

**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)

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

3

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

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

9

10 PROPOSED AMENDMENT

11

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

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

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

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

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

Matter underlined thus is new matter.

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

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

23 D. It shall be lawful for the Legislature to authorize by law the
24 establishment and operation, under regulation and control by the
25 State, of gambling houses or casinos within the boundaries, as
26 heretofore established, of the city of Atlantic City, county of
27 Atlantic, and to license and tax such operations and equipment used
28 in connection therewith. Any law authorizing the establishment and
29 operation of such gambling establishments shall provide for the
30 State revenues derived therefrom to be applied solely for the
31 purpose of providing funding for reductions in property taxes,
32 rental, telephone, gas, electric, and municipal utilities charges of
33 eligible senior citizens and disabled residents of the State, and for
34 additional or expanded health services or benefits or transportation
35 services or benefits to eligible senior citizens and disabled
36 residents, in accordance with such formulae as the Legislature shall
37 by law provide. The type and number of such casinos or gambling
38 houses and of the gambling games which may be conducted in any
39 such establishment shall be determined by or pursuant to the terms
40 of the law authorizing the establishment and operation thereof. It
41 shall also be lawful for the Legislature to authorize by law wagering
42 at casinos or gambling houses in Atlantic City by persons who are
43 present at a casino or gambling house, or who are at any other
44 location within or outside of Atlantic City and place wagers at a
45 casino or gambling house through an account wagering system
46 using telephone, Internet or other means, on the results of any
47 professional, college, or amateur sport or athletic event, except that
48 wagering shall not be permitted on a college sport or athletic event

1 that takes place in New Jersey or on a sport or athletic event in
2 which any New Jersey college team participates regardless of where
3 the event takes place;

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

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

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

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

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

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

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

46 If you favor the proposition printed below make a cross (X), plus
47 (+), or check (✓) in the square opposite the word "Yes." If you are

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- 1 opposed thereto make a cross (X), plus (+) or check (✓) in the
- 2 square opposite the word "No."
- 3 b. In every municipality the following question:

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	<p>YES</p>	<p>CONSTITUTIONAL AMENDMENT AUTHORIZING LEGISLATURE BY LAW TO ALLOW SPORTS WAGERING AT ATLANTIC CITY CASINOS AND RACETRACKS</p> <p>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?</p>
	<p>NO</p>	<p>INTERPRETIVE STATEMENT</p> <p>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.</p>

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STATEMENT

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

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- 1 Jersey college team participates regardless of where the game takes
- 2 place.