

CHAPTER 32

SIRE STAKES PROGRAM

Authority

N.J.S.A. 5:5-91.

Source and Effective Date

R.1997 d.329, effective August 4, 1997.
See: 29 N.J.R. 1435(a), 29 N.J.R. 3449(a).

Executive Order No. 66(1978) Expiration Date

Chapter 32, Sire Stakes Program, expires on August 4, 2002.

Chapter Historical Note

Chapter 32, Sire Stakes Program, was adopted as R.1973 d.154, effective June 11, 1973. See: 5 N.J.R. 134(a), 5 N.J.R. 214(b). Subchapter 2, New Jersey Sire Stakes Conditions, was adopted as R.1983 d.84, effective March 21, 1983. See: 15 N.J.R. 69(a), 15 N.J.R. 439(a). Subchapter 2 was amended by R.1984 d.161, effective May 7, 1984. See: 16 N.J.R. 297(a), 16 N.J.R. 1069(a); R.1985 d.108, effective March 4, 1985. See: 17 N.J.R. 3(a), 17 N.J.R. 573(b); R.1985 d.135, effective March 18, 1985. See: 17 N.J.R. 3(a), 17 N.J.R. 686(a); and R.1985 d.521, effective October 21, 1985. See: 17 N.J.R. 1956(a), 17 N.J.R. 2535(a). Subchapter 3, Appeals, was adopted as R.1986 d.18, effective February 3, 1986. See: 17 N.J.R. 2320(a), 18 N.J.R. 266(a). Subchapter 2 was recodified by R.1986 d.84, effective April 7, 1986. See: 18 N.J.R. 236(a), 18 N.J.R. 635(a).

Chapter 32, Sire Stakes Program, was repealed and a new Chapter 32, Sire Stakes Program, was adopted by R.1987 d.236, effective June 1, 1987. See: 19 N.J.R. 480(a), 19 N.J.R. 924(a).

Pursuant to Executive Order No. 66(1978), Chapter 32 was readopted as R.1992 d.239, effective May 13, 1992. See: 24 N.J.R. 1142(a), 24 N.J.R. 2241(a). Pursuant to Executive Order No. 66(1978), Chapter 32, Sire Stakes Program, expired on May 13, 1997.

Chapter 32, Sire Stakes Program, was adopted as R.1997 d.329, effective August 4, 1997. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. SIRE STAKES PROGRAM

2:32-1.1 General provisions

All rules utilized by the New Jersey Department of Agriculture in the Administration of the Sire Stakes Program shall conform to the latest edition of the United States Trotting Association published in the Racing Guide for Stakes and Futurities. (Copies of the most current regulations are available for inspection by contacting the Division of Markets, New Jersey Department of Agriculture, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.)

SUBCHAPTER 2. NEW JERSEY SIRE STAKES CONDITIONS

2:32-2.1 Adoption of by-laws

(a) The by-laws of the New Jersey Sire Stakes Board are hereby adopted as follows:

1. There is hereby established in the State of New Jersey a Sire Stakes Program for Standardbred horses, bred in the State of New Jersey and to be the product of a registered New Jersey stallion, registered with the Standardbred Breeders and Owners Association of New Jersey as such and listed in their registry books.

2. Those horses eligible to race under the Sire Stakes Program shall be any foal of any registered New Jersey stallion standing at a New Jersey breeding farm and either owned by a resident of the State of New Jersey or leased by a resident thereof for a period of not less than 10 years

to stand the full season on a New Jersey breeding farm. A copy of any such lease shall be filed with the Standardbred Breeders and Owners Association of New Jersey and the New Jersey Sire Stakes.

3. The Sire Stakes Program shall be administered by a Board of Trustees consisting of five members, four appointed by the Governor, two of whom shall be members of the Standardbred Breeders and Owners Association of New Jersey, two representatives of racing interests generally, and the Secretary of Agriculture ex-officio. Of the members first appointed, the term of office of one appointee from the Breeders and Owners Association shall be for two years, and the other appointed member of such association shall be for a term of one year; the term of office for one appointee representing racing interests generally shall be for two years, and the other appointee representing racing interests generally shall be for a term of one year. Thereafter, appointments shall be for terms of two years.

4. No member of the Board of Trustees shall be compensated for his services; however, reasonable travel and other expenses incurred in connection with duties as members of the Board may be reimbursed.

5. The Board of Trustees is authorized to do all that is necessary for the proper administration of the Sire Stakes Program and shall prepare, issue, and promulgate rules providing for:

- i. Classes and divisions of races, eligibility of horses and owners therefor, and prizes and awards to be awarded;
- ii. Nominating, sustaining, and entry fees for horses and races;
- iii. Such temporary programs including eligibility of horses, breeding, and other matters as may be necessary to make the Sire Stakes Program operable as soon as possible;
- iv. Registration and certification of New Jersey stallions, mares bred to such stallions, and foals produced thereby; and

v. Such other matters as the Board determines to be necessary and appropriate for the proper administration and implementation of the Sire Stakes Program.

6. The funds for the Sire Stakes Program pursuant to N.J.S.A. 5:5-91 and the nominating, sustaining, and entry fees provided for herein, shall be administered by the New Jersey Department of Agriculture by deposit in a trust account entitled Sire Stakes Fund.

7. All disbursements from the Sire Stakes fund for the payment of purses and awards, cost of administration, reimbursement of expenses of members of the Board of Trustees, and any other appropriate expenses, shall be made by the Secretary of Agriculture or his designee.

8. A report shall be prepared and filed annually by the Secretary with the Racing Commission setting forth an itemization of all deposits to and expenditures from the Sire Stakes fund.

9. Sire Stakes Races shall be run only at licensed harness tracks in the State of New Jersey. The races, purses and awards awarded therefor shall be pursuant to the rules of the Board of Trustees hereunder and the New Jersey Racing Commission.

10. The five-member Board of Trustees shall elect a chairman and a vice-chairman at the meeting in January of each year.

11. The secretary of the Sire Stakes Board of Trustees need not be a member of the Board and shall be appointed each year by the New Jersey Secretary of Agriculture.

12. The Sire Stakes Board of Trustees shall meet bimonthly during the year. The date, time, and place will be selected by the chairman, and the secretary shall notify all Board members by letter 10 days prior to each meeting.

13. In order for the Board of Trustees to conduct any official business at special monthly meetings, a quorum must be present. A quorum is defined as consisting of at least three of the five members.

14. The chairman is authorized to call special meetings when necessary by instructing the secretary to give each member 10 days' notice in writing.

15. The Board of Trustees by-laws can be amended by a four-out-of-five vote of the membership of the Board of Trustees.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Deleted the "United States Trotting Association" and "Racing Commission" and added "Sire Stakes".

Amended by R.1994 d.271, effective June 6, 1994.

See: 26 N.J.R. 1181(a), 26 N.J.R. 2256(a).

Amended by R.1997 d.329, effective August 4, 1997.

See: 29 N.J.R. 1435(a), 29 N.J.R. 3449(a).

In (a)10, changed month of meeting to July from June.

Amended by R.2000 d.161, effective April 17, 2000.

See: 32 N.J.R. 179(a), 32 N.J.R. 1418(a).

In (a)10, substituted a reference to January for a reference to July.

2:32-2.2 Qualifying standards

(a) In order to qualify for the New Jersey Sire Stakes, a foal must be the product of the mating of a mare with a New Jersey registered and resident stallion. The mare to be bred must either be a resident at the farm on which the stallion stands or be bred on a farm in New Jersey.

(b) A foal conceived by semen which is frozen, transported outside the State of New Jersey or by embryo transplant is not eligible for nomination to the New Jersey Sire Stakes Program.

(c) Intrastate Semen Transportation Forms shall be filled out accurately and in their entirety and be filed with the New Jersey Sire Stakes within 10 days of the breeding of the mare. Violations of any conditions regarding intrastate semen transportation could result in the disqualification of any foals produced by those matings and/or a fine of up to \$1,000 for each incident.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Added text to (b) "or by embryo transplant".

Amended by R.1997 d.329, effective August 4, 1997.

See: 29 N.J.R. 1435(a), 29 N.J.R. 3449(a).

In (a), substituted "be bred on a farm in New Jersey" for "be shipped to the farm on which the stallion stands when impregnated"; and in (b), substituted "transported outside the State of New Jersey" for "desiccated, transported off the premises where it is produced, or not implanted on the same day it is collected".

Amended by R.1998 d.179, effective April 6, 1998.

See: 30 N.J.R. 3(a), 30 N.J.R. 1283(a).

Added (c).

2:32-2.3 Registration of stallions

(a) All Standardbred horses, to be eligible to compete in the New Jersey Sire Stakes Program, must be bred in the State of New Jersey and be the product of a registered New Jersey stallion.

(b) The stallion must be registered with the Standardbred Breeders and Owners Association of New Jersey, P.O. Box 839, Freehold, NJ 07728.

(c) This registration must be returned by December 1. The Certificate of Good Health must be completed by a licensed New Jersey veterinarian on the farm where the stallion is standing, sometime between January 1 and January 21 of the year the stallion is registered and standing except in the case of dual hemisphere stallions. Dual hemisphere stallions shall be examined by a licensed New Jersey veterinarian between February 15 and March 1 of the year the stallion is registered and standing. The Certificate of Good Health, when signed by the veterinarian, is to be sent along with a copy of the EIA-AGID test chart, to the Standardbred Owners and Breeders Association, Inc., PO Box 839, Freehold, New Jersey 07728 by February 15 of the registered year except in the case of dual hemisphere stallions when it shall be sent by March 15.

(d) The fee for annual registration of stallion shall be due on or before December 1 of the approaching breeding season and December 1 for new registration. The fee must accompany this registration.

1. The following fees shall be applicable:

i. \$750.00 if the stud fee is between \$0 and \$1,000 or free.

ii. \$1,000 if the stud fee is between \$1,001 and \$5,000.

iii. \$1,500 if the stud fee is between \$5,001 and \$15,000 or private.

iv. \$2,000 if the stud fee is over \$15,000.

2. Dual hemisphere stallions who shall stand in New Jersey from February through July and in the southern hemisphere from July through February shall be assessed a fee of \$7,500 in addition to registration fees and late fees. The fee shall be divided equally between the New Jersey Sire Stakes and the Standardbred Breeders and Owners Association of New Jersey.

(e) Once the registration fee has been paid, there will be no refunds.

(f) The stallion must be on the farm by January 1 of the year they are expected to stand. Dual hemisphere stallions shall be on their respective farms by February 15 of the year they are registered to stand and shall have been registered in accordance with (a) through (e) above. Special permission may be granted by the New Jersey Sire Stakes Board of Trustees only for first year stallions to compete in any stakes or invitational events which are determined by the Sire Stakes Board of Trustees to be important to the betterment of the Sire Stakes Program. A fee of \$7,500 shall be payable to the New Jersey Sire Stakes Program if this permission is granted. In any event, that stallion must be on the farm by March 1 and must have been registered in accordance with (a) through (e) above.

(g) The registration makes the foals of the stallion eligible to be nominated to the following:

1. Charles I. Smith Trotting Classic (Open and Filly Division);
2. Harold R. Dancer Memorial Trot (foals of participating stallions only) (Open and Filly Division);
3. Lou Babic Two-Year-Old Pace (Open and Filly Division);
4. Miss New Jersey Pacing Classic;
5. New Jersey Sired Races;
6. New Jersey Breeders Awards;
7. New Jersey Futurity;
8. New Jersey Pacing Classic;
9. New Jersey Sire Stakes (Fair and Pari-Mutuel);
10. New Jersey Yearling Show; and
11. New Jersey Sired Overnight Events.

(h) Sires of horses eligible for the events listed above must have been registered with the SBOA/NJ at the time of mating.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Deleted old (c) and substituted new.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Added "Open and Filly Division" and "Fair and Pari-Mutuel"; deleted (g)11.

Amended by R.1991 d.241, effective May 6, 1991.

See: 23 N.J.R. 252(a), 23 N.J.R. 1408(b).

Corrected address and title of organization issuing Certificate of Good Health.

Amended by R.1992 d.239, effective June 15, 1992.

See: 24 N.J.R. 1142(a), 24 N.J.R. 2241(a).

Revised text.

Amended by R.1997 d.329, effective August 4, 1997.

See: 29 N.J.R. 1435(a), 29 N.J.R. 3449(a).

In (c), (d)2, and (f), inserted provisions relating to dual hemisphere stallions; and in (f), amended internal cite.

2:32-2.4 Stallion standing full season

A stallion, in order for his foals to be eligible for the New Jersey Sire Stakes Program, must stand for breeding purposes the full season, extending from January 1 through December 31, on a farm in New Jersey, and shall not be moved from the farm on which he was registered without the prior permission (excluding medical emergency) of the Sire Stakes Board of Trustees. Dual hemisphere stallions shall be on the farm by February 15 of the year they are registered and shall be granted permission to leave the farm after July 15 of the year in which they are registered provided they have been registered as a dual hemisphere stallion and the \$7,500 fee has been paid. A stallion shall not be permitted to race during a registered breeding period, that is, January 1 through December 31, except in accordance with N.J.A.C. 2:32-2.3(f). The foals of a stallion that does race or is moved without prior permission of the Sire Stakes Board of Trustees during a registered breeding year will not be eligible to the Sire Stakes.

Amended by R.1993 d.70, effective February 1, 1993.

See: 24 N.J.R. 3981(b), 25 N.J.R. 463(a).

Revised text.

Amended by R.1997 d.329, effective August 4, 1997.

See: 29 N.J.R. 1435(a), 29 N.J.R. 3449(a).

Inserted provision relating to dual hemisphere stallions, inserted exception referenced to N.J.A.C. 2:32-2.3(f), and deleted provision relating to reregistration of stallions moved outside of the state.

2:32-2.5 List of mares bred

When a mare is bred to a New Jersey registered stallion, the stallion owner must supply the New Jersey Standardbred Breeders and Owners Association, the New Jersey Sire Stakes, and the United States Trotting Association a list of mares bred, on a form prescribed by the Sire Stakes Board of Trustees, stating that the mare has been bred to said stallion. The certificate is to be supplied by September 15 of the breeding season. Mares bred by transported semen shall be specified on a separate list.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Changed section heading from "Certificate of mating".

Amended by R.1997 d.329, effective August 4, 1997.

See: 29 N.J.R. 1435(a), 29 N.J.R. 3449(a).

Added last sentence.

2:32-2.6 Fund policy

(a) After consideration of the Fair Division portion of the Sire Stakes purse money and special event money is made, the Pari-mutuel Division of the Sire Stakes purse money will be allocated as determined by the Board of Trustees.

(b) All Sire Stakes purse moneys, excluding fees, are to be divided as closely as possible to 40 percent to trotters and 60 percent to pacers.

(c) Advertised purse moneys for all New Jersey Sire Stakes, including contributions to special event races, are predicated upon the Pari-mutuel handle of New Jersey harness tracks and therefore are subject to change without notice.

(d) All horsemen's fees are to follow a horse by sex and gait and the fees are to remain in the respective pools.

2:32-2.7 Transfer of race

(a) If for any reason it becomes impractical or undesirable, in the opinion of the New Jersey Sire Stakes Board of Trustees, to hold the race(s) at the advertised track, the New Jersey Sire Stakes Board, while making every effort to adhere as closely as possible to the advertised location, fees, date, and purse, reserves the right to change any of the foregoing or to cancel the event.

(b) It shall not be the responsibility of the New Jersey Sire Stakes Board of Trustees to individually inform Sire Stakes nominators, agents, or trainers of any of the changes mentioned in (a) above.

(c) The Board shall advertise or publicize changes in racing interest trade magazines such as the various Standardbred related magazines and/or newsletters, and suggests all program participants communicate with the New Jersey Sire Stakes offices.

(d) In the event that a Fair Race is postponed for any reason and cannot be carried over and raced at that fair, the purse money for that race shall be divided evenly among the horses declared in as drawn and ready to race. The 100 points toward the Fair Finals will also be divided evenly among those horses declared in as drawn and ready to race and the event will count as a start toward the Fair Finals.

Amended by R.1994 d.271, effective June 6, 1994.

See: 26 N.J.R. 1181(a), 26 N.J.R. 2256(a).

2:32-2.8 (Reserved)

Repealed by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Section was "Number of Sire Stakes races".

2:32-2.9 Yearling nominations

(a) All foals must be registered with the United States Trotting Association or the Canadian Standardbred Horse Society with a certificate of registration dated on or before the time of nomination.

1. The date for the closing of nominations of yearlings to the Pari-mutuel and Fair Divisions shall be May 15 or the next business day following May 15 in the event that the date falls on a Saturday, Sunday, or a holiday, of each year, with no exceptions.

2. The yearling nomination fee shall be \$40.00 if a copy of the United States Trotting Association or the Canadian Standardbred Horse Society certificate of registration accompanies the yearling nomination form and an additional \$10.00 processing fee shall be due if the copy of the United States Trotting Association or Canadian Standardbred Horse Society certificate is not submitted. The nomination payment covers the nomination fee to both the Fair and Pari-mutuel divisions. Thereafter, each division will have separate sustaining payments.

3. The yearling nomination payment form will also include the nomination to the Lou Babic Pace at \$25.00. If one chooses nomination to both of these events, the yearling nomination payment will be a total of \$65.00 (or \$75.00) and shall be due on or before May 15 of each year. Yearling fillies may be nominated to the Babic Filly division at a cost of \$15.00 in addition to the \$40.00 registration fee.

4. Supplemental nominations may be made to the New Jersey Sire Stakes commencing with foals of 1991. Parties delinquent in paying the May 15 yearling nomination fee date are given until September 15 of the yearling year to fulfill the aforementioned conditions of nominations for a fee of \$250.00. After September 15 up until February 15 of the two-year-old year the cost will be \$500.00. An additional \$400.00 is required to supplement to the Lou Babic Pace \$300.00 or for the Lou Babic Filly division by February 15 of the two-year-old year.

Amended by R.1992 d.239, effective June 15, 1992.

See: 24 N.J.R. 1142(a), 24 N.J.R. 2241(a).

Revised section.

Amended by R.1994 d.271, effective June 6, 1994.

See: 26 N.J.R. 1181(a), 26 N.J.R. 2256(a).

2:32-2.10 Sustaining fees

The sustaining fee schedule will be as follows:

PARI-MUTUEL DIVISION

Age	First Sustaining Fee	Second Sustaining Fee
2	\$300.00 (Feb. 15)	\$500.00 (Apr. 15)
3	\$350.00 (Feb. 15)	\$600.00 (Apr. 15)

FAIR DIVISION

Age	First Sustaining Fee	Second Sustaining Fee
2	\$100.00 (Feb. 15)	\$150.00 (Apr. 15)
3	\$100.00 (Feb. 15)	\$150.00 (Apr. 15)

LOU BABIC MEMORIAL PACE

Age	Sustaining Fee
2YO Open	\$600.00 (Mar. 15)
2YO Filly	\$300.00 (Mar. 15)

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Changed from 1987 to 1988.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Deleted Age 4.

Amended by R.1992 d.239, effective June 15, 1992.

See: 24 N.J.R. 1142(a), 24 N.J.R. 2241(a).

Revised "Fair Division"; added "Lou Babic Memorial Pace".

2:32-2.11 Payment dates

(a) In the Pari-mutuel Division, the first sustaining payment on a two- or three-year-old must be made on or before February 15 of a year and the second sustaining payment on a two- or three-year-old must be made on or before April 15 of a year in order to remain eligible in that year.

(b) In the Fair Division, the first sustaining payment on a two- or three-year-old must be made on or before January 15 of a year and the second sustaining payment on a two- or three-year-old must be made on or before March 15 of a year in order to remain eligible in that year. In the event that the 15th day of the aforementioned months falls on a Saturday, Sunday, or holiday, the payment must be post-marked on or before the next business day following the 15th of that month.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Deleted four-year-old.

Amended by R.1991 d.241, effective May 6, 1991.

See: 23 N.J.R. 252(a), 23 N.J.R. 1408(a).

Editorial change only.

2:32-2.12 Eligibility

(a) In order for Sire Stakes eligible two-year-old horses to remain eligible as three-year-olds, their owners must have made the yearling nomination and the first two-year-old sustaining payment. In order for eligible three-year-old horses to remain eligible as four-year-olds, their owners must also have made the first three-year-old sustaining payment as well as the nomination and the first two-year-old sustaining payment. This condition applies to both the Fair and Pari-mutuel Divisions.

(b) A two-year-old's owner who makes the nomination payment but fails to make the first sustaining payment in either the Fair or Pari-mutuel Program may regain his or her horse's eligibility for its three-year-old season by payment of a penalty of \$1,000 plus the amount of the first sustaining payment within 30 days of the original due date.

of the payment. The horse will not be eligible to compete as a two-year-old in the program to which the payment was missed but will be able to compete as a three-year-old provided those payments are made in a timely fashion.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Added (b).

2:32-2.13 Dishonored checks

An individual whose check for a sustaining payment, nominating payment, or starting fee is dishonored by the bank will be turned over to the New Jersey Racing Commission for appropriate action and the horse or horses will be immediately declared ineligible for all future Sire Stakes events until the check is made good. A \$50.00 administrative fee must be paid for each dishonored check. After an individual has issued more than one dishonored check, all future payments must be made by certified check or money order.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Revised administrative fee from \$25.00 to \$50.00.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Added text "After an individual ...".

2:32-2.14 No cash or partial payments

The New Jersey Sire Stakes Program will accept no cash payment on nominating and sustaining payments. All fees must be paid in good United States funds. No post-dated checks or partial payments on a nominating, sustaining, or entry fee will be accepted on individual horses.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Substituted "must" for "will".

2:32-2.15 Refunds

All requests for refunds on sustaining or nominating payments must be made by letter to the Board Secretary postmarked on or before the 15th of the month in which the payment is due. In the event that the 15th falls on a Saturday, Sunday, or holiday, the due date will be the next business day following the 15th.

2:32-2.16 Time of declaration

Starters declare in at the same time as in practice for overnight events at the raceway where Sire Stakes Races will be contested. Entries for the New Jersey Sire Stakes Fair Program will close at 9:00 A.M., three days prior to the race, with Sundays excepted.

2:32-2.17 Entry blanks

All entry blanks must specify as to gait to be contested for, age, sex, trainer, owner, preference date, and location of eligibility papers, if they are not in the race office at time of declaration. In the event that incomplete information is provided and cannot be located, the horse may be drawn in, but may be scratched with the starting fee still payable if it is later determined that the horse is not eligible or qualified. Under no circumstances will late entries be taken.

2:32-2.18 Name change notification

Owners, trainers, drivers, or their agents, or Stake Services, shall notify the New Jersey Sire Stakes Program of a name or gait change of a horse by the time of declaration to a race, or the entry may not be accepted for that race.

2:32-2.19 Entry fee deadlines

(a) All Sire Stakes Race entry fees must be paid at the time of the race or the horse will not be allowed to start.

(b) All New Jersey Sire Stakes horses entered and drawn to post positions are required to pay entry fees at the track. This entry fee is required even though a horse is scratched.

(c) The entry fee must be paid or the horse will not be permitted to race in any Sire Stakes event until the fee is paid and collected.

(d) The entry fee will not be refunded unless the horse dies between the time of declaration and the start of the race.

(e) When an owner has outstanding debts owed to the New Jersey Sire Stakes, every horse owned in whole or part by that owner shall be subject to be declared ineligible by the Board of Trustees or its representative to be entered or to start in any New Jersey Sire Stakes Race until such time that debt is collected.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Deleted text "to start" in (d).

Amended by R.1992 d.239, effective June 15, 1992.

See: 24 N.J.R. 1142(b), 24 N.J.R. 2241(a).

Revised (b)-(d).

2:32-2.20 Entry fees

Entry fees will be added to the basic purse only in Fair and Pari-mutuel series races. Entry fees will be:

Pari-mutuel Division	Fair Division
2 year olds \$500.00	2 year olds \$75.00
3 year olds \$600.00	3 year olds \$75.00

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Deleted four year olds.

Amended by R.1992 d.239, effective June 15, 1992.

See: 24 N.J.R. 1142(b), 24 N.J.R. 2241(a).

Revised section.

2:32-2.21 Purse distribution

(a) The purse will be distributed as follows:

- 50-25-12-8-5 if 5 starters or more
- 50-25-15-10 if only 4 starters
- 60-30-10 if only 3 starters
- 65-35 if only 2 starters
- 100 in case of walk over

2:32-2.22 Qualifying standards

(a) All starters in the New Jersey Sire Stakes Pari-mutuel Division must meet the following qualifying standards in their last start as a first track and be eligible at time of entry.

1. The New Jersey Sire Stakes qualifying times will be as follows:

	One Mile Track	$\frac{1}{2}$ Mile Track	$\frac{1}{4}$ Mile Track
Two-Year-Old Trot	2:05	2:06	2:07
Three-Year-Old Trot	2:03	2:04	2:05
Two-Year-Old Pace	2:02	2:03	2:04
Three-Year-Old Pace	2:00	2:01	2:02

NOTE: These times are not always the same as track qualifying standards.

2. Horses making a break in a qualifying race or in the next purse race following a qualifying race must requalify with the exception of those who were not required to qualify.

3. If a horse initially meets qualifying standards but then fails to meet qualifying standards in a subsequent event, it must then requalify to meet the standards of the raceway at which the race is to be contested and the New Jersey Sire Stakes. All other qualifying standards in effect at the track where the race is being contested must be adhered to.

(b) All starters in the New Jersey Sire Stakes Fair Division must have raced within 30 days of the race in which they have been entered. A three-year-old shall show a satisfactory racing line in one of their last two starts. A two-year-old must show a satisfactory racing line in one of their last three starts. A satisfactory racing line is defined as a qualifying or racing line in the following times or better with allowances for track conditions:

	<u>Prior to July 1</u>	<u>July 1 or later</u>
Two-Year-Old Trot	2:10	2:09
Two-Year-Old Pace	2:08	2:07
Three-Year-Old Trot	2:08	2:07
Three-Year-Old Pace	2:06	2:05

1. In the event a horse competes in an uncharted race or races, he will be eligible to race in the Fair Program provided he has a satisfactory charted line within 30 days.

2. Horses may be placed on the stewards list for subsequent poor performance.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Qualifying times changed for two year old trot; year changed to '88 and (b)2 added.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Substantially amended.

Amended by R.1990 d.203, effective April 2, 1990.

See: 22 N.J.R. 3(a), 22 N.J.R. 1116(c).

One second decrease in qualifying times in two-year-old trot category.

Amended by R.1991 d.241, effective May 6, 1991.

See: 23 N.J.R. 252(a), 23 N.J.R. 1408(a).

Requirements added for horses making a break in a qualifying race.

Amended by R.1995 d.276, effective June 5, 1995.

See: 27 N.J.R. 969(a), 27 N.J.R. 2179(a).

One second decrease in qualifying times for three-year-olds on all three track configurations.

Amended by R.1998 d.178, effective April 6, 1998.

See: 29 N.J.R. 5126(a), 30 N.J.R. 1283(b).

In (a), deleted a former second sentence in 2, added a second sentence in 3, and deleted former 4; and in (b), rewrote the table.

2:32-2.23 Splitting races

Each race is to be a one mile dash. If it becomes necessary to split an event, the Board reserves the right to adopt one of the methods of division racing then current, including elimination dashes.

2:32-2.24 Number of starters

In all Pari-mutuel and Fair Sire Stakes races, the number of starters permitted in the first tier shall be at the discretion of the judges. No more than two trailers will be permitted in the second tier. However, no trailers shall be permitted in the races designated as finals.

2:32-2.25 Eligibility papers

(a) At a fair track where a horse is entered to race and his eligibility papers are not available at post time, said horse will be ordered scratched by the presiding judge. If, however, the New Jersey Sire Stakes Race Secretary or a New Jersey Sire Stakes Official has signed for or accepted the trainer's eligibility papers, and the papers are subsequently lost, the horse may be allowed to start.

(b) At a Pari-mutuel event, eligibility papers should be on file in the racing office or the horse may be ordered scratched by the presiding judge.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Added (b).

2:32-2.26 Splitting and carrying over divisions

In the event a Sire Stakes event is split into divisions, the Sire Stakes event shall be divided and each division shall race for an equal share of the total purse. All Sire Stakes events shall be advertised, "added, divided." In the event that a Pari-mutuel event splits into more than three divisions, one or more of the divisions in excess of three may be carried over to the following racing day.

2:32-2.27 Final races

(a) There will be a two- and three-year-old "Final" race in each Pari-mutuel Division at the Pari-mutuel raceways as scheduled by the New Jersey Sire Stakes Board of Trustees. There will be a Fair "Final" race in each Division for two- and three-year-olds. Consolation races in the Pari-mutuel program may be scheduled at the option of the tracks and

shall be conducted under track rules. Horses eligible to race in the final events must race in the finals and not in the consolation events.

(b) Each Pari-mutuel Final will have a \$500.00 entry fee for two-year-olds and a \$600.00 entry fee for three-year-olds and is open to the highest New Jersey Sire Stakes point winners declared in the Meadowlands, Garden State and Freehold, and the highest New Jersey Sire Stakes point winners at the Fairs in each division that are declared in and can be drawn to post in the first tier. Trailers will not be permitted to start in any New Jersey Sire Stakes Finals. There will be no entry fee for the Fair Finals.

(c) All horses competing in both the Pari-mutuel and Fair Finals at all tracks will be determined on a point basis. The point values will be:

1. 50 points for winning a heat;
2. 25 points for placing second in a heat;
3. 12 points for placing third in a heat;
4. Eight points for placing fourth in a heat;
5. Five points for placing fifth in a heat;
6. Four points for placing sixth in a heat;
7. Three points for placing seventh in a heat;
8. Two points for placing eighth in a heat; and
9. One point for placing ninth, 10th, 11th or 12th in a heat.

(d) In the event of less than five starters, the points will be awarded in the same fashion as the purse breakdown with less than five starters as in N.J.A.C. 2:32-2.21.

(e) In the event of a dead heat for any position in a New Jersey Sire Stakes race, the points shall be split evenly between the two horses as is currently done with the monies.

(f) In the event of a tie in point standings for Final events, money won in Sire Stakes races in which points were accumulated shall be used to break the tie.

(g) In the event of a tie for the last spot in the top 10 or top eight money winners for a Final event, the last spot in the Final will be drawn by lot from among the horses tied in both points and money winnings in the Sire Stakes and having the highest point totals and not already included in the Final.

(h) Judges' "official order of finish" will be used in determining eligibility to Finals exclusive of all appeals yet to be decided at the time of closing of the entry box for Finals.

(i) In order to qualify for the Fair Finals, a horse must race in at least half of the Fair races offered in his class.

(j) Total points accumulated towards Final Race eligibility in the Pari-mutuel Division shall include only Pari-mutuel Division points. Only Fair Division race points count toward the Fair Final eligibility.

Amended by R.1988 d.189, effective May 2, 1988.

See: 20 N.J.R. 323(a), 20 N.J.R. 975(a).

Added text in (a) "Consolation races in . . .".

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

Added text to (a) and (d); recodified section 2.28 to (j) of this section.

Amended by R.1991 d.241, effective May 6, 1991.

See: 23 N.J.R. 252(a), 23 N.J.R. 1408(a).

Eliminated the minimum \$10,000.00 purse for fair final races.

Amended by R.1992 d.239, effective June 15, 1992.

See: 24 N.J.R. 1142(b), 24 N.J.R. 2241(a).

Revised (b).

Amended by R.1994 d.271, effective June 6, 1994.

See: 26 N.J.R. 1181(a), 26 N.J.R. 2256(a).

Amended by R.1998 d.178, effective April 6, 1998.

See: 29 N.J.R. 5126(a), 30 N.J.R. 1283(b).

In (c), added 6 through 9; and in (d), deleted a former second sentence.

2:32-2.28 Separate Fair Division

A separate New Jersey Sire Stakes Fair Division, with a separate payment schedule as set forth in N.J.A.C. 2:32-2.10 and 2.20, will be in force. Horses starting in a New Jersey Sire Stakes pari-mutuel event cannot race in a New Jersey Sire Stakes fair event within seven days of that New Jersey Sire Stakes pari-mutuel event. Horses starting in a New Jersey Sire Stakes fair event cannot race in a New Jersey Sire Stakes pari-mutuel event within seven days of that New Jersey Sire Stakes fair event except after the New Jersey Sire Stakes Fair Finals have been completed.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

This section was recodified from 2.31. The original 2.28 was "Point standings" and was recodified to 2.27(j).

Amended by R.1998 d.179, effective April 6, 1998.

See: 30 N.J.R. 3(a), 30 N.J.R. 1283(a).

Added a second sentence.

Amended by R.1999 d.184, effective June 7, 1999.

See: 31 N.J.R. 707(a), 31 N.J.R. 1477(b).

Inserted references to New Jersey Sire Stakes events throughout, and added an exception at the end.

2:32-2.29 Supervising Race Secretary

(a) A member of the New Jersey Sire Stakes staff will be appointed Supervising Race Secretary at all Fair meets. Furthermore, the New Jersey Sire Stakes Board Secretary is responsible for the complete supervision of the New Jersey Sire Stakes Program as it pertains to the Fairs.

(b) Nothing in this chapter shall be construed to rescind or replace any of the powers or rules of the New Jersey Racing Commission at any race.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

This section was recodified from 2.32. The original section was "Four-year-old split" and was repealed.

2:32-2.30 Broadcasting revenues

(a) In the event the Sire Stakes Board receives revenues derived from the broadcast of Sire Stakes events, any incremental revenues derived from these broadcasts shall be exclusively used by the New Jersey Sire Stakes Program to supplement the purse of Sire Stakes races.

(b) The nominator and/or owner of horses racing in Sire Stakes events expressly and irrevocably assigns to the New Jersey Sire Stakes the ownership rights of any broadcast revenues derived therefrom.

Amended by R.1989 d.95, effective February 21, 1989.

See: 20 N.J.R. 2952(a), 21 N.J.R. 443(a).

This section was recodified from 2.34. The original section was "Four-year-old division".

SUBCHAPTER 3. APPEALS**2:32-3.1 Appeal from decision of Supervising Race Secretary**

When any decision is made by any person representing the Board of Trustees pursuant to the law of New Jersey or rules of the Board of Trustees, said decision may be appealed to the Board of Trustees and a hearing requested.

2:32-3.2 Right of appeal

(a) Any person aggrieved by any action or inaction by the Board of Trustees, or its representatives, may request an informal meeting with the Board to settle any dispute, or seek clarification of the Board's rules. The Board shall

respond, in writing, to any such request stating the reasons for its determination.

(b) If any dispute is required by law or regulation to be handled formally, or if a party is dissatisfied with an informal determination, or if the Board determines the matter contested, the matter shall be treated in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq.), and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1 et seq.

2:32-3.3 Nature of proceedings

All hearings before the Board of Trustees will be de novo proceedings and shall be accompanied by notice and an opportunity to be heard.

2:32-3.4 Appeal procedure

In the event that an appeal is taken to the Board of Trustees, said appeal and one copy must be filed, in writing, at the office of the Board of Trustees within 20 days of the date of the receipt of the decision by the person representing the Board of Trustees.

2:32-3.5 Hearing; costs

The applicant shall be responsible for any costs incurred in connection with any hearing held pursuant to the right of appeal contained in this subchapter and the laws of the State of New Jersey.

2:32-3.6 Acting on appeals

The Board of Trustees shall act on all appeals in accordance with the laws of the State of New Jersey and the rules promulgated by the Board of Trustees.