

CHAPTER 65
CASINO REINVESTMENT
DEVELOPMENT AUTHORITY

Authority

N.J.S.A. 5:12-144.1j and 5:12-161f.

Source and Effective Date

R.2008 d.325, effective October 2, 2008.
See: 40 N.J.R. 1632(a), 40 N.J.R. 6481(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1.c(2), Chapter 65, Casino
Reinvestment Development Authority, expires on March 30, 2016. See:
47 N.J.R.3108(a).

Chapter Historical Note

Chapter 65, Casino Reinvestment Development Authority, was filed
and became effective as an Emergency New Rule on April 3, 1986
(expired June 2, 1986). See: 18 N.J.R. 852(a).

Chapter 65, Casino Reinvestment Development Authority, was
adopted as R.1986 d.256, effective July 7, 1986. See: 18 N.J.R. 852(a),
18 N.J.R. 1405(a). Pursuant to Executive Order No. 66(1978), Chapter
65, Casino Reinvestment Development Authority, expired on July 7,
1991.

Chapter 65, Casino Reinvestment Development Authority, was
adopted as R.1992 d.383, effective October 5, 1992. See: 24 N.J.R.
1692(b), 24 N.J.R. 3535(a).

Pursuant to Executive Order No. 66(1978), Chapter 65, Casino Re-
investment Development Authority, was readopted as R.1997 d. 452,
effective September 26, 1997. As part of R.1997 d.452, effective
October 20, 1997, Subchapter 4, Female and Minority Targets in Au-
thority Financed Construction Projects and Licensee's Direct Investment
Construction Projects, was renamed Female and Minority Percentage
Goals in Authority Financed Construction Projects and Licensee's Direct
Investment Construction Projects; and Subchapter 9, Miscellaneous, was
adopted as new rules. See: 29 N.J.R. 3708(a), 29 N.J.R. 4562(b).

Subchapter 8, Contracts for Architectural, Engineering and Land Sur-
veying Services, was adopted as new rules, and former Subchapter 8,
Waivers, was recodified as Subchapter 9, Waivers. Subchapter 9, Mis-
cellaneous, was recodified as Subchapter 10, Miscellaneous, by R.1999
d.326, effective September 20, 1999. See: 31 N.J.R. 1455(a), 31 N.J.R.
2759(a).

Chapter 65, Casino Reinvestment Development Authority, was re-
adopted as R.2003 d.101, effective February 5, 2003. See: 34 N.J.R.
3177(a), 35 N.J.R. 1274(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chap-
ter 65, Casino Reinvestment Development Authority, was extended by
gubernatorial directive from August 3, 2008 to October 2, 2008. See:
40 N.J.R. 5070(b).

Chapter 65, Casino Reinvestment Development Authority, was re-
adopted as R.2008 d.325, effective October 2, 2008. As part of R.2008
d.325, Subchapter 4, Female and Minority Percentage Goals in Au-
thority Financed Construction Projects and Licensees' Direct Investment
Construction Projects, was repealed, effective November 3, 2008. See:
Source and Effective Date.

Subchapter 11, Procedures to Resolve Protested Solicitations and
Awards, was adopted as new rules by R.2010 d.172, effective August
16, 2010. See: 41 N.J.R. 4069(a), 42 N.J.R. 1909(a).

Subchapter 4, Loans to Public Bodies, was adopted as new rules by
R.2011 d.263, effective November 7, 2011. See: 43 N.J.R. 1247(a), 43
N.J.R. 3038(c).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 65, Casino
Reinvestment Development Authority, was scheduled to expire on
October 2, 2015. See: 43 N.J.R. 1203(a).

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SUBCHAPTER 1. GENERAL PROVISIONS

19:65-1.1 Purpose and objectives

(a) The rules contained in this chapter are established to effectuate, and shall be applied so as to accomplish the general purposes of the Act, including, without limitation:

1. To assist in the development or redevelopment of political subdivisions within the State in the manner and priority set forth in the Act; and
2. To increase opportunities for gainful employment and to improve living conditions in such political subdivisions; and
3. To foster and promote the economy of the State generally.

19:65-1.2 Definitions

As used in this chapter, the following words and terms shall have the following meanings unless a different meaning clearly appears from the context.

“Acquisition value” means the value at a time within a reasonable period of time prior to the approval of the project in accordance with N.J.A.C. 19:65-2.4(b) as determined by an appraisal of such property in form and substance acceptable to the Authority undertaken on a fair market value basis by an appraiser appointed by the Authority.

“Act” means P.L. 1984, c.218, as amended and supplemented, and as the same may be further amended or supplemented from time to time.

“Applicant” means any person, entity, licensee, prospective licensee, government, governmental agency, authority, or instrumentality, municipality or political subdivision of the State permitted under the provisions of the Act or these rules to apply for review and approval and/or a determination of

eligibility of or with respect to a project by the Authority under the Act and these rules.

“Application” means a fully completed and signed application submitted pursuant to the provisions of N.J.A.C. 19:65-2.3 in such form or forms as may be prescribed from time to time by the Authority.

“Approved project” means a project which satisfies the provisions of the Act and these rules and is approved by the Authority.

“Appurtenant facilities” shall mean facilities which are necessary or convenient to facilities with units for overnight visitors, including, but not limited to, parking facilities and recreational and park facilities to the extent reasonably commensurate in size for use by the overnight visitors of such units. In no event shall appurtenant facilities include casino space or facilities related thereto.

Atlantic City Expansion Fund means the fund created by Section 5 of P.L. 2004, c.129 (N.J.S.A. 5:12-173.22(a)).

“Authority” means the Casino Reinvestment Development Authority.

“Bonds” means bonds, notes or evidences of Authority debt issued to licensees pursuant to N.J.S.A. 5:12-162 (section 14 of P.L. 1984, c.218).

Casino Capital Construction Fund means the fund created by Section 13 of P.L. 2003, c.116 (N.J.S.A. 5:12-173.22).

“Contract” means a written contract between the Authority and a Licensee to purchase Bonds pursuant to N.J.A.C. 19:65-3.

“Corridor Region” shall mean and include:

1. The area bounded as follows:

- i. Having as its southern boundary the Boardwalk between Texas Avenue and the point of intersection between the Boardwalk and an imaginary line extending southerly from the Southeasternmost point of Mt. Vernon Avenue (hereinafter “Mt. Vernon/Boardwalk Intersection”);

- ii. Having as its eastern boundary a line running north from the Mt. Vernon/Boardwalk Intersection to the Southeasternmost point of Mt. Vernon Avenue and continuing along Mt. Vernon Avenue north to Arctic Avenue and thence easterly to the point of intersection of Arctic Avenue with Bacharach Boulevard;

- iii. Having as its northeastern border Bacharach Boulevard from Arctic Avenue and extended to Beach Thorofare;

- iv. Having as its northwestern border the southern side of Beach Thorofare from the intersection of the