

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).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 32, Sire Stakes Program, expires on January 31, 2003. See: 34 N.J.R. 1765(a).

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Chapter 32, Sire Stakes Program, was repealed and a new Chapter 32, Sire Stakes Program, was adopted by R.1987 d.236, effective June 1, 1987.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.

1. The date for the closing of nominations of yearlings to the Pari-mutuel and Green Acres Divisions shall be May 15 or the next business day following May 15 in the event that that 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 certificate of registration or a certificate of registration from a Standardbred Registry body recognized by the United States Trotting Association accompanies the yearling nomination form and an additional \$10.00 processing fee shall be due if the copy of the United States Trotting Association certificate or a certificate from a Standardbred Registry body recognized by the United States Trotting Association is not submitted. The nomination payment covers the nomination fee to both the Green Acres 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).

Amended by R.2001 d.137, effective May 7, 2001.
See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

In (a), rewrote the introductory paragraph, 1 and 2.

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)
GREEN ACRES 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".

Amended by R.2001 d.137 effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

Substituted "Green Acres" for "Fair".

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 Green Acres 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. In the event that the 15th day of the aforementioned months falls on a Saturday, Sunday, or holiday, the payment must be postmarked 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.

Amended by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

In (b), substituted "Green Acres" for "Fair".

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. This condition applies to both the Green Acres 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 Green Acres 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).

Amended by R.2001 d.137, effective May 7, 2001.

See: 32 N.J.R. 390(a), 33 N.J.R. 1369(a).

In (a), deleted second sentence and substituted "Green Acres" for "Fair" throughout section.

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. Under no circumstances shall late entries be accepted.

Amended by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

Substituted "Under no circumstances shall late entries be accepted." for "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 (Reserved)

Repealed by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

Section was "Entry blanks".

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. No sustaining payments shall be accepted on any unnamed horse.

Amended by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

Added "No sustaining payments shall be accepted on any unnamed horse".

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 may 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).

Amended by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

In (a), substituted "may" for "will".

2:32-2.20 Entry fees

(a) Entry fees will be added to the basic purse in Green Acres and Pari-mutuel series races. Entry fees will be:

Pari-mutuel Division	Green Acres Division
2 year olds . . . \$500.00	2 year olds . . . \$300.00
3 year olds . . . \$600.00	3 year olds . . . \$300.00

(b) Entry fees for Pari-Mutuel Finals shall be \$2,500 at The Meadowlands and \$1,500 at Freehold and Garden State.

(c) Entry fees for all Green Acres finals will be \$500.00.

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.
Amended by R.2001 d.137, effective May 7, 2001.
See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).
Rewrote section.

2:32-2.21 Purse distribution

(a) The purse will be distributed as follows:

1. 50-25-12-8-5 if 5 starters or more
2. 50-25-15-10 if only 4 starters
3. 60-30-10 if only 3 starters
4. 65-35 if only 2 starters
5. 100 in case of walk over

2:32-2.22 Qualifying standards

All starters in the New Jersey Sire Stakes Pari-mutuel Division and the New Jersey Sire Stakes Green Acres Division must meet all track qualifying standards at the track where the race is being contested and be eligible at time of entry.

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.

Amended by R.2001 d.137, effective May 7, 2001.
See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).
Substantially rewrote section.

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 (Reserved)

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).
Repealed by R.2001 d.137, effective May 7, 2001.
See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).
Section was "Eligibility papers".

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 Green Acres "Final" race in each Division for two-and three-year-olds. Consolation races 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 \$2,500 entry fee at The Meadowlands and a \$1,500 entry fee at Freehold and Garden State and is open to the highest New Jersey Sire Stakes point winners at the Meadowlands, Garden State, or Freehold that are declared in and can be drawn to a post position in the first tier. Each Green Acres Final shall have a \$500.00 entry fee and is open to the highest New Jersey Sire Stakes Green Acres point earners that are declared in and can be drawn to post in the first tier. Trailers are not permitted to start in any New Jersey Sire Stakes Finals.

(c) All horses competing in both the Pari-mutuel and Green Acres Finals at all tracks will be determined on a point basis. The point value will be awarded as follows:

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

Amended by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

In (a), deleted "in the Pari-mutuel program" in the third sentence; rewrote (b); deleted (i); recodified (j) as (i); and substituted "Green Acres" for "Fair" throughout.

2:32-2.28 Separate Green Acres Division

A separate New Jersey Sire Stakes Green Acres 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 Green Acres event within seven days of that New Jersey Sire Stakes pari-mutuel event. Horses starting in a New Jersey Sire Stakes Green Acres event cannot race in a New Jersey Sire Stakes pari-mutuel event within seven days of that New Jersey Sire Stakes Green Acres event except after the New Jersey Sire Stakes Green Acres 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.

Amended by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

Substituted "Green Acres" for "Fair" throughout section.

2:32-2.29 (Reserved)

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.

Repealed by R.2001 d.137, effective May 7, 2001.

See: 33 N.J.R. 390(a), 33 N.J.R. 1369(a).

Section was "Supervising Race Secretary".

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.