

5:5-98

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:5-98 (Carden State Race track-increases parimutual pools).

LAWS OF: 1985 CHAPTER: 129

Bill No: S1193

Sponsor(s): Codey

Date Introduced: February 6, 1984

Committee: Assembly: Independent Authorities and Commissions  
Senate: State Government, Federal and Interstate Relations and Veterans Affairs

Amended during passage: No

Date of Passage: Assembly: February 4, 1985  
Senate: June 28, 1984

Date of Approval: April 12, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No  
Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

SENATE, No. 1193

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1984

By Senator CODEY

Referred to Committee on State Government, Federal and  
Interstate Relations and Veterans Affairs

AN ACT concerning the disposition of the parimutuel pool at Garden  
State Racetrack and amending P. L. 1982, c. 201.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 5 of P. L. 1982, c. 201 (C. 5:5-98) is amended to read  
2 as follows:

3 5. The permit holder shall distribute the sums deposited in pari-  
4 mutuel pools to winners thereof in accordance with section 44 of  
5 P. L. 1940, c. 17 (C. 5:5-64) and shall dispose of the deposits re-  
6 maining undistributed as follows:

7 a. In the case of harness races:

8 (1) Hold and set aside in an account designated as a special  
9 trust account 1% of such total contributions in all pools to be used  
10 and distributed as hereinafter provided and as provided in sec-  
11 tion 5 of P. L. 1967, c. 40 (C. 5:5-88), for the following purposes  
12 and no other:

13 (a) 42½% thereof to increase purses and grant awards for  
14 starting horses as provided or as may be provided by rules of  
15 the New Jersey Racing Commission with payment to be made  
16 in the same manner as payment of other purses and awards;

17 (b) 49% thereof for the establishment of a Sire Stakes  
18 Program for standardbred horses with payment to be made  
19 to the Department of Agriculture for administration as pro-  
20 vided;

21 (c) 5½% thereof for contributions and awards designed

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 printed in italics *thus* is new matter.

22 to improve and promote the standardbred breeding industry  
23 in New Jersey through payment of awards to owners and  
24 breeders of New Jersey bred horses which are registered with  
25 the Standardbred Breeders' and Owners' Association of New  
26 Jersey and which earn portions of purses in open events on  
27 New Jersey tracks, and to owners of stallions posted on the  
28 official stallions roster of the Standardbred Breeders' and  
29 Owners' Association of New Jersey which sire such registered  
30 New Jersey bred money earners;

31 (d) 3% thereof for other New Jersey horse breeding and  
32 promotion conducted by the New Jersey Department of Agri-  
33 culture.

34 Payment of the sums held and set aside pursuant to subpara-  
35 graphs (c) and (d) shall be made to the commission every seventh  
36 day of any and every race meeting in the amount then due as  
37 determined in the manner provided above, and shall be accom-  
38 panied by a report under oath showing the total of all such  
39 contributions, together with such other information as the com-  
40 mission may require.

41 (2) Distribute as purse money and for programs designed to aid  
42 the horsemen and the Standardbred Breeders' and Owners' Asso-  
43 ciation of New Jersey 5% of such total contribution. Expenditures  
44 for programs designed to aid the horsemen and the Standardbred  
45 Breeders' and Owners' Association of New Jersey shall not exceed  
46 3.5% of the sum available for distribution as purse money. The  
47 formula for distribution of the purse money as either overnight  
48 purses or special stakes shall be determined by an agreement be-  
49 tween the Standardbred Breeders' and Owners' Association of  
50 New Jersey and the permitholder. Notwithstanding the foregoing,  
51 for pools where the patron is required to select two or more horses,  
52 the permitholder shall distribute as purse money 5.5% of the total  
53 contributions and for pools where the patron is required to select  
54 three or more horses, the permitholder shall distribute as purse  
55 money 7% of the total contributions. Notwithstanding the fore-  
56 going, for pools where a patron is required to select three or more  
57 horses, the permitholder shall retain out of the 7% to be distributed  
58 as purse money, a sum deemed necessary by the racing commission,  
59 for use by the commission to finance a prerace blood testing pro-  
60 gram, and such other testing programs which the commission shall  
61 deem proper and necessary and which shall be subject to the regu-  
62 lation and control of the commission.

63 b. In the case of running races:

64 (1) Hold and set aside in an account designated as a special

65 trust account ~~15%~~ 65% of 1% of such total contributions to be  
66 used and distributed as hereinafter provided and as provided in  
67 section 5 of P. L. 1967, c. 40 (C. 5:5-88), for the following purposes  
68 and no other:

69 (a) ~~10%~~ 60% of 1% thereof for contributions and awards  
70 designed to improve and promote the thoroughbred breeding  
71 industry in New Jersey through payment of awards to owners  
72 and breeders of registered New Jersey bred horses which  
73 earn portions of purses in open events on New Jersey tracks,  
74 and to owners of stallions posted on the official stallion rosters  
75 of the Thoroughbred Breeders' Association of New Jersey  
76 which sire such registered New Jersey bred money earners;

77 (b) 5% of 1% thereof for State horse breeding and develop-  
78 ment programs, research, fairs, horse shows, youth activities,  
79 promotion and administration.

80 *After the initial running race meeting conducted at the Garden*  
81 *State Racetrack, the commission may reduce, for a period of time*  
82 *to be determined by the commission, the amount specified above to*  
83 *be set aside for this special trust account upon a request by the*  
84 *permitholder and a determination by the commission that the pay-*  
85 *ment of that amount would cause extreme financial hardship for*  
86 *the permitholder. In no event shall the commission reduce the*  
87 *amount to less than 15% of 1% of total contributions to all pari-*  
88 *mutuel pools at running race meetings at the racetrack. The per-*  
89 *mitholder may request an extension of the period of reduction or*  
90 *a further reduction or, subsequent to any restoration of the amount*  
91 *specified above, another reduction.*

92 (2) Distribute as purse money and for programs designed to aid  
93 the horsemen and the New Jersey Horsemen's Benevolent and  
94 Protective Association 4.24% of such total contributions. Expendi-  
95 tures for programs designed to aid the horsemen and the New  
96 Jersey Horsemen's Benevolent and Protective Association shall  
97 not exceed 2.9% of the sum available for distribution as purse  
98 money. The formula for distribution of the purse money as either  
99 overnight purses or special stakes shall be determined by an  
100 agreement between the New Jersey Horsemen's Benevolent and  
101 Protective Association and the permitholder. Notwithstanding the  
102 foregoing, for pools where the patron is required to select three or  
103 more horses, the permitholder shall distribute as purse money  
104 7.24% of the total contributions.

105 (3) For pools where a patron is required to select three or more  
106 horses, 50% of 1% of the total contributions shall be held and set  
107 aside in the special trust account established pursuant to section

108 46 b. (1) (e) (i) and 46 b. (2) (e) (i) of P. L. 1940, c. 17 (C. 5:5-66).

109 Payment of the sums held and set aside pursuant to paragraphs  
110 (1) and (3) of this subsection shall be made to the commission  
111 every seventh day of any and every race meeting in the amount  
112 then due as determined in the manner provided above, and shall  
113 be accompanied by a report under oath showing the total of all  
114 such contributions, together with such other information as the  
115 commission may require.

116 In addition to the amounts above, an amount equal to  $\frac{1}{2}$  of 1%  
117 of all parimutuel pools shall be deposited annually in the General  
118 Fund. All amounts remaining in parimutuel pools, including the  
119 breaks, after the distribution and payments required by this  
120 section shall constitute revenues of the permitholder. Except as  
121 otherwise provided in this section, the permitholder shall not be  
122 required to make any payments to the commission or others in  
123 connection with contributions to parimutuel pools.

124 The provisions of this section shall apply each year for 10  
125 years after the commencement of horse race meetings at the  
126 Garden State Racetrack. At the end of the 10-year period, the  
127 provisions of section 46 of P. L. 1940, c. 17 (C. 5:5-66) concerning  
128 the distribution of undistributed deposits shall apply.

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill increases from 15% of 1% to 65% of 1% of the pari-  
mutuel pool at running race meetings at Garden State Racetrack  
the amount to be set aside for the special trust account for pro-  
grams to promote the thoroughbred breeding industry in New  
Jersey. This additional money is taken from the track's share of  
the parimutuel pool.

In addition, the bill provides that if the increase causes extreme  
financial hardship for the permitholder, the permitholder may  
request the New Jersey Racing Commission to reduce the amount,  
and the commission may do so for a period of time to be determined  
by the commission. In no event, however, shall the commission  
reduce the amount to less than 15% of 1% of the parimutuel pool  
at running race meetings at the track.

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BILLS SIGNED  
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APRIL 12, 1985

A-2454, sponsored by Assemblyman Anthony P. Vainieri, D-Hudson, which allows the closed-circuit testimony of victims or witnesses age 16 or younger in sexual abuse cases.

AJR-20, sponsored by Assembly Speaker Alan J. Karcher, D-Middlesex, which requires the Commissioners of Human Services and Health to study the possibility of establishing a residential care facility for patients afflicted with Huntingdon's Disease, a progressive neurological degenerative disease, which normally requires institutional care in its later phases.

S-1737, sponsored by State Senator Wayne Dumont, Jr., R-Warren, which allows farm winery licensees to manufacture wine using up to 49 percent out-of-state grown grapes during the winery's first five years of operation.

S-1736, also sponsored by Senator Dumont, which allows farm winery license holders to sell their product at retail for off-premises consumption at one additional location other than their manufacturing facility.

S-1193, sponsored by State Senator Richard J. Codey, D-Essex, which increases the amount of the parimutuel pool at Garden State Race Track which must be deposited in a special trust account for the New Jersey Thoroughbred Breeders Program from .15 percent to .65 percent. The bill brings the contribution into line with contributions from other race tracks in the State.

S-526, also sponsored by Senator Codey, which requires that all racing stewards and judges at privately owned race tracks be appointed by the New Jersey Racing Commission. Under current law some stewards and judges are appointed by the Racing Commission and others by the race tracks.

S-141, sponsored by State Senator Walter Rand, D-Camden, which provides that in counties not governed under the Optional County Charter Law (16 of the 21 counties) the governing body may designate an individual to approve payment of claims when the governing body is not meeting.

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