

## **LAW AND PUBLIC SAFETY**

### **DIVISION OF GAMING ENFORCEMENT**

#### **APPLICATIONS**

Proposed Amendment: N.J.A.C. 13:69A-1.4

Authorized By: David Rebeck, Director, Division of Gaming Enforcement

Authority: N.J.S.A. 5:12-69a, -70a, 76k, 99a

Calendar Reference: See summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-

Submit written comments by to:

Charles F. Kimmel, Deputy Attorney General

Division of Gaming Enforcement

1300 Atlantic Avenue

Atlantic City, NJ 08401

Or electronically at: [rulecomments@njdge.org](mailto:rulecomments@njdge.org)

The agency proposal follows:

#### **Summary**

The Division of Gaming Enforcement (Division) proposes the following rule amendment:

A proposed amendment to N.J.A.C. 13:69A-1.4 to repeal the limitation that any single employee is issued less than twelve temporary credentials in a twelve month period. The credentials are issued by the casino security department and are used to permit an employee access to an area that such employee's regular work assignment would not permit him to access. If an employee is temporarily reassigned for a specific project, such employee might have to access an area outside his normal work zone and would need a new temporary access credential

each new shift. There is no regulatory reason to limit such temporary access if the casino licensee has a business need for such temporary reassignments.

This notice of proposal is not required to be referenced in a rulemaking calendar since a public comment period of 60 days is being provided. See N.J.A.C. 1:30-3.3(a)5.

### **Social Impact**

The proposed amendment is not anticipated to have a significant social impact on the casino industry. The amendment allows casinos to assign personnel to temporary projects more often than twelve times in a given year.

### **Economic Impact**

The proposed amendment is not anticipated to have a significant economic impact on the casino industry or the cost of regulation. To the extent that the amendment clarifies requirements and thus saves time and reduces confusion, some cost savings may be experienced. Casinos will not have to limit an employee to only twelve days of temporary reassignment in any given year.

### **Federal Standards Statement**

A federal standards analysis is not required because the proposed amendment is authorized by the provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., and is not subject to federal law.

### **Jobs Impact**

The proposed amendment is not anticipated to have any impact on the number of jobs in the state of New Jersey.

### **Agriculture Industry Impact**

The proposed amendment will not have any impact on the agriculture industry in New Jersey.

### **Regulatory Flexibility Analysis**

The proposed amendment will only affect the operations of New Jersey casino licensees, none of which qualify as a "small business" as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., because they employ more than 100 persons full-time in the State of New Jersey. Accordingly, a regulatory flexibility analysis is not required.

### **Housing Affordability Impact Analysis**

The proposed amendment will have no impact on the affordability of housing in the State of New Jersey because they only affect the regulation of casinos in Atlantic City.

### **Smart Growth Development Impact Analysis**

The proposed amendment will not have an impact on smart growth and will not evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment plan in New Jersey because they concern the regulation of casinos in Atlantic City.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

13:69A-1.4 Credentials and access badges; display; temporary credentials

(a) – (e) (No change.)

(f) A temporary license credential may be issued by the casino security department of a casino licensee to a casino key employee or casino employee registrant who does not have the license credential or access badge on his or her person, or whose license credential or access badge has been stolen, lost or destroyed, to enable the employee to enter a public or restricted area to perform his or her duties, if the casino security department:

1. Verifies that the employee is listed in the casino licensee's current employee status report;
  2. Verifies that the employee holds a valid license;
  3. Verifies that the employee is authorized to obtain access to the public and restricted areas in which he or she will be working while in possession of the temporary credential;
  4. Confirms the above employment, access, credential information with the supervisor of the employee; **and**
  5. [Verifies that fewer than 12 temporary credentials have been issued to the particular employee in the past 12 months; and]
- [6.] Immediately notifies the Division in writing that a temporary credential has been issued, which notice shall include:

(i) – (iv) (No change.)

(g) – (j) (No change.)