

5:5-22

**LEGISLATIVE HISTORY CHECKLIST**  
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(Racing Commission--penalties)

**NJSA:** 5:5-22

**LAWS OF:** 1995 **CHAPTER:** 15

**BILL NO:** S163

**SPONSOR(S):** Palaia and Codey

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:** **ASSEMBLY:** Veterans; Appropriations  
**SENATE:** Senior Citizens; Budget

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
First reprint enacted denoted by superscript numbers

**DATE OF PASSAGE:** **ASSEMBLY:** November 14, 1994  
**SENATE:** March 31, 1994

**DATE OF APPROVAL:** January 25, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes 5-19-94 & 10-6-94  
**SENATE:** Yes 2-10-94 & 3-10-94

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

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[FIRST REPRINT]

SENATE, No. 163

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Senators PALAIA and CODEY

1 **AN ACT** concerning the disposition of certain penalties imposed  
2 by the New Jersey Racing Commission, supplementing  
3 P.L.1940, c.17 (C.5:5-22 et seq.) <sup>1</sup>[and amending P.L.1993,  
4 c.15]<sup>1</sup>.

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6 **BE IT ENACTED** by the Senate and General Assembly of the  
7 *State of New Jersey*:

8 1. Notwithstanding the provisions of any other law to the  
9 contrary, whenever the New Jersey Racing Commission imposes a  
10 monetary penalty on any licensee for a violation of the provisions  
11 of P.L.1940, c.17 (C.5:5-22 et seq.), or any regulation  
12 promulgated thereunder, the penalty shall be deposited in the  
13 Backstretch Fund established pursuant to subsection b. of section  
14 1 of P.L.1993, c.15 (C.5:5-44.8).

15 <sup>1</sup>[2. Section 1 of P.L.1993, c.15 (C.5:5-44.8) is amended to  
16 read as follows:

17 1. a. The New Jersey Racing Commission shall designate one  
18 of the racing days authorized each year to a holder of a permit to  
19 hold or conduct a horse race meeting pursuant to P.L.1940, c.17  
20 (C.5:5-22 et seq.) as "Charity Racing Day for Backstretch  
21 Benevolency Programs" or shall allot to each such permit holder  
22 one additional racing day to be known as "Charity Racing Day for  
23 Backstretch Benevolency Programs."

24 b. All moneys received by the commission as its share of the  
25 total contributions to all parimutuel pools conducted or made on  
26 the racing day designated or allotted pursuant to subsection a. of  
27 this section shall be deposited in a separate fund to be known as  
28 the Backstretch Benevolency Programs Fund, which is hereby  
29 created in the Department of the Treasury. The moneys in the  
30 fund shall be appropriated exclusively to the commission to be  
31 used by it to fund programs which promote the health, safety, or  
32 welfare of backstretch employees. As used in this subsection,  
33 "backstretch employee" means any person employed at a  
34 racetrack as a stable hand, groom, walker or exerciser or in any  
35 similar position designated by the commission which involves the  
36 handling or care of horses.

37 c. The New Jersey Racing Commission shall establish a  
38 Backstretch Benevolency Programs Fund Advisory Committee.  
39 The committee shall consist of six members appointed by the  
40 commission and members shall serve at the pleasure of the  
41 commission for indefinite terms. It shall be the duty of the  
42 advisory committee to make recommendations to the commission  
43 concerning programs to benefit backstretch employees which

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:

<sup>1</sup> Assembly AAP committee amendments adopted October 6, 1994.

1 the committee believes should be funded from the Backstretch  
2 Benevolency Programs Fund established pursuant to subsection b.  
3 of this section.

4 (cf: P.L.1993, c.15, s.1)]<sup>1</sup>

5 <sup>1</sup>[3.] 2.<sup>1</sup> This act shall take effect immediately.

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10 Provides that certain penalties imposed by the N.J. Racing  
11 Commission would be used to benefit certain racetrack  
12 employees.

1 the committee believes should be funded from the Backstretch  
2 Benevolency Programs Fund established pursuant to subsection b.  
3 of this section.

4 (cf: P.L.1993, c.15, s.1)

5 3. This act shall take effect immediately.

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STATEMENT

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11 This bill requires that penalties imposed and collected by the  
12 New Jersey Racing Commission from any licensee for violations  
13 of the statutes or regulations are to be placed in the Backstretch  
14 Benevolency Programs Fund established pursuant to subsection b.  
15 of section 1 of P.L.1993, c.15 (C.5:5-44.8).

16 The Backstretch Benevolency Programs Fund was established in  
17 the Department of the Treasury pursuant to subsection b. of  
18 section 1 of P.L.1993, c.15 (C.12:5-44.8) and the moneys in the  
19 fund are to be used exclusively by the commission to fund  
20 programs which promote the health, safety, or welfare of  
21 backstretch employees. The fund already receives the  
22 commission's share of the total contributions to all parimutuel  
23 pools conducted or made on the racing day designated by the  
24 commission as "Charity Racing Day for Backstretch Benevolency  
25 Programs."

26 Finally, the bill creates a six member Backstretch Benevolency  
27 Programs Fund Advisory Committee to make recommendations to  
28 the commission concerning programs benefiting backstretch  
29 employees.

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34 Provides that certain penalties imposed by the N.J. Racing  
35 Commission would be used to benefit certain racetrack  
36 employees.

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ASSEMBLY VETERANS, MILITARY AFFAIRS  
AND GAMING COMMITTEE

STATEMENT TO

SENATE, No. 163

STATE OF NEW JERSEY

DATED: MAY 19, 1994

The Assembly Veterans, Military Affairs and Gaming Committee reports favorably Senate Bill No. 163.

This bill requires that penalties imposed and collected by the New Jersey Racing Commission from any licensee for violations of the statutes or regulations are to be placed in the Backstretch Benevolency Programs Fund established in the Department of the Treasury pursuant to subsection b. of section 1 of P.L.1993, c.15 (C.5:5-44.8).

The Backstretch Benevolency Programs Fund moneys are to be used exclusively by the commission to fund programs which promote the health, safety, or welfare of backstretch employees. Currently, the fund receives the commission's share of the total contributions to all parimutuel pools conducted or made on the racing day designated by the commission as "Charity Racing Day for Backstretch Benevolency Programs."

"Backstretch employee" means a person employed at a racetrack as a stable hand, groom, walker or exerciser or in any similar position designated by the commission which involves the handling or care of horses.

The bill also creates a six member Backstretch Benevolency Programs Fund Advisory Committee to make recommendations to the commission concerning programs benefiting backstretch employees.

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ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

**SENATE, No. 163**

with committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 6, 1994

The Assembly Appropriations Committee reports favorably Senate Bill No. 163, with committee amendments.

Senate Bill No. 163, as amended, requires the deposit of penalties collected by the New Jersey Racing Commission from any licensee for violations of the racing statutes or regulations into the Backstretch Benevolency Programs Fund, which was established pursuant to P.L.1993, c.15 (C.5:5-44.8) and enacted into law January 20, 1993.

The moneys in the Backstretch Benevolency Programs Fund are used by the commission for programs which promote the health, safety and welfare of backstretch employees. The fund already receives the commission's share of the total contributions to all parimutuel pools conducted or made on racing days designated by the commission as "Charity Racing Day for Backstretch Benevolency Programs." The commission has used the moneys in the fund during the past year for educational programs, clothing and supplies related to medical needs and counseling services.

A "backstretch employee" is a person employed at a racetrack as a stable hand, groom, walker or exerciser or in any similar position designated by the commission which involves the handling or care of horses.

FISCAL IMPACT:

In the fiscal note to this bill, the Department of Law and Public Safety estimated a loss of General Fund revenues of \$66,765, \$60,000 and \$60,000 in the first three years, respectively, following enactment. This estimate represents monetary penalties from racing violations that will be deposited into the Backstretch Benevolency Programs Fund instead of the General Fund.

COMMITTEE AMENDMENTS:

The committee amendments delete provisions for the creation of a Backstretch Benevolency Programs Fund Advisory Committee. The planned functions of the committee would have been duplicative of the current oversight advisory committee function of the Racing Commission.

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SENATE SENIOR CITIZENS, VETERANS AFFAIRS  
AND AGRICULTURE COMMITTEE

STATEMENT TO

SENATE, No. 163

STATE OF NEW JERSEY

DATED: FEBRUARY 10, 1994

The Senate Senior Citizens, Veterans Affairs and Agriculture Committee favorably reports Senate Bill No. 163.

This bill requires that penalties imposed and collected by the New Jersey Racing Commission from any licensee for violations of the statutes or regulations are to be placed in the Backstretch Benevolency Programs Fund established pursuant to subsection b. of section 1 of P.L.1993, c.15 (C.5:5-44.8).

Moneys in the Backstretch Benevolency Programs Fund are used by the commission to fund programs which promote the health, safety, or welfare of backstretch employees. At present, the fund receives the commission's share of the total contributions to all parimutuel pools conducted or made on the racing day designated by the commission as "Charity Racing Day for Backstretch Benevolency Programs."

The bill also creates a six member Backstretch Benevolency Programs Fund Advisory Committee to make recommendations to the commission concerning programs benefiting backstretch employees.

This bill was prefiled for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 163

STATE OF NEW JERSEY

DATED: MARCH 10, 1994

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 163.

Senate Bill No. 163 requires the deposit of penalties collected by the New Jersey Racing Commission from any licensee for violations of the racing statutes or regulations into the Backstretch Benevolency Programs Fund, which was established pursuant to P.L.1993, c.15 (C.5:5-44.8) and enacted into law January 20, 1993.

The moneys in the Backstretch Benevolency Programs Fund are used by the commission for programs which promote the health, safety and welfare of backstretch employees. The fund already receives the commission's share of the total contributions to all parimutuel pools conducted or made on racing days designated by the commission as "Charity Racing Day for Backstretch Benevolency Programs." The commission has used the monies in the fund during the past year for educational programs, clothing and supplies related to medical needs and counseling services.

"Backstretch employee" means a person employed at a racetrack as a stable hand, groom, walker or exerciser or in any similar position designated by the commission which involves the handling or care of horses.

Finally, the bill creates a six member Backstretch Benevolency Programs Fund Advisory Committee to make recommendations to the commission concerning programs for backstretch employees that should receive support from the fund.

FISCAL IMPACT

According to the New Jersey Racing Commission, approximately \$65,000 to \$70,000 in monetary penalties annually will be deposited into the Backstretch Benevolency Program Fund as a result of this bill.

An additional \$50,000 annually will be deposited into the fund as a result of the proceeds from any racing day designated by the commission as "Charity Racing Day for Backstretch Benevolency Programs."

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