

5: 5-62 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:5-100 to 5:5-109; 5:5-62 et al

"Intertrack Wagering Act"

LAWS OF: 1983

CHAPTER: 340

Bill No: S3585

FOR ATTACHMENTS
SEE 5:100-5:5-109

Sponsor(s): Codey and Gormley

Date Introduced: September 6, 1983

Committee: Assembly: -----

Senate: -----

Amended during passage: NO Substituted for A3823 (not attached since identical to S3585)

Date of Passage: Assembly: September 6, 1983

Senate: September 6, 1983

Date of Approval: September 7, 1983

Following statements are attached if available:

Sponsor statement: YES

Committee statement: Assembly NO

Senate NO

Fiscal Note: NO

Veto Message: NO

Message on Signing: ~~NO~~ YES

Following were printed:

Reports: NO

Hearings: NO

See clipping file in New Jersey Reference section under "New Jersey - Horseracing -1983"

DO NOT WRITE IN THESE SPACES

SENATE, No. 3585

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 6, 1983

By Senators CODEY and GORMLEY

(Without Reference)

AN ACT concerning parimutuel wagering and amending and supplementing P. L. 1940, c. 17 (C. 5:5-22 et seq.).

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

1 1. Sections 1 through 10 of this act shall be known and may be
2 cited as the "Intertrack Wagering Act."

1 2. (New section) As used in this act:

2 a. "Horsemen's organization" means the Horsemen's Benevo-
3 lent and Protective Association, the Standardbred Breeders' and
4 Owners' Association, or another organization or group representing
5 a majority of horsemen engaged in competing for purses during
6 a regularly scheduled horse race meeting, as the case may be.

7 b. "Intertrack wagering" means parimutuel wagering on simul-
8 cast horse races by patrons at a receiving track and the electronic
9 transmission of the wagers to the sending track.

10 c. "Intertrack wagering license" means a license issued by the
11 New Jersey Racing Commission permitting intertrack wagering.

12 d. "Receiving track" means a race track within the State which
13 is operated by the holder of an annual permit to conduct a horse
14 race meeting and which is equipped to receive simulcast horse
15 races and to conduct intertrack wagering on those races.

16 e. "Sending track" means a race track within the State which
17 is operated by the holder of an annual permit to conduct a horse
18 race meeting and which is equipped to provide simulcast horse
19 races to a receiving track and to conduct intertrack wagering on
20 those races.

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.

21 f. "Simulcast horse races" means horse races conducted at a
22 sending track and transmitted simultaneously by picture to a
23 receiving track.

1 3. (New section) Upon the filing of a joint application by a
2 receiving and a sending track and after the holding of a public
3 hearing, the New Jersey Racing Commission may issue an inter-
4 track wagering license to a receiving track specifying the periods
5 of time during a calendar year and the hours during the day or
6 night when intertrack wagering is permitted and prescribing any
7 other conditions or terms the commission deems appropriate,
8 provided that:

9 a. The receiving track demonstrates to the satisfaction of the
10 commission that it has conducted a regularly scheduled horse race
11 meeting pursuant to an annual permit issued by the commission
12 and has complied with the terms of the permit, or the receiving
13 track agrees to conduct such a horse race meeting and to comply
14 with the terms of the permit for the meeting unless otherwise
15 directed or permitted by the commission.

16 b. The sending track produces an agreement in writing, or
17 testimony at the public hearing, demonstrating that the horsemen's
18 organization engaged in competing for the purses at the sending
19 track approves of intertrack wagering during the period when an
20 intertrack wagering license shall be in effect.

21 c. If intertrack wagering will occur at the receiving track at the
22 same time the receiving track is conducting a horse race meeting,
23 the receiving track produces an agreement in writing, or testimony
24 at the public hearing, demonstrating that the horsemen's organiza-
25 tion at the receiving track approves of intertrack wagering during
26 the period of the horse race meeting.

1 4. (New section) A joint application for an intertrack wagering
2 license shall include a written agreement between the receiving and
3 sending tracks providing a detailed plan of operation for the
4 simultaneous picture transmission of races from the sending track
5 to the receiving track, the transmission to the sending track of
6 wagers placed at the receiving track, and the distribution of the
7 parimutuel pool to the winning ticketholders at the receiving track.

1 5. (New section) Any holder of a permit to conduct a horse race
2 meeting within the State may file an objection to a joint application
3 prior to the public hearing required to be held on the application.
4 Any permit holder filing such an objection shall have the burden
5 to demonstrate at the public hearing good cause as to why the
6 issuance of an intertrack wagering license would be adverse to the
7 public interest, as defined in section 24 of P. L. 1940, c. 17 (C.
8 5:5-44).

1 6. (New section) Under no circumstances shall a receiving track
2 be permitted to substitute a race transmitted to it from a sending
3 track for a live race or races scheduled during a horse race meeting
4 at the receiving track.

1 7. (New section) Except as otherwise provided in section 8 of
2 this act, sums wagered at the receiving track shall be deposited in
3 the appropriate parimutuel pool generated at the sending track
4 for the race being transmitted and shall be distributed pursuant to
5 P. L. 1940, c. 17 (C. 5:5-22 et seq.) as if such sums were wagered
6 at the sending track. Payment to persons holding winning tickets
7 at the receiving track shall be made according to the same odds as
8 those generated at the sending track.

1 8. (New section) The sending track shall reserve and set aside
2 out of the portion of the parimutuel pool to be distributed as purse
3 money pursuant to section 46 of P. L. 1940, c. 17 (C. 5:5-66) an
4 amount equal to 25% of the amount that would be distributed as
5 purse money pursuant to that section on the basis of the parimutuel
6 pool generated at the receiving track. These sums shall be for-
7 warded to the receiving track and shall be used to supplement the
8 payment of overnight purses at the next horse race meeting to be
9 conducted by the receiving track.

1 9. (New section) Notwithstanding any other law to the contrary,
2 intertrack wagering shall be lawful provided that an intertrack
3 wagering license has been issued to the receiving track.

1 10. (New section) The commission shall promulgate and adopt
2 such rules and regulations as are necessary to effectuate the pur-
3 poses of this act.

1 11. Section 42 of P. L. 1940, c. 17 (C. 5:5-62) is amended to
2 read as follows:

3 42. **[Any]** A permit holder **[conducting a horse race meeting**
4 **under this act]** may provide a place or places in the race meeting
5 grounds or enclosure at which such holder of a permit may conduct
6 and supervise the parimutuel system of wagering by patrons on the
7 result of the horse races conducted by such permit holder at **[such]**
8 *a horse race meeting or on the result of simulcast horse races as*
9 *provided by the "Intertrack Wagering Act," P. L., c. . . .*
10 *(C.) (now pending before the Legislature as Senate Bill*
11 *No. 3585 of 1983), and such parimutuel system of wagering upon*
12 *the result of such horse races [held at such horse race meeting and*
13 *within such race track and at such horse race meeting]* shall not
14 under any circumstances, if conducted under the provisions of this
15 act and in conformity thereto, be held or construed to be unlawful,
16 other statutes of the State of New Jersey to the contrary notwith-

17 standing. Such place or places so provided in conformity with this
 18 section shall be equipped with such automatic ticket issuing and
 19 vending machines and with adding machine equipment capable of
 20 accurate and speedy determination of the amount of money in
 21 each pool and on each horse and the amount of award or dividend
 22 to winning patrons and displaying the same to the patrons. Such
 23 machine shall further be equipped with automatic or hand operated
 24 machinery suitable for displaying on the mutuel board across the
 25 track, in plain view of the public, the total amount of sales on each
 26 and every race and the amount of award or dividend to winning
 27 patrons.

1 12. Section 43 of P. L. 1940, c. 17 (C. 5:5-63) is amended to
 2 read as follows:

3 43. The machine, or mutuel board, is also to display the approxi-
 4 mate odds on each horse in any race; the value of a \$2.00 mutuel
 5 ticket, straight, place and show, on the first three horses in any
 6 race; the elapsed time of the race; the value of a \$2.00 daily double
 7 ticket, if conducted, and any other information that may be neces-
 8 sary for the guidance of the general public. Any such machine
 9 must be approved by the commission before it may be used, and to
 10 prevent a monopoly in the use of any particular machine or type
 11 thereof the commission may in its discretion approve the use of
 12 any other machine. No other place or method of betting, pool
 13 making, wagering or gambling shall be used or permitted by the
 14 holder of a permit, nor shall the parimutuel system of wagering
 15 be conducted on any races except horse races at the race track
 16 where such parimutuel system of wagering is conducted *or simul-*
 17 *cast horse races as provided by the "Intertrack Wagering Act,"*
 18 *P. L., c. . . . (C.) (now pending before the*
 19 *Legislature as Senate Bill No. 3585 of 1983).*

1 13. Section 53 of P. L. 1940, c. 17 (C. 5:5-73) is amended to read
 2 as follows:

3 53. Nothing herein, however, shall be construed to permit the
 4 parimutuel system of wagering upon any race track unless such
 5 race track be first granted a permit as provided by this act; and
 6 it is hereby declared to be unlawful for any person, partnership,
 7 association or corporation to permit, conduct or supervise upon
 8 any race track the parimutuel system of wagering except in
 9 accordance with the provisions of this act *or the "Intertrack Wager-*
 10 *ing Act," P. L., c. . . . (C.) (now pending*
 11 *before the Legislature as Senate Bill No. 3585 of 1983).*

1 14. (New section) This act shall, at the general election to be held

2 in the month of November, 1984 be submitted to the people. In
 3 order to inform the people of the contents of this act it shall be
 4 the duty of the Secretary of State, at least 15 days prior to the said
 5 election, to cause this act to be published in at least 10 newspapers
 6 published in the State and to notify the clerk of each county of this
 7 State of the passage of this act, and the said clerks respectively, in
 8 accordance with the instructions of the Secretary of State, shall
 9 cause to be printed on each of the said ballots, the following:

10 If you approve the act entitled below, make a cross (X), plus
 11 (+), or check (✓) mark in the square opposite the word "Yes."

12 If you disapprove the act entitled below, make a cross (X),
 13 plus (+), or check (✓) mark in the square opposite the word "No."

14 If voting machines are used, a vote of "Yes" or "No" shall be
 15 equivalent to such markings respectively.

	Yes.	<p style="text-align: center;">INTERTRACK HORSE RACE WAGERING "SIMULCAST"</p> <p>Should the Intertrack Wagering Act and amendments to the horse racing laws, which authorize the transmission of horse races conducted at one race track, simultaneously by picture to another or other race tracks, and the wagering thereon, all as regulated by the State, be approved?</p>
	No.	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>Approval of this act would authorize horse race tracks to transmit and receive pictures of races conducted simultaneously with that transmission. These "simulcasted" races would be wagered upon at the race tracks receiving the transmission. Simulcasts would be licensed and regulated by the New Jersey Racing Commission.</p>

16 The fact and date of the approval or passage of this act, as the
 17 case may be, may be inserted in the appropriate place after the
 18 title in said ballot. No other requirements of law of any kind or
 19 character as to notice or procedure except as herein provided need
 20 be adhered to.

21 The said votes so cast for and against the approval of this act,
 22 by ballot or voting machine, shall be counted and the result thereof
 23 returned by the election officer, and a canvass of such election had
 24 in the same manner as is provided for by law in the case of the
 25 election of a Governor, and the approval or disapproval of this act
 26 so determined shall be declared in the same manner as the result
 27 of an election for a Governor, and if there shall be a majority of

28 all the votes cast for and against it at such election in favor of the
29 approval of this act, then all the provisions of this act shall continue
30 in effect after January 1, 1985.

1 15. This act shall take effect immediately, but shall expire on
2 January 1, 1985 unless approved by the voters at the general elec-
3 tion held in November, 1984 as provided in section 14 of this act.

STATEMENT

This bill, to be known as the "Intertrack Wagering Act," provides for the simulcasting of and intertrack wagering on horse races conducted within the State.

The bill provides that intertrack wagering and simulcasting may be conducted until January 1, 1985, but will be extended only if the voters of the State approve the extension at the general election to be held in November, 1984.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: PAUL WOLCOTT

THURSDAY, SEPTEMBER 8, 1983

Governor Thomas H. Kean has signed the following bills:

S-3585, jointly sponsored by State Senators William L. Gormley, R-Atlantic, and Richard J. Codey, D-Essex, which authorizes simulcast betting on horse racing.

A-619, sponsored by Assemblyman Vincent O. Pellecchia, D-Passaic, which permits the Department of Community Affairs to establish the fees which a private agency must charge for providing inspection and plan review services for a municipality under the State Uniform Construction Code Act.

A-2185, sponsored by Assemblyman John P. Doyle, D-Ocean, which provides for the certification of landscape architects, expands membership on the State Board of Architects and provides for evaluation and examination of candidates for certification.

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