SENATE CONCURRENT RESOLUTION No. 49

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED JANUARY 19, 2010

Sponsored by:
Senator RAYMOND J. LESNIAK
District 20 (Union)
Senator JEFF VAN DREW
District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:
Senators S.Kean, Scutari and Whelan

SYNOPSIS
Proposes constitutional amendment authorizing Legislature by law to allow in-person wagering and account wagering on sports events at Atlantic City casinos and at racetracks.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 5/21/2010)
A CONCURRENT RESOLUTION to amend Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey.

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

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

PROPOSED AMENDMENT

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

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

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

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

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

Matter underlined thus is new matter.
to participate, and the awarding of prizes, in the specific kinds of games of chance sometimes known as raffles, conducted by the drawing for prizes or by the allotment of prizes by chance, when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, and in the case of senior citizen associations or clubs to the support of such organizations, in any municipality, in which such law shall be adopted by a majority of the qualified voters, voting thereon, at a general or special election as the submission thereof shall be prescribed by law and for the Legislature, from time to time, to restrict and control, by law, the conduct of such games of chance;

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

D. It shall be lawful for the Legislature to authorize by law the establishment and operation, under regulation and control by the State, of gambling houses or casinos within the boundaries, as heretofore established, of the city of Atlantic City, county of Atlantic, and to license and tax such operations and equipment used in connection therewith. Any law authorizing the establishment and operation of such gambling establishments shall provide for the State revenues derived therefrom to be applied solely for the purpose of providing funding for reductions in property taxes, rental, telephone, gas, electric, and municipal utilities charges of eligible senior citizens and disabled residents of the State, and for additional or expanded health services or benefits or transportation services or benefits to eligible senior citizens and disabled residents, in accordance with such formulae as the Legislature shall by law provide. The type and number of such casinos or gambling houses and of the gambling games which may be conducted in any such establishment shall be determined by or pursuant to the terms of the law authorizing the establishment and operation thereof. It shall also be lawful for the Legislature to authorize by law wagering at casinos or gambling houses in Atlantic City by persons who are present at a casino or gambling house, or who are at any other location within or outside of Atlantic City and place wagers at a casino or gambling house through an account wagering system using telephone, Internet or other means, on the results of any professional, college, or amateur sport or athletic event, except that wagering shall not be permitted on a college sport or athletic event
that takes place in New Jersey or on a sport or athletic event in which any New Jersey college team participates regardless of where the event takes place:

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

F. It shall be lawful for the Legislature to authorize, by law, the specific kind, restrictions and control of wagering on the results of live or simulcast running and harness horse races conducted within or outside of this State. The State's share of revenues derived therefrom shall be used for such purposes as shall be provided by law. It shall also be lawful for the Legislature to authorize by law wagering at running and harness horse racetracks in this State by persons who are present at a racetrack, or who are at any other location and place wagers at a racetrack through an account wagering system using telephone, Internet or other means, on the results of any professional, college, or amateur sport or athletic event, except that wagering shall not be permitted on a college sport or athletic event that takes place in New Jersey or on a sport or athletic event in which any New Jersey college team participates regardless of where the event takes place.

(cf: Art. IV, Sec. VII, par. 2, amended effective December 2, 1999)

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

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

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

a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (X), plus (+), or check (•) in the square opposite the word "Yes." If you are
opposed thereto make a cross (X), plus (+) or check (✓) in the
square opposite the word "No."
b. In every municipality the following question:
|   | CONSTITUTIONAL AMENDMENT
|   | AUTHORIZING LEGISLATURE BY LAW
|   | TO ALLOW SPORTS WAGERING AT
|   | ATLANTIC CITY CASINOS AND
|   | RACETRACKS
|   | Shall the amendment to Article IV, Section
|   | VII, paragraph 2 of the Constitution of the
|   | State of New Jersey, agreed to by the
|   | Legislature, providing that it shall be lawful
|   | for the Legislature to authorize by law
|   | wagering at casinos or gambling houses in
|   | Atlantic City and at racetracks, in-person or
|   | through an account wagering system, on the
|   | results of professional, certain college, or
|   | amateur sport or athletic events, be
|   | approved? |
|   | INTERPRETIVE STATEMENT
|   | This constitutional amendment would
|   | authorize the Legislature to pass laws
|   | allowing sports wagering at Atlantic City
|   | casinos and at racetracks. Wagers could be
|   | placed on professional, certain college, or
|   | amateur sport or athletic events. However,
|   | wagers could not be placed on college
|   | games that take place in New Jersey or in
|   | which a New Jersey college team
|   | participates regardless of where the game
|   | takes place. A wager could be placed at a
|   | casino or racetrack either in-person or from
|   | any other location through an account
|   | wagering system that uses telephone,
|   | Internet or other means.

This constitutional amendment would authorize the Legislature
to enact laws allowing sports wagering at casinos in Atlantic City
and at racetracks. Wagers could be placed at a casino or racetrack
on the results of professional, college, or amateur sport or athletic
events either in-person or from any other location using telephone,
Internet or other means. However, wagers could not be placed on
college games that take place in New Jersey or in which a New
Jersey college team participates regardless of where the game takes place.