

Title 5.  
Chapter 12.  
Article 16. (New)  
Atlantic City  
Tourism District  
§§1, 5-19 -  
C.5:12-218 to  
5:12-233  
§20 - Note

P.L.2011, CHAPTER 18, *approved February 1, 2011*  
Senate, No. 11 (*Fourth Reprint*)

1 AN ACT providing for the establishment of the Atlantic City  
2 Tourism District and for the transfer of the Atlantic City  
3 Convention and Visitors Authority, together with its functions,  
4 powers, and duties, to the Casino Reinvestment Development  
5 Authority, amending P.L.1984, c.218 and supplementing  
6 P.L.1977, c.110 <sup>2</sup>(C.5:12-1 et seq.)<sup>2</sup>.

7  
8 **BE IT ENACTED** by the Senate and General Assembly of the State  
9 of New Jersey:

10  
11 1. (New section) As used in P.L. , c. (C. ) (pending  
12 before the Legislature as this bill):

13 “Atlantic City” or “city” means the City of Atlantic City,  
14 Atlantic County.

15 “Atlantic City convention center project” or “convention center  
16 project” means the project authorized by paragraph (9) of  
17 subsection a. of section 6 of P.L.1971, c.137 (C.5:10-6).

18 “Atlantic City Tourism District” or “tourism district” means the  
19 district within Atlantic City established pursuant to section <sup>4</sup>[4] 5.<sup>4</sup>  
20 of P.L. , c. (C. ) (pending before the Legislature as this bill).

21 “Authority” means the Casino Reinvestment Development  
22 Authority established pursuant to section 5 of P.L.1984, c.218,  
23 (C.5:12-153).

24 “Convention center authority” means the Atlantic City  
25 Convention and Visitors Authority established pursuant to section 3  
26 of P.L.1981, c.459 (C.52:27H-31).

27 <sup>1</sup>“Convention Center Division” or “division” means the division  
28 created pursuant to paragraph (1) of subsection b. of section <sup>4</sup>[11]  
29 12<sup>4</sup> of P.L. , c. (C. ) (pending before the Legislature as this  
30 bill) to exist within the authority as a division of the authority.

**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:**

<sup>1</sup>Senate floor amendments adopted November 22, 2010.

<sup>2</sup>Senate floor amendments adopted December 13, 2010.

<sup>3</sup>Assembly floor amendments adopted January 6, 2011.

<sup>4</sup>Assembly floor amendments adopted January 10, 2011.

1        “Corporation” means the not-for-profit corporation with which  
2 the authority is to undertake an agreement pursuant to subsection a.  
3 of section <sup>4</sup>[6] 7.<sup>4</sup> of P.L. , c. (C. ) (pending before the  
4 Legislature as this bill).<sup>1</sup>

5        “Development and design guidelines” means the development  
6 and design guidelines for site plan applications, which guidelines  
7 are to be adopted by the authority pursuant to section <sup>4</sup>[5] 6.<sup>4</sup> of  
8 P.L. , c. (C. ) (pending before the Legislature as this bill).

9        “District land use regulations” means the regulations, applicable  
10 within the tourism district, that are to be adopted by the authority  
11 pursuant to P.L. , c. (C. ) (pending before the Legislature as  
12 this bill).

13        “Gaming” means, in addition to any meaning otherwise provided  
14 by law, any legalized form of gambling in New Jersey including,  
15 but not limited to, casino gambling and horse racing.

16        <sup>2</sup>[“Master plan” or “plan” means the authority’s comprehensive  
17 master plan for the redevelopment of the tourism district.]<sup>2</sup>

18        “Nonconforming use” means a legal or pre-existing use or  
19 activity which fails to conform to the development and design  
20 guidelines or land use regulations adopted by the authority pursuant  
21 to P.L. , c. (C. ) (pending before the Legislature as this bill).

22        “Public safety improvements” means the development of  
23 infrastructure in the tourism district made for the purpose of  
24 increasing safety. Such improvements would include the  
25 development of appropriate security technology and the installation  
26 of increased lighting in outdoor areas, the installation of  
27 surveillance cameras, and the installation of emergency phones and  
28 lights throughout the tourism district for use by appropriate security  
29 <sup>3</sup>and law enforcement<sup>4</sup> personnel <sup>4</sup>[and the <sup>2</sup>[Joint Law  
30 Enforcement Task Force] Tourism District Division of the Atlantic  
31 City Police Department<sup>2</sup> established pursuant to section 7 of P.L. ,  
32 c. (C. ) (pending before the Legislature as this bill)]<sup>4</sup>.

33        “Road and highway authority” means any State or local entity,  
34 including, but not limited to, Atlantic City or any agency thereof,  
35 Atlantic County or any agency thereof, the New Jersey Department  
36 of Transportation, and the South Jersey Transportation Authority  
37 established under section 4 of P.L.1991, c.252 (C.27:25A-4), or any  
38 other State or local entity having jurisdiction over (a) the roads and  
39 highways in the tourism district, (b) the roads and highways  
40 adjacent to the tourism district, (c) the land area in which the  
41 authority is an interested party pursuant to subsection c. of section  
42 <sup>4</sup>[5] 6.<sup>4</sup> of P.L. , c. (C. ) (pending before the Legislature as  
43 this bill), or (d) the portion of the roads and highways in Atlantic  
44 City which provide direct access the tourism district.

45        <sup>2</sup>”Tourism district master plan” or “Master plan,” or “plan,”  
46 means the authority’s comprehensive master plan for the  
47 redevelopment of the tourism district.<sup>2</sup>

1 "Transfer Date" means, with respect to the assumption by the  
2 authority of the powers, duties, assets, and responsibilities of the  
3 convention center authority, the date on which (a) the chairs of the  
4 authority and the convention center authority certify to the  
5 Governor that all of the bonds issued by the convention center  
6 authority cease to be outstanding within the meaning of the  
7 resolutions pursuant to which the bonds were issued, and (b) the  
8 authority assumes all debts and statutory responsibilities of the  
9 convention center authority.

10  
11 <sup>4</sup>2. Section 8 of P.L.1984, c.218 (C.5:12-156) is amended to  
12 read as follows:

13 8. Each appointed and voting public member of the Casino  
14 Reinvestment Development Authority other than the chairman shall  
15 receive compensation of \$18,000.00 per annum. The compensation  
16 of the chairman shall be \$23,000.00 per annum. The casino  
17 industry representatives shall not be deemed to be public members  
18 and shall not receive this compensation. All members shall be  
19 reimbursed for actual expenses necessarily incurred in the discharge  
20 of their duties. Notwithstanding the provisions of any other law, no  
21 officer or employee of the State shall be deemed to have forfeited or  
22 shall forfeit his office or employment, or any benefits or  
23 emoluments thereof by reason of his acceptance of the office of an  
24 ex officio or appointed member of the Casino Reinvestment  
25 Development Authority or his services therein. Upon enactment of  
26 P.L. , c. (C. ) (pending before the Legislature as this bill),  
27 any member of the authority, reappointed upon expiration of the  
28 member's initial term, shall be eligible to receive compensation  
29 pursuant to this section; provided, however, that any such member  
30 shall not, upon reappointment, be eligible to receive any benefit or  
31 compensation in the form of health benefits or pension credits for  
32 service with the Casino Reinvestment Development Authority.<sup>4</sup>

33 (cf: P.L.1993, c.292, s.3)

34  
35 <sup>4</sup>[2.] <sup>4</sup>3. Section 12 of P.L.1984, c.218 (C.5:12-160) is  
36 amended to read as follows:

37 12. The purposes of the Casino Reinvestment Development  
38 Authority shall be:

39 a. to maintain public confidence in the casino gaming industry  
40 as a unique tool of urban redevelopment for the city of Atlantic City  
41 and to directly facilitate the redevelopment of existing blighted  
42 areas and to address the pressing social and economic needs of the  
43 residents of the city of Atlantic City and the State of New Jersey by  
44 providing eligible projects in which licensees shall invest;

45 b. to provide licensees with an effective method of encouraging  
46 new capital investment in Atlantic City which investment capital  
47 would not otherwise be attracted by major casino-hotel convention  
48 complexes or by normal market conditions and which will not

**S11 [4R]**

- 1 supplant capital, either public or private, that would otherwise be  
2 invested in the city of Atlantic City or in the jurisdiction in which  
3 the investment is to be made and which will have the effect of  
4 benefiting the public at large and increasing opportunities and  
5 choices of those of low and moderate income in particular;
- 6 c. to provide, further and promote tourist industries in New  
7 Jersey and especially Atlantic county, by providing financial  
8 assistance for the planning, acquisition, construction, improvement,  
9 maintenance and operation of facilities for the recreation and  
10 entertainment of the public which may include an arts center,  
11 cultural center, historic site or landmark, or sports center;
- 12 d. to provide loans and other financial assistance for the  
13 planning, acquisition, construction, reconstruction, demolition,  
14 rehabilitation, conversion, repair or alteration of buildings or  
15 facilities to provide decent, safe and sanitary dwelling units for  
16 persons of low, moderate, median range, and middle income in need  
17 of housing, and to provide mortgage financing for such units;
- 18 e. to assist in the financing of structures, franchises, equipment  
19 and facilities for operation of, expansion of and the development of  
20 public transportation or for terminal purposes, including but not  
21 limited to development and improvement of port terminal  
22 structures, facilities and equipment for public use;
- 23 f. to provide loans and other financial assistance for the  
24 construction, reconstruction, demolition, rehabilitation, conversion,  
25 repair or alteration of convention halls in Atlantic county and the  
26 State of New Jersey, including but not limited to office facilities,  
27 commercial facilities, community service facilities, parking  
28 facilities, hotel facilities and other facilities for the accommodation  
29 and entertainment of tourists and visitors;
- 30 g. to make loans and assist in the financing of the construction,  
31 reconstruction, rehabilitation, repair or acquisition of infrastructure  
32 projects, including but not limited to sewage disposal facilities,  
33 water facilities, solid waste disposal facilities, roads, highways and  
34 bridges;
- 35 h. to assist in financing buildings, structures and other property  
36 to increase opportunities in manufacturing, industrial, commercial,  
37 recreational, retail and service enterprises in the State so as to  
38 induce and to accelerate opportunity for employment in these  
39 enterprises, particularly of unemployed and underemployed  
40 residents of the jurisdiction in which the investment is to be made;  
41 to provide loans and other financial assistance for the planning,  
42 developing or preservation of new and existing small businesses as  
43 well as the planning, acquisition, construction, reconstruction,  
44 rehabilitation, conversion or alteration of the facilities that house  
45 these enterprises, particularly those which provide services or  
46 employment to unemployed or underemployed residents of the  
47 State; and to provide loans and other financial assistance to provide

1 employment training and retraining, particularly for unemployed  
2 and underemployed residents of the State;

3 i. to cooperate with and assist local governmental units in  
4 financing any eligible project;

5 j. to encourage investment in, or financing of, any plan,  
6 project, facility, or program which directly serves pressing social  
7 and economic needs of the residents of the jurisdiction or region in  
8 which the investment is to be made, including but not limited to  
9 [schools,] supermarkets, commercial establishments, day care  
10 centers, parks and community service centers, and any other plan,  
11 project, facility or program which best serves the interest of the  
12 public in accordance with section 25 of this 1984 amendatory and  
13 supplementary act;

14 k. to encourage investment in, or financing of, projects which  
15 are made as part of a comprehensive plan to improve blighted or  
16 redevelopment areas or are targeted to benefit low through middle  
17 income residents of the jurisdiction or region in which the  
18 investments are to be made;

19 l. to make loans for those eligible projects according to the  
20 projected allocated amounts to be available;

21 m. to establish and exercise authority over the Atlantic City  
22 Tourism District pursuant to the provisions of P.L. , c. (C. )  
23 (pending before the Legislature as this bill); and

24 [m.] n. any combination of the foregoing.

25 (cf. P.L.1984, c.218, s.12)

26

27 <sup>4</sup>[3.]<sup>4</sup> Section 13 of P.L.1984, c.218 (C.5:12-161) is  
28 amended to read as follows:

29 13. The Casino Reinvestment Development Authority shall have  
30 the following powers:

31 a. To adopt and have a common seal and to alter the same at  
32 pleasure;

33 b. To sue or be sued;

34 c. To acquire, hold, use and dispose of any eligible project in  
35 which it is making an investment;

36 d. To acquire, rent, hold, use, and dispose of other personal  
37 property for the purposes of the Casino Reinvestment Development  
38 Authority;

39 e. To acquire by purchase, gift, or otherwise, or lease as lessee,  
40 real property or easements or interests therein necessary or useful  
41 and convenient for the purposes of the Casino Reinvestment  
42 Development Authority which real property, easements or interests  
43 may be subject to mortgages, deeds of trust, or other liens or  
44 otherwise, and to hold and to use the same, and to dispose of the  
45 property so acquired no longer necessary for the purposes of the  
46 Casino Reinvestment Development Authority;

- 1 f. To make and enforce bylaws or rules and regulations for the  
2 management and regulation of its business and affairs and for the  
3 use, maintenance, and operation of any facility, and to amend the  
4 same;
- 5 g. To enter into any agreements or contracts, execute any  
6 instruments, and do and perform any acts or things necessary,  
7 convenient, or desirable for the purposes of the Casino  
8 Reinvestment Development Authority, including the entering into  
9 of agreements or contracts with any governmental unit to provide  
10 for the payment of principal of and interest on any obligation issued  
11 by that governmental unit, the maintenance of necessary reserves in  
12 connection with these obligations or the payments under any lease  
13 entered into in connection with any eligible project;
- 14 h. To determine eligibility for investments in eligible projects  
15 in order to accomplish the purposes of the Casino Reinvestment  
16 Development Authority;
- 17 i. To collect and invest any proceeds received under subsection  
18 b. of section 3 and section 14 of this act;
- 19 j. To invest in obligations of local governmental units issued  
20 to finance eligible projects, provided that the investment shall only  
21 be effected through direct negotiation by the Casino Reinvestment  
22 Development Authority with the local governmental unit;
- 23 k. To make agreements of any kind with any governmental unit  
24 or person for the use or operation of all or any part of any eligible  
25 project for consideration and for periods of time and upon other  
26 terms and conditions as the Casino Reinvestment Development  
27 Authority may fix and agree upon, which agreements may include a  
28 partnership, limited partnership, joint venture or association in  
29 which the Casino Reinvestment Development Authority is a general  
30 or limited partner or participant;
- 31 l. To require and collect fees and charges as the Casino  
32 Reinvestment Development Authority shall determine to be  
33 reasonable in connection with the exercise of any power given to  
34 the Casino Reinvestment Development Authority under the act;
- 35 m. To the extent permitted under a contract of the Casino  
36 Reinvestment Development Authority with purchasers of its bonds  
37 entered into pursuant to section 3 of this 1984 amendatory and  
38 supplementary act, to invest and reinvest any of its moneys not  
39 required for immediate use, including moneys received for the  
40 purchase of its bonds prior to the bonds being issued as it shall  
41 deem prudent. A pro rata share of  $66 \frac{2}{3}$  % of all interest earned  
42 by the Casino Reinvestment Development Authority on any such  
43 investments shall be paid to the licensees who entered into a  
44 contract with the Casino Reinvestment Development Authority for  
45 the purchase of its bonds and who contributed to the moneys which  
46 were received by the Casino Reinvestment Development Authority  
47 and were invested pursuant to this subsection. All functions,  
48 powers and duties relating to the investment or reinvestment of

1 these funds, including the purchase, sale or exchange of any  
2 investments or securities, may, upon the request of the Casino  
3 Reinvestment Development Authority, be exercised and performed  
4 by the Director of the Division of Investment, in accordance with  
5 written directions of the Casino Reinvestment Development  
6 Authority signed by an authorized officer, without regard to any  
7 other law relating to investments by the Director of the Division of  
8 Investment;

9 n. To the extent permitted under the contract of the Casino  
10 Reinvestment Development Authority with the holders of its bonds,  
11 to invest and reinvest any of its moneys not required for immediate  
12 use, including proceeds from the sale of any obligations, securities  
13 or other investments as it shall deem prudent. All functions,  
14 powers and duties relating to the investment or reinvestment of  
15 these funds, including the purchase, sale or exchange of any  
16 investments or securities, may upon the request of the Casino  
17 Reinvestment Development Authority be exercised and performed  
18 by the Director of the Division of Investment, in accordance with  
19 written directions of the Casino Reinvestment Development  
20 Authority signed by an authorized officer, without regard to any  
21 other law relating to investments by the Director of the Division of  
22 Investment;

23 o. To enter into all agreements or contracts with any  
24 governmental unit or person, execute any instruments, and do and  
25 perform any acts or things necessary, convenient or desirable for  
26 the purposes of the Casino Reinvestment Development Authority to  
27 carry out any power expressly given in this act;

28 p. To exercise the right of eminent domain in the city of  
29 Atlantic City;

30 q. To establish and exercise authority over the Atlantic City  
31 Tourism District established pursuant to section 4 of P.L. \_\_\_\_\_,  
32 c. (C. ) (pending before the Legislature as this bill) and, in  
33 addition to the powers provided in this section, to exercise, with  
34 regard to the tourism district, those powers granted to the authority  
35 pursuant to P.L. \_\_\_\_\_, c. (C. ) (pending before the Legislature as  
36 this bill);

37 **[q.] r.** To meet and hold hearings at places as it shall designate;  
38 and

39 **[r.] s.** To establish, develop, construct, acquire, own, operate,  
40 manage, promote, maintain, repair, reconstruct, restore, improve  
41 and otherwise effectuate, either directly or indirectly, through  
42 lessees, licensees or agents, projects consisting of facilities, at a site  
43 or sites within the State of New Jersey, that are related to, incidental  
44 to, necessary for or complementary to, the accomplishment of any  
45 of the purposes of the authority or of any project of the authority  
46 authorized in accordance with P.L.1984, c.218 (C.5:12-144.1 et  
47 seq.), as amended.

48 (cf: P.L.2001, c.221, s.15)

1       <sup>4</sup>[4.] 5.<sup>4</sup> (New section) a. <sup>4</sup>(1)<sup>4</sup> There shall be established by  
2 resolution of the authority the Atlantic City Tourism District, which  
3 shall consist of those lands within Atlantic City that comprise an  
4 area to be designated by <sup>3</sup>the<sup>3</sup> resolution <sup>3</sup>[of the authority]<sup>3</sup>. The  
5 area so designated shall include the facilities comprising licensed  
6 Atlantic City casinos, casino hotels, and any appurtenant property,  
7 any property under the ownership or control of the authority, the  
8 Atlantic City Special Improvement District established by  
9 ordinance of the City of Atlantic City, any property under the  
10 ownership or control of the convention center authority prior to the  
11 transfer date, any property within Atlantic City under the ownership  
12 or control of the New Jersey Sports and Exposition Authority  
13 established pursuant to P.L.1971, c.137 (C.5:10-1 et seq.) prior to  
14 the transfer date, the Atlantic City Convention Center, Boardwalk  
15 Hall and any part of the property consisting of the Atlantic City  
16 convention center project prior to the transfer date, and any  
17 specified <sup>3</sup>[parts] part<sup>3</sup> of Atlantic City which the authority finds  
18 by resolution to be an area in which the majority of private entities  
19 are engaged primarily in the tourism trade, and the majority of  
20 public entities, if any, serve the tourism industry. <sup>3</sup>[The]  
21 Notwithstanding section 7 of P.L.1984, c.218 (C.5:12-155), the<sup>3</sup>  
22 authority shall adopt the resolution by an affirmative vote of two-  
23 thirds of the voting members of the authority no more than 90 days  
24 after the effective date of P.L. , c. (C. ) (pending before the  
25 Legislature as this bill). <sup>3</sup>[<sup>1</sup>Adoption] Notwithstanding section 7 of  
26 P.L.1984, c.218, adoption<sup>3</sup> by the authority of any subsequent  
27 resolution to revise, in a manner consistent with this subsection, the  
28 area designated as comprising the tourism district shall also be by  
29 an affirmative vote of two-thirds of the voting members of the  
30 authority.<sup>1</sup>

31       <sup>4</sup>(2) If, on the 91st day after the effective date of P.L. ,  
32 c. (C. ) (pending before the Legislature as this bill), the  
33 authority has not adopted the resolution establishing the tourism  
34 district as provided pursuant to paragraph (1) of this subsection, the  
35 authority shall carry out the purposes of P.L. , c. (C. )  
36 (pending before the Legislature as this bill) within the following  
37 areas of Atlantic City:

38       (a) the area known as Bader Field;

39       (b) the area known as the Marina District beginning at a point  
40 north of White Horse Pike and continuing northwesterly along State  
41 Route 87 and Huron Avenue, and the casinos and hotels adjacent  
42 thereto, and bounded to the east by the body of water known as  
43 Clam Thorofare and bounded to the west by Huron Avenue and  
44 which area shall also encompass the area known as Farley Marina;  
45 and

46       (c) all that certain area bounded by a line, having as its point of  
47 origin the intersection of Kingston Avenue and Ventnor Avenue,



1 which line of boundary proceeds from that point of origin as  
2 follows: Northeasterly along Ventnor Avenue to its junction  
3 with Capt. John A. O'Donnell Parkway;  
4 Thence northeasterly along that Parkway to its intersection with  
5 Atlantic Avenue;  
6 Thence northeasterly along Atlantic Avenue to its junction with  
7 Florida Avenue;  
8 Thence northwesterly along Florida Avenue to its junction with  
9 North Turnpike Road;  
10 Thence northwesterly along North Turnpike Road to its junction  
11 with Sunset Avenue;  
12 Thence along Sunset Avenue as it curves to its intersection with  
13 Mediterranean Avenue;  
14 Thence northeasterly along Mediterranean Avenue to its junction  
15 with North Mississippi Avenue;  
16 Thence continuing southeasterly along North Mississippi Avenue  
17 to its junction with Fairmont Avenue;  
18 Thence northeasterly along Fairmount Avenue to its intersection  
19 with Christopher Columbus Boulevard;  
20 Thence northwesterly along Christopher Columbus Boulevard to  
21 the point at which it borders the Atlantic City Expressway, to its  
22 junction with the Atlantic City Expressway and Arkansas Avenue;  
23 Thence continuing westerly and northerly along the perimeter of  
24 the Atlantic City Expressway along the points of that perimeter to  
25 the point at which the perimeter is parallel to the northwest facing  
26 perimeter of the property encompassing the Atlantic City  
27 Convention Center;  
28 Thence continuing southerly and westerly along the northwest  
29 facing perimeter of the property encompassing the Atlantic City  
30 Convention Center to the point at which such property, and any  
31 property immediately adjacent thereto, intersects with Bacharach  
32 Boulevard;  
33 Thence continuing southerly and easterly along Bacharach  
34 Boulevard to its junction with Arctic Avenue;  
35 Thence continuing northeasterly along Arctic Avenue to its  
36 junction with Tennessee Avenue;  
37 Thence continuing southeasterly along Tennessee Avenue to its  
38 junction with Atlantic Avenue;  
39 Thence continuing northeasterly along Atlantic Avenue at a  
40 width extending westerly of 100 feet from all points along the  
41 western side of Atlantic Avenue to its junction with Maine Avenue;  
42 Thence continuing from the intersection of Maine Avenue and  
43 Atlantic Avenue easterly in a line extending through the Boardwalk  
44 and beach, to the tidal shore of Atlantic City;  
45 Thence continuing from the intersection of the end point of that  
46 line and the tidal shore, southerly along the tidal shores as it jogs  
47 and curves to the point the tidal shore turn to a southwesterly  
48 direction;

1 Thence continuing along such southwesterly direction of the tidal  
2 shores as it jobs and curves to the point on the tidal shore at which  
3 the shoreline would intersect with a straight-line projection  
4 oceanward of southern Kingston Avenue;

5 Thence continuing northerly and westerly along Kingston  
6 Avenue to its junction with Ventnor Avenue.<sup>4</sup>

7 b. Upon and after the adoption, pursuant to subsection a. of this  
8 section, of the resolution establishing the tourism district, <sup>4</sup>or upon  
9 and after the establishment of the tourism district under paragraph  
10 (2) of subsection a. of this section, as appropriate<sup>4</sup> the authority  
11 shall have jurisdiction within the tourism district to impose land use  
12 regulations, implement development and design guidelines and  
13 implement initiatives that promote cleanliness, commercial  
14 development, and safety, undertake redevelopment projects, and  
15 institute public safety improvements in coordination with the  
16 <sup>2</sup>~~Joint Law Enforcement Task Force~~ <sup>4</sup>~~Tourism District Division<sup>2</sup>~~  
17 established pursuant to section 7 of P.L. , c. (C. ) (pending  
18 before the Legislature as this bill)] security and law enforcement  
19 personnel<sup>4</sup>.

20 c. (1) Notwithstanding any law, rule, or regulation to the  
21 contrary, upon and after the adoption, pursuant to subsection a. of  
22 this section, of the resolution establishing the tourism district, <sup>4</sup>or  
23 upon and after the establishment of the tourism district under  
24 paragraph (2) of subsection a. of this section, as appropriate,<sup>4</sup> the  
25 authority shall have, in conjunction with the appropriate road and  
26 highway authority or authorities, as appropriate, jurisdiction with  
27 respect to the approval of development projects upon those roads  
28 and highways over which such road and highway authority or  
29 authorities have jurisdiction as of the date of enactment of  
30 P.L. , c. (C. ) (pending before the Legislature as this bill).

31 (2) Notwithstanding any law, rule, or regulation to the contrary,  
32 upon and after the adoption, pursuant to subsection a. of this  
33 section, of the resolution establishing the tourism district, <sup>4</sup>or upon  
34 and after this establishment of the tourism district under paragraph  
35 (2) of subsection a. of this section, as appropriate<sup>4</sup> the authority  
36 shall have, with respect to the roads and highways located within  
37 the tourism district, exclusive jurisdiction with respect to the  
38 promulgation of rules <sup>1</sup>and<sup>1</sup> regulations affecting the control and  
39 direction of traffic within the tourism district.

40 d. The authority may, by resolution, authorize the  
41 commencement of studies and the development of preliminary plans  
42 and specifications relating to the creation and maintenance of the  
43 tourism district. These studies and plans shall include, whenever  
44 possible, estimates of construction and maintenance costs, and may  
45 include criteria to regulate the construction and alteration of facades  
46 of buildings and structures in a manner which promotes unified or  
47 compatible design.

1 e. In furtherance of the development of an economically viable  
2 and sustainable tourism district, the authority shall, within one year  
3 <sup>2</sup>[of] after<sup>2</sup> the date of<sup>2</sup> enactment of P.L. , c. (C. )  
4 (pending before the Legislature as this bill), adopt a tourism district  
5 master plan. The authority shall initiate a joint planning process  
6 with the participation of: State departments and agencies,  
7 corporations, commissions, boards, and, prior to the transfer date,  
8 the convention center authority; metropolitan planning  
9 organizations; Atlantic County; Atlantic City; and appropriate  
10 private interests.

11 f. After the creation of the tourism district pursuant to  
12 subsection a. of this section, the authority shall create a commission  
13 to be known as the Atlantic City Tourism District Advisory  
14 Commission, or “ACT Commission,” consisting of members to be  
15 appointed by the authority. Persons appointed as members of the  
16 commission shall include public officials of Atlantic City and  
17 Atlantic County, representatives of the casino and tourism  
18 industries, public citizens, and any other individual or organization  
19 the authority deems appropriate. The commission shall be  
20 authorized to review the authority’s annual budget and the  
21 authority’s plans concerning the tourism district. The commission  
22 shall, from time to time, make recommendations to the authority  
23 concerning the authority’s development and implementation of the  
24 tourism district master plan, and the authority shall give due  
25 consideration to those recommendations. <sup>4</sup>In order to ensure  
26 coordination, compatibility, and consistency between the tourism  
27 district master plan and the city’s master plan, the authority shall  
28 consult with the city in developing the tourism district master plan.<sup>4</sup>

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

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

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

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

45 (3) the development of the boardwalk area;

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

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

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

3 j. The authority shall administer and manage the tourism  
4 district and carry out such additional functions as <sup>3</sup>[are]<sup>3</sup> provided  
5 <sup>3</sup>[herein] under P.L. , c. (C. ) (pending before the  
6 Legislature as this bill)<sup>3</sup>. The authority shall oversee the  
7 redevelopment of the tourism district and implementation of the  
8 tourism district master plan. The authority shall enter into  
9 agreements with public and private entities for the purposes of  
10 promoting the economic and general welfare of Atlantic City and  
11 the tourism district. <sup>2</sup>Any resolution adopted by the city of Atlantic  
12 City to establish a program of municipal financial assistance, in the  
13 form of grants, loans, tax credits or abatements, or other incentives,  
14 or to enter into an agreement providing such financial assistance, to  
15 support a development or redevelopment project located within the  
16 tourism district shall require the approval of the authority. If such  
17 resolution shall receive the approval of the authority, then  
18 notwithstanding any law, rule, or order to the contrary, the program  
19 may be implemented by the mayor without the adoption of any  
20 municipal ordinance. A program adopted pursuant to this  
21 subsection shall not be subject to repeal or suspension by voter  
22 initiative.<sup>2</sup>

23 k. The authority shall provide that all available assets and  
24 revenues of the authority shall be devoted to the purposes of the  
25 tourism district and community development in Atlantic City,  
26 unless otherwise provided by contract entered into prior to the  
27 effective date of P.L. , c. (C. ) (pending before the  
28 Legislature as this bill) or by law.

29 <sup>1</sup>1. <sup>2</sup>[(1) If the owner of a building or structure fails to comply  
30 with a removal or demolition order issued by the authority, the  
31 authority may cause such building or structure to be removed or  
32 demolished or may notify the city of the need to contract for the  
33 removal or demolition thereof in accordance with the provisions of  
34 the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et  
35 seq.). Such removal or demolition shall include the clearance, and  
36 any necessary leveling, of the site.

37 (2) The cost of any such removal or demolition, together with  
38 the cost of filing legal papers, expert witnesses' fees, search fees  
39 and advertising charges incurred in the course of any proceeding  
40 taken pursuant to this subsection, less any proceeds received by the  
41 authority from the sale of the materials of the building or structure,  
42 shall be a lien, and shall be enforceable by the authority as a  
43 municipal lien, against the real property upon which such cost was  
44 incurred. In the event that costs were paid by any governmental  
45 entity other than the authority, the lien shall be assigned to that  
46 governmental entity. The lien shall be filed and shall be  
47 enforceable in the same manner as are other municipal liens.<sup>1</sup>

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

27        m. Two years after the adoption of the tourism district master  
28 plan, the authority shall conduct a formal evaluation of the plan to  
29 assess the functionality of its implementation. The authority may  
30 make any changes concerning its implementation of the master  
31 plan, as necessary, to improve its functionality. Such changes may  
32 include the reallocation of the resources of any division under the  
33 authority's jurisdiction and the reorganization of the functions and  
34 operations of those entities which pertain to the tourism district  
35 master plan. The authority may make any changes concerning the  
36 employment of authority employees which would improve the  
37 functionality of the authority's implementation of the master plan. <sup>2</sup>

38  
39        <sup>4</sup>[5.] 6. <sup>4</sup> (New section) a. In conjunction with the adoption,  
40 pursuant to section <sup>4</sup>[4] 5. <sup>4</sup> of P.L. , c. (C. ) (pending before  
41 the Legislature as this bill), of the resolution establishing the  
42 tourism district, <sup>4</sup>or in conjunction with the establishment of the  
43 tourism district under paragraph (2) of subsection a. of section 5, as  
44 appropriate, <sup>4</sup> the authority shall propose and adopt development and  
45 design guidelines and land use regulations for the tourism district.  
46 Such guidelines and regulations shall be consistent with and in  
47 furtherance of the tourism district master plan. Provisions may be

1 made by the authority for the waiver, according to definite criteria  
2 adopted by regulation of the authority pursuant to the  
3 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et  
4 seq.), of strict compliance with the standards promulgated, where  
5 necessary to alleviate hardship. Upon and after the adoption of the  
6 resolution establishing the tourism district, <sup>4</sup>or upon and after the  
7 establishment of the tourism district under paragraph (2) of  
8 subsection a. of section 5, as appropriate,<sup>4</sup> the development and  
9 design guidelines and land use regulations adopted by the authority  
10 shall supersede the master plans, the zoning and land use ordinances  
11 and regulations, and the zoning maps of Atlantic City adopted  
12 pursuant to the “Municipal Land Use Law,” P.L.1975, c.291  
13 (C.40:55D-1 et seq.) or any other State or local law. <sup>4</sup>Until such  
14 time as the authority proposes development and design guidelines  
15 and land use regulations for the tourism district as authorized  
16 pursuant to P.L. , c. (C. ) (pending before the Legislature as  
17 this bill), the master plan, zoning and land use ordinances and  
18 regulations, and the zoning maps adopted by the city pursuant to the  
19 “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.)  
20 or any other State or local law shall remain in full force and effect  
21 within the tourism district. The authority shall consult with the city  
22 concerning site development of development and design guidelines  
23 and land use regulations.<sup>4</sup>

24 b. Notwithstanding the provisions to the contrary of the  
25 “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.)  
26 or any other law, rule, or regulation, upon and after the adoption of  
27 the resolution establishing the tourism district, <sup>4</sup>or upon and after  
28 the establishment of the tourism district under paragraph (2) of  
29 subsection a. of section 5, as appropriate,<sup>4</sup> the review and approval  
30 or denial of site plans and development proposals for development  
31 upon and improvements to land within the tourism district that  
32 would otherwise be performed by the governing bodies or agencies  
33 of the county or municipality in which the tourism district is located  
34 shall instead be performed by the authority, but this assignment of  
35 responsibility to the authority shall not be deemed to supersede  
36 requirements of State or federal law pertaining to the review and  
37 approval of such plans or proposals by other agencies. In  
38 performing the review, the authority shall utilize the development  
39 and design guidelines and land use regulations that it shall have  
40 adopted in conjunction with its adoption of the resolution  
41 establishing the tourism district <sup>4</sup>or in conjunction with the  
42 establishment of the tourism district under paragraph (2) of  
43 subsection a. of section 5, as appropriate,<sup>4</sup>. The procedures used by  
44 the authority for the approval of site plans and developments within  
45 the tourism district shall be the same as the procedures that would  
46 otherwise be used by a county or municipal governing body or other  
47 local entity pursuant to the “Municipal Land Use Law,” P.L.1975,

1 c.291 (C.40:55D-1 et seq.), including, but not limited to, procedures  
2 for hearings and for the issuance of notice thereof, for the payment  
3 of application fees, for appeals, and for the posting of escrow  
4 deposits, if any. The authority shall establish an office to issue  
5 permits for site plans and development projects. The authority shall  
6 by regulation provide for mandatory conceptual review, by or on  
7 behalf of the authority, of site plan and development applications;  
8 provided, however, that unless accompanied by a request for a  
9 variance to be granted by the authority pursuant to subsection d. of  
10 this section, any such mandatory conceptual review shall be  
11 completed within 45 days of the authority's receipt of the  
12 application, or within such later time period if agreed to by the  
13 applicant. <sup>4</sup>The authority shall consult with the city concerning site  
14 plans and development proposals.<sup>4</sup>

15 c. The authority shall be deemed an interested party entitled to  
16 notice of all applications for properties within the tourism district or  
17 within 200 feet of the tourism district's boundaries, irrespective of  
18 whether the authority owns the portion of the project area within  
19 200 feet.

20 d. (1) The provisions of subsection d. of section 57 of  
21 P.L.1975, c.291 (C.40:55D-70) notwithstanding and except as  
22 provided in paragraph (2) of this subsection, the authority shall  
23 have sole and exclusive jurisdiction to grant for special reasons  
24 shown, a variance from the requirements that it shall have  
25 established in conjunction with the adoption pursuant to section  
26 <sup>4</sup>[4] 5.<sup>4</sup> of P.L. , c. (C. ) (pending before the Legislature as  
27 this bill)<sup>2, 2</sup> of the resolution establishing the tourism district, <sup>4</sup>or in  
28 conjunction with the establishment of the tourism district under  
29 paragraph (2) of subsection a. of section 5, as appropriate.<sup>4</sup>  
30 including development and design guidelines or land use  
31 regulations adopted by the authority, or from the requirements of  
32 the master plan, as appropriate, to permit: (a) a use or principal  
33 structure in the district restricted against such use or principal  
34 structure, (b) a continuation or an expansion of a nonconforming  
35 use, (c) deviation from a specification or standard pursuant to land  
36 use regulations adopted by the authority pertaining solely to a  
37 conditional use, (d) an increase in the permitted floor area ratio as  
38 established by the land use regulations adopted by the authority, (e)  
39 an increase in the permitted density as established by the land use  
40 regulations adopted by the authority, or (f) a height of a principal  
41 structure which exceeds by 10 feet or 10 percent the maximum  
42 height permitted in the district for a principal structure. Such  
43 variances shall not be granted unless the applicant demonstrates to  
44 the satisfaction of the authority that special reasons exist for the  
45 granting of such variance, that the granting of the requested  
46 variance will not substantially impair the intent and purpose of the  
47 master plan, and that the variance can be granted without

1 substantial detriment to the public good. Application for such a  
2 variance shall be submitted together with or prior to an application  
3 for mandatory conceptual review pursuant to subsection b. of this  
4 section, and the authority shall approve or deny the application  
5 within 120 days of a complete submission unless the applicant  
6 agrees to extend the time. In lieu of granting a variance, the  
7 authority in its discretion may require the adoption of a plan  
8 amendment.

9 (2) Variances granted pursuant to subparagraphs (a) through (e)  
10 of paragraph (1) of this subsection shall require the affirmative vote  
11 of a majority of the members of the authority.

12 e. Notwithstanding any other provision of P.L. , c. (C. )  
13 (pending before the Legislature as this bill) or any other law, rule or  
14 regulation to the contrary, upon and after the adoption pursuant to  
15 section 4 of P.L. , c. (C. ) (pending before the Legislature as  
16 this bill) of the resolution establishing the tourism district, <sup>4</sup>or upon  
17 and after the establishment of the tourism district under paragraph  
18 (2) of subsection a. of section 5, as appropriate,<sup>4</sup> the filing of a  
19 petition with the authority upon or after commencement of a  
20 redevelopment project undertaken in furtherance of the master plan  
21 shall not effect a delay in or cessation of any action concerning the  
22 redevelopment project.

23 f. Notwithstanding any other provision of P.L. , c. (C. )  
24 (pending before the Legislature as this bill) or any other law, rule or  
25 regulation to the contrary, upon and after the adoption pursuant to  
26 section <sup>4</sup>~~[4]~~ 5.<sup>4</sup> of P.L. , c. (C. ) (pending before the  
27 Legislature as this bill)<sup>2, 2</sup> of the resolution establishing the tourism  
28 district, <sup>4</sup>or upon and after the establishment of the tourism district  
29 under paragraph (2) of subsection a. of section 5, as appropriate.<sup>4</sup>  
30 Atlantic City shall not designate the tourism district or any portion  
31 thereof as an area in need of redevelopment or an area in need of  
32 rehabilitation, or adopt a redevelopment plan for any property  
33 within the tourism district pursuant to the “Local Redevelopment  
34 and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et al.) without the  
35 consent of the authority.

36 <sup>2</sup>g. The authority may prescribe penalties for the violation of its  
37 regulations concerning the enforcement of construction codes,  
38 development and design guidelines, and land use regulations in  
39 conformance with the master plan by a fine, the amount of which  
40 shall be determined by resolution of the authority and shall be  
41 reasonable with regard to the violation.

42 The authority may prescribe that for the violation of any  
43 particular regulation at least a minimum penalty shall be imposed  
44 which shall consist of a fine which may be fixed at an amount not  
45 exceeding \$100.

46 The court before which any person is convicted of violating any  
47 regulation of the authority shall have power to impose any fine not



1 less than the minimum and not exceeding the maximum fixed in  
2 such regulation.

3 Any person who is convicted of violating a regulation within  
4 one year of the date of a previous violation of the same ordinance  
5 and who was fined for the previous violation, shall be subject to an  
6 additional fine as a repeat offender. The additional fine imposed by  
7 the court upon a person for a repeated offense shall not be less than  
8 the minimum or exceed the maximum fine fixed for a violation of  
9 the regulation, but shall be calculated separately from the fine  
10 imposed for the violation of the regulation.

11 If the authority imposes a fine in an amount greater than \$1,250  
12 upon an owner for violations of building or zoning codes, the  
13 authority shall provide a 30-day period in which the owner shall be  
14 afforded the opportunity to cure or abate the condition and shall  
15 also be afforded an opportunity for a hearing before a court of  
16 competent jurisdiction for an independent determination concerning  
17 the violation. Subsequent to the expiration of the 30-day period, a  
18 fine greater than \$1,250 may be imposed if a court has not  
19 determined otherwise or, upon reinspection of the property, it is  
20 determined that the abatement has not been substantially completed.

21 A fine imposed as permitted by this subsection against an owner  
22 of real property for a zoning or property maintenance violation shall  
23 be filed with the authority, or the city, or any department, agency,  
24 or authority thereof, as determined through coordination and  
25 collaboration undertaken pursuant to subsection 1. of section <sup>4</sup>[4]  
26 5.<sup>4</sup> of P.L. , c. (C. ) (pending before the Legislature as this  
27 bill), as appropriate, as a lien against the property cited in the  
28 offense, if such fine is not paid in full within 20 days of its  
29 imposition, upon the certification of the authority employee or code  
30 enforcement officer who issued the citation. The authority code  
31 enforcement officer or authority employee shall file a copy of the  
32 lien and certification with the city's municipal tax collector. This  
33 lien shall be added to and become and form part of the taxes next to  
34 be assessed and levied upon such dwelling or lands, the same to  
35 bear interest at the same rate as taxes, and shall be collected and  
36 enforced by the same officers and in the same manner as taxes and  
37 the amounts collected shall be payable by the city to the authority  
38 for the support of the tourism district.<sup>2</sup>

39

40 <sup>4</sup>[6.] 7.<sup>4</sup> (New section) <sup>1</sup>a.<sup>1</sup> After the creation of the tourism  
41 district pursuant to section <sup>4</sup>[4] 5.<sup>4</sup> of P.L. , c. (C. ) (pending  
42 before the Legislature as this bill) <sup>1</sup>[,];

43 (1) The authority shall enter into an agreement establishing a  
44 public-private partnership with a not-for-profit corporation  
45 comprising a majority of the casino licensees of this State whose  
46 investors have invested a minimum of \$1 billion in Atlantic City.  
47 The purpose of the partnership shall be to undertake a full scale,

1 <sup>2</sup>[national] broad-based<sup>2</sup>, five-year, marketing program; provided,  
2 however, that the corporation shall be primarily responsible for the  
3 development and implementation of the program. If such not-for-  
4 profit corporation is created after the Transfer Date, the authority  
5 shall delegate its duty to enter into such an agreement to the  
6 Convention Center Division created pursuant to paragraph (1) of  
7 subsection b. of section <sup>4</sup>[11] 12.<sup>4</sup> of P.L. , c. (C. ) (pending  
8 before the Legislature as this bill). In its implementation of the  
9 marketing program, the corporation shall develop a brand identity  
10 for Atlantic City and the tourism district that can be effectively <sup>2</sup>and  
11 widely<sup>2</sup> communicated <sup>2</sup>[nationwide]<sup>2</sup>. The brand identity shall be  
12 designed in a manner that will emphasize, to potential investors and  
13 tourists, Atlantic City's unique character, boardwalk attractions, and  
14 appeal as a destination resort. The corporation shall submit its  
15 plans for the marketing program, and any revisions thereto, to the  
16 authority, or division, as appropriate, for recommendations. The  
17 agreement between the authority, or the division, and the  
18 corporation shall have a term of five years, and may be extended for  
19 an addition term as determined by the authority, or the division, and  
20 the corporation. <sup>2</sup>In addition to providing for the establishment of  
21 the marketing program, the agreement may provide that the  
22 corporation provide assistance to the authority concerning the  
23 establishment of the tourism district and implementation of the  
24 master plan.<sup>2</sup> The agreement shall provide that the corporation  
25 <sup>2</sup>[must], or the casino licensees which shall comprise its  
26 membership, will<sup>2</sup> make a contribution of \$5,000,000 <sup>2</sup>[in 2011]  
27 prior to 2012<sup>2</sup> toward the formation of the corporation and the  
28 marketing plan, or for the support <sup>2</sup>and furtherance<sup>2</sup> of the tourism  
29 district <sup>2</sup>[. The agreement shall provide that each casino licensee  
30 that is a member of the corporation shall make a contribution to the  
31 corporation in proportion to the casino licensee's gross revenues  
32 generated in the preceding fiscal year.] , and the percentage of such  
33 contribution by each casino licensee shall be made in proportion to  
34 such casino licensee's gross revenue in the preceding fiscal year.<sup>2</sup>  
35 The authority, or the Convention Center Division, as the case may  
36 be, shall not enter into an agreement with the corporation, unless  
37 the corporation provides evidence that it has taken appropriate steps  
38 to ensure that it has the necessary administrative resources to assess  
39 and collect the <sup>2</sup>[fees] contributions<sup>2</sup>. Such <sup>2</sup>[fees] contributions<sup>2</sup>  
40 shall be allocated for the support of the marketing program, but any  
41 <sup>2</sup>[fees] contributions<sup>2</sup> not utilized <sup>2</sup>or allocated<sup>2</sup> for <sup>2</sup>[the  
42 marketing program] such purposes during the term of the  
43 agreement or any extension thereof<sup>2</sup> shall be remitted to the  
44 authority for its use to support the marketing program or the  
45 tourism district.

1        Any public-private partnership or similar arrangement under this  
2 paragraph shall, subject to the oversight of the authority or the  
3 Convention Center Division, permit the corporation to control and  
4 employ other public and private funds made available to further  
5 implement the marketing program and advance the purposes of the  
6 tourism district.

7        (2) The authority or the Convention Center Division, as  
8 appropriate, shall assess a fee upon each casino licensee that does  
9 not make a contribution to the corporation as prescribed under  
10 paragraph (1) of this subsection, calculated in the same manner as  
11 the contribution. The fee so assessed shall be collected by the  
12 authority, and shall be remitted to and held by the corporation in  
13 trust for expenditure exclusively in accordance with the terms of the  
14 agreement with the authority or the division.

15        (3) The corporation shall file with the authority, or the division,  
16 a quarterly report of its expenditures made pursuant to the  
17 agreement.

18        (4) Assessment and collection of the contributions under  
19 paragraph (1) and fees under paragraph (2) of this subsection shall  
20 commence on January 1 <sup>2</sup>[of],<sup>2</sup> 2012. <sup>2</sup>If the establishment of the  
21 agreement created pursuant to paragraph (1) of this subsection shall  
22 commence after January 1, 2012, such assessment and collection  
23 shall commence upon the date the agreement is established.<sup>2</sup> The  
24 total amount to be assessed <sup>2</sup>, as contributions or fees, as  
25 appropriate,<sup>2</sup> collectively upon all casino licensees for each year  
26 shall be \$30,000,000, <sup>2</sup>in proportion to the casino licensee's gross  
27 revenues generated in the preceding fiscal year,<sup>2</sup> but the authority  
28 and not-for-profit corporation described in paragraph (1) of <sup>2</sup>this<sup>2</sup>  
29 subsection <sup>2</sup>[a. of this section]<sup>2</sup> shall provide in the agreement  
30 <sup>2</sup>[created] entered into<sup>2</sup> pursuant to <sup>2</sup>[subsection a.] paragraph (1)<sup>2</sup>  
31 of this <sup>2</sup>[section] subsection<sup>2</sup> that the assessed <sup>2</sup>contributions and<sup>2</sup>  
32 fees may be increased for the marketing program, or for the support  
33 of the tourism district <sup>2</sup>, and allocation of the revenue from any  
34 such additional contributions and fees shall be made in accordance  
35 with the terms of the agreement entered into pursuant to paragraph  
36 (1) of this subsection. Any moneys collected pursuant to this  
37 subsection not used for the marketing program shall be allocated to  
38 the support of the tourism district according to terms set forth in the  
39 agreement established pursuant to paragraph (1) of this subsection.

40        (5) Any moneys collected pursuant to this subsection not used  
41 for or obligated to any purpose prior to the expiration of the  
42 agreement entered into pursuant to paragraph (1) of this subsection,  
43 or any extension thereof, shall be allocated by the authority for the  
44 support of the tourism district<sup>2</sup>.

45        b. If within one year after the effective date of  
46 P.L. , c. (C. ) (pending before the Legislature as this bill), the  
47 not-for-profit corporation described under paragraph (1) of

1 subsection a. of this section does not exist or is unable to perform  
2 its obligations under an agreement with the authority, or if the  
3 agreement is not renewed upon expiration of the term of the  
4 agreement,<sup>1</sup> the authority<sup>1</sup>, or the Convention Center Division,<sup>1</sup>  
5 shall create a commission to be known as the Atlantic City Tourism  
6 Marketing Advisory Commission, consisting of members to be  
7 appointed by the authority. The authority shall appoint to the  
8 commission representatives of the casino and tourism industries,  
9 public citizens, and any other individual or organization the  
10 authority deems appropriate. The <sup>1</sup>~~commission~~ division<sup>1</sup> shall  
11 develop and implement a full scale, <sup>2</sup>~~national~~ broad-based<sup>2</sup>,  
12 <sup>1</sup>~~ten-year~~ five-year<sup>1</sup> marketing program. The commission shall  
13 be authorized to review the authority's annual budget and the  
14 authority's plans concerning the marketing program, and the  
15 authority shall give due consideration to those recommendations.  
16 The commission shall, from time to time, make recommendations to  
17 the authority concerning the authority's development and  
18 implementation of the marketing program. In its implementation of  
19 the marketing program, the <sup>1</sup>~~authority~~ <sup>2</sup>authority, or the<sup>2</sup>  
20 Convention Center Division<sup>1 2</sup>, as the case may be,<sup>2</sup> shall develop a  
21 brand identity for Atlantic City and the tourism district that can be  
22 effectively <sup>2</sup>and widely<sup>2</sup> communicated <sup>2</sup>~~nationwide~~<sup>2</sup>. The brand  
23 identity shall be designed in a manner that will emphasize, to  
24 potential investors and tourists, Atlantic City's unique character,  
25 boardwalk attractions, and appeal as a destination resort.

26 <sup>1</sup>c. After the Transfer Date, all duties assumed by the authority  
27 pursuant to subsection a. of this section shall be delegated by the  
28 authority to the Convention Center Division.<sup>1</sup>  
29

30 <sup>2</sup>[7. (New section) a. In conjunction with the establishment of  
31 the tourism district pursuant to section 4 of P.L. , c. (C. )  
32 (pending before the Legislature as this bill), the <sup>1</sup>city shall establish  
33 a precinct of its police department located within the boundaries of  
34 the district. If and to the extent necessary, the authority shall  
35 exercise its power of eminent domain on behalf of the city to  
36 acquire the physical premises for the precinct. The city shall be  
37 permitted to establish a temporary precinct location pending  
38 acquisition or construction, or both, of a permanent precinct  
39 location.

40 b. The precinct shall be staffed, operated and funded by the city  
41 pursuant to an operational plan issued by the Superintendent of the  
42 Division of State Police in the Department of Law and Public  
43 Safety following consultation with the city, the city's police chief,  
44 and the authority, and shall take into account criteria used for  
45 operational decision-making in other precincts in the city and those  
46 utilized for law enforcement activities in other major tourist  
47 destinations nationally. The precinct commander shall report to,

1 and receive direction from, the city police chief with respect to day-  
2 to-day command and control matters. With respect to law  
3 enforcement policy and strategy within the district, the precinct  
4 commander and the police chief shall report to, and receive  
5 direction from, the authority and the superintendent. The authority  
6 shall be required to consult with the mayor regarding the  
7 establishment of law enforcement policy and strategy within the  
8 district.

9 c. If the authority determines, by resolution, that the operation  
10 of the precinct is unsatisfactory in respect of the furtherance of the  
11 purposes of P.L. , c. (C. ) (pending before the Legislature as  
12 this bill), the authority shall by written memorandum advise the  
13 superintendent of its determination. Upon receipt of such  
14 memorandum, the superintendent shall assume direct command  
15 responsibilities for the precinct, including, but not limited to, the  
16 responsibility for determining the respective operational authority  
17 and responsibilities of the precinct and the balance of the city's  
18 police department. In carrying out such responsibility, the  
19 superintendent may require the city police department to enter into  
20 an agreement with respect to police aid within and without the  
21 district, upon such terms as the superintendent shall prescribe in  
22 writing. During any period in which the superintendent has  
23 assumed command responsibilities for the precinct, the  
24 superintendent shall serve the authority with respect to all law  
25 enforcement matters within the district. Subject to subsection d. of  
26 this section, the superintendent shall retain command  
27 responsibilities until such time as the superintendent determines that  
28 a return to the law enforcement structure set forth in subsection b. is  
29 appropriate and the authority adopts a resolution approving same.

30 d. The<sup>1</sup> Superintendent of the Division of State Police in the  
31 Department of Law and Public Safety <sup>1</sup>~~shall~~ may, in furtherance  
32 of the purposes of P.L. , c. (C. ) (pending before the  
33 Legislature as this bill),<sup>1</sup> establish a Joint Law Enforcement Task  
34 Force composed of a Task Force Director appointed jointly by the  
35 chairman of the authority and the superintendent, law enforcement  
36 officers offered employment pursuant to subsection <sup>1</sup>~~[d.] g.~~<sup>1</sup> of this  
37 section, and such other law enforcement and supervisory officers of  
38 the Division of State Police as the superintendent and Task Force  
39 Director shall determine to be necessary, to assume general  
40 responsibility for and supervision of the conduct of all law  
41 enforcement operations and activities within the tourism district and  
42 the Atlantic City Special Improvement District established by  
43 ordinance of the City of Atlantic City. The Task Force Director  
44 shall be appointed for a term of four years and may be reappointed  
45 upon expiration of a term.

1       **'[b.] e.'**<sup>1</sup> Upon its establishment, the Joint Law Enforcement  
2 Task Force shall assume exclusive responsibility for conducting the  
3 law enforcement operations and activities in the tourism district.

4       **'[c.] f.'**<sup>1</sup> The Joint Law Enforcement Task Force shall have a  
5 governing body composed of representatives of the Superintendent  
6 of the Division of State Police who shall be employees of the  
7 division. The Task Force Director shall be the head of the task  
8 force governing body. The task force shall:

9       (1) develop and implement the policies, guidelines, and  
10 procedures pursuant to which the task force shall conduct law  
11 enforcement operations, activities, and programs within the district;

12       (2) effectuate the transfer of responsibility for the conduct of  
13 law enforcement to the task force from the police department of  
14 Atlantic City;

15       (3) enhance public awareness of the transfer of law enforcement  
16 to the task force from the police department of Atlantic City;

17       (4) develop and implement law enforcement initiatives for the  
18 district; and

19       (5) study, classify, and evaluate the criminal activities and  
20 threats to effective and efficient law enforcement within the tourism  
21 district.

22       The law enforcement officers of the Joint Law Enforcement Task  
23 Force shall be under the supervision of the Task Force Director.  
24 The Task Force Director, together with any officers of the Division  
25 of State Police designated by the superintendent, shall be  
26 responsible for all decisions regarding the law enforcement  
27 operations and activities within the tourism district.

28       'On or before July 15 in each State fiscal year for which the  
29 Joint Law Enforcement Task Force shall have been established, the  
30 Attorney General shall report to the State Treasurer the amount that  
31 shall have been included in the annual appropriations act for that  
32 State fiscal year to fund for that fiscal year the expenses of the  
33 Division of the State Police and other expenses of the Department  
34 of Law and Public Safety in connection with the supervision and  
35 law enforcement operations, including training and the undertaking  
36 of law enforcement projects, of the Task Force. Not later than the  
37 15th day after receiving the report, the State Treasurer shall review  
38 the report and, subject to any revision or adjustment as the State  
39 Treasurer deems appropriate, shall certify the amount, as revised or  
40 adjusted, to the authority; such revisions and adjustments shall  
41 include an adjustment to reflect any amount by which the  
42 department's Task Force-related expenditures in the preceding State  
43 fiscal year were greater or less than the amount certified for that  
44 fiscal year. On or before October 1 next following its receipt of the  
45 certification, the authority shall remit the amount so certified to the  
46 State Treasurer.

47       **[d.] g.'**<sup>1</sup> Law enforcement officers employed by the Atlantic  
48 City police department, as well as those officers that were laid off

1 from the Atlantic City police department during the 24 months  
2 preceding the effective date of P.L. , c. (C. ) (pending before  
3 the Legislature as this bill), shall be granted the right of first refusal  
4 of employment by the Department of Law and Public Safety<sup>1</sup> for the  
5 positions established with the Joint Law Enforcement Task Force at  
6 its formation<sup>1</sup>, and if they meet the qualification and training  
7 requirements <sup>1</sup>for those positions<sup>1</sup>, shall be employed as law  
8 enforcement officers for assignment exclusively to the Joint Law  
9 Enforcement Task Force. <sup>1</sup>In the event that the number of qualified  
10 individuals exceeds the number of available positions, selection  
11 shall be accomplished through competitive examination in  
12 accordance with the provisions of Title 11A of the New Jersey  
13 Statutes.<sup>1</sup> These officers shall be employed pursuant to this  
14 subsection notwithstanding any provision of <sup>1</sup>that<sup>1</sup> Title 11A of the  
15 New Jersey Statutes to the contrary.

16 <sup>1</sup>[e.] h.<sup>1</sup> All other provisions of law concerning the operations  
17 of the Division of State Police and of the police department of the  
18 city of Atlantic City shall apply except to the extent inconsistent  
19 with this section.

20 <sup>1</sup>[f.] i.<sup>1</sup> The authority shall coordinate with other appropriate  
21 federal, State, county, and local law enforcement agencies to ensure  
22 the efficient and cost-effective implementation of the functions and  
23 duties of the task force under this section. <sup>2</sup>

24  
25 <sup>4</sup>[<sup>27</sup>. (New section) a. In conjunction with the establishment of  
26 the tourism district pursuant to section 4 of P.L. , c. (C. )  
27 (pending before the Legislature as this bill), the Superintendent of  
28 the Division of State Police in the Department of Law and Public  
29 Safety shall, in furtherance of the purposes of P.L. , c. (C. )  
30 (pending before the Legislature as this bill) and in coordination with  
31 the Chief of Police of the city of Atlantic City, establish, within the  
32 Atlantic City Police Department, the Tourism District Division,  
33 which shall be headquartered in the Boardwalk area. If, and to the  
34 extent necessary, the authority shall exercise its power of eminent  
35 domain on behalf of the city to acquire the physical premises for the  
36 district. The city may establish a temporary division location  
37 pending acquisition or construction, or both, of a permanent  
38 division headquarters. Upon establishment of the Tourism District  
39 Division, the superintendent shall appoint a Division Commander  
40 who shall be retained as an employee of the Department of Law and  
41 Public Safety. The Department of Law and Public Safety shall fund  
42 the costs associated with the commander's employment.

43 The division shall be comprised of the division commander, law  
44 enforcement officers offered employment pursuant to subsection c.  
45 of this section, and such other law enforcement and supervisory  
46 officers of the Atlantic City Police Department which the  
47 superintendent shall determine to be necessary, in coordination with

1 the Atlantic City Police Department, to provide for the supervision  
2 of the conduct of all law enforcement operations and activities  
3 within the tourism district and the Atlantic City Special  
4 Improvement District established by ordinance of the City of  
5 Atlantic City. The division commander shall serve at the pleasure  
6 of the superintendent.

7 b. Upon its establishment, the Tourism District Division shall, in  
8 coordination with the Atlantic City Police Department, assume  
9 primary responsibility for conducting the law enforcement  
10 operations and activities in the tourism district and the Atlantic City  
11 Special Improvement District established by ordinance of the City  
12 of Atlantic City. The division commander shall establish law  
13 enforcement policy and strategy within the tourism district. The  
14 city police chief shall oversee the day-to-day law enforcement  
15 command and control matters within the district, and shall report  
16 directly to the division commander. The division commander shall  
17 coordinate with other appropriate federal, State, county, and local  
18 law enforcement agencies, including, but not limited to, the New  
19 Jersey Transit Corporation and the Division of Gaming  
20 Enforcement in the Department of Law and Public Safety to ensure  
21 the efficient, effective, and cost-effective implementation of the  
22 functions and duties of the division in accordance with the law  
23 enforcement policy and strategy established by the division  
24 pursuant to this section.

25 The division shall:

26 (1) develop and implement the policies, guidelines, and  
27 procedures pursuant to which the division shall conduct law  
28 enforcement operations, activities, and programs within the district;

29 (2) enhance public awareness of the establishment, purposes,  
30 and duties of the division;

31 (3) develop and implement law enforcement initiatives for the  
32 district including the utilization of public safety improvements and  
33 new technologies; and

34 (4) study, classify, and evaluate the criminal activities and  
35 threats throughout the city which may affect the tourism district.

36 The division shall not establish law enforcement policy or  
37 strategy concerning the tourism district, or undertake its operations  
38 in the implementation of such policy or strategy, in a manner  
39 detrimental to the safety, security, and law enforcement efforts  
40 within those portions of the city not included within the district.

41 c. Law enforcement officers employed by the Atlantic City  
42 police department, as well as those officers that were laid off from  
43 the Atlantic City police department during the 24 months preceding  
44 the effective date of P.L. , c. (C. ) (pending before the  
45 Legislature as this bill), shall be granted the right of first refusal of  
46 employment for the positions established within the Tourism  
47 District Division at its formation, and if they meet the qualification  
48 and training requirements for those positions, shall be employed as



1 law enforcement officers for assignment exclusively to the Tourism  
2 District Division. In the event that the number of qualified  
3 individuals exceeds the number of available positions, selection  
4 shall be accomplished through competitive examination in  
5 accordance with the provisions of Title 11A of the New Jersey  
6 Statutes. These officers shall be employed pursuant to this  
7 subsection notwithstanding any provision of that Title 11A of the  
8 New Jersey Statutes to the contrary.

9 d. All other provisions of law concerning the operations of the  
10 Division of State Police and of the police department of the city of  
11 Atlantic City shall apply except to the extent inconsistent with this  
12 section.<sup>2</sup>]<sup>4</sup>

13  
14 <sup>4</sup>8. (New section) In conjunction with the establishment of the  
15 tourism district pursuant to section 5 of P.L. , c. (C. )  
16 (pending before the Legislature as this bill), the Attorney General  
17 and Superintendent of State Police in the Department of Law and  
18 Public Safety, in consultation with the Mayor of Atlantic City, the  
19 Director of Public Safety and the Police Chief of the Atlantic City  
20 Police Department, and the Atlantic County Prosecutor, shall work  
21 collaboratively to develop a public safety plan to address law  
22 enforcement strategies and public safety in the tourism district. In  
23 constructing the plan, the Attorney General and Superintendent  
24 shall solicit input and recommendations from key stakeholders,  
25 including Atlantic City residents, local business owners, and  
26 representatives from the casino and entertainment industries.

27 The plan shall be designed with the following goals: to utilize  
28 and enhance the existing leadership and competencies of the  
29 Atlantic City Police Department, and to promote sustainable best  
30 practices by leveraging improved communications, data collection  
31 and information-sharing processes. Components of the plan shall  
32 include, but shall not be limited to: deploying or detailing of sworn  
33 law enforcement officers, who may be Division of State Police  
34 personnel, special investigators assigned to the Department of Law  
35 and Public Safety, current or former Atlantic City Police Officers,  
36 or other law enforcement officers assigned to the detail; the  
37 procurement and implementation of new technological equipment  
38 upgrades to the Atlantic City Police Department systems, with  
39 related training and support provided to the detailed officers and to  
40 the Atlantic City Police Department personnel by the Division of  
41 State Police, and featuring appropriate compliance monitoring; and  
42 the development and implementation of a coordinated law  
43 enforcement strategy to address crime and public safety concerns  
44 both within and outside of the casino tourism district.

45 The plan shall include policy, technical and operational  
46 benchmarks, which, when met and sustained, will promote the  
47 ultimate goal of improved safety and efficiency, both within and  
48 outside the tourism district. As part of the Public Safety Plan, the

1 Superintendent shall appoint a District Commander, who shall be  
2 charged with overseeing and coordinating the implementation and  
3 monitoring of the public safety plan. The District Commander shall  
4 coordinate with the Director of Public Safety and the Chief of the  
5 Atlantic City Police Department, and shall report directly to the  
6 Superintendent of the State Police.<sup>4</sup>

7  
8 <sup>4</sup>[8.] 9.<sup>4</sup> (New section) a. <sup>1</sup>[The superintendent and chair of  
9 the authority shall jointly determine annually that portion of the  
10 operating cost of the division attributable to assuming the general  
11 responsibility for and the supervision of the conduct of all law  
12 enforcement operations and activities within the tourism district  
13 through the Joint Law Enforcement Task Force, including the cost  
14 to the department of employing and training those law enforcement  
15 officers of the Atlantic City police department granted the right of  
16 first refusal, and shall jointly certify to the authority the amount of  
17 that attributable cost. The total amount so certified shall not exceed  
18 the total amount of any reduction in payments by those casino  
19 licensees resulting from any reduction in annual costs of the Casino  
20 Control Commission and the Division of Gaming Enforcement in  
21 the Department of Law and Public Safety for investigation and  
22 consideration of license applications and license renewals, for  
23 maintaining control and regulatory activities and enforcement  
24 functions, and for such other services, equipment or other expenses,  
25 as a direct result of laws enacted or regulations changed on or after  
26 the effective date of P.L. , c. (C. ) (pending before the  
27 Legislature as this bill), regarding the commission's and division's  
28 functions, duties, and responsibilities under the "Casino Control  
29 Act," P.L.1977, c.110 (C.5:12-1 et seq.).

30 b. After the development of each authority annual budget,  
31 Notwithstanding any law, rule, or regulation to the contrary, the  
32 Division of Gaming Enforcement in the Department of Law and  
33 Public Safety shall in each of the first three State fiscal years  
34 commencing in the State fiscal year in which P.L. , c. (C. )  
35 (pending before the Legislature as this bill),<sup>4</sup> determine the amount  
36 of cost savings effected by the reduction in fees paid by casino  
37 licensees pursuant to revisions to law concerning regulation of the  
38 casino industry, and provide that <sup>4</sup>[such] an<sup>4</sup> amount<sup>2</sup>, as  
39 determined by the New Jersey Racing Commission in the  
40 Department of Law and Public Safety pursuant to this subsection<sup>2</sup>  
41 shall be paid annually by casino licensees to the authority<sup>2</sup>, and  
42 such payment shall be made <sup>4</sup>[for the greater of (1) the first five  
43 State fiscal years commencing in the State fiscal year in which  
44 P.L. , c. (C. ) (pending before the Legislature as this bill) is  
45 enacted, or (2) the number of State fiscal years, commencing in the  
46 State fiscal year in which P.L. , c. is enacted, necessary to  
47 offset any deficiency in the collection of the amount required for

1 allocation to the augmentation of purses in any of the three State  
 2 fiscal years described in subsection b. of this section<sup>2</sup>] in each of  
 3 the first three State fiscal years commencing in the State fiscal year  
 4 in which P.L. , c. (C. ) (pending before the Legislature as  
 5 this bill).The New Jersey Racing Commission shall determine an  
 6 amount to be allocated from the amounts collected by the Division  
 7 of Gaming Enforcement pursuant to this section, in an amount not  
 8 exceeding \$15,000,000 in the first State fiscal year; \$10,000,000 in  
 9 the second State fiscal year; and \$5,000,000 in the third State fiscal  
 10 year. The moneys collected pursuant to this subsection shall be  
 11 allocated to the authority, and allocated by the authority to the New  
 12 Jersey Racing Commission to the support of the horse racing  
 13 industry in this State through the augmentation of purses. The  
 14 amount of any funds authorized in this section to be collected and  
 15 allocated in support of horse racing through the augmentation of  
 16 purses shall be established by the New Jersey Racing Commission  
 17 at a regular meeting of the commission held during the fiscal year in  
 18 which any such payment is authorized, which amount shall be  
 19 reflected in the meeting minutes delivered by the executive director  
 20 to the Governor with respect to the meeting at which such action is  
 21 taken in the manner provided under section 31 of  
 22 P.L.2001,c.199,s.31 (C.5:5-22.1) <sup>4</sup> .

23 b. <sup>4</sup>[<sup>2</sup>[(1)]<sup>2</sup> Of the amount paid to the authority pursuant to  
 24 subsection a. of this section, in the State fiscal year in which  
 25 P.L. , c. (C. ) (pending before the Legislature as this bill) is  
 26 enacted, the authority shall allocate <sup>2</sup>[the first \$30,000,000 for the  
 27 support of the tourism district and]<sup>2</sup> \$15,000,000 for the support of  
 28 the horse racing industry in this State through the augmentation of  
 29 purses. For the State fiscal year commencing after the enactment  
 30 of P.L. , c. <sup>2</sup>[(C. ) (pending before the Legislature as this  
 31 bill)]<sup>2</sup> , the authority shall allocate <sup>2</sup>[the first \$30,000,000 for the  
 32 support of the tourism district, and]<sup>2</sup> \$10,000,000 for the support of  
 33 the horse racing industry in this State through the augmentation of  
 34 purses. For the second State fiscal year commencing after the  
 35 enactment of P.L. , c. , the authority shall allocate <sup>2</sup>[the first  
 36 \$30,000,000 for the support of the tourism district, and]<sup>2</sup>  
 37 \$5,000,000 for the support of the horse racing industry in this State  
 38 through the augmentation of purses. Payments made <sup>2</sup>[to]<sup>2</sup> for the  
 39 support of the horse racing industry through the augmentation of  
 40 <sup>2</sup>[pursues] purses<sup>2</sup> shall be made to the New Jersey Racing  
 41 Commission for allocation to the augmentation of purses; provided,  
 42 however, that no such funds shall be allocated by the authority for  
 43 the support of the horse racing industry through the augmentation of  
 44 purses if an assessment is authorized by law to be collected from  
 45 revenues generated by Internet wagering and the allocation is made  
 46 from such revenues pursuant to section 10 of P.L. , c.  
 47 <sup>2</sup>(C. ) (pending before the Legislature as this bill)<sup>2</sup> , <sup>2</sup>unless

1 otherwise required to offset any deficiency as provided in that  
2 section 10,<sup>2</sup> but would instead be allocated to the support of the  
3 tourism district.<sup>2</sup>]<sup>4</sup> If the amount paid to the authority pursuant to  
4 subsection a. of this section in the first three State fiscal years  
5 described herein is insufficient to allocate the amount required to  
6 the augmentation of purses in any one of <sup>3</sup>[the]<sup>3</sup> those three State  
7 fiscal years, the authority shall, from <sup>4</sup>any appropriate revenue  
8 source or account, allocate the amount necessary to cover the  
9 difference between the amounts to be allocated to the horse racing  
10 industry in this State through the augmentation of purses in the first  
11 three State fiscal years and the amount paid to the authority  
12 pursuant to subsection a. of this section and shall be reimbursed  
13 from<sup>4</sup> the amount collected <sup>4</sup>by the Division of Gaming  
14 Enforcement<sup>4</sup> pursuant to subsection a. of this section in the  
15 subsequent State fiscal year <sup>4</sup>[, make an allocation to the  
16 augmentation of purses to offset any deficiency in the allocation  
17 made in any previous State fiscal year.<sup>2</sup> Any remaining funds  
18 retained by the authority pursuant to subsection a. of this section in  
19 any of the first three State fiscal years described herein shall be  
20 allocated to the support of the tourism district, unless otherwise  
21 provided by law. Any remaining funds retained by the authority  
22 pursuant to subsection a. of this section <sup>2</sup>in the two State fiscal  
23 years commencing<sup>2</sup> after the first three State fiscal years shall be  
24 allocated to the support of the tourism district, unless otherwise  
25 provided by law. <sup>2</sup>[(2) The authority shall allocate from any  
26 appropriate revenue source or account, the amount necessary to  
27 cover the difference between the amounts to be allocated to the  
28 horse racing industry in this State through the augmentation of  
29 purses in the first three State fiscal years and the amount paid to the  
30 authority pursuant to subsection a. of this section. Payments by the  
31 authority pursuant to this paragraph shall be made to the New  
32 Jersey Racing Commission provided, however, that no such funds  
33 shall be allocated by the authority for the support of the horse  
34 racing industry through the augmentation of purses if an assessment  
35 is authorized by law to be collected from revenues generated by  
36 Internet wagering and the allocation is made from such revenues  
37 pursuant to section 10 of P.L. , c. The amounts paid to the New  
38 Jersey Racing Commission by the authority pursuant to this  
39 paragraph shall be recovered by the authority through assessments  
40 payable by casino licensees. Such assessments shall be paid within  
41 five years of the date upon which the initial assessment is made,  
42 and such payments shall be made upon a schedule to be established  
43 by the authority.] <sup>3</sup>[Any remaining funds retained by the authority  
44 pursuant to subsection a. of this section in the two State fiscal years  
45 commencing after the first three State fiscal years shall be allocated  
46 to the support of the tourism district, unless otherwise provided by  
47 law.]<sup>3</sup> Any funds retained by the authority pursuant to subsection

1 a. of this section after the first five State fiscal years, which are not  
 2 necessary for allocation to the augmentation of purses as an offset  
 3 to any deficiency in the allocation made in any previous State fiscal  
 4 year, shall be transferred to the Division of Gaming Enforcement  
 5 and such funds shall be returned as a rebate to the several casino  
 6 licensees in proportion to the fees paid by each of those licensees in  
 7 that State fiscal year.<sup>2</sup> ].<sup>4</sup>

8 c. If, one year after <sup>2</sup>[of]<sup>2</sup> the effective date of P.L. , c.  
 9 (C. ) (pending before the Legislature as this bill), the not-for-  
 10 profit corporation does not exist as provided in section <sup>4</sup>[6] <sup>7</sup>.<sup>4</sup> in  
 11 P.L. , c. (C. ) (pending before the Legislature as this bill), or  
 12 is unable to perform its obligations under an agreement with the  
 13 authority, or Convention Center Division, or <sup>3</sup>[upon termination  
 14 of] if<sup>3</sup> the agreement <sup>3</sup>is terminated<sup>3</sup>, as provided under that  
 15 section, and <sup>3</sup>[such agreement terminated]<sup>3</sup> is not renewed,<sup>1</sup> the  
 16 authority shall assess a fee payable by each casino licensee for the  
 17 <sup>2</sup>State<sup>2</sup> fiscal year<sup>2</sup>, for a period of five State fiscal years<sup>2</sup>. <sup>1</sup>[The  
 18 cumulative total of the fees so assessed shall include an amount  
 19 sufficient to reimburse the Division of State Police and the  
 20 Department of Law and Public Safety for their costs during the  
 21 preceding fiscal year of assuming supervisory and operational  
 22 responsibilities for law enforcement activities with the tourism  
 23 district, as certified pursuant to subsection a. of this section.

24 c. ]<sup>1</sup> The fee assessed under this <sup>1</sup>[section] subsection<sup>1</sup> shall be  
 25 in proportion to the casino licensee's gross revenues generated in  
 26 the fiscal year preceding the assessment. The total fees assessed  
 27 collectively upon all casino licensees shall be no less than  
 28 <sup>1</sup>[\$22,500,000 for the State fiscal year in which  
 29 P.L. , c. (C. ) (pending before the Legislature as this bill) is  
 30 enacted, and no less than]<sup>1</sup> \$30,000,000 for each State fiscal year  
 31 <sup>1</sup>[thereafter]<sup>1</sup> <sup>2</sup>for which the fees are assessed<sup>2</sup>.

32 d. Such fees shall be used exclusively to facilitate the  
 33 development of the tourism district, enhance the cleanliness and  
 34 safety of the tourism district, <sup>1</sup>and<sup>1</sup> fund the <sup>2</sup>[authority's<sup>1</sup>, or  
 35 Convention Center Division's]<sup>2</sup> marketing efforts <sup>2</sup>of the authority  
 36 or of the Convention Center Division, as the case may be,<sup>2</sup>  
 37 concerning tourism in the district <sup>1</sup>[, reimburse law enforcement  
 38 costs certified pursuant to subsection a. of this section, and support  
 39 gaming in the State; provided, however, that if the cumulative total  
 40 amount of any cost savings realized by all casino licenses as the  
 41 result of a reduction in fees pursuant to revisions to the law  
 42 concerning regulation of the casino industry exceeds \$22,500,000 in  
 43 the first fiscal year, or \$30,000,000 in the second and third fiscal  
 44 years following the effective date of P.L. , c. (C. ) (pending  
 45 before the Legislature as this bill), the amount from the fees  
 46 imposed pursuant to this section that is allocated in those respective

1 fiscal years to the support of gaming shall be not less than the  
2 amount of that excess in those respective fiscal years, up to  
3 \$15,000,000 in the first fiscal year, \$10,000,000 in the second fiscal  
4 year, and \$5,000,000 in the third fiscal year. Fees assessed pursuant  
5 to this subsection may be increased pursuant to a resolution of the  
6 authority finding that increased fees are necessary to facilitate the  
7 development of the tourism district, the authority's marketing  
8 efforts concerning tourism in the district, and the support of gaming  
9 in the State. The authority shall be responsible for collection of the  
10 fees assessed pursuant to this section. The portion of the total  
11 amount of the collected fees equal to the amount certified pursuant  
12 to subsection a. of this section shall be appropriated annually to the  
13 Department of Law and Public Safety<sup>1</sup>.

14

15 <sup>4</sup>[9.(New section) a. Notwithstanding any law, rule, or  
16 regulation to the contrary, if the South Jersey Transportation  
17 Authority shall <sup>1</sup>[sell] transfer for consideration, by sale, lease,  
18 mortgage, exchange or other conveyance or disposition, all or any  
19 part of its interest in<sup>1</sup> the airport known as the Atlantic City  
20 International Airport and any other lands and improvements as the  
21 South Jersey Transportation Authority has acquired pursuant to  
22 section 24 of P.L.1991, c.252 (C.27:25A-24) and all related  
23 facilities and activities, the South Jersey Transportation Authority  
24 shall assign and pay <sup>1</sup>or otherwise transfer<sup>1</sup> to the authority <sup>1</sup>, after  
25 payment of bonds or other obligations pursuant to law, contract, or  
26 other form of agreement,<sup>1</sup> any revenues <sup>1</sup>[or] <sup>1</sup> proceeds <sup>1</sup>[from  
27 such sale] <sup>1</sup>, or other property received as such consideration<sup>1</sup>.

28 b. Notwithstanding any other provision of law or regulation to  
29 the contrary, the authority shall give priority in the expenditure of  
30 any funds, derived from <sup>1</sup>property received as consideration for<sup>1</sup> the  
31 <sup>1</sup>[sale] transfer<sup>1</sup> of <sup>1</sup>any interest in<sup>1</sup> the airport pursuant to  
32 subsection a. of this section or otherwise designated by law for the  
33 authority, to redevelopment projects, including development,  
34 infrastructure improvements and enhancements, and public safety  
35 improvements, within the tourism district.]<sup>4</sup>

36

37 <sup>4</sup>10. (New section) a. Notwithstanding any law, rule, or  
38 regulation to the contrary, if the South Jersey Transportation  
39 Authority shall transfer for consideration, by sale or lease, all or any  
40 part, of its interest in the airport known as the Atlantic City  
41 International Airport and any other lands and improvements as the  
42 South Jersey Transportation Authority has acquired pursuant to  
43 section 24 of P.L.1991, c.252 (C.27:25A-24) and all related  
44 facilities and activities, the South Jersey Transportation Authority  
45 shall assign and pay, or otherwise transfer, after payment of bonds  
46 or other obligations pursuant to law, contract, or other form of  
47 agreement, any revenues or proceeds from such sale or lease in

1 equal amounts to the governing body of the following counties:  
 2 Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester,  
 3 Ocean, and Salem.

4 b. The revenues or proceeds distributed to the governing body  
 5 of the counties pursuant to subsection a. of this section shall be used  
 6 solely for the planning, acquisition, engineering, construction,  
 7 reconstruction, repair, resurfacing and rehabilitation of public  
 8 highways and the planning, acquisition, engineering, construction,  
 9 reconstruction, repair, maintenance and rehabilitation of public  
 10 transportation projects and of other transportation projects, which a  
 11 county may be authorized by law to undertake and which has been  
 12 approved by the governing body of that county. Nothing in this  
 13 subsection shall be construed to mean that the revenues or proceeds  
 14 distributed to the governing bodies of the counties shall be in lieu of  
 15 any other State or federal monies for transportation purposes.

16 Within three months of receipt of any revenues or proceeds from  
 17 the sale or lease of all, or any part of, Atlantic City International  
 18 Airport, the governing body of each county shall submit to the  
 19 Commissioner of Transportation a report detailing how the county  
 20 intends to use the revenues or proceeds, the projects the governing  
 21 body of the county is planning to undertake, or currently  
 22 undertaking with the revenues or proceeds, and any other relevant  
 23 information concerning the use of the money for public highway,  
 24 public transportation projects, and other transportation projects.  
 25 Thereafter, the governing body of each county shall submit annually  
 26 such information to the Commissioner of Transportation.<sup>4</sup>

27  
 28 <sup>4</sup>[10. (New section) <sup>1</sup>[Upon] <sup>3</sup>a.<sup>3</sup> The authority, upon<sup>1</sup>  
 29 enactment of P.L. , c. (C. ) (pending before the Legislature  
 30 as this bill), <sup>1</sup>[after the investment alternative tax is authorized by  
 31 law to be collected from revenues generated by Internet wagering,  
 32 the authority shall allocate the first] shall <sup>2</sup>[be responsible for  
 33 allocating], for each State fiscal year for a period of not more than  
 34 the first five State fiscal years commencing<sup>3</sup>[after] in the State  
 35 fiscal year in which a<sup>3</sup> tax is authorized by law to be collected from  
 36 revenues generated by Internet wagering, annually allocate<sup>2</sup> the  
 37 first<sup>1</sup> \$30,000,000 <sup>1</sup>[from such tax,] <sup>2</sup>[annually<sup>1</sup> for each State  
 38 fiscal year for a period of not more than the first five State fiscal  
 39 years commencing after]<sup>2</sup> <sup>1</sup>[such tax] <sup>2</sup>[the alternative minimum  
 40 assessment<sup>1</sup> is authorized by law to be collected from <sup>1</sup>revenues  
 41 generated by<sup>1</sup> Internet wagering, <sup>1</sup>from the sum of such  
 42 assessment<sup>1</sup>] of the revenue from such tax<sup>2</sup> to the New Jersey  
 43 Racing Commission to be used for the benefit of <sup>1</sup>the<sup>1</sup> horse racing  
 44 <sup>1</sup>industry<sup>1</sup> in this State <sup>1</sup>through the augmentation of purses<sup>1</sup>,  
 45 provided, however, that the use of those funds for that purpose shall  
 46 cease one State fiscal year after wagering on sports events is  
 47 implemented in this State. <sup>3</sup>Amounts collected pursuant to this

1 subsection in excess of \$30,000,000 in any one State fiscal year  
 2 shall be allocated to the authority for the support of the tourism  
 3 district.<sup>3</sup>

4 <sup>3</sup>(b.)<sup>3</sup> <sup>2</sup>If <sup>3</sup>[the amount collected from]<sup>3</sup> the tax described in  
 5 <sup>3</sup>subsection a. of this section <sup>3</sup>is authorized by law to be collected  
 6 in the State fiscal year in which P.L. , c. (C. ) (pending  
 7 before the Legislature as this bill) is enacted, and the revenue from  
 8 such tax<sup>1</sup> is not sufficient to <sup>1</sup>[.] fund an allocation, for the support  
 9 of the horse racing industry in this State through the augmentation  
 10 of purses, in the amount of (1)\$15,000,000 in <sup>3</sup>[the] that<sup>3</sup> State  
 11 fiscal year <sup>3</sup>[in which P.L. , c. (C. ) (pending before the  
 12 Legislature as this bill) is enacted, allocate \$15,000,000 for the  
 13 support of the horse racing industry in this State through the  
 14 augmentation of purses,] (2) \$10,000,000 in <sup>3</sup>[for]<sup>3</sup> the State fiscal  
 15 year commencing after the enactment of P.L. , c. (C. )  
 16 <sup>3</sup>[(pending before the Legislature as this bill), allocate \$10,000,000  
 17 for the support of the horse racing industry in this State through the  
 18 augmentation of purses]<sup>3</sup>, and <sup>3</sup>[for] (3) \$5,000,000 in<sup>3</sup> the second  
 19 State fiscal year commencing after the enactment of P.L. , c. ,  
 20 <sup>3</sup>[allocate \$5,000,000 for the support of the horse racing industry in  
 21 this State through the augmentation of purses,] then<sup>3</sup> the Division  
 22 of Gaming Enforcement shall, <sup>3</sup>[in] no more than 30 days  
 23 following the last day of<sup>3</sup> the State fiscal year in which the  
 24 deficiency occurs, determine the amount of cost savings effected by  
 25 the reduction in fees paid by casino licensees pursuant to revisions  
 26 to law concerning regulation of the casino industry, assess a fee  
 27 payable from such amount to offset such deficiency, in an amount  
 28 not exceeding such deficiency, and provide that <sup>3</sup>casino licensees  
 29 shall pay<sup>3</sup> such amount <sup>3</sup>[shall be paid] to the authority<sup>3</sup> in <sup>3</sup>[that]  
 30 the State fiscal year commencing after the<sup>3</sup> State fiscal year <sup>3</sup>[by  
 31 casino licensees to the authority]<sup>2</sup> in which the deficiency  
 32 occurred<sup>3</sup> <sup>1</sup>Amounts collected pursuant to this <sup>3</sup>[section]  
 33 subsection<sup>3</sup> in excess of <sup>3</sup>[\$30,000,000] the amount necessary to  
 34 offset any deficiency in the previous State fiscal year<sup>3</sup> shall be  
 35 allocated to the authority for the support of the tourism district.<sup>1</sup><sup>4</sup>

36

37 <sup>4</sup>11. (New section) a. The authority, upon enactment of P.L. ,  
 38 c. (C. ) (pending before the Legislature as this bill), shall, for  
 39 each State fiscal year for a period of not more than the first five  
 40 State fiscal years commencing in the State fiscal year in which a tax  
 41 is authorized by law to be collected from revenues generated by  
 42 Internet wagering, annually allocate the first \$30,000,000 of the  
 43 revenue from such tax to the New Jersey Racing Commission to be  
 44 used for the benefit of the horse racing industry in this State  
 45 through the augmentation of purses, provided, however, that the use  
 46 of those funds for that purpose shall cease one State fiscal year after



1 wagering on sports events is implemented in this State. Amounts  
2 collected pursuant to this subsection in excess of \$30,000,000 in  
3 any one State fiscal year shall be allocated to the authority for the  
4 support of the tourism district.

5 b. If the tax described in subsection a. of this section is  
6 authorized by law to be collected in the State fiscal year in which  
7 P.L. , c. (C. ) (pending before the Legislature as this bill) is  
8 enacted , and such tax is not sufficient to, in the State fiscal year in  
9 which P.L. , c. (C. ) (pending before the Legislature as this  
10 bill) is enacted, allocate \$15,000,000 for the support of the horse  
11 racing industry in this State through the augmentation of purses, for  
12 the State fiscal year commencing after the enactment of P.L. , c.   
13 (C. ) (pending before the Legislature as this bill), allocate  
14 \$10,000,000 for the support of the horse racing industry in this  
15 State through the augmentation of purses, and for the second State  
16 fiscal year commencing after the enactment of P.L. , c. ,  
17 allocate \$5,000,000 for the support of the horse racing industry in  
18 this State through the augmentation of purses, the authority shall  
19 allocate, from any appropriate revenue source or account, such  
20 amounts necessary to cover the difference between the amounts to  
21 be allocated to the horse racing industry in this State through the  
22 augmentation of purses to offset any deficiency in the first three  
23 State fiscal years as described in this subsection, in an amount to be  
24 determined by the New Jersey Racing Commission, and the amount  
25 collected pursuant to subsection a. of this section and the Division  
26 of Gaming Enforcement shall, every 30 days, beginning no more  
27 than 30 days following the last day of the State fiscal year in which  
28 the deficiency occurred, and the authority made any allocation to  
29 cover such deficiency, determine the amount of cost savings  
30 effected by the reduction in fees paid by casino licensees pursuant  
31 to revisions to law concerning regulation of the casino industry,  
32 assess and collect a fee payable from such amount to offset such  
33 deficiency, in an amount not exceeding such payment made by the  
34 authority, and provide that such amount shall be allocated to the  
35 authority in the State fiscal year commencing after the State fiscal  
36 year within 30 days after collection. The Division of Gaming  
37 Enforcement shall continue assessment and collection as provided  
38 in this subsection for the number of State fiscal years necessary to  
39 reimburse the authority for allocations made by the authority under  
40 this subsection.

41 Amounts collected pursuant to this subsection in excess of the  
42 amount necessary to reimburse the authority shall be allocated to  
43 the authority for the support of the tourism district.<sup>4</sup>

44  
45 <sup>2</sup>[11.] 12.<sup>2</sup> (New section) a. Until the Transfer Date, the  
46 authority shall not exercise any powers, rights, or duties conferred  
47 by P.L. , c. (C. ) (pending before the Legislature as this bill)  
48 or by any other law in any way which will interfere with the

1 powers, rights, and duties of the convention center authority. The  
2 authority shall not before the Transfer Date exercise any powers of  
3 the convention center authority. The authority and the convention  
4 center authority are directed to cooperate with each other so that the  
5 Transfer Date shall occur as soon as practicable after the date of  
6 enactment of P.L. , c. (C. ) (pending before the Legislature  
7 as this bill), and the convention center authority shall make  
8 available information concerning its property and assets,  
9 outstanding bonds and other debts, obligations, liabilities and  
10 contracts, operations, and finances as the authority may require to  
11 provide for the retirement of any outstanding bonds, notes, or other  
12 obligations of the convention center authority, and the efficient  
13 exercise by the authority of all powers, rights, and duties conferred  
14 upon them by P.L. , c. (C. ) (pending before the Legislature  
15 as this bill).

16 b. On the Transfer Date: (1) The authority shall assume all of  
17 the powers, rights, assets, and duties of the convention center  
18 authority to the extent provided by P.L. , c. (C. ) (pending  
19 before the Legislature as this bill), and such powers shall then and  
20 thereafter be vested in and shall be exercised by the authority and  
21 the chair thereof <sup>1</sup>provided, however, that the functions,  
22 organizational structure, and operations of the convention center  
23 authority shall be continued as a division existing within the  
24 authority, to be known as the Convention Center Division.<sup>1</sup>

25 (2) The terms of office of the members of the convention center  
26 authority shall terminate, the officers having custody of the funds of  
27 the convention center authority shall deliver those funds into the  
28 custody of the chair of the authority, the property and assets of the  
29 convention center authority shall, without further act or deed,  
30 become the property and assets of the authority, and the convention  
31 center authority shall cease to exist.

32 (3) The officers and employees of the convention center  
33 authority shall be transferred to the authority and shall become  
34 employees of the authority <sup>1</sup>[until determined otherwise by the  
35 authority] and the authority shall retain those employees transferred  
36 to the authority pursuant to this section as employees of the  
37 division<sup>14</sup>; provided, however, that any employee transferred to the  
38 authority pursuant to this section may be dismissed for cause, and  
39 any such employee may be dismissed if the authority determines  
40 that the transfer of the convention center authority to the authority  
41 has resulted in the duplication of responsibility of the position held  
42 by such employee, but such an employee shall be given a right of  
43 first refusal offer of similar employment if such employment shall  
44 become available as determined by the authority<sup>4</sup>.

45 Nothing in P.L. , c. (C. ) (pending before the Legislature  
46 as this bill) shall be construed to deprive any officers or employees  
47 of the convention center authority of their rights, privileges,

1 obligations, or status with respect to any pension or retirement  
2 system. The employees shall retain all of their rights and benefits  
3 under existing collective negotiation agreements or contracts until  
4 such time as new or revised agreements or contracts are agreed to.  
5 All existing employee representatives shall be retained to act on  
6 behalf of those employees until such time as the employees shall,  
7 pursuant to law, elect to change those representatives. Nothing in  
8 P.L. , c. (C. ) (pending before the Legislature as this bill)  
9 shall affect the civil service status, if any, of those officers or  
10 employees. <sup>1</sup>【Upon expiration of any agreement or contract  
11 pertaining to the employment of convention center employees, the  
12 authority shall make reasonable efforts to retain former employees  
13 of the convention center authority transferred hereunder to the  
14 authority.】<sup>1</sup>

15 (4) All debts, liabilities, obligations and contracts of the  
16 convention center authority, except to the extent specifically  
17 provided or established to the contrary in P.L. , c. (C. )  
18 (pending before the Legislature as this bill), are imposed upon the  
19 authority, and all creditors of the convention center authority and  
20 persons having claims against or contracts with the convention  
21 center authority of any kind or character may enforce those debts,  
22 claims, and contracts against the authority as successor to the  
23 convention center authority in the same manner as they might have  
24 against the convention center authority, and the rights and remedies  
25 of those holders, creditors, and persons having claims against or  
26 contracts with the convention center authority shall not be limited  
27 or restricted in any manner by P.L. , c. (C. ) (pending before  
28 the Legislature as this bill).

29 (5) In continuing the functions, contracts, obligations and duties  
30 of the convention center authority, the authority is authorized to act  
31 in its own name<sup>1</sup>, in the name of the Convention Center Division,<sup>1</sup>  
32 or in the name of the convention center authority as may be  
33 convenient or advisable under the circumstances from time to time.

34 (6) Any references to the convention center authority in any  
35 other law or regulation shall be deemed to refer and apply to the  
36 authority.

37 (7) All rules and regulations of the convention center authority  
38 shall continue in effect as the rules and regulations of the authority  
39 until amended, supplemented or rescinded by the authority in  
40 accordance with law. Notwithstanding any requirements of the  
41 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
42 seq.) to the contrary, the authority may adopt regulations, after  
43 notice and an opportunity for public comment, amending,  
44 supplementing, modifying, or repealing the regulations of the  
45 convention center authority. Such regulations shall be effective  
46 immediately upon filing with the Office of Administrative Law and  
47 shall be effective for a period not to exceed 18 months from the  
48 Transfer Date and they may, thereafter, be amended, adopted or

1 readopted in accordance with the "Administrative Procedure Act."  
2 Regulations of the convention center authority inconsistent with the  
3 provisions of this act or of regulations of the authority shall be  
4 deemed void if so judged by the authority acting pursuant to the  
5 provisions of this paragraph.

6 (8) All operations of the convention center authority shall  
7 continue as operations of the authority until altered by the authority  
8 as may be permitted pursuant to P.L. , c. (C. ) (pending  
9 before the Legislature as this bill).

10 (9) The powers vested in the authority by P.L. , c. (C. )  
11 (pending before the Legislature as this bill) shall be construed as  
12 being in addition to and not in diminution of the powers heretofore  
13 vested by law in the authority to the extent not otherwise altered or  
14 provided for in P.L. , c. (C. ) (pending before the Legislature  
15 as this bill).

16 c. As soon as practicable after the Transfer Date, the chairman  
17 shall notify the Governor and the presiding officers of each house  
18 of the Legislature that the transfer has occurred, the date of the  
19 transfer, and any other information concerning the transfer the  
20 chairman deems appropriate.

21

22 <sup>4</sup>[12.] 13.<sup>4</sup> (New section) Upon the transfer of the convention  
23 center authority as provided in section 11 of P.L. , c. (C. )  
24 (pending before the Legislature as this bill), all convention center  
25 authority projects, including the Atlantic City convention center  
26 project, shall be maintained by the authority.

27

28 <sup>4</sup>[13.] 14.<sup>4</sup> (New section) a. Prior to the Transfer Date, the  
29 authority is authorized to issue bonds, refunding bonds, notes, or  
30 other indebtedness to facilitate the timely occurrence of the  
31 Transfer Date, including but not limited to, the issuance of bonds,  
32 refunding bonds, notes, or other indebtedness to provide that all  
33 bonds or notes issued by the convention center authority to finance  
34 any projects, and the interest thereon, have been paid, or a sufficient  
35 amount for the payment of all those bonds or notes, and the interest  
36 thereon, has been set aside in trust for the benefit of the  
37 bondholders.

38 b. On the Transfer Date, the power of the convention center  
39 authority to issue bonds, refunding bonds, notes, or other  
40 indebtedness is continued but transferred to the authority and shall  
41 thereafter be exercised and administered by the authority.

42 c. The convention center authority and the authority are  
43 authorized to enter into such agreements as are necessary to  
44 facilitate the transfers contemplated by this section.

45

46 <sup>4</sup>[14.] 15.<sup>4</sup> (New section) Upon the transfer of the convention  
47 center authority, the provisions of P.L.1981, c.459 (C.52:27H-29 et  
48 seq.) and P.L.2008, c.47 (C.52:27H-31.1 et al.) insofar as they are

1 not inconsistent with the provisions of P.L. , c. (C. )  
2 (pending before the Legislature as this bill), shall continue in effect,  
3 and any reference therein or in any other law to the convention  
4 center authority, to the chair of the convention center authority, or  
5 to any member thereof, shall be deemed to mean and refer to the  
6 chair of the authority.

7  
8 <sup>4</sup>**[15.] 16.**<sup>4</sup> (New section) Upon the establishment of the  
9 tourism district by resolution of the authority pursuant to the  
10 provisions of section <sup>4</sup>**[4] 5.**<sup>4</sup> of P.L. , c. (C. ) (pending  
11 before the Legislature as this bill), <sup>4</sup>or upon the establishment of  
12 the tourism district under paragraph 2 of subsection a. of section 5,  
13 as appropriate,<sup>4</sup> the authority shall assume all functions, powers,  
14 and duties of Atlantic City, and of any agency or instrumentality  
15 thereof, with respect to the Atlantic City Special Improvement  
16 District, and the City of Atlantic City shall repeal the ordinance or  
17 ordinances establishing that special improvement district<sup>1</sup>;  
18 provided, however, that the functions, organizational structure, and  
19 operations of the Atlantic City Special Improvement District shall  
20 be continued as a division existing within the authority. The  
21 Atlantic City Special Improvement District, continued as a division  
22 within the authority, shall continue to assess and collect  
23 assessments payable to the special improvement district as of the  
24 effective date of the establishment of the tourism district by  
25 resolution of the authority pursuant to the provisions of section <sup>4</sup>**[4]**  
26 5.<sup>4</sup> of P.L. , c. (C. ) (pending before the Legislature as this  
27 bill)<sup>1</sup>. <sup>4</sup>Officers and employees of the special improvement district  
28 shall be transferred to the authority and shall become employees of  
29 the authority and the authority shall retain those employees  
30 transferred to the authority pursuant to this section as employees of  
31 the special improvement district division; provided, however, that  
32 any employee transferred to the authority pursuant to this section  
33 may be dismissed for cause, and any such employee may be  
34 dismissed if the authority determines that the transfer of the special  
35 improvement district to the authority has resulted in the duplication  
36 of responsibility of the position held by such employee, but such an  
37 employee shall be given a right of first refusal offer of similar  
38 employment if such employment shall become available as  
39 determined by the authority.<sup>4</sup>

40  
41 <sup>4</sup>**[16.] 17.**<sup>4</sup> (New section) P.L. , c. (C. ) (pending before  
42 the Legislature as this bill) shall be subject to the provisions of the  
43 "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.),  
44 except as may otherwise be provided under P.L. , c. .

45  
46 <sup>4</sup>**[17.] 18.**<sup>4</sup> (New section) The authority shall exercise due  
47 regard for the rights of the holders of bonds of the authority, at any

1 time outstanding, and nothing in, or done pursuant to, the  
 2 provisions of P.L. , c. (C. ) (pending before the Legislature  
 3 as this bill), shall in any way limit, impair, restrict, or alter the  
 4 obligation or powers of the authority to carry out and perform in  
 5 every detail each and every covenant, agreement, or contract at any  
 6 time made or entered into by, or on behalf of, the authority with  
 7 respect to its bonds or for the benefit, protection, or security of the  
 8 holders thereof.

9  
 10 <sup>4</sup>[18.] 19.<sup>4</sup> (New section) The authority, in implementing any  
 11 of its functions involving the tourism district, including but not  
 12 limited to, the regulation and encouragement of economic  
 13 development and the promotion of cleanliness, safety, and  
 14 commerce, is authorized and directed, notwithstanding any law,  
 15 rule, or regulation to the contrary, to<sup>1</sup>, in addition to any public-  
 16 private partnership entered into pursuant to section 6 of P.L. ,  
 17 c. (C. ) (pending before the Legislature as this bill),<sup>1</sup> enter into  
 18 public-private partnerships or similar arrangements with private  
 19 entities in implementing the provisions of <sup>1</sup>[this act] P.L. ,  
 20 c. (C. ) (pending before the Legislature as this bill). Such  
 21 partnerships shall include descriptions of those responsibilities to be  
 22 carried out by the private entity, mechanisms for allocation of funds  
 23 among such responsibilities, authority audit rights, and restrictions  
 24 on the expenditure of funds for purposes other than as set forth in  
 25 P.L. , c. <sup>2</sup>[(C. ) (pending before the Legislature as this  
 26 bill)]<sup>2</sup>.<sup>1</sup>

27  
 28 <sup>4</sup>[19.] 20.<sup>4</sup> This act shall take effect immediately, but the  
 29 provisions of P.L. , c. (C. ) (pending before the Legislature  
 30 as this bill) shall not be construed as affecting terms of any contract  
 31 or agreement in effect as of the effective date of P.L. , c. .  
 32  
 33  
 34  
 35

---

36 Directs establishment of Atlantic City Tourism District; broadens  
 37 powers and duties of CRDA; transfers Atlantic City Convention and  
 38 Visitors Authority and its functions to CRDA.