

ASSEMBLY SENIOR ISSUES, TOURISM AND GAMING  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2292**

with committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 17, 1996

The Assembly Senior Issues, Tourism and Gaming Committee reports favorably and with committee amendments Assembly, No. 2292.

This bill makes the following changes in the pre-employment and post-employment restrictions applicable to members and employees of the Casino Control Commission and employees and agents of the Division of Gaming Enforcement and in the post-employment restrictions applicable to certain State officers and employees and certain officials in Atlantic City.

(1) Under current law, no person (with certain exceptions) shall be appointed to or employed by the commission or division if that person had an interest in or held employment with a casino licensee, a gaming-related casino service industry licensee or an applicant to become such a licensee during the previous three years. This bill eliminates that pre-employment restriction.

(2) The bill reduces from four years to two years the period of time a commission member must wait, after termination of appointment to the commission, before holding any interest in or employment with an applicant to, licensee of or registrant with the commission. The bill reduces from two years to one year a parallel prohibition for commission and division employees, and eliminates the current prohibition for a subsequent two-year period that is applicable to policy-making management employees unless waived by the commission. Clerical and secretarial employees may now and would continue to be able to accept such employment at any time after termination of employment with the commission or division. Currently, commission or division employees terminated as a result of a reduction in the workforce may accept, with commission approval, employment with the commission's applicants, licensees or registrants before the end of the two-year period. This bill would allow such employees to accept the employment before the end of the one-year period proposed by this bill and without application to the commission for approval.

(3) This bill reduces from two years to one year the period of time, after termination of employment, a commission member or commission or division employee must wait before representing any person or party other than the State before or against the commission. Current law prohibits a partnership, firm or corporation (or any partner, officer or employee thereof) in which a former commission member or commission or division employee has an interest from making any such appearance or representation for so long as the former member or employee is so prohibited. The bill permits, with written notice to the commission, such appearance or representation if the former member or employee is screened from any participation in the matter and is apportioned no part of the fee therefrom.

(4) With respect to specified State officers and employees and specified officials in Atlantic City, who are covered by the "New Jersey Conflicts of Interest Law" (N.J.S.A.52:13D-12 et seq.), the bill (a) eliminates all post-employment restrictions on members of the immediate family of these officers, employees and officials, (b) reduces from two years to one year the prohibitions on holding an interest in, being employed by or representing, appearing for or negotiating on behalf of casino licensees (or applicants for a casino license) or the holding or intermediary companies thereof, (c) permits employees terminated as a result of a reduction in the workforce, including those in policy-making management positions, to accept employment before the end of the one-year period (currently the approval of the appropriate ethics body is necessary and management employees are excluded from exercising this prerogative), and (d) permits representation, appearance and negotiation on behalf of casino licensees and related entities by a partnership, firm or corporation (and the partners, officers and employees) with which such an officer, employee, or official is associated or in which he has an interest if the person is screened from any participation in the matter and is apportioned no part of the fee therefrom during the one-year period applicable to the person.

#### COMMITTEE AMENDMENTS

The committee amended the bill to clarify that, as the law currently permits, a partnership, firm or corporation may continue to represent or appear on behalf of a licensed non-gaming-related casino service industry without screening a former commission member or commission or division employee. The committee inserted the language "with which a person is associated" to restore consistency among the subsections of N.J.S.A.52:13D-17.2 as amended by the bill. The amendments also delete a reference to a subsection of the law previously repealed and make some technical corrections.