

5:8-100; 5:8-107

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:8-100; 5:8-107 (Amusement Games Control Commissioner—to set value of prizes)

LAWS OF: 1981 CHAPTER: 291

Bill No.: A3285

Sponsor(s): Doyle

Date Introduced: March 26, 1981

Committee: Assembly: Judiciary, Law, Public Safety & Defense

Senate: _____

Amended during passage Yes x // (Amendments during passage denoted by asterisks. Substituted for S3218 (not attached since identical to A3285))

Date of Passage: Assembly: June 11, 1981

Senate: June 18, 1981

Date of Approval: Sept. 24, 1981

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly Yes //

Senate /// No

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: Yes //

Following were printed:

Reports: /// No

Hearings: /// No

Prior ballot questions:

L.1975 c.389 (A3388)
ACR 99 (1980)

(over)

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Public hearing, held on ACR 99:

974.90 New Jersey. Legislature. Assembly. Judiciary, Law, Public Safety &
G191 Defense Committee.
1980d Public hearing, held 5-8-80. Seaside Heights, N.J., 1980.

9-24-81

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ASSEMBLY, No. 3285

STATE OF NEW JERSEY

INTRODUCED MARCH 26, 1981

By Assemblyman DOYLE

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT to amend the title of "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of \$15.00, and the charge for the privilege of playing shall not exceed \$0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State," approved June 16, 1959 (P. L. 1959, c. 109), so that the same shall read:

"AN ACT authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a ****[retail]**** value to be determined by ***[a commissioner]*** **the Amusement Games Control Commissioner**, and the charge for the privilege of playing shall be determined by ***[a]*** **the** commissioner; providing for the licensing, regulation and control by ***[a]*** **the** commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

the State for their approval or rejection before the same shall become operative within this State," amending the body of said act, and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State.

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

1 1. The title of P. L. 1959, c. 109 is amended to read as follows:

2 AN ACT authorizing the conducting, operating and playing of cer-
3 tain amusement games, whether of chance or skill, or both, where
4 the prizes or awards to be given shall be of merchandise only,
5 of a ****[retail]**** value **[not in excess of \$15.00]** *to be determined*
6 *by ***[a commissioner]*** *the Amusement Games Control Com-*
7 *missioner** and the charge for the privilege of playing shall
8 **[not exceed \$0.25]** *be determined by ***[a]*** *the* commissioner;*
9 providing for the licensing, regulation and control by ***[a]*** *the*
10 commissioner, of the conducting and operating of such games;
11 providing restrictions as to the places where such games may be
12 conducted and operated; providing that certain playing for money
13 or other valuable things is not authorized; providing for the
14 operation and inoperation of the act in any municipality when so
15 determined by referendum vote therein; and providing for the
16 submission of this act to the legal voters of the State for their
17 approval or rejection before the same shall become operative
18 within this State.*

1 2. Section 8 of P. L. 1959, c. 109 (C. 5:8-107) is amended to
2 read as follows:

3 8. **[No more than \$0.25]** *The ***[commissioner]*** *Amusement*
4 *Games Control Commissioner* shall determine the ****[maximum]*****
5 *amount for any 1 game which shall be charged or accepted by any*
6 licensee from any 1 player or participant as an entry fee or
6a payment for the privilege of participating therein. No prize or
7 prizes shall be offered or given in any single game except of
8 *merchandise and the ****[maximum]**** amount of the ****[retail]*****
9 *value of the merchandise prize or prizes so to be offered and given*
10 *in any such game shall **[not exceed in the aggregate sum of \$15.00***
11 *of retail value] *be determined by the commissioner and all winners*
12 *shall be determined and all prizes shall be awarded in any game*
13 *forthwith upon the completion of the game and before making or*
14 *accepting any charge for participation in any subsequent game.*
15 *The commissioner shall make his determination pursuant to this*
16 *section after a public hearing has been held thereon ****and subject***
17 *to the provisions of P. L. 1981, c. 27 (C. 52:14B-4.1 et seq.)**.***

1 3. For the purpose of complying with the provisions of the State
 2 Constitution, this act shall be submitted to the people for their
 3 approval or rejection at the next general election to be held 45 or
 4 more days following the date of its enactment.

1 4. There shall be printed on each official ballot to be used at
 2 such election the following:

3 If you favor making the act described below operative within the
 4 State, make a cross (X), plus (+) or check (✓) in the square
 5 opposite the word "Yes."

6 If you are opposed to making the act described below so opera-
 7 tive, make a cross (X), plus (+) or check (✓) in the square
 8 opposite the word "No."

	Yes.	<p>DETERMINATION OF **[ENTRY FEES]** **Participant's Fee** AND VALUES OF PRIZES FOR AMUSEMENT GAMES</p> <p>**[Shall chapter of the laws of 1981 authorizing the State Amusement Games Control Commissioner to set the maximum fee to be charged a player as an entry or participant fee for an amusement game and the maximum retail value of any prize offered or given in an amusement game, after a public hearing has been held thereon, be approved and become operative?]**</p> <p><i>**Shall chapter of the laws of 1981 compelling the State Amusement Games Control Commissioner to set the participant's fee and the value of any prize offered or given in an amusement game, after a public hearing has been held thereon and subject to the provisions of P. L. 1981, c. 27 (C. 52:14B-4.1 et seq.), be approved and become operative?</i></p>
	No.	<p><i>Interpretative Statement</i></p> <p><i>This question, if approved by the public, would make possible the first change in the "Amusement Games Licensing Law," P. L. 1959, c. 109 (C. 5:8-100 et seq.) since its inception in 1959. Such changes would respond to the public's desire for larger and better prizes as well as any needed changes in fees to correspond with such prizes as well as inflation. Such changes could only be done after a public hearing and legislative review.**</i></p>

9 The chapter number assigned to this act shall be inserted in the
 10 appropriate place in the foregoing question.

11 In any election district in which voting machines are used the
12 question shall be placed upon the official ballot to be used upon the
13 voting machines with the foregoing instructions to the voters but
14 with instructions to vote "Yes" or "No" by the use of such machines
15 without marking as aforesaid.

1 5. If at such election a majority of all the votes cast both for and
2 against the approval of this act shall be cast in favor of the
3 approval thereof, then all of its provisions shall forthwith take
4 effect throughout the State.

1 6. This section and sections 3, 4, and 5 of this act shall take effect
2 immediately and the remainder of this act shall take effect as
3 hereinbefore provided.

1 4. There shall be printed on each official ballot to be used at
2 such election the following:

3 If you favor making the act described below operative within the
4 State, make a cross (X), plus (+) or check (✓) in the square
5 opposite the word "Yes."

6 If you are opposed to making the act described below so opera-
7 tive, make a cross (X), plus (+) or check (✓) in the square
8 opposite the word "No."

	Yes.	<p style="text-align: center;">DETERMINATION OF ENTRY FEES AND VALUES OF PRIZES FOR AMUSEMENT GAMES</p> <p>Shall chapter of the laws of 1981 authorizing the State Amusement Games Control Commissioner to set the maximum fee to be charged a player as an entry or participant fee for an amusement game and the maximum retail value of any prize offered or given in an amusement game, after a public hearing has been held thereon, be approved and become operative?</p>
	No.	

9 The chapter number assigned to this act shall be inserted in the
10 appropriate place in the foregoing question.

11 In any election district in which voting machines are used the
12 question shall be placed upon the official ballot to be used upon the
13 voting machines with the foregoing instructions to the voters but
14 with instructions to vote "Yes" or "No" by the use of such machines
15 without marking as aforesaid.

1 5. If at such election a majority of all the votes cast both for and
2 against the approval of this act shall be cast in favor of the
3 approval thereof, then all of its provisions shall forthwith take
4 effect throughout the State.

1 6. This section and sections 3, 4, and 5 of this act shall take effect
2 immediately and the remainder of this act shall take effect as
3 hereinbefore provided.

STATEMENT

In 1959 the "Amusement Games Licensing Law," P. L. 1959, c. 109 (C. 5:8-100 et seq.) established limits on the entry or participant fee for amusement games and on the retail value of prizes offered in such games. These limits have never been revised. In order to meet the changing times and demands of participants this bill would give the Amusement Games Control Commissioner the

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flexibility to change the amounts which may be wagered by and the retail value of prizes offered to participants in these games.

For the purposes of complying with the provisions of the State Constitution the bill contains provisions for its submission to the people for their approval or rejection.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3285

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 14, 1981

In 1959 the "Amusement Games Licensing Law," P. L. 1959, c. 109 (C. 5:8-100 et seq.) established limits on the entry or participant fee for amusement games and on the retail value of prizes offered in such games. These limits have never been revised despite the changing times and demands of participants. The Amusement Games Control Commissioner would have flexibility to change the amounts which may be wagered by and the retail value of prizes offered to participants in these games.

For the purposes of complying with the provisions of the State Constitution the bill contains provisions for its submission to the people for their approval or rejection.

The bill, as amended, makes several technical clarifying changes.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 24, 1981

DAVE DE MAIO

Acting Governor Joseph P. Merlino today signed into law A-3285, sponsored by Assemblyman John Paul Doyle (D-Ocean), at a public ceremony in Toms River.

The bill places a question on the November ballot authorizing Amusement Games Control Commissioner Joseph Lerner to set maximum charges for playing amusement games and maximum prize values on amusement prizes.

Maximum charges for amusement games are currently set at 25-cents and maximum prize values at \$15.00. Neither has been changed since 1959.

If approved by the voters, any proposed changes in amusement game fees or prize values will be subject to public hearing, notice and other requirements of the Administrative Procedure Act.

Two similar ballot questions were defeated. The first, in 1976, sought to increase maximum allowable fees from 25-cents to 50-cents and prize values from \$15 to \$100. The second, in 1980, would have amended the State Constitution and authorized the Legislature to regulate amusement games, fees and prize values.

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