

5:12-153

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

NJSA: 5:12-153

(Casino
Reinvestment
Authority--voting
rights to industry)

LAWS OF: 1991

CHAPTER: 219

Bill No. S1284

Sponsor(s): Codey

Date Introduced: Pre-filed

Committee: Assembly: Independent Authorities

Senate: Institutions, Health & Welfare

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: May 23, 1991

Senate: October 1, 1990

Date of Approval: July 26, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

[THIRD REPRINT]

SENATE, No. 1284

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator CODEY

1 AN ACT concerning the membership of the Casino Reinvestment
2 Development Authority and amending P.L.1984, c.218.

3

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

6 1. Section 5 of P.L. 1984, c.218 (C.5:12-153) is amended to
7 read as follows:

8 5. a. There is established in, but not of, the Department of
9 the Treasury a Casino Reinvestment Development Authority to
10 consist of the following members:

11 (1) ¹[Five] Seven¹ members appointed by the Governor with
12 the advice and consent of the Senate for terms of four years,
13 except that of the initial members to be appointed ¹pursuant to
14 this 1990 amendatory act, P.L. . c. 1, one shall be appointed
15 for a term of ¹[one year, one for a term of]¹ two years¹[,] and¹
16 one for a term of ¹[three years, and two for a term of]¹ four
17 years;

18 (2) One member appointed by the Governor upon the
19 recommendation of the President of the Senate for a term of four
20 years, except that the initial member to be appointed shall be
21 appointed for a term of three years;

22 (3) One member appointed by the Governor upon the
23 recommendation of the Speaker of the General Assembly for a
24 term of four years, except that the initial member to be
25 appointed shall be appointed for a term of one year;

26 (4) A member of the Casino Control Commission, who shall be
27 appointed by the Governor and shall be a voting member of the
28 authority;

29 (5) The mayor of Atlantic City, ex officio and voting; ¹and¹

30 (6) The State Treasurer, ex officio and nonvoting¹;

31 (7) Two [nonvoting] casino industry representatives who shall
32 be voting members and who shall be appointed by the Governor
33 for terms of two years, except that of the initial appointees, one
34 shall serve for a term of one year and one for a term of two
35 years]¹.

36 No more than ¹[five] four¹ of the voting members¹[,] other than
37 the members appointed pursuant to paragraphs (2) [and], (3) and
38 (7) of this subsection,] appointed by the Governor pursuant to

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 Senate floor amendments adopted April 30, 1990.

² Assembly AIA committee amendments adopted October 18, 1990.

³ Assembly floor amendments adopted December 3, 1990.

1 paragraph (1) of this subsection¹ shall be of the same political
2 party³, and no more than two of the members appointed by the
3 Governor pursuant to paragraphs (1), (2), and (3) of this section
4 shall be representatives of the casino hotel industry³.

5 In the appointment of members of the authority, consideration
6 should be given to achieving a membership of high quality and
7 varied experience, with special emphasis on the fields of banking,
8 finance, investment, and housing and urban development ¹and on
9 participation by representatives of the casino hotel industry¹.

10 b. Each member appointed by the Governor shall hold office
11 for the term of his appointment and until his successor shall have
12 been appointed and qualified. A member shall be eligible for
13 reappointment. Any vacancy in the membership occurring other
14 than by expiration of term shall be filled in the same manner as
15 the original appointment but for the unexpired term only.

16 c. The member of the Casino Control Commission appointed
17 by the Governor shall serve as a member of the
18 Casino Reinvestment Development Authority ²[for the duration of
19 his term as a member of the Casino Control Commission and until
20 his successor shall be appointed and qualified,] at the pleasure of
21 the Governor,² subject to the limitations in subsections c., f., and
22 h. of section 52 of P.L.1977, c.110 (C.5:12-52). The member may
23 be removed or suspended from office as a member of the Casino
24 Reinvestment Development Authority as provided in section 6 of
25 this act. Any removal or suspension from office of the member
26 of the Casino Control Commission from the Casino Reinvestment
27 Development Authority shall not affect his office held as a
28 member of the Casino Control Commission. Removal from office
29 as a member of the Casino Control Commission may only be done
30 in accordance with subsection g. of section 52 of P.L.1977, c.110
31 (C.5:12-52).

32 (cf: P.L.1984, c.218, s.5)

33 2. Section 7 of P.L.1984, c.218 (C.5:12-155) is amended to
34 read as follows:

35 7. The Governor shall designate from among the appointed and
36 voting public members, a chairman and a vice chairman of the
37 Casino Reinvestment Development Authority, who shall serve in
38 those capacities ¹[during each member's entire term and until his
39 successor shall have been duly appointed and qualified] at the
40 pleasure of the Governor¹ The powers of the Casino
41 Reinvestment Development Authority shall be vested in the
42 members thereof in office from time to time and [five] six voting
43 members of the Casino Reinvestment Development Authority
44 shall constitute a quorum at any meeting thereof. Action may be
45 taken by motions and resolutions adopted by the Casino
46 Reinvestment Development Authority at any meeting thereof by
47 the affirmative vote of at least [five] six members of the Casino
48 Reinvestment Development Authority. No vacancy in the

1 membership of the Casino Reinvestment Development Authority
2 shall impair the right of a quorum of the members to exercise all
3 the powers and perform all the duties of the Casino Reinvestment
4 Development Authority.

5 (cf: P.L.1990, c.24, s.1)

6 ¹[3. Section 8 of P.L.1984, c.218 (C.5:12-156) is amended to
7 read as follows:

8 8. Each appointed and voting public member of the Casino
9 Reinvestment Development Authority other than the chairman
10 shall receive compensation of \$18,000.00 per annum. The
11 compensation of the chairman shall be \$23,000.00 per annum.
12 The members who are casino industry representatives shall
13 receive no compensation. All members shall be reimbursed for
14 actual expenses necessarily incurred in the discharge of their
15 duties. Notwithstanding the provisions of any other law, no
16 officer or employee of the State shall be deemed to have
17 forfeited or shall forfeit his office or employment, or any
18 benefits or emoluments thereof by reason of his acceptance of
19 the office of an ex officio or appointed member of the Casino
20 Reinvestment Development Authority or his services therein.

21 (cf: P.L.1984, c.218, s.8)]¹

22 ²23. Section 8 of P.L.1984, c.218 (C.5:12-156) is amended to
23 read as follows:

24 8. Each appointed and voting public member of the Casino
25 Reinvestment Development Authority other than the chairman
26 shall receive compensation of \$18,000.00 per annum. The
27 compensation of the chairman shall be \$23,000.00 per annum.
28 However, no voting public member who holds an interest in, is
29 employed by, represents, appears for or negotiates on behalf of a
30 casino shall receive this compensation. All members shall be
31 reimbursed for actual expenses necessarily incurred in the
32 discharge of their duties. Notwithstanding the provisions of any
33 other law, no officer or employee of the State shall be deemed to
34 have forfeited or shall forfeit his office or employment, or any
35 benefits or emoluments thereof by reason of his acceptance of
36 the office of an ex officio or appointed member of the Casino
37 Reinvestment Development Authority or his services therein.²

38 (cf: P.L.1984, c.218, s.8)

39 ¹[4.] ²[3.] ^{4.}² Section 9 of P.L.1984, c.218 (C.5:12-157) is
40 amended to read as follows:

41 9. The State Treasurer may designate an officer or employee
42 of his department[,] and [the Chairman of the Casino Control
43 Commission and] the Casino Control Commission member on the
44 Casino Reinvestment Development Authority may designate
45 another commissioner or employee of the commission[, and the
46 casino industry representatives on the Casino Reinvestment
47 Development Authority may designate another person] to
48 represent them at meetings of the Casino Reinvestment

1 Development Authority, and each designee may lawfully vote and
2 otherwise act on behalf of the member for whom he constitutes
3 the designee. Any designation shall be in writing delivered to
4 the Casino Reinvestment Development Authority and shall
5 continue in effect until revoked or amended by writing delivered
6 to the Casino Reinvestment Development Authority.

7 (cf: P.L.1984, c.218, s.9)

8 ²[14.] 5.² Section 10 of P.L.1984, c.218 (C.5:12-158) is
9 amended to read as follows:

10 10. Other than [the casino] any casino hotel industry
11 representatives, no member, officer, employee or agent of the
12 Casino Reinvestment Development Authority shall be interested
13 either directly or indirectly in any project or in any contract,
14 sale, purchase, lease or transfer of real or personal property to
15 which the Casino Reinvestment Development Authority is a
16 party. [The casino] Any casino hotel industry representatives
17 appointed shall not be subject to section 4 of P.L.1981, c.142
18 (C.52:13D-17.2).¹

19 (cf: P.L.1984, c.218, s.10)

20 ²[15.] 6.² Section 22 of P.L.1984, c.218 (C.5:12-170) is
21 amended to read as follows:

22 22. The Casino Reinvestment Development Authority shall be
23 entitled to call to its assistance and avail itself of the services of
24 the employees of any State, county or municipal department,
25 board, bureau, commission or agency as it may require and as
26 may be available to it for that purpose. The cost and expense of
27 any of these services shall be met and provided for by the Casino
28 Reinvestment Development Authority. The Casino Reinvestment
29 Development Authority shall also be entitled to employ
30 professional, stenographic, and clerical assistants and incur
31 traveling and other miscellaneous expenses as it may deem
32 necessary in order to perform its duties, and as may be within the
33 limits of funds appropriated or otherwise made available to it for
34 those purposes. To the maximum extent feasible, the Casino
35 Reinvestment Development Authority shall avail itself of the
36 staffs of the Casino Control Commission, the Department of
37 Community Affairs, the Department of Environmental
38 Protection, the Department of Transportation, and the
39 Department of the Treasury. Any use of the staff of the Casino
40 Control Commission shall be subject to the approval of the
41 chairman of the commission. In addition, the Casino
42 Reinvestment Development Authority may accept the voluntary
43 services of any person in the private sector. If a need is shown by
44 the Casino Reinvestment Development Authority and approved by
45 the Casino Control Commission, the members of the Casino
46 Reinvestment Development Authority may have access to
47 information which is regarded as confidential pursuant to section
48 74 of P.L.1977, c.110 (C.5:12-74) and to the staffs of the Casino

1 Control Commission and the Division of Gaming Enforcement in
2 connection with that information. [The casino] Any casino hotel
3 industry representatives, however, shall not have access to
4 information which is regarded as confidential pursuant to section
5 74 of P.L.1977, c.110 (C.5:12-74) or to the staffs of the Casino
6 Control Commission or the Division of Gaming Enforcement in
7 connection with that information.¹

8 (cf: P.L.1984, c.218, s.22)

9 ¹[5.] ²[6.1] ^{7.}² This act shall take effect immediately.

10

11

12

AUTHORITIES AND REGIONAL AGENCIES

13

14 Increases from five to seven the number of public members
15 appointed by the Governor to the Casino Reinvestment
16 Development Authority, restricts the number of casino hotel
17 industry representatives to no more than two.

1 shall receive compensation of \$18,000.00 per annum. The
2 compensation of the chairman shall be \$23,000.00 per annum.
3 The members who are casino industry representatives shall
4 receive no compensation. All members shall be reimbursed for
5 actual expenses necessarily incurred in the discharge of their
6 duties. Notwithstanding the provisions of any other law, no
7 officer or employee of the State shall be deemed to have
8 forfeited or shall forfeit his office or employment, or any
9 benefits or emoluments thereof by reason of his acceptance of
10 the office of an ex officio or appointed member of the Casino
11 Reinvestment Development Authority or his services therein
12 (cf: P.L.1984, c.218, s.8)

13 4. Section 9 of P.L.1984, c.218 (C.5:12-157) is amended to
14 read as follows:

15 9. The State Treasurer may designate an officer or employee
16 of his department[,] and [the Chairman of the Casino Control
17 Commission and] the Casino Control Commission member on the
18 Casino Reinvestment Development Authority may designate
19 another commissioner or employee of the commission[, and the
20 casino industry representatives on the Casino Reinvestment
21 Development Authority may designate another person] to
22 represent them at meetings of the Casino Reinvestment
23 Development Authority, and each designee may lawfully vote and
24 otherwise act on behalf of the member for whom he constitutes
25 the designee. Any designation shall be in writing delivered to
26 the Casino Reinvestment Development Authority and shall
27 continue in effect until revoked or amended by writing delivered
28 to the Casino Reinvestment Development Authority.
29 (cf: P.L.1984, c.218, s.9)

30 5. This act shall take effect immediately.
31
32

33 STATEMENT

34
35 This bill makes the two casino industry representatives on the
36 Casino Reinvestment Development Authority voting members of
37 the authority. However, the industry representatives would not
38 receive compensation for their services. The bill also eliminates
39 the provision which currently allows the casino industry
40 representatives to designate another person to represent them at
41 meetings of the authority.
42
43

44 AUTHORITIES AND REGIONAL AGENCIES

45
46 Makes casino industry representatives on the Casino
47 Reinvestment Development Authority voting members of the
48 authority.

ASSEMBLY INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

SENATE, No. 1284

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 18, 1990

The Assembly Independent Authorities Committee reports favorably Senate Bill No. 1284 with committee amendments.

As amended, this bill provides that (1) the number of public members on the Casino Reinvestment and Development Authority (CRDA) appointed by the Governor with the advice and consent of the Senate shall be increased from five to seven, and (2) special emphasis shall be given, when considering appointments to the authority, to participation by casino hotel industry representatives as members of the authority.

The bill further provides that no voting public member who holds an interest in, is employed by, represents, appears for or negotiates on behalf of a casino shall receive annual compensation of \$18,000 or \$23,000 which current law authorizes for members and the chairman, respectively.

The bill also provides that the Casino Control Commission member appointed to the CRDA by the Governor shall serve at the pleasure of the Governor rather than for a specific term.

The bill also eliminates the provision which currently allows the casino industry representatives to designate another person to represent them at meetings of the CRDA.

Finally, the bill exempts any casino hotel representatives on the CRDA from restrictions of the "New Jersey Conflicts of Interest Law" concerning involvement with casinos and makes clear that any such members shall not have access to certain confidential information or to the staffs of the Casino Control Commission or the Division of Gaming Enforcement in connection with such information.

The committee adopted amendments providing that 1) the Casino Control Commission member appointed to serve on the CRDA shall serve on the CRDA at the pleasure of the Governor and 2) no voting public member shall receive annual compensation of \$18,000 or \$23,000 if the member holds an interest in, is employed by, represents, appears for or negotiates on behalf of a casino.

The committee believes this bill is necessary to further expedite the redevelopment of Atlantic City which has not progressed as fast as it should have following the approval of casino gambling within Atlantic City. By increasing the number of voting public members appointed by the Governor from five to seven, this bill offers greater flexibility in the making of appointments and provides an opportunity for improving representation on the CRDA for Atlantic City. It is

the committee's intent that the placing of additional voting members on the CRDA shall increase the responsibilities of those members to go beyond their individual self interests to emphasize the overall economic growth and well-being of Atlantic City.

The committee also expressed the perception that the Governor shall have the option of appointing a member of the Casino Control Commission to the CRDA who shares his philosophy and goals with respect to the redevelopment of Atlantic City. By allowing the Governor to designate a commission member with similar views as to how to best proceed with Atlantic City's restoration, the committee believes that Atlantic City will progress more quickly than would otherwise be the case.

It is the intent of the committee that the amendment adopted to eliminate the annual compensation for those CRDA members with financial or employment ties to the casino hotel industry, does not preclude reimbursement for actual expenses incurred in connection with their duties as CRDA members.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

SENATE, No. 1284

STATE OF NEW JERSEY

DATED: MARCH 12, 1990

The Senate Institutions, Health and Welfare Committee favorably reports Senate Bill No. 1284.

This bill makes the two casino industry representatives on the Casino Reinvestment Development Authority (CRDA) voting members of the authority. However, the industry representatives would not receive compensation for their services. The bill also eliminates the provision which currently allows the casino industry representatives to designate another person to represent them at meetings of the authority.

The 12 members of the CRDA include: five members appointed by the Governor with the advice and consent of the Senate; one member appointed by the Governor upon the recommendation of the Senate President; one member appointed by the Governor upon the recommendation of the Speaker of the General Assembly; the mayor of Atlantic City; the State Treasurer; a member of the Casino Control Commission; and two casino industry representatives appointed by the Governor. Presently, the State Treasurer and the two casino representatives are the only nonvoting members of the CRDA.

This bill was prefiled for introduction in the 1990-91 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.