ASSEMBLY CONCURRENT RESOLUTION No. 120

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED FEBRUARY 20, 2014

Sponsored by:
Assemblyman RONALD S. DANCER
District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:
Assemblyman Clifton

SYNOPSIS
Proposes constitutional amendment giving Legislature authority to establish slot machine gambling at horse racetracks.

CURRENT VERSION OF TEXT
As introduced.
A CONCURRENT RESOLUTION proposing to amend Article IV, Section VII, paragraph 2 of the New Jersey Constitution.

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

1. The following proposed amendment to the Constitution of the State of New Jersey is 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 bona fide veterans' organizations and 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 bona fide veterans’ organizations and 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 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 current or former running and harness horse racetracks in this State 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; 

G. It shall be lawful for the Legislature to authorize, by law, the specific kind, restrictions, and control of gambling through the operation of slot machines at racetracks at which running or harness horse races are conducted. The State’s share of revenues derived therefrom shall be used for those purposes as shall be provided by law.

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

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:
<table>
<thead>
<tr>
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<th>CONSTITUTIONAL AMENDMENT TO ALLOW SLOT MACHINES AT HORSE RACETRACKS</th>
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<tbody>
<tr>
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<td>Do you approve amending the Constitution to allow slot machine gambling at horse racetracks in New Jersey?</td>
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<td>INTERPRETIVE STATEMENT</td>
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<td>This amendment would allow slot machine gambling at New Jersey horse racetracks. The amendment allows the Legislature to pass laws to provide for the kinds of slot machines used, and the restrictions and control over their use. The laws would also provide for how the State would spend its share of the revenue from slot machine gambling. Currently, under the New Jersey Constitution, slot machine gambling is only permitted in Atlantic City.</td>
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**STATEMENT**

This constitutional amendment would give the Legislature authority to establish slot machine gambling at horse racetracks. Upon approval of this amendment, the specific kind, restrictions, and control of operations of such slot machine gambling, as well as the use of the State’s share of revenues derived from such gambling, could be provided by law.

The operation of slot machines at horse racetracks would be mutually beneficial to both the casino industry and the horse racing industry. Racetrack slot machine gambling would provide an opportunity for casino industry operators to expand beyond the boundaries of Atlantic City and reach patrons who may not otherwise consider travelling to that city to engage in gambling activities. For the racetrack industry, the slot machines would increase attendance, drawing patrons who may not otherwise consider travelling to racetracks at which horse racing is the sole activity on which to wager. Both would therefore see increased revenues generated by the operation of racetrack slot machines. Additionally, the State would benefit from this mutually beneficial casino industry-racing industry relationship, due to the increased tax revenue generated directly and indirectly by new racetrack slot machine operations.

Any legislation developed by the Legislature would provide opportunities to preserve or enhance the mutually beneficial casino
industry-racing industry relationship in connection with the slot machine operations, particularly so with respect to the development of methods to equitably distribute revenues generated between the casino industry operators and horse industry associations.