

**ASSEMBLY CONCURRENT
RESOLUTION No. 44**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman RALPH R. CAPUTO
District 28 (Essex)

SYNOPSIS

Proposes constitutional amendment authorizing Legislature by law to allow establishment and operation of casinos in Bergen County by 2018.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



ACR44 CAPUTO

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

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

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

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10 PROPOSED AMENDMENT

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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 gambling houses or casinos within the boundaries, as
4 heretofore established, of the county of Bergen, to determine the
5 type and number of such gambling houses or casinos and the
6 gambling games which may be conducted at those establishments,
7 and to license and tax such operations and equipment used in
8 connection therewith. The State' share of revenues derived
9 therefrom shall be used for such purposes as shall be provided by
10 law;

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

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

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

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

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

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44 3. This proposed amendment to the Constitution shall be
45 submitted to the people at that election in the following manner and
46 form:

47 There shall be printed on each official ballot to be used at the
48 general election, the following:

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- 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	CONSTITUTIONAL AMENDMENT TO ALLOW CASINOS IN BERGEN COUNTY Do you approve amending the Constitution to allow casino gambling in Bergen County?
	NO	INTERPRETIVE STATEMENT This amendment would allow casino gambling in Bergen County. The amendment allows the Legislature to pass laws to regulate and control these casinos and the gambling that will take place there. The amendment also allows the Legislature to pass laws to tax the operation and equipment of those casinos. Those laws also could specify how the State's share of revenues from those casinos is to be used. Currently, casino gambling in New Jersey is allowed only in Atlantic City.

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SCHEDULE

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The provisions of this amendment shall take effect and be
implemented by January 1st of the second year following approval
by the people at a general election.

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STATEMENT

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This constitutional amendment would allow the Legislature to
enact laws permitting the establishment and operation, under
regulation and control by the State, of casinos in Bergen County.
The law would prescribe the types of games permitted at those
establishments, provide for the licensing and taxing of casino
operations and equipment, and specify the use of the State's share of
revenues resulting from this casino gambling. Following the date of
its enactment, if approved by the people at the 2016 general
election, the provisions of this amendment would be implemented
in 2018.