CHAPTER 31

CHARITY RACING DAY FUND DISTRIBUTION

Authority
N.J.S.A. 5:5-44.9 et seq.

Source and Effective Date
R.2004 d.421, effective October 12, 2004.
See: 36 N.J.R. 2318(a), 36 N.J.R. 5088(a).

Chapter Expiration Date
Pursuant to Executive Order No. 1(2010), the chapter expiration date is extended from April 10, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

Chapter Historical Note
Chapter 31, Charity Racing Day Fund Distribution, was adopted as R.1999 d.146, effective May 3, 1999. See: 31 N.J.R. 197(a), 31 N.J.R. 1185(a).

Pursuant to Reorganization Plan No. 003-2002, the Division of Markets was renamed Division of Marketing and Development, effective February 27, 2003. See: 35 N.J.R. 3(a), 35 N.J.R. 1539(b).

Chapter 31, Charity Racing Day Fund Distribution, was readopted as R.2004 d.421, effective October 12, 2004. See: Source and Effective Date. See, also, section annotations.

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 31, Charity Racing Day Fund Distribution, was scheduled to expire on April 10, 2010. See: 41 N.J.R. 4147(a).

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SUBCHAPTER 1. DISTRIBUTION OF CHARITY RACING DAY FUNDS

2:31-1.1 Purpose and scope

This subchapter sets forth the application procedure for the awarding of Charity Racing Day grants to the Horse Park of New Jersey and to organizations which care for retired race horses. It also sets forth the criteria by which the New Jersey Department of Agriculture shall evaluate applications and award grants.

2:31-1.2 Definitions

As used in this subchapter, the following words and terms shall have the following meanings:

"Application" means the official application provided by the New Jersey Department of Agriculture.

"Department" means the New Jersey Department of Agriculture.

"Horse Park of New Jersey" is the New Jersey organization incorporated under the name "Horse Park of New Jersey at Stone Tavern, Inc." which manages the day-to-day operations of the equine show facility known as the Horse Park of New Jersey.

"Organization which cares for retired race horses" means an organization dedicated to the care of retired race horses in New Jersey.

"Secretary" means the Secretary of the New Jersey Department of Agriculture.

Amended by R.2004 d.421, effective November 15, 2004.
See: 36 N.J.R. 2318(a), 36 N.J.R. 5088(a).
    Rewrote "Organization which cares for retired race horses".

2:31-1.3 Eligibility for funding

(a) The application procedure shall be as follows:

1. Each application for funding shall be submitted on forms provided by the Department of Agriculture no later than March 15 of each year to the New Jersey Department of Agriculture, Horse Breeding and Development, Division of Marketing and Development, PO Box 330, Trenton, New Jersey 08625-0330.

2. Each application from the Horse Park of New Jersey shall include a description of the proposed use of Charity Racing Day funds.

    i. Applications shall be evaluated based upon the extent to which the proposed use of funds will be used for the continued development and promotion of the Horse Park of New Jersey.

3. The following apply to applications from organizations which care for retired horses:

    i. Each application shall include the following information:

        (1) Organization name, address, telephone number, fax number, name of primary contact and Federal tax identification number;

        (2) A description of the organization and its mission; and

        (3) A detailed explanation of how the requested funds will be used, specifically how they will benefit retired race horses and the New Jersey equine industry, including estimates of the number of animals and/or people positively impacted as a result of the funds.

    ii. Applications shall be evaluated and awarded based upon:

(1)   Whether the applicant meets the definition of an "organization which cares for retired race horses";

(2)   The specific proposed use of the funds;

(3)   The extent to which the proposed use of funds will benefit retired race horses and the equine industry in New Jersey.

(b) Recipients shall submit to the Department a detailed fund utilization information report verifying the use of the funds, along with receipts for expenditures, by December 31 of the year in which the funds were received.

(c) Monies awarded shall not be used for administrative expenses and/or salaries.

(d) Organizations for the care of retired horses shall further verify that all funds received from the Department of Agriculture were used solely for the care of retired race horses located within the State of New Jersey.

(e) All applicants and recipients of funds shall submit with the initial application and the fund utilization report, the following certification, signed by a person authorized to act on behalf of the applicant or recipient which shall appear on the application or report forms:

"I certify under penalty of law that the information provided in this document is true, accurate and complete. I am aware that there are significant civil penalties for submitting false, inaccurate or incomplete information and significant criminal penalties, including fines and/or imprisonment for submitting false, inaccurate or incomplete information or information which I do not believe to be true."

(f) Incidents involving false swearing or false reporting in the documents required by these rules may be referred by the Department for prosecution pursuant to N.J.S.A. 2C:28-3.