

5:5-84

**LEGISLATIVE HISTORY CHECKLIST**  
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**NJSA:** 5:5-84

(Horse  
racing--Sundays)

**LAWS OF:** 1990

**CHAPTER:** 82

**Bill No:** S354

**Sponsor(s):** Rand

**Date Introduced:** Pre-filed

**Committee: Assembly:** -----

**Senate:** Institutions, Health & Welfare

**Amended during passage:** Yes      Amendments during passage  
denoted by asterisks.

**Date of Passage: Assembly:** June 28, 1990

**Senate:** June 11, 1990

**Date of Approval:** August 7, 1990

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee Statement: Assembly:** No

**Senate:** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

See newspaper clippings attached:

**KBG/SLJ**

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator RAND

1 AN ACT permitting the conduct of horse race meetings <sup>1</sup>and  
2 parimutuel wagering<sup>1</sup> on Sunday under certain circumstances,  
3 amending the title and body of P.L.1966, c.206 and providing  
4 for the submission of this amendatory act to the legal voters of  
5 the State for their approval or rejection before the same shall  
6 become operative in this State.

7

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

10 1. The title of P.L.1966, c.206 (C.5:5-84 et seq.) is amended to  
11 read as follows:

12 AN ACT making lawful the [system of] conduct of horse racing  
13 and parimutuel [betting at] wagering at Sunday and night horse  
14 race meetings, [and] supplementing ["An act creating the New  
15 Jersey Racing Commission and defining its powers and duties;  
16 providing for the granting of permits and licenses for the  
17 operation of race meetings whereat the running, steeplechase  
18 racing or harness racing of horses only may be conducted;  
19 providing for the licensing of concessionaires and operators and  
20 their employees; regulating the system of pari-mutuel betting  
21 and fixing the license fees, taxes and revenues imposed  
22 hereunder and fixing the license fees, taxes and revenues  
23 imposed hereunder and fixing penalties for violations of the  
24 provisions of this act," approved March 18, 1940 (P.L.1940,  
25 c.17), as said title was amended by chapter 137 of the laws of  
26 1941,] P.L.1940, c.17 (C.5:5-22 et seq.) and providing for the  
27 submission of this act to the legal voters of the State for their  
28 approval or rejection before the same shall become operative  
29 within this State.

30 (cf: P.L.1966, c.206, title)

31 2. Section 1 of P.L.1966, c.206 (5:5-84) is amended to read as  
32 follows:

33 1. In addition to the hours for which the conduct of horse  
34 racing is authorized pursuant to the act to which this act is a  
35 supplement, the New Jersey Racing Commission, in issuing a  
36 permit to an otherwise qualified applicant, may authorize the  
37 conduct of horse race meetings on the days and during such hours  
38 between 12:00 o'clock noon and 1:00 o'clock A.M. the following  
39 day [on Mondays through Fridays and between 12:00 o'clock noon

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SIH committee amendments adopted May 17, 1990.

1 and 12:00 o'clock midnight on Saturdays] on every day of the  
2 week, as shall be specified in the permit, except that an applicant  
3 who opts to conduct horse race meetings on Sunday shall not  
4 conduct racing on one other day of the week.

5 (cf: P.L.1966, c.206, s.1)

6 3. Section 2 of P.L.1966, c.206 (C.5:5-85) is amended to read  
7 as follows:

8 2. The conduct of the parimutuel system of wagering at horse  
9 race meetings on the days upon which such meetings are  
10 conducted is authorized and shall be lawful between the hours of  
11 8 a.m. and 1 a.m. the following day on Mondays through [Fridays  
12 and between 8 a.m. and 12 midnight on] Saturdays and between 12  
13 noon and 1 a.m. the following day on Sundays at horse race  
14 meetings held on Sunday pursuant to section 1 of P.L.1966, c.206  
15 (C.5:5-84), including wagering at any horse race meeting upon the  
16 result of any and all horse races held at such meeting when such  
17 wagering is during the hours when wagering is permitted pursuant  
18 to this act and prior to the conduct of any race held at said  
19 meeting, in the same manner and to the same extent as the  
20 parimutuel system of wagering is now authorized.

21 (cf: P.L.1975, c.247, s.1)

22 4. For the purpose of complying with the provisions of the  
23 State Constitution, this act shall be submitted to the people for  
24 their approval or rejection at the next general election to be held  
25 70 or more days following the date of its enactment.

26 5. There shall be printed on each official ballot to be used at  
27 the general election, the following:

28 If you favor making the act described below operative within  
29 the State, make a cross (X), plus (+) or check (✓) in the square  
30 opposite the word "Yes."

31 If you are opposed to making the act described below so  
32 operative, make a cross (X), plus (+) or check (✓) in the square  
33 opposite the word "No."

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	YES.	<p>SUNDAY RACING AT TRACKS OPTING TO CLOSE ONE OTHER DAY OF THE WEEK</p> <p>Shall chapter ... of the laws of ... making it lawful to conduct horse racing and parimutuel wagering on Sundays at racetracks which agree to remain closed on one other day of the week, be approved and become operative?</p>
	NO.	<p>INTERPRETIVE STATEMENT</p> <p>A "Yes" vote on this question would mean that horse racing and wagering at the State's racetracks would be permitted after 12 noon on Sundays. However, any racetrack which holds Sunday racing would be required to remain closed on one other day of the week. The State's horse racing industry has been experiencing competitive hardship. At no cost to the taxpayer, this measure would raise additional State revenue<sup>1</sup>, maintain jobs,<sup>1</sup> and help put New Jersey on equal footing with our neighboring states, New York, Pennsylvania, and Delaware, all of which permit Sunday racing. <sup>1</sup>It would also assist the Meadowlands Sports Complex (which includes Giants Stadium and the Meadowlands Arena) and the other racetracks in New Jersey to operate on a financially stable basis.<sup>1</sup></p>

The chapter number assigned to this act shall be inserted in the appropriate place in the foregoing question.

In any election district in which voting machines are used the question shall be placed upon the official ballot to be used upon the voting machines with the foregoing instructions to the voters but with instructions to vote "Yes" or "No" by the use of such machines without marking as aforesaid.

6. If at such election a majority of all the votes cast both for and against the approval of this act shall be cast in favor of the approval thereof, then all of its provisions shall forthwith take effect throughout the State.

7. This section and sections 4, 5, and 6 of this act shall take effect immediately and the remainder of this act shall take effect as hereinbefore provided.

GAMBLING

Provides for a Statewide voter referendum on the question of whether horse racing and parimutuel wagering should be permitted on Sundays under certain circumstances.

SENATE, No. 354

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator RAND

1 AN ACT permitting the conduct of horse race meetings on  
2 Sunday under certain circumstances, amending the title and  
3 body of P.L.1966, c.206 and providing for the submission of this  
4 amendatory act to the legal voters of the State for their  
5 approval or rejection before the same shall become operative  
6 in this State.

7

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

10 1. The title of P.L.1966, c.206 (C.5:5-84 et seq.) is  
11 amended to read as follows:

12 AN ACT making lawful the [system of] conduct of horse racing  
13 and parimutuel [betting at] wagering at Sunday and night horse  
14 race meetings, [and] supplementing ["An act creating the New  
15 Jersey Racing Commission and defining its powers and duties;  
16 providing for the granting of permits and licenses for the  
17 operation of race meetings whereat the running, steeplechase  
18 racing or harness racing of horses only may be conducted;  
19 providing for the licensing of concessionaires and operators and  
20 their employees; regulating the system of pari-mutuel betting  
21 and fixing the license fees, taxes and revenues imposed  
22 hereunder and fixing the license fees, taxes and revenues  
23 imposed hereunder and fixing penalties for violations of the  
24 provisions of this act," approved March 18, 1940 (P.L.1940,  
25 c.17), as said title was amended by chapter 137 of the laws of  
26 1941,] P.L.1940, c.17 (C.5:5-22 et seq.) and providing for the  
27 submission of this act to the legal voters of the State for their  
28 approval or rejection before the same shall become operative  
29 within this State.

30 (cf: P.L.1966, c.206, title)

31 2. Section 1 of P.L.1966, c.206 (5:5-84) is amended to read as  
32 follows:

33 1. In addition to the hours for which the conduct of horse  
34 racing is authorized pursuant to the act to which this act is a  
35 supplement, the New Jersey Racing Commission, in issuing a  
36 permit to an otherwise qualified applicant, may authorize the  
37 conduct of horse race meetings on the days and during such hours  
38 between 12:00 o'clock noon and 1:00 o'clock A.M.

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.

1 the following day [on Mondays through Fridays and between 12:00  
2 o'clock noon and 12:00 o'clock midnight on Saturdays] on every  
3 day of the week, as shall be specified in the permit, except that  
4 an applicant who opts to conduct horse race meetings on Sunday  
5 shall not conduct racing on one other day of the week.

6 (cf: P.L.1966, c.206, s.1)

7 3. Section 2 of P.L.1966, c.206 (C.5:5-85) is amended to read  
8 as follows:

9 2. The conduct of the parimutuel system of wagering at horse  
10 race meetings on the days upon which such meetings are  
11 conducted is authorized and shall be lawful between the hours of  
12 8 a.m. and 1 a.m. the following day on Mondays through [Fridays  
13 and between 8 a.m. and 12 midnight on] Saturdays and between 12  
14 noon and 1 a.m. the following day on Sundays at horse race  
15 meetings held on Sunday pursuant to section 1 of P.L.1906, c.206  
16 (C.5:5-84), including wagering at any horse race meeting upon the  
17 result of any and all horse races held at such meeting when such  
18 wagering is during the hours when wagering is permitted pursuant  
19 to this act and prior to the conduct of any race held at said  
20 meeting, in the same manner and to the same extent as the  
21 parimutuel system of wagering is now authorized.

22 (cf: P.L.1975, c.247, s.1)

23 4. For the purpose of complying with the provisions of the  
24 State Constitution, this act shall be submitted to the people for  
25 their approval or rejection at the next general election to be held  
26 70 or more days following the date of its enactment.

27 5. There shall be printed on each official ballot to be used at  
28 the general election, the following:

29 If you favor making the act described below operative within  
30 the State, make a cross (X), plus (+) or check (✓) in the square  
31 opposite the word "Yes."

32 If you are opposed to making the act described below so  
33 operative, make a cross (X), plus (+) or check (✓) in the square  
34 opposite the word "No."

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	YES.	<p>SUNDAY RACING AT TRACKS OPTING TO CLOSE ONE OTHER DAY OF THE WEEK TITLE</p> <p>Shall chapter of the laws of making it lawful to conduct horse racing and parimutuel wagering on Sundays at racetracks which agree to remain closed on one other day of the week, be approved and become operative?</p>
	NO.	<p>INTERPRETIVE STATEMENT</p> <p>A "Yes" vote on this question would mean that horse racing and wagering at the State's racetracks would be permitted after 12 noon on Sundays. However, any racetrack which holds Sunday racing would be required to remain closed on one other day of the week. The State's horse racing industry has been experiencing competitive hardship. At no cost to the taxpayer, this measure would raise additional State revenue and help put New Jersey on equal footing with our neighboring states, New York, Pennsylvania, and Delaware, all of which permit Sunday racing.</p>

The chapter number assigned to this act shall be inserted in the appropriate place in the foregoing question.

In any election district in which voting machines are used the question shall be placed upon the official ballot to be used upon the voting machines with the foregoing instructions to the voters but with instructions to vote "Yes" or "No" by the use of such machines without marking as aforesaid.

6. If at such election a majority of all the votes cast both for and against the approval of this act shall be cast in favor of the approval thereof, then all of its provisions shall forthwith take effect throughout the State.

7. This section and sections 4, 5, and 6 of this act shall take effect immediately and the remainder of this act shall take effect as hereinbefore provided.

#### STATEMENT

This bill provides for a State-wide binding referendum in the general election to be held on November 7, 1989 on the issue of whether horse and parimutuel wagering should be permitted on Sundays at racetracks which agree to remain closed on one other day of the week.

GAMBLING

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Provides for a Statewide voter referendum on the question of whether horse racing and parimutuel wagering should be permitted on Sundays under certain circumstances.



SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

**SENATE, No. 354**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 17, 1990

The Senate Institutions, Health and Welfare Committee favorably reports Senate Bill No. 354 with committee amendments.

As amended by committee, this bill provides for a Statewide binding referendum in the general election to be held on November 7, 1990 on the issue of whether horse and parimutuel wagering should be permitted on Sundays at racetracks which agree to remain closed on one other day of the week.

The committee amended the bill to clarify the interpretive statement for the ballot question.

This bill was prefiled for introduction in the 1990-91 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.