

SENATE, No. 209

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Allows CRDA to finance certain highway projects outside of Atlantic City Tourism District.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning certain projects of the Casino Reinvestment
2 Development Authority and amending P.L.2011, c.18.

3

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

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7 1. Section 5 of P.L.2011, c.18 (C.5:12-219) is amended to read
8 as follows:

9 5. a. (1) There shall be established by resolution of the
10 authority the Atlantic City Tourism District, which shall consist of
11 those lands within Atlantic City that comprise an area to be
12 designated by the resolution. The area so designated shall include
13 the facilities comprising licensed Atlantic City casinos, casino
14 hotels, and any appurtenant property, any property under the
15 ownership or control of the authority, the Atlantic City Special
16 Improvement District established by ordinance of the City of
17 Atlantic City, any property under the ownership or control of the
18 convention center authority prior to the transfer date, any property
19 within Atlantic City under the ownership or control of the New
20 Jersey Sports and Exposition Authority established pursuant to
21 P.L.1971, c.137 (C.5:10-1 et seq.) prior to the transfer date, the
22 Atlantic City Convention Center, Boardwalk Hall and any part of
23 the property consisting of the Atlantic City convention center
24 project prior to the transfer date, and any specified part of Atlantic
25 City which the authority finds by resolution to be an area in which
26 the majority of private entities are engaged primarily in the tourism
27 trade, and the majority of public entities, if any, serve the tourism
28 industry. Notwithstanding section 7 of P.L.1984, c.218 (C.5:12-
29 155), the authority shall adopt the resolution by an affirmative vote
30 of two-thirds of the voting members of the authority no more than
31 90 days after the effective date of P.L.2011, c.18 (C.5:12-
32 218 et al.). Notwithstanding section 7 of P.L.1984, c.218, adoption
33 by the authority of any subsequent resolution to revise, in a manner
34 consistent with this subsection, the area designated as comprising
35 the tourism district shall also be by an affirmative vote of two-thirds
36 of the voting members of the authority.

37 (2) If, on the 91st day after the effective date of P.L.2011,
38 c.18 (C.5:12-218 et al.), the authority has not adopted the resolution
39 establishing the tourism district as provided pursuant to paragraph
40 (1) of this subsection, the authority shall carry out the purposes of
41 P.L.2011, c.18 (C.5:12-218 et al.) within the following areas of
42 Atlantic City:

43 (a) the area known as Bader Field;

44 (b) the area known as the Marina District beginning at a point
45 north of White Horse Pike and continuing northwesterly along State

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.

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1 Route 87 and Huron Avenue, and the casinos and hotels adjacent
2 thereto, and bounded to the east by the body of water known as
3 Clam Thorofare and bounded to the west by Huron Avenue and
4 which area shall also encompass the area known as Farley Marina;
5 and
6 (c) all that certain area bounded by a line, having as its point of
7 origin the intersection of Kingston Avenue and Ventnor Avenue,
8 which line of boundary proceeds from that point of origin as
9 follows:
10 Northeasterly along Ventnor Avenue to its junction with Capt.
11 John A. O'Donnell Parkway;
12 Thence northeasterly along that Parkway to its intersection with
13 Atlantic Avenue;
14 Thence northeasterly along Atlantic Avenue to its junction with
15 Florida Avenue;
16 Thence northwesterly along Florida Avenue to its junction with
17 North Turnpike Road;
18 Thence northwesterly along North Turnpike Road to its junction
19 with Sunset Avenue;
20 Thence along Sunset Avenue as it curves to its intersection with
21 Mediterranean Avenue;
22 Thence northeasterly along Mediterranean Avenue to its junction
23 with North Mississippi Avenue;
24 Thence continuing southeasterly along North Mississippi Avenue
25 to its junction with Fairmont Avenue;
26 Thence northeasterly along Fairmount Avenue to its intersection
27 with Christopher Columbus Boulevard;
28 Thence northwesterly along Christopher Columbus Boulevard to
29 the point at which it borders the Atlantic City Expressway, to its
30 junction with the Atlantic City Expressway and Arkansas Avenue;
31 Thence continuing westerly and northerly along the perimeter of
32 the Atlantic City Expressway along the points of that perimeter to
33 the point at which the perimeter is parallel to the northwest facing
34 perimeter of the property encompassing the Atlantic City
35 Convention Center;
36 Thence continuing southerly and westerly along the northwest
37 facing perimeter of the property encompassing the Atlantic City
38 Convention Center to the point at which such property, and any
39 property immediately adjacent thereto, intersects with Bacharach
40 Boulevard;
41 Thence continuing southerly and easterly along Bacharach
42 Boulevard to its junction with Arctic Avenue;
43 Thence continuing northeasterly along Arctic Avenue to its
44 junction with Tennessee Avenue;
45 Thence continuing southeasterly along Tennessee Avenue to its
46 junction with Atlantic Avenue;

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1 Thence continuing northeasterly along Atlantic Avenue at a
2 width extending westerly of 100 feet from all points along the
3 western side of Atlantic Avenue to its junction with Maine Avenue;

4 Thence continuing from the intersection of Maine Avenue and
5 Atlantic Avenue easterly in a line extending through the Boardwalk
6 and beach, to the tidal shore of Atlantic City;

7 Thence continuing from the intersection of the end point of that
8 line and the tidal shore, southerly along the tidal shores as it jogs
9 and curves to the point the tidal shore turns to a southwesterly
10 direction;

11 Thence continuing along such southwesterly direction of the tidal
12 shores as it jogs and curves to the point on the tidal shore at which
13 the shoreline would intersect with a straight-line projection
14 oceanward of southern Kingston Avenue;

15 Thence continuing northerly and westerly along Kingston
16 Avenue to its junction with Ventnor Avenue.

17 b. Upon and after the adoption, pursuant to subsection a. of this
18 section, of the resolution establishing the tourism district, or upon
19 and after the establishment of the tourism district under paragraph
20 (2) of subsection a. of this section, as appropriate the authority shall
21 have jurisdiction within the tourism district to impose land use
22 regulations, implement development and design guidelines and
23 implement initiatives that promote cleanliness, commercial
24 development, and safety, undertake redevelopment projects, and
25 institute public safety improvements in coordination with security
26 and law enforcement personnel.

27 c. (1) Notwithstanding any law, rule, or regulation to the
28 contrary, upon and after the adoption, pursuant to subsection a. of
29 this section, of the resolution establishing the tourism district, or
30 upon and after the establishment of the tourism district under
31 paragraph (2) of subsection a. of this section, as appropriate, the
32 authority shall have, in conjunction with the appropriate road and
33 highway authority or authorities, as appropriate, jurisdiction with
34 respect to the approval of development projects upon those roads
35 and highways over which such road and highway authority or
36 authorities have jurisdiction as of the date of enactment of
37 P.L.2011, c.18 (C.5:12-218 et al.).

38 (2) Notwithstanding any law, rule, or regulation to the contrary,
39 upon and after the adoption, pursuant to subsection a. of this
40 section, of the resolution establishing the tourism district, or upon
41 and after this establishment of the tourism district under paragraph
42 (2) of subsection a. of this section, as appropriate, the authority
43 shall have, with respect to the roads and highways located within
44 the tourism district, exclusive jurisdiction with respect to the
45 promulgation of rules and regulations affecting the control and
46 direction of traffic within the tourism district.

47 d. The authority may, by resolution, authorize the
48 commencement of studies and the development of preliminary plans

1 and specifications relating to the creation and maintenance of the
2 tourism district. These studies and plans shall include, whenever
3 possible, estimates of construction and maintenance costs, and may
4 include criteria to regulate the construction and alteration of facades
5 of buildings and structures in a manner which promotes unified or
6 compatible design.

7 e. In furtherance of the development of an economically viable
8 and sustainable tourism district, the authority shall, within one year
9 after the date of enactment of P.L.2011, c.18 (C.5:12-218 et al.),
10 adopt a tourism district master plan. The authority shall initiate a
11 joint planning process with the participation of: State departments
12 and agencies, corporations, commissions, boards, and, prior to the
13 transfer date, the convention center authority; metropolitan planning
14 organizations; Atlantic County; Atlantic City; and appropriate
15 private interests.

16 f. After the creation of the tourism district pursuant to
17 subsection a. of this section, the authority shall create a commission
18 to be known as the Atlantic City Tourism District Advisory
19 Commission, or "ACT Commission," consisting of members to be
20 appointed by the authority. Persons appointed as members of the
21 commission shall include public officials of Atlantic City and
22 Atlantic County, representatives of the casino and tourism
23 industries, public citizens, and any other individual or organization
24 the authority deems appropriate. The commission shall be
25 authorized to review the authority's annual budget and the
26 authority's plans concerning the tourism district. The commission
27 shall, from time to time, make recommendations to the authority
28 concerning the authority's development and implementation of the
29 tourism district master plan, and the authority shall give due
30 consideration to those recommendations. In order to ensure
31 coordination, compatibility, and consistency between the tourism
32 district master plan and the city's master plan, the authority shall
33 consult with the city in developing the tourism district master plan.

34 g. The tourism district master plan shall establish goals,
35 policies, needs, and improvement of the tourism district, the
36 implementation of clean and safe initiatives, and the expansion of
37 the Atlantic City boardwalk area to reflect an authentic New Jersey
38 boardwalk experience. The authority may consult with public and
39 private entities, including, but not limited to, those entities that are
40 present in, or that have been involved with the development of,
41 boardwalk areas in New Jersey such as the boardwalk areas of
42 Ocean City, the Wildwoods, and Cape May.

43 h. In developing the tourism district master plan, the authority
44 shall place special emphasis upon the following:

45 (1) the facilitation, with minimal government direction, of the
46 investment of private capital in the tourism district in a manner that
47 promotes economic development;

1 (2) making use of marina facilities in a way that increases
2 economic activity;

3 (3) the development of the boardwalk area;

4 (4) the development of the Marina District; and

5 (5) the development of nongaming, family centered tourism
6 related activities such as amusement parks.

7 i. The authority shall solicit funds from private sources to aid
8 in support of the tourism district.

9 j. The authority shall administer and manage the tourism
10 district and carry out such additional functions as provided under
11 P.L.2011, c.18 (C.5:12-218 et al.). The authority shall oversee the
12 redevelopment of the tourism district and implementation of the
13 tourism district master plan. The authority shall enter into
14 agreements with public and private entities for the purposes of
15 promoting the economic and general welfare of Atlantic City and
16 the tourism district. Any resolution adopted by the city of Atlantic
17 City to establish a program of municipal financial assistance, in the
18 form of grants, loans, tax credits or abatements, or other incentives,
19 or to enter into an agreement providing such financial assistance, to
20 support a development or redevelopment project located within the
21 tourism district shall require the approval of the authority. If such
22 resolution shall receive the approval of the authority, then
23 notwithstanding any law, rule, or order to the contrary, the program
24 may be implemented by the mayor without the adoption of any
25 municipal ordinance. A program adopted pursuant to this
26 subsection shall not be subject to repeal or suspension by voter
27 initiative.

28 k. (1) Notwithstanding the provisions of any other law to the
29 contrary, the authority shall provide that all available assets and
30 revenues of the authority shall be devoted to the purposes of the
31 tourism district and community development in Atlantic City,
32 unless otherwise provided by contract entered into prior to the
33 effective date of P.L.2011, c.18 (C.5:12-218 et al.).

34 (2) Notwithstanding the provisions of any other law, rule, or
35 regulation to the contrary, including paragraph (1) of this
36 subsection, the authority may enter into a contract or agreement
37 with the State or the New Jersey Transportation Trust Fund
38 Authority, established by section 4 of P.L.1984, c.73 (C.27:1B-4),
39 to provide for, or assist in, the financing of a highway project. For
40 the purposes of this paragraph, "highway project" means the
41 planning, acquisition, engineering, construction, reconstruction, or
42 improvement of any highway with direct access to Atlantic City if
43 that project is within a 15 mile radius of the westernmost boundary
44 of the Atlantic City Tourism District.

45 l. The authority shall coordinate and collaborate with the city
46 of Atlantic City Planning and Zoning Departments with respect to
47 code enforcement, planning , and zoning. The authority shall
48 coordinate and collaborate with any of the city's departments,

1 agencies, and authorities with respect to administrative operations
2 relating to the implementation of the tourism district master plan. If
3 the city determines that it is unable to coordinate and collaborate
4 with the authority pursuant to this subsection, the Department of
5 Community Affairs, shall, at the request of the authority, assume
6 jurisdiction over the Atlantic City Planning and Zoning
7 Departments and any other appropriate departments, agencies, or
8 authorities of the city responsible for code enforcement and
9 administrative operations of the city to provide that the authority
10 shall receive necessary assistance regarding code enforcement and
11 administrative actions undertaken in its implementation of the
12 tourism district master plan. The assumption of jurisdiction by the
13 Department of Community Affairs over any department, agency, or
14 authority of the city, undertaken pursuant to this subsection, shall
15 not be construed as affecting the jurisdiction of any such
16 department, agency, or authority, or of the city, with respect to
17 regulatory control or the provision of services by the city, unless
18 such regulatory control or provision of services is directly related to
19 the provision of assistance to the authority regarding code
20 enforcement and administrative actions undertaken in furtherance of
21 the implementation of the tourism district master plan.

22 m. Two years after the adoption of the tourism district master
23 plan, the authority shall conduct a formal evaluation of the plan to
24 assess the functionality of its implementation. The authority may
25 make any changes concerning its implementation of the master
26 plan, as necessary, to improve its functionality. Such changes may
27 include the reallocation of the resources of any division under the
28 authority's jurisdiction and the reorganization of the functions and
29 operations of those entities which pertain to the tourism district
30 master plan. The authority may make any changes concerning the
31 employment of authority employees which would improve the
32 functionality of the authority's implementation of the master plan.

33 (cf: P.L.2012, c.34, s.12)

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35 2. This act shall take effect immediately.

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38 STATEMENT

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40 This bill allows, notwithstanding the provisions of current law to
41 the contrary, the Casino Reinvestment Development Authority
42 ("authority") to enter into a contract or agreement with the State or
43 the New Jersey Transportation Trust Fund Authority to provide for,
44 or assist in, the financing of a highway project. The bill defines a
45 "highway project" as the planning, acquisition, engineering,
46 construction, reconstruction, or improvement of any highway with
47 direct access to Atlantic City, if that project is within a 15 mile
48 radius of the westernmost boundary of the Atlantic City Tourism

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- 1 District. Current law requires all available assets and revenues of
- 2 the authority be devoted to the purposes of the Atlantic City
- 3 Tourism District and community development in Atlantic City.