

5:5-48.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 5:5-48.1 (Distribution of moneys into local expense fund by racing permit holders)

Laws of 1977 Chapter 313

Bill No. S963

Sponsor(s) Beadleston, Ammond

Date Introduced Pre-filed

Committee: Assembly State Gov't, Federal & Interstate Relations

Senate State Gov't, Federal & Interstate Relation & Veterans Affairs

Amended during-passage Yes NO according to Governor's Recommendations

Date of passage: Assembly April 28, 1977 Re'enacted Dec. 15, 1977

Senate Dec. 14, 1976 Re'enacted Dec. 1, 1977

Date of approval January 6, 1978

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yesx No

Senate Yes Nox

Fiscal Note Yesx No

Veto message Yes Nox

Message on signing Yes Nox

Following were printed:

Reports Yesx No

Hearings Yesx No

10/4/76

Assembly

313 11/6/78 77
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SENATE, No. 963

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator BEADLESTON

AN ACT to distribute moneys paid into the local expense fund.

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

1 1. Moneys deposited in the local expense fund created pursuant
2 to section 28 of P. L. 1940, c. 17 (C. 5:5-48) as amended by section 2
3 of P. L. 1974, c. 181 shall be held for distribution to those munici-
4 palities at or in reasonable proximity to the site of race meetings,
5 and which, in the determination of the commission, have incurred
6 expenses as a result of said meetings, in accordance with the fol-
7 lowing:

8 a. The commission shall notify said municipalities of their eligi-
9 bility for a share of said moneys;

10 b. Thereupon, said municipalities may submit claims setting
11 forth the nature of the services performed and the amount ex-
12 pended for said services;

13 c. The commission shall evaluate and determine the validity of
14 the claims based upon reasonable increases to said municipalities
15 in police, fire and court costs, and the costs of other municipal
16 services;

17 d. The commission shall distribute the moneys deposited in the
18 fund to each municipality to the extent said moneys are available,
19 and if not, then in the proportion that the valid claim bears to the
20 total valid claims so submitted; and

21 e. Distributions shall be made to a municipality at or in reason-
22 able proximity to the site of a race meeting from only those moneys
23 deposited in the fund by the ***[municipality or municipalities in**
24 **which the race meeting is held]*** ** racing permit holders conducting*
24A *the race meeting**.

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

25 Distribution of moneys in the fund shall be subject to the ap-
26 proval of the State Treasurer.

27 Moneys undistributed in any year shall remain in the fund which
28 shall continue from year to year.

1 2. This act shall take effect immediately.

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23 deposited in the fund by the municipality or municipalities in which
24 the race meeting is held.

25 Distribution of moneys in the fund shall be subject to the ap-
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27 Moneys undistributed in any year shall remain in the fund which
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1 2. This act shall take effect immediately.

SENATE AMENDMENT TO
SENATE, No. 963

STATE OF NEW JERSEY

ADOPTED DECEMBER 1, 1977

Amend page 1, section 1, lines 23 and 24, after "by the", omit remainder of line 23 and "the race meeting is held" on line 24, insert "racing permit holders conducting the race meeting".

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

STATEMENT TO
SENATE, No. 963

STATE OF NEW JERSEY

DATED: SEPTEMBER 30, 1976

The purpose of this bill is to provide for distribution of moneys collected and held by the Racing Commission pursuant to section 28 of P. L. 1940, c. 17 (C. 5:5-48) as amended by section 2 of P. L. 1974, c. 181.

The bill mandates that the money, which is derived from a five-cent per ticket admission tax, be disbursed by the commission to defray the cost of additional local municipal services caused by race track operations for those municipalities which bear the burden of providing such services.

The bill makes it the responsibility of the racing commission to notify the municipalities of their eligibility for a share of the moneys, to evaluate and determine the validity of the claims, and to distribute the moneys proportionately.

The bill also divides the fund into regional funds which will not be available to a municipality in a region other than that from which the money was collected. The bill provides that undistributed money will be carried over for future years.

The Racing Commission did not make a formal statement in opposition to the bill but expressed concern that the distribution of moneys and the definition of terms which would be the commission's responsibility would be a very difficult task.

to the Senate:

Pursuant to Article V, Section 1, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 963 with my objection, for reconsideration.

This bill describes the manner of distribution for monies deposited with the State Treasurer by horse race permit holders for the Local Expense Fund. The Fund monies are derived from a five-cent per ticket admission tax.

Under this legislation, the Racing Commission will be vested with the responsibility for notifying the municipalities of their eligibility for a share of the Fund monies. Further responsibility is given the Commission to evaluate and determine the validity of a municipality's claims and for the distribution of the Fund monies to the extent available or in the proportion that the valid claim bears to the total valid claims submitted. I am in agreement with the purpose of this bill. However, the language appearing in section 1.e., line 23 of the bill must be changed.

The language in section 1.e. states that the deposits of the admission tax to the Local Expense Fund are to be made by the municipalities in which the race is held. This is not what occurs, however. It is the racing permit holders who directly deposit with the Treasurer all monies collected, not the municipalities.

Accordingly, I herewith return Senate Bill No. 963 for reconsideration and recommend that it be amended as follows:

Page 1, Section 1.e., lines 23 and 24: Delete "municipality or municipalities in which the race meeting is held." and insert "racing permit holders conducting the race meeting."

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ Henry N. Luther, III

Secretary to the Governor

977.901
661

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JANUARY 6, 1978

ANNE BURNS

Governor Brendan Byrne has signed the following bill into law:

S-963, sponsored by Senator Alfred Beadleston (R-Monmouth), which provides for the distribution of monies deposited with the State Treasurer by horse race permit holders for deposit into the Local Expense Fund.

The fund monies come from a five cent per ticket admission tax and are disbursed by the Racing Commission to help defray the cost of additional local municipal services caused by race track operations.

Under this legislation, the Racing Commission will be given the responsibility for notifying municipalities of their eligibility for a share of the Fund monies.

The Commission will also be responsible for evaluating and determining the validity of claims and for the actual distribution of the money.

The bill had been conditionally vetoed by the Governor.

The bill signed today reflects the Governor's recommendations.

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