

**ASSEMBLY CONCURRENT
RESOLUTION No. 43**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

SYNOPSIS

Proposes constitutional amendment authorizing Legislature by law to allow establishment and operation of not more than three casinos in Bergen, Essex, or Hudson counties.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **A CONCURRENT RESOLUTION** proposing to amend Article IV,
2 Section VII, paragraph 2 of the New Jersey Constitution.

3
4 **BE IT RESOLVED** *by the General Assembly of the State of New*
5 *Jersey (the Senate concurring):*

6
7 1. The following proposed amendment to the Constitution of
8 the State of New Jersey is hereby agreed to:

9
10 PROPOSED AMENDMENT

11
12 Amend Article IV, Section VII, paragraph 2 to read as follows:

13 2. No gambling of any kind shall be authorized by the
14 Legislature unless the specific kind, restrictions and control thereof
15 have been heretofore submitted to, and authorized by a majority of
16 the votes cast by, the people at a special election or shall hereafter
17 be submitted to, and authorized by a majority of the votes cast
18 thereon by, the legally qualified voters of the State voting at a
19 general election, except that, without any such submission or
20 authorization:

21 A. It shall be lawful for bona fide veterans, charitable,
22 educational, religious or fraternal organizations, civic and service
23 clubs, senior citizen associations or clubs, volunteer fire companies
24 and first-aid or rescue squads to conduct, under such restrictions
25 and control as shall from time to time be prescribed by the
26 Legislature by law, games of chance of, and restricted to, the selling
27 of rights to participate, the awarding of prizes, in the specific kind
28 of game of chance sometimes known as bingo or lotto, played with
29 cards bearing numbers or other designations, 5 or more in one line,
30 the holder covering numbers as objects, similarly numbered, are
31 drawn from a receptacle and the game being won by the person who
32 first covers a previously designated arrangement of numbers on
33 such a card, when the entire net proceeds of such games of chance
34 are to be devoted to educational, charitable, patriotic, religious or
35 public-spirited uses, and in the case of bona fide veterans'
36 organizations and senior citizen associations or clubs to the support
37 of such organizations, in any municipality, in which a majority of
38 the qualified voters, voting thereon, at a general or special election
39 as the submission thereof shall be prescribed by the Legislature by
40 law, shall authorize the conduct of such games of chance therein;

41 B. It shall be lawful for the Legislature to authorize, by law,
42 bona fide veterans, charitable, educational, religious or fraternal
43 organizations, civic and service clubs, senior citizen associations or
44 clubs, volunteer fire companies and first-aid or rescue squads to
45 conduct games of chance of, and restricted to, the selling of rights

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.

1 to participate, and the awarding of prizes, in the specific kinds of
2 games of chance sometimes known as raffles, conducted by the
3 drawing for prizes or by the allotment of prizes by chance, when the
4 entire net proceeds of such games of chance are to be devoted to
5 educational, charitable, patriotic, religious or public-spirited uses,
6 and in the case of bona fide veterans' organizations and senior
7 citizen associations or clubs to the support of such organizations, in
8 any municipality, in which such law shall be adopted by a majority
9 of the qualified voters, voting thereon, at a general or special
10 election as the submission thereof shall be prescribed by law and
11 for the Legislature, from time to time, to restrict and control, by
12 law, the conduct of such games of chance;

13 C. It shall be lawful for the Legislature to authorize the conduct
14 of State lotteries restricted to the selling of rights to participate
15 therein and the awarding of prizes by drawings when the entire net
16 proceeds of any such lottery shall be for State institutions and State
17 aid for education; provided, however, that it shall not be competent
18 for the Legislature to borrow, appropriate or use, under any pretense
19 whatsoever, lottery net proceeds for the confinement, housing,
20 supervision or treatment of, or education programs for, adult
21 criminal offenders or juveniles adjudged delinquent or for the
22 construction, staffing, support, maintenance or operation of an adult
23 or juvenile correctional facility or institution;

24 D. It shall be lawful for the Legislature to authorize by law the
25 establishment and operation, under regulation and control by the
26 State, of gambling houses or casinos within the boundaries, as
27 heretofore established, of the city of Atlantic City, county of
28 Atlantic, and to license and tax such operations and equipment used
29 in connection therewith. Any law authorizing the establishment and
30 operation of such gambling establishments shall provide for the
31 State revenues derived therefrom to be applied solely for the
32 purpose of providing funding for reductions in property taxes,
33 rental, telephone, gas, electric, and municipal utilities charges of
34 eligible senior citizens and disabled residents of the State, and for
35 additional or expanded health services or benefits or transportation
36 services or benefits to eligible senior citizens and disabled
37 residents, in accordance with such formulae as the Legislature shall
38 by law provide. The type and number of such casinos or gambling
39 houses and of the gambling games which may be conducted in any
40 such establishment shall be determined by or pursuant to the terms
41 of the law authorizing the establishment and operation thereof.

42 It shall also be lawful for the Legislature to authorize by law
43 wagering at casinos or gambling houses in Atlantic City on the
44 results of any professional, college, or amateur sport or athletic
45 event, except that wagering shall not be permitted on a college sport
46 or athletic event that takes place in New Jersey or on a sport or
47 athletic event in which any New Jersey college team participates
48 regardless of where the event takes place.

1 It shall also be lawful for the Legislature to authorize by law the
2 establishment and operation, under regulation and control by the
3 State, of a total of not more than three gambling houses or casinos
4 within the boundaries, as heretofore established, of the counties of
5 Bergen, Essex, or Hudson, and to license and tax such operations
6 and equipment used in connection therewith. The State revenues
7 derived therefrom shall be applied for the same purposes as State
8 revenues derived from Atlantic City casinos and for nongaming
9 development in Atlantic City. The Legislature shall provide by law
10 for the location of such gambling houses or casinos and shall give
11 priority to a gambling house or casino that will create, compared to
12 another proposed gambling house or casino, a significant number of
13 permanent jobs and construction jobs;

14 E. It shall be lawful for the Legislature to authorize, by law, (1)
15 the simultaneous transmission by picture of running and harness
16 horse races conducted at racetracks located within or outside of this
17 State, or both, to gambling houses or casinos in the city of Atlantic
18 City and (2) the specific kind, restrictions and control of wagering
19 at those gambling establishments on the results of those races. The
20 State's share of revenues derived therefrom shall be applied for
21 services to benefit eligible senior citizens as shall be provided by
22 law; and

23 F. It shall be lawful for the Legislature to authorize, by law, the
24 specific kind, restrictions and control of wagering on the results of
25 live or simulcast running and harness horse races conducted within
26 or outside of this State. The State's share of revenues derived
27 therefrom shall be used for such purposes as shall be provided by
28 law.

29 It shall also be lawful for the Legislature to authorize by law
30 wagering at current or former running and harness horse racetracks
31 in this State on the results of any professional, college, or amateur
32 sport or athletic event, except that wagering shall not be permitted
33 on a college sport or athletic event that takes place in New Jersey or
34 on a sport or athletic event in which any New Jersey college team
35 participates regardless of where the event takes place.

36 (cf: Art. IV, Sec. VII, par. 2, amended effective December 5, 2013)

37

38 2. When this proposed amendment to the Constitution is finally
39 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
40 shall be submitted to the people at the next general election
41 occurring more than three months after the final agreement and
42 shall be published at least once in at least one newspaper of each
43 county designated by the President of the Senate, the Speaker of the
44 General Assembly and the Secretary of State, not less than three
45 months prior to the general election.

46

47 3. This proposed amendment to the Constitution shall be
48 submitted to the people at that election in the following manner and
49 form:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- There shall be printed on each official ballot to be used at the general election, the following:
- a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:
- If you favor the proposition printed below make a cross (X), plus (+), or check (✓) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✓) in the square opposite the word "No."
- b. In every municipality the following question:

	YES	<p>CONSTITUTIONAL AMENDMENT TO ALLOW ESTABLISHMENT OF NOT MORE THAN THREE CASINOS IN BERGEN, ESSEX, OR HUDSON COUNTIES</p> <p>Do you approve amending the Constitution to allow the Legislature by law to establish not more than three new casinos in North Jersey? These new casinos would be located in Bergen, Essex, or Hudson Counties?</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>This amendment allows the Legislature to pass laws creating not more than three new casinos. These casinos would be located in Bergen, Essex, or Hudson counties. Currently, casinos are allowed only in Atlantic City</p> <p>The State’s share of taxes from these casinos would be used for programs that help senior citizens and people with disabilities and for nongaming development in Atlantic City.</p> <p>The Legislature would be required to give priority to a proposed casino that will create, compared to another proposed casino, more permanent jobs and construction jobs.</p>

11

12

13

14

15

16

17

18

19

STATEMENT

This Constitutional amendment would allow the Legislature to pass laws establishing not more than three casinos in Bergen, Essex, or Hudson counties.

The State’s share of revenues from those casinos would be used, like current Atlantic City casino revenues, for programs that assist

- 1 senior citizens and residents with disabilities, and for nongaming
- 2 development in Atlantic City.
- 3 The Legislature would give priority to a proposed casino that is
- 4 likely to create more permanent jobs and construction jobs.