

5: 5-49

LEGISLATIVE HISTORY CHECKLIST

NJSA 5:5-49, 5:5-66, 5:5-90 (Horse racing--N.J. bred races & awards)

LAWS 1981 CHAPTER 118

Bill No. A3147

Sponsor(s) Codey and Saxton

Date Introduced Feb. 19, 1981

Committee: Assembly State Govt., Federal & Interstate Relations & Veterans Affairs

Senate _____

Amended during passage Yes ~~No~~ Assembly committee substitute enacted

Date of Passage: Assembly March 2, 1981

Senate March 23, 1981

Date of approval April 9, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate ~~Yes~~ No

Fiscal Note ~~Yes~~ No

Veto Message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

6/23/81

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3147

STATE OF NEW JERSEY

ADOPTED FEBRUARY 23, 1981

Sponsored by Assemblyman CODEY

AN ACT concerning New Jersey bred races, awards, and the distribution of parimutuel pools; amending and supplementing P. L. 1940, c. 17; and amending P. L. 1967, c. 40.

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

1 1. Section 29 of P. L. 1940, c. 17 (C. 5:5-49) is amended to read
2 as follows:

3 29. Every *running race* permitholder shall *program to run at*
4 *least one race* [every 6 days] *per day* which shall be limited to
5 [horses foaled in New Jersey] *registered New Jersey bred foals.*
6 *These races shall provide opportunities for all classes of horses to*
7 *participate and shall carry a purse 25% higher than corresponding*
8 *open races.* If in the opinion of the commission sufficient competi-
9 tion cannot be had among such class of horses, said race may be
10 eliminated for said day and a substitute race provided instead.

1 2. Section 46 of P. L. 1940, c. 17 (C. 5:5-66) is amended to
2 read as follows:

3 46. Every permitholder engaged in the business of conducting
4 horse race meetings under this act, except the New Jersey Sports
5 and Exposition Authority established pursuant to P. L. 1971, c. 137
6 (C. 5:10-1 et seq.), shall make disposition of the deposits remain-
7 ing undistributed pursuant to section 44 as follows:

8 a. In the case of harness races:

9 (1) Pay to the commission 3.30% of so much of the total con-
10 tributions to all parimutuel pools conducted or made during such
11 calendar year on any and every horse race track granted a
12 permit under this act. Notwithstanding the foregoing, for pools
13 where the patron is required to select two horses, the permitholder
14 shall pay to the commission 4.30% of the total contributions and
15 for pools where the patron is required to select three or more
16 horses, the permitholder shall pay to the commission 7.30% of
17 the total contributions.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

18 Payment on account of such sums to be paid to the commission
19 shall be made every seventh day of any and every race meeting in
20 the amount then due as determined in the manner provided above,
21 and shall be accompanied by a report under oath showing the total
22 of all such contributions, together with such other information as
23 the commission may require. Except as otherwise provided by law,
24 no admission or amusement tax, excise tax, license or horse racing
25 fee of any kind shall be assessed or collected from any permitholder
26 by the State of New Jersey, or by any county or municipality, or
27 by any other body having power to assess or collect license fees or
28 taxes.

29 (2) Hold and set aside in an account designated as a special trust
30 account 1.15% of such total contributions in all pools to be used
31 and distributed as hereinafter provided and as provided in section
32 5 of P. L. 1967, c. 40, for the following purposes and no other:

33 (a) 37% thereof to increase purses and grant awards for
34 starting horses as provided or as may be provided by rules of
35 the New Jersey Racing Commission with payment to be made in
36 the same manner as payment of other purses and awards;

37 (b) 55% thereof for the establishment of a Sire Stakes Pro-
38 gram for standardbred horses with payment to be made to the
39 Department of Agriculture for administration as hereinbefore
40 provided;

41 (c) 5% thereof for contributions and awards designed to im-
42 prove and promote the standardbred breeding industry in New
43 Jersey through payment of awards to owners and breeders of
44 New Jersey bred horses which are registered with the Standardbred
45 Breeders' and Owners' Association of New Jersey and which earn
46 portions of purses in open events on New Jersey tracks, and to
47 owners of stallions posted on the official stallions roster of the
48 Standardbred Breeders' and Owners' Association of New Jersey
49 which sire such registered New Jersey bred money earners;

50 (d) 3% thereof for other New Jersey horse breeding and promo-
51 tion conducted by the New Jersey Department of Agriculture.

52 (3) Retain 6% of so much of such total contributions for his own
53 uses and purposes. Notwithstanding the foregoing, for pools where
54 the patron is required to select two horses, the permitholder shall
55 retain 6.5% of the total contributions and for pools where the
56 patron is required to select three or more horses, the permitholder
57 shall retain 8% of the total contributions. Each permitholder shall
58 contribute out of its 8% share of pools, where the patron is required
59 to select three or more horses, a sum deemed necessary by the

60 Racing Commission, to finance a prerace blood testing program,
61 and such other testing programs which the commission shall deem
62 proper and necessary and which shall be subject to the regulation
63 and control of said commission.

64 (4) Distribute as purse money and for programs designed to aid
65 the horsemen and the Standardbred Breeders' and Owners' Asso-
66 ciation of New Jersey 6.55% of such total contributions. Expendi-
67 tures for programs designed to aid the horsemen and the Stand-
68 ardbred Breeders' and Owners' Association of New Jersey shall
69 not exceed 3.2% of the sum available for distribution as purse
70 money. The formula for distribution of the purse money as either
71 overnight purses or special stakes shall be determined by an
72 agreement between the Standardbred Breeders' and Owners'
73 Association of New Jersey and the tracks. Notwithstanding the
74 foregoing, for pools where the patron is required to select two or
75 more horses, the permitholder shall distribute as purse money
76 7.05% of the total contributions and for pools where the patron
77 is required to select three or more horses, the permitholder shall
78 distribute as purse money 8.55% of the total contributions. Not-
79 withstanding the foregoing, for pools where a patron is required
80 to select three or more horses, each permitholder shall retain out
81 of the 8.55% to be distributed as purse money, a sum deemed
82 necessary by the racing commission, for use by the commission
83 to finance a prerace blood testing program, and such other testing
84 programs which the commission shall deem proper and necessary
85 and which shall be subject to the regulation and control of said
86 commission.

87 b. In the case of running races:

88 (1) Where the amount derived from the parimutuel handle does
89 not exceed \$1 million per day based on such contributions accumu-
90 lated and averaged during the calendar year, the permitholder
91 shall:

92 (a) Pay to the commission ~~42%~~ 30% of 1% of so much of the
93 total contributions to all parimutuel pools conducted or made during
94 such calendar year; but notwithstanding the foregoing, for pools
95 where the patron is required to select three or more horses, the
96 permitholder shall pay to the commission ~~1.42%~~ 1.30% of the
97 total contributions.

98 Payment on account of such sums to be paid to the commission
99 shall be made every seventh day of any and every race meeting in
100 the amount then due as determined in the manner provided above,
101 and shall be accompanied by a report under oath showing the total
102 of all such contributions, together with such other information as

103 the commission may require. Except as otherwise provided by law,
104 no admission or amusement tax, excise tax, license or horse racing
105 fee of any kind shall be assessed or collected from any permitholder
106 by the State of New Jersey, or by any county or municipality, or
107 by any other body having power to assess or collect license fees or
108 taxes.

109 (b) Hold and set aside in an account designated as a special trust
110 account 23% of 1% of such total contributions to be used and dis-
111 tributed as hereinafter provided and as provided in section 5 of
112 P. L. 1967, c. 40, for the following purposes and no other:

113 (i) 18% of 1% thereof for contributions and awards de-
114 signed to improve and promote the thoroughbred breeding
115 industry in New Jersey through payments of awards to owners
116 and breeders of registered New Jersey bred horses which earn
117 portions of purses in open events on New Jersey tracks, and
118 to owners of stallions posted on the official stallion rosters of
119 the Thoroughbred Breeders' Association of New Jersey which
120 sire such registered New Jersey bred money winners;

121 (ii) 5% of 1% thereof for State horse breeding and devel-
122 opment programs, research, fairs, horse shows, youth activi-
123 ties, promotion and administration.

124 (c) Retain 8.57% of such total contributions for his own uses
125 and purposes. For pools where the patron is required to select two
126 horses, the permitholder shall retain 9.66% of the total contribu-
127 tions and for pools where the patron is required to select three or
128 more horses, the permitholder shall retain 12.12% of the total
129 contributions.

130 (d) Distribute as purse money and for programs designed to
131 aid the horsemen and the New Jersey Horsemen's Benevolent and
132 Protective Association 7.16% of such contributions. Notwithstand-
133 ing the foregoing, for pools where the patron is required to select
134 two horses, the permitholder shall distribute as purse money 8.07%
135 of such contributions and for pools where the patron is required
136 to select three or more horses, the permitholder shall distribute as
137 purse money 10.11% of the total contributions. Expenditures for
138 programs designed to aid the horsemen and the New Jersey Horse-
139 men's Benevolent and Protective Association shall not exceed 2.5%
140 of the sum available for distribution as purse money from all pari-
141 mutuel pools. The formula for distribution of the purse money as
142 either overnight purses or special stakes shall be determined by
143 an agreement between the New Jersey Horsemen's Benevolent and
144 Protective Association and the permitholder.

145 (e) (i) 50% of 1% of all pools shall be deducted and set aside in
 146 a special trust account for the establishment and support by the
 147 commission of the thoroughbred breeding industry in New Jersey;
 148 to improve purses for closed races; to provide awards for owners
 149 and breeders of registered New Jersey bred horses who earn por-
 150 tions of purses in closed races at New Jersey race tracks and to
 151 owners of stallions posted on the official stallion rosters of the Thor-
 152 oughbred Breeders' Association of New Jersey which sire such
 153 New Jersey bred money earners and awards to the New Jersey
 154 Thoroughbred Breeders' Association for programs beneficial to
 155 thoroughbred breeding in this State. The New Jersey thoroughbred
 156 award program shall be administered and disbursed by the com-
 157 mission while the thoroughbred open breeder awards shall be ad-
 158 ministered and disbursed by the New Jersey Department of Agri-
 159 culture. The special trust account to be established pursuant to
 160 this paragraph shall be separate and apart from the special trust
 161 account established and maintained pursuant to subparagraph (b)
 162 of this paragraph.

163 (ii) 12% of 1% shall be deducted and set aside in a special trust
 164 account for the purpose of stabilizing the Thoroughbred Breeding
 165 Award Program. These funds shall be used by the New Jersey
 166 Racing Commission to supplement both the opened and closed
 167 award program. When necessary, the Racing Commission shall
 168 forward a portion of the funds to the Department of Agriculture
 169 for distribution to New Jersey bred horses that successfully com-
 170 pete in open races. Any sums not used shall revert to the State
 171 General Treasury.

172 (f) 12% of 1% shall be deposited in a separate special trust
 173 account for use by the commission in keeping thoroughbred tracks
 174 and stable facilities open during periods of time when they are not
 175 normally in operation when to do so would serve the public interest.

176 (g) Notwithstanding the foregoing, for pools where a patron is
 177 required to select three or more horses, 50% of 1% of the total
 178 contributions shall be held and set aside in the special trust account
 179 referred to in subparagraph (e) (i) of this paragraph.

180 (2) Where the amount derived from the parimutuel handle ex-
 181 ceeds \$1 million per day based on such contributions accumulated
 182 and averaged during the calendar year, the permitholder shall:

183 (a) Pay to the commission ~~3.42%~~ 3.30% of so much of the total
 184 contributions to all parimutuel pools conducted or made during
 185 such calendar year; but, notwithstanding the foregoing, for pools
 186 where the patron is required to select three or more horses, the
 187 permitholder shall pay to the commission ~~4.42%~~ 4.30% of the
 188 total contributions.

189 Payment on account of such sums to be paid to the commission
190 shall be made every seventh day of any and every race meeting in
191 the amount then due as determined in the manner provided above,
192 and shall be accompanied by a report under oath showing the total
193 of all such contributions, together with such other information as
194 the commission may require. Except as otherwise provided by law,
195 no admission or amusement tax, excise tax, license or horse racing
196 fee of any kind shall be assessed or collected from any permitholder
197 by the State of New Jersey, or by any county or municipality, or
198 by any other body having power to assess or collect license fees or
199 taxes.

200 (b) Hold and set aside in an account designated as a special trust
201 account 23% of 1% of such total contributions to be used and dis-
202 tributed as hereinafter provided and as provided in section 5 of
203 P. L. 1967, c. 40, for the following purposes and no other:

204 (i) 18% of 1% thereof for contributions and awards de-
205 signed to improve and promote the thoroughbred breeding in-
206 dustry in New Jersey through payments of awards to owners
207 and breeders of registered New Jersey bred horses which
208 earned portions of purses in open events on New Jersey tracks,
209 and to owners of stallions posted on the official stallion rosters
210 of the Thoroughbred Breeders' Association of New Jersey
211 which sire such registered New Jersey bred money winners;

212 (ii) 5 % of 1% thereof for State horse breeding and devel-
213 opment programs, research, fairs, horse shows, youth activi-
214 ties, promotion and administration.

215 (c) Retain 6.81% of such total contributions for his own uses and
216 purposes. For pools where the patron is required to select two
217 horses, the permitholder shall retain 7.88% of the total contribu-
218 tions and for pools where the patron is required to select three or
219 more horses, the permitholder shall retain 10.29% of the total
220 contributions.

221 (d) Distribute as purse money and for programs designed to aid
222 the horsemen and the New Jersey Horsemen's Benevolent and
223 Protective Association 5.92% of such contributions. Notwithstand-
224 ing the foregoing, for pools where the patron is required to
225 select two horses, the permitholder shall distribute as purse
226 money 6.85% of such contributions and for pools where the patron
227 is required to select three or more horses, the permitholder shall
228 distribute as purse money 8.94% of the total contributions. Ex-
229 penditures for programs designed to aid the horsemen and the New
230 Jersey Horsemen's Benevolent and Protective Association shall

231 not exceed 2.5% of the sum available for distribution as purse
232 money from all parimutuel pools. The formula for distribution of
233 the purse money as either overnight purses or special stakes shall
234 be determined by an agreement between the New Jersey Horse-
235 men's Benevolent and Protective Association and the permitholder.

236 (e) (i) 50% of 1% of all pools shall be deducted and set aside in a
237 special trust account for the establishment and support by the com-
238 mission of the thoroughbred breeding industry in New Jersey; to
239 improve purses for closed races; to provide awards for owners and
240 breeders of registered New Jersey bred horses who earn portions
241 of purses in closed races at New Jersey race tracks and to owners
242 of stallions posted on the official stallion rosters of the Thorough-
243 bred Breeders' Association of New Jersey which sire such New
244 Jersey bred money earners and awards to New Jersey thorough-
245 bred breeders associations for programs beneficial to thoroughbred
246 breeding in this State. The New Jersey thoroughbred award pro-
247 gram shall be administered and disbursed by the commission while
248 the thoroughbred open breeder awards shall be administered and
249 disbursed by the New Jersey Department of Agriculture. The spe-
250 cial trust account to be established pursuant to this paragraph shall
251 be separate and apart from the special trust account established
252 and maintained pursuant to subparagraph (b) of this paragraph.

253 (ii) 12% of 1% shall be deducted and set aside in a special trust
254 account for the purpose of stabilizing the Thoroughbred Breeding
255 Award Program. These funds shall be used by the New Jersey
256 Racing Commission to supplement both the opened and closed
257 award program. When necessary, the Racing Commission shall
258 forward a portion of the funds to the Department of Agriculture
259 for distribution to New Jersey bred horses that successfully com-
260 pete in open races. Any sums not used shall revert to the State
261 General Treasury.

262 (f) 12% of 1% shall be deposited in a separate special trust
263 account for use by the New Jersey Racing Commission in keeping
264 thoroughbred tracks and stable facilities open during periods of
265 time when they are not normally in operation when to do so would
266 serve the public interest.

267 (g) Notwithstanding the foregoing, for pools [and] where a
268 patron is required to select three or more horses, 50% of 1% of the
269 total contributions shall be held and set aside in the special trust
270 account referred to in subparagraph (e) (i) of this paragraph.

271 Notwithstanding any other provision of this section, every har-
272 ness permitholder engaged in the business of conducting harness
273 race meetings shall retain from the funds designated in subsection

274 a. (1) of this section an additional 1% of the total contributions to
 275 all parimutuel pools for his own uses and purposes, in addition to
 276 those sums herein mentioned in subsection a. (3) of this section,
 277 during the period of November 1 to March 31, referred to as winter
 278 racing days. Any running race permitholder operating pursuant
 279 to subsection b. (2) of this section shall retain from the funds des-
 280 ignated in subsection b. (2) (a) an additional 1% of the total con-
 281 tributions to all parimutuel pools for his own uses and purposes,
 282 in addition to those sums herein mentioned in subsection b. (2) (c),
 283 for any winter racing days as herein defined.

1 3. Section 8 of P. L. 1967, c. 40 (C. 5:5-90) is amended to read
 2 as follows:

3 8. No award **to a breeder in connection with a particular race**
 4 *in an open race* shall exceed **[\$1,000.00]** \$3,000.00.

1 4. (New section) Notwithstanding any other provisions of
 2 section 46 of P. L. 1940, c. 17 (C. 5:5-66), any permitholder con-
 3 ducting running race meetings prior to June 1, 1981 shall be
 4 considered as operating a special race meeting at which distribution
 5 of all parimutuel pools shall be as follows:

6 a. Pay to the commission 38% of 1% of so much of the total
 7 contributions to all parimutuel pools conducted or made during
 8 such calendar year; but, notwithstanding the foregoing, for pools
 9 where the patron is required to select three or more horses, the
 10 permitholder shall pay to the commission 1.38% of the total
 11 contributions.

12 Payment on account of such sums to be paid to the commission
 13 shall be made every seventh day of any and every race meeting
 14 in the amount then due as determined in the manner provided
 15 above, and shall be accompanied by a report under oath showing
 16 the total of all such contributions, together with such other informa-
 17 tion as the commission may require. Except as otherwise provided
 18 by law, no admission or amusement tax, excise tax, license or horse
 19 racing fee of any kind shall be assessed or collected from any
 20 permitholder by the State of New Jersey, or by any county or
 21 municipality, or by any other body having power to assess or
 22 collect license fees or taxes.

23 b. Hold and set aside in an account designated as a special trust
 24 account 23% of 1% of such total contributions to be used and
 25 distributed as hereinafter provided in section 5 and as provided in
 26 section 2 of this act for the following purposes and no other:

27 (1) 18% of 1% thereof for contributions and awards designed to
 28 improve and promote the thoroughbred breeding industry in New
 29 Jersey through payments of awards to owners and breeders of

30 registered New Jersey bred horses which earned portions of purses
31 in open events on New Jersey tracks, and to owners of stallions
32 posted on the official stallion rosters of the Thoroughbred Breeders'
33 Association of New Jersey which sire such registered New Jersey
34 bred money winners;

35 (2) 5% of 1% thereof for State horse breeding and development
36 programs, research, fairs, horse shows, youth activities, promotion
37 and administration.

38 c. Retain 9.73% of such total contributions for his own uses and
39 purposes. For pools where the patron is required to select two
40 horses, the permitholder shall retain 10.80% of the total contribu-
41 tions and for pools where the patron is required to select three or
42 more horses, the permitholder shall retain 13.21% of the total
43 contributions.

44 d. Distribute as purse money and for programs designed to aid
45 the horsemen and the New Jersey Horsemen's Benevolent and Pro-
46 tective Association 5.92% of such contributions. Notwithstanding
47 the foregoing, for pools where the patron is required to select two
48 horses, the permitholder shall distribute as purse money 6.85% of
49 such contributions and for pools where the patron is required to
50 select three or more horses, the permitholder shall distribute as
51 purse money 8.94% of the total contributions. Expenditures for
52 programs designed to aid the horsemen and the New Jersey
53 Horsemen's Benevolent and Protective Association shall not exceed
54 2.5% of the sum available for distribution as purse money from all
55 parimutuel pools. The formula for distribution of the purse money
56 as either overnight purses or special stakes shall be determined by
57 an agreement between the New Jersey Horsemen's Benevolent and
58 Protective Association and the permitholder.

59 e. (1) 50% of 1% of all pools shall be deducted and set aside in
60 a special trust account for the establishment and support by the
61 commission of the thoroughbred breeding industry in New Jersey;
62 to improve purses for closed races; to provide awards for owners
63 and breeders of registered New Jersey bred horses who earn
64 portions of purses in closed races at New Jersey race tracks and
65 and to owners of stallions posted on the official stallion rosters of
66 the Thoroughbred Breeders' Association of New Jersey which sire
67 such New Jersey bred money earners and awards to New Jersey
68 thoroughbred breeders associations for programs beneficial to
69 thoroughbred breeding in this State. The New Jersey thoroughbred
70 award program shall be administered and disbursed by the com-
71 mission while the thoroughbred open breeder awards shall be
72 administered and disbursed by the New Jersey Department of

73 Agriculture. The special trust account to be established pursuant
74 to this paragraph shall be separate and apart from the special trust
75 account established and maintained pursuant to subsection b. of
76 this section.

77 (2) 12% of 1% shall be deducted and set aside in a special trust
78 account for the purpose of stabilizing the Thoroughbred Breeding
79 Award Program. These funds shall be used by the New Jersey
80 Racing Commission to supplement both the opened and closed
81 award program. When necessary, the Racing Commission shall
82 forward a portion of the funds to the Department of Agriculture
83 for distribution to New Jersey bred horses that successfully com-
84 pete in open races. Any sums not used shall revert to the State
85 General Treasury.

86 f. 12% of 1% shall be deposited in a separate special trust
87 account for use by the New Jersey Racing Commission in keeping
88 thoroughbred tracks and stable facilities open during periods of
89 time when they are not normally in operation when to do so would
90 serve the public interest.

91 g. Notwithstanding the foregoing, for pools where a patron is
92 required to select three or more horses, 50% of 1% of the total
93 contributions shall be held and set aside in the special trust account
94 referred to in subsection e. of this section.

1 5. (New section) A permitholder operating a special race meet-
2 ing under the provisions of section 4 of the act shall remit and
3 pay to the commission in installments and at the same time and
4 manner provided in section 4 of this act, all moneys set aside in
5 the special trust account for contributions and awards and horse
6 breeding and promotion pursuant to subsection b. of section 4 of
7 this act. All such special trust moneys shall be accounted for, paid
8 into, credited to and appropriated from the "New Jersey Horse
9 Breeding and Development Account" in the manner and for the
10 purposes provided in section 5 of P. L. 1967, c. 40 (C. 5:5-88).

1 6. This act shall take effect immediately.

ASSEMBLY, No. 3147

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 19, 1981

By Assemblymen CODEY and SAXTON

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

AN ACT concerning the distribution of parimutuel pools at thoroughbred racing meetings conducted prior to June 1, 1981 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. Spring racing days:

2 Notwithstanding any other provisions of section 46 of P. L. 1940,
3 c. 17 (C. 5:5-66), any permitholder conducting running race meet-
4 ings prior to June 1, 1981 shall be considered as operating a special
5 race meeting at which distribution of all parimutuel pools shall be
6 as follows:

7 a. Pay to the commission 50% of 1% of so much of the total
8 contributions to all parimutuel pools conducted or made during
9 such calendar year; but, notwithstanding the foregoing, for pools
10 where the patron is required to select three or more horses, the
11 permitholder shall pay to the commission 1.50% of the total con-
12 tributions.

13 Payment on account of such sums to be paid to the commission
14 shall be made every seventh day of any and every race meeting in
15 the amount then due as determined in the manner provided above,
16 and shall be accompanied by a report under oath showing the
17 total of all such contributions, together with such other informa-
18 tion as the commission may require. Except as otherwise provided
19 by law, no admission or amusement tax, excise tax, license or horse
20 racing fee of any kind shall be assessed or collected from any
21 permitholder by the State of New Jersey, or by any county or
22 municipality, or by any other body having power to assess or
23 collect license fees or taxes.

24 b. Hold and set aside in an account designated as a special trust
25 account 23% of 1% of such total contributions to be used and

26 distributed as hereinafter provided and as provided in section 2
27 of this act for the following purposes and no other:

28 (1) 18% of 1% thereof for contributions and awards designed to
29 improve and promote the thoroughbred breeding industry in New
30 Jersey through payments of awards to owners and breeders of
31 registered New Jersey bred horses which earned portions of purses
32 in open events on New Jersey tracks, and to owners of stallions
33 posted on the official stallion rosters of the Thoroughbred Breeders'
34 Association of New Jersey which sire such registered New Jersey
35 bred money winners;

36 (2) 5% of 1% thereof for State horse breeding and development
37 programs, research, fairs, horse shows, youth activities, promotion
38 and administration.

39 c. Retain 9.73% of such total contributions for his own uses and
40 purposes. For pools where the patron is required to select two
41 horses, the permitholder shall retain 10.80% of the total contri-
42 butions and for pools where the patron is required to select three
43 or more horses, the permitholder shall retain 13.21% of the total
44 contributions.

45 d. Distribute as purse money and for programs designed to aid
46 the horsemen and the New Jersey Horsemen's Benevolent and
47 Protective Association 5.92% of such contributions. Notwithstand-
48 ing the foregoing, for pools where the patron is required to select
49 two horses, the permitholder shall distribute as purse money
50 6.85% of such contributions and for pools where the patron is
51 required to select three or more horses, the permitholder shall
52 distribute as purse money 8.94% of the total contributions. Ex-
53 penditures for programs designed to aid the horsemen and the
54 New Jersey Horsemen's Benevolent and Protective Association
55 shall not exceed 2.5% of the sum available for distribution as purse
56 money from all parimutuel pools. The formula for distribution of
57 the purse money as either overnight purses or special stakes shall
58 be determined by an agreement between the New Jersey Horse-
59 men's Benevolent and Protective Association and the permitholder.

60 e. 50% of 1% of all pools shall be deducted and set aside in a
61 special trust account for the establishment and support by the
62 commission of the thoroughbred breeding industry in New Jersey;
63 to improve purses for closed races; to provide awards for owners
64 and breeders of registered New Jersey bred horses who earn
65 portions of purses in closed races at New Jersey race tracks and
66 to owners of stallions posted on the official stallion rosters of the
67 Thoroughbred Breeders' Association of New Jersey which sire
68 such New Jersey bred money earners and awards to New Jersey

69 thoroughbred breeders associations for programs beneficial to
70 thoroughbred breeding in this State. The New Jersey thoroughbred
71 award program shall be administered and disbursed by the com-
72 mission while the thoroughbred open breeder awards shall be
73 administered and disbursed by the New Jersey Department of
74 Agriculture. The special trust account to be established pursuant
74A to this paragraph shall be separate and apart from the special
74B trust account established and maintained pursuant to subsection b.
75 of this section.

76 f. 12% of 1% shall be deposited in a separate special trust
77 account for use by the New Jersey Racing Commission in keeping
78 thoroughbred tracks and stable facilities open during periods of
79 time when they are not normally in operation when to do so would
80 serve the public interest.

81 g. Notwithstanding the foregoing, for pools where a patron is
82 required to select three or more horses, 50% of 1% of the total
83 contributions shall be held and set aside in the special trust
84 account referred to in subsection e. of this section.

1 2. A permit holder operating a special race meeting under the
2 provisions of section 1 of this act shall remit and pay to the com-
3 mission in installments and at the same time and manner provided
4 in section 1 of this act, all moneys set aside in the special trust
5 account for contributions and awards and horse breeding and
6 promotion pursuant to subsection b. of section 1 of this act. All
7 such special trust moneys shall be accounted for, paid into, credited
8 to and appropriated from the "New Jersey Horse Breeding and
9 Development Account" in the manner and for the purposes pro-
10 vided in section 5 of P. L. 1967, c. 40 (C. 5:5-88).

1 3. This act shall take effect immediately.

STATEMENT

This bill would permit a race track operating a thoroughbred racing meeting prior to June 1, 1981 to pay the State share of its parimutuel pool in the same proportion as the Meadowlands Race Track operated by the New Jersey Sports and Exposition Authority.

ASSEMBLY STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS
AFFAIRS COMMITTEE

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 3147

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1981

This bill amends the statutes regarding horse racing to provide for:

(1) the establishment of a special trust account for the purpose of stabilizing the Thoroughbred Breeding Award Program by supplementing the opened and closed award programs, to be financed by reducing the State's share of the takeout from private thoroughbred tracks by .12% ;

(2) the programming at thoroughbred tracks of at least one race per day limited to registered New Jersey bred foals; and

(3) the increase in the limit on awards in open races from \$1,000.00 to \$3,000.00.

In addition, the bill permits Monmouth Park, if it runs races prior to June 1, 1981, to pay to the State .38% on straight and exacta wagering and 1.38% on trifecta wagering rather than the 3.30% and 4.30%, respectively, which are required during the regular summer meeting. The difference in the two rates is added to the track's share of the takeout in order to make it financially feasible for Monmouth Park to operate extra racing days during May.

COMMITTEE ACTION

As introduced, Assembly Bill No. 3147 applied only to the rates for Monmouth Park during May racing. The committee adopted a committee substitute in order to address the other matters now included in the bill, as well as to provide for increased rates for Monmouth Park during May.