

5:5-66

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2002 **CHAPTER:** 103
NJSA: 5:5-66 (Thoroughbred breeders—awards)
BILL NO: S1736 (Substituted for A2676)

SPONSOR(S): Kyrillos and others

DATE INTRODUCED: June 30, 2002

COMMITTEE: **ASSEMBLY:** ----
SENATE: Economic Growth

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** October 17, 2002
SENATE: October 31, 2002

DATE OF APPROVAL: November 22, 2002

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)
(Amendments during passage denoted by superscript numbers)

S1736

[SPONSORS STATEMENT:](#) (Begins on page 8 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

A2676

[SPONSORS STATEMENT:](#) (Begins on page 8 of original bill) [Yes](#)

Bill and Sponsors Statement identical to S1736

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 2002, CHAPTER 103, *approved November 22, 2002*
Senate, No. 1736 (*First Reprint*)

1 AN ACT concerning thoroughbred breeder awards and amending
2 P.L.1940, c.17 ¹and P.L.1971, c.137¹.

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

6
7 1. Section 46 of P.L.1940, c.17 (C.5:5-66) is amended to read as
8 follows:

9 46. Every permitholder engaged in the business of conducting
10 horse race meetings under this act, except the New Jersey Sports and
11 Exposition Authority established pursuant to P.L.1971, c.137
12 (C.5:10-1 et seq.) ¹[and the Garden State Racetrack as provided in
13 section 5 of P.L.1982, c.201 (C.5:5-98)]¹, shall make disposition of
14 the deposits remaining undistributed pursuant to section 44 ¹of
15 P.L.1940, c.17 (C.5:5-64)¹ as follows:

16 a. In the case of harness races:

17 (1) On a racing day designated or allotted as a charity racing day
18 pursuant to P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15
19 (C.5:5-44.8), or section 1 of P.L.1997, c.80 (C.5:5-44.9), pay to the
20 commission, at the time and in the manner prescribed by the
21 commission, 1.25% of so much of the total contributions to all
22 parimutuel pools conducted or made on any and every horse race,
23 except that for pools where the patron is required to select two horses,
24 the permitholder shall pay 2.25% of the total contributions and for
25 pools where the patron is required to select three or more horses, the
26 permitholder shall pay 5.25% of the total contributions;

27 (2) Hold and set aside in an account designated as a special trust
28 account 1.15% of such total contributions in all pools, to be used and
29 distributed as hereinafter provided and as provided in section 5 of
30 P.L.1967, c.40 ¹(C.5:5-88)¹, for the following purposes and no other:

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

35 (b) 55% thereof for the establishment of a Sire Stakes Program for
36 standardbred horses, with payment to be made to the Department of
37 Agriculture for administration as hereinbefore provided;

38 (c) 5% thereof to the Sire Stakes Program for purse supplements
39 designed to improve and promote the standardbred breeding industry
40 in New Jersey by increasing purses for owners of horses that are sired

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:

¹ Assembly floor amendments adopted October 7, 2002.

1 by a New Jersey registered stallion and are eligible to participate in the
2 Sire Stakes Program. The Sire Stakes Program board of trustees shall
3 consult with the Standardbred Breeders' and Owners' Association of
4 New Jersey before disbursing money for purse supplements;

5 (d) 3% thereof for other New Jersey horse breeding and promotion
6 conducted by the New Jersey Department of Agriculture.

7 (3) Retain 7.7875%, or in the case of races on a charity racing day
8 7.20%, of so much of such total contributions for his own uses and
9 purposes. Notwithstanding the foregoing, for pools where the patron
10 is required to select two horses, the permitholder shall retain 8.7575%,
11 or in the case of races on a charity racing day 7.70%, of the total
12 contributions and for pools where the patron is required to select three
13 or more horses, the permitholder shall retain 11.6675%, or in the case
14 of races on a charity racing day 9.20%, of the total contributions.
15 Each permitholder shall contribute out of its 11.6675% or 9.20% share
16 of pools, where the patron is required to select three or more horses,
17 a sum deemed necessary by the racing commission, to finance a
18 prerace blood testing program, and such other testing programs which
19 the commission shall deem proper and necessary and which shall be
20 subject to the regulation and control of said commission.

21 (4) Distribute as purse money and for programs designed to aid the
22 horsemen and the Standardbred Breeders' and Owners' Association of
23 New Jersey 7.69375%, or in the case of races on a charity racing day
24 7.40%, of such total contributions. Expenditures for programs
25 designed to aid the horsemen and the Standardbred Breeders' and
26 Owners' Association of New Jersey shall not exceed 3.2% of the sum
27 available for distribution as purse money. The formula for
28 distribution of the purse money as either overnight purses or special
29 stakes shall be determined by an agreement between the Standardbred
30 Breeders' and Owners' Association of New Jersey and the tracks.
31 Notwithstanding the foregoing, for pools where the patron is required
32 to select two or more horses, the permitholder shall distribute as purse
33 money 8.42875%, or in the case of races on a charity racing day
34 7.90%, of the total contributions and for pools where the patron is
35 required to select three or more horses, the permitholder shall
36 distribute as purse money 10.63375%, or in the case of races on a
37 charity racing day 9.40%, of the total contributions. Notwithstanding
38 the foregoing, for pools where a patron is required to select three or
39 more horses, each permitholder shall retain out of the 10.63375% or
40 9.40% to be distributed as purse money a sum deemed necessary by
41 the racing commission, for use by the commission to finance a prerace
42 blood testing program, and such other testing programs which the
43 commission shall deem proper and necessary and which shall be
44 subject to the regulation and control of said commission.

45 (5) In the case of races on a racing day other than a charity racing
46 day, distribute to the Standardbred Breeders' and Owners' Association

1 of New Jersey for the administration of a health benefits program for
2 horsemen .29375% of such total contributions, except that for pools
3 where the patron is required to select two or more horses, the amount
4 shall be .52875%, and for pools where the patron is required to select
5 three or more horses, the amount shall be 1.23375%.

6 (6) In the case of races on a racing day other than a charity racing
7 day, distribute to the Sire Stakes Program for standardbred horses
8 .05% of such total contributions, except that for pools where the
9 patron is required to select two or more horses, the amount shall be
10 .09%, and for pools where the patron is required to select three or
11 more horses, the amount shall be .21%.

12 (7) In the case of races on a racing day other than a charity racing
13 day, distribute to the Backstretch Benevolency Programs Fund created
14 pursuant to P.L.1993, c.15 (C.5:5-44.8) .025% of such total
15 contributions, except that for pools where the patron is required to
16 select two or more horses, the amount shall be .045%, and for pools
17 where the patron is required to select three or more horses, the
18 amount shall be .105%.

19 Except as otherwise provided by law, no admission or amusement
20 tax, excise tax, license or horse racing fee of any kind shall be assessed
21 or collected from any permitholder by the State of New Jersey, or by
22 any county or municipality, or by any other body having power to
23 assess or collect license fees or taxes.

24 b. In the case of running races:

25 (1) Where the amount derived from the parimutuel handle,
26 excluding the handle derived from intertrack wagering, does not
27 exceed \$1 million per day based on such contributions accumulated
28 and averaged during the calendar year, the permitholder shall:

29 (a) On a racing day designated or allotted as a charity racing day
30 pursuant to P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15
31 (C.5:5-44.8), or section 1 of P.L.1997, c.80 (C.5:5-44.9), pay to the
32 commission, at the time and in the manner prescribed by the
33 commission, .30% of so much of the total contributions to all
34 parimutuel pools conducted or made on any and every horse race,
35 except that for pools where the patron is required to select three or
36 more horses, the permitholder shall pay 1.30% of the total
37 contributions.

38 (b) Hold and set aside in an account designated as a special trust
39 account ¹[5% of 1%] .05%¹ of such total contributions to be used
40 and distributed for State horse breeding and development programs,
41 research, fairs, horse shows, youth activities, promotion and
42 administration, as provided in section 5 of P.L.1967, c.40 (C.5:5-88).

43 (c) Retain 9.991%, or in the case of races on a charity racing day
44 9.85%, of such total contributions for his own uses and purposes. For
45 pools where the patron is required to select two horses, the
46 permitholder shall retain 11.061%, or in the case of races on a charity

1 racing day 10.92%, of the total contributions and for pools where the
2 patron is required to select three or more horses, the permitholder
3 shall retain 13.941%, or in the case of races on a charity racing day
4 13.33%, of the total contributions. Each permitholder shall contribute
5 out of its 13.941% or 13.33% share of pools, where the patron is
6 required to select three or more horses, a sum deemed necessary by
7 the racing commission, to finance a prerace blood testing program, and
8 such other testing programs which the commission shall deem proper
9 and necessary and which shall be subject to the regulation and control
10 of the commission.

11 (d) Distribute as purse money and for programs designed to aid the
12 horsemen and the New Jersey Thoroughbred ¹[Horseman's
13 Benevolent] Horsemen's¹ Association 6.141%, or in the case of races
14 on a charity racing day 6.00%, of such contributions. Notwithstanding
15 the foregoing, for pools where the patron is required to select two
16 horses, the permitholder shall distribute as purse money 7.071%, or in
17 the case of races on a charity racing day 6.93%, of such contributions
18 and for pools where the patron is required to select three or more
19 horses, the permitholder shall distribute as purse money 9.631%, or in
20 the case of races on a charity racing day 9.02%, of the total
21 contributions. Expenditures for programs designed to aid the horsemen
22 and the New Jersey Thoroughbred ¹[Horseman's Benevolent]
23 Horsemen's¹ Association shall not exceed 2.5% of the sum available
24 for distribution as purse money from all parimutuel pools. The formula
25 for distribution of the purse money as either overnight purses or
26 special stakes shall be determined by an agreement between the New
27 Jersey Thoroughbred ¹[Horseman's Benevolent] Horsemen's
28 Association and the permitholder. Notwithstanding the foregoing, for
29 pools where a patron is required to select three or more horses, each
30 permitholder shall retain out of the 9.631% or 9.02% to be distributed
31 as purse money a sum deemed necessary by the racing commission, for
32 use by the commission to finance a prerace blood testing program, and
33 such other testing programs which the commission shall deem proper
34 and necessary and which shall be subject to the regulation and control
35 of the commission.

36 (e) Deduct and set aside ¹[80% of 1%] ¹ [of all pools shall be
37 deducted and set aside] in a special trust account for the establishment
38 and support by the commission of the thoroughbred breeding industry
39 in New Jersey[;] ¹.8% of such total contributions, except that for
40 pools where the patron is required to select three or more horses, the
41 amount shall be 1.3%¹. The money in the special trust account shall
42 be used to: (i) improve purses for closed races; [to] (ii) provide
43 awards [for] to owners and breeders of registered New Jersey bred
44 horses who earn portions of purses in open and closed races at New
45 Jersey race tracks or in closed races at an out-of-State track as part of

1 a multi-state event to promote thoroughbred breeding, and to owners
2 of stallions posted on the official stallion roster of the Thoroughbred
3 Breeders' Association of New Jersey, which sire such New Jersey bred
4 money earners; and (iii) provide awards to the New Jersey
5 Thoroughbred Breeders' Association for programs beneficial to
6 thoroughbred breeding in this State. The New Jersey thoroughbred
7 award program shall be administered and disbursed by the
8 Thoroughbred Breeders' Association of New Jersey subject to the
9 approval of the commission. The special trust account to be
10 established pursuant to this paragraph shall be separate and apart from
11 the special trust account established and maintained pursuant to
12 subparagraph (b) of this paragraph.

13 (f) (Deleted by amendment, P.L.1986, c.19.)

14 (g) In the case of races on a racing day other than a charity racing
15 day, distribute to the Thoroughbred Breeders' Association of New
16 Jersey .012% of such total contributions, except that for pools where
17 the patron is required to select three or more horses, the amount shall
18 be .052%.

19 (h) In the case of races on a racing day other than a charity racing
20 day, distribute to the Backstretch Benevolency Programs Fund created
21 pursuant to P.L.1993, c.15 (C.5:5-44.8) .006% of such total
22 contributions, except that for pools where the patron is required to
23 select three or more horses, the amount shall be .026%.

24 (i) ¹[Notwithstanding the foregoing, for pools where a patron is
25 required to select three or more horses, hold and set aside 50% of 1%
26 of the total contributions [shall be held and set aside] in the special
27 trust account referred to in subparagraph (e) of this paragraph.]
28 (Deleted by amendment, P.L. , c. (now before the Legislature as
29 this bill)).¹

30 (j) Except as otherwise provided by law, [no] not be subject to an
31 admission or amusement tax, excise tax, license or horse racing fee of
32 any kind [shall be assessed or collected from any permitholder] by the
33 State of New Jersey, or by any county or municipality, or by any other
34 body having power to assess or collect license fees or taxes.

35 (2) Where the amount derived from the parimutuel handle,
36 excluding the handle derived from intertrack wagering, exceeds
37 \$1 million per day based on such contributions accumulated and
38 averaged during the calendar year, the permitholder shall:

39 (a) On a racing day designated or allotted as a charity racing day
40 pursuant to P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15
41 (C.5:5-44.8), or section 1 of P.L.1997, c.80 (C.5:5-44.9), pay to the
42 commission, at the time and in the manner prescribed by the
43 commission, .50% of so much of the total contributions to all
44 parimutuel pools conducted or made on any and every horse race.

45 (b) Hold and set aside in an account designated as a special trust
46 account ¹[5% of 1%]..05%¹ of such total contributions to be used and

1 distributed for State horse breeding and development programs,
2 research, fairs, horse shows, youth activities, promotion and
3 administration, as provided in section 5 of P.L.1967, c.40 (C.5:5-88).

4 (c) Retain 9.305%, or in the case of races on a charity racing day
5 9.07%, of such total contributions for his own uses and purposes. For
6 pools where the patron is required to select two horses, the
7 permitholder shall retain 10.375%, or in the case of races on a charity
8 racing day 10.14%, of the total contributions and for pools where the
9 patron is required to select three or more horses, the permitholder
10 shall retain 13.545%, or in the case of races on a charity racing day
11 13.31%, of the total contributions. Each permitholder shall contribute
12 out of its 13.545% or 13.31% share of pools, where the patron is
13 required to select three or more horses, a sum deemed necessary by
14 the racing commission, to finance a prerace blood testing program, and
15 such other testing programs which the commission shall deem proper
16 and necessary and which shall be subject to the regulation and control
17 of the commission.

18 (d) Distribute as purse money and for programs designed to aid the
19 horsemen and the New Jersey Thoroughbred ¹[Horseman's
20 Benevolent] Horsemen's¹ Association 6.815%, or in the case of races
21 on a charity racing day 6.58%, of such contributions. Notwithstanding
22 the foregoing, for pools where the patron is required to select two
23 horses, the permitholder shall distribute as purse money 7.745%, or in
24 the case of races on a charity racing day 7.51%, of such contributions
25 and for pools where the patron is required to select three or more
26 horses, the permitholder shall distribute as purse money 10.085%, or
27 in the case of races on a charity racing day 9.85%, of the total
28 contributions. Expenditures for programs designed to aid the horsemen
29 and the New Jersey Thoroughbred ¹[Horseman's Benevolent]
30 Horsemen's¹ Association shall not exceed 2.5% of the sum available
31 for distribution as purse money from all parimutuel pools. The formula
32 for distribution of the purse money as either overnight purses or
33 special stakes shall be determined by an agreement between the New
34 Jersey Thoroughbred ¹[Horseman's Benevolent] Horsemen's¹
35 Association and the permitholder. Notwithstanding the foregoing, for
36 pools where a patron is required to select three or more horses, each
37 permitholder shall retain out of the 10.085% or 9.85% to be
38 distributed as purse money a sum deemed necessary by the racing
39 commission, for use by the commission to finance a prerace blood
40 testing program, and such other testing programs which the
41 commission shall deem proper and necessary and which shall be
42 subject to the regulation and control of the commission.

43 (e) Deduct and set aside ¹[80% of 1%] ¹[of all pools shall be
44 deducted and set aside] in a special trust account for the establishment
45 and support by the commission of the thoroughbred breeding industry
46 in New Jersey[;] ¹.8% of such total contributions, except that for

1 pools where the patron is required to select three or more horses, the
2 amount shall be 1.29%¹. The money in the special trust account shall
3 be used to: (i) improve purses for closed races; [to] (ii) provide
4 awards [for] to owners and breeders of registered New Jersey bred
5 horses who earn portions of purses in open and closed races at New
6 Jersey race tracks or in closed races at an out-of-State track as part of
7 a multi-state event to promote thoroughbred breeding, and to owners
8 of stallions posted on the official stallion roster of the Thoroughbred
9 Breeders' Association of New Jersey, which sire such New Jersey bred
10 money earners; and (iii) provide awards to the New Jersey
11 Thoroughbred Breeders' Association for programs beneficial to
12 thoroughbred breeding in this State. The New Jersey thoroughbred
13 award program shall be administered and disbursed by the
14 Thoroughbred Breeders' Association of New Jersey subject to the
15 approval of the commission. The special trust account to be
16 established pursuant to this paragraph shall be separate and apart from
17 the special trust account established and maintained pursuant to
18 subparagraph (b) of this paragraph.

19 (f) (Deleted by amendment, P.L.1986, c.19.)

20 (g) In the case of races on a racing day other than a charity racing
21 day, distribute to the Thoroughbred Breeders' Association of New
22 Jersey .02% of such total contributions.

23 (h) In the case of races on a racing day other than a charity racing
24 day, distribute to the Backstretch Benevolency Programs Fund created
25 pursuant to P.L.1993, c.15 (C.5:5-44.8) .01% of such total
26 contributions.

27 (i) ¹[Notwithstanding the foregoing, for pools where a patron is
28 required to select three or more horses, hold and set aside 49% of 1%
29 of the total contributions [shall be held and set aside] in the special
30 trust account referred to in subparagraph (e) of this paragraph.]
31 (Deleted by amendment, P.L. , c. (now before the Legislature as this
32 bill)).¹

33 (j) Except as otherwise provided by law, [no] not be subject to an
34 admission or amusement tax, excise tax, license or horse racing fee of
35 any kind [shall be assessed or collected] from any permit holder by the
36 State of New Jersey, or by any county or municipality, or by any other
37 body having power to assess or collect license fees or taxes.

38 (cf: P.L.2000, c.123, s.1)

39

40 ¹2. Section 7 of P.L.1971, c.137 (C.5:10-7) is amended to read as
41 follows:

42 7. a. The authority is hereby authorized, licensed and empowered
43 to apply to the Racing Commission for a permit or permits to hold and
44 conduct, at any of the projects set forth in paragraphs (1) and (5) of
45 subsection a. of section 6 of P.L.1971, c.137 (C.5:10-6), horse race
46 meetings for stake, purse or reward, and to provide a place or places

1 on the race meeting grounds or enclosure for wagering by patrons on
2 the results of such horse races by the parimutuel system, and to receive
3 charges and collect all revenues, receipts and other sums from the
4 ownership and operation thereof; provided that only the authority
5 through its employees shall conduct such horse race meetings and
6 wagering and the authority is expressly prohibited from placing in the
7 control of any other person, firm or corporation the conduct of such
8 horse race meetings, or wagering.

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

16 c. Application for said permit or permits shall be on such forms and
17 shall include such accompanying data as the Racing Commission shall
18 prescribe for other applicants. The Racing Commission shall proceed
19 to review and act on any such application within 30 days after its filing
20 and the Racing Commission is authorized in its sole discretion to
21 determine whether a permit shall be granted to the authority. If, after
22 such review, the Racing Commission acts favorably on such
23 application, a permit shall be granted to the authority without any
24 further approval and shall remain in force and effect so long as any
25 bonds or notes of the authority remain outstanding, the provisions of
26 any other law to the contrary notwithstanding. In granting a permit to
27 the authority to conduct a horse race meeting, the Racing Commission
28 shall not be subject to any limitation as to the number of tracks
29 authorized for the conduct of horse race meetings pursuant to any
30 provision of P.L.1940, c.17 (C.5:5-22 et seq.). Said permit shall set
31 forth the dates to be allotted to the authority for its initial horse race
32 meetings. Thereafter application for dates for horse race meetings by
33 the authority and the allotment thereof by the Racing Commission,
34 including the renewal of the same dates theretofore allotted, shall be
35 governed by the applicable provisions of P.L.1940, c.17 (C.5:5-22 et
36 seq.). Notwithstanding the provisions of any other law to the
37 contrary, the Racing Commission shall allot annually to the authority
38 (1) for the Meadowlands Complex, in the case of harness racing, not
39 less than 100 racing days, and in the case of running racing, not less
40 than 56 racing days, if and to the extent that application is made
41 therefor, and (2) for any other project which is set forth in paragraph
42 (5) of subsection a. of section 6 of P.L.1971, c.137 (C.5:10-6), and
43 which was previously operated by a permitholder other than the
44 authority, racing days shall be limited, in type of racing and amount of
45 days, to those allotted by the Racing Commission to the prior
46 permitholder for the year 1985, as of December 13, 1984; except that

1 the authority may apply to the Racing Commission for an extension of
2 the number and type of racing days pursuant to section 2 of P.L.1984,
3 c.247 (C.5:5-43.1).

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

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

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

14 (1) In the case of harness races:

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

19 (i) 4 1/2% thereof to increase purses and grant awards for starting
20 horses, as provided or as may be provided by rules of the New Jersey
21 Racing Commission, with payment to be made in the same manner as
22 payment of other purses and awards;

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

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

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

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

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

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

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

24 (d) In the case of races on a racing day other than a charity racing
25 day, distribute to the Sire Stakes Program for standardbred horses
26 .02% of such total contributions.

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

31 (2) In the case of running races:

32 (a) Hold and set aside in an account designated as a special trust
33 account [5% of 1%] .05% of such total contributions, to be used and
34 distributed for State horse breeding and development programs,
35 research, fairs, horse shows, youth activities, promotion and
36 administration, as provided in section 5 of P.L.1967, c.40 (C.5:5-88).

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

1 Benevolent] Horsemen's Association and the authority.
2 Notwithstanding the foregoing, for pools where the patron is required
3 to select three or more horses, the authority shall distribute as purse
4 money 7.475%, or in the case of races on a charity racing day 7.24%,
5 of the total contributions.

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

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

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

36 [For pools where a patron is required to select three or more
37 horses, 50% of 1% of the total contributions shall be held and set aside
38 in that special trust account.]

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

1 P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15 (C.5:5-44.8), or
2 section 1 of P.L.1997, c.80 (C.5:5-44.9), an amount equal to 1/2 of
3 1% of all parimutuel pools shall be paid to the commission at the time
4 and in the manner prescribed by the commission.

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

11 In the event that a written agreement between the authority and the
12 respective horsemen's associations shall require the distribution of
13 additional sums of money to increase purses or contributions to the
14 special trust accounts hereinabove provided, or both, any such
15 distribution to be made in the year 1981 shall be made by the authority
16 only from, and to the extent of, available moneys from the preceding
17 year set aside for such purpose, after application of the authority's
18 revenues, moneys or other funds as provided in subsection c.(1), (2),
19 (3), (4), (5), (6) and (7) of section 6 of P.L.1971, c.137 (C.5:10-6).

20 g. All sums held by the authority for payment of outstanding
21 parimutuel tickets not claimed by the person or persons entitled
22 thereto within the time provided by law shall be paid upon the
23 expiration of such time, without further obligation to such
24 ticketholder, as follows:

25 (1) In the case of running and harness races, beginning July 1, 1997
26 50% of those sums shall be paid to the Racing Commission for deposit
27 in the general fund of the State and disposition in accordance with
28 section 4 of P.L.1997, c.29 (C.5:5-68.1);

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

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

37 h. No admission or amusement tax, excise tax, license or horse
38 racing fee of any kind shall be assessed or collected from the authority
39 by the State of New Jersey, or by any county or municipality, or by
40 any other body having power to assess or collect license fees or taxes.

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

46 j. Each employee of the authority engaged in the conducting of

1 horse race meetings shall obtain the appropriate license from the
2 Racing Commission, subject to the same terms and conditions as is
3 required of similar employees of other permitholders. The Racing
4 Commission may suspend any member of the authority upon approval
5 of the Governor and the license of any employee of the authority in
6 connection with the conducting of horse race meetings, pending a
7 hearing by the Racing Commission, for any violation of the New Jersey
8 laws regulating horse racing or any rule or regulation of the
9 commission. Such hearing shall be held and conducted in the manner
10 provided in said laws.¹

11 (cf: P.L.2000, c.123, s.4)

12

13 ¹[2.] 3.¹ This act shall take effect immediately.

14

15

16

17

18 _____
19 Permits thoroughbred breeder awards to owners and trainers of NJ-
bred horses that win certain out-of-State races.

SENATE, No. 1736

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED JUNE 30, 2002

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.
District 13 (Middlesex and Monmouth)
Senator JOSEPH A. PALAIA
District 11 (Monmouth)

Co-Sponsored by:

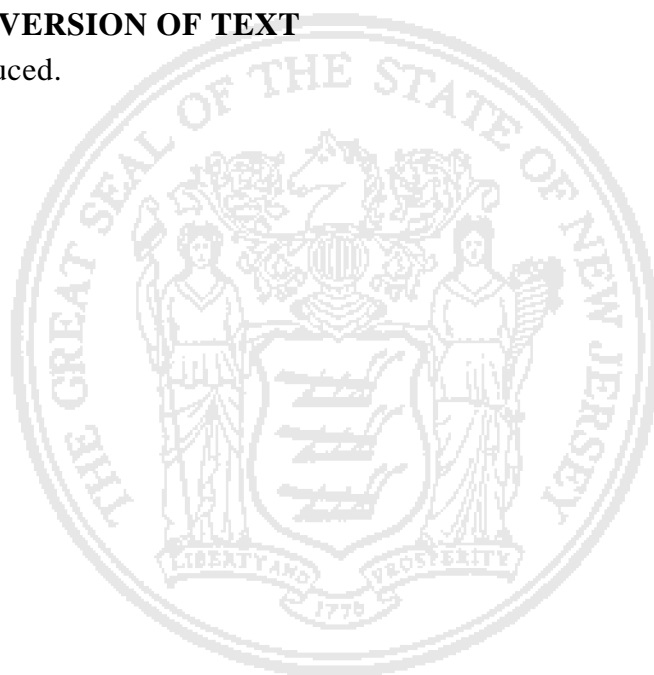
Senator Bark

SYNOPSIS

Permits thoroughbred breeder awards to owners and trainers of NJ-bred horses that win certain out-of-State races.

CURRENT VERSION OF TEXT

As introduced.



S1736 KYRILLOS, PALAIA

2

1 AN ACT concerning thoroughbred breeder awards and amending
2 P.L.1940, c.17.

3

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

6

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

9 46. Every permitholder engaged in the business of conducting
10 horse race meetings under this act, except the New Jersey Sports and
11 Exposition Authority established pursuant to P.L.1971, c.137
12 (C.5:10-1 et seq.) and the Garden State Racetrack as provided in
13 section 5 of P.L.1982, c.201 (C.5:5-98), shall make disposition of the
14 deposits remaining undistributed pursuant to section 44 as follows:

15 a. In the case of harness races:

16 (1) On a racing day designated or allotted as a charity racing day
17 pursuant to P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15
18 (C.5:5-44.8), or section 1 of P.L.1997, c.80 (C.5:5-44.9), pay to the
19 commission, at the time and in the manner prescribed by the
20 commission, 1.25% of so much of the total contributions to all
21 parimutuel pools conducted or made on any and every horse race,
22 except that for pools where the patron is required to select two horses,
23 the permitholder shall pay 2.25% of the total contributions and for
24 pools where the patron is required to select three or more horses, the
25 permitholder shall pay 5.25% of the total contributions;

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

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

34 (b) 55% thereof for the establishment of a Sire Stakes Program for
35 standardbred horses, with payment to be made to the Department of
36 Agriculture for administration as hereinbefore provided;

37 (c) 5% thereof to the Sire Stakes Program for purse supplements
38 designed to improve and promote the standardbred breeding industry
39 in New Jersey by increasing purses for owners of horses that are sired
40 by a New Jersey registered stallion and are eligible to participate in the
41 Sire Stakes Program. The Sire Stakes Program board of trustees shall
42 consult with the Standardbred Breeders' and Owners' Association of
43 New Jersey before disbursing money for purse supplements;

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

3 (3) Retain 7.7875%, or in the case of races on a charity racing day
4 7.20%, of so much of such total contributions for his own uses and
5 purposes. Notwithstanding the foregoing, for pools where the patron
6 is required to select two horses, the permitholder shall retain 8.7575%,
7 or in the case of races on a charity racing day 7.70%, of the total
8 contributions and for pools where the patron is required to select three
9 or more horses, the permitholder shall retain 11.6675%, or in the case
10 of races on a charity racing day 9.20%, of the total contributions.
11 Each permitholder shall contribute out of its 11.6675% or 9.20% share
12 of pools, where the patron is required to select three or more horses,
13 a sum deemed necessary by the racing commission, to finance a
14 prerace blood testing program, and such other testing programs which
15 the commission shall deem proper and necessary and which shall be
16 subject to the regulation and control of said commission.

17 (4) Distribute as purse money and for programs designed to aid the
18 horsemen and the Standardbred Breeders' and Owners' Association of
19 New Jersey 7.69375%, or in the case of races on a charity racing day
20 7.40%, of such total contributions. Expenditures for programs
21 designed to aid the horsemen and the Standardbred Breeders' and
22 Owners' Association of New Jersey shall not exceed 3.2% of the sum
23 available for distribution as purse money. The formula for
24 distribution of the purse money as either overnight purses or special
25 stakes shall be determined by an agreement between the Standardbred
26 Breeders' and Owners' Association of New Jersey and the tracks.
27 Notwithstanding the foregoing, for pools where the patron is required
28 to select two or more horses, the permitholder shall distribute as purse
29 money 8.42875%, or in the case of races on a charity racing day
30 7.90%, of the total contributions and for pools where the patron is
31 required to select three or more horses, the permitholder shall
32 distribute as purse money 10.63375%, or in the case of races on a
33 charity racing day 9.40%, of the total contributions. Notwithstanding
34 the foregoing, for pools where a patron is required to select three or
35 more horses, each permitholder shall retain out of the 10.63375% or
36 9.40% to be distributed as purse money a sum deemed necessary by
37 the racing commission, for use by the commission to finance a prerace
38 blood testing program, and such other testing programs which the
39 commission shall deem proper and necessary and which shall be
40 subject to the regulation and control of said commission.

41 (5) In the case of races on a racing day other than a charity racing
42 day, distribute to the Standardbred Breeders' and Owners' Association
43 of New Jersey for the administration of a health benefits program for
44 horsemen .29375% of such total contributions, except that for pools
45 where the patron is required to select two or more horses, the amount
46 shall be .52875%, and for pools where the patron is required to select

S1736 KYRILLOS, PALAIA

1 three or more horses, the amount shall be 1.23375%.

2 (6) In the case of races on a racing day other than a charity racing
3 day, distribute to the Sire Stakes Program for standardbred
4 horses.05% of such total contributions, except that for pools where
5 the patron is required to select two or more horses, the amount shall
6 be .09%, and for pools where the patron is required to select three or
7 more horses, the amount shall be .21%.

8 (7) In the case of races on a racing day other than a charity racing
9 day, distribute to the Backstretch Benevolency Programs Fund created
10 pursuant to P.L.1993, c.15 (C.5:5-44.8) .025% of such total
11 contributions, except that for pools where the patron is required to
12 select two or more horses, the amount shall be .045%, and for pools
13 where the patron is required to select three or more horses, the
14 amount shall be.105%.

15 Except as otherwise provided by law, no admission or amusement
16 tax, excise tax, license or horse racing fee of any kind shall be assessed
17 or collected from any permitholder by the State of New Jersey, or by
18 any county or municipality, or by any other body having power to
19 assess or collect license fees or taxes.

20 b. In the case of running races:

21 (1) Where the amount derived from the parimutuel handle,
22 excluding the handle derived from intertrack wagering, does not
23 exceed \$1 million per day based on such contributions accumulated
24 and averaged during the calendar year, the permitholder shall:

25 (a) On a racing day designated or allotted as a charity racing day
26 pursuant to P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15
27 (C.5:5-44.8), or section 1 of P.L.1997, c.80 (C.5:5-44.9), pay to the
28 commission, at the time and in the manner prescribed by the
29 commission, .30% of so much of the total contributions to all
30 parimutuel pools conducted or made on any and every horse race,
31 except that for pools where the patron is required to select three or
32 more horses, the permitholder shall pay 1.30% of the total
33 contributions.

34 (b) Hold and set aside in an account designated as a special trust
35 account 5% of 1% of such total contributions to be used and
36 distributed for State horse breeding and development programs,
37 research, fairs, horse shows, youth activities, promotion and
38 administration, as provided in section 5 of P.L.1967, c.40 (C.5:5-88).

39 (c) Retain 9.991%, or in the case of races on a charity racing day
40 9.85%, of such total contributions for his own uses and purposes. For
41 pools where the patron is required to select two horses, the
42 permitholder shall retain 11.061%, or in the case of races on a charity
43 racing day 10.92%, of the total contributions and for pools where the
44 patron is required to select three or more horses, the permitholder
45 shall retain 13.941%, or in the case of races on a charity racing day
46 13.33%, of the total contributions. Each permitholder shall contribute

1 out of its 13.941% or 13.33% share of pools, where the patron is
2 required to select three or more horses, a sum deemed necessary by
3 the racing commission, to finance a prerace blood testing program, and
4 such other testing programs which the commission shall deem proper
5 and necessary and which shall be subject to the regulation and control
6 of the commission.

7 (d) Distribute as purse money and for programs designed to aid the
8 horsemen and the New Jersey Thoroughbred Horseman's Benevolent
9 Association 6.141%, or in the case of races on a charity racing day
10 6.00%, of such contributions. Notwithstanding the foregoing, for
11 pools where the patron is required to select two horses, the
12 permitholder shall distribute as purse money 7.071%, or in the case of
13 races on a charity racing day 6.93%, of such contributions and for
14 pools where the patron is required to select three or more horses, the
15 permitholder shall distribute as purse money 9.631%, or in the case of
16 races on a charity racing day 9.02%, of the total contributions.
17 Expenditures for programs designed to aid the horsemen and the New
18 Jersey Thoroughbred Horseman's Benevolent Association shall not
19 exceed 2.5% of the sum available for distribution as purse money from
20 all parimutuel pools. The formula for distribution of the purse money
21 as either overnight purses or special stakes shall be determined by an
22 agreement between the New Jersey Thoroughbred Horseman's
23 Benevolent Association and the permitholder. Notwithstanding the
24 foregoing, for pools where a patron is required to select three or more
25 horses, each permitholder shall retain out of the 9.631% or 9.02% to
26 be distributed as purse money a sum deemed necessary by the racing
27 commission, for use by the commission to finance a prerace blood
28 testing program, and such other testing programs which the
29 commission shall deem proper and necessary and which shall be
30 subject to the regulation and control of the commission.

31 (e) Deduct and set aside 80% of 1% of all pools [shall be deducted
32 and set aside] in a special trust account for the establishment and
33 support by the commission of the thoroughbred breeding industry in
34 New Jersey[;] . The money in the special trust account shall be used
35 to: (i) improve purses for closed races; [to] (ii) provide awards [for]
36 to owners and breeders of registered New Jersey bred horses who earn
37 portions of purses in open and closed races at New Jersey race tracks
38 or in closed races at an out-of-State track as part of a multi-state event
39 to promote thoroughbred breeding, and to owners of stallions posted
40 on the official stallion roster of the Thoroughbred Breeders'
41 Association of New Jersey, which sire such New Jersey bred money
42 earners; and (iii) provide awards to the New Jersey Thoroughbred
43 Breeders' Association for programs beneficial to thoroughbred
44 breeding in this State. The New Jersey thoroughbred award program
45 shall be administered and disbursed by the Thoroughbred Breeders'
46 Association of New Jersey subject to the approval of the commission.

1 The special trust account to be established pursuant to this paragraph
2 shall be separate and apart from the special trust account established
3 and maintained pursuant to subparagraph (b) of this paragraph.

4 (f) (Deleted by amendment, P.L.1986, c.19.)

5 (g) In the case of races on a racing day other than a charity racing
6 day, distribute to the Thoroughbred Breeders' Association of New
7 Jersey .012% of such total contributions, except that for pools where
8 the patron is required to select three or more horses, the amount shall
9 be .052%.

10 (h) In the case of races on a racing day other than a charity racing
11 day, distribute to the Backstretch Benevolency Programs Fund created
12 pursuant to P.L.1993, c.15 (C.5:5-44.8) .006% of such total
13 contributions, except that for pools where the patron is required to
14 select three or more horses, the amount shall be .026%.

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

19 (j) Except as otherwise provided by law, [no] not be subject to an
20 admission or amusement tax, excise tax, license or horse racing fee of
21 any kind [shall be assessed or collected from any permitholder] by the
22 State of New Jersey, or by any county or municipality, or by any other
23 body having power to assess or collect license fees or taxes.

24 (2) Where the amount derived from the parimutuel handle,
25 excluding the handle derived from intertrack wagering, exceeds \$1
26 million per day based on such contributions accumulated and averaged
27 during the calendar year, the permitholder shall:

28 (a) On a racing day designated or allotted as a charity racing day
29 pursuant to P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1993, c.15
30 (C.5:5-44.8), or section 1 of P.L.1997, c.80 (C.5:5-44.9), pay to the
31 commission, at the time and in the manner prescribed by the
32 commission, .50% of so much of the total contributions to all
33 parimutuel pools conducted or made on any and every horse race.

34 (b) Hold and set aside in an account designated as a special trust
35 account 5% of 1% of such total contributions to be used and
36 distributed for State horse breeding and development programs,
37 research, fairs, horse shows, youth activities, promotion and
38 administration, as provided in section 5 of P.L.1967, c.40 (C.5:5-88).

39 (c) Retain 9.305%, or in the case of races on a charity racing day
40 9.07%, of such total contributions for his own uses and purposes. For
41 pools where the patron is required to select two horses, the
42 permitholder shall retain 10.375%, or in the case of races on a charity
43 racing day 10.14%, of the total contributions and for pools where the
44 patron is required to select three or more horses, the permitholder
45 shall retain 13.545%, or in the case of races on a charity racing day
46 13.31%, of the total contributions. Each permitholder shall contribute

1 out of its 13.545% or 13.31% share of pools, where the patron is
2 required to select three or more horses, a sum deemed necessary by
3 the racing commission, to finance a prerace blood testing program, and
4 such other testing programs which the commission shall deem proper
5 and necessary and which shall be subject to the regulation and control
6 of the commission.

7 (d) Distribute as purse money and for programs designed to aid the
8 horsemen and the New Jersey Thoroughbred Horseman's Benevolent
9 Association 6.815%, or in the case of races on a charity racing day
10 6.58%, of such contributions. Notwithstanding the foregoing, for
11 pools where the patron is required to select two horses, the
12 permitholder shall distribute as purse money 7.745%, or in the case of
13 races on a charity racing day 7.51%, of such contributions and for
14 pools where the patron is required to select three or more horses, the
15 permitholder shall distribute as purse money 10.085%, or in the case
16 of races on a charity racing day 9.85%, of the total contributions.
17 Expenditures for programs designed to aid the horsemen and the New
18 Jersey Thoroughbred Horseman's Benevolent Association shall not
19 exceed 2.5% of the sum available for distribution as purse money from
20 all parimutuel pools. The formula for distribution of the purse money
21 as either overnight purses or special stakes shall be determined by an
22 agreement between the New Jersey Thoroughbred Horseman's
23 Benevolent Association and the permitholder. Notwithstanding the
24 foregoing, for pools where a patron is required to select three or more
25 horses, each permitholder shall retain out of the 10.085% or 9.85% to
26 be distributed as purse money a sum deemed necessary by the racing
27 commission, for use by the commission to finance a prerace blood
28 testing program, and such other testing programs which the
29 commission shall deem proper and necessary and which shall be
30 subject to the regulation and control of the commission.

31 (e) Deduct and set aside 80% of 1% of all pools [shall be deducted
32 and set aside] in a special trust account for the establishment and
33 support by the commission of the thoroughbred breeding industry in
34 New Jersey [;] . The money in the special trust account shall be used
35 to: (i) improve purses for closed races; [to] (ii) provide awards [for]
36 to owners and breeders of registered New Jersey bred horses who earn
37 portions of purses in open and closed races at New Jersey race tracks
38 or in closed races at an out-of-State track as part of a multi-state event
39 to promote thoroughbred breeding, and to owners of stallions posted
40 on the official stallion roster of the Thoroughbred Breeders'
41 Association of New Jersey, which sire such New Jersey bred money
42 earners; and (iii) provide awards to New Jersey thoroughbred breeders'
43 associations for programs beneficial to thoroughbred breeding in this
44 State. The New Jersey thoroughbred award program shall be
45 administered and disbursed by the Thoroughbred Breeders'
46 Association of New Jersey subject to the approval of the commission.

1 The special trust account to be established pursuant to this paragraph
2 shall be separate and apart from the special trust account established
3 and maintained pursuant to subparagraph (b) of this paragraph.

4 (f) (Deleted by amendment, P.L.1986, c.19.)

5 (g) In the case of races on a racing day other than a charity racing
6 day, distribute to the Thoroughbred Breeders' Association of New
7 Jersey .02% of such total contributions.

8 (h) In the case of races on a racing day other than a charity racing
9 day, distribute to the Backstretch Benevolency Programs Fund created
10 pursuant to P.L.1993, c.15 (C.5:5-44.8) .01% of such total
11 contributions.

12 (i) Notwithstanding the foregoing, for pools where a patron is
13 required to select three or more horses, hold and set aside 49% of 1%
14 of the total contributions [shall be held and set aside] in the special
15 trust account referred to in subparagraph (e) of this paragraph.

16 (j) Except as otherwise provided by law, [no] not be subject to an
17 admission or amusement tax, excise tax, license or horse racing fee of
18 any kind [shall be assessed or collected] from any permitholder by the
19 State of New Jersey, or by any county or municipality, or by any other
20 body having power to assess or collect license fees or taxes.

21 (cf: P.L.2000, c.123, s.1)

22

23 2. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 This bill allows the New Jersey Thoroughbred Breeders'
29 Association to give an award to owners and breeders of registered
30 New Jersey-bred thoroughbred horses who win prize money at a
31 closed race at an out-of-State track as part of a multi-state event to
32 promote thoroughbred breeding. Under current law, such awards are
33 given to winners of races at in-State racetracks.

34 This bill would allow the NJ Thoroughbred Breeders' Association
35 to participate in the first annual "Great State Challenge" in which
36 horses bred in various states compete against one another, and the
37 state whose horses win the most prize money will be awarded a
38 trophy. As one of the top thoroughbred breeding states in the nation,
39 a New Jersey-bred horse is guaranteed a slot in each of the six races
40 to be held that day. Part of the prize money for the "Great State
41 Challenge" consists of \$50,000 from the breeders' funds of each
42 participating state, which will be used to supplement the prize money
43 of NJ-bred horses that win, place or show.

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

SENATE, No. 1736

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2002

The Senate Economic Growth, Agriculture and Tourism Committee reports favorably Senate Bill No. 1736.

This bill allows the New Jersey Thoroughbred Breeders' Association to give an award to owners and breeders of registered New Jersey-bred thoroughbred horses who win prize money at a closed race at an out-of-State track as part of a multi-state event to promote thoroughbred breeding. Under current law, such awards are given to winners of races at in-State racetracks.

This bill would allow the NJ Thoroughbred Breeders' Association to participate in the first annual "Great State Challenge" in which horses bred in various states compete against one another, and the state whose horses win the most prize money will be awarded a trophy.

STATEMENT TO
SENATE, No. 1736

with Assembly Floor Amendments
(Proposed By Assemblywoman STENDER)

ADOPTED: OCTOBER 7, 2002

These amendments make several technical changes to the bill, in order to omit a reference to Garden State Park, provide appropriate citations, and to correct awkward phrasing and inconsistent display of percentages in the existing law. A final technical amendment repeats in the Sports and Exposition Authority law (the Sports and Exposition Authority owns and operates the Meadowlands racetrack and Monmouth Park) for clarification purposes certain language regarding the owner and breeder award program.

ASSEMBLY TOURISM AND GAMING COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2676

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 2002

The Assembly Tourism and Gaming Committee reports favorably and with committee amendments Assembly, No. 2676.

As amended by the committee, this bill allows the New Jersey Thoroughbred Breeders' Association to give an award to owners and breeders of registered New Jersey-bred thoroughbred horses who win prize money at a closed race at an out-of-State track as part of a multi-state event to promote thoroughbred breeding. Under current law, such awards are given to winners of races at in-State racetracks.

This bill would allow the New Jersey Thoroughbred Breeders' Association to participate in the first annual "Great State Challenge" in which horses bred in various states compete against one another, and the state whose horses win the most prize money will be awarded a trophy. As one of the top thoroughbred breeding states in the nation, a New Jersey-bred horse is guaranteed a slot in each of the six races to be held that day. Part of the prize money for the "Great State Challenge" consists of \$50,000 from the breeders' funds of each participating state, which will be used to supplement the prize money of New Jersey-bred horses that win, place or show.

COMMITTEE AMENDMENTS

The committee adopted several technical amendments, to omit a reference to Garden State Park, provide appropriate citations, and to correct awkward phrasing and inconsistent display of percentages in the existing law. In addition, the committee adopted a technical amendment to repeat in the Sports and Exposition Authority law (the Sports and Exposition Authority owns and operates the Meadowlands racetrack and Monmouth Park) for clarification purposes certain language regarding the owner and breeder award program.