

§4-C.5:5-68.1 &  
Note to 5:5-64,  
5:5-64.1 &  
5:10-7  
§5 - Approp.

P.L. 1997, CHAPTER 29, *approved March 7, 1997*  
Senate, No. 1348 (*Second Reprint*)

1 AN ACT concerning the New Jersey Racing Commission <sup>2</sup>[and] <sup>2</sup>  
2 amending <sup>1</sup>[P.L.1992, c.19] P.L.1940, c.17, P.L.1984, c.236, and  
3 P.L.1971, c.137 and supplementing Title 5 of the Revised Statutes<sup>1</sup>  
4 , and making an appropriation<sup>2</sup>.

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

8  
9 <sup>1</sup>[1. Section 15 of P.L.1992, c.19 (C.5:12-205) is amended to read  
10 as follows:

11 15. The New Jersey Racing Commission shall establish and  
12 administer a separate fund to be known as the "Casino Simulcasting  
13 Special Fund," into which shall be deposited the sums dedicated to the  
14 fund by section 13 of this act.

15 Moneys deposited in the special fund shall be annually disbursed in  
16 their entirety by the New Jersey Racing Commission and used for the  
17 following purposes in the following order of priority:

18 a. Moneys in the special fund shall first be used to pay the  
19 difference between the amount paid to the Atlantic City Racetrack  
20 pursuant to subsection c. of section 13 of this act and \$2,000,000 in  
21 each calendar year during calendar years 1993, 1994, and 1995, except  
22 that if casino simulcasting in Atlantic City begins after January 1, 1993  
23 and before January 1, 1994, the amount to be paid for calendar year  
24 1993 shall be the difference between the amount paid pursuant to  
25 subsection c. of that section 13 and that portion of \$2,000,000  
26 determined by the following formula:

27  
28 
$$A = C$$
  
29 .....  
30 
$$B \quad D$$

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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> Senate SSV committee amendments adopted October 7, 1996.  
<sup>2</sup> Senate SBA committee amendments adopted November 18, 1996.

1 here: A = 365 minus (a) the number of racing days in 1993, other than  
2 live racing days, prior to the commencement of casino simulcasting in  
3 Atlantic City that the Atlantic City Racetrack conducts simulcasting  
4 under the provisions of the "Simulcasting Racing Act," P.L.1985,  
5 c.269 (C.5:5-110 et seq.) or the provisions of section 37 of P.L.1992,  
6 c.19 (C.5:5-125), and (b) the number of live racing days conducted by  
7 the Atlantic City Racetrack in 1993;

8  
9 B = 365 (the number of calendar days in 1993);

10 C = the total amount to be paid to the Atlantic City Racetrack;

11 D = \$2,000,000.

12  
13 b. From any amounts remaining after the payments required by  
14 subsection a. of this section are made, the New Jersey Racing  
15 Commission shall pay to each casino which began to conduct casino  
16 simulcasting within six months after the effective date of this act an  
17 amount equal to the breakage moneys and outstanding parimutuel  
18 ticket moneys resulting from wagering at the casino on simulcast horse  
19 races from out-of-State sending tracks during the first five years that  
20 the casino conducts casino simulcasting and 50% of these amounts  
21 thereafter.

22 c. From any amounts remaining after the payments required by  
23 subsections a. and b. of this section are made, the New Jersey Racing  
24 Commission shall pay to each casino which begins to conduct casino  
25 simulcasting later than six months after this act's effective date,  
26 including casinos established after that date, an amount equal to the  
27 breakage moneys and outstanding parimutuel tickets moneys resulting  
28 from wagering at the casino on simulcast horse races from  
29 out-of-State sending tracks during the first two years that the casino  
30 conducts casino simulcasting and 40% of these amounts thereafter.

31 d. From any amounts remaining after the payments required by  
32 subsections a., b. and c. of this section are made, the New Jersey  
33 Racing Commission shall compensate, in such amounts as that  
34 commission deems appropriate, the following entities in the following  
35 order of priority:

36 (1) the New Jersey Racing Commission to offset its costs  
37 associated with the regulation of horse racing and parimutuel  
38 wagering, as approved by the Director of the Division of Budget and  
39 Accounting;

40 (2) any racetrack in this State which can demonstrate to the  
41 satisfaction of that commission that its financial well-being has been  
42 negatively affected by casino simulcasting;

43 [(2)] (3) any racetrack in this State which that commission finds  
44 to be financially distressed;

45 [(3)] (4) any horsemen's organization which will use the money to  
46 fund a project which that commission determines will be beneficial to

1 the racing industry; and

2 [(4)] (5) all racetracks located in this State on an equal basis.  
3 (cf: P.L.1992, c.199, s.2)]<sup>1</sup>

4

5 <sup>1</sup>l. Section 44 of P.L.1940, c.17 (C.5:5-64) is amended to read as  
6 follows:

7 44. Each holder of a permit shall distribute all sums deposited in  
8 any pool where the patron is required to select one horse to the  
9 winners thereof, less an amount which in harness races shall not  
10 exceed 17% of the total deposits plus the breaks and which in other  
11 races shall not exceed 17% of the total deposits plus the breaks. In  
12 every pool where the patron is required to select two horses, the  
13 holder of each permit for either harness or running track shall  
14 distribute all sums deposited in each pool to the winners thereof, less  
15 an amount which shall not exceed 19% of the total deposits plus the  
16 breaks. In every pool where the patron is required to select three or  
17 more horses, every holder of a permit shall distribute all sums  
18 deposited in each pool to the winners thereof, less an amount which  
19 shall not exceed 25% of the total deposits plus the breaks. Every  
20 permitholder shall distribute to the persons holding winning tickets in  
21 any of the aforementioned pools, as a minimum, a sum not exceeding  
22 \$0.10, calculated on the basis of each dollar deposited in any pool  
23 after the deduction of the said 17%, 19% or 25%, as the case may be.  
24 Should the amount remaining in the pool be insufficient to pay the  
25 winners the minimum, the breakage accruing in that race, or any  
26 necessary portion thereof, shall be applied toward making up any such  
27 deficiency. The breaks are hereby defined as the odd cents over any  
28 multiple of \$0.10, calculated on the basis of \$1.00 otherwise payable  
29 to a patron. Every permitholder engaged in the business of conducting  
30 running race meetings under this act, except the New Jersey Sports  
31 and Exposition Authority established pursuant to P.L.1971, c.137  
32 (C.5:10-1 et seq.) and the Garden State Racetrack as provided in  
33 section 5 of P.L.1982, c.201 (C.5:5-98), shall distribute as purse  
34 money the breaks as herein defined, except as the same shall have been  
35 applied toward making up a deficiency in a pool as herein provided.  
36 Every permitholder engaged in the business of conducting harness race  
37 meetings under this act, except the New Jersey Sports and Exposition  
38 Authority and the Garden State Racetrack as provided in section 5 of  
39 P.L.1982, c.201 (C.5:5-98), shall retain for his own uses and purposes  
40 50% of the breaks as herein defined, except as the same shall have  
41 been applied toward making up a deficiency in the pool as herein  
42 provided, and shall distribute as purse money the remaining 50%. The  
43 New Jersey Sports and Exposition Authority shall retain all breaks  
44 commencing on May 10, 1971 as revenue to the authority, except as  
45 the same shall have been applied toward making up a deficiency in a  
46 pool as herein provided.

1 Every permitholder shall submit to the commission every seventh  
2 day of any and every race meeting a report under oath showing the  
3 daily and total amount of such breaks, together with such other  
4 information as the commission may require. All sums held by any  
5 permitholder for payment of outstanding parimutuel tickets not  
6 claimed by the person or persons entitled thereto within six months  
7 from the time such tickets are issued shall be paid upon the expiration  
8 of such six-month holding period as follows:

9 a. In the case of running and harness races, beginning July 1, 1997  
10 50% of those sums shall be paid to the racing commission for deposit  
11 in the general fund of the State and disposition in accordance with  
12 section 4 of P.L. , c. (C. ) (now pending before the Legislature as  
13 this bill);

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

18 c. In the case of harness races, 25% of those sums shall be retained  
19 by the permitholder to supplement purses for sire stakes races on  
20 which there is parimutuel wagering, and 25% shall be retained by the  
21 permitholder to supplement overnight purses.

22 Where it is shown to the satisfaction of the commission that the  
23 reason for the parimutuel tickets being outstanding and unclaimed is  
24 the loss, misplacement or theft of said tickets within the confines and  
25 control of the parimutuel department of any permitholder, and it is  
26 further shown to the satisfaction of the commission that said  
27 parimutuel tickets have been cashed by such parimutuel department,  
28 the commission may adjust and credit the permitholder's account  
29 accordingly and the permitholder shall reimburse any employee who  
30 has been held personally accountable and paid for such lost, stolen or  
31 misplaced tickets.

32 All outstanding parimutuel ticket money shall be deposited in an  
33 account separate and apart from the track's mutuel or general treasury  
34 account. The outstanding parimutuel ticket account shall be subject  
35 to the rules and regulations prescribed by the Division of New Jersey  
36 Racing Commission.<sup>1</sup>

37 (cf: P.L.1986, c.19, s.1)

38  
39 <sup>1</sup>2. Section 1 of P.L.1984, c.236 (C.5:5-64.1) is amended to read  
40 as follows:

41 1. Notwithstanding the provisions of section 44 of P.L.1940, c.17  
42 (C.5:5-64) or any other law to the contrary, a holder of a permit to  
43 conduct harness race meetings, who operates a racetrack at which  
44 harness race meetings were conducted during calendar year 1984, but  
45 which were suspended for 30 days or more during that calendar year  
46 because of fire, and a holder of a permit to conduct harness race

1 meetings, who conducted harness race meetings at the aforementioned  
2 racetrack during 1984 and who continues to conduct harness race  
3 meetings at that racetrack, shall distribute all sums deposited in any  
4 pool where the patron is required to select one horse to the winners  
5 thereof, less an amount which shall not exceed 17% of the total  
6 deposits plus the breaks. In every pool where the patron is required to  
7 select two horses, the holder of the permit shall distribute all sums  
8 deposited in each pool to the winners thereof, less an amount which  
9 shall not exceed 19% of the total deposits plus the breaks. In every  
10 pool where the patron is required to select three or more horses, the  
11 holder of the permit shall distribute all sums deposited in each pool to  
12 the winners thereof, less an amount which shall not exceed 25% of the  
13 total deposits plus the breaks. The permitholder shall distribute to the  
14 persons holding winning tickets in any of the aforementioned pools, as  
15 a minimum, a sum not exceeding \$0.10, calculated on the basis of each  
16 dollar deposited in any pool after the deduction of the 17%, 19% or  
17 25%, as the case may be. Should the amount remaining in the pool be  
18 insufficient to pay the winners the minimum, the breakage accruing in  
19 that race, or any necessary portion thereof, shall be applied toward  
20 making up any such deficiency. The breaks are hereby defined as the  
21 odd cents over any multiple of \$0.10, calculated on the basis of \$1.00  
22 otherwise payable to a patron. The permitholder shall retain for his  
23 own uses and purposes 50% of the breaks as herein defined, except as  
24 the same shall have been applied toward making up a deficiency in a  
25 pool as herein provided, and shall distribute as purse money the  
26 remaining 50%. The permitholder shall submit to the commission  
27 every seventh day of any and every race meeting a report under oath  
28 showing the daily and total amount of the breaks, together with such  
29 other information as the commission may require. All sums held by  
30 the permitholder for payment of outstanding parimutuel tickets, not  
31 claimed by the persons entitled thereto within six months from the time  
32 such tickets are issued, shall be paid upon the expiration of such  
33 six-month holding period as follows: a. beginning July 1, 1997 50%  
34 shall be paid to the racing commission for deposit in the general fund  
35 of the State and disposition in accordance with section 4 of P.L. . .  
36 c. (C. ) (now pending before the Legislature as this bill); b. 25%  
37 shall be retained by the permitholder to supplement purses for sire  
38 stakes races on which there is parimutuel wagering; and c. 25% shall  
39 be retained by the permitholder to supplement overnight purses.

40 Where it is shown to the satisfaction of the commission that the  
41 reason for the parimutuel tickets being outstanding and unclaimed is  
42 the loss, misplacement or theft of the tickets within the confines and  
43 control of the parimutuel department of the permitholder, and it is  
44 further shown to the satisfaction of the commission that the parimutuel  
45 tickets have been cashed by the parimutuel department, the  
46 commission may adjust and credit the permitholder's account

1 accordingly and the permitholder shall reimburse any employee who  
2 has been held personally accountable and paid for such lost, stolen or  
3 misplaced tickets.

4 All outstanding parimutuel ticket money shall be deposited in an  
5 account separate and apart from the track's mutuel or general treasury  
6 account. The outstanding parimutuel ticket account shall be subject  
7 to the rules and regulations prescribed by the Division of New Jersey  
8 Racing Commission.<sup>1</sup>  
9 (cf: P.L.1986, c.19, s.2)

10

11 <sup>1</sup>3. Section 7 of P.L.1971, c.137 (C.5:10-7) is amended to read as  
12 follows:

13 7. a. The authority is hereby authorized, licensed and empowered  
14 to apply to the Racing Commission for a permit or permits to hold and  
15 conduct, at any of the projects set forth in paragraphs (1) and (5) of  
16 subsection a. of section 6 of P.L.1971, c.137 (C.5:10-6), horse race  
17 meetings for stake, purse or reward, and to provide a place or places  
18 on the race meeting grounds or enclosure for wagering by patrons on  
19 the results of such horse races by the parimutuel system, and to receive  
20 charges and collect all revenues, receipts and other sums from the  
21 ownership and operation thereof; provided that only the authority  
22 through its employees shall conduct such horse race meetings and  
23 wagering and the authority is expressly prohibited from placing in the  
24 control of any other person, firm or corporation the conduct of such  
25 horse race meetings, or wagering.

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

33 c. Application for said permit or permits shall be on such forms and  
34 shall include such accompanying data as the Racing Commission shall  
35 prescribe for other applicants. The Racing Commission shall proceed  
36 to review and act on any such application within 30 days after its filing  
37 and the Racing Commission is authorized in its sole discretion to  
38 determine whether a permit shall be granted to the authority. If, after  
39 such review, the Racing Commission acts favorably on such  
40 application, a permit shall be granted to the authority without any  
41 further approval and shall remain in force and effect so long as any  
42 bonds or notes of the authority remain outstanding, the provisions of  
43 any other law to the contrary notwithstanding. In granting a permit to  
44 the authority to conduct a horse race meeting, the Racing Commission  
45 shall not be subject to any limitation as to the number of tracks  
46 authorized for the conduct of horse race meetings pursuant to any

1 provision of P.L.1940, c.17 (C.5:5-22 et seq.). Said permit shall set  
2 forth the dates to be allotted to the authority for its initial horse race  
3 meetings. Thereafter application for dates for horse race meetings by  
4 the authority and the allotment thereof by the Racing Commission,  
5 including the renewal of the same dates theretofore allotted, shall be  
6 governed by the applicable provisions of P.L.1940, c.17 (C.5:5-22 et  
7 seq.). Notwithstanding the provisions of any other law to the  
8 contrary, the Racing Commission shall allot annually to the authority  
9 (1) for the Meadowlands Complex, in the case of harness racing, not  
10 less than 100 racing days, and in the case of running racing, not less  
11 than 56 racing days, if and to the extent that application is made  
12 therefor, and (2) for any other project which is set forth in paragraph  
13 (5) of subsection a. of section 6 of P.L.1971, c.137 (C.5:10-6), and  
14 which was previously operated by a permitholder other than the  
15 authority, racing days shall be limited, in type of racing and amount of  
16 days, to those allotted by the Racing Commission to the prior  
17 permitholder for the year 1985, as of December 13, 1984; except that  
18 the authority may apply to the Racing Commission for an extension of  
19 the number and type of racing days pursuant to section 2 of P.L.1984,  
20 c.247 (C.5:5-43.1).

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

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

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

31 (1) In the case of harness races:

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

36 (i) 42 1/2% thereof to increase purses and grant awards for starting  
37 horses, as provided or as may be provided by rules of the New Jersey  
38 Racing Commission, with payment to be made in the same manner as  
39 payment of other purses and awards;

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

43 (iii) 5 1/2% thereof for contributions and awards designed to  
44 improve and promote the standardbred breeding industry in New  
45 Jersey through payment of awards to owners and breeders of New  
46 Jersey bred horses, which are registered with the Standardbred

1 Breeders' and Owners' Association of New Jersey and which earn  
2 portions of purses in open events on New Jersey tracks, and to owners  
3 of stallions posted on the official stallion roster of the Standardbred  
4 Breeders' and Owners' Association of New Jersey, which sire such  
5 registered New Jersey bred money earners;

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

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

14 (b) Distribute as purse money and for programs designed to aid the  
15 horsemen and the Standardbred Breeders' and Owners' Association of  
16 New Jersey 5.1175%, or in the case of races on a charity racing day  
17 5%, of such total contributions. Expenditures for programs designed  
18 to aid the horsemen and the Standardbred Breeders' and Owners'  
19 Association of New Jersey shall not exceed 3.5% of the sum available  
20 for distribution as purse money. The formula for distribution of the  
21 purse money as either overnight purses or special stakes shall be  
22 determined by an agreement between the Standardbred Breeders' and  
23 Owners' Association of New Jersey and the authority.  
24 Notwithstanding the foregoing, for pools where the patron is required  
25 to select two or more horses, the authority shall distribute as purse  
26 money 5.6175%, or in the case of races on a charity racing day 5.5%,  
27 of the total contributions and for pools where the patron is required to  
28 select three or more horses, the authority shall distribute as purse  
29 money 7.1175%, or in the case of races on a charity racing day 7%, of  
30 the total contributions. Notwithstanding the foregoing, for pools  
31 where a patron is required to select three or more horses, the authority  
32 shall retain out of the 7.1175% or 7% to be distributed as purse money  
33 a sum deemed necessary by the racing commission, for use by the  
34 commission to finance a prerace blood testing program, and such other  
35 testing programs which the commission shall deem proper and  
36 necessary and which shall be subject to the regulation and control of  
37 said commission.

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

42 (d) In the case of races on a racing day other than a charity racing  
43 day, distribute to the Sire Stakes Program for standardbred horses  
44 .02% of such total contributions.

45 (e) In the case of races on a racing day other than a charity racing  
46 day, distribute to the Backstretch Benevolency Programs Fund created



1 pursuant to P.L.1993, c.15 (C.5:5-44.8) .01% of such total  
2 contributions.

3 (2) In the case of running races:

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

9 (b) Distribute as purse money and for programs designed to aid the  
10 horsemen and the New Jersey Thoroughbred Horseman's Benevolent  
11 Association 4.475%, or in the case of races on a charity racing day  
12 4.24%, of such total contributions. Expenditures for programs  
13 designed to aid the horsemen and the New Jersey Thoroughbred  
14 Horseman's Benevolent Association shall not exceed 2.9% of the sum  
15 available for distribution as purse money. The formula for distribution  
16 of the purse money as either overnight purses or special stakes shall be  
17 determined by an agreement between the New Jersey Thoroughbred  
18 Horseman's Benevolent Association and the authority.  
19 Notwithstanding the foregoing, for pools where the patron is required  
20 to select three or more horses, the authority shall distribute as purse  
21 money 7.475%, or in the case of races on a charity racing day 7.24%,  
22 of the total contributions.

23 (c) 10% of 1% of all pools shall be deducted and set aside in the  
24 special trust account established pursuant to section 46b.(1)(e) and  
25 46b.(2)(e) of P.L.1940, c.17 (C.5:5-66).

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

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

33 For pools where a patron is required to select three or more horses,  
34 50% of 1% of the total contributions shall be held and set aside in that  
35 special trust account.

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

42 In addition to the amounts above, in the case of races on a racing  
43 day designated or allotted as a charity racing day pursuant to  
44 P.L.1977, c.200 (C.5:5-44.2 et seq.), P.L.1992, c.113 (C.5:5-44.7),  
45 or P.L.1993, c.15 (C.5:5-44.8), an amount equal to 1/2 of 1% of all  
46 parimutuel pools shall be paid to the commission at the time and in the

1 manner prescribed by the commission.

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

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

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

22 (1) In the case of running and harness races, beginning July 1, 1997  
23 50% of those sums shall be paid to the Racing Commission for deposit  
24 in the general fund of the State and disposition in accordance with  
25 section 4 of P.L. , c. (C. ) (now pending before the Legislature as  
26 this bill);

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

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

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

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

44 j. Each employee of the authority engaged in the conducting of  
45 horse race meetings shall obtain the appropriate license from the  
46 Racing Commission, subject to the same terms and conditions as is

1 required of similar employees of other permitholders. The Racing  
 2 Commission may suspend any member of the authority upon approval  
 3 of the Governor and the license of any employee of the authority in  
 4 connection with the conducting of horse race meetings, pending a  
 5 hearing by the Racing Commission, for any violation of the New Jersey  
 6 laws regulating horse racing or any rule or regulation of the  
 7 commission. Such hearing shall be held and conducted in the manner  
 8 provided in said laws.<sup>1</sup>

9 (cf: P.L.1993, c.353, s.6)

10  
 11 <sup>1</sup>4. (New section) Beginning July 1, 1997, amounts resulting from  
 12 parimutuel tickets remaining unclaimed after six months which are paid  
 13 to the Racing Commission for deposit in the general fund pursuant to  
 14 subsection a. of section 44 of P.L.1940, c.17 (C.5:5-64), subsection  
 15 a. of section 1 of P.L.1984, c.236 (C.5:5-64.1) and paragraph (1) of  
 16 subsection g. of section 7 of P.L.1971, c.137 (C.5:10-7) shall be  
 17 appropriated each fiscal year <sup>2</sup>[as follows: the first \$300,000 to  
 18 Rutgers, the State University to fund the university's equine research  
 19 programs and the balance]<sup>2</sup> to the Racing Commission to be used for  
 20 the expenses of the commission.<sup>1</sup>

21  
 22 <sup>1</sup>5. Notwithstanding the provisions of section 15 of P.L.1992, c.19  
 23 (C.5:12-205) or any other law to the contrary, up to one-half of the  
 24 total amount of funds available from calendar year 1996 under  
 25 subsection d. of that section <sup>2</sup>[may be used during] are appropriated  
 26 for<sup>2</sup> fiscal year 1996-97 <sup>2</sup>[by]to the Department of Law and Public  
 27 Safety for<sup>2</sup> the New Jersey Racing Commission <sup>2</sup>as needed<sup>2</sup> for the  
 28 expenses of the commission <sup>2</sup>, subject to the approval of the Director  
 29 of the Division of Budget and Accounting<sup>2</sup>. <sup>2</sup>[Funds from that  
 30 allocation which are not used by the commission shall be used for the  
 31 purposes of, and in the order of priority established by, subsection  
 32 d.<sup>1</sup>]<sup>2</sup>

33  
 34 <sup>1</sup>[2.] <sup>6.</sup><sup>1</sup> This act shall take effect immediately <sup>2</sup>[<sup>1</sup>, and section 5  
 35 shall expire on June 30, 1997<sup>1</sup>]<sup>2</sup>.

36  
 37  
 38  
 39  
 40 Appropriates funds to New Jersey Racing Commission from Casino  
 41 Simulcasting Special Fund for FY1997; allocates funds from unclaimed  
 42 parimutuel tickets for commission.