

5:5-153

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2011 **CHAPTER:** 50

NJSA: 5:5-153 (Decreases annual standardbred race dates to 75 minimum upon consent from Standardbred Breeders and Owners Association of New Jersey; increases to 5% maximum amount of certain purse moneys that may be distributed to aid horsemen)

BILL NO: S2390 (Substituted for A3511)

SPONSOR(S) Sarlo and others

DATE INTRODUCED: November 8, 2010

COMMITTEE: **ASSEMBLY:** Regulatory Oversight and Gaming
SENATE: State Government, Wagering, Tourism & Historic Preservation

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** February 17, 2011
SENATE: February 17, 2011

DATE OF APPROVAL: April 8, 2011

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First reprint enacted)

S2390

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL NOTE:	No
LEGISLATIVE FISCAL ESTIMATE:	No

A3511

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: No
FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

P.L.2011, CHAPTER 50, *approved April 8, 2011*
Senate, No. 2390 (*First Reprint*)

1 AN ACT concerning standardbred horse racing and amending
2 ¹[P.L.2001, c.199] various parts of the statutory law¹.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 30 of P.L.2001, c.199 (C.5:5-156) is amended to
8 read as follows:

9 30. a. The permit holder at Monmouth Park and the
10 thoroughbred permit holder at Meadowlands Racetrack together
11 shall schedule (1) no fewer than 120 thoroughbred race dates in the
12 aggregate in each of calendar years 2004 through 2007; (2) no
13 fewer than 141 thoroughbred race dates in the aggregate in each of
14 calendar years 2008 through 2016, except that in calendar year 2010
15 the permit holder at Monmouth Park and the thoroughbred permit
16 holder at Meadowlands Racetrack may schedule no fewer than 71
17 race dates in the aggregate and all to take place at Monmouth Park;
18 and (3) beginning in calendar year 2017 and in each calendar year
19 thereafter, no fewer than 141 thoroughbred race dates in the
20 aggregate, provided that in calendar year 2017 and in each calendar
21 year thereafter the permit holders may schedule fewer than 141
22 thoroughbred race dates in the aggregate if the commission
23 determines, upon application by the permit holders, that scheduling
24 fewer dates in that calendar year is in the best interest of the racing
25 industry and the State. In making its determination, the commission
26 shall consider all factors, including, but not limited to, handle,
27 number of starters, interstate competition, and export marketability.
28 Notwithstanding the foregoing in (3), in no calendar year shall the
29 permit holders schedule, in the aggregate, fewer than 120
30 thoroughbred race dates.

31 b. The standardbred permit holder at Meadowlands Racetrack
32 shall schedule annually no fewer than 151 standardbred race dates,
33 except that the standardbred permit holder may decrease the annual
34 number of scheduled standardbred race dates to no fewer than
35 **[141]** ¹**[100]** 75¹ standardbred race dates upon **[mutual]** written
36 **[agreement with the representative horsemen's organization]**
37 consent from the Standardbred Breeders and Owners Association of
38 New Jersey.

39 c. The permit holders at Freehold Raceway shall schedule
40 annually no fewer than 192 standardbred race dates, except that the
41 permit holders may decrease the annual number of scheduled race

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:

¹Assembly ARG committee amendments adopted January 20, 2011.

1 dates to no fewer than [168] ¹[100] 75¹ standardbred race dates
2 upon [mutual] written [agreement with the representative
3 horsemen's organization] consent from the Standardbred Breeders
4 and Owners Association of New Jersey.

5 d. Notwithstanding subsection a. of this section, the permit
6 holder at Monmouth Park and the thoroughbred permit holder at
7 Meadowlands Racetrack may schedule 120 thoroughbred race dates
8 in the aggregate in each calendar year from 2004 through 2007 only
9 if the thoroughbred permit holder at Meadowlands Racetrack or the
10 permit holder at Monmouth Park guarantee in each calendar year
11 from 2004 through 2007 at least \$4,200,000 in thoroughbred stakes
12 at Meadowlands Racetrack and Monmouth Park, and guarantee the
13 average daily overnight purses for thoroughbred race meetings at
14 the following levels: (1) at least \$300,000 at Meadowlands
15 Racetrack in each calendar year from 2004 through 2007; (2) for the
16 traditional meet at Monmouth Park, at least \$320,000 in calendar
17 year 2004, at least \$325,000 in calendar year 2005, at least
18 \$330,000 in calendar year 2006 and at least \$335,000 in calendar
19 year 2007; and (3) for the 18-day supplemental meet at Monmouth
20 Park, at least \$300,000 in each calendar year from 2004 through
21 2006. In any calendar year from 2004 through 2007 in which the
22 permit holder at the Meadowlands Racetrack or the permit holder at
23 Monmouth Park, as appropriate, fails to guarantee the required
24 minimum for thoroughbred stakes or the required minimum in
25 average in daily overnight purses pursuant to this subsection, the
26 permit holder at Monmouth Park and the thoroughbred permit
27 holder at Meadowlands Racetrack together shall schedule no fewer
28 than 141 thoroughbred race dates in the aggregate in that calendar
29 year.

30 (cf: P.L.2010, c.18, s.1)

31

32 ¹2. Section 27 of P.L.2001, c.199 (C.5:5-153) is amended to
33 read as follows:

34 27. The commission shall establish and administer a separate
35 fund to be known as the "New Jersey Racing Industry Special
36 Fund" into which shall be deposited the sums dedicated to the fund
37 by sections 19, 21 and 25 of this act. Money deposited in this
38 special fund shall be disbursed monthly by the commission and
39 used as follows:

40 a. 92% shall be distributed as follows:

41 (1) in the case of money deposited into the special fund from the
42 off-track wagering facility located on the former site of the Atlantic
43 City Race Course, or, if no off-track wagering facility exists on that
44 former site, the off-track wagering facility located closest to that
45 former site, 100% to permit holders conducting thoroughbred
46 racing;

1 (2) except as provided in paragraph (1), 65% to permit holders
2 conducting thoroughbred racing and 35% to permit holders
3 conducting harness racing;

4 Of the allocations made pursuant to this subsection to permit
5 holders conducting thoroughbred racing, specific distributions shall
6 be made to the overnight thoroughbred purse account of each permit
7 holder and for programs designed to aid the thoroughbred horsemen
8 and the New Jersey Thoroughbred Horseman's Association.
9 Expenditures for programs designed to aid the thoroughbred
10 horsemen and the New Jersey Thoroughbred Horseman's
11 Association shall not exceed 2.9% of such allocations. Distribution
12 among thoroughbred permit holders shall be based on the following
13 formula: total overnight thoroughbred purse distribution for each
14 permit holder in the prior calendar year divided by the total
15 overnight thoroughbred purse distribution of all permit holders in
16 the prior calendar year.

17 Of the allocations made pursuant to this subsection to permit
18 holders conducting standardbred racing, specific distributions shall
19 be made to the overnight standardbred purse account of each permit
20 holder and for programs designed to aid the standardbred horsemen
21 and the Standardbred Breeders' and Owners' Association of New
22 Jersey. Expenditures for programs designed to aid the standardbred
23 horsemen and the Standardbred Breeders' and Owners' Association
24 of New Jersey shall not exceed ~~3.5%~~ 5% of such allocations.
25 Distribution among standardbred permit holders shall be based on
26 the following formula: total overnight standardbred purse
27 distribution for each permit holder in the prior calendar year divided
28 by the total overnight standardbred purse distribution of all permit
29 holders in the prior calendar year.

30 b. 8% shall be distributed as follows:

31 (1) in the case of money deposited into the special fund from the
32 off-track wagering facility located on the former site of the Atlantic
33 City Race Course, or, if no off-track wagering facility exists on that
34 former site, the off-track wagering facility located closest to that
35 former site, 100% to thoroughbred funds; and

36 (2) except as provided in paragraph (1), 65% to thoroughbred
37 funds and 35% to harness funds.

38 Of the amounts distributed to thoroughbred funds pursuant to
39 this subsection, the following distributions shall apply: 94% to
40 Thoroughbred Breeders and Stallions; 3% to Backstretch
41 Benevolency; and 3% to Breeding and Development.

42 Of the amount distributed to harness funds pursuant to this
43 subsection, the following distributions shall apply: 75% to Sire
44 Stakes; 8% to Breeders and Stallions; 3.5% to Backstretch
45 Benevolency; 10% to Health and Welfare; and 3.5% to Breeding
46 and Development.¹

47 (cf: P.L.2001, c.199, s.27)

1 ¹3. Section 7 of P.L.1971, c.137 (C.5:10-7) is amended to read as
2 follows:

3 7. a. The authority or a lessee of the authority is hereby
4 authorized, licensed and empowered to apply to the Racing
5 Commission for a permit or permits to hold and conduct, at any of
6 the projects set forth in paragraphs (1) and (5) of subsection a. of
7 section 6 of P.L.1971, c.137 (C.5:10-6), horse race meetings for
8 stake, purse or reward, and to provide a place or places on the race
9 meeting grounds or enclosure for wagering by patrons on the results
10 of such horse races by the parimutuel system, and to receive
11 charges and collect all revenues, receipts and other sums from the
12 operation thereof and, in the case of the authority, the ownership
13 thereof.

14 b. Except as otherwise provided in this section, such horse race
15 meetings and parimutuel wagering shall be conducted by the
16 authority or a lessee of the authority in the manner and subject to
17 compliance with the standards set forth in P.L.1940, c.17 (C.5:5-22
18 et seq.) and the rules, regulations and conditions prescribed by the
19 Racing Commission thereunder for the conduct of horse race
20 meetings and for parimutuel betting at such meetings.

21 c. Application for said permit or permits shall be on such forms
22 and shall include such accompanying data as the Racing
23 Commission shall prescribe for other applicants. The Racing
24 Commission shall proceed to review and act on any such
25 application within 30 days after its filing and the Racing
26 Commission is authorized in its sole discretion to determine
27 whether a permit shall be granted to the authority or a lessee of the
28 authority. If, after such review, the Racing Commission acts
29 favorably on such application, a permit shall be granted to the
30 authority or a lessee of the authority without any further approval
31 and shall remain in force and effect so long as any bonds or notes of
32 the authority remain outstanding, the provisions of any other law to
33 the contrary notwithstanding. In granting a permit to the authority
34 or a lessee of the authority to conduct a horse race meeting, the
35 Racing Commission shall not be subject to any limitation as to the
36 number of tracks authorized for the conduct of horse race meetings
37 pursuant to any provision of P.L.1940, c.17 (C.5:5-22 et seq.). Said
38 permit shall set forth the dates to be allotted to the authority for its
39 initial horse race meetings. Thereafter application for dates for
40 horse race meetings by the authority or a lessee of the authority and
41 the allotment thereof by the Racing Commission, including the
42 renewal of the same dates theretofore allotted, shall be governed by
43 the applicable provisions of P.L.1940, c.17 (C.5:5-22 et seq.).
44 Notwithstanding the provisions of any other law to the contrary, the
45 Racing Commission shall allot annually to the authority or a lessee
46 of the authority for the Meadowlands Complex, in the case of
47 harness racing, not less than 100 racing days, and in the case of

1 running racing, not less than 56 racing days, if and to the extent that
2 application is made therefor.

3 d. No hearing, referendum or other election or proceeding, and
4 no payment, surety or cash bond or other deposit, shall be required
5 for the authority or a lessee of the authority to hold or conduct the
6 horse race meetings with parimutuel wagering herein authorized.

7 e. The authority or a lessee of the authority shall determine the
8 amount of the admission fee for the races and all matters relating to
9 the collection thereof.

10 f. Distribution of sums deposited in parimutuel pools to
11 winners thereof shall be in accordance with the provisions of
12 section 44 of P.L.1940, c.17 (C.5:5-64) pertaining thereto. The
13 authority or a lessee of the authority shall make disposition of the
14 deposits remaining undistributed as follows:

15 (1) In the case of harness races:

16 (a) Hold and set aside in an account designated as a special trust
17 account 1% of such total contributions in all pools, to be used and
18 distributed as hereinafter provided and as provided in section 5 of
19 P.L.1967, c.40, for the following purposes and no other:

20 (i) 42 1/2% thereof to increase purses and grant awards for
21 starting horses, as provided or as may be provided by rules of the
22 New Jersey Racing Commission, with payment to be made in the
23 same manner as payment of other purses and awards;

24 (ii) 49% thereof for the establishment of a Sire Stakes Program
25 for standardbred horses, with payment to be made to the
26 Department of Agriculture for administration as hereinbefore
27 provided;

28 (iii) 5 1/2% thereof to the Sire Stakes Program for purse
29 supplements designed to improve and promote the standardbred
30 breeding industry in New Jersey by increasing purses for owners of
31 horses that are sired by a New Jersey registered stallion and are
32 eligible to participate in the Sire Stakes Program. The Sire Stakes
33 Program board of trustees shall consult with the Standardbred
34 Breeders' and Owners' Association of New Jersey before disbursing
35 money for purse supplements;

36 (iv) 3% thereof for other New Jersey horse breeding and
37 promotion conducted by the New Jersey Department of Agriculture.

38 Payment of the sums held and set aside pursuant to
39 subparagraphs (iii) and (iv) shall be made to the commission every
40 seventh day of any and every race meeting in the amount then due,
41 as determined in the manner provided above, and shall be
42 accompanied by a report under oath showing the total of all such
43 contributions, together with such other information as the
44 commission may require.

45 (b) Distribute as purse money and for programs designed to aid
46 the horsemen and the Standardbred Breeders' and Owners'
47 Association of New Jersey 5.1175%, or in the case of races on a
48 charity racing day 5%, of such total contributions. Expenditures for

1 programs designed to aid the horsemen and the Standardbred
2 Breeders' and Owners' Association of New Jersey shall not exceed
3 **[3.5%]** 5% of the sum available for distribution as purse money.
4 The formula for distribution of the purse money as either overnight
5 purses or special stakes shall be determined by an agreement
6 between the Standardbred Breeders' and Owners' Association of
7 New Jersey and the authority or a lessee of the authority.
8 Notwithstanding the foregoing, for pools where the patron is
9 required to select two or more horses, the authority or a lessee of
10 the authority shall distribute as purse money 5.6175%, or in the
11 case of races on a charity racing day 5.5%, of the total contributions
12 and for pools where the patron is required to select three or more
13 horses, the authority or a lessee of the authority shall distribute as
14 purse money 7.1175%, or in the case of races on a charity racing
15 day 7%, of the total contributions. Notwithstanding the foregoing,
16 for pools where a patron is required to select three or more horses,
17 the authority or a lessee of the authority shall retain out of the
18 7.1175% or 7% to be distributed as purse money a sum deemed
19 necessary by the racing commission, for use by the commission to
20 finance a prerace blood testing program, and such other testing
21 programs which the commission shall deem proper and necessary
22 and which shall be subject to the regulation and control of said
23 commission.

24 (c) In the case of races on a racing day other than a charity
25 racing day, distribute to the Standardbred Breeders' and Owners'
26 Association of New Jersey for the administration of a health
27 benefits program for horsemen .1175% of such total contributions.

28 (d) In the case of races on a racing day other than a charity
29 racing day, distribute to the Sire Stakes Program for standardbred
30 horses .02% of such total contributions.

31 (e) In the case of races on a racing day other than a charity
32 racing day, distribute to the Backstretch Benevolency Programs
33 Fund created pursuant to P.L.1993, c.15 (C.5:5-44.8) .01% of such
34 total contributions.

35 (2) In the case of running races:

36 (a) Hold and set aside in an account designated as a special trust
37 account .05% of such total contributions, to be used and distributed
38 for State horse breeding and development programs, research, fairs,
39 horse shows, youth activities, promotion and administration, as
40 provided in section 5 of P.L.1967, c.40 (C.5:5-88).

41 (b) Distribute as purse money and for programs designed to aid
42 the horsemen and the New Jersey Thoroughbred Horsemen's
43 Association 4.475%, or in the case of races on a charity racing day
44 4.24%, of such total contributions. Expenditures for programs
45 designed to aid the horsemen and the New Jersey Thoroughbred
46 Horsemen's Association shall not exceed 2.9% of the sum available
47 for distribution as purse money. The formula for distribution of the
48 purse money as either overnight purses or special stakes shall be

1 determined by an agreement between the New Jersey Thoroughbred
2 Horsemen's Association and the authority or a lessee of the
3 authority. Notwithstanding the foregoing, for pools where the
4 patron is required to select three or more horses, the authority or a
5 lessee of the authority shall distribute as purse money 7.475%, or in
6 the case of races on a charity racing day 7.24%, of the total
7 contributions.

8 (c) Deduct and set aside in a special trust account established
9 pursuant to section 46b.(1)(e) and 46b.(2)(e) of P.L.1940, c.17
10 (C.5:5-66) for the establishment and support by the commission of
11 the thoroughbred breeding industry in New Jersey .1% of such total
12 contributions, except that for pools where the patron is required to
13 select three or more horses, the amount shall be .6%. The money in
14 the special trust account shall be used to: (i) improve purses for
15 closed races; (ii) provide awards to owners and breeders of
16 registered New Jersey bred horses who earn portions of purses in
17 open and closed races at New Jersey race tracks or in closed races at
18 an out-of-State track as part of a multi-state event to promote
19 thoroughbred breeding, and to owners of stallions posted on the
20 official stallion roster of the Thoroughbred Breeders' Association of
21 New Jersey, which sire such New Jersey bred money earners; and
22 (iii) provide awards to the New Jersey Thoroughbred Breeders'
23 Association for programs beneficial to thoroughbred breeding in
24 this State. The New Jersey thoroughbred award program shall be
25 administered and disbursed by the Thoroughbred Breeders'
26 Association of New Jersey subject to the approval of the
27 commission. The special trust account to be established pursuant to
28 this paragraph shall be separate and apart from the special trust
29 account established and maintained pursuant to subparagraph (a) of
30 this paragraph.

31 (d) In the case of races on a racing day other than a charity
32 racing day, distribute to the Thoroughbred Breeders' Association of
33 New Jersey .02% of such total contributions.

34 (e) In the case of races on a racing day other than a charity
35 racing day, distribute to the Backstretch Benevolency Programs
36 Fund created pursuant to P.L.1993, c.15 (C.5:5-44.8) .01% of such
37 total contributions.

38 Payment of the sums held and set aside pursuant to
39 subparagraphs (a) and (c) of this subsection shall be made to the
40 commission every seventh day of any and every race meeting in the
41 amount then due, as determined in the manner provided above, and
42 shall be accompanied by a report under oath showing the total of all
43 such contributions, together with such other information as the
44 commission may require.

45 In addition to the amounts above, in the case of races on a racing
46 day designated or allotted as a charity racing day pursuant to
47 P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15 (C.5:5-44.8), or
48 section 1 of P.L.1997, c.80 (C.5:5-44.9), an amount equal to « of

1 1% of all parimutuel pools shall be paid to the commission at the
2 time and in the manner prescribed by the commission.

3 All amounts remaining in parimutuel pools, including the breaks,
4 after such distribution and payments shall constitute revenues of the
5 authority or a lessee of the authority. Except as otherwise expressly
6 provided in this section 7, the authority or a lessee of the authority
7 shall not be required to make any payments to the Racing
8 Commission or others in connection with contributions to
9 parimutuel pools.

10 g. All sums held by the authority or a lessee of the authority for
11 payment of outstanding parimutuel tickets not claimed by the
12 person or persons entitled thereto within the time provided by law
13 shall be paid upon the expiration of such time, without further
14 obligation to such ticketholder, as follows:

15 (1) In the case of running and harness races, beginning July 1,
16 1997 50% of those sums shall be paid to the Racing Commission
17 for deposit in the general fund of the State and disposition in
18 accordance with section 4 of P.L.1997, c.29 (C.5:5-68.1);

19 (2) In the case of running races, 50% of those sums shall be paid
20 to the commission and set aside in the special trust account
21 established pursuant to section 46b.(1)(e) and section 46b.(2)(e) of
22 P.L.1940, c.17 (C.5:5-66); and

23 (3) In the case of harness races, 25% of those sums shall be
24 retained by the permitholder to supplement purses for sire stakes
25 races on which there is parimutuel wagering, and 25% shall be
26 retained by the permitholder to supplement overnight purses.

27 h. No admission or amusement tax, excise tax, license or horse
28 racing fee of any kind shall be assessed or collected from the
29 authority or a lessee of the authority by the State of New Jersey, or
30 by any county or municipality, or by any other body having power
31 to assess or collect license fees or taxes.

32 i. Any horse race meeting and the parimutuel system of
33 wagering upon the results of horse races held at such race meeting
34 shall not under any circumstances, if conducted as provided in the
35 act and in conformity thereto, be held or construed to be unlawful,
36 other statutes of the State to the contrary notwithstanding.

37 j. Each employee of the authority or a lessee of the authority
38 engaged in the conducting of horse race meetings shall obtain the
39 appropriate license from the Racing Commission, subject to the
40 same terms and conditions as is required of similar employees of
41 other permitholders. The Racing Commission may suspend any
42 member of the authority upon approval of the Governor and the
43 license of any employee of the authority or a lessee of the authority
44 in connection with the conducting of horse race meetings, pending a
45 hearing by the Racing Commission, for any violation of the New
46 Jersey laws regulating horse racing or any rule or regulation of the
47 commission. Such hearing shall be held and conducted in the

1 manner provided in said laws.¹

2 (cf: P.L.2004, c.116, s.11)

3

4 ¹[2.] 4.¹ This act shall take effect immediately.

5

6

7

8

9 Decreases annual standardbred race dates to 75 minimum upon
10 consent from Standardbred Breeders and Owners Association of
11 New Jersey; increases to 5% maximum amount of certain purse
12 moneys that may be distributed to aid horsemen.

SENATE, No. 2390

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED NOVEMBER 8, 2010

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen, Essex and Passaic)

Senator JIM WHELAN

District 2 (Atlantic)

Co-Sponsored by:

Senator Beck

SYNOPSIS

Decreases required number of annually scheduled standardbred race dates to no fewer than 100 upon written consent from Standardbred Breeders and Owners Association of New Jersey.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/2010)

1 AN ACT concerning standardbred horse racing and amending
2 P.L.2001, c.199.

3

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

6

7 1. Section 30 of P.L.2001, c.199 (C.5:5-156) is amended to read
8 as follows:

9 30. a. The permit holder at Monmouth Park and the
10 thoroughbred permit holder at Meadowlands Racetrack together
11 shall schedule (1) no fewer than 120 thoroughbred race dates in the
12 aggregate in each of calendar years 2004 through 2007; (2) no
13 fewer than 141 thoroughbred race dates in the aggregate in each of
14 calendar years 2008 through 2016, except that in calendar year 2010
15 the permit holder at Monmouth Park and the thoroughbred permit
16 holder at Meadowlands Racetrack may schedule no fewer than 71
17 race dates in the aggregate and all to take place at Monmouth Park;
18 and (3) beginning in calendar year 2017 and in each calendar year
19 thereafter, no fewer than 141 thoroughbred race dates in the
20 aggregate, provided that in calendar year 2017 and in each calendar
21 year thereafter the permit holders may schedule fewer than 141
22 thoroughbred race dates in the aggregate if the commission
23 determines, upon application by the permit holders, that scheduling
24 fewer dates in that calendar year is in the best interest of the racing
25 industry and the State. In making its determination, the commission
26 shall consider all factors, including, but not limited to, handle,
27 number of starters, interstate competition, and export marketability.
28 Notwithstanding the foregoing in (3), in no calendar year shall the
29 permit holders schedule, in the aggregate, fewer than 120
30 thoroughbred race dates.

31 b. The standardbred permit holder at Meadowlands Racetrack
32 shall schedule annually no fewer than 151 standardbred race dates,
33 except that the standardbred permit holder may decrease the annual
34 number of scheduled standardbred race dates to no fewer than
35 **[141]** 100 standardbred race dates upon **[mutual]** written
36 **[agreement with the representative horsemen's organization]**
37 consent from the Standardbred Breeders and Owners Association of
38 New Jersey.

39 c. The permit holders at Freehold Raceway shall schedule
40 annually no fewer than 192 standardbred race dates, except that the
41 permit holders may decrease the annual number of scheduled race
42 dates to no fewer than **[168]** 100 standardbred race dates upon
43 **[mutual]** written **[agreement with the representative horsemen's**
44 **organization]** consent from the Standardbred Breeders and Owners

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 Association of New Jersey.

2 d. Notwithstanding subsection a. of this section, the permit
3 holder at Monmouth Park and the thoroughbred permit holder at
4 Meadowlands Racetrack may schedule 120 thoroughbred race dates
5 in the aggregate in each calendar year from 2004 through 2007 only
6 if the thoroughbred permit holder at Meadowlands Racetrack or the
7 permit holder at Monmouth Park guarantee in each calendar year
8 from 2004 through 2007 at least \$4,200,000 in thoroughbred stakes
9 at Meadowlands Racetrack and Monmouth Park, and guarantee the
10 average daily overnight purses for thoroughbred race meetings at
11 the following levels: (1) at least \$300,000 at Meadowlands
12 Racetrack in each calendar year from 2004 through 2007; (2) for the
13 traditional meet at Monmouth Park, at least \$320,000 in calendar
14 year 2004, at least \$325,000 in calendar year 2005, at least
15 \$330,000 in calendar year 2006 and at least \$335,000 in calendar
16 year 2007; and (3) for the 18-day supplemental meet at Monmouth
17 Park, at least \$300,000 in each calendar year from 2004 through
18 2006. In any calendar year from 2004 through 2007 in which the
19 permit holder at the Meadowlands Racetrack or the permit holder at
20 Monmouth Park, as appropriate, fails to guarantee the required
21 minimum for thoroughbred stakes or the required minimum in
22 average in daily overnight purses pursuant to this subsection, the
23 permit holder at Monmouth Park and the thoroughbred permit
24 holder at Meadowlands Racetrack together shall schedule no fewer
25 than 141 thoroughbred race dates in the aggregate in that calendar
26 year.

27 (cf: P.L.2010, c.18, s.1)

28

29 2. This act shall take effect immediately.

30

31

32

STATEMENT

33

34 This bill permits the standardbred permit holder at Meadowlands
35 Racetrack to decrease the annually required minimum number of
36 scheduled standardbred race dates from no fewer than 141 to no
37 fewer than 100 standardbred race dates upon written consent from
38 the Standardbred Breeders and Owners Association of New Jersey.
39 The bill also permits the standardbred permit holder at Freehold
40 Raceway to decrease the annually required minimum number of
41 scheduled standardbred race dates from 168 to no fewer than 100
42 upon written consent from the Standardbred Breeders and Owners
43 Association of New Jersey.

44 Current law provides that the standardbred permit holder at
45 Meadowlands Racetrack must schedule annually no fewer than 151
46 standardbred race dates, except that the permit holder may decrease
47 that number to no fewer than 141 upon mutual written agreement
48 with the representative horsemen's organization. Currently, the

S2390 SARLO, WHELAN

4

1 standardbred permit holder at Freehold Raceway must schedule
2 annually no fewer than 192, except that the permit holder may
3 decrease that number to no fewer than 168 upon mutual written
4 agreement with the representative horsemen's organization.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 2390

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 2010

The Senate State Government, Wagering, Tourism & Historic Preservation Committee reports favorably Senate, No. 2390.

This bill permits the standardbred permit holder at Meadowlands Racetrack to decrease the annually required minimum number of scheduled standardbred race dates from no fewer than 141 to no fewer than 100 standardbred race dates upon written consent from the Standardbred Breeders and Owners Association of New Jersey. The bill also permits the standardbred permit holder at Freehold Raceway to decrease the annually required minimum number of scheduled standardbred race dates from no fewer than 168 to no fewer than 100 upon written consent from the Standardbred Breeders and Owners Association of New Jersey.

Current law provides that the standardbred permit holder at Meadowlands Racetrack must schedule annually no fewer than 151 standardbred race dates, except that the permit holder may decrease that number to no fewer than 141 upon mutual written agreement with the representative horsemen's organization. Currently, the standardbred permit holder at Freehold Raceway must schedule annually no fewer than 192, except that the permit holder may decrease that number to no fewer than 168 upon mutual written agreement with the representative horsemen's organization.

ASSEMBLY REGULATORY OVERSIGHT AND GAMING
COMMITTEE

STATEMENT TO

SENATE, No. 2390

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 20, 2011

The Assembly Regulatory Oversight and Gaming Committee reports favorably and with committee amendments Assembly, No. 2390.

As amended by the committee, this bill permits the standardbred permit holder at Meadowlands Racetrack to decrease the annually required minimum number of scheduled standardbred race dates from no fewer than 141 to no fewer than 75 standardbred race dates upon written consent from the Standardbred Breeders and Owners Association of New Jersey. The bill, as amended, also permits the standardbred permit holder at Freehold Raceway to decrease the annually required minimum number of scheduled standardbred race dates from 168 to no fewer than 75 upon written consent from the Standardbred Breeders and Owners Association of New Jersey.

Current law provides that the standardbred permit holder at Meadowlands Racetrack must schedule annually no fewer than 151 standardbred race dates, except that the permit holder may decrease that number to no fewer than 141 upon mutual written agreement with the representative horsemen's organization. Currently, the standardbred permit holder at Freehold Raceway must schedule annually no fewer than 192, except that the permit holder may decrease that number to no fewer than 168 upon mutual written agreement with the representative horsemen's organization.

As amended by the committee, this bill also increases from 3.5% to 5% the maximum amount of certain standardbred purse moneys that may be expended for programs designed to aid the horsemen and the Standardbred Breeders' and Owners' Association of New Jersey.

As amended by the committee, this bill is identical to Assembly, No. 3511 (1R).

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) reduce the minimum number of standardbred racing days to 75 per year upon written consent from the Standardbred Breeders and Owners Association of New Jersey; and

(2) increase from 3.5% to 5% the maximum amount of certain standardbred purse moneys that may be expended for programs designed to aid the horsemen and the Standardbred Breeders' and Owners' Association of New Jersey.

ASSEMBLY, No. 3511

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED NOVEMBER 22, 2010

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

Assemblyman RONALD S. DANCER

District 30 (Burlington, Mercer, Monmouth and Ocean)

Assemblywoman CONNIE WAGNER

District 38 (Bergen)

Assemblywoman CAROLINE CASAGRANDE

District 12 (Mercer and Monmouth)

SYNOPSIS

Decreases required number of annually scheduled standardbred race dates to no fewer than 100 upon written consent from Standardbred Breeders and Owners Association of New Jersey.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/14/2010)

A3511 BURZICHELLI, DANCER

2

1 AN ACT concerning standardbred horse racing and amending
2 P.L.2001, c.199.

3

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

6

7 1. Section 30 of P.L.2001, c.199 (C.5:5-156) is amended to
8 read as follows:

9 30. a. The permit holder at Monmouth Park and the
10 thoroughbred permit holder at Meadowlands Racetrack together
11 shall schedule (1) no fewer than 120 thoroughbred race dates in the
12 aggregate in each of calendar years 2004 through 2007; (2) no
13 fewer than 141 thoroughbred race dates in the aggregate in each of
14 calendar years 2008 through 2016, except that in calendar year 2010
15 the permit holder at Monmouth Park and the thoroughbred permit
16 holder at Meadowlands Racetrack may schedule no fewer than 71
17 race dates in the aggregate and all to take place at Monmouth Park;
18 and (3) beginning in calendar year 2017 and in each calendar year
19 thereafter, no fewer than 141 thoroughbred race dates in the
20 aggregate, provided that in calendar year 2017 and in each calendar
21 year thereafter the permit holders may schedule fewer than 141
22 thoroughbred race dates in the aggregate if the commission
23 determines, upon application by the permit holders, that scheduling
24 fewer dates in that calendar year is in the best interest of the racing
25 industry and the State. In making its determination, the commission
26 shall consider all factors, including, but not limited to, handle,
27 number of starters, interstate competition, and export marketability.
28 Notwithstanding the foregoing in (3), in no calendar year shall the
29 permit holders schedule, in the aggregate, fewer than 120
30 thoroughbred race dates.

31 b. The standardbred permit holder at Meadowlands Racetrack
32 shall schedule annually no fewer than 151 standardbred race dates,
33 except that the standardbred permit holder may decrease the annual
34 number of scheduled standardbred race dates to no fewer than
35 **[141]** 100 standardbred race dates upon **[mutual]** written
36 **[agreement with the representative horsemen's organization]**
37 consent from the Standardbred Breeders and Owners Association of
38 New Jersey.

39 c. The permit holders at Freehold Raceway shall schedule
40 annually no fewer than 192 standardbred race dates, except that the
41 permit holders may decrease the annual number of scheduled race
42 dates to no fewer than **[168]** 100 standardbred race dates upon
43 **[mutual]** written **[agreement with the representative horsemen's**
44 **organization]** consent from the Standardbred Breeders and Owners

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 Association of New Jersey.

2 d. Notwithstanding subsection a. of this section, the permit
3 holder at Monmouth Park and the thoroughbred permit holder at
4 Meadowlands Racetrack may schedule 120 thoroughbred race dates
5 in the aggregate in each calendar year from 2004 through 2007 only
6 if the thoroughbred permit holder at Meadowlands Racetrack or the
7 permit holder at Monmouth Park guarantee in each calendar year
8 from 2004 through 2007 at least \$4,200,000 in thoroughbred stakes
9 at Meadowlands Racetrack and Monmouth Park, and guarantee the
10 average daily overnight purses for thoroughbred race meetings at
11 the following levels: (1) at least \$300,000 at Meadowlands
12 Racetrack in each calendar year from 2004 through 2007; (2) for the
13 traditional meet at Monmouth Park, at least \$320,000 in calendar
14 year 2004, at least \$325,000 in calendar year 2005, at least
15 \$330,000 in calendar year 2006 and at least \$335,000 in calendar
16 year 2007; and (3) for the 18-day supplemental meet at Monmouth
17 Park, at least \$300,000 in each calendar year from 2004 through
18 2006. In any calendar year from 2004 through 2007 in which the
19 permit holder at the Meadowlands Racetrack or the permit holder at
20 Monmouth Park, as appropriate, fails to guarantee the required
21 minimum for thoroughbred stakes or the required minimum in
22 average in daily overnight purses pursuant to this subsection, the
23 permit holder at Monmouth Park and the thoroughbred permit
24 holder at Meadowlands Racetrack together shall schedule no fewer
25 than 141 thoroughbred race dates in the aggregate in that calendar
26 year.

27 (cf: P.L.2010, c.18, s.1)

28

29 2. This act shall take effect immediately.

30

31

32

STATEMENT

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34 This bill permits the standardbred permit holder at Meadowlands
35 Racetrack to decrease the annually required minimum number of
36 scheduled standardbred race dates from no fewer than 141 to no
37 fewer than 100 standardbred race dates upon written consent from
38 the Standardbred Breeders and Owners Association of New Jersey.
39 The bill also permits the standardbred permit holder at Freehold
40 Raceway to decrease the annually required minimum number of
41 scheduled standardbred race dates from 168 to no fewer than 100
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A3511 BURZICHELLI, DANCER

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4 agreement with the representative horsemen's organization.

ASSEMBLY REGULATORY OVERSIGHT AND GAMING
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3511

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 20, 2011

The Assembly Regulatory Oversight and Gaming Committee reports favorably and with committee amendments Assembly, No. 3511.

As amended by the committee, this bill permits the standardbred permit holder at Meadowlands Racetrack to decrease the annually required minimum number of scheduled standardbred race dates from no fewer than 141 to no fewer than 75 standardbred race dates upon written consent from the Standardbred Breeders and Owners Association of New Jersey. The bill, as amended, also permits the standardbred permit holder at Freehold Raceway to decrease the annually required minimum number of scheduled standardbred race dates from 168 to no fewer than 75 upon written consent from the Standardbred Breeders and Owners Association of New Jersey.

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As amended by the committee, this bill also increases from 3.5% to 5% the maximum amount of certain standardbred purse moneys that may be expended for programs designed to aid the horsemen and the Standardbred Breeders' and Owners' Association of New Jersey.

As amended by the committee, this bill is identical to Senate, No. 2390 (1R).

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) reduce the minimum number of standardbred racing days to 75 per year upon written consent from the Standardbred Breeders and Owners Association of New Jersey; and

(2) increase from 3.5% to 5% the maximum amount of certain standardbred purse moneys that may be expended for programs designed to aid the horsemen and the Standardbred Breeders' and Owners' Association of New Jersey.