

SENATE, No. 1110

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JANUARY 31, 2022

Sponsored by:

Senator VINCENT J. POLISTINA

District 2 (Atlantic)

Senator TROY SINGLETON

District 7 (Burlington)

SYNOPSIS

Authorizes CRDA to finance transportation projects between Atlantic City Airport and Atlantic City Tourism District.

CURRENT VERSION OF TEXT

As introduced.



S1110 POLISTINA, SINGLETON

2

1 AN ACT concerning transportation projects of the Casino
2 Reinvestment Development Authority and amending P.L.2011,
3 c.18.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 5 of P.L.2011, c.18 (C.5:12-219) is amended to read
9 as follows:

10 5. a. (1) There shall be established by resolution of the
11 authority the Atlantic City Tourism District, which shall consist of
12 those lands within Atlantic City that comprise an area to be
13 designated by the resolution. The area so designated shall include
14 the facilities comprising licensed Atlantic City casinos, casino
15 hotels, and any appurtenant property, any property under the
16 ownership or control of the authority, the Atlantic City Special
17 Improvement District established by ordinance of the City of
18 Atlantic City, any property under the ownership or control of the
19 convention center authority prior to the transfer date, any property
20 within Atlantic City under the ownership or control of the New
21 Jersey Sports and Exposition Authority established pursuant to
22 P.L.1971, c.137 (C.5:10-1 et seq.) prior to the transfer date, the
23 Atlantic City Convention Center, Boardwalk Hall and any part of
24 the property consisting of the Atlantic City convention center
25 project prior to the transfer date, and any specified part of Atlantic
26 City which the authority finds by resolution to be an area in which
27 the majority of private entities are engaged primarily in the tourism
28 trade, and the majority of public entities, if any, serve the tourism
29 industry. Notwithstanding section 7 of P.L.1984, c.218 (C.5:12-
30 155), the authority shall adopt the resolution by an affirmative vote
31 of two-thirds of the voting members of the authority no more than
32 90 days after the effective date of P.L.2011, c.18 (C.5:12-218 et
33 al.). Notwithstanding section 7 of P.L.1984, c.218 (C.5:12-155),
34 adoption by the authority of any subsequent resolution to revise, in
35 a manner consistent with this subsection, the area designated as
36 comprising the tourism district shall also be by an affirmative vote
37 of two-thirds of the voting members of the authority.

38 (2) If, on the 91st day after the effective date of P.L.2011, c.18
39 (C.5:12-218 et al.), the authority has not adopted the resolution
40 establishing the tourism district as provided pursuant to paragraph
41 (1) of this subsection, the authority shall carry out the purposes of
42 P.L.2011, c.18 (C.5:12-218 et al.) within the following areas of
43 Atlantic City:

44 (a) the area known as Bader Field;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

S1110 POLISTINA, SINGLETON

1 (b) the area known as the Marina District beginning at a point
2 north of White Horse Pike and continuing northwesterly along State
3 Route 87 and Huron Avenue, and the casinos and hotels adjacent
4 thereto, and bounded to the east by the body of water known as
5 Clam Thorofare and bounded to the west by Huron Avenue and
6 which area shall also encompass the area known as Farley Marina;
7 and

8 (c) all that certain area bounded by a line, having as its point of
9 origin the intersection of Kingston Avenue and Ventnor Avenue,
10 which line of boundary proceeds from that point of origin as
11 follows:

12 Northeasterly along Ventnor Avenue to its junction with Capt.
13 John A. O'Donnell Parkway;

14 Thence northeasterly along that Parkway to its intersection with
15 Atlantic Avenue;

16 Thence northeasterly along Atlantic Avenue to its junction with
17 Florida Avenue;

18 Thence northwesterly along Florida Avenue to its junction with
19 North Turnpike Road;

20 Thence northwesterly along North Turnpike Road to its junction
21 with Sunset Avenue;

22 Thence along Sunset Avenue as it curves to its intersection with
23 Mediterranean Avenue;

24 Thence northeasterly along Mediterranean Avenue to its junction
25 with North Mississippi Avenue;

26 Thence continuing southeasterly along North Mississippi Avenue
27 to its junction with Fairmont Avenue;

28 Thence northeasterly along Fairmount Avenue to its intersection
29 with Christopher Columbus Boulevard;

30 Thence northwesterly along Christopher Columbus Boulevard to
31 the point at which it borders the Atlantic City Expressway, to its
32 junction with the Atlantic City Expressway and Arkansas Avenue;

33 Thence continuing westerly and northerly along the perimeter of
34 the Atlantic City Expressway along the points of that perimeter to
35 the point at which the perimeter is parallel to the northwest facing
36 perimeter of the property encompassing the Atlantic City
37 Convention Center;

38 Thence continuing southerly and westerly along the northwest
39 facing perimeter of the property encompassing the Atlantic City
40 Convention Center to the point at which such property, and any
41 property immediately adjacent thereto, intersects with Bacharach
42 Boulevard;

43 Thence continuing southerly and easterly along Bacharach
44 Boulevard to its junction with Arctic Avenue;

45 Thence continuing northeasterly along Arctic Avenue to its
46 junction with Tennessee Avenue;

47 Thence continuing southeasterly along Tennessee Avenue to its
48 junction with Atlantic Avenue;

S1110 POLISTINA, SINGLETON

1 Thence continuing northeasterly along Atlantic Avenue at a
2 width extending westerly of 100 feet from all points along the
3 western side of Atlantic Avenue to its junction with Maine Avenue;

4 Thence continuing from the intersection of Maine Avenue and
5 Atlantic Avenue easterly in a line extending through the Boardwalk
6 and beach, to the tidal shore of Atlantic City;

7 Thence continuing from the intersection of the end point of that
8 line and the tidal shore, southerly along the tidal shores as it jogs
9 and curves to the point the tidal shore turns to a southwesterly
10 direction;

11 Thence continuing along such southwesterly direction of the tidal
12 shores as it jogs and curves to the point on the tidal shore at which
13 the shoreline would intersect with a straight-line projection
14 oceanward of southern Kingston Avenue;

15 Thence continuing northerly and westerly along Kingston
16 Avenue to its junction with Ventnor Avenue.

17 b. Upon and after the adoption, pursuant to subsection a. of this
18 section, of the resolution establishing the tourism district, or upon
19 and after the establishment of the tourism district under paragraph
20 (2) of subsection a. of this section, as appropriate the authority shall
21 have jurisdiction within the tourism district to impose land use
22 regulations, implement development and design guidelines and
23 implement initiatives that promote cleanliness, commercial
24 development, and safety, undertake redevelopment projects, and
25 institute public safety improvements in coordination with security
26 and law enforcement personnel.

27 c. (1) Notwithstanding any law, rule, or regulation to the
28 contrary, upon and after the adoption, pursuant to subsection a. of
29 this section, of the resolution establishing the tourism district, or
30 upon and after the establishment of the tourism district under
31 paragraph (2) of subsection a. of this section, as appropriate, the
32 authority shall have, in conjunction with the appropriate road and
33 highway authority or authorities, as appropriate, jurisdiction with
34 respect to the approval of development projects upon those roads
35 and highways over which such road and highway authority or
36 authorities have jurisdiction as of the date of enactment of
37 P.L.2011, c.18 (C.5:12-218 et al.).

38 (2) Notwithstanding any law, rule, or regulation to the contrary,
39 upon and after the adoption, pursuant to subsection a. of this
40 section, of the resolution establishing the tourism district, or upon
41 and after this establishment of the tourism district under paragraph
42 (2) of subsection a. of this section, as appropriate, the authority
43 shall have, with respect to the roads and highways located within
44 the tourism district, exclusive jurisdiction with respect to the
45 promulgation of rules and regulations affecting the control and
46 direction of traffic within the tourism district.

47 d. The authority may, by resolution, authorize the
48 commencement of studies and the development of preliminary plans

1 and specifications relating to the creation and maintenance of the
2 tourism district. These studies and plans shall include, whenever
3 possible, estimates of construction and maintenance costs, and may
4 include criteria to regulate the construction and alteration of facades
5 of buildings and structures in a manner which promotes unified or
6 compatible design.

7 e. In furtherance of the development of an economically viable
8 and sustainable tourism district, the authority shall, within one year
9 after the date of enactment of P.L.2011, c.18 (C.5:12-218 et al.),
10 adopt a tourism district master plan. The authority shall initiate a
11 joint planning process with the participation of: State departments
12 and agencies, corporations, commissions, boards, and, prior to the
13 transfer date, the convention center authority; metropolitan planning
14 organizations; Atlantic County; Atlantic City; and appropriate
15 private interests.

16 f. After the creation of the tourism district pursuant to
17 subsection a. of this section, the authority shall create a commission
18 to be known as the Atlantic City Tourism District Advisory
19 Commission, or "ACT Commission," consisting of members to be
20 appointed by the authority. Persons appointed as members of the
21 commission shall include public officials of Atlantic City and
22 Atlantic County, representatives of the casino and tourism
23 industries, public citizens, and any other individual or organization
24 the authority deems appropriate. The commission shall be
25 authorized to review the authority's annual budget and the
26 authority's plans concerning the tourism district. The commission
27 shall, from time to time, make recommendations to the authority
28 concerning the authority's development and implementation of the
29 tourism district master plan, and the authority shall give due
30 consideration to those recommendations. In order to ensure
31 coordination, compatibility, and consistency between the tourism
32 district master plan and the city's master plan, the authority shall
33 consult with the city in developing the tourism district master plan.

34 g. The tourism district master plan shall establish goals,
35 policies, needs, and improvement of the tourism district, the
36 implementation of clean and safe initiatives, and the expansion of
37 the Atlantic City boardwalk area to reflect an authentic New Jersey
38 boardwalk experience. The authority may consult with public and
39 private entities, including, but not limited to, those entities that are
40 present in, or that have been involved with the development of,
41 boardwalk areas in New Jersey such as the boardwalk areas of
42 Ocean City, the Wildwoods, and Cape May.

43 h. In developing the tourism district master plan, the authority
44 shall place special emphasis upon the following:

45 (1) the facilitation, with minimal government direction, of the
46 investment of private capital in the tourism district in a manner that
47 promotes economic development;

- 1 (2) making use of marina facilities in a way that increases
2 economic activity;
- 3 (3) the development of the boardwalk area;
- 4 (4) the development of the Marina District; and
- 5 (5) the development of nongaming, family centered tourism
6 related activities such as amusement parks.
- 7 i. The authority shall solicit funds from private sources to aid
8 in support of the tourism district.
- 9 j. The authority shall administer and manage the tourism
10 district and carry out such additional functions as provided under
11 P.L.2011, c.18 (C.5:12-218 et al.). The authority shall oversee the
12 redevelopment of the tourism district and implementation of the
13 tourism district master plan. The authority shall enter into
14 agreements with public and private entities for the purposes of
15 promoting the economic and general welfare of Atlantic City and
16 the tourism district. Any resolution adopted by the city of Atlantic
17 City to establish a program of municipal financial assistance, in the
18 form of grants, loans, tax credits or abatements, or other incentives,
19 or to enter into an agreement providing such financial assistance, to
20 support a development or redevelopment project located within the
21 tourism district shall require the approval of the authority. If such
22 resolution shall receive the approval of the authority, then
23 notwithstanding any law, rule, or order to the contrary, the program
24 may be implemented by the mayor without the adoption of any
25 municipal ordinance. A program adopted pursuant to this
26 subsection shall not be subject to repeal or suspension by voter
27 initiative.
- 28 k. (1) Notwithstanding the provisions of any other law to the
29 contrary, the authority shall provide that all available assets and
30 revenues of the authority shall be devoted to the purposes of the
31 tourism district and community development in Atlantic City,
32 unless otherwise provided by contract entered into prior to the
33 effective date of P.L.2011, c.18 (C.5:12-218 et al.).
- 34 (2) Notwithstanding the provisions of any other law, rule, or
35 regulation to the contrary, including paragraph (1) of this
36 subsection, the authority may enter into a contract or agreement
37 with the Department of Transportation, the New Jersey Transit
38 Corporation, the South Jersey Transportation Authority, or the New
39 Jersey Transportation Trust Fund Authority, established by section
40 4 of P.L.1984, c.73 (C.27:1B-4), to provide for, or assist in, the
41 financing of transportation projects. For the purposes of this
42 paragraph, "transportation project" means the planning, acquisition,
43 engineering, construction, reconstruction, or improvement of any
44 highway transportation project or public transportation project
45 which provides direct access between the Atlantic City Airport and
46 the Atlantic City Tourism District, or the enhancement of air
47 service at the Atlantic City Airport, or the provision of

1 transportation service between the Atlantic City Airport and the
2 Atlantic City Tourism District.

3 1. The authority shall coordinate and collaborate with the city
4 of Atlantic City Planning and Zoning Departments with respect to
5 code enforcement, planning and zoning. The authority shall
6 coordinate and collaborate with any of the city's departments,
7 agencies, and authorities with respect to administrative operations
8 relating to the implementation of the tourism district master plan. If
9 the city determines that it is unable to coordinate and collaborate
10 with the authority pursuant to this subsection, the Department of
11 Community Affairs, shall, at the request of the authority, assume
12 jurisdiction over the Atlantic City Planning and Zoning
13 Departments and any other appropriate departments, agencies, or
14 authorities of the city responsible for code enforcement and
15 administrative operations of the city to provide that the authority
16 shall receive necessary assistance regarding code enforcement and
17 administrative actions undertaken in its implementation of the
18 tourism district master plan. The assumption of jurisdiction by the
19 Department of Community Affairs over any department, agency, or
20 authority of the city, undertaken pursuant to this subsection, shall
21 not be construed as affecting the jurisdiction of any such
22 department, agency, or authority, or of the city, with respect to
23 regulatory control or the provision of services by the city, unless
24 such regulatory control or provision of services is directly related to
25 the provision of assistance to the authority regarding code
26 enforcement and administrative actions undertaken in furtherance of
27 the implementation of the tourism district master plan.

28 m. Two years after the adoption of the tourism district master
29 plan, the authority shall conduct a formal evaluation of the plan to
30 assess the functionality of its implementation. The authority may
31 make any changes concerning its implementation of the master
32 plan, as necessary, to improve its functionality. Such changes may
33 include the reallocation of the resources of any division under the
34 authority's jurisdiction and the reorganization of the functions and
35 operations of those entities which pertain to the tourism district
36 master plan. The authority may make any changes concerning the
37 employment of authority employees which would improve the
38 functionality of the authority's implementation of the master plan.

39 n. Notwithstanding any other provision of law to the contrary,
40 the authority may, by resolution, authorize the sale of alcoholic
41 beverages by the holder of a plenary retail consumption license,
42 casino hotel alcoholic beverage permit, concessionaire permit, or
43 other license or permit authorized to sell alcoholic beverages in
44 connection with a licensed premises that is located adjacent to an
45 open container area and may, subject to conditions imposed by the
46 authority as defined in section 1 of P.L.2011, c.18 (C.5:12-218) and
47 the appropriate alcoholic beverage license issuing authority, allow a
48 patron who is at least 21 years of age to remove a single alcoholic

1 beverage in an open container for consumption within the open
2 container area by that patron.

3 A determination to adopt a resolution pursuant to this subsection
4 shall be made only after a public hearing is held by the authority on
5 the merits of establishing an open container area.

6 o. Notwithstanding any other provision of law to the contrary,
7 a pedestrian who is at least 21 years of age may consume alcoholic
8 beverages from an open container that was purchased from a license
9 holder who is authorized pursuant to subsection n. of this section to
10 allow the removal of open containers of alcoholic beverages from
11 the licensed premises.

12 (cf: P.L.2020, c.69, s.2)

13

14 2. This act shall take effect immediately.

15

16

17

STATEMENT

18

19 This bill authorizes the Casino Reinvestment Development
20 Authority (“authority”) to enter into a contract or agreement with
21 the State or the New Jersey Transportation Trust Fund Authority to
22 provide for, or assist in, the financing of a transportation project.
23 The bill defines a “transportation project” as the planning,
24 acquisition, engineering, construction, reconstruction, or
25 improvement of any highway transportation project or public
26 transportation project which provides direct access between the
27 Atlantic City Airport and the Atlantic City Tourism District.
28 Current law requires all available assets and revenues of the
29 authority be devoted to the purposes of the Atlantic City Tourism
30 District and community development in Atlantic City, or the
31 enhancement of air service at the Atlantic City Airport, or the
32 provision of transportation service between the Atlantic City
33 Airport and the Atlantic City Tourism District.