

5:5-38.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2013 **CHAPTER:** 163

NJSA: 5:5-38.1 (Authorizes New Jersey Racing Commission to grant special permit for horse racing on beach; allows wagering on such races)

BILL NO: A4149 (Substituted for S2899)

SPONSOR(S) Burzichelli and others

DATE INTRODUCED: June 6, 2013

COMMITTEE: **ASSEMBLY:** Appropriations
Budget

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** September 9, 2013

SENATE: September 12, 2013

DATE OF APPROVAL: September 18, 2013

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Third reprint enacted) Yes

A4149

SPONSOR'S STATEMENT (Begins on page 2 of introduced bill): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S2899

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/KR

P.L.2013, CHAPTER 163, *approved September 18, 2013*
Assembly, No. 4149 (*Third Reprint*)

1 AN ACT ²**[concerning a special horse racing permit]** authorizing
2 special horse racing permits for beach racing, ³**[and steeplechase**
3 **racing,]** ³and wagering thereon, ² and supplementing chapter 5 of
4 Title 5 of the Revised Statutes.

5

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

8

9 1. a. Notwithstanding the provisions of ¹section 1 of P.L.1949,
10 c.26 (C.5:5-39.1) or ¹ any other law to the contrary, the commission
11 may grant a special permit, to a ¹**[running race permit holder that**
12 **leases a State-owned racetrack]** permit holder in good standing
13 authorized to conduct running races in this State ¹, for the holding or
14 conducting of a special running race meeting on a beach in an area
15 that extends landward from the mean high water line of the ocean to
16 either the vegetation line or a man-made feature generally parallel
17 to the ocean, such as a retaining structure, seawall, bulkhead, road,
18 or boardwalk. ¹A special permit granted pursuant to this subsection
19 shall be subject to the jurisdiction of the commission. ¹

20 b. The commission may grant only one special permit ¹**[,]** ¹
21 pursuant to subsection a. of this section ¹**[,]** to an eligible running
22 race permit holder per calendar year, which shall be valid only for
23 the calendar year in which it is issued. Any running race permit
24 holder in good standing may apply for the special permit ¹. The
25 number of racing days authorized pursuant to the special permit
26 shall not exceed two days in a calendar year. Any racing day that is
27 run pursuant to the special permit shall count toward the total
28 number of racing days allotted to the running race permit holder.

29 c. A permit holder that is granted a special permit pursuant to
30 this section shall keep and maintain separate books and records for
31 the special running race meeting to the same extent as is required of
32 a permit holder and shall file such report and audits as may
33 otherwise be required on or before such date as the commission
34 may designate.

35 d. Sums in the parimutuel pools shall be distributed as if the
36 special running race meeting is held at the location for which the

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:

¹Assembly ABU committee amendments adopted June 17, 2013.

²Senate floor amendments adopted June 27, 2013.

³Assembly amendments adopted in accordance with Governor's recommendations September 9, 2013.

1 special permit holder holds a running race permit, as provided in
2 chapter 5 of Title 5 of the Revised Statutes.

3 ¹[e. The commission shall promulgate rules and regulations
4 providing for:

5 (1) the procedure for application for and approval of a special
6 permit authorized by this section;

7 (2) any conditions to which a special permit holder or special
8 running race meeting may be subject; and

9 (3) such other matters as the commission deems appropriate.]¹

10 ²e. No running race permit holder may be granted a special
11 permit pursuant to subsection a. of this section to hold or conduct a
12 special running race meeting on a beach located within twenty-five
13 miles of any racetrack authorized to conduct running races unless
14 the permit holder authorized to conduct running races at that
15 racetrack consents in writing to the special running race meeting.

16 f. Notwithstanding the provisions of any other law to the
17 contrary, simulcasting of a special running race meeting authorized
18 by this section shall be conducted as if the special running race
19 meeting is held at the location for which the special permit holder
20 holds a running race permit, except that the special permit holder
21 may also transmit the simulcast signal to the racetrack for which the
22 special permit holder holds a running race permit. The simulcasting
23 ³within this State³ of a special running race meeting authorized by
24 this section shall not require the consent of any horsemen's
25 organization and shall be made available at the industry standard
26 rate. Upon application to and approval by the commission, the
27 holder of a special permit granted pursuant to subsection a. of this
28 section may transmit simulcast horse races of the special running
29 race meeting to any facility outside of New Jersey with which the
30 special permit holder has entered into an agreement.

31 g. Nothing in this section shall be construed to prohibit the
32 commission from granting a special permit pursuant to subsection a.
33 of this section to a running race permit holder that holds a special
34 permit pursuant to subsection a. of section 2 of P.L. , c. (C.)
35 (pending before the Legislature as this bill).²

36
37 ³[²2. a. Notwithstanding the provisions of section 1 of
38 P.L.1949, c.26 (C.5:5-39.1) or any other law to the contrary, the
39 commission may grant a special permit, to a permit holder in good
40 standing authorized to conduct running races in this State, for the
41 holding or conducting of a special steeplechase race meeting at a
42 location other than a racetrack, provided that the special
43 steeplechase race meeting is conducted in conjunction with an
44 organization that has experience conducting steeplechase races
45 pursuant to section 54 of P.L.1940, c.17 (C.5:5-74) and provided
46 that the special steeplechase race meeting is recognized by the
47 National Steeplechase and Hunt Association. A special permit

1 granted pursuant to this subsection shall be subject to the
2 jurisdiction of the commission.

3 b. The commission may grant only one special permit pursuant
4 to subsection a. of this section per calendar year, which shall be
5 valid only for the calendar year in which it is issued. Any running
6 race permit holder in good standing may apply for the special
7 permit. The number of racing days authorized pursuant to the
8 special permit shall not exceed two days in a calendar year. Any
9 racing day that is run pursuant to the special permit shall count
10 toward the total number of racing days allotted to the running race
11 permit holder.

12 c. A permit holder that is granted a special permit pursuant to
13 this section shall keep and maintain separate books and records for
14 the special steeplechase race meeting to the same extent as is
15 required of a permit holder and shall file such report and audits as
16 may otherwise be required on or before such date as the
17 commission may designate.

18 d. Sums in the parimutuel pools shall be distributed as if the
19 special steeplechase race meeting is held at the location for which
20 the special permit holder holds a running race permit, as provided in
21 chapter 5 of Title 5 of the Revised Statutes, except that the special
22 permit holder may enter into a contractual agreement with the
23 organization with which the permit holder is conducting the special
24 steeplechase race meeting providing for the distribution of money
25 that would otherwise statutorily be distributed to the permit holder.

26 e. Notwithstanding the provisions of any other law to the
27 contrary, simulcasting of a special running race meeting authorized
28 by this section shall be conducted as if the special running race
29 meeting is held at the location for which the special permit holder
30 holds a running race permit, except that the special permit holder
31 may also transmit the simulcast signal to the racetrack for which the
32 special permit holder holds a running race permit. The simulcasting
33 of a special running race meeting authorized by this section shall
34 not require the consent of any horsemen's organization and shall be
35 made available at the industry standard rate. Upon application to
36 and approval by the commission, the holder of a special permit
37 granted pursuant to subsection a. of this section may transmit
38 simulcast horse races of the special running race meeting to any
39 facility outside of New Jersey with which the special permit holder
40 has entered into an agreement.

41 f. Nothing in this section shall be construed to prohibit the
42 commission from granting a special permit pursuant to subsection a.
43 of this section to a running race permit holder that holds a special
44 permit pursuant to subsection a. of section 1 of P.L. , c. (C.)
45 (pending before the Legislature as this bill).²³

46

47 ²[2.] ³[3.2] 2.³ This act shall take effect immediately.

A4149 [3R]

4

1

2

3

4

Authorizes New Jersey Racing Commission to grant special permit for horse racing on beach; allows wagering on such races.

ASSEMBLY, No. 4149

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JUNE 6, 2013

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman JOHN F. AMODEO

District 2 (Atlantic)

SYNOPSIS

Authorizes New Jersey Racing Commission to grant special permit for horse racing on beach.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning a special horse racing permit and
2 supplementing chapter 5 of Title 5 of the Revised Statutes.

3

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

6

7 1. a. Notwithstanding the provisions of any other law to the
8 contrary, the commission may grant a special permit, to a running
9 race permit holder that leases a State-owned racetrack, for the
10 holding or conducting of a special running race meeting on a beach
11 in an area that extends landward from the mean high water line of
12 the ocean to either the vegetation line or a man-made feature
13 generally parallel to the ocean, such as a retaining structure,
14 seawall, bulkhead, road, or boardwalk.

15 b. The commission may grant only one special permit, pursuant
16 to subsection a. of this section, to an eligible running race permit
17 holder. The number of racing days authorized pursuant to the
18 special permit shall not exceed two days in a calendar year. Any
19 racing day that is run pursuant to the special permit shall count
20 toward the total number of racing days allotted to the running race
21 permit holder.

22 c. A permit holder that is granted a special permit pursuant to
23 this section shall keep and maintain separate books and records for
24 the special running race meeting to the same extent as is required of
25 a permit holder and shall file such report and audits as may
26 otherwise be required on or before such date as the commission
27 may designate.

28 d. Sums in the parimutuel pools shall be distributed as if the
29 special running race meeting is held at the location for which the
30 special permit holder holds a running race permit, as provided in
31 chapter 5 of Title 5 of the Revised Statutes.

32 e. The commission shall promulgate rules and regulations
33 providing for:

34 (1) the procedure for application for and approval of a special
35 permit authorized by this section;

36 (2) any conditions to which a special permit holder or special
37 running race meeting may be subject; and

38 (3) such other matters as the commission deems appropriate.

39

40 2. This act shall take effect immediately.

41

42

43

STATEMENT

44

45 This bill authorizes the New Jersey Racing Commission to grant
46 a special permit, to a running race permit holder that leases a State-
47 owned racetrack, to hold or conduct a special running race meeting
48 on the beach. Races authorized pursuant to this bill would occur

1 between the mean high water line and either the vegetation line or a
2 man-made feature generally parallel to the ocean.

3 The commission would be allowed to grant only one special
4 permit to an eligible running race permit holder. The number of
5 racing days under the special permit would not exceed two in a
6 calendar year. Any racing day that is run pursuant to the special
7 permit would count toward the total number of racing days allotted
8 to the running race permit holder that holds the special permit. A
9 permit holder that is granted a special permit under the bill would
10 be required to maintain separate books and records, and file reports
11 and audits, for the special running race meeting to the same extent a
12 permit holder is required to do so by law. Sums in the parimutuel
13 pools that result from wagering on races at the special running race
14 meeting would be distributed as if the special running race meeting
15 is held at the location for which the special permit holder holds a
16 running race permit.

17 The bill grants the commission the authority and discretion to
18 promulgate rules and regulations that provide for the procedure for
19 application for and approval of a special permit, the conditions to
20 which a special permit holder or special running race meeting may
21 be subject, and such other matters as the commission deems
22 appropriate.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4149

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 17, 2013

The Assembly Budget Committee reports favorably Assembly Bill No. 4149, with committee amendments.

As amended, the bill authorizes the New Jersey Racing Commission to grant a special permit to a permit holder in good standing authorized to conduct running races in this State to hold or conduct a special running race meeting on the beach. Races authorized pursuant to this bill would occur between the mean high water line and either the vegetation line or a man-made feature generally parallel to the ocean.

The bill allows the commission to grant only one special permit per calendar year, which will be valid only for the calendar year in which it is issued. Any running race (thoroughbred) permit holder in good standing may apply for the special permit. The number of racing days under the special permit may not exceed two in a calendar year. Any racing day that is run pursuant to the special permit would count toward the total number of racing days allotted to the running race permit holder that holds the special permit. A permit holder that is granted a special permit under the bill will be required to maintain separate books and records, and file reports and audits, for the special running race meeting to the same extent a permit holder is required to do so by law. Sums in the parimutuel pools that result from wagering on races at the special running race meeting would be distributed as if the special running race meeting were held at the location for which the special permit holder holds a running race permit. A special permit granted pursuant to the bill will be subject to the jurisdiction of the commission.

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note.

COMMITTEE AMENDMENTS:

The amendments:

- make explicit that the provisions of section 1 of P.L.1949, c.26 (C.5:5-39.1) do not apply to the provisions of this bill;

- change who is eligible to apply for a special permit, from running race permit holders that lease a State-owned racetrack to permit holders in good standing authorized to conduct running races;
- remove language that would require the New Jersey Racing Commission to promulgate rules and regulations;
- add language that subjects the special permit to the jurisdiction of the commission; and
- clarify that the commission may grant only one special permit per calendar year, which will be valid only for the calendar year in which it is issued, and that any running race (thoroughbred) permit holder in good standing may apply for the special permit.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 4149

with Senate Floor Amendments
(Proposed by Senator NORCROSS)

ADOPTED: JUNE 27, 2013

These Senate amendments prohibit issuance of a special beach racing permit to hold or conduct a special running race meeting on a beach located within twenty-five miles of any racetrack authorized to conduct running races unless the permit holder authorized to conduct running races at that racetrack consents in writing to the special running race meeting.

The amendments also add a new section that authorizes the commission to grant a special permit to conduct a steeplechase race meeting at a location other than a racetrack, provided that the special steeplechase race meeting is conducted in conjunction with an organization that has experience conducting steeplechase races pursuant to law and provided that the special steeplechase race meeting is recognized by the National Steeplechase and Hunt Association. A special permit granted pursuant to the amendments would be subject to the jurisdiction of the commission.

The amendments provide that the commission may grant only one special steeplechase racing permit per calendar year, which will be valid only for the calendar year in which it is issued. Any running race permit holder in good standing may apply for the special permit. The number of racing days authorized pursuant to the special permit would not be allowed to exceed two days in a calendar year. Any racing day that is run pursuant to the special permit would count toward the total number of racing days allotted to the running race permit holder.

A permit holder that is granted a special steeplechase racing permit must keep and maintain separate books and records for the special steeplechase race meeting to the same extent as is required of a permit holder and must file such report and audits as may otherwise be required by the commission.

Sums in the parimutuel pools would be distributed as if the special steeplechase race meeting is held at the location for which the special permit holder holds a running race permit, as provided in chapter 5 of Title 5 of the Revised Statutes, except that the special permit holder may enter into a contractual agreement with the organization with which the permit holder is conducting the special steeplechase race meeting providing for the distribution of money that would otherwise statutorily be distributed to the permit holder.

The amendments also provide that simulcasting of a special beach or steeplechase race meeting must be conducted as if the special

meeting is held at the location for which the special permit holder holds a running race permit, except that the special permit holder may also transmit the simulcast signal to the racetrack for which the special permit holder holds a running race permit. The simulcasting of a special beach or steeplechase race meeting authorized by the bill would not require the consent of any horsemen's organization and must be made available at the industry standard rate. Upon application to and approval by the commission, the holder of a special permit granted under the bill may transmit simulcast horse races of the special running race meeting to any facility outside of New Jersey with which the special permit holder has entered into an agreement. The amendments also clarify that nothing in the bill should be construed to prohibit one running race permit holder from being granted both special permits.

ASSEMBLY BILL NO. 4149
(Second Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 4149 (Second Reprint) with my recommendations for reconsideration.

This bill authorizes the New Jersey Racing Commission to grant a special permit to conduct a horse racing event on the beach. The bill also authorizes the Commission to grant a special permit to conduct a steeplechase race meeting at a location other than a racetrack. The bill authorizes wagering for both of these new races.

I commend the sponsors for their interest in enhancing New Jersey's self-sustaining horse racing industry and applaud their efforts to attract horse racing fans, families, and tourists to New Jersey to witness a unique horse racing event on the beach. However, I believe that the bill's provision that would allow wagering at special steeplechase race meetings deserves further consideration to determine how wagering at such events would affect surrounding local communities. An expansion of wagering events at locations other than racetracks or outside Atlantic City requires careful deliberation and is not warranted at this time.

I believe a special horse racing event on the beach will attract more people to our State while nonetheless preserving the breadth of horse racing around the State. Therefore, I am recommending that the bill be amended to only authorize the special running race meeting on the beach.

Accordingly, I herewith return Assembly Bill No. 4149 (Second Reprint) and recommend that it be amended as follows:

Page 2, Title, Lines 2-3:

Delete "and steeplechase racing,"

Page 3, Section 1, Line 16:

After "simulcasting" insert "within this State"

Page 3, Section 2, Lines 31-48:

Delete in their entirety

Page 4, Section 2, Lines 1-37:

Delete in their entirety

Page 4, Section 3, Line 39:

Delete "3." and insert "2."

[seal]

Respectfully,

/s/ Chris Christie

Governor

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor

SENATE, No. 2899

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JUNE 24, 2013

Sponsored by:

Senator DONALD NORCROSS

District 5 (Camden and Gloucester)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator KEVIN J. O'TOOLE

District 40 (Bergen, Essex, Morris and Passaic)

Senator JIM WHELAN

District 2 (Atlantic)

SYNOPSIS

Authorizes New Jersey Racing Commission to grant special permits for horse racing on beach and for steeplechase race meeting; allows wagering on such races.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/28/2013)

S2899 NORCROSS, BATEMAN

2

1 AN ACT authorizing special horse racing permits for beach racing,
2 and steeplechase racing, and wagering thereon, and
3 supplementing chapter 5 of Title 5 of the Revised Statutes.

4

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

7

8 1. a. Notwithstanding the provisions of section 1 of P.L.1949,
9 c.26 (C.5:5-39.1) or any other law to the contrary, the commission
10 may grant a special permit, to a permit holder in good standing
11 authorized to conduct running races in this State, for the holding or
12 conducting of a special running race meeting on a beach in an area
13 that extends landward from the mean high water line of the ocean to
14 either the vegetation line or a man-made feature generally parallel
15 to the ocean, such as a retaining structure, seawall, bulkhead, road,
16 or boardwalk. A special permit granted pursuant to this subsection
17 shall be subject to the jurisdiction of the commission.

18 b. The commission may grant only one special permit pursuant
19 to subsection a. of this section per calendar year, which shall be
20 valid only for the calendar year in which it is issued. Any running
21 race permit holder in good standing may apply for the special
22 permit. The number of racing days authorized pursuant to the
23 special permit shall not exceed two days in a calendar year. Any
24 racing day that is run pursuant to the special permit shall count
25 toward the total number of racing days allotted to the running race
26 permit holder.

27 c. A permit holder that is granted a special permit pursuant to
28 this section shall keep and maintain separate books and records for
29 the special running race meeting to the same extent as is required of
30 a permit holder and shall file such report and audits as may
31 otherwise be required on or before such date as the commission
32 may designate.

33 d. Sums in the parimutuel pools shall be distributed as if the
34 special running race meeting is held at the location for which the
35 special permit holder holds a running race permit, as provided in
36 chapter 5 of Title 5 of the Revised Statutes.

37 e. No running race permit holder may be granted a special
38 permit pursuant to subsection a. of this section to hold or conduct a
39 special running race meeting on a beach located within twenty-five
40 miles of any racetrack authorized to conduct running races unless
41 the permit holder authorized to conduct running races at that
42 racetrack consents in writing to the special running race meeting.

43

44 2. a. Notwithstanding the provisions of any other law to the
45 contrary, the commission may grant a special permit, to a permit
46 holder in good standing authorized to conduct running races in this
47 State, for the holding or conducting of a special steeplechase race
48 meeting at a location other than a racetrack, provided that the

1 special steeplechase race meeting is conducted in conjunction with
2 an organization that has experience conducting steeplechase races
3 pursuant to section 54 of P.L.1940, c.17 (C.5:5-74) and provided
4 that the special steeplechase race meeting is recognized by the
5 National Steeplechase and Hunt Association. A special permit
6 granted pursuant to this subsection shall be subject to the
7 jurisdiction of the commission.

8 b. The commission may grant only one special permit pursuant
9 to subsection a. of this section per calendar year, which shall be
10 valid only for the calendar year in which it is issued. Any running
11 race permit holder in good standing may apply for the special
12 permit. The number of racing days authorized pursuant to the
13 special permit shall not exceed two days in a calendar year. Any
14 racing day that is run pursuant to the special permit shall count
15 toward the total number of racing days allotted to the running race
16 permit holder.

17 c. A permit holder that is granted a special permit pursuant to
18 this section shall keep and maintain separate books and records for
19 the special steeplechase race meeting to the same extent as is
20 required of a permit holder and shall file such report and audits as
21 may otherwise be required on or before such date as the
22 commission may designate.

23 d. Sums in the parimutuel pools that are statutorily dedicated to
24 purses shall be distributed as if the special steeplechase race
25 meeting is held at the location for which the special permit holder
26 holds a running race permit, as provided in chapter 5 of Title 5 of
27 the Revised Statutes. Notwithstanding the provisions of any law to
28 the contrary, all other sums shall be allocated for expenses and fees
29 associated with the parimutuel operations of the special
30 steeplechase race meeting and all net revenues remaining thereafter
31 shall be allocated to charity in a manner determined by the
32 organization with which the special permit holder is conducting the
33 special steeplechase race meeting.

34

35 3. This act shall take effect immediately.

36

37

38

STATEMENT

39

40 This bill authorizes the New Jersey Racing Commission to grant
41 special permits for horse racing on the beach and for steeplechase
42 racing. A special permit granted pursuant to the bill would be
43 subject to the jurisdiction of the commission. The commission may
44 grant only one permit of each kind per calendar year and the permit
45 may only be valid for the calendar year in which it is issued. Any
46 running race permit holder in good standing may apply for the
47 special permits.

S2899 NORCROSS, BATEMAN

1 The number of racing days authorized pursuant to a special
2 permit must not exceed two days per permit in a calendar year. Any
3 racing day that is run pursuant to a special permit would count
4 toward the total number of racing days allotted to the running race
5 permit holder that holds the special permit. A permit holder that is
6 granted a special permit under the bill would be required to
7 maintain separate books and records, and file reports and audits, for
8 the special running race meeting to the same extent a permit holder
9 is required to do so by law.

10 For beach racing, races would be required to occur between the
11 mean high water line and either the vegetation line or a man-made
12 feature generally parallel to the ocean. The distribution of sums in
13 the parimutuel pools that result from wagering on beach races at the
14 special running race meeting would be distributed as if the special
15 running race meeting is held at the location for which the special
16 permit holder holds a running race permit. No person will be
17 granted a special permit to hold or conduct a special running race
18 meeting on a beach located within twenty-five miles of any
19 racetrack authorized to conduct running races unless the permit
20 holder authorized to conduct running races at that racetrack
21 consents in writing to the special running race meeting.

22 For steeplechase racing, the special steeplechase race meeting
23 must be conducted by a running race permit holder in conjunction
24 with an organization that has experience conducting steeplechase
25 races pursuant to N.J.S.A.5:5-74 and the special steeplechase race
26 meeting must be recognized by the National Steeplechase and Hunt
27 Association. Sums in the parimutuel pools that are statutorily
28 dedicated to purses would be distributed as if the special
29 steeplechase race is held at the location for which the special permit
30 holder holds a running race permit. However, all other sums are to
31 be allocated for expenses and fees associated with the parimutuel
32 operations of the special steeplechase race meeting and all net
33 revenues remaining thereafter would be allocated to charity in a
34 manner determined by the organization with which the special
35 permit holder is conducting the special steeplechase race meeting.

STATEMENT TO

SENATE, No. 2899

with Senate Floor Amendments
(Proposed by Senator NORCROSS)

ADOPTED: JUNE 27, 2013

These Senate amendments provide that simulcasting of a special beach or steeplechase race meeting must be conducted as if the special meeting is held at the location for which the special permit holder holds a running race permit, except that the special permit holder may also transmit the simulcast signal to the racetrack for which the special permit holder holds a running race permit. The simulcasting of a special beach or steeplechase race meeting authorized by the bill would not require the consent of any horsemen's organization and must be made available at the industry standard rate. Upon application to and approval by the commission, the holder of a special permit granted under the bill may transmit simulcast horse races of the special running race meeting to any facility outside of New Jersey with which the special permit holder has entered into an agreement.

The amendments clarify that nothing in the bill should be construed to prohibit one running race permit holder from being granted both special permits. The amendments also add language to section 2 to specifically reference a section of law that is already referenced in section 1 of the bill.

Under the amendments, the distribution of sums in the parimutuel pools from the special steeplechase race meeting is changed. Without the proposed amendment, sums in the parimutuel pools would be distributed to purses, as if the special steeplechase race meeting were held at the location for which the special permit holder holds a running race permit, as provided by statute, with all remaining sums allocated for expenses and fees associated with the parimutuel operations of the special steeplechase race meeting and all net revenues remaining thereafter allocated to charity in a manner determined by the organization with which the special permit holder is conducting the special steeplechase race meeting. Instead, the amendments provide that sums in the parimutuel pools must be distributed as if the special steeplechase race meeting is held at the location for which the special permit holder holds a running race permit, as provided by statute, except that the special permit holder may enter into a contractual agreement with the organization with which the permit holder is conducting the special steeplechase race meeting providing for the distribution of money that would otherwise statutorily be distributed to the permit holder.