

**ARTICLE 2. CASINO CONTROL COMMISSION AND DIVISION OF GAMING ENFORCEMENT: ESTABLISHMENT AND ORGANIZATION**

**5:12-50 Creation of Casino Control Commission; number of members**

The New Jersey Casino Control Commission, consisting of five members, is hereby created in but not of the Department of the Treasury. The commission shall be principally located in Atlantic City.

L.1977, c. 110, § 50, eff. June 2, 1977.

Amended By:

L.1995, c. 18, § 10, eff. Jan. 25, 1995.

**5:12-51 Members of the commission; qualifications and eligibility**

a. Each member of the commission shall be a citizen of the United States and a resident of the State of New Jersey.

b. No member of the Legislature, or person holding any elective or appointive office in the federal, State or local government shall be eligible to serve as a member of the commission.

c. No more than three members of the commission may be of the same political affiliation.

L.1977, c. 110, § 51, eff. June 2, 1977.

**5:12-52 Appointment and terms of commission members**

a. Initial appointments to the commission made pursuant to this amendatory and supplementary act shall be for terms as follows:

- (1) One member for 2 years;
- (2) One member for 3 years;
- (3) One member for 4 years; and
- (4) One member for 5 years.

b. The term of each of the members first appointed pursuant to this amendatory and supplementary act shall be designated by the Governor.

c. After the initial appointments, all members shall be appointed for terms of 5 years; provided, however, that no member shall serve more than two terms of 5 years each.

d. Appointments to the commission and designation of the chairman shall be made by the Governor with the advice and consent of the Senate. Prior to nomination, the Governor shall cause an inquiry to be conducted by the Attorney General into the nominee's background, with particular regard to the nominee's financial stability, integrity, and responsibility and his reputation for good character, honesty, and integrity.

e. Appointments to fill vacancies on the commission shall be for the unexpired term of the member to be replaced.

f. The member designated by the Governor to serve as chairman shall serve in such capacity throughout such member's entire term and until his successor shall have been duly appointed and qualified. No such member, however, shall serve in such capacity for more than 10 years. The chairman shall be the chief executive officer of the commission. All members shall devote full time to their duties of office and shall not pursue or engage in any other business, occupation or other gainful employment.

g. A commissioner may be removed from office for misconduct in office, willful neglect of duty, or other conduct evidencing unfitness for his office, or for incompetence. A proceeding for removal may be instituted by the Attorney General in the Superior Court. Notwithstanding any provision of this or any other act, any commissioner or employee of the commission shall automatically forfeit his office or position upon conviction of any crime. Any commissioner or employee of the commission shall be subject to the duty to appear and testify and to removal from his office, position or employment in accordance with the provisions of P.L. 1970, c. 72 (C. 2A:81-17.2a et seq.).

h. Each member of the commission shall serve for the duration of his

term and until his successor shall be duly appointed and qualified, subject to the limitations in subsections c. and f. of this section; provided, however, that in the event that a successor is not duly appointed and qualified within 120 days after the expiration of the member's term, a vacancy shall be deemed to exist.

L.1977, c. 110, § 52, eff. June 2, 1977.

Amended by:

L.1980, c. 28, § 1, eff. May 20, 1980, oper. May 14, 1981.

L.1980, c.138, § 1, eff. Nov. 12, 1980.

### **5:12-53 Compensation of members**

Each member of the commission shall receive an annual salary to be fixed and established by the Governor at an amount not to exceed \$133,330 in calendar year 2000, \$137,165 in calendar year 2001 and \$141,000 in calendar year 2002 and thereafter.

L.1977, c. 110, § 53, eff. June 2, 1977.

Amended by:

L.1980, c. 28, § 2, eff. May 20, 1980, oper. May 14, 1981.

L.1984, c. 82, § 1, eff. July 13, 1984.

L.1993, c. 292, § 5, eff. Dec. 21, 1993.

L.1999, c. 380, § 3, eff. Jan. 14, 2000.

### **5:12-54 Organization and employees**

a. The commission may establish, and from time to time alter, such plan of organization as it may deem expedient, and may incur expenses within the limits of funds available to it.

b. The commission shall elect annually by a majority of the full commission one of its members, other than the chairman, to serve as vice-chairman for the ensuing year. The vice-chairman shall be empowered to carry out all of the responsibilities of the chairman as prescribed in this act during his absence, disqualification, or inability to serve.

c. The commission shall appoint an executive secretary who shall serve at its pleasure and shall be responsible for the conduct of its administrative affairs. No person shall be eligible for such appointment unless he shall have at least 5 years of responsible experience in public or business administration or possesses broad management skills.

d. The commission may employ such other personnel as it deems necessary. All employees of the commission, except for secretarial and clerical personnel, shall be in the unclassified service of the Civil Service. All employees of the commission shall be deemed confidential employees for the purposes of the "New Jersey Employer-Employee Relations Act" (P.L.1941, c. 100; C. 34:13A-1 et seq.), as amended. Notwithstanding the provisions of any other law to the contrary, the commission may employ legal counsel who shall represent the commission in any proceeding to which it is a party, and who shall render legal advice to the commission upon its request. The commission may contract for the services of other professional, technical and operational personnel and consultants as may be necessary to the performance of its responsibilities under this act. Members and employees of the commission shall be enrolled in the Public Employees' Retirement System of New Jersey (P.L.1954, c. 84; C. 43:15A-1 et seq.).

L.1977, c. 110, § 54, eff. June 2, 1977.

Amended by:

L.1979, c. 282, § 10, eff. Jan. 9, 1980.

L.1980, c. 28, § 3, eff. May 20, 1980, oper. May 14, 1981.

L.1981, c. 238, § 1, eff. July 27, 1981.

L.1987, c. 354, § 1, eff. Jan. 4, 1988.

### **5:12-55 Division of gaming enforcement**

There is hereby established in the Department of Law and Public Safety the Division of Gaming Enforcement. The division shall be under the immediate supervision of a director who shall also be sworn as an Assistant Attorney General and who shall administer the work of the division under the direction

and supervision of the Attorney General. The director shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve during the term of office of the Governor, except that the first director shall be appointed for a term of 2 years. The director may be removed from office by the Attorney General for cause upon notice and opportunity to be heard.

The director and any employee or agent of the division shall be subject to the duty to appear and testify and to removal from his office, position or employment in accordance with the provisions of P.L.1970, c. 72 (C. 2A:81-17.2a et seq.). The Attorney General shall be responsible for the exercise of the duties and powers assigned to the division.

The division shall be principally located in Atlantic City.

L.1977, c. 110, § 55, eff. June 2, 1977.

Amended by:

L.1980, c. 69, § 1, eff. July 14, 1980.

L.1995, c. 18, § 11, eff. Jan. 25, 1995.

### **5:12-56 Organization and employees**

a. The Attorney General shall organize the work of the division in such bureaus and other organizational units as he may determine to be necessary for efficient and effective operation and shall assign to the division such employees of the Department of Law and Public Safety as may be necessary to assist the director in the performance of his duties. Subject to the approval of the Attorney General, the Superintendent of State Police shall assign such supervisory and investigative personnel and other resources to the Division of Gaming Enforcement as may be necessary to fulfill its obligations under this act.

b. All employees of the division, except for secretarial and clerical personnel, shall be in the unclassified service of the Civil Service. All employees of the division shall be deemed confidential employees for the purposes of the "New Jersey Employer-Employee Relations Act" (P.L.1941, c. 100; C. 34:13A-1

et seq.), as amended.

L.1977, c. 110, § 56, eff. June 2, 1977.

**5:12-57 Expenses; limits**

The division may incur expenses within the limits of funds available to it.

L.1977, c. 110, § 57, eff. June 2, 1977.