

REPORT
OF THE
BINGO AND RAFFLES STUDY COMMISSION

(pursuant to Senate Concurrent Resolution No. 65 of 1976)

Members of the Commission:

Senator John M. Skevin, Chairman
Assemblyman Christopher J. Jackman, Vice-Chairman
Senator Wayne Dumont, Jr.
Senator William V. Musto
Assemblyman Vincent O. Pellecchia
Assemblyman C. Gus Rys

Commission Staff:

Thomas E. Leach
Research Associate
Division of Information and Research
Legislative Services Agency

REPORT

OF THE

FINCH AND RAVEN STUDY COMMISSION

(Presented to Senate Concurrent Resolution No. 63 of 1974)

Members of the Commission

Senator John R. Brown, Chairman

Assemblyman Christopher J. Johnson, Vice-Chairman

Senator Wayne Brown, Jr.

Senator William V. Moore

Assemblyman Vincent J. Cellarola

Assemblyman C. Orr Fox

Commission Staff:

Thomas J. Lynch

Robert J. MacCalla

Division of Information and Research

Legislative Service Agency

TABLE OF CONTENTS

I.	Letter of Transmittal	1
II.	Senate Concurrent Resolution 117 (1974)	4
	Senate Concurrent Resolution 65 (1976)	7
III.	Background	8
IV.	Bingo and Raffles Study Commission Activities	12
V.	Appendices	
	A. Commission Letter to Licensees	18
	B. Questionnaire	19
	C. Bingo and Raffles Law (General Provisions and Bingo Licensing Law)	20
	D. Rules and Regulations of the Legalized Games of Chance Control Commission (General Regulations and Bingo Regulations)	42
	E. Proposed Legislation	58

JOHN M. SKEVIN
CHAIRMAN
CHRISTOPHER J. JACKMAN
VICE CHAIRMAN
WAYNE DUMONT, JR.
WILLIAM V. MUSTO
VINCENT O. PELLECCIA
C. GUS RYS

THOMAS E. LEACH
SECRETARY



State of New Jersey

BINGO AND RAFFLES STUDY COMMISSION

STATE HOUSE
TRENTON, NEW JERSEY 08625
TELEPHONE: (609) 292-5526

1.

Letter of Transmittal

To the Honorable Members of the Senate and the General Assembly of the State of New Jersey:

There is respectfully submitted herewith the findings and recommendations of the Bingo and Raffles Study Commission created pursuant to Senate Concurrent Resolution No. 117 of 1974 and reconstituted by Senate Concurrent Resolution No. 65 of 1976.

When bingo and raffles were legalized by a constitutional amendment adopted in 1953, allowing religious, charitable, fraternal, civic, educational and veterans organizations to use them for fund-raising purposes, the thrust of the statutory and regulatory scheme developed subsequent thereto was designed to prevent abuse, rather than to facilitate the good works of the organizations conducting such games. This scheme has remained virtually unaltered for nearly a quarter of a century, but during this time the games have become increasingly more popular and public sentiment has come to suggest that updating and altering the laws and regulations might now be warranted. Growth in the popularity of the two games is evidenced by an increase in combined income of \$8.6 million in 1954 to more than \$1.2 billion in 1975. There were an estimated 11,400,000 collective bingo admissions alone in fiscal 1974-75 throughout the State.

The mandate of the Commission, thus, was to study and review thoroughly the actual workings of the laws and regulations governing the conduct of bingo games and raffles and to assess the roles exercised by the Legalized Games of Chance Control Commission and the various municipalities in licensing and regulating such activities. The Commission was also directed to identify and evaluate those areas in which existing statutory and regulatory restrictions and controls might be altered to serve better the public interest.

In pursuit of its mandate, the Commission attempted to sample a broad spectrum of organizations and individuals involved in legalized games of chance. It conducted public hearings in three locations and, on the basis of testimony derived therefrom, developed a 14-point survey which was disseminated to all bingo licensees throughout the State. (There was virtually no interest expressed at the hearings in modifying the raffles laws and regulations.) Of the 1,400 licensees who received this survey, 779, or 56%, responded.

On the basis of the evidence gathered, the Commission is satisfied that there is presently no need for a major overhaul of the bingo regulatory scheme. This is due, in large measure, to the solid statutory foundation created by the Legislature in 1953 and the subsequent regulatory actions of a responsible Legalized Games of Chance Control Commission which has done its job well over the years.

The Commission does find, however, that the time is ripe for certain departures from the current scheme -- departures which reflect the needs of a changing society and the changing needs of those organizations using bingo to serve the public interest. The following recommendations for legislative action are therefore made. (The percentage of licensees supporting each proposal in the survey is indicated in parentheses.)

1. Organizations licensed to conduct bingo games should be permitted to transport senior citizens and physically handicapped persons to the games (60%). This is now prohibited by regulation.

2. The advertising of bingo games should be legalized (73%). This is prohibited by law, except in limited cases.

3. Bingo should be permitted on Sunday without prior approval by a municipality (66%). Prior municipal approval is required by law.

4. Members of an organization licensed to conduct bingo games should be allowed to work bingo games sponsored by licensed, affiliated organizations (88%). This is prohibited by regulation.

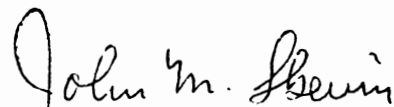
5. Reports of bingo receipts should be required monthly, as opposed to 15 days, as required by law, and these reports should not have to be notarized (82% and 71%, respectively).

6. Notices required to be posted by licensees in the premise where bingo is played shall not be required to bear the name of the members in charge (67%). This is required by regulation.

In two other areas, the Commission believes some additional study is needed and it suggests that the Legalized Games of Chance Control Commission attempt to develop some workable guidelines with respect thereto. Specifically, 59% of the licensees polled feel more of their revenues should be made legally available for municipal taxes and maintenance, while 67% believed that limited house rules should be permitted. Although these are high percentage responses, the Commission did not feel equipped to investigate each area to its satisfaction. The response to the remainder of the 14 questions was negative enough as to not, in the opinion of the Commission, warrant further review. This is elaborated upon in greater detail in chapter IV of this report.

In conclusion, the Commission extends its appreciation to the many bingo licensees and participants who were so cooperative in responding to our survey. The results derived therefrom reflect the broad sample of opinion the Commission hoped to elicit in carrying out its duties. The Commission is also grateful for the assistance provided by the staff of the Legalized Games of Chance Control Commission which was instrumental in bringing this study to a successful conclusion.

Respectfully submitted,



John M. Skevin
Chairman
Senator, 38th District

SENATE CONCURRENT RESOLUTION No. 117**STATE OF NEW JERSEY**

INTRODUCED MAY 16, 1974

By Senator MUSTO

Referred to Committee on State Government and Federal and
Interstate Relations

A CONCURRENT RESOLUTION creating the Bingo and Raffles Study
Commission and prescribing the duties, powers and functions
thereof.

- 1 WHEREAS, At the general election held November 3, 1953, the people
2 of this State overwhelmingly approved a constitutional amend-
3 ment under which bingo games and raffles might lawfully be
4 conducted by bona fide veterans, charitable, educational, religious
5 or fraternal organizations, civic and service clubs and volunteer
6 fire companies and rescue squads; and
- 7 WHEREAS, By a further amendment adopted at the general election
8 of November 7, 1972, the Constitution was further liberalized to
9 extend to senior citizen organizations the privilege of conducting
10 bingo games; and
- 11 WHEREAS, These sociable forms of gambling provide considerable
12 revenue for public-spirited uses by various private organizations
13 having community service as their principal aim; and
- 14 WHEREAS, Experience has shown that bingo and raffles and the
15 various objectives for which they serve to raise funds are very
16 popular and approved among the citizens of this State, and the
17 recent referendum upon senior citizens bingo has indicated the
18 degree of sentiment among the people in favor of a liberal exten-
19 sion of the privilege of conducting such games; and
- 20 WHEREAS, The essential structure of the regulatory scheme, which
21 was designed primarily with the prevention of abuses, rather
22 than the facilitation of the good works of the various organiza-
23 tions conducting such games, as the uppermost consideration, has
24 not been essentially altered in 20 years; and

25 WHEREAS, It appears that the passage of time and the alteration
26 of public sentiment on this matter warrant a thorough review of
27 the existing regulatory scheme and possibly an updating and im-
28 provement thereof; and

29 WHEREAS, Under the Constitution, the system of restrictions and
30 control upon legalized bingo and raffles is specifically designated
31 a legislative responsibility and is to be "from time to time pre-
32 scribed by the Legislature"; and

33 WHEREAS, It is therefore, the responsibility of the Legislature at
34 this time to undertake the thorough review of the regulatory
35 scheme which appears to be warranted; now, therefore

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

1 1. There is hereby created a commission, to be known as the
2 Bingo and Raffles Study Commission, which shall consist of three
3 members of the Senate, no more than two of whom shall be of the
4 same political party, to be appointed by the President of the Senate,
5 and three members of the General Assembly, no more than two of
6 whom shall be of the same political party, to be appointed by the
7 Speaker. Any vacancies in the membership of the commission shall
8 be filled in the same manner as the original appointments were
9 made. Members shall serve without compensation, but shall be
10 entitled to reimbursement of all actual expenses necessarily in-
11 curred in the performance of their duties as members of the com-
12 mission.

1 2. It shall be the duty of the commission to conduct a thorough
2 study and review of the actual workings of the law and regulations
3 pursuant thereto which now govern the conduct of bingo games and
4 raffles; to consider the role played by the Legalized Games of
5 Chance Control Commission and the several municipalities of the
6 State in licensing and regulating such activities, and to identify and
7 assess any areas in which alteration in the laws and regulations
8 might improve the system of restrictions and control or better serve
9 the public interest.

1 3. The commission shall be entitled to call to its aid and avail
2 itself of the services of any State, county or municipal depart-
3 ment, board, commission or agency, as may be available to it for
4 such purposes and to employ such clerical and stenographical
5 assistants and incur such travelling and other miscellaneous
6 expenses as it may deem necessary for the proper execution of its

7 duties and as may be within the limit of funds appropriated or
8 otherwise made available to it for such purposes.

1 4. The commission may meet and hold hearings at such place or
2 places as it may designate during the sessions or recesses of the
3 Legislature, and shall report to the Legislature as soon as may be
4 the results of its studies and any recommendations it may have with
5 respect thereto, accompanying such recommendations with the
6 drafts of any legislative bills which it may wish to recommend for
7 enactment.

SENATE CONCURRENT RESOLUTION No. 65

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator SKEVIN

A CONCURRENT RESOLUTION reconstituting the Bingo and Raffles
Study Commission.

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

1 1. The Bingo and Raffles Study Commission, created by Senate
2 Concurrent Resolution No. 117 of 1974, is hereby reconstituted
3 and continued with the same membership, powers and duties as
4 heretofore provided.

1 2. Any vacancy in the membership of the commission shall be
2 filled in the same manner provided for the original appointment.

STATEMENT

Senate Concurrent Resolution No. 117 of 1974-75, creating the Bingo and Raffles Study Commission, prescribed the duty of the commission to "conduct a thorough study and review of the actual workings of the law and regulations pursuant thereto which now govern the conduct of bingo games and raffles; to consider the role played by the Legalized Games of Chance Control Commission and the several municipalities of the State in licensing and regulating such activities, and to identify and assess any areas in which alteration in the laws and regulations might improve the system of restrictions and control or better serve the public interest."

To carry out fully the above mandate the commission has requested that its existence be extended beyond the end of the 1975 legislative year. The full roster of appointments to the commission was completed on September 15, 1975; it organized on September 19, 1975, and held the first of a projected series of public hearings on November 7, 1975. To complete the proposed series of hearings in various parts of the State, and to assess the results of those hearings and other inquiries in the subject matter, the commission requires to be extended into the term of the 1976-77 Legislature.

III. Background

On November 3, 1953 the voters of New Jersey adopted a referendum amending Article IV, Section VII, paragraph 2 of the State Constitution and thereby authorized the conduct of bingo and raffles under restrictions to be established by the Legislature. The vote in favor of the amendment was 947,676 to 374,818.

Thereupon, Governor-Elect Robert B. Meyner appointed a committee which held public hearings and subsequently submitted two drafts of legislation to the Legislature -- one regulating bingo, the other raffles. Additional hearings followed, and eventually the statutory controls as they substantially exist today became law on February 20, 1954. As stated in the report of the Meyner committee, the primary thrust of the initial legislation was to provide "adequate safeguards against invasion of this field by professional gamblers or other unwholesome influences."

The "field," as it were, was limited by the constitution to bona fide organizations or associations of veterans, religious congregations, religious organizations, charitable organizations, educational organizations, fraternal organizations, civic and service clubs, volunteer fire companies, volunteer first aid squads, and volunteer rescue squads. In 1972, the Constitution was again amended to extend the bingo privilege to "senior citizen organizations" which are entitled to a "special license" from the municipality, and are not subject to the "Bingo Licensing Law." The entire proceeds of the games conducted by the aforementioned are required to be devoted to educational, charitable, patriotic, religious, or public-spirited uses.

While the legislation which authorized bingo and raffles in 1954 provided the "adequate safeguards," it has been the Legalized Games of Chance Control Commission,

also created by the same legislation, which has fulfilled its responsibility in maintaining these safeguards over the years. Notwithstanding, in 1958 a Senate committee investigated certain complaints regarding the administration of the Legalized Games of Chance Control Commission, the investigation in large part dealt with matters which appear to have been peculiar to the character and methods of the then executive director. Needless to say, the Legalized Games of Chance Control Commission has not been perfect and there are still valid complaints heard today. But these do not detract from the overall excellence of the job done by the Commission and its staff over the last 23 years.

The Legalized Games of Chance Control Commission is a five-member, bi-partisan arm of the executive department, appointed by the Governor, with the advice and consent of the Senate, whose members serve five-year terms. The principal duties of the Commission are to supervise the administration of the Bingo and Raffles Licensing Laws and to adopt, amend, and repeal rules and regulations governing the issuance and amendment of licenses and the holding, operating, and conducting of games of chance under such licenses.

Applications for bingo and raffles licenses are made to the various municipal governing bodies which investigate and determine if an applicant is qualified. Municipal governing bodies also exercise supervision and control over such games of chance to the extent that they are operated and conducted in accordance with the provisions of the license, and the laws, rules, and regulations applicable thereto. Copies of all applications for bingo and raffles licenses are forwarded by the municipal clerk to the Control Commission where they are processed to insure compliance with the requirements of the law. During fiscal year 1974-75, a total of 8,443 bingo and raffles applications were received and so processed.

The following tables, derived from the 1975 Report of the Legalized Games of Chance Control Commission, indicate the magnitude of the participation in, the income realized from, and the growth of legalized games of chance since 1954.

GAMES OF CHANCE INCOME SINCE 1954
BY TYPE OF ORGANIZATION

<u>TYPE</u>	<u>INCOME</u>	<u>%</u>
Church	\$ 459,981,416	37.8
Religious Organization	226,260,728	18.6
Educational	155,879,877	12.0
Volunteer Fire Company	127,411,868	10.5
Charitable	65,477,431	5.3
Veteran	58,356,294	4.8
Religious Congregation	41,019,869	3.4
Fraternal	39,221,324	3.2
Civic and Service	27,225,729	2.2
First Aid Squad	13,596,262	1.1
Rescue Squad	3,423,375	0.2
Senior Citizens (Bingo Only)	12,163	.0
TOTAL	\$ 1,217,866,336	

BINGO AND RAFFLES INCOME BY YEAR SINCE 1954

<u>YEAR</u>	<u>BINGO</u>	<u>RAFFLES</u>	<u>TOTAL</u>
1954	\$ 6,754,520	\$ 1,892,882	\$ 8,647,402
1955	12,797,156	3,851,613	17,648,769
1956	16,999,612	5,852,505	22,852,117
1957	18,437,088	6,555,542	24,992,630
1958	21,096,718	7,327,142	28,423,860
1959	23,391,858	7,433,838	30,825,696
1960	28,232,128	8,482,635	36,714,763
1961	29,798,824	9,017,088	38,815,912
1962	33,721,057	9,591,373	43,312,430
1963	38,844,161	9,958,373	48,802,534
1964	42,859,305	10,283,887	53,143,192
1965	46,543,020	10,922,819	57,465,839
1966	51,888,160	11,596,906	63,485,066
*1967 (Jan. - June)	26,972,173	4,737,275	31,709,448
1968	57,417,724	11,201,640	68,619,364
1969	61,685,502	12,866,704	74,552,206
1970	64,521,940	12,115,013	76,636,953
1971	70,030,937	14,009,064	84,040,001
1972	75,655,131	14,275,589	89,930,720
1973	85,108,723	16,662,264	101,770,987
1974	87,458,989	16,862,727	104,321,716
1975	93,549,474	17,604,940	111,154,414
	\$ 994,755,200	\$ 223,101,819	\$ 1,217,866,340

FISCAL YEAR 1974-75 GROSS RECEIPTS BY ORGANIZATION

<u>ORGANIZATION</u>	<u>BINGO RECEIPTS</u>	<u>%</u>	<u>RAFFLES RECEIPTS</u>	<u>%</u>	<u>TOTAL RECEIPTS</u>
Church	\$ 31,364,066	33.5	\$ 5,199,339	29.6	\$ 36,563,405
Religious Organization	19,679,180	21.0	2,256,758	12.8	21,935,938
Educational	15,978,581	17.0	3,889,628	22.1	19,868,208
Volunteer Fire Company	9,961,263	10.6	954,244	5.4	10,915,507
Religious Congregation	4,181,607	4.5	372,354	2.2	4,553,961
Charitable	3,795,628	4.0	2,637,062	14.9	6,432,690
Veterans	3,306,886	3.5	134,021	1.0	3,490,907
Fraternal	2,229,100	2.4	581,013	3.3	2,810,113
Civic and Service	1,453,418	1.5	1,392,858	7.9	2,846,277
First Aid Squad	1,385,131	1.5	117,163	0.7	1,502,294
Rescue Squad	204,885	0.2	20,500	0.1	225,385
Senior Citizens	<u>9,729</u>	.0			<u>9,729</u>
TOTAL	\$ 93,549,474		\$ 17,604,940		\$111,154,414

IV. Bingo and Raffles Study Commission Activities

In order to fulfill the mandate initially imposed upon it by Senate Concurrent Resolution No. 117 of 1974, and subsequently Senate Concurrent Resolution No. 65, the Bingo and Raffles Study Commission commenced on November 7, 1975 a series of three public hearings which was followed up by the dissemination of a 14-point questionnaire to some 1,400 bingo licensees throughout the State.

A. Public Hearings

The public hearing of November 7, 1975 was held at the Bergen County Administration Building in Hackensack. Hearing No. 2 was held on February 13, 1976 in Pollak Memorial Auditorium on the campus of Monmouth College. The third and final public hearing was conducted on December 10, 1976 in the Assembly Chambers of City Hall in Jersey City.

In all three cases, the hearings were publicized well in advance via releases to the State House press corps in Trenton. In addition, notices were mailed to as many organizations as possible which were listed by the Legalized Games of Chance Control Commission as active conductors of bingo in the respective areas, and were distributed to all of the daily and weekly newspapers in the respective areas.

The hearings were, for the most part, well-attended. The Commission heard not only from representatives of organizations engaged in the conduct of games of chance and commercial interests that profit from the rental of facilities and equipment for such games, but also from an array of citizens who are interested in making the games better both for participants as well as the organi-

zations which use the proceeds for the worthy causes for which they are intended. As noted in the Letter of Transmittal, almost all of the testimony presented to the Commission was related to bingo, with little attention being paid to raffles. The report and the Commission recommendations are, therefore, concerned only with the former, with no intention, however, of diminishing in any way the importance of raffles in the scheme of charitable fund raising.

Needless to say, the suggestions for modifying, supplementing, or eliminating aspects of the statutory and regulatory bingo control mechanism were virtually as numerous as the number of witnesses before the Commission. Proposals ran the gamut from the mere frivolous to concrete suggestions deserving of consideration. Most were of a nature which would help those organizations which conduct bingo games to promote worthy causes, while some were obviously of a self-serving nature designed to help limited commercial or personal interests.

B. Questionnaire

In order to make the data gathered more manageable, the Commission directed its staff to review the testimony and to prepare a preliminary list of those suggestions which not only deserved further attention, but also were within the capacity of the Commission to effectuate positive change through legislation. Staff was directed, for example, to eliminate proposals which had limited interest, both from a commercial or personal standpoint, as well as suggestions which properly fell within the purview of the regulatory functions of the Legalized Games of Chance Control Commission.

From the preliminary list prepared by its staff, the Commission identified 14 proposals which it deemed worthy of further input. These suggestions were then posed in the form of a survey or questionnaire which was distributed to 1,400 bingo licensees throughout the State. On the basis of 779 returns received (a 56% response) and testimony received at the public hearings, the Commission decided to recommend to the Legislature the following items of legislation.

1. Organizations licensed to conduct bingo games should be permitted to transport senior citizens and physically handicapped persons to the games.

This recommendation received less support, albeit 60%, than any of the other recommendations endorsed by the Commission. The principal argument against it is that the less affluent bingo licensees would be at a competitive disadvantage because of their financial inability to provide transportation. The Commission believes, however, that the interests of the senior citizens and handicapped persons far outweigh any competitive advantage or disadvantage it may cause various bingo licensees.

2. The advertising of bingo games should be legalized.

In a day and age when other forms of legalized gambling sponsored by public entities are publicized in many of the mass media, the present statutory prohibition on the advertising of bingo games appears to be unrealistic, not to mention discriminatory. Even though it may again be argued that the more prosperous bingo licensees would benefit most by allowing advertising, the Commission agrees with the 73% affirmative response to the survey to the effect that the time has come to remove restrictions and to permit a broader dissemination

of information about the prospective holding of bingo games.

3. Bingo should be permitted on Sunday without prior approval by a municipality.

Many municipalities throughout the State have enacted ordinances permitting bingo games on Sunday, while others have placed charitable organizations within their boundaries at a competitive disadvantage by causing bingo players who want to play bingo on Sunday to seek such games in other jurisdictions. The Commission emphasizes that bingo is allowed by the Constitution to help worthwhile causes. It, therefore, seriously questions a statutory prohibition which prevents these worthwhile causes from being served on Sunday.

4. Members of an organization licensed to conduct bingo games should be allowed to work bingo games sponsored by licensed, affiliated organizations.

One of the common complaints aired at the Public hearings is that many organizations which depend upon affiliated licensees to bring in much-needed revenues through bingo games find it difficult to recruit enough volunteers to work all of their games. These organizations contend, however, that, if it were legal, they could call upon a hard-core cadre of dedicated persons who would be more than willing to work any and all games which their organizations rely upon for income.

The argument against this policy over the years has been that it would lead to abuse and would result in the existence of "paid professionals" who would eventually work for or run bingo games for personal profit. The Commission recognizes that this possibility does exist. But it also recognizes that many organizations would fold and worthy causes would be lost if it were not for the revenue produced by bingo games. It is, therefore, unconscionable at this point in time to continue a

restriction which had some validity 23 years ago, but which today does not reflect the needs of organizations which rely on bingo to carry on their good works.

5. Reports of bingo receipts should be required monthly, as opposed to 15 days, as required by law, and these reports should not have to be notarized.

Concern with paperwork and red tape seemed to be a preoccupation among most of those persons who testified on the bingo regulatory scheme. The Commission believes that most of the "paperwork and red tape" is necessary and desirable to insure the integrity of the games. It believes, however, that some moderations are warranted and, therefore, endorses the suggestion that reports of bingo receipts be required monthly, rather than 15 days after the completion of the games as now required. It also believes that the requirement that these reports be notarized places an additional and unnecessary financial burden on the bingo licensee which he really need not have to bear. It should be sufficient to require the signature of an officer of the licensed organization and the member in charge of the game for which the report is made.

6. Notices required to be posted by licensees in the premise where bingo is played shall not be required to bear the name of the members in charge.

It was brought to the attention of the Commission that on certain occasions persons in charge of bingo games have been mugged and robbed while leaving the premises where the games are held. It is believed by many that the posting of the names of such members on a notice, as required by regulation, has contributed to this situation. The Commission, therefore, recommends that the regulatory requirement be eliminated.

As noted in the Letter of Transmittal, there are two areas of interest where the Commission believes further study is needed, but where the resources of the Commission were not such as to allow for the required analysis. One is concerned with the limited purposes for which bingo revenues can be used, whereas the other is concerned with the possible authorization of limited house rules which are now prohibited. Here again, as was done in the Letter of Transmittal, the Commission urges the Legalized Games of Chance Control Commission to initiate a review of both of these areas and to recommend modifications to the Legislature if they are warranted.

The responses to the Commission's survey in five areas were extremely negative, and, in three of these areas, the preponderance of opinion, unlike that in the transportation of senior citizens area, was to oppose the larger, more prosperous bingo licensees being allowed to gain a competitive advantage over smaller, less prosperous licensees. This advantage would occur, it was felt, if (1) maximum bingo prizes were increased (23% supported this), (2) organizations were allowed to provide free refreshments (31% favored this), and (3) organizations were allowed to pay their member-volunteers for working bingo games (43% were in favor). The Commission agreed with the overwhelming majority and decided to leave the laws and regulations with respect thereto unchanged.

Finally, the Commission found no merit in reducing the age to 16 for persons to participate in bingo games, and also agreed with the proposition that permitting two or more unaffiliated organizations to hold games at the same place on the same day would only work to the financial benefit of those entrepreneurs who are in the business of renting bingo halls for their own profit.

JOHN M. SKEVIN
CHAIRMAN
CHRISTOPHER J. JACKMAN
VICE CHAIRMAN
WAYNE DUMONT, JR.
WILLIAM V. MUSTO
VINCENT O. PELLECCIA
C. GUS RYS

THOMAS E. LEACH
SECRETARY



State of New Jersey

BINGO AND RAFFLES STUDY COMMISSION

STATE HOUSE
TRENTON, NEW JERSEY 08625
TELEPHONE: (609) 292-5526

18.

May 25, 1977

Dear Licensee:

Enclosed is a survey which I would appreciate your filling out and returning in the enclosed self-addressed envelope by July 1, 1977.

During 1975 and 1976, the Bingo and Raffle Study Commission, established in 1974, held a number of public hearings to get public opinion regarding the law and regulations which now govern the conduct of bingo games and raffles. Almost all of the opinions we received had to do with bingo.

The survey before you is made up of those suggestions which were made most frequently and which we believe to be proper subjects of legislative concern. You may feel that other proposals should be considered further, but the line had to be drawn at some point for the Commission to present an initial body of recommendations to the Legislature.

Perhaps you did not attend or were not aware of our hearings. Now is your chance to participate. I ask you please, however, to refrain from making written comments. We already have lots of written and verbal commentary.

Your cooperation in this matter will certainly be appreciated. Let us hope that the result will be a good one for the multitude of bingo players throughout New Jersey.

Sincerely,

A handwritten signature in cursive script that reads "John M. Skevin".

John Skevin
Chairman

JMS:eh
Enclosures

BINGO AND RAFFLES STUDY COMMISSION

19.

QUESTIONNAIRE

NAME OF ORGANIZATION: _____

LICENSE NUMBER: _____

ADDRESS OF ORGANIZATION: _____

NUMBER OF MEMBERS IN ORGANIZATION: _____

AVERAGE NUMBER OF PLAYERS PER GAME: _____

AVERAGE NUMBER OF GAMES PER YEAR: _____

	YES	NO
1. The legal age for bingo playing should be lowered to 16.	28%	72%
2. Organizations should be allowed to transport senior citizens to games.	60%	40%
3. Maximum bingo prizes should be increased.	23%	77%
4. Bingo reports should be made monthly, rather than 15 days after each game.	82%	18%
5. Organizations should be allowed to use some of their proceeds for municipal taxes and maintenance.	59%	31%
6. Notarizing bingo reports should not be required.	71%	29%
7. Two or more unaffiliated organizations should be able to hold games at the same place on the same day.	28%	72%
8. It should be legal to advertise bingo games.	73%	27%
9. Sunday bingo should be permitted by State law.	66%	34%
10. List of workers should not be posted for public consumption.	67%	33%
11. Organizations should be allowed to provide free refreshments, such as coffee and pastry.	31%	69%
12. Organization's members should be permitted to work any bingo games sponsored by their organization because of the lack of volunteers.	88%	12%
13. Organizations should be able to compensate their own member-volunteers.	43%	57%
14. Limited house rules, such as reserved seats and the buying of extra cards for someone parking a car, should be permissible.	67%	33%

PLEASE RETURN BY JULY 1, 1977

ARTICLE 1. LEGALIZED GAMES OF CHANCE
CONTROL COMMISSION

20.

5:8-1. Commission created; members

There is hereby constituted the "Legalized Games of Chance Control Commission," in the Department of Law and Public Safety, which shall consist of five citizens of the State, who are not holders of any public office, and who shall be appointed by the Governor, with the advice and consent of the Senate, not more than three of whom shall be members of any one political party.

5:8-1.1 Method of transfer of commission to Department of Law and Public Safety

The transfer of the commission to the Department of Law and Public Safety as provided by this act shall be effected pursuant to the "State Agency Transfer Act," P.L.1971, c. 375 (C. 52:-14D-1 et seq.).

5:8-2. Terms of office

The first members of the commission shall be appointed, 1 for 1 year, 1 for 2 years, 1 for 3 years, 1 for 4 years and 1 for 5 years, and their successors shall be appointed for terms of 5 years, and the members may hold over and serve on the commission after the termination of their respective terms, until their respective successors are appointed and shall qualify.

5:8-3. Vacancies

Vacancies created by expiration of term or otherwise shall be filled in the same manner as the original appointments were made, but for the unexpired terms only, notwithstanding that the previous incumbents may be holding over in office.

5:8-4. Compensation; expenses

The members of the commission shall serve without compensation but shall be entitled to be reimbursed for their actual expenses within the limits of available appropriations.

5:8-5. First meeting; organization

The commission shall hold its first meeting at the call of the Governor and shall organize by electing a chairman and appointing a secretary who may or may not be a member of the commission.

5:8-6. Duties of commission; rules and regulations; forms

It shall be the duty of the commission to supervise the administration of the Bingo Licensing Law and the Raffles Licensing Law and to adopt, amend and repeal rules and regulations governing the issuance and amendment of licenses thereunder and the holding, operating and conducting of games of chance under such licenses and establishing schedules of rentals which may be paid for the leasing of equipment for use in or in connection with the holding, operating or conducting of any game or games of chance authorized to be held, operated or conducted under the Raffles Licensing Law, which shall have the force of law and shall be binding upon all municipalities issuing licenses under either or both of said laws and upon all licensees thereunder and lessors of equipment to licensees, to the end that such licenses shall be issued to qualified licensees only and that said games of chance shall be fairly and properly conducted for the purposes and in the manner in said laws prescribed and to prevent the games of chance authorized to be conducted by said laws from being conducted for commercial purposes instead of for the purposes authorized in said laws, and in order to provide uniformity in the administration of said laws throughout the State, the commission shall prescribe forms of applications for licenses, licenses, amendment of licenses, reports of the conduct of games and other matters incident to the administration of said laws. The commission shall have power also to approve any person, persons or corporation, applying to it for approval, to lease any equipment for use in or in connection with the holding, operating or conducting of any game or games of chance authorized to be held, operated or conducted under the Raffles Licensing Law as to such person's or persons' good moral character and freedom from conviction of crime or, if a corporation, as to the good moral character and freedom from conviction of crime of all of its officers and each of its stockholders who hold 10% or more of its stock issued and outstanding, and any such application may be disapproved by the commission after hearing and due notice thereof if it shall find that the applicant is not of good moral character and free from conviction of crime as hereinbefore prescribed.

5:8-7. Filing and availability of rules and regulations

A copy of every rule and regulation adopted and promulgated by the commission shall be filed in the office of the Secretary of State before it shall become effective and copies thereof shall be made available to the various municipalities operating under said laws.

5:8-8. Investigations

The commission shall conduct investigations of the administration of said laws in such of the municipalities of this State as it shall deem desirable and as shall serve to furnish a cross section of all of the municipalities operating under said laws in this State and shall receive and investigate complaints as to violations and evasions of said laws in any municipality or municipalities.

5:8-9. Suspension and revocation of licenses

The commission shall have power to suspend and revoke licenses, after hearing, for violation of the law under which the license is issued or for violation of any provision of the rules and regulations adopted and promulgated by the commission.

5:8-10. Institution of prosecutions

The commission shall have power to institute prosecutions for the punishment of violations of either of said laws.

5:8-11. Appeals

The commission shall hear appeals from the determinations and action of the municipal governing bodies in connection with the refusal to issue licenses and the suspension and revocation of licenses in the manner prescribed in said laws and the action and determination of the commission upon any such appeal shall be binding upon the municipal governing body and all parties thereto.

5:8-12. Continuous study of operation of licensing laws

It shall be the duty of the commission to carry on continuous study and investigation of the operation of the Bingo Licensing Law¹ and the Raffles Licensing Law,² and the administration thereof by the several municipalities of the State, throughout the State, for the purpose of ascertaining from time to time any defects in said laws, which may be discovered, by reason whereof any abuses in the administration thereof and any evasions of the terms thereof may arise or be practiced, and for the purpose of formulating and recommending improvements and changes in said laws and in any other laws of the State, which the commission may determine to be desirable to prevent such abuses and evasions and to guard against the use of said laws as a cloak for the carrying on of organized gambling and crime, and to insure that said laws shall be in such form and be so administered as to serve the true purposes for which they were enacted, namely the operation and conduct of the games of chance therein described for educational, charitable, patriotic, religious or public spirited uses only.

5:8-13. Continuous study as to similar laws of other states

The commission shall make a continuous study and investigation also of the operation and administration of similar laws which may be in effect in other States of the United States, and of any literature on the subject which from time to time may be published or be available.

5:8-14. Place of investigations and hearings; witnesses; books and documents

The majority of the members of the commission may hold investigations and hearings within or without the State and shall have power to compel the attendance of witnesses, the production of books and documents relating to transactions connected with the holding and conducting of games of chance under either or both of said laws, and transactions, relating thereto, with those conducting the same, by the issuance of subpoena signed by the chairman of the commission, which may be served by any person of full age.

5:8-15. Incriminating evidence

No person shall be excused from testifying or producing any book or document in any investigation or hearing, when ordered so to do by the members of the commission holding the same, upon the ground that testimony or documentary evidence required of him may tend to incriminate or subject him to penalty or forfeiture, but no person shall be prosecuted, punished or subjected to any penalty or forfeiture on account of any matter or thing concerning which he shall, under oath, have testified or produced documentary evidence, except that he shall not be exempt from prosecution or punishment for any perjury committed by him in his testimony.

5:8-16. Application to judge for show cause order

If a person subpoenaed to attend in any such investigation or hearing fails to obey the command of the subpoena without reasonable cause, or if a person in attendance in any such investigation or hearing refuses, without lawful cause, to be examined or to answer a legal or pertinent question or to exhibit any book, account, record or other document when ordered so to do by the commissioners holding such investigation or hearing, the commission may apply to any judge of the Superior Court, upon proof by affidavit of the facts, for an order returnable in not less than 2 nor more than 10 days directing such person to show cause before the judge why he should not comply with such subpoena or such order.

5:8-17. Examination and determination by judge; order; contempt

Upon return of the order, the judge before whom the matter shall come on for hearing shall examine such person under oath, and if the judge shall determine, after giving such person an opportunity to be heard, that he refused without legal excuse to comply with such subpoena or such order of the commissioners holding such investigation, the judge may order such person to comply therewith forthwith and any failure to obey the order of the judge may be punished as a contempt of the Superior Court.

5:8-18. Privilege from arrest

A witness shall be privileged from arrest, in all civil actions and no other, during necessary attendance before the commission, at any place required by subpoena previously duly served, and during his going to and returning therefrom, allowing one day for every 30 miles from his place of residence.

5:8-19. Payment of witness fees

Every witness shall be entitled to be paid for attendance or attendance and travel by the party on whose behalf he is subpoenaed, at the rates prescribed by law, before being required to testify.

5:8-20. Amount of witness fees

Each witness attending any hearing or investigation shall be entitled to the following fees:

- a. In his own county, per day of attendance, 50 cents;
- b. From a foreign county, at the rate of \$1.00 per day, together with, for each day of attendance, an allowance of \$1.00 for every 30 miles of travel in going to the place of attendance from his place of residence and in returning.

5:8-21. Expenses and personnel

The commission is authorized to incur such necessary expenses, and engage and appoint an executive officer and such competent and expert advisors, and clerical and stenographic assistants and investigators, as it may deem necessary to the proper performance of the purpose of this act, and may fix their compensation and that of its secretary, if he is not a member of the commission, within the limits of any sums appropriated or made available to it for such purposes. No investigator employed by the commission need be employed in accordance with the provisions of, or shall be in any manner subject to, the provisions of Title 11, Civil Service, of the Revised Statutes.

5:8-22. Municipalities to file copies of ordinances;
reports

Each municipality, in which the Bingo Licensing Law or the Raffles Licensing Law, or both, shall be adopted, shall file with the commission a copy of each ordinance enacted pursuant thereto within 10 days after the same is adopted, and on or before February 1 of each year, and at any other time or times which the commission may determine make report to the commission of the number of licenses issued therein under each of said laws, the names and addresses of the licensees, the aggregate amount of license fees collected, the names and addresses of all persons detected of violation of each of said laws or of the rules and regulations adopted by the commission pursuant hereto, and of all persons prosecuted for such violations and the result of each such prosecution, and the penalties imposed therein, during the preceding calendar year, or the period for which the report is required, which report may contain any recommendations for improvement of said laws or the administration thereof, which the governing body of the municipality shall deem to be desirable.

5:8-23. Reports and recommendations by commission

The commission shall report to the Governor, the President of the Senate and the Speaker of the General Assembly annually with its recommendations, if any, and if in the meantime it shall discover any matters which shall require immediate change in said laws of this State, in order to prevent abuses and evasions thereof or rectify undesirable conditions in connection with the administration thereof, the commission shall make an interim report immediately to the Governor, to the President of the Senate and to the Speaker of the General Assembly with its recommendations in order to afford opportunity for the Legislature to take immediate action thereon, if such action appears to be necessary.

ARTICLE 2. BINGO

5:8-24. Short title

This act shall be known as and may be cited as the "Bingo Licensing Law."

5:8-25. Authority to license certain organizations;
description of games; disposition of proceeds;
rights of licensees

It shall be lawful for the governing body of any municipality, at any time after this act shall become operative within such municipality and except when prohibited by this act, to license bona fide organizations or associations of veterans of any war in which

the United States has been engaged, churches or religious congregations and religious organizations, charitable, educational and fraternal organizations, civic and service clubs, senior citizen associations and clubs, officially recognized volunteer fire companies, and officially recognized volunteer first aid or rescue squads, to hold and operate games of chance of, and restricted to, the specific kind of game of chance commonly known as bingo or lotto played for prizes with cards bearing numbers or other designations, five 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, by selling shares or tickets or rights to participate in such games and by conducting the games accordingly, 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, and for any such organization, association, church, congregation, society, club, fire company, first aid or rescue squad, or senior citizen association or club, when so licensed, to hold, operate and conduct such games of chance by its active members pursuant to this act and such license, and under such conditions and regulations for the supervision and conduct thereof as shall be prescribed by rules and regulations duly adopted from time to time by the Legalized Games of Chance Control Commission, hereinafter designated as the control commission, not inconsistent with the provisions of this act, but only when the entire net proceeds thereof are devoted to the uses aforesaid and for any person or persons to participate in and play such games of chance conducted under any such license.

5:8-25.1. Issuance of special licenses to certain senior citizen associations or clubs; conditions

The governing body of any municipality shall issue a special license to any senior citizen association or club desiring to hold, operate and conduct games of chance solely for the purpose of amusement and recreation of its members. Said special license shall be valid only for those games of chance held, operated and conducted where no player or other person furnishes anything of value for the opportunity to participate; the prizes awarded or to be awarded are nominal; no person other than a bona fide active member of the organization participates in the conduct of the games; and no person is paid for conducting or assisting in the conduct of the game or games. Said special license shall be issued under this act without fee and shall be effective for a period of 2 years.

5:8-25.2. Holders of special licenses not subject to certain provisions

Senior citizen associations or clubs holding, operating and conducting games of chance solely for the amusement and recreation of its members under said special license shall not be subject to the provisions of the act to which this act is a supplement.

5:8-26. Application for license

Each applicant for such a license shall file with the clerk of the municipality a written application therefor in the form prescribed in said rules and regulations, duly executed and verified, in which shall be stated the name and address of the applicant together with sufficient facts relating to its incorporation and organization to enable the governing body of the municipality to determine whether or not it is a bona fide organization or association of veterans of any war in which the United States has been engaged or a church or a religious congregation or religious organization or a charitable, educational or fraternal organization, or a civic or service club, or a senior citizen association or club, or an officially recognized volunteer fire company or an officially recognized volunteer first aid or rescue squad; the names and addresses of its officers; the specific kind of games of chance intended to be held, operated and conducted by the applicant, and the place or places where, the date or dates and the time or times when, such games of chance are intended to be held, operated and conducted, by the applicant, under the license applied for; the items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such games of chance and the names and addresses of the persons to whom, and the purposes for which, they are to be paid; the specific purposes to which the entire net proceeds of such games of chance are to be devoted and in what manner; that no commission, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting such game or games of chance or for assisting therein except as in this act otherwise provided; and that no prize or aggregate of prizes will be offered and given under said license of a value in excess of the sum or value authorized to be offered and given by this act and a description of all prizes to be offered and given in all such games of chance to be held, operated and conducted under such license and such other information as shall be prescribed by such rules and regulations.

In each application there shall be designated an active member or members of the applicant organization under whom the game or games of chance described in the application are to be held, operated and conducted and to the application shall be appended a statement executed by the applicant and by the member or members so designated, that he or they will be responsible for the holding, operation and conduct of such games of chance in accordance with the terms of the license and the provisions of the rules and regulations governing the holding, operation and conduct of such games of chance and of this act, if such license is granted.

In event that any premises, upon which any such game of chance is to be held, operated or conducted or which is to be used for any other purpose in connection with the holding, operating or conducting thereof, is to be leased from any person, persons or corporation, a written statement shall accompany the application signed and verified under oath by such person or persons or executed and verified under oath on behalf of such corporation, stating his or its address and the amount of rent which will be paid for said premises and that such lessor or lessors, or if a corporation all of its officers and each of its stockholders who hold 10% or more of its stock issued and outstanding, are of good moral character and have not been convicted of crime.

5:8-27. Investigation; matters to be determined; issuance of licenses; fees; duration of license

The governing body of the municipality shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application, and if it shall determine that the applicant is duly qualified to be licensed under this act to hold, operate and conduct games of chance under the provisions of this act and the rules and regulations governing the holding, operation and conduct thereof in the municipality; that the member or members of the applicant designated in the application to hold, operate or conduct the games of chance, to hold, operate and conduct which the license is applied for, are bona fide active members of the applicant and are persons of good moral character and have never been convicted of crime; that such games of chance are to be held, operated and conducted in accordance with the provisions of this act and in accordance with the rules and regulations governing the holding, operation and conduct thereof and that the proceeds thereof are to be disposed of as provided by this act, and if the governing body is satisfied that no commission, salary, compensation, reward or recompense whatever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation or conduct of any such game of chance except as in this act otherwise provided; and that no prize will be offered and given in excess of the sum or value of \$250.00 in any single game of chance, and that the aggregate of all prizes offered and given in all such games of chance, held, operated and conducted on a single occasion, under said license shall not exceed the sum or value of \$1,000.00, it shall issue a license to the applicant for the holding, operation and conduct of the specific kind of games of chance applied for, accordingly, upon payment of a license fee or fees of \$10.00 for each occasion upon which any game or games are to be conducted under such license, of which fee \$5.00 for each occasion upon which any game or games are to be conducted under such license shall be remitted to the municipality in which the application is filed and the remaining \$5.00 for each such occasion shall be remitted to the Treasurer of the State of New Jersey.

No license for the holding, operation and conduct of any game or games of chance shall be issued under this act which shall be effective for a period of more than 1 year.

5:8-28. Hearing; amendment of license

No application for the issuance of a license shall be refused by the governing body until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

Any license issued under this act may be amended, upon application made to the governing body of the municipality which issued it, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license and upon payment of such additional license fee, if any, as would have been payable, if it had been so included.

5:8-29. Form and contents of license; display of license

Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the control commission and shall contain a description of the kind of games of chance authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the member or members of the licensee under whom such games of chance will be held, operated and conducted, of the number of times, or the hours during which, such games of chance are authorized to be conducted and the place or places where and the date or dates and time or times when, such games of chance are to be conducted and of the specific purposes to which the entire net proceeds of such games of chance are to be devoted; if any prize or prizes are to be offered and given in cash, a statement of the amounts of the prizes authorized so to be offered and given; and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of chance shall be conspicuously displayed at the place where the same is to be conducted at all times during the conduct thereof.

5:8-30. Control and supervision; suspension of licenses; inspection of premises

The governing body of any municipality issuing any license under this act shall have and exercise control and supervision over all games of chance held, operated or conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of such license, the rules and regulations promulgated by the control commission and the provisions of this act governing the holding, operation and conduct of the same and such governing body and the control commission shall have power and authority to suspend any license issued by such governing body and to revoke the same, after hearing, for any violation of any such provision, and shall have the right of entry, by their respective officers and agents at all times into any premises where any such game of chance is being held, operated and conducted or where it is intended that any such game of chance shall be held, operated and conducted, or

where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

5:8-31. Sunday; conduct of games on

No games of chance shall be conducted under any license issued under this act on the first day of the week, commonly known and designated as Sunday, unless it shall be otherwise provided in the license issued for the holding, operating and conducting thereof, pursuant to the provisions of an ordinance duly adopted by the governing body of the municipality issuing the license, authorizing the conduct of such games of chance under this act on said day.

5:8-32. Participation by persons under 18

No person under the age of 18 years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to any license issued under this act.

5:8-33. Frequency of games; sale of alcoholic beverages

No game or games of chance shall be held, operated or conducted under any license issued under this act oftener than on 6 days in any one calendar month, or in any room or outdoor area where alcoholic beverages are sold or served during the progress of the game or games.

5:8-34. Operation and conduct of games; equipment; expenses; compensation

No person shall hold, operate or conduct any game or games of chance under any license issued under this act except an active member of the organization, association, church, congregation, society, club, fire company, first aid or rescue squad, or senior citizen association or club to which the license is issued, and no person shall assist in the holding, operating or conducting of any game or games of chance under such license except such an active member or a member of an organization or association which is an auxiliary to the licensee or a member of an organization or association of which such licensee is an auxiliary or a member of an organization or association which is affiliated with the licensee by being, with it, auxiliary to another organization or association and except bookkeepers or accountants as hereinafter provided, and no such game of chance shall be conducted with any equipment except such as shall be owned absolutely or used without payment of any compensation therefor by the licensee, and no item of expense shall be incurred or paid in connection with the holding, operating or conducting of any game of chance, held, operated or conducted pursuant to any license issued under this act, except such as are bona fide items of reasonable amount for goods, wares and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof, under any circumstances whatever; no rental shall be paid for the use of any premises for holding,

operating or conducting any such game of chance thereon or for any other purpose in connection with the holding, operating or conducting thereof unless the amount of such rental is stated in a statement annexed to the application for the license as provided in section 3 of this act or which is in excess of the sum stated as the rental to be charged therefor in such a statement; and no commission, salary, compensation, reward or recompense whatever shall be paid or given, directly or indirectly, to any person holding, operating or conducting, or assisting in the holding, operation or conduct of, any game of chance so held, operated or conducted, except that reasonable compensation may be paid to bookkeepers or accountants for bookkeeping or accounting services rendered according to a schedule of compensation prescribed by rule of the Legalized Games of Chance Control Commission.

5:8-35. Charge for admission and participation; amount of prizes; award of prizes

No more than \$1.00 shall be charged by any licensee for admission to any room or place in which any game or games of chance are to be held, operated and conducted under any license issued under this act, which admission fee, upon payment thereof, shall entitle the person paying the same to a card entitling him to participate without additional charge in all regular games of chance to be played under such license on such occasion, and no charge in excess of \$1.00 shall be made for a single opportunity to participate in all special games to be played under such license on such occasion. No prize greater in amount or value than \$250.00 shall be offered or given in any single game conducted under any such license and the aggregate amount or value of all prizes offered and given in all games played on a single occasion shall not exceed \$1,000.00, and all winners shall be determined and all prizes shall be awarded in any game played on any occasion within the same calendar day as that upon which the game is played.

5:8-36. Advertising games

No game of chance to be conducted under any license issued under this act shall be advertised as to its location, the time when it is to be or has been played, or the prizes awarded or to be awarded, by means of newspapers, radio, television or sound truck, or by means of billboards, posters or handbills or any other means addressed to the general public, except that 1 sign not exceeding 60 square feet in area may be displayed on or adjacent to the premises where the game will be played and an additional similar sign may be displayed on or adjacent to the premises where the prize or prizes are displayed and additional signs may be displayed upon any fire fighting equipment belonging to any licensee, which is a volunteer fire company or upon any first-aid or rescue squad equipment belonging to any licensee, which is a first-aid or rescue squad, in and throughout the community or communities served by such volunteer fire company or such first-aid or rescue squad, as the case may be.

5:8-37. Statement of receipts, expenses, etc.

Within 15 days after the conclusion of the holding, operating and conducting of any such game of chance, the organization, association, church, congregation, society, club, fire company, or first-aid or rescue squad which held, operated or conducted the same, and its members who were in charge thereof, shall furnish to the clerk of the municipality a duly verified statement showing the amount of the gross receipts derived from each game of chance, which shall include receipts from the sale of shares, tickets or rights in any manner connected with participation in said game or the right to participate therein, each item of expense incurred, or paid, and each item of expenditure made or to be made, name and address of each person to whom each such item has been, or is to be paid, with a detailed description of the merchandise purchased or the services rendered therefor, the net profit derived from each such game of chance, and the uses to which such net profit has been or is to be applied and a list of prizes offered and given, with the respective values thereof and it shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

5:8-38. Examination of books and records; examination of personnel; disclosure of information

The governing body of the municipality and the control commission shall have power to examine or cause to be examined the books and records of any organization or association, church, congregation, society, fire company, first aid or rescue squad, or senior citizen association or club to which any such license is issued so far as they may relate to any transactions connected with the holding, operating and conducting of any game of chance thereunder and to examine any manager, officer, director, agent, member or employee thereof under oath in relation to the conduct of any such game of chance under any such license but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this act.

5:8-39. Appeals from governing body to Control Commission

Any applicant for, or holder of, any license issued or to be issued under this act aggrieved by any action of the municipal governing body of the municipality to which such application has been made or by which such license has been issued, may appeal to the control commission from the determination of said governing body by filing with the governing body a written notice of appeal within 30 days after the determination or action appealed from, and upon the hearing of such appeal the evidence, if any, taken before the governing body and any additional evidence may be produced and shall be considered in arriving at a determination of the matters in issue, and the action of the control commission upon said appeal shall be binding upon said governing body and all parties to said appeal.

5:8-40. Immunity from prosecution; exceptions

No person or corporation

- (1) lawfully conducting, or participating in the conduct of,
- (2) possessing, selling or in any manner disposing of, any shares, tickets or rights to participate in, or
- (3) permitting the conduct upon any premises owned by him or it, of, any game of chance conducted or to be conducted under any license lawfully issued pursuant to this act, shall be liable to prosecution or conviction for violation of any provision of chapters 112 and 121 of Title 2A, or of section 2A:170-18 of the New Jersey Statutes, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any game of chance under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of, any game of chance conducted under any license known to him or it to have been obtained by any such false pretense or statement.

5:8-41. Offenses; disorderly persons; forfeiture of license; ineligibility to apply for license

Any person, association or corporation who or which shall make any false statement in any application for any such license or in any statement annexed thereto or shall pay any rental for the use of any premises for holding, operating or conducting any game of chance under this act or for any other purpose in connection with the holding, operating or conducting thereof, unless the amount of such rental is stated in a statement annexed to the application for the license as provided in section 3 of this act, or shall pay or receive any sum for such rental in excess of the sum stated as the rental to be charged therefor in such a statement, executed by him or on its behalf, or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating or conducting of games of chance under any such license or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operating and conducting of any game of chance under any such license or shall violate any of the provisions of this act or of any term of such license shall be a disorderly person and if convicted as such shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to it under this act and shall be ineligible to apply for a license under this act for 1 year thereafter.

5:8-42. Act inoperative until adopted by voters

The provisions of this act shall remain inoperative in any municipality unless and until the same shall be adopted by the legal voters of the municipality as herein provided.

5:8-43. Submission to voters; special ballots; voting machine; count, return and canvass

The question of the adoption of the provisions of this act, in the form set forth in section 22 of this act,¹ shall be submitted to the legal voters of every municipality in this State at a special election to be held therein at the same time as the primary election for the general election which will be held on the third Tuesday in April in the year 1954 in such manner that every voter qualified to vote at such special election upon said question may vote at said special election for or against such question separately and whether or not he is qualified to vote, or desires to vote, for any candidate on any party ballot to be voted at said primary election.

In every election district in which paper ballots are used the clerk of the municipality shall provide a sufficient number of special ballots to be voted separately upon said question at said special election by the voters who are qualified to vote upon said question whether or not they are qualified to vote, or desire to vote, for any candidate on any party ballot to be used at said primary election.

The special ballots shall be in such form as shall be determined by the clerk of the county in which the municipality is situated and shall so far as practicable correspond in form and detail to the provisions of Title 19, Elections, of the Revised Statutes but they shall not contain the names of any candidates to be voted upon at any such election.

The special ballots when voted shall be deposited by the election officers in either of the ballot boxes used at such election.

In election districts in which voting machines are used the officers charged with the duty of preparing and placing the ballots upon the machines shall cause the question to be so placed upon every machine used in such primary election that any voter qualified to vote upon said question may vote thereon separately in such special election whether or not he desires or is qualified to vote a party ballot at said primary election, and special voting authorities shall be provided for use in cases where they are required or are used in such form as shall be determined by the county board of elections of the county in which the respective municipalities are situated and which shall be furnished and paid for in the same manner as are other voting authorities used at said election.

All of the ballots cast at said election on said question in each municipality shall be counted and the result thereof shall be returned and canvassed in the manner provided by law in the case of public questions submitted in the several municipalities of this State.

5:8-44. Resubmission

In event that in any municipality a majority of all the votes cast both for and against the question shall be cast against the question at any election at which said question is submitted, said question may again be submitted to the legal voters of the municipality at a general election held not earlier than the date upon which the third general election, following the date of the election at which the question was submitted, is to be held, if there shall be filed with the clerk of the municipality not less than 45 days prior to such general election a petition requesting the submission of the same signed by at least 15% of the qualified legal voters of the municipality as evidenced by the total number of votes cast at the then next preceding general election held therein.

5:8-45. Form of official ballots

There shall be printed on each official ballot to be used at any election at which said question shall be submitted, the following:

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."

	Yes.	Shall the "Bingo Licensing Law" (P.L. 1954, c. . . .) be adopted within this municipality?
	No.	

The chapter number of this act shall be inserted in the appropriate blank in said question.

In any municipality in which voting machines are used, the question shall be placed upon the official ballots to be used upon the voting machines without the foregoing instructions to the voters and shall be voted upon by the use of such machines without marking as aforesaid.

5:8-46. Majority of votes determines whether act operative

If at any election at which such question is submitted as provided in this act the majority of all the votes cast, both for and against such question, shall be cast in favor of the question, the provisions of this act shall become operative in such municipality but if a majority of all such votes shall be cast against the question, the provisions of this act shall not become operative in such municipality unless the same shall be again submitted and this act shall be adopted as provided in this act.

5:8-47. Submission of question of rescinding adoption

If in any municipality in which the provisions of this act shall have become operative in the manner hereinbefore provided, there shall be filed with the clerk of the municipality a petition signed by at least 15% of the qualified legal voters of the municipality, as evidenced by the total number of votes cast at the then next preceding general election in such municipality, requesting that there shall be submitted to the voters of the municipality the question of rescinding the adoption of the provisions of this act by the municipality, the said question shall be submitted to the legal voters of the municipality at the next general election succeeding the forty-fourth day following the date of the filing of said petition.

5:8-48. Ballots on question of rescinding adoption

There shall be printed upon the official ballot to be used at such general election the following:

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."

	Yes.	Shall the adoption of the "Bingo Licensing Law" (P.L.1954, c. . . .) within the municipality be rescinded?
	No.	

The chapter number of this act shall be inserted in the appropriate blank in said question.

In any municipality in which voting machines are used, the question shall be placed upon the official ballots to be used upon the voting machines without the foregoing instructions to the voters and shall be voted upon by the use of such machines without marking as aforesaid.

5:8-49. Majority of votes controlling; resubmission

If at such election a majority of all the votes cast, both for and against the rescission of the adoption of this act, in said municipality shall be cast in favor of the rescission thereof, the said adoption of this act shall thereby be rescinded and thereupon this act shall cease to be operative within such municipality and no petition shall be received for the submission of the question of the adoption of the provisions of this act to the voters of said municipality, and no such question shall be submitted to them, at any election earlier than the general election to be held in the third calendar year following the date of such election. If at such election the majority of all the votes so cast shall be against the rescission of said adoption, no petition for such submission of the question of the rescission of such adoption shall be received and no such question shall be again submitted at any election earlier than the general election to be held in the third calendar year following the date of such election.

5:8-49.1. Severability

In case for any reason any provision of the act to which this act is a supplement¹ shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not affect any other provision of said act except so far as the provisions so declared unconstitutional or invalid shall be inseparable from such other provision.

5:8-49.2. Definitions

As used in this act:

"Commission" shall mean the Legalized Games of Chance Control Commission;

"Organization" shall mean any organization licensed to hold, operate or conduct games of chance under the Bingo Licensing Law (P.L.1954, c. 6, as amended and supplemented);¹

"Person" shall mean not only a natural person but also any partnership, joint venture, association, corporation or any other legal entity;

"Premises" shall mean any land, building, enclosure or part thereof used for the purpose of operating or conducting games of chance under the Bingo Licensing Law;

"Rentor" shall mean and include the owner, lessor, and supplier of premises furnished or supplied to, or used by, an organization for the purpose of holding, operating or conducting games of chance under the Bingo Licensing Law;

"Rental" shall mean the amount paid or payable by an organization to a rentor for the use of premises including janitorial services, tables and chairs rented, furnished or supplied to said organization for the purpose of holding, operating or conducting games of chance under the Bingo Licensing Law.

5:8-49.3. Rental or use of premises not owned by organization; payment for rental; approved rentors

An organization may, for the purpose of holding, operating and conducting games of chance under the Bingo Licensing Law rent or use premises not owned by such organization upon compliance with the provisions of this act. No such rental or use shall be permitted unless the commission shall determine that the payment to be made for such rental or use of the premises is fair and reasonable and that the rentors of said premises are approved rentors under this act.

5:8-49.4. Persons entitled to act as rentors

From and after the effective date of this act, no person shall act as, or be, a rentor unless said person (a) is itself licensed to hold, operate or conduct games of chance under the Bingo Licensing Law or (b) has first obtained from the commission a license as an approved rentor.

5:8-49.5. Application for approved rentor's license;
form and requisites

A person seeking a license as an approved rentor shall file in the office of the commission a written application for such license. The application shall specify the premises to be rented and be in such form and require such information as the commission shall deem necessary for the purpose of effectuating the provisions of chapters 6 and 7 of the laws of 1954 and amendments and supplements thereof.

5:8-49.6. Denial of license; grounds

No license as an approved rentor shall be granted:

(a) If any person whose signature or name appears in the application is not the real party in interest or if the person so signing or named in the application is an undisclosed agent or trustee for any such real party in interest; and,

(b) Unless the commission shall determine that (1) the applicant and, (2) if the applicant is not the owner, the owners of said premises, and (3) if said applicant or the owner is a corporation, all of its officers and each of its stockholders who own 10% or more of its issued and outstanding stock, are of good moral character and have not been convicted of a crime.

The commission may, among other things, and without limitation, consider a violation of chapters 5, 6 or 7 of the laws of 1954 or any amendment of or supplement to said acts as evidence of lack of good moral character.

5:8-49.7. Issuance of license; fee; duration;
temporary permits

When the application shall have been examined and such further inquiry and investigation made as the commission shall deem proper and when the commission shall be satisfied therefrom that the persons named in section 5(b) hereof¹ possess the qualifications prescribed in this act, the commission shall issue and deliver a license to such applicant as an approved rentor for the premises stated in the application upon payment by the applicant of a license fee of \$100.00, and the approved rentor shall pay a fee of \$5.00 for each occasion on which bingo games are held in the licensed premises. Said license shall be valid until revoked, suspended or modified by the commission. The commission may issue a temporary permit to any applicant for such license pending final action on the application. Any such temporary permit shall be valid for a period not in excess of 30 days.

5:8-49.8. Revocation or suspension of license; grounds

Any license as approved rentor issued pursuant to this act may be revoked or suspended for such period as the commission deems in the public interest for any of the following offenses on the part of the licensee, its agent or employees, or any person required by this act to sign or be identified in an original application for a license:

(a) Any cause which would permit or require disqualification of the licensee from receiving a license upon original application;

(b) Fraud, deceit or misrepresentation in securing the license or in the conduct of the licensed activity or in connection with any application submitted to, or any interview, hearing or proceeding conducted by, the commission.

(c) Failure by the licensee to maintain a complete set of books and records containing a true and accurate account of the licensee's receipts and disbursements arising out of his activities;

(d) Failure to keep said books and records available during business hours for inspection by the commission and its duly designated representatives until the expiration of the second calendar year following the calendar year during which occurred the transactions recorded therein;

(e) Violation of any provisions of this act, the Bingo Licensing Law or the rules and regulations adopted by the commission.

5:8-49.9. Rules and regulations

The commission shall have power to make and enforce such reasonable rules and regulations as it may deem necessary to effectuate the provisions of this act and the powers conferred upon it hereunder and to prevent the circumvention or evasion thereof. Said rules and regulations may, among other things, require that all rental or use agreements be in writing and in form approved by the commission and may provide for the form of application and the information to be furnished the commission on any application for approval, but shall not impose limitations on the number of days a month the premises may be used for purposes authorized by the act hereby supplemented.

5:8-49.10. Necessity of compliance with statutory provisions and rules and regulations

No agreements or arrangements for the rental or use of premises shall be valid and no moneys paid by licensed organizations for such rental or use or services shall be allowable expenditures or be taken into account in determining net proceeds unless made in accordance with the provisions of this act and of the rules and regulations adopted by the commission pursuant thereto.

5:8-49.11. Violations; disorderly persons

Any person who, without complying with the provisions of this act, directly or indirectly, receives, collects or accepts money or other valuable thing for renting, furnishing or supplying premises to an organization for the purpose of holding, operating or conducting games of chance under the Bingo Licensing Law is a disorderly person.

RULES, REGULATIONS AND FORMS

RULES AND REGULATIONS**PART I****DEFINITIONS****1. BINGO**

a. "Bingo" means a specific kind of game of chance played for prizes with cards bearing numbers or other designations five 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 card, by selling tickets or rights to participate in such games.

b. A "regular" bingo game is a game that is played with permanent cards.

c. A "special" bingo game is a game that is played with disposable cards which have consecutive numbers.

d. "Equipment" means the receptacle and numbered objects to be drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the boards or signs, however operated, used to announce or display the numbers or designations as they are drawn, public address systems, and all other articles essential to the operation, conduct and playing of bingo.

e. "Net Proceeds" means the gross income received from all activities engaged in on an occasion when bingo is played, less only such actual expenses incurred as are authorized in the Bingo Licensing Law and these Rules and Regulations.

f. "Occasion" means a single gathering or session at which a series of successive bingo games is played not to exceed 35 in number.

2. RAFFLES

a. "Raffle" means a specific kind of game of chance played by drawing for prizes or the allotment of prizes by chance, by the selling of shares or tickets or rights to participate in such a game.

Nothing contained in these rules and regulations shall be deemed to authorize as a raffle the playing for money or other valuable thing at roulette wheels, at cards, dice or other game, with one or more dice, having one or more figures or numbers, or at billiards, pool, tennis, bowls or shuffleboard, or A.B.C. or E.O. table, or other tables, or at faro bank, or other bank of a like nature by whatever name known, or with any slot machine or device in the nature of a slot machine, or with any other instrument, engine, apparatus or device having one or more figures or number thereon.

b. "Draw Raffle" means a raffle in which the winners are determined by drawing from a container having therein counterparts of all tickets sold.

c. "Nondraw Raffle" means any raffle in which the winners are determined by any means other than drawing from a container having therein counterparts of all tickets sold.

The Control Commission shall maintain copies of a list of approved and authorized non-draw raffles. Copies may be obtained upon request for the same from the Control Commission.

d. "On-Premise Raffle" means one for which all tickets or shares are sold only to persons present at the

place of the drawing, the winners determined, and the prizes awarded, on the occasion of the drawing.

e. "Off-Premise Raffle" means a draw/raffle with respect to which any ticket is sold in advance of the occasion.

f. "Special Door Prize Raffle" means a raffle for a door prize of donated merchandise of the value of less than \$50.00 for which no extra charge is made at an assemblage to raise funds for authorized purposes and at which no other game of chance is held, operated or conducted.

g. "50-50 Raffle" means a cash raffle conducted by a drawing with respect to which all tickets are sold only to persons present at the place of the drawing, at the time of the drawing, the winners determined, and the prizes awarded, on the occasion of the drawing with the prizes equaling 50% of the total received for the tickets. This raffle is the only raffle for which the prize may be cash.

h. "Net Proceeds" means the gross income from the sale of tickets or rights to participate in a raffle, whether sold in advance of the occasion or not, less only such actual expenses incurred as are authorized in the Raffles Licensing Law and these Rules and Regulations. In the case of a special door prize raffle "net proceeds" means the entire net income derived from the assemblage at which such raffle is held.

i. "Equipment" means implements, devices and machines designed, intended or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence of rights to participate in raffles.

3. GENERAL

a. "Qualified Organization" means a bona fide organization or association of veterans, religious congregation, religious organization, charitable organization, educational organization, fraternal organization, civic and service club, officially recognized volunteer fire company, officially recognized first aid squad, and officially recognized rescue squad, which if incorporated (1) is incorporated in New Jersey as a religious corporation or as an association not for pecuniary profit and is empowered by its articles of incorporation to further one or more of the authorized purposes; or, if unincorporated, is organized in New Jersey as a religious organization or as an organization not for pecuniary profit, has a membership of not less than 25 persons and is authorized by its written constitution, charter or by-laws, or by the written constitution, charter or by-laws, of a parent organization of which it is a part, to further one or more of the authorized purposes; and (2) has actively engaged prior to its initial application for a license in serving one or more of the authorized purposes in this State; and (3) has received and used and in good faith expects to continue to receive and use funds from sources other than the conducting of games of chance for the furtherance of an authorized purpose.

b. "Authorized Purpose" means an educational charitable, patriotic, religious or public-spirited purpose, which terms are defined to be the purpose of benefiting an indefinite number of persons either by bringing their minds or hearts under the influence of education or religion, by relieving their bodies from disease, suffering, or constraint, by assisting them to

establish themselves in life, or by erecting or maintaining public buildings or works, or otherwise lessening the burden of government. Such terms do not include the erection, acquisition, improvement, maintenance or repair of property, real, personal, or mixed, unless such property is and shall be used exclusively for one or more of the purposes hereinabove stated.

c. "Authorized Use" means the use of funds for an authorized purpose.

d. "Person" means a natural person, firm, association, corporation or other legal entity.

e. "Control Commission" means the Legalized Games of Chance Control Commission.

f. "Goods, Wares and Merchandise" means prizes, equipment as hereinabove defined, chairs and tables, and articles of a minor nature such as pencils, crayons, tickets, envelopes, paper clips and coupons necessary to the conduct of games of chance.

g. "Services Rendered" means repair to equipment and reasonable compensation to bookkeepers or accountants who assist by rendering their professional services for an amount conforming to the schedule of authorized fees fixed by these rules. (See Schedule of Fees, "B.")

In the case of bingo "services rendered" also means rental of premises. (See Part XIV.) Where premises are not rented for a fee, "services rendered" may include a reasonable amount for janitorial service.

In the case of raffles "services rendered" does not include rental of premises but does include rental of equipment for raffles, when rented from an approved person in an amount conforming to the schedule of authorized rates fixed by these rules. (See Schedule of Rates, "A.")

In the case of raffles "services rendered" shall not be an authorized expense unless rendered solely for the conduct of the raffle.

PART II

REGISTRATION AND IDENTIFICATION

1. Every organization desiring to apply for a license to conduct bingo, or raffles shall, before making any such application, register with the Control Commission and secure an identification number.

2. Registration shall be upon a form supplied on request by the Secretary of the Control Commission. Form 1-A is hereby adopted for that purpose.

3. Upon the request of any organization, accompanied by a self-addressed, stamped envelope, the Secretary shall provide 2 copies of Form 1-A. The organization shall complete and file both copies with the Secretary.

4. All applications for licenses, amendment of licenses, reports and any other papers relating to licensed games of chance, shall bear the identification number of the organization involved.

5. Neither registration nor the assignment of an identification number shall constitute, or be any evidence of, the eligibility of any organization to receive a license for, or to conduct, any legalized game of chance.

6. Every organization, a member or members of which are to assist a licensed organization in the holding, operating or conducting of bingo or raffles accord-

ing to law and these rules and regulations, shall register with the Control Commission and secure an identification number before such assistance is given. (See Rule 1, Part VII, as to Bingo, and Rule 1, Part VIII, as to Raffles.)

7. Qualified organizations desiring to conduct a special door prize raffle for which no license is required shall, before conducting the same, register with the Control Commission and secure an identification number. (See R.S. 5:8-51 and Part III, Rule 11, and Part VIII, Rule 14, for special conditions when license is not required.)

8. Identification numbers heretofore or hereafter issued shall automatically be revoked if the organization to which they are issued has not applied to conduct a game of chance within two years of the issuance of the identification number or if the organization fails to utilize the identification number for any period of two years. Such revocation shall be without prejudice to the right of the organization to apply for a new identification number.

9. Every organization having secured an identification number shall not conduct a bingo, any type of raffle, except a special door prize raffle, or other forms of games of chance without also having obtained a license to conduct the same. Every organization having secured an identification number shall not conduct any unauthorized raffle or game of chance.

10. Every organization having secured an identification number which shall violate any provision of the Legalized Games of Chance Commission Law, R. S. 5:8-1, *et seq.*, the Bingo Licensing Law, R. S. 5:8-24 *et seq.*, the Raffles Licensing Law, R. S. 5:8-50, *et seq.*, or the Rules and Regulations promulgated by the Control Commission shall be subject to suspension or revocation of the identification number in the same manner as established under Part X. Only the Control Commission shall conduct proceedings to suspend or to revoke an organization's identification number.

PART III

APPLICATIONS

1. Applications for bingo licenses shall be made on Form 2B-A, which is hereby adopted. Where premises are to be rented a certificate of the landlord shall be obtained and attached to the application, such certificate to be on Form 10A which is hereby adopted. (See R.S. 5:8-26 and Part XIV.)

2. Applications for raffles licenses shall be made on Form 2R-A, which is hereby adopted. Where raffles equipment is to be leased a certificate of the lessor shall be obtained and attached to the application, such certificate to be Form 13 which is hereby adopted. (See R.S. 5:8-52.)

3. License applications shall be filed in quadruplicate with the municipal clerk. One copy shall be retained by the municipal clerk, the second copy shall be returned to the applicant after a license has been granted or denied by the governing body. The third copy shall be forwarded to the Control Commission by the municipal clerk and the fourth copy shall be delivered to the Law Enforcement Agency in the municipality.

4. No application shall be accepted unless the applicant at the time of filing the application exhibits its

registration card bearing its identification number which shall be entered on the application.

5. Upon receiving a license application, the municipal clerk shall assign a number thereto and endorse it on all copies of the application. The number shall be composed of (a) the prefix BA for bingo application or the prefix RA for a raffles application, (b) a consecutive serial number. Thus, the number BA:110 will indicate that the application was filed for Bingo, and that it was the 110th application for a license to conduct games of chance.

6. With the exception of a special door prize raffle for which no license is required (see R.S. 5:8-51, Part III, Rule 11, and Part VIII, Rule 14), a separate application and license shall be used for each of the following kinds of raffles and shall, in each instance, specify the particular kind of raffle:

- (a) On-premise draw raffle with prizes wholly donated.
- (b) On-premise cash raffle (prizes must be equal to 50% of total received for the tickets or rights to participate in the drawing).
- (c) All other draw raffles.
- (d) Nondraw raffles (number of raffles and type must be specified in detail; see R.S. 5:8-62).

7. The municipal clerk shall keep a register or list of all applications filed, containing (a) date of filing, (b) name of applicant, (c) identification number, (d) the designation BA if the application is for bingo, or RA if it is for raffles, (e) the consecutive serial number, (f) date of issuance of license, (g) amount of fee paid, (h) date of denial of license, (i) date of suspension or revocation of license. The register shall be substantially in the form designated by Form 3, hereby adopted.

8. When a license has been suspended or revoked, and the suspension or revocation is set aside, or the license is reinstated, the original license shall not be re-issued. In such case the applicant shall file a new application, which shall be given a new number, as shall the license issued thereon, as though there had been no prior license, but the number shall be followed by the suffix "X." The licensee shall receive credit for any license fee paid that has not been refunded.

9. When a license has been denied, and the denial is set aside, the applicant shall again submit the application which was returned to him, and the clerk shall endorse a new application number thereon, and on the clerk's copy, and make entry thereof in the register, as though a new application had been filed. The municipal clerk shall immediately notify the Control Commission of the new application number assigned together with the number which it replaces. The license issued thereon shall carry the new number, but the number shall carry the suffix "Y."

10. The municipal clerk shall also keep and maintain a docket, with separate sheet for each licensee, on which he shall enter the serial number of all licenses issued to each licensee, the date of issue, the dates for which the license permits games of chance to be played, the retail value of prizes to be awarded by raffles as to raffles subject to an annual limit, and the date when the report is filed. The dates for which bingo and raffles are licensed shall be entered in separate columns to permit determination of compliance with limits on the number of games per month. The docket shall be sub-

stantially in the form designated by Form 4, hereby adopted.

11. Before conducting a special door prize raffle for which no license is required, the qualified organization shall notify the clerk of the municipality in which the door prize will be awarded. The notice shall be in writing and in duplicate signed by an officer, giving (a) the name and identification number of the organization, (b) the place and date for the special door prize raffle or raffles, (c) a description of the prizes and the retail value thereof, (d) names of the donors of the prizes. The notice shall be sent at least one week in advance of the raffle. The municipal clerk, on receipt of the notice, shall forthwith forward one copy to the Control Commission.

PART IV

LICENSES: ISSUANCE

1. Upon investigating and passing upon a license application, or an amendment, suspension or revocation of license, the governing body shall record its findings and determination as to each of the conditions established by law. At least seven days shall elapse between the time the application is filed and the time when the governing body makes its findings and determination. Such record shall be made in duplicate, on Form 5-A, which is hereby adopted, Form 5-A shall be signed by a member of the governing body. (See R.S. 5:8-27 as to Bingo and R.S. 5:8-53 as to Raffles.)

2. Upon making its findings and determination, the Governing Body shall forthwith (within three days) transmit one copy thereof to the Control Commission. Said copy together with the third copy of the application as provided in Rule 3, Part III, must be received by the Control Commission at least seven days prior to the holding of the first game authorized.

3. Upon receiving the findings and determination of the governing body, the municipal clerk shall, if the license is granted, compute the fee payable by law, and upon payment of the same shall issue the license. If the license is denied, the municipal clerk shall so notify the applicant, by regular mail. (See R.S. 5:8-27 as to Bingo license fee and R.S. 5:8-53 as to Raffles license fee. See also Part IV, Rule 9.)

4. Bingo licenses and Raffles licenses shall be issued on Form 6B/R which is hereby adopted. (See R.S. 5:8-29 as to Bingo and R.S. 5:8-56 as to Raffles.)

In the case of Raffles licenses for an on-premise raffle, the license must show the specific type of raffle and the number of raffles to be conducted under the license.

5. Upon the issuance of a license, the municipal clerk shall endorse a license number thereon, which shall be the same as the application number, except that the prefix shall be BL for bingo licenses and RL for raffles licenses.

6. The municipal clerk shall prepare licenses in triplicate, retaining one copy, issuing the original to the licensee and forwarding the second copy to the Law Enforcement Agency of the municipality.

7. No licenses for the holding, operating and conducting of any game of chance shall be effective for a period of more than one year. (See R.S. 5:8-27 as to Bingo and R.S. 5:8-54 as to Raffles.)

8. No joint license for the holding, operating and conducting of any game of chance shall be issued to two or more organizations.

9. The fees payable by law are:

- (a) Bingo: \$10.00 for each occasion on which any game or games of bingo are to be conducted under the license. \$5.00 of the fee for each occasion shall be remitted to the municipality in which the application is filed and the remaining \$5.00 of the fee for each occasion shall be remitted to the Treasurer of the State of New Jersey;
- (b) On-premise draw raffle: \$5.00 for each day on which the same is to be conducted under the license;
- (c) Non-draw raffle: \$5.00 for all raffles concurrently held on any one day, or any series of consecutive days not exceeding 6 in any one week at one location;
- (d) Off-premise draw raffle: Municipality—\$5.00 for each \$1,000 of retail value of the prizes or part thereof; State of N.J.—\$5.00 for each \$1,000 of retail value of the prizes above the original \$1,000 value of the prizes or part thereof;
- (e) Special door prize raffle for under \$50.00 value of merchandise and for which no license is required: no fee is payable.

PART V

LICENSES: AMENDMENT

1. Application to amend a license shall be made by an officer of the licensee on Form 7-A, hereby adopted. The application shall have annexed such proofs, signatures and verifications as would have been necessary if the changes were in the original application. (See R.S. 5:8-28 as to Bingo and R.S. 5:8-55 as to Raffles.)

2. The same number of copies of an application to amend a license shall be required as for an application for a license, and the application shall be processed and disposed of in the same manner.

3. When the governing body approves an amendment of a license, the original license shall be returned and exchanged for the amended license, upon payment of any additional fee required.

4. If a game of chance cannot be held on the date stated in the license because of emergency weather conditions or because of other emergency conditions determined by the Control Commission, the organization may within 48 hours fix a new date for the game, which date shall be within 7 days of the original date. Within such 48-hour period, and in any case before the postponed game is held, written notification of the new date shall be filed in duplicate with the municipal clerk of the municipality in which the Game of Chance is to be held. The municipal clerk shall immediately forward the duplicate copy of the notification to the Control Commission.

PART VI

GENERAL CONDUCT OF GAMES OF CHANCE

1. The officers of a licensee shall designate a bona fide, active member to be in charge of, and primarily responsible for, the conduct of the game of chance on each occasion. The member in charge shall supervise all activities on the occasions for which he is in charge and shall be responsible for the making of the required report thereof. The member in charge shall be familiar with the provisions of the Bingo Licensing Law or the Raffles Licensing Law as the case may be and these Rules and Regulations. (See R.S. 5:8-26 as to Bingo and R.S. 5:8-52 as to Raffles.)

2. The officers of a licensee shall designate an officer or member to be in full charge of, and primarily responsible for, the proper utilization of the entire net proceeds of the games of chance in accordance with the law and these Rules and Regulations.

3. The entire net proceeds of the games of chance must be devoted to authorized purposes. (See R.S. 5:8-25 as to Bingo and R.S. 5:8-51 as to Raffles.)

4. A licensee in holding, operating and conducting a game of chance, must hold, operate and conduct the game exclusively by its active members with such assistance as allowed by law and these Rules and Regulations. (See Part VII, Rule 1, and Part VIII, Rule 1.)

5. No commission, salary, compensation, reward or recompense may be paid to any person for holding, operating or conducting, or assisting in the holding, operating or conducting of a game of chance, except for bookkeepers or accountants who assist by rendering their professional services for an amount within the schedule of fees fixed by these rules.

No person holding, operating or conducting, or assisting in the holding, operating or conducting of a game of chance may receive or accept any reward, compensation, gratuity or recompense, directly or indirectly, from any patron or participant in such game of chance. (See Schedule of Fees "B.") (See R.S. 5:8-26 as to Bingo and R.S. 5:8-52 as to Raffles.)

6. Each license issued for the conduct of a game of chance shall be conspicuously displayed at the place where the game of chance is being conducted at all times during the conduct of the game. (See R.S. 5:8-28 as to Bingo and R.S. 5:8-56 as to Raffles.)

7. The premises where any game of chance is being held, operated or conducted, or where it is intended that any game of chance shall be held, operated or conducted, or where it is intended that any equipment be used, shall at all times be open to inspection by the officers and agents of the municipality in which the premises are situated and to the Control Commission and its agents and employees.

If, in the course of such inspection, a violation of these Rules and Regulations or the Bingo Licensing Law or the Raffles Licensing Law shall be observed, said officers and agents of the municipality in which the premises are situated or said agents and employees of the Control Commission shall have the right to suspend the continued operation of any and all games of chance being held, operated or conducted on the premises until such time as said violation is corrected and all games of chance are held, operated and conducted in accord with the license therefor, the Rules and Regulations promulgated by the Control Commission and the Bingo or Raffles Licensing Law. (See R.S. 5:8-30 as to Bingo and R.S. 5:8-57 as to Raffles.)

8. No municipality may authorize the holding, operating or conducting of a game of chance on Sunday, unless specifically so authorized by an ordinance duly adopted by the municipality. (See R.S. 5:8-31 as to Bingo and R.S. 5:8-58 as to Raffles.)

9. No game of chance shall be conducted under any license on Sunday, unless the license specifically so provides. (See R.S. 5:8-31 as to Bingo and R.S. 5:8-58 as to Raffles.)

10. No person under the age of 18 years shall be permitted to participate as a player in any game of bingo or in any nondraw raffle nor shall such person conduct or assist in the conduct of the playing of any game of chance. Whenever an organization shall conduct a nondraw raffle, it shall cause a sign to be displayed adjacent to the wheel or the place of the allotment by chance as follows: "Persons under the age of 18-years are not permitted to participate in this game of chance (R.S. 5:8-59)." Said sign shall not be smaller in size than 144 square inches and shall be posted in such a location as to be in the view of all persons who shall desire to participate in said game of chance. (See R.S. 5:8-32 as to Bingo and R.S. 5:8-59 as to Raffles.)

11. No organization may hold, operate or conduct bingo more often than six days in any calendar month and no organization may hold, operate or conduct raffles more than six days in any calendar month. (See R.S. 5:8-33 as to Bingo and R.S. 5:8-60 as to Raffles.)

12. No item of expense shall be incurred or paid in connection with the holding, operating or conducting of a game of chance, except such expenses as are bona fide items of reasonable amount for goods, wares and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting of the game of chance. (See R.S. 5:8-34 as to Bingo and R.S. 5:8-61 as to Raffles.)

13. No game of chance shall be advertised by means of newspapers, radio, television or sound truck, or by means of billboards, posters or handbills, or any other means addressed to the general public; provided, however, that signs not exceeding 60 square feet, each, in area may be displayed as follows:

(a) 1 sign on or adjacent to the premises where the game is to be held; and

(b) 1 sign on or adjacent to the premises where the prize or prizes are exhibited; (the prize may be exhibited only in the municipality in which the game of chance is to be held and in the municipality in which the licensee has its headquarters; except as provided in (c) and (d) hereafter); and

(c) by a volunteer fire company holding the license for the game, on any fire-fighting equipment belonging to it, in and throughout any community which it serves; and

(d) by a first-aid or rescue squad holding the license for the game, on any first-aid or rescue squad equipment belonging to it, in and throughout any community which it serves. (See R.S. 5:8-36 as to Bingo and R.S. 5:8-63 as to Raffles.)

14. The governing body of a municipality where a game of chance is to be held and its duly authorized agents and employees, and the Control Commission and its duly authorized agents and employees, may examine the books and records of any licensee, so far as those books and records relate to any transaction connected with the holding, operating and conducting of a game of chance, and may examine any manager, officer, director, agent, member, employee or assistant of the licensee under oath in relation to the conduct of a game of chance. (See R.S. 5:8-38 as to Bingo and R.S. 5:8-65 as to Raffles.)

15. When any merchandise prize is awarded in a game of chance, its value for the purpose of the Bingo Licensing Law, the Raffles Licensing Law, and these Rules and Regulations, shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash directly or indirectly.

16. Equipment, prizes and supplies for games of chance shall not be purchased or sold at prices in excess of the usual cash price thereof and when purchased on conditional sale or on any other installment purchase arrangement shall be purchased only at the usual cash price with interest not to exceed 6% per annum on the unpaid balance.

17. No licensee shall provide by contract or other arrangement transportation of patrons to or from the place where any game of chance is played. The providing of such transportation by another to the knowledge of a licensee shall be presumed to be the act of the licensee and shall constitute a violation of these rules and regulations.

18. No licensee shall offer, distribute or give any service or thing of value without charge, other than the prizes awarded in the conduct of a game of chance.

19. No licensee shall offer, distribute or give any prize consisting of real estate or an interest therein, bonds, shares of stock, securities or evidences of indebtedness, gift certificates, or any merchandise refundable in any of the foregoing or in money or cash.

(Note—Alcoholic Beverages may not be awarded as a prize. See ruling of Director of Alcoholic Beverage Control Dated May 25, 1954, Bulletin 1017, Page 12.)

20. Two or more unaffiliated organizations may not conduct games of chance at the same place on the same day.

21. The net proceeds derived from the holding of a Game of Chance must be devoted to one or more of the authorized purposes within one year of the holding of the Game of Chance. Organizations failing to comply with this rule will be required to show cause before the Commission why their right to conduct Games of Chance should not be revoked.

Any organization desiring to hold the net proceeds of Games of Chance for a period longer than one year may apply to the Commission for special permission.

22. Any organization licensed to conduct Games of Chance, which does not show that the conduct of Games of Chance during any one year period has produced reasonable net proceeds for authorized purposes, will be required to show cause before the Commission why its right to conduct Games of Chance should not be revoked.

PART VII

(See Part VI, General Conduct of Games of Chance)

CONDUCT OF BINGO

1. No person shall assist in the holding, operating, or conducting a bingo game under any license except active members of the licensee, active members of an organization which is an auxiliary to the licensee, active members of an organization of which the licensee is an auxiliary, or active members of an organization which is affiliated with the licensee by being with it

auxiliary to another organization. Before the members of any organization assist the licensee in the conduct of a game of chance, such organization must register with the Control Commission and secure an identification number.

Bookkeepers or accountants who assist by rendering their professional services need not be within the foregoing categories. However, the professional services of bookkeepers and accountants are limited to making bookkeeping entries for the operation of bingo games on any one day, preparing reports of operations for any one bingo game, opening books for a bingo account, and supervising bookkeeping and accounting systems for the operation of bingo games.

No bookkeepers or accountants shall assist in the holding, operating, or conducting of a bingo game except as above specified. A bookkeeper or accountant shall not receive or handle any of the proceeds of a bingo game or during the conduct of bingo games on a licensed occasion, be physically present in the money room or other place on the licensed premises where the proceeds of the bingo games are received by the designated member of the licensee responsible for the proceeds of the games of chance.

Where a licensee is conducting bingo games in a premises rented from a Commercial Rentor approved by this Commission, a violation of this rule and regulation shall constitute cause for suspension or revocation of the Commercial Rentor's License as an approved rentor.

2. No prize may be offered or given in excess of the sum or value of \$250.00 for a single game, nor may the aggregate of all prizes offered and given in all games held on one occasion exceed \$1,000.00. (See R.S. 5:8-27.)

3. No game may be conducted in any room or outdoor area where alcoholic beverages are sold, dispensed or consumed during the period between the commencement of the first and the conclusion of the last bingo game of the occasion. (See R.S. 5:8-33.)

4. No bingo game shall be conducted with any equipment that is not owned absolutely or used without payment of any compensation therefor by the licensee. (See R.S. 5:8-34.)

5. A charge must be made for the playing of bingo. No more than \$1.00 and no less than \$.50 may be charged for admission to a room or place in which bingo is to be held, operated or conducted. This fee shall entitle a person to one card allowing him to participate without additional charge in all regular games to be played on that occasion. The minimum charge for extra cards for participation in all regular games to be played on that occasion shall be the sum of \$.25.

No charge in excess of \$1.00 may be made for a single opportunity to participate in all special games to be played on an occasion. (See R.S. 5:8-35.)

6. When more than one player is found to be the winner on the call of the same number in the same game, the designated prize shall be divided as equally as possible; and when division is not possible, substitute prizes, whose aggregate value shall not exceed that of the designated prize, shall be awarded; but such substitute prizes shall be of equal value to each other.

7. The licensee shall conspicuously post a notice in the premises where bingo is played, listing the amounts of the charges for admission and the opportunity to play and for any other service or privilege offered. The notice shall also describe the nature and amount of prizes to be awarded. The notice shall also bear the name of the licensee, the name of the member in charge, and the identification and license numbers.

8. No licensee shall permit any person to engage in the conduct of bingo for it or on its behalf who has engaged in the conduct of bingo for or on behalf of any other licensee during the same calendar year.

9. Bingo games shall be held, operated and conducted in the manner prescribed by R.S. 5:8-25 and by Part I, Rule 1 of the Rules and Regulations. The equipment used in the playing of bingo and the method of play shall be such that each card shall have an equal opportunity to be a winner. The objects to be drawn shall be essentially equal as to size, shape, weight and balance and as to all other characteristics that may control their selection and all shall be present in the receptacle before each game is begun. Each number shall be announced as soon as the object is drawn from the receptacle and all numbers shall be announced so as to be visible or audible to all players present. The card or sheets of the players shall be part of a deck, group or series of cards, no two of which shall be alike and which deck, group or series shall not be so prepared or arranged as to prefer any card.

10. The particular arrangement of numbers required to be covered in order to win the game shall be clearly described and announced to the players immediately before each game is begun.

11. No arrangement of numbers shall be required to be covered in order to win the game other than the following:

- a. One unspecified horizontal row;
- b. One unspecified vertical row;
- c. One unspecified full diagonal row;
- d. One unspecified row (horizontal, vertical or diagonal);
- e. Two or more of the foregoing, forming a specified arrangement;
- f. The entire card;
- g. Four corners;
- h. Eight spaces surrounding the free space.

12. Within the limits contained in Rule 2 hereof, alternate prizes may be offered depending upon the number of calls within which bingo is reached, provided the application for bingo license and the license so specify. If a licensee avails itself of the provisions of this rule, it must announce at the beginning of each game the number of calls within which bingo is to be reached and the amount of the alternate prizes to be awarded.

13. Prior to the commencement of bingo games on any occasion, the Member in Charge of the game shall cause to be made a verification of all objects to be placed in the receptacle and shall inspect the objects in the presence of a disinterested person to insure that all objects are present and that there is no duplication of numbers on said objects prior to the commencement of the bingo games.

Any player shall be entitled to call for a verification of all numbers drawn at the time a winner is deter-

mined, and for a verification of the objects remaining in the receptacle and not yet drawn. The verification shall be made in the immediate presence of the member designated to be in charge on the occasion, but if such member be also the announcer, then in the immediate presence of an officer of the licensee.

14. When a caller has started vocally to announce a call, he shall complete the call of that number. After the caller has started vocally to announce a call, if any person shall have gone bingo based upon the previous number called, such person shall share the designated prize with any other person or persons who may have gone bingo on the completed call. When a winner of a bingo game is determined, the caller shall announce to the players present, "Are there any other winners"? If there are no other winners, the caller shall then state, "I declare this game closed," and shall proceed to award the prize. No person shall be entitled to share the designated prize unless he shall have gone bingo prior to the announcement that the game has been closed and his card determined to be a winner.

15. On any occasion when bingo is played, all cards shall be purchased or other wagers placed, all winners determined, and all prizes awarded within the same day.

16. No licensee shall conduct more than 35 bingo games on a single occasion.

17. No game of chance of any kind other than bingo, whether lawful or not, and whether any separate or additional charge or wager is required or not, shall be conducted or allowed on any occasion when bingo is played.

18. In the playing of bingo, no person who is not physically present on the premises where the game is actually conducted shall be allowed to participate as a player in the game.

19. All games falling within the definition of "bingo" or "lotto" contained in Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey, as amended November 3, 1953, shall be subject to these rules and regulations regardless of the name by which the game is called, and regardless of variations in the mode of play not specified by said Constitution.

20. Within the limits contained in Rule 2, hereof, the prizes offered may be varied depending upon the number of people who attend the occasion, provided the application for bingo license and license so specify. If a licensee avails itself of the provisions of this rule, it must announce at the beginning of each game the number of people present and the prizes to be awarded.

21. The licensee shall post a notice on the premises where Bingo is played containing the rules governing the conduct of Bingo. The notice shall be in the form prescribed and provided by the Control Commission.

22. Where premises are rented for the conduct of bingo, rentals must be paid to the rentor within 48 hours after the holding of the bingo occasion. (See Part XIV.)

23. No bingo cards for regular games shall be selected by other than the player who is to use the cards. Each player must select his own card or cards for regular games from the deck, group or series of cards and shall be entitled to select any card in the deck, group or series of cards that has not already been

selected by a player. Cards may not be reserved for players.

PART VIII

(See Part VI, General Conduct of Games of Chance)

CONDUCT OF RAFFLES

1. No person shall assist in the holding, operating or conducting of any raffle under any license except active members of the licensee and active members of an organization which is an auxiliary to the licensee. Before the members of any organization assist the licensee in the conduct of a game of chance such organization must register with the Control Commission to secure an identification number.

Bookkeepers or accountants who assist by rendering their professional services need not be within the foregoing categories.

2. No shares or tickets or rights to participate in Raffles may be sold in any municipality which has not adopted the Raffles Licensing Law. (See R.S. 5:8-51.)

3. a. The aggregate retail value of all prizes to be offered and given by a licensee in Raffles in any one calendar year shall not exceed \$7,500 for licensees having one or more organizations which are auxiliary to it, and shall not exceed \$15,000 for licensees which do not have any organizations auxiliary to it, but in lieu thereof there may be offered and given one article of merchandise having a retail value in excess of \$7,500 for licensees having one or more organizations which are auxiliary to it, and there may be given as a prize or award one article of merchandise having a retail value in excess of \$15,000 for licensees which do not have any organizations auxiliary to it.

b. Cash prizes may not be offered or given except in an on-premise draw raffle where the prizes equal 50% of the total received for the tickets and rights to participate in the drawing.

c. The limit of aggregate value of prizes which may be awarded in any one calendar year shall not apply to on-premise draw raffles where all the prizes are wholly donated, nor to cash raffles provided for in Rule 3b of this Part.

d. No prize having a retail value greater than \$100.00 shall be awarded in any raffle not conducted by a drawing for each spin of the wheel or other allotment by chance. (See R.S. 5:8-62.)

4. The equipment used in the conduct of raffles, and the method of play, shall be such that each ticket, share or right to participate shall have an equal opportunity to be a winner. In a draw raffle, all the counterparts of the tickets sold, and no others, shall be present in the container before each drawing, except for those already drawn.

5. The particular method of determining winners shall be clearly described and announced immediately before the drawing begins.

6. Every drawing and every allotment by chance shall be conducted openly and in plain view of all players present. All counterparts drawn shall be immediately exhibited and shall be held open for inspection until the end of the occasion.

7. When tickets are sold for an off-premise raffle, each ticket shall contain the following statements at

least: (a) name of the qualified organization and number of the license issued for the occasion; (b) place where the occasion will be held and the date and time thereof; (c) a list of the prizes and the retail value of each; (d) the number of the ticket; (e) price of the ticket; (f) the purpose to which the entire net proceeds will be devoted; (g) no substitution of the offered prize may be made and no cash will be given in lieu of the prize. The presence of the holder of a ticket shall not be required in order to win unless the ticket bears the statement "NOT VALID UNLESS HOLDER IS PRESENT AT THE DRAWING." The stub or counterpart of each ticket shall bear the name and address of the holder.

8. Whenever a licensee shall submit an application for a raffles license to the municipal clerk, two sample raffle tickets shall accompany the application. A copy of the application for a license, together with one sample ticket, shall be forwarded to the Control Commission by the municipal clerk. No raffle tickets may be sold under any license until the municipal clerk has approved the form of the ticket and has so advised the licensee.

9. Every licensee shall secure from the printer of tickets a certificate showing (1) the number of tickets printed; (2) the first and last numbers used; (3) that the tickets were consecutively numbered; and (4) a sample of the ticket. One such certificate shall be attached to each copy of Form 8R-A, Report of Raffles Operations. The licensee shall retain for two years after the date of the drawing all unsold tickets as part of its records.

10. If the presence of the holder of a ticket for an off-premise raffle is required in order to win, he shall be entitled to be present at the drawing without additional charge.

11. On any occasion when raffles are conducted, all winners shall be determined, and all prizes awarded within the same day; and the event that determines a winner shall be one that occurs at the time and place of the occasion.

12. All tickets or other forms of shares or rights to participate in a raffle shall be sold at a uniform unit price for each ticket, share or right, without any discount or allowance for the purchase of more than one such ticket, share or right. No commission, salary, compensation, reward or recompense shall be paid or given to a seller of tickets.

13. Equipment for the conducting of a raffle may be leased but only from persons approved by the Control Commission and at rentals conforming to the schedules fixed by these rules. (See Schedule of Rates "A.")

13-A. An organization shall not use equipment for the conducting of a raffle unless:

- (a) the equipment is leased from persons approved by the Control Commission at rentals conforming to the schedules fixed by these rules; or
- (b) the equipment is wholly owned by the organization; or
- (c) the equipment is being purchased by the organization on conditional sale or other installment purchase arrangement in accordance with Rule 16 of Part VI; or
- (d) the equipment is loaned free of charge by another qualified organization registered with the

Control Commission.

14. A "special door-prize raffle" is one which may be conducted without a license under the following conditions:

- (1) the organization conducting the raffle must be a qualified organization having an identification number;
- (2) no extra charge may be made for the raffle;
- (3) only merchandise prizes may be given;
- (4) all prizes must be wholly donated;
- (5) the total retail value of all prizes must be less than \$50.00;
- (6) no game of chance other than the special door prize raffle may be held or conducted on the occasion;
- (7) all net proceeds of the occasion must be devoted to authorized purposes;
- (8) notice of the special door prize raffle has been given to the municipal clerk.

15. If a raffle is conducted on the occasion of, or in conjunction with some other lawful activity, such as a dinner, dance, entertainment, fashion show, or the like, the price of the ticket or right to participate in the raffle, shall be separately set forth, and the funds derived from the raffle shall be segregated and reported on Form 8R-A, and used only for the authorized purposes provided by the Raffles Licensing Law.

For failure to comply herewith, or if no separate price is paid for the privilege or right of participating in the raffle, then such other lawful activity shall be deemed to be merely auxiliary to the conduct of the raffle, and the entire proceeds of such combined activity must be reported on Form 8R-A, and the entire net proceeds may be used only for those authorized purposes provided by the Raffles Licensing Law, and only the actual cost of conducting the combined activity may be deducted as expenses.

PART IX

REPORT OF OPERATIONS

1. The report of operations required by law shall be in the form, and contain the information required, by Form 8B-A, for Bingo, and 8R-A for Raffles, hereby adopted. The licensee shall file 2 copies of the report with the municipal clerk within 15 days after the holding of each game, as required by law. The municipal clerk shall forward a copy of each report to the Control Commission within 3 days. (See R.S. 5:8-37 as to Bingo and R.S. 5:8-64 as to Raffles.)

2. Forms for the Report of Operations shall be supplied upon request to a licensee by the municipal clerk.

3. a. In the case of Raffles, a separate report form shall be used for each kind of raffle for which a license may issue.

b. Form 8R-A need not be submitted in the case of a special door prize raffle. An organization conducting any special door prize raffle shall submit annually in writing and in duplicate a report to the municipal clerk of the municipality in which the special door prize raffle has been held of the following:

- (1) name, address and identification number of the organization conducting the special door prize raffle;
- (2) date and place that each special door prize raffle was held during the preceding 12 months;

- (3) net proceeds realized from each occasion at which a special door prize raffle was held;
- (4) purposes to which the net proceeds of each occasion were applied.

The municipal clerk shall forward the duplicate of this report to the Control Commission within 7 days of its receipt.

4. When no game is held on any date when a license authorizes it to be held, a report to that effect shall nonetheless be filed with the municipal clerk.

5. If a licensee fails to file a report within the time required, or if a report is not properly verified, or not fully, accurately and truthfully completed, no further license shall issue to it, and any existing license shall be suspended until such time as the default has been corrected.

6. Upon the filing of the report for the last game authorized in a license, the license shall be attached to the report and so returned to the municipal clerk who shall mark it "expired."

PART X

SUSPENSION AND REVOCATION OF LICENSES

1. Proceedings to suspend or to revoke a license shall be brought by notifying the licensee of the ground thereof and the date set for hearing thereon. The governing body or the Control Commission may stop the operation of a game pending hearing, in which case the hearing must be held within 5 days after such action.

The governing body or the Control Commission, as the case may be, shall cause the notice of hearing to be served personally upon an officer of the licensee or the member in charge of the conduct of the game or to be sent by registered or certified mail to the licensee at the address shown in the license.

2. When suspension or revocation proceedings are begun before the governing body which issued the license, it shall hear the matter and make written findings in support of its decision. The licensee shall be informed of the decision, and of the effective date of the suspension or revocation.

3. When suspension or revocation proceedings are begun before the Control Commission, it shall dispose of the proceeding in the same manner as in the case of an appeal from a determination or action of the governing body. Both the licensee and the governing body issuing the license shall be informed of the decision and of the effective date of the suspension or revocation.

4. When a license is suspended or revoked, the licensee shall surrender up the license to the governing body, or the Control Commission (whichever revoked or suspended) on or before the effective date set forth in the notice of decision. In no case shall any license be valid beyond the effective date of suspension or revocation, whether surrendered or not.

5. Upon the finding of a violation of these Rules and Regulations or the Bingo Licensing Law or the Raffles Licensing Law, such as would warrant the suspension or revocation of a license, the governing body or the Control Commission (whichever made such finding) may, in addition to any other penalties which may be imposed, declare the violator ineligible to conduct a game of chance and to apply for a license under said laws for a period not exceeding 30 months thereafter.

Such declaration of ineligibility may be extended to include, in addition to the violator, any of its subsidiary organizations, its parent organization and any other organization having a common parent organization or otherwise affiliated with the violator, when, in the opinion of the governing body or the Control Commission, the circumstances of the violation warrant such action.

6. Testimony at all proceedings before the Control Commission to suspend or to revoke a license shall be taken stenographically and testimony at all other hearings before the Control Commission may be taken stenographically when directed by the Control Commission. Said testimony shall be taken by an official stenographic reporter duly appointed by the Control Commission for this purpose, and whenever such testimony shall be transcribed, the original transcript of said testimony shall be filed by the reporter with the Secretary of the Control Commission.

PART XI

APPEALS TO THE CONTROL COMMISSION

1. Upon the taking of an appeal provided for by the Bingo Licensing Law or the Raffles Licensing Law from the determination of the governing body denying, suspending or revoking a license, the party aggrieved shall file with the governing body an original and copy of a notice of appeal within 30 days of the determination appealed from. (See R.S. 5:8-39 as to Bingo and R.S. 5:8-66 as to Raffles.)

2. The notice of appeal shall set out the information required by, and in substantially the form of, Form 9, hereby adopted.

3. The municipal clerk shall forward the original of the notice of appeal to the Control Commission within 5 days of its filing.

4. Within 15 days after filing the notice of appeal, the party aggrieved shall file with the Control Commission an original and 5 copies of a Statement of Appeal. On or before the day of filing, a copy thereof shall be served upon the governing body.

5. The Statement of Appeal shall state, in separately captioned portions: (1) the specific nature of the error complained of; (2) a narrative of the facts presented to the governing body upon which the determination or action was based; (3) a narrative of any additional facts, not presented to the governing body, which it is requested be considered on the appeal, together with an explanation why such additional facts were not presented to the governing body; (4) argument on the facts or law.

6. The Statement of Appeal shall have annexed, in the form of affidavits and exhibits, proofs in support of (1) any facts as to which it is claimed that there was error; (2) any additional facts not presented to the governing body. There shall also be affixed a copy of the original application and of the license, if any.

7. Within 20 days after service upon it of the Statement of Appeal, the governing body shall file with the Control Commission an original and five copies of a Counterstatement of Appeal which shall set out (1) as to each fact set out in the Statement of Appeal, whether the same is disputed or not; (2) as to any disputed fact, its assertion as to the true fact; (3) a narrative of any additional facts, not presented to the governing body, which it is requested be considered on the

appeal; (4) argument on the facts and law. On or before the filing thereof, a copy of the Counterstatement of Appeal shall be served upon the party aggrieved.

8. The Counterstatement of Appeal shall have annexed, in the form of affidavits and exhibits, proofs in support of (1) any disputed facts, (2) any additional facts not presented to the governing body.

There shall also be affixed a copy of the Report of Findings and Determination of the Governing Body.

9. Filing with the Control Commission may be by registered or certified mail, return receipt requested, and shall be complete on mailing.

PART XII

APPEALS: HEARING AND DISPOSITION

1. Upon receipt of the Counterstatement of Appeal the Secretary of the Control Commission shall notify the parties of the date and place fixed for hearing the appeal, and shall request each party to indicate to him and to each other, within 5 days, whether (1) the appeal is desired on the appeal papers alone, or (2) whether oral argument is desired, or (3) whether any party desires to cross-examine any person making an affidavit on which another party relies, and the names of such persons.

2. Whenever any person making an affidavit is designated to be cross-examined at the hearing on appeal, the party relying on his affidavit shall produce the witness at the hearing, and in default thereof, the affidavit shall not be considered on the appeal.

3. The Control Commission may, upon application of any party, for good cause shown allow the production at the hearing of additional witnesses and evidence in support of any facts material to the determination of the appeal.

4. At the request of any party to an appeal, and for proper cause stated in the request, the Chairman of the Control Commission shall issue subpoenas for the attendance of witnesses and the production of books, records, and other documents.

5. Whenever oral argument, or the oral testimony of witnesses, or both, is presented at the hearing of an appeal, any party may, at his own expense, have a certified shorthand reporter present to take a stenographic record of the proceedings. If such record is made, the party shall file the original transcript with the Control Commission. Any other party shall be entitled to secure a copy from the reporter at his own expense.

6. Hearings may be adjourned by the Control Commission from time to time at the request of any party, but only for good cause shown; but hearings shall be held and concluded with reasonable dispatch and without unnecessary delay.

7. Three members of the Control Commission shall constitute a quorum for the hearing of an appeal. The Control Commission shall decide the appeal within 15 days of the hearing. The concurring vote of at least three members of the Control Commission shall be required for the determination of any appeal.

8. Upon the determination of an appeal, the Control Commission shall state its findings and record the vote of the members participating therein. All parties shall

be notified by the Secretary of the action of the Control Commission and shall be furnished a copy of the findings.

PART XIII

QUALIFICATION OF RAFFLES EQUIPMENT LESSORS

1. Persons desiring to furnish raffles equipment for rent must first be approved by the Control Commission. Any person desiring such approval shall apply to the Control Commission, in writing and in duplicate, on Form 11, which is hereby adopted. The application shall be signed under oath. Where such applicant is a natural person, partnership or other association of natural persons, the application shall be signed and sworn to by all of them. Where such applicant is a corporation, or association in the nature thereof, it shall be signed and sworn to by all of its officers and by all holders of 10% or more of its capital stock issued and outstanding, of all classes. If any such stockholder shall itself be a corporation or association in the nature thereof, the application shall also be signed and sworn to by all of the officers, and by all of the stockholders holding 10% or more of the capital stock issued and outstanding, of all classes, of such corporate stockholder.

2. All applicants before receiving approval shall appoint the Executive Officer of the Control Commission as agent for the service of process. Such appointment shall be made on Form 12 or 12A which are hereby adopted. Upon the service of any papers upon the Executive Officer of the Control Commission as such agent, the Executive Officer shall forthwith forward the papers by registered or certified mail, return receipt requested, to the person named in such power of Attorney and who is a defendant in such proceeding at the address that appears in the latest application filed with the Commission or at any new address subsequently furnished to the Control Commission by such applicant in writing.

3. If, upon considering such application the Control Commission shall be satisfied that the applicant (or its officers and stockholders of 10% or more of its stock when the applicant is a corporation) is of good moral character and has not been convicted of crime, it shall enter its approval in its records, shall notify the applicant accordingly, and shall issue its certificate with identifying number.

4. If, on considering such application, the Control Commission shall not be so satisfied, it shall notify the applicant, by registered or certified mail, return receipt requested, setting out the date and place of hearing on the application, to be held at least one week after the date of the notice. At the hearing, the burden of proof shall be on the applicant, and the Control Commission shall not enter an approval unless it is satisfied by the proofs of the existence of the conditions fixed by law.

5. The rules governing subpoenas, stenographic record, adjournments, quorum, vote and findings, applicable to appeals to the Control Commission, shall also apply to hearings on applications for approval. The Control Commission may, on its own initiative, issue subpoenas for the attendance of witnesses and the production of books, records, and other documents.

6. The approval, when granted, shall be valid for one year and may be renewed by making additional applications. The approval may be withdrawn, revoked or suspended by the Control Commission for any ground that would have caused the refusal of the approval in the first instance.

7. Within 48 hours after agreeing to supply raffles equipment to a licensee, whether or not a charge is made by the supplier, the raffles equipment supplier shall send to the Control Commission a certification as to the following:

1. Name and address of the licensee to whom the equipment was supplied.
2. Address of the place where the equipment was installed or is to be used.
3. Exact description of all equipment supplied.
4. Date upon which the equipment is to be used.
5. Total amount of charge made.

Such certification shall be made by the supplier in letter form. In the case of a corporate supplier, it shall be signed by an authorized officer.

PART XIV

RENTAL OF PREMISES FOR BINGO

Section A Definitions

1. "Organization" shall mean any organization licensed to hold, operate or conduct games of chance under the Bingo Licensing Law;

2. "Person" shall mean not only a natural person but also any partnership, joint venture, association, corporation or any other legal entity;

3. "Premises" shall mean any land, building, enclosure or part thereof used for the purpose of operating or conducting games of chance under the Bingo Licensing Law;

4. "Rentor" shall mean and include the owner, lessor, and supplier of premises furnished or supplied to, or used by, an organization for the purpose of holding, operating or conducting games of chance under the Bingo Licensing Law;

5. "Rental" shall mean the amount paid or payable by an organization to a rentor for the use of premises including janitorial services, utilities, tables and chairs rented, furnished or supplied to said organization for the purpose of holding, operating or conducting games of chance under the Bingo Licensing Law. No additional charge may be made for any service.

6. "Commercial Rentor" shall mean a rentor who is not a qualified organization registered with the Control Commission.

Section B Application and Licensing

7. Applications for licenses as an approved rentor shall be made on Form 15 which is hereby adopted. The application with supporting material as set forth below shall be filed with the Secretary of the Control Commission in duplicate.

Each application shall be accompanied by a rental statement on Form 16 which is hereby adopted.

Where the owner is an individual, the application shall be accompanied by identification statement for individuals on Form 19 which is hereby adopted. Where

the owner is a partnership, association, joint venture, or other business entity, except a corporation, it shall be accompanied by identification statement on Form 17 which is hereby adopted. Each person referred to in Form 17 shall file an identification statement for individual on Form 19.

If the owner is a corporation, it shall be accompanied by identification statement for corporation on Form 18 which is hereby adopted. Each stockholder shall file an identification statement for individual on Form 19.

8. No license as an approved rentor shall be granted:

(a) If any person whose signature or name appears in the application is not the real party in interest or if the person so signing or named in the application is an undisclosed agent or trustee for any such real party in interest; and,

(b) Unless the commission shall determine that (1) the applicant and, (2) if the applicant is not the owner, the owners of said premises, and (3) if said applicant or the owner is a corporation, all of its officers and each of its stockholders who own 10% or more of its issued and outstanding stock, are of good moral character and have not been convicted of a crime.

The commission will, among other things, and without limitation, consider a violation of chapters 5, 6 or 7 of the laws of 1954 or any amendment of or supplement to said acts as evidence of lack of good moral character.

9. The commission in its inquiry and investigation of an application may hold a hearing at which the applicant or if the applicant is a corporation its officers, directors and stockholders shall appear and testify under oath respecting the contents of the application.

10. When the commission is satisfied that the applicant possesses the qualifications to receive a license, the Secretary shall issue and deliver a license to an applicant as an approved rentor of specified premises upon the payment by the applicant of a license fee in the amount of \$100.00. Such payment shall be made by certified check payable to the order of the State of New Jersey.

11. Any license as approved rentor issued pursuant to this act may be revoked or suspended for such period as the commission deems in the public interest for any of the following offenses on the part of the licensee, its agent or employees, or any person required by this act to sign or be identified in an original application for a license:

(a) Any cause which would permit or require disqualification of the licensee from receiving a license upon original application;

(b) Fraud, deceit or misrepresentation in securing the license or in the conduct of the licensed activity or in connection with any application submitted to, or any interview, hearing or proceeding conducted by, the commission.

(c) Failure by the licensee to maintain a complete set of books and records containing a true and accurate account of the licensee's receipts and disbursements arising out of his activities;

(d) Failure to keep said books and records available during business hours for inspection by the commission and its duly designated representatives until the expiration of the second calendar year following the cal-

endar year during which occurred the transactions recorded therein;

(e) Violation of any provisions of this act, the Bingo Licensing Law or the rules and regulations adopted by the commission.

12. A license as an approved rentor shall be valid until revoked, suspended or modified by the commission.

13. The commission may issue a temporary permit to an applicant pending final action on the application. Any such temporary permit shall be valid for a period not in excess of 30 days.

14. Licenses for approved rentors shall be issued on Form 20 which is hereby adopted.

15. Qualified organizations registered with the Control Commission who file with the Secretary a declaration of trust on Form 21 which is hereby adopted that they will devote all of the rentals received to authorized purposes are hereby automatically approved and licenses shall issue upon the filing of such declaration. Form 21 shall be supplied and prepared by the organization.

SECTION C

Regulations Concerning Rentals

16. No agreements or arrangements for the rental or use of premises for the playing of bingo shall be valid and no moneys paid by licensed organizations for such rental or use or services shall be allowable expenditures to be taken into account in determining net proceeds unless made in accordance with the provisions of these rules and regulations.

17. No premises shall be used or allowed to be used for conduct of bingo unless the same are either (a) owned by the licensed organization conducting the games or (b) rented or supplied in compliance with the provisions of the statute and these rules and regulations.

18. No rentor shall rent, or allow the use of, any premises for bingo to be conducted by a licensed organization unless such rentor is either (a) itself a qualified organization holding a valid license issued by a municipality in this state for the conduct of bingo for a period including the date of such rental or use or (b) a licensed rentor holding a valid license issued by the Commission for the specific premises.

19. No premises shall be rented or allowed to be used unless all of the terms and conditions of such rental or use are set forth in a written agreement.

20. No agreement for the rental or use of any premises for bingo shall be valid unless the entire agreement is in writing, signed by the parties thereto, an executed copy filed with the Commission at least 15 days prior to the date of any occupancy or use thereunder.

21. No agreement for the rental or use of any premises for bingo shall be valid unless the same shall contain the following provisions, terms and conditions:

(a) That neither the rentor nor the owner of the premises will make any charge, or receive or accept, any money or other valuable thing from the licensed organization other than the payments expressly provided in such agreement;

(b) That neither the rentor nor the owner of the premises will enter into any arrangement or transaction with the licensed organization other than for the rental of premises, which includes the rental of chairs and tables and janitor service as set out in the agreement;

(c) That neither the rentor nor any person having an interest in the rentor, or the owner, or any person having an interest in the owner, nor any officer, director, stockholder, employee, agent or servant of the rentor or owner shall conduct, participate or assist in the conduct of bingo or render any service to anyone conducting, participating or assisting in the conduct of bingo at any time during the calendar year in which such agreement is made or during which the same may be in force; but this requirement shall apply only to a commercial rentor;

(d) That no payments shall be made to the rentor or owner or accepted by the rentor or owner except by check;

(e) That rentor will not allow the presence on the premises of any person or persons directed by the Commission to be kept off the premises;

(f) That all of the terms, covenants and conditions of the agreement shall be subject to amendment, supplement, modification or change as may be required by any rule, regulation or specific order of the Commission thereafter adopted or entered, but in any such event either party to the agreement shall be entitled to terminate the agreement at any time thereafter on 7 days' notice;

(g) That the rentor and owner shall at all times comply with any rule, regulation or specific order of the Commission thereafter adopted or entered and applicable to the rentor or owner;

(h) That any person, whether a rentor or owner, who shall receive any money or other valuable thing directly or indirectly from the licensed organization on or after the date on which such rentor or owner shall violate any term, covenant or condition of the agreement, or of any rule, regulation or specific order of the Commission, applicable to such rentor or owner, shall be obliged to repay and refund any and all sums and things so received from the date of such violation and until such violation shall cease, to the licensed organization upon request of such licensed organization or the Commission;

(i) That the licensed organization may cancel in accordance with Rules and Regulations any date scheduled for the conduct of bingo on the premises without being obliged to make any payment for such date;

(j) That neither the rentor nor the owner of the premises will in any way advertise or announce, or allow any other person to advertise or announce, by any means which come to the attention of the public, that the premises are used, or are available for rental or use for the conduct of bingo;

(k) A statement listing the commercial rentor's license number or the bingo license of a licensed organization rentor, as the case may be, the identification number and bingo license number of the organization to which the premises are rented.

22. No agreement for the rental or use of premises for the conduct of bingo shall be valid for a period beyond one calendar year from the effective date thereof.

23. No renter or owner of premises used for the conduct of bingo shall use the word "bingo," "keno," "lotto," "games," "amusement," or other word whose meaning is capable of conveying the suggestion that bingo, as defined in these rules and regulations, is or will be conducted or played, either as part of the name of the renter or as the name of the premises or place within which the premises to be rented or used for the conduct or playing of bingo are located.

24. Every renter shall keep and maintain a register in which there shall be entered a record of all dates reserved for rental to or use by any licensed organization for the conduct or playing of bingo and a record of rental and use, which record shall indicate:

- (a) the date and portion of the day reserved;
- (b) the name, identification number and license number for the licensed organization;
- (c) the amount to be charged for the rental or use;
- (d) the date of the agreement for rental or use and its filing number;
- (e) a statement whether the premises were so used on the specified date;
- (f) a description of the check received in payment of the rental or charge made, including date, bank, payee, and amount.

25. Within 7 days after receiving a payment for the rental or use of premises for the conduct or playing of bingo, every person receiving any such payment shall file a statement thereof with this Commission, disclosing:

- (a) location of premises and name of person receiving payment;
- (b) date and amount of payment received and description of method of payment;
- (c) name, identification number and bingo license number of organization which conducted bingo;
- (d) date when bingo was conducted;
- (e) filing number of agreement for the rental or use of premises.

26. No renter shall allow or permit bingo to be conducted or played on premises rented for that purpose unless there shall be in existence a valid license for the conduct of the games by the organization actually conducting the same and unless the said license is prominently displayed on the premises during the conduct of the game as required by the rules and regulations applicable.

27. No renter shall lend money to or borrow money from any organization licensed to conduct bingo games, or any person who is an officer of any such organization or who is in charge of or assists in the conduct of the games, so long as such renter shall rent, or offer to rent or allow the use of premises for the conduct or playing of bingo.

28. A renter which is itself licensed to hold, operate or conduct games of chance under the Bingo Licensing Law, and which executes and files with the Commission a declaration of trust, in such form as it may require, stating that it will devote the entire gross rentals received by it for the rental or use of premises, exclusively to one or more authorized purposes expressly identified in such declaration and approved by the Com-

mission, need not submit any data or information to support the fairness and reasonableness of the rental or other payment to be received.

29. Every commercial renter shall promptly notify the Commission, of any change in its organization structure or mode of operation, and of any change in the identity of the persons named or required to be named in the application or of the nature or extent of their interest as set forth in the application.

30. Every renter holding a license shall, at Commission's request, file such forms and furnish such information as may be required from time to time for the purpose of maintaining current and reliable information as to the continuance of the qualifications required for such license.

31. Qualified organizations registered with the Control Commission may donate their premises to another qualified organization, licensed to conduct bingo, but may not make any charge for services rendered or otherwise. (As to rental of premises by a qualified organization, see Rule 15, Part XIV.)

32. A renter must post the license on the premises where bingo is played.

33. Rentals must be collected by the commercial renter within 48 hours after the holding of the bingo occasion.

PART XV GENERAL PROVISIONS

1. All forms other than Form 1-A, 11, 12, and 12A, 14, 15, 16, 17, 18, 19, 20, and 21, shall be supplied by the municipalities. All forms, other than Form 1-A, and all papers on appeal shall be on good white paper. Forms 2B-A, 2R-A, 8B-A and 8R-A shall be on paper 8½ x 22 inches in size. Other forms, with the exception of Forms 1-A, 3 and 4, and papers on appeal shall be on paper 8½ x 11 inches in size.

2. The seal of the Control Commission shall consist of the seal of the State of New Jersey with the words "New Jersey Legalized Games of Chance Control Commission" around the circumference.

3. Each municipal clerk of a municipality which has adopted Bingo Licensing Law or the Raffles Licensing Law or both shall submit to the Control Commission annually for the 12-month period ending October 30th, each year on or before November 15th a report containing the following information as to the operation of both bingo and raffles within the municipality for the preceding 12-month period:

- (a) Number of licenses issued;
- (b) Names and addresses of the licensees;
- (c) Aggregate amount of license fees collected;
- (d) Names and addresses of all persons detected of violation of the Laws and Rules and Regulations;
- (e) Names and addresses of all persons prosecuted for such violations and the result of each such prosecution and the penalties imposed.

Such reports may contain any recommendations for the improvement of the Bingo Licensing Law and Raffles Licensing Law and the administration thereof which the governing body of the municipality shall deem desirable. (See R.S. 5:8-22.)

Part D: Schedule of Purposes

1. The specific purpose(s) to which the entire net proceeds of the games listed in this application are to be devoted, and the manner in which they are to be so devoted are:

.....

2. If any part of the net proceeds are to be devoted to a purpose allowed by the Bingo Licensing Law by turning the same over to another organization which is exclusively devoted to such purposes, secure the signature of its president or other executive officer to the following certificate:

"It is hereby certified that
 (Name of Organization)
 will accept from the licensee any part of the net proceeds of the games listed in this application to be turned over to it."
 Date..... Signature.....

Part E: Schedule of Prizes

A description of all prizes to be offered and given in all the games listed in this application is as follows: (for cash prizes, state the amount; for merchandise, describe the article and state the retail value; if prizes are to be donated, so indicate and estimate as accurately as possible the information called for).

Description of Prize Amount (for cash prizes) or Article	Retail Value
.....
.....
.....
.....
.....
.....
.....
.....

Part F: Officers of Applicant

Office	Name of Officer	Residence Address	Age
.....
.....
.....

Part G: Members of Applicant Who Will Be in Charge of the Games

Name of Member in Charge	Residence Address	Tel. No.	Age
.....
.....
.....

(If more space is needed in any section of this application, insert extra sheets.)

Part H: Members of Applicant Who Will Assist in Conducting the Games

Name of Member	Residence Address	Age
.....
.....
.....

Part I: Names of Other Organizations Whose Members Will Assist in Conducting the Games

Name and Address of Organization	How Related	Identification No.
.....
.....
.....

Part J: Statement of Applicant and Member(s) in Charge

STATE OF NEW JERSEY } ss.:
 COUNTY OF }

We do hereby each make the following statement, under oath, with respect to the foregoing application:

- The applicant (is) (is not) limited in its activities to the furtherance of one or more authorized purposes as defined in the Bingo Licensing Law.
- Prior to the issuance of any license to it to conduct games of chance the applicant was actively engaged in serving one or more "authorized purposes."
- The applicant has received and used, and in good faith expects to continue to receive and use, to further one or more authorized purposes, funds from sources other than games of chance.
- The conduct of the games on the occasion or occasions for which this application is made will be to raise and devote the entire net proceeds to the authorized purpose described in the application.
- For each occasion for which a license is sought, one or more of the members listed who are familiar with the Bingo Licensing Law, and the Rules and Regulations, will be in full charge of, and primarily responsible for, the conduct of the games.
- No commission, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting or assisting in the holding, operation or conducting, of the games, except to bookkeepers or accountants for professional services not exceeding the amounts fixed by the Schedule of Fees, no prize greater in amount or retail value than \$250.00 will be awarded in any single game of bingo, and the aggregate of all prizes offered and given in all games of bingo held, operated and conducted on a single occasion will not exceed the sum or retail value of \$1,000.00.

7. All statements in the foregoing application are true.

.....
 Signature of Officer, and Title

.....
 Member in Charge

.....
 Member in Charge

.....
 Member in Charge

.....
 Member in Charge

Sworn to and subscribed before

me this day

of, 19....

.....
 Notary Public

(Seal of Notary)

Applicant's registration slip from the Control Commission must be presented to the Municipal Clerk with this application.

Form 6B/R

License for
 (Insert Bingo or Raffles)

(Name of Municipality)

License Number..... Identification Number

Name of Licensee

Address

1. This license allows the licensee to conduct

(cross out line which
 does not apply)

Bingo (not to exceed 35 games),

Raffles of the kind stated,

the winner to be determined on each of the dates, at the places and during the hours shown below:

Kind of Game	Date	Place	During Hours
.....
.....

2. The value and character of the prizes authorized to be offered and given on each date are:

3. This license is valid only if the entire net proceeds are devoted to the following specific purposes:

4. The names and addresses of the members under whom the games will be held, operated and conducted are:

Issued by order of (name of governing body) on
(SEAL)

(Signature of Municipal Clerk)

DISPLAY THIS LICENSE CONSPICUOUSLY DURING THE CONDUCT OF GAMES.

Games must be played in accordance with Rules of Control Commission. See Parts VI, VII and VIII of RULES AND REGULATIONS.

LGCCC 8B-A

REPORT OF BINGO OPERATIONS

License No. Identification No.
Prepare 2 copies: to Municipal Clerk

Insert name of Municipality

Name of licensee

Address

Gross Receipts

Admission charges and first regular card	\$.....
Receipts from extra regular cards.....
Receipts from cards for special games...
Sale of supplies
Other receipts
Total receipts	\$.....

Expenses (See part I, Rules 3f and 3g, Rules and Regulations)

Purchases of Goods, Wares and Merchandise

A. Amount or cost of prizes
B. Equipment
C. Other

Services Rendered

A. Rental of premises
B. Other

Total expenses \$.....

Net Proceeds \$.....

Total number of players at this occasion

Hours of play: Began Ended

Number of games played Date of occasion

Place where played

Schedule of Prices

Game No.	Regular or Special	Description of Prize	Amount of Value
Total Amount or Value			

Special Games

Game No.	1	2	3	4	5	6	7	8	9	10
Number of										
Specials Sold										
Price										
Gross Sales										

Number of

Specials Sold

Price

Gross Sales

Total Gross Sales.....

Cards for Special Games Supplied by:

Name

Address

Schedule of Expenses

Description of Item (Goods, Wares and Merchandise)	Name and address of supplier of items purchased or services rendered	Amount
1. Total Prizes		
2. Equipment		
a.		
b.		

Services Rendered

1. Rental of premises	
2. Bookkeeper or Accountant	
3. Other	
a.	
b.	
c.	

Total Expense.....

Schedule of Members

1. Name and address of member in full charge of and primarily responsible for conduct of the games on this occasion:

Name Tel. No. Age

Address

2. Other members assisting member in charge on this occasion:

Name	Address	Tel. No.	Age
.....
.....

3. Name and address of member calling numbers (give age):

Note: This section may be completed by having each member sign in as he or she reports for duty on the occasion.

Schedule of Use of Net Proceeds

Unexpended balance of net proceeds shown on last report \$.....

Entire net proceeds from this occasion \$.....

Total net proceeds \$.....

Utilization of net proceeds since last report and to date of this report:

Date	Description of Use and Check No.	Amount
1.
2.
3.
4.

Total utilized \$.....

Unexpended balance of net proceeds \$.....

Bank where unexpended balance is deposited

Name of member in charge of and responsible for use of proceeds

Certificate

We hereby certify that the foregoing report is true.

.....
Officer of Applicant, and Title

.....
Member in Charge of Game

Sworn to and subscribed before

me this day

of, 19....

.....
A Notary Public
(Seal of Notary)

See Part IX of Rules and Regulations

AN ACT permitting the transportation of senior citizens and physically handicapped to bingo games and supplementing the "Bingo Licensing Law," approved February 20, 1954 (P.L. 1954, c. 6).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Notwithstanding any law, rule, or regulation to the contrary, a licensee may transport or provide by contract or other arrangement for the transportation of senior citizens and physically handicapped persons to and from places where bingo games are conducted by said licensee.

2. This act shall take effect immediately.

S T A T E M E N T

Pursuant to section 17 of Part VI of the Rules and Regulations of the Legalized Games of Chance Control Commission, organizations licensed to conduct bingo games are prohibited from transporting participants to and from places where this game of chance is played.

The Bingo and Raffles Study Commission concluded that, in general, this prohibition is desirable inasmuch as it prevents organizations which can afford to bus bingo players from having an unfair advantage over organizations which cannot afford to bus participants.

The Commission concluded, however, that this blanket regulation effectively prevents many senior citizens and handicapped persons from participating in bingo games because of their inability to get to and from such games. After three public hearings, the Commission conducted a survey of 1,400 bingo licensees throughout the State. Of the 779 who responded, 60 percent stated support for allowing the busing of senior citizens. The Commission felt that handicapped persons should receive the same consideration.

AN ACT concerning the advertising of bingo games and
repealing section 13 of the "Bingo Licensing Law,"
approved February 20, 1954 (P.L. 1954, c. 6).

BE IT ENACTED by the Senate and General Assembly
of the State of New Jersey:

1. Section 13 of P.L. 1954, c. 6 (C. 5:8-36) is
hereby repealed.
2. This act shall take effect immediately.

S T A T E M E N T

The purpose of this bill is to eliminate all statutory
prohibitions on the advertising of bingo games.

The objections to the present prohibition on
advertising were among the primary complaints made
during the course of the three public hearings held by
the Bingo and Raffles Study Commission. Following the
hearings, the Commission surveyed 1,400 licensees throughout
the State and determined that 73 percent of the 779 who
responded favored the elimination of the advertising ban.

AN ACT concerning bingo games on Sunday and repealing section 8 of the "Bingo Licensing Law," approved February 20, 1954 (P.L. 1954, c. 6).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 8 of P.L. 1954, c. 6 (C. 5:8-31) is hereby repealed.
2. This act shall take effect immediately.

S T A T E M E N T

Under present law, a bingo licensee may conduct bingo games on Sunday only if authorized by a municipality to do so pursuant to an ordinance adopted by the governing body. This bill would allow bingo licensees to conduct bingo games on Sunday under the same standards and requirements pertaining to all other days of the week.

According to a survey of 1,400 bingo licensees conducted by the Bingo and Raffles Study Commission, 67 percent of those who responded (779) were in favor of eliminating the requirement of prior municipal approval for the conducting of bingo on Sunday.

AN ACT concerning persons engaged in the conduct of bingo and supplementing the "Bingo Licensing Law," approved February 20, 1954 (P.L. 1954, c. 6).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Notwithstanding any law, rule, or regulation to the contrary, it shall be lawful for any person to engage in the conduct of bingo for any two or more affiliated licensees of which he or she is an active member. The Commission shall by regulation determine whether licensees are affiliated.

2. This act shall take effect immediately.

S T A T E M E N T

Under section 4 of Part VI of the Rules and Regulations promulgated by the Legalized Games of Chance Control Commission, only active members of a bingo licensee may participate in the conducting of the licensee's bingo games. Section 8 of Part VII of the same Rules and Regulations, however, prohibits persons from working for more than one licensee during the same calendar year. This means if a person is an active member in a church, for example, and is listed on the church's bingo license, that person cannot work for any other organization affiliated with the church which also holds a bingo license. Persons who testified before the Bingo and Raffles Study Commission indicated that this causes a definite hardship for many organizations which depend on affiliated groups for support, but who cannot find enough volunteers to work all of the bingo games. In the vast majority of cases, only a small cadre of dedicated volunteers are willing

to work for affiliated bingo licensees, but are prevented now from doing so.

In the survey of 1,400 bingo licensees conducted by the Bingo and Raffles Study Commission, an overwhelming 88 percent of those who responded (779) were in favor of allowing persons to work any bingo games sponsored by or affiliated with their organization. This was the highest percentage of approval for any of the 14 questions posed in the survey.

AN ACT concerning statement of receipts from bingo games
and amending the "Bingo Licensing Law," approved
February 20, 1954 (P.L. 1954, c. 6).

BE IT ENACTED by the Senate and General Assembly
of the State of New Jersey:

1. Section 14 of P.L. 1954, c. 6 (C. 5:8-37) is
amended to read as follows:

14. Within ~~[15]~~ 30 days after the conclusion of the holding, operating and conducting of any such game of chance, the organization, association, church, congregation, society, club, fire company, or first-aid or rescue squad which held, operated or conducted the same, and its members who were in charge thereof, shall furnish to the clerk of the municipality a ~~[duly verified]~~ statement showing the amount of the gross receipts derived from each game of chance, which shall include receipts from the sale of shares, tickets or rights in any manner connected with participation in said game or the right to participate therein, each item of expense incurred, or paid, and each item of expenditure made or to be made, name and address of each person to whom each such item has been, or is to be paid, with a detailed description of the merchandise purchased or the services rendered therefor, the net profit derived from each such game of chance, and the uses to which such net profit has been or is to be applied and a list of prizes offered and given, with the respective values thereof and it shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

Notwithstanding any law, rule, or regulation to the contrary, the statement required by this section shall be signed by an officer of the licensee and the member in charge of the game, but does not have to be notarized.

2. This act shall take effect immediately.

S T A T E M E N T

The purpose of this bill is to reduce some of the inconvenience and expense involved in the reporting of bingo game receipts.

It would change from 15 to 30 the number of days that a bingo licensee would have to report the receipts of a bingo game after its conclusion. It would also eliminate the requirement set by the Legalized Games of Chance Control Commission that the report statement be notarized.

BRODART, INC.	Cat. No. 23-221

BRODART, INC.

Cat. No. 23-221

JOHN M. SKEVIN
CHAIRMAN
CHRISTOPHER J. JACKMAN
VICE CHAIRMAN
WAYNE DUMONT, JR.
WILLIAM V. MUSTO
VINCENT O. PELLECCIA
C. GUS RYS



State of New Jersey

BINGO AND RAFFLES STUDY COMMISSION

THOMAS E. LEACH
SECRETARY

STATE HOUSE
TRENTON, NEW JERSEY 08625
TELEPHONE: (609) 292-5526

FOR IMMEDIATE RELEASE - November 1, 1977

TRENTON -- Senator John M. Skevin, (District 38-Pt. Bergen), today released the findings and recommendations of the Bingo and Raffles Study Commission created initially in 1974 and reconstituted by the Legislature in 1976.

Skevin, who served as Commission Chairman, noted that after three public hearings and a 56% response to 1,400 questionnaires disseminated to bingo licensees throughout the State, "On the basis of the evidence gathered... there is presently no need for a major overhaul of the bingo regulatory scheme. (However) the time is ripe for certain departures from the current scheme -- departures which reflect... the changing needs of those organizations using bingo to serve the public interest." Legislation passed in 1954 to regulate bingo and raffles was designed to prevent abuse and the influence of criminal elements. These controls have been effective, but as the games have become increasingly more popular, public sentiment suggests that some changes are needed to help those organizations which use bingo to benefit worthy causes. Revenues from the two games have risen from \$8.6 million in 1954 to more than \$1.2 billion in 1975. Bingo alone accounted for an estimated \$11,400,000 collective admission throughout the State in 1974-75.

(OVER)