets the requirements of
35 subsection g. of this section in an amount equal to the amount for
36 which the check is drawn; or he may redeem the check in part by
37 exchanging cash, cash equivalents, chips, or a check which meets
38 the requirements of subsection g. of this section and another
39 check which meets the requirements of subsection b. of this
40 section for the difference between the original check and the
41 cash, cash equivalents, chips, or check tendered; or he may issue
42 one check which meets the requirements of subsection b. of this
43 section in an amount sufficient to redeem two or more checks
44 drawn to the order of the casino licensee. If there has been a
45 partial redemption or a consolidation in conformity with the
46 provisions of this subsection, the newly issued check shall be
47 delivered to a bank for collection or payment within the period
48 herein specified. No casino licensee or any person licensed under
49 this act, and no person acting on behalf of or under any
50 arrangement with a casino licensee or other person licensed under
51 this act, shall accept any check or series of checks in redemption
52 or consolidation of another check or checks in accordance with
53 this subsection for the purpose of avoiding or delaying the deposit
54 of a check in a bank for collection or payment within the time

1 period prescribed by this subsection.

2 In computing a time period prescribed by this subsection, the
3 last day of the period shall be included unless it is a Saturday,
4 Sunday, or a State or federal holiday, in which event the time
5 period shall run until the next business day.

6 d. No casino licensee or any other person licensed under this
7 act, or any other person acting on behalf of or under any
8 arrangement with a casino licensee or other person licensed under
9 this act, shall transfer, convey, or give, with or without
10 consideration, a check cashed in conformity with the
11 requirements of this section to any person other than:

12 (1) The drawer of the check upon redemption or consolidation
13 in accordance with subsection c. of this section;

14 (2) A bank for collection or payment of the check; or

15 (3) A purchaser of the casino license as approved by the
16 commission. The limitation on transferability of checks imposed
17 herein shall apply to checks returned by any bank to the casino
18 licensee without full and final payment.

19 e. No person other than one licensed as a casino key employee
20 or as a casino employee may engage in efforts to collect upon
21 checks that have been returned by banks without full and final
22 payment, except that an attorney-at-law representing a casino
23 licensee may bring action for such collection.

24 f. Notwithstanding the provisions of any law to the contrary,
25 checks cashed in conformity with the requirements of this act
26 shall be valid instruments, enforceable at law in the courts of this
27 State. Any check cashed, transferred, conveyed or given in
28 violation of this act shall be invalid and unenforceable for the
29 purposes of collection but shall be included in the calculation of
30 gross revenue pursuant to section 24 of P.L.1977, c.110
31 (C.5:12-24).

32 g. Notwithstanding the provisions of subsection b. of this
33 section to the contrary, a casino licensee may accept a check
34 from a person to enable the person to take part in gaming
35 activity as a player, may give cash or cash equivalents in
36 exchange for such a check, or may accept a check in redemption
37 or partial redemption of a check issued in accordance with
38 subsection b., provided that:

39 (1) (a) The check is drawn by a casino licensee pursuant to the
40 provisions of subsection k. of section 100 of P.L.1977, c.110
41 (C.5:12-100) or upon a withdrawal of funds from an account
42 established in accordance with the provisions of subsection b. of
43 this section or is drawn by a casino licensee for winnings from
44 slot machine payoffs;

45 (b) The check is issued by a banking institution which is
46 chartered in a country other than the United States on its
47 account at a federally chartered or state-chartered bank and is
48 made payable to "cash," "bearer," a casino licensee, or the
49 person presenting the check; or

50 (c) The check is issued by a banking institution which is
51 chartered in the United States on its account at another federally
52 chartered or state-chartered bank and is made payable to "cash."
53 "bearer," a casino licensee, or the person presenting the check;

54 (2) The check is identifiable in a manner approved by the

1 commission as a check issued for a purpose listed in paragraph (1)
2 of this subsection;

3 (3) The check is dated, but not postdated;

4 (4) The check is presented to the cashier or the cashier's
5 representative by the original payee and its validity is verified by
6 the drawer in the case of a check drawn pursuant to subparagraph
7 (a) of paragraph (1) of this subsection, or the check is verified in
8 accordance with regulations promulgated by the commission in
9 the case of a check issued pursuant to subparagraph (b) or
10 subparagraph (c) of paragraph (1) of this subsection; and

11 (5) The regulations concerning check cashing procedures are
12 observed by the casino licensee and its employees and agents.

13 No casino licensee shall issue a check for the purpose of
14 making a loan or otherwise providing or allowing any advance or
15 credit to a person to enable the person to take part in gaming
16 activity as a player.

17 h. Notwithstanding the provisions of subsection b. and
18 subsection c. of this section to the contrary, a casino licensee
19 may, at a location outside the casino, accept a personal check or
20 checks from a person for up to \$1,500 in exchange for cash or
21 cash equivalents, and may, at such locations within the casino as
22 may be permitted by the commission, accept a personal check or
23 checks for up to \$1,500 in exchange for cash, cash equivalents,
24 tokens, chips, or plaques to enable the person to take part in
25 gaming activity as a player or non-gaming activity, as the case
26 may be, provided that:

27 (1) The check is drawn on the patron's bank or brokerage cash
28 management account;

29 (2) The check is for a specific amount;

30 (3) The check is made payable to the casino licensee;

31 (4) The check is dated but not post-dated;

32 (5) The patron's identity is established by examination of one
33 of the following: valid credit card, driver's license, passport, or
34 other form of identification credential which contains, at a
35 minimum, the patron's signature;

36 (6) The check is restrictively endorsed "For Deposit Only" to
37 the casino licensee's bank account and deposited on the next
38 banking day following the date of the transaction; and

39 (7) The total amount of personal checks accepted by any one
40 licensee pursuant to this subsection that are outstanding at any
41 time, including the current check being submitted, does not
42 exceed \$1,500.

43 i. Checks cashed pursuant to the provisions of subsection h. of
44 this section which are subsequently uncollectable may not be
45 deducted from the total of all sums received in calculating gross
46 revenue pursuant to section 24 of P.L.1977, c.110 (C.5:12-24).

47 j. A person may request the commission to put that person's
48 name on a list of persons to whom the extension of credit by a
49 casino as provided in this section would be prohibited by
50 submitting to the commission the person's name, address, and
51 date of birth. The person does not need to provide a reason for
52 this request. The commission shall provide this list to the credit
53 department of each casino; neither the commission nor the credit
54 department of a casino shall divulge the names on this list to any

1 person or entity other than those provided for in this subsection.
 2 If such a person wishes to have that person's name removed from
 3 the list, the person shall submit this request to the commission,
 4 which shall so inform the credit departments of casinos no later
 5 than three days after the submission of the request.

6 (cf: P.L.1991, c.182, s.39)

7 ¹[9.] 12.¹ Section 102 of P.L.1977, c.110 (C.5:12-102) is
 8 amended to read as follows:

9 102. Junkets and Complimentary Services. a. No junkets may
 10 be organized or permitted except in accordance with the
 11 provisions of this act. No person may act as a junket
 12 representative or junket enterprise except in accordance with
 13 this section. ¹[Notwithstanding any other provisions of P.L.1977,
 14 c.110 (C.5:12-1 et seq.), junket enterprises engaged in activities
 15 governed by this section shall not be subject to the provisions of
 16 section 92 and subsection b. of section 104 of P.L.1977, c.110
 17 (C.5:12-92 and C.5:12-104) with regard to those activities, unless
 18 otherwise directed by the commission pursuant to subsection k. of
 19 this section.]¹

20 b. A junket representative ¹employed by a casino licensee or
 21 an applicant for a casino license¹ shall be licensed as a casino key
 22 employee in accordance with the provisions of P.L.1977, c.110
 23 (C.5:12-1 et seq.); provided, however, that said licensee need not
 24 be a resident of this State. Any person who holds a current and
 25 valid casino key employee license may act as a junket
 26 representative while employed by a casino licensee without
 27 further endorsement of his license. No casino licensee or
 28 ¹[junket enterprise] applicant for a casino license¹ may employ or
 29 otherwise engage a junket representative who is not so licensed.

30 c. ¹[A junket enterprise shall be licensed in accordance with
 31 the provisions of this section prior to conducting any business
 32 whatsoever with a casino licensee, its employees or agents. A
 33 junket enterprise, as well as such of its owners, management and
 34 supervisory personnel and other principal employees as the
 35 commission may consider appropriate for qualification, must
 36 qualify under the standards, except residency, established for
 37 qualification of a casino key employee under P.L.1977, c.110
 38 (C.5:12-1 et seq.). No casino licensee or junket enterprise may
 39 employ or otherwise engage the services of a junket enterprise
 40 who is not so licensed.

41 Notwithstanding the foregoing, any licensed junket
 42 representative who is the sole owner and operator of a junket
 43 enterprise shall not be required to be licensed as a junket
 44 enterprise pursuant to this section if his junket representative
 45 license is endorsed as such.]

46 Junket enterprises which, and junket representatives not
 47 employed by a casino licensee or an applicant for a casino license
 48 or by a junket enterprise who, are engaged in activities governed
 49 by this section shall be subject to the provisions of subsection c.
 50 of section 92 and subsection b. of section 104 of P.L.1977, c.110
 51 (C.5:12-92 and 5:12-104) with regard to those activities, unless
 52 otherwise directed by the commission pursuant to subsection k. of
 53 this section. Such of the owners, management and supervisory
 54 personnel, and other principal employees of a junket enterprise as

1 the commission may consider appropriate for qualification shall
 2 qualify under the standards, except for residency, established for
 3 qualification of a casino key employee under P.L.1977, c.110
 4 (C.5:12-1 et seq.).¹

5 d. Prior to the issuance of any license required by this section,
 6 an applicant for licensure shall submit to the jurisdiction of the
 7 State of New Jersey and shall demonstrate to the satisfaction of
 8 the commission that he is amenable to service of process within
 9 this State. Failure to establish or maintain compliance with the
 10 requirements of this subsection shall constitute sufficient cause
 11 for the denial, suspension or revocation of any license issued
 12 pursuant to this section.

13 e. ~~[(Deleted by amendment, P.L.1987, c.426).]~~ ¹[An applicant
 14 for junket representative or junket enterprise licensure] Upon
 15 petition by the holder of a casino license, an applicant for junket
 16 representative licensure¹ may be issued a temporary license by
 17 the commission, provided that:

18 (1) ¹the applicant for licensure is employed by a casino
 19 licensee;

20 (2)¹ the applicant for licensure has filed a completed
 21 application as required by the commission;

22 ¹~~[(2)]~~ (3)¹ the division either certifies to the commission that
 23 the completed application for licensure as specified in paragraph
 24 ¹~~[(1)]~~ (2)¹ of this subsection has been in the possession of the
 25 division for at least 60 days or agrees to allow the commission to
 26 consider the application in some lesser time; and

27 ¹~~[(3)]~~ (4)¹ the division does not object to the temporary
 28 licensure of the applicant; provided, however, that failure of the
 29 division to object prior to the temporary licensure of the
 30 applicant shall not be construed to reflect in any manner upon the
 31 qualifications of the applicant for licensure.

32 In addition to any other authority granted by P.L.1977, c.110
 33 (C.5:12-1 et seq.), the commission shall have the authority, upon
 34 receipt of a representation by the division that it possesses
 35 information which raises a reasonable possibility that a junket
 36 representative ¹[or enterprise]¹ does not qualify for licensure, to
 37 immediately suspend, limit or condition any temporary license
 38 issued pursuant to this subsection, pending a hearing on the
 39 qualifications of the junket representative ¹[or enterprise]¹, in
 40 accordance with the provisions of P.L.1977, c.110 (C.5:12-1 et
 41 seq.).

42 Unless otherwise terminated pursuant to P.L.1977, c.110
 43 (C.5:12-1 et seq.), any temporary license issued pursuant to this
 44 subsection shall expire 12 months from the date of its issuance,
 45 and shall be renewable by the commission, in the absence of an
 46 objection by the division, as specified in paragraph ¹[(3)] (4)¹ of
 47 this subsection, for one additional six-month period.

48 f. Every agreement concerning junkets entered into by a
 49 casino licensee and a junket representative or junket enterprise
 50 shall be deemed to include a provision for its termination without
 51 liability on the part of the casino licensee, if the commission
 52 orders the termination upon the suspension, limitation,
 53 conditioning, denial or revocation of the licensure of the junket
 54 representative or junket enterprise, in accordance with the

1 provisions of P.L.1977, c.110 (C.5:12-1 et seq.). Failure to
2 expressly include such a condition in the agreement shall not
3 constitute a defense in any action brought to terminate the
4 agreement.

5 g. A casino licensee shall be responsible for the conduct of any
6 junket representative or junket enterprise associated with it and
7 for the terms and conditions of any junket engaged in on its
8 premises, regardless of the fact that the junket may involve
9 persons not employed by such a casino licensee.

10 h. A casino licensee shall be responsible for any violation or
11 deviation from the terms of a junket. Notwithstanding any other
12 provisions of this act, the commission may, after hearings in
13 accordance with this act, order restitution to junket participants,
14 assess penalties for such violations or deviations, prohibit future
15 junkets by the casino licensee, junket enterprise or junket
16 representative, and order such further relief as it deems
17 appropriate.

18 i. The commission shall, by regulation, prescribe methods,
19 procedures and forms for the delivery and retention of
20 information concerning the conduct of junkets by casino
21 licensees. Without limitation of the foregoing, each casino
22 licensee, in accordance with the rules of the commission, shall:

23 (1) Maintain on file a report describing the operation of any
24 junket engaged in on its premises, which report may include
25 acknowledgments by the participants, signed on the date of
26 arrival, that they understand the terms of the particular junket;

27 (2) Submit to the commission and division a report on those
28 arrangements which would be junkets but for the fact that those
29 arrangements do not include a selection or approval of
30 participants in accordance with the terms of section 29 of
31 P.L.1977, c.110 (C.5:12-29); and

32 (3) Submit to the commission and division a list of all its
33 employees who are acting as junket representatives but whose
34 licenses are not endorsed as such.

35 j. Each casino licensee, junket representative or junket
36 enterprise shall, in accordance with the rules of the commission,
37 file a report with the division with respect to each list of junket
38 patrons or potential junket patrons purchased directly or
39 indirectly by the casino licensee, junket representative or
40 enterprise.

41 k. The commission shall have the authority to determine,
42 either by regulation, or upon petition by the holder of a casino
43 license, that a type of arrangement otherwise included within the
44 definition of "junket" established by section 29 of P.L.1977, c.110
45 (C.5:12-29) shall not require compliance with any or all of the
46 requirements of this section. The commission shall seek the
47 opinion of the division prior to granting any exemption. In
48 granting exemptions, the commission shall consider such factors
49 as the nature, volume and significance of the particular type of
50 arrangement, and whether the exemption would be consistent
51 with the public policies established by this act. In applying the
52 provisions of this subsection, the commission may condition,
53 limit, or restrict any exemption as the commission may deem
54 appropriate.

1 l. No junket enterprise or junket representative or person
2 acting as a junket representative may:

3 (1) Engage in efforts to collect upon checks that have been
4 returned by banks without full and final payment;

5 (2) Exercise approval authority with regard to the
6 authorization or issuance of credit pursuant to section 101 of
7 P.L.1977, c.110 (C.5:12-101);

8 (3) Act on behalf of or under any arrangement with a casino
9 licensee or a gaming patron with regard to the redemption,
10 consolidation, or substitution of the gaming patron's checks
11 awaiting deposit pursuant to subsection c. of section 101 of
12 P.L.1977, c.110 (C.5:12-101);

13 (4) Individually receive or retain any fee from a patron for the
14 privilege of participating in a junket;

15 (5) Pay for any services, including transportation, or other
16 items of value provided to, or for the benefit of, any patron
17 participating in a junket.

18 m. No casino licensee shall offer or provide any
19 complimentary services, gifts, cash or other items of value to any
20 person unless:

21 (1) The complimentary consists of room, food, beverage or
22 entertainment expenses provided directly to the patron and his
23 guests by the licensee or indirectly to the patron and his guests
24 on behalf of a licensee by a third party; or

25 (2) The complimentary consists of documented transportation
26 expenses provided directly to the patron and his guests by the
27 licensee or indirectly to the patron and his guests on behalf of a
28 licensee by a third party, provided that the licensee complies
29 with regulations promulgated by the commission to ensure that a
30 patron's and his guests' documented transportation expenses are
31 paid for or reimbursed only once; or

32 (3) The complimentary consists of coins, tokens, cash or other
33 complimentary items or services provided through a bus coupon
34 or other complimentary distribution program approved by the
35 commission or maintained pursuant to commission regulation.

36 Notwithstanding the foregoing, a casino licensee may offer and
37 provide complimentary cash or noncash gifts which are not
38 otherwise included in paragraphs (1) through (3) of this subsection
39 to any person, provided that any such gifts in excess of \$2,000.00
40 per trip, or such greater amount as the commission may establish
41 by regulation, are supported by documentation regarding the
42 reason the gift was provided to the patron and his guests,
43 including where applicable, a patron's player rating, which
44 documentation shall be maintained by the casino licensee. For the
45 purposes of this paragraph, all gifts presented to a patron and the
46 patron's guests directly by the licensee or indirectly on behalf of
47 the licensee by a third party within any five-day period shall be
48 considered to have been made during a single trip. In the case of
49 cash gifts, the commission shall establish by regulation the total
50 amount of such gifts that a licensee may provide to a patron each
51 year.

52 Each casino licensee shall maintain a regulated complimentary
53 service account, for those complementaries which are permitted
54 pursuant to this section, and shall submit a quarterly report to

1 the commission based upon such account and covering all
 2 complimentary services offered or engaged in by the licensee
 3 during the immediately preceding quarter. Such reports shall
 4 include identification of the regulated complimentary services
 5 and their respective costs, the number of persons by category of
 6 service who received the same, and such other information as the
 7 commission may require.

8 n. As used in this subsection, "person" means any State officer
 9 or employee subject to financial disclosure by law or executive
 10 order and any other State officer or employee with responsibility
 11 for matters affecting casino activity; any special State officer or
 12 employee with responsibility for matters affecting casino
 13 activity; the Governor; any member of the Legislature or
 14 full-time member of the Judiciary; any full-time professional
 15 employee of the Office of the Governor, or the Legislature;
 16 members of the Casino Reinvestment Development Authority;
 17 the head of a principal department; the assistant or deputy heads
 18 of a principal department, including all assistant and deputy
 19 commissioners; the head of any division of a principal
 20 department; any member of the governing body, or the municipal
 21 judge or the municipal attorney of a municipality wherein a
 22 casino is located; any member of or attorney for the planning
 23 board or zoning board of adjustment of a municipality wherein a
 24 casino is located, or any professional planner or consultant
 25 regularly employed or retained by such planning board or zoning
 26 board of adjustment.

27 No casino applicant or licensee shall provide directly or
 28 indirectly to any person any complimentary service or discount
 29 which is other than such service or discount that is offered to
 30 members of the general public in like circumstance.

31 o. [(1) Any person who, on the effective date of this 1987
 32 amendatory act, holds a current and valid plenary junket
 33 representative license or a junket enterprise license authorizing
 34 the conduct of junket activities, shall be considered licensed in
 35 accordance with the provisions of this section as a junket
 36 representative or junket enterprise, respectively, for the
 37 remaining term of his current license.

38 (2) Any person who, on the effective ~~date~~ of ~~this~~ 1987
 39 amendatory act, holds a current and valid temporary junket
 40 representative or junket enterprise license authorizing the
 41 conduct of junket activities shall be permitted to act as, or
 42 perform the services of a junket representative or junket
 43 enterprise so long as such junket representative or junket
 44 enterprise files with the commission an application for licensure
 45 pursuant to the provisions of this 1987 amendatory act within
 46 90 days of the effective date hereof. Any junket representative
 47 or junket enterprise so filing shall be permitted to engage in
 48 junket activities until the commission has acted upon such
 49 application. Any junket representative or junket enterprise not
 50 so filing shall not be permitted to act as, or perform the services
 51 of, a junket representative or junket enterprise upon the
 52 expiration of 90 days from and after the effective date of this
 53 1987 amendatory act.

54 (cf: P.L.1991, c.182, s.40)] ¹[(Deleted by amendment, P.L. ,
 55 c. .)]

1 Any person who, on the effective date of this 1992 amendatory
2 act, P.L. , c. , holds a current and valid plenary junket
3 representative license, a junket representative license with a sole
4 owner-operator endorsement, or a junket enterprise license
5 authorizing the conduct of junket activities, shall be considered
6 licensed in accordance with the provisions of this section and
7 subsection c. of section 92 of P.L.1977, c.110 (C.S:12-92) for the
8 remaining term of his current license.¹

9 (cf: P.L.1991, c.182, s.40)

10 ¹[10.] 13.¹ Section 3 of P.L.1991, c.182 (C.5:12-5.1) and
11 section 24 of P.L.1991, c.182 are repealed.

12 ¹[11.] 14.¹ This act shall take effect immediately.

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16
17 Makes various changes in the Casino Control Act concerning new
18 games, casino hours, indoor public space, certain advertising
19 requirements, use of coupons, slot machines, certain support
20 gaming equipment, and junket enterprises and representatives.

1 conduct of junket activities shall be permitted to act as, or
2 perform the services of a junket representative or junket
3 enterprise so long as such junket representative or junket
4 enterprise files with the commission an application for licensure
5 pursuant to the provisions of this 1987 amendatory act within
6 90 days of the effective date hereof. Any junket representative
7 or junket enterprise so filing shall be permitted to engage in
8 junket activities until the commission has acted upon such
9 application. Any junket representative or junket enterprise not
10 so filing shall not be permitted to act as, or perform the services
11 of, a junket representative or junket enterprise upon the
12 expiration of 90 days from and after the effective date of this
13 1987 amendatory act.

14 (cf: P.L.1991, c.182, s.40)] (Deleted by amendment, P.L. ,
15 c. .)

16 10. Section 3 of P.L.1991, c.182 (C.5:12-5.1) and section 24 of
17 P.L.1991, c.182 are repealed.

18 11. This act shall take effect immediately.

19

20 *SPONSORS'* STATEMENT

21

22 This bill (1) empowers the Casino Control Commission, on a
23 permanent basis, to authorize new casino games (at present, the
24 commission may authorize new games only for a trial period of
25 six months); (2) empowers the commission, on a permanent basis,
26 to authorize up to 24 hours of gambling on weekends, holidays,
27 and certain other days (at present, the commission may authorize
28 such gambling only for a three-year period dating from June 29,
29 1991); (3) removes the requirement imposed by P.L.1991, c.182
30 that present casinos continue to provide, for two years after the
31 effective date of that act (June 29, 1991), the qualifying indoor
32 public space required under the "Casino Control Act" prior to the
33 elimination of that space requirement by the 1991 law; (4)
34 empowers the commission to approve language comparable the
35 language presently required to appear on a casino licensee's
36 advertising; (5) removes the requirement that the commission's
37 rules must establish minimum wagers (but retains the broader
38 authority for the commission to establish "such limitations as
39 may be necessary to assure the vitality of casino operations and
40 fair odds to and maximum participation by casino patrons"); (6)
41 allows the exchange of coupons or other complimentary vouchers
42 for gaming chips (similar to the current exchange of bus coupons
43 and other complimentaries for slot tokens or coins to encourage
44 slot machine play); (7) allows certain gaming equipment which
45 supports the conduct of gaming, such as computers, to be
46 maintained by a casino in restricted casino areas specifically
47 designated for that purpose; (8) reestablishes temporary licensure
48 for junket representatives or junket enterprises (provisions for
49 such temporary licensure had been repealed in 1987); (9) deletes
50 the present specific restrictions on slot machines and provides
51 that the commission shall determine the permissible number and
52 density on the basis of criteria specified in the bill; (10) allows
53 the commission to permit cards to be dealt by hand; and (11)
54 makes several technical corrections in the law.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 652

with Senate committee amendments

STATE OF NEW JERSEY

DATED: APRIL 6, 1992

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 652.

This bill proposes a series of amendments to the Casino Control Act. The following is a summary of the bill's major provisions:

1. The Casino Control Act (CCA) presently specifically lists the games which casinos are authorized to operate. In order for a new game to be authorized, the Casino Control Commission (commission) permits the game to be operated for a test period of not more than six months and then makes a recommendation of legislation authorizing the operation of that game. The bill would permit the commission to authorize any game which the commission determines to be compatible with public interest after such appropriate test or experimental period the commission deems appropriate. Legislation authorizing new games would not be required.

2. Presently, all forms of gaming-related advertising by casinos are required to include certain phrases ("Bet with your head, not over it" and "If you or someone you know has a gambling problem and wants help, call 1-800-GAMBLER"). This bill would permit advertisements to include comparable language approved by the commission instead of these specific phrases. The bill would also eliminate the requirement that electronic advertising include these phrases. The committee amended this provision to require that any comparable language approved by the commission include the words "gambling problem" and the 800-number.

3. Under the original CCA, casinos are required to maintain a certain amount of "qualifying indoor public space". Legislation passed in 1991 eliminated this "public space" requirement. Existing casinos were, however, required to continue to provide the required "public space" for a period of two years. The bill would repeal the language requiring casinos to maintain existing "public space" for that two year period.

4. The bill would empower the commission to authorize 24 hour gambling on weekends, holidays and on any other day which the commission determines that the economic impact on the casinos or Atlantic City would justify the extension of hours. Presently, the commission's power to authorize 24 hour gambling would expire on June 29, 1994.

5. Presently, casinos are required to maintain all gaming equipment on the casino floor. This bill would permit gaming equipment which supports the conduct of gaming such as computers but which do not permit or require patrons access to be maintained in a restricted area with the approval of the commission.

6. The bill removes the language requiring that minimum wagers be established by commission rules. Language generally authorizing the commission to establish such limitations as may be necessary to assure the vitality of casino operations and fair odds and maintain maximum participation by patrons would be retained.

7. Presently, the number of slot machines a casino may have is restricted by a formula based on the size of the casino. This bill would eliminate those restrictions and permit the commission to determine the number and density of slot machines a casino may operate based on criteria set forth in the bill.

8. The bill would permit the exchange of coupons or similar complimentary vouchers distributed pursuant to a program approved by the commission for gaming chips.

10. Prior to 1987, there was a procedure whereby junket representatives could obtain a temporary license while their application for a permanent license was being processed. This bill would reestablish this procedure. The committee adopted amendments clarifying that this temporary licensing procedure is for those junket representatives employed by casinos. A person not employed by a casino and any other enterprise engaged in the junket business would be subject to licensure as a casino service industry.

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
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TRENTON, N.J. 08625

Release:

Tuesday
May 19, 1992

GOVERNOR SIGNS BILL ON 24-HOUR CASINO GAMBLING

ATLANTIC CITY -- Governor Jim Florio today signed a bill permanently extending the Casino Control Commission's authority to permit 24-hour gambling on weekends, holidays and certain weekdays. The bill also changes the restrictions on the number of slot machines and allows the Commission to permit new games on a permanent basis.

"This bill changes some of the outdated regulations governing the casinos. We'll always keep a close eye on how the casinos operate. That's a commitment to integrity that we'll keep," said Governor Florio. "But we've learned a few things in the last 12 years. And one of them is that casinos need to have the flexibility to respond to the changing conditions of the marketplace."

"Atlantic City is the jewel of our shore and of the entire South Jersey region. Today, we're going to make that jewel shine a little brighter. It's one more step in fulfilling the promise of Atlantic City and making it one of the nation's premier destinations for vacationers and travellers," he said. "The changes in this bill are going to help everyone -- from our visitors to the people who live here. They're another step forward for New Jersey."

The bill gives the Commission permanent authority to authorize 24-hour gambling on weekends, holidays and any other significant days determined by the Commission. Casino hours typically run from 10 a.m. to 4 a.m. weekdays, and from 10 a.m. to 6 a.m. on weekends.

The authority to permit 24-hour gambling was first granted to the Commission under legislation signed by the Governor last year, but the provision was set to expire in 1994. As a result of that legislation, increased operating hours and increased flexibility with slot machines, the casino industry was able to take advantage of the business climate and for the first four months of this year, the industry has shown a 10 percent increase over last year.

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The bill also:

- **Permits the Commission to authorize any new game which it determines to be compatible with public interest after a test period.** Previously, in order for a new game to be authorized, the Commission permitted the game to be operated for a test period up to six months and then made a recommendation to the Legislature to authorize operation. Under the new law, legislation authorizing new games would not be required.
- **Eliminates restrictions on the number of slot machines a casino may have.** Previously, the number of slot machines was restricted by a formula based on the size of the casino. Under the new law, the Commission will decide the number of slot machines based on standards in the bill.

The bill also makes changes regarding the maintenance of equipment, definitions of "public space" and other technical provisions. The bill was supported by the Casino Control Commission and the Casino Association.

"These changes are an important part of our effort to make sure that Atlantic City develops to its fullest potential. Fulfilling that potential is also the reason we're committed to expanding the Atlantic City airport and building a world-class convention center. These two economic growth projects will give our nearly \$18 billion tourism industry two powerful new magnets to attract visitors from all across the country, from Canada and from Europe," the Governor said.

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