
Public Hearing

before

ASSEMBLY COMMERCE, TOURISM, GAMING AND MILITARY AND VETERANS' AFFAIRS COMMITTEE

ASSEMBLY CONCURRENT RESOLUTION No. 81 (1R)

*(Proposes Constitutional amendment to allow Legislature to authorize, by law,
specific kind, restrictions and control of wagering on the results
of live or simulcast running and harness horse races)*

LOCATION: Committee Room 14
State House Annex
Trenton, New Jersey

DATE: June 15, 1998
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Joseph Azzolina, Chairman
Assemblyman Nicholas Asselta, Vice-Chairman
Assemblyman George F. Geist
Assemblyman Guy R. Gregg
Assemblyman Kenneth C. LeFevre



ALSO PRESENT:

Edward P. Westreich
Carrie Anne Calvo-Hahn
Beth E. Smollon
*Office of Legislative Services
Committee Aides*

Deborah K. Smarth
*Assembly Majority
Committee Aide*

Yolette Ross
*Assembly Democratic
Committee Aide*

Hearing Recorded and Transcribed by
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ASSEMBLYMAN JOSEPH AZZOLINA (Chairman): I apologize for the crummy set up here today and lack of chairs and lack of -- I think half the people out there for this room. But quickly, we're going to handle ACR-81, and we don't want too many speakers. It's a public hearing.

Are you going to read it off? (speaking to Committee Aide)

I'm not hearing anybody today. Just for the horses. Just give me two people. That's it. Two or three. That's it.

Who's the leadership in that group? Why don't you read the--

Where's a quorum? We're all here. Where are the Democrats? Are they in the other office by mistake?

Okay. All right. Read the-- Go ahead. Assembly Concurrent Resolution No. 81.

MS. SMOLLON (Committee Aide): Assembly Concurrent Resolution No. 81 proposes an amendment to the State Constitution to allow the Legislature by law to authorize a specific kind, restrictions, and control of wagering on the results of live or simulcast running and harness horse races conducted within or outside of the state. At present, only pari-mutuel wagering on races is permitted, and any law that changes its limitation must be placed on the ballot and approved by the voters in the general election. This proposed amendment allows the Legislature to authorize in addition to pari-mutuel wagering other types of betting such as account wagering, telephone wagering, and offtrack betting. The State revenues derived from the wagering on horse racing would be used for such purposes as will be provided by law. It should be noted that this proposed constitutional amendment does not authorize the Legislature to allow casino-style gambling or other types of

gambling which does not involve wagering on the results of horse races at racetracks.

ASSEMBLYMAN AZZOLINA: Okay, Charlie.

C H A R L E S W O W K A N E C H: Good morning, Mr. Chairman, members of the Committee. I appreciate the opportunity to testify this morning on ACR-81. I have with me some members that are from Local 54 that represent the members at the tracks that have some concerns, but I'll just give a very brief statement for the AFL-CIO.

While we understand the plight of the racing industry because of what's happened with casino gaming, we just want to get on the record our concerns. We don't want to see happen at Garden State and other tracks as what happened here in Atlantic City -- is where the track becomes a simulcasting parlor. They do four/five live racing events with live people there, and then what happens is everyone is out of a job. So that's really our concern as this thing moves forward. We understand that Garden State needs a hand, but in whatever is worked out in the legislation, we'd like to see some concern.

So having said that, I'd like to introduce Bob McDevitt, the President of Local 54.

C. R O B E R T M c D E V I T T: Thank you. I'll keep my comments brief so the other two speakers can elaborate a little bit.

Our main concern is not that these decisions be entrusted to the Legislature. We feel they're in good hands there. It's just that we want to make it clear that any kind of changes should be made with the idea that there's job improvement and it increases in jobs rather than a reduction. And we don't want a situation to rear itself up where someone from out of state can

come in, purchase the track, and then turn it into a simulcast parlor and, thereby, reducing 500 to 600 jobs, which are year-round jobs that are currently there at Garden State Park. And that includes not just Local 54, but other labor unions and nonunion jobs.

So I'll just turn it over to Ilene Leese and Andy Bulakowski and let them speak.

I L E N E R. L E E S E: Good afternoon. My name is Ilene Leese, and I have been asked to speak to you on behalf of the employees at Garden State Park. Please forgive me for reading word for word off the paper.

ASSEMBLYMAN AZZOLINA: You're not going to read all that are you?

MS. LEESE: Yes, I am.

ASSEMBLYMAN AZZOLINA: Oh, no. No.

MS. LEESE: I have a lot to say, and I didn't want to miss any of it. This is very important to us and our jobs.

ASSEMBLYMAN AZZOLINA: Okay, but I-- All right.

ASSEMBLYMAN GEIST: Mr. Chairman, if I could intervene?

ASSEMBLYMAN AZZOLINA: Can we have a summary?

ASSEMBLYMAN GEIST: Mr. Chairman, if I could intervene. I do represent Camden County, and this does have vital importance to many families within the South Jersey community known as Camden County, Gloucester County, you name the county, and therefore, I do ask that you give as much consideration to this particular testimony.

ASSEMBLYMAN AZZOLINA: You've got to realize I did this as a favor to put this bill on first. We have a major, major bill coming up that I

promised we'd only take about 20 minutes for this whole bill, and if had been, I would have not have brought this bill up until the end of the day.

MS. LEESE: Well--

ASSEMBLYMAN AZZOLINA: I'm not ripping into you now. I'm just telling you the facts. There's no way you can summarize it?

MS. LEESE: I don't think so. We drove an hour to come up here to tell you how we felt and speak from our hearts, and I'd like to be able to say--

ASSEMBLYMAN AZZOLINA: All right. Go ahead. But I hope you're the only one.

MS. LEESE: --what I have to say.

ASSEMBLYMAN AZZOLINA: Charlie--

MS. LEESE: There's only two of us.

ASSEMBLYMAN AZZOLINA: --is there anybody else? I don't want two more speeches.

ASSEMBLYMAN GEIST: Mr. Chairman, can I offer a request as well that the testimony be made copied so that all the members have it and that the word-by-word testimony be incorporated into the written transcript of this proceeding. And that way, we can guarantee that each and every one of these words is incorporated into the legislative history. May we do that?

MS. LEESE: I can be done in five minutes.

ASSEMBLYMAN GEIST: May we also have the written testimony--

MS. LEESE: Yes, you may.

ASSEMBLYMAN GEIST: --incorporated into the report?

ASSEMBLYMAN AZZOLINA: All right.

Can you do it in five minutes?

MS. LEESE: I can do this in five minutes.

ASSEMBLYMAN AZZOLINA: Charlie, who else do you have?

MR. WOWKANECH: Right here, sir.

ASSEMBLYMAN AZZOLINA: And how long are you going to take?

A N D R E W J. B U L A K O W S K I: I'll be brief.

ASSEMBLYMAN AZZOLINA: Okay. All right. Go ahead.

MR. BULAKOWSKI: Thank you, Mr. Chairman.

ASSEMBLYMAN AZZOLINA: Thank you.

MS. LEESE: Okay. Basically, when I began working with the Garden State Park at the reopening in 1985, I was a widow with a small child. There were and still are many young and middle-aged single mothers there that need our jobs in order to raise our families.

We're extremely concerned about the constitutional amendment that you are proposing. It's our overwhelming consensus of the employees of Garden State Park that if your bill were to pass, Garden State Park would close its multimillion dollar facility to live racing forever. This will constitute a layoff of 85 percent of the workers when there is no live racing. There are very few unionized jobs in the fields that we are employed in at Garden State Park. We would never be able to replace the jobs that come close to the wages and benefit packages that we now receive. We are the people that cast our votes for the politicians that run our state. These are the same politicians that will be directly responsible for taking our jobs away from us if this bill is passed.

The State of New Jersey is constantly reminding the people that their goal is to take us out of the unemployment lines and off of welfare. If your amendment is passed, you will be putting more than 500 hard workers back into the same lines you claim to be fighting to end.

There are over 10 unions representing Garden State Park. The largest groups of unions are Local 54, Local 676, and Local 137. Between these three local unions alone there are approximately 25,000 votes for you, our government, which will be affected at the polls in the next election. If you'd like the continued support of more than 25,000 southern New Jersey union members, we ask that you revise the definition of your proposed amendment to revitalize the horse racing industry in the State of New Jersey.

I have with me a copy of the articles that appeared in the *Courier-Post* newspaper in January. The first article dated January 15, 1998 states that Governor Whitman had appointed a 19-member commission to recommend ways to revitalize the horse racing industry in New Jersey. The commission's suggestion was basically to end live racing at Garden State Park, which would in turn boost racing revenues at the State-operated racetracks.

It was also recommended that a State subsidy of \$25 million to augment purses in the remaining operated tracks-- This is just a little bit prejudiced. The next day, January 16, 1998, an article was written in rebuttal from Garden State Park stating it had no intentions of shutting down live racing. This, of course, was written before the State proposed this new amendment, which includes offtrack betting and phone betting. The following day, January 17, 1998, an article was written in the *Courier-Post* again, which the headline read, "Racing Panel Changes Mind on Garden State Closing."

It was obvious to the racing panel that their proposal was showing extreme partiality to the State-operated racetracks. The new bill, which I have in my possession, seems to be nothing more than a backdoor entry into the exact same recommendations that the 19-member panel made back in January. This proposal describes possible solutions to revitalizing horse racing in New Jersey, but the fact is it would only help the State-operated racetracks, and it would destroy horse racing and eliminate jobs at the only remaining independently run racetrack in New Jersey. I have never seen the State of New Jersey so blatantly propose to do all the right things for their own benefit with absolutely no regard or respect for the working-class people that elected them into office.

If you really want to help revitalize the horse racing industry, allow all of the New Jersey racetracks to install slot machines on the premises. We've seen absolute proof of what this did for horse racing in Delaware. We've also seen absolute proof of how a proposal like yours has destroyed the horse racing industry in Philadelphia. Here are the facts. They are true, and they are very disturbing.

Garden State Park was the hub for horse racing when they first reopened in 1985. When Philadelphia was granted the right to operate OTB parlors and accept phone wagering, our loss of customers was staggering. When Atlantic City was granted the right to simulcast--

ASSEMBLYMAN AZZOLINA: Could you stop?

MS. LEESE: --our loss of customers declined--

ASSEMBLYMAN AZZOLINA: Could you stop for one--

MS. LEESE: --even further.

ASSEMBLYMAN AZZOLINA: Could you stop for one second, please.

What's that for? (referring to chairs being delivered) Okay. I ordered 20 chairs. I don't see them.

Okay. I'm sorry.

MS. LEESE: Thank you.

When Delaware was granted the use of slot machines in its racetracks, once again our business declined. If your proposed bill is passed, it will put the last nail in the coffin of Garden State Park and close our doors forever. Horse racing can survive in South Jersey but only with the additional revenues that slot machines would bring in to increase the purses and the quality of the horses that are racing. Why do you allow the casinos to legally accept wagers on horse betting, yet, you refuse to allow Garden State Park to venture into the areas which are solely controlled by the casinos? Why is it that we, the taxpayers and the voters, have no say as to the possibility of slot machines in the racetracks?

As far as I'm concerned, this bill is proof that our State government sits in the pockets of the Atlantic City casinos. This bill is a direct reflection of our government doing everything within its ability to keep the casinos in power of gaming and to enhance horse racing at the State-operated racetracks in New Jersey. This bill will destroy what is left of horse racing in South Jersey, and in the process, it will destroy the financial welfare of the employees and their children.

If you decide you must pursue this amendment on the November ballot, please do not allow phone betting and offtrack betting without the

continuation of live racing as a factor to participate in this. We ask that live racing must be able to continue at Garden State Park. Otherwise, you will put hundreds of New Jersey residents out of work. I urge you for 600 employees of Garden State Park to stop a proposal that would line the pocketbooks of the State and begin looking into a proposal that would save the jobs of the people.

In conclusion, we feel this bill is far too vague and open ended. It leaves too much room for changes that would not be in favor of the people. We feel that the definition of this bill must be revised for the actual purpose of revitalizing the horse racing industry throughout the entire State of New Jersey without the expense of our jobs. We are asking that this proposal specifically include slot machines installed at New Jersey racetracks to be the source of revitalizing horse racing. We are also asking that at the least to amend this bill to say that live racing must continue at New Jersey racetracks in order to be granted access to phone betting, offtrack betting, and Internet betting.

Please take my words and the words of my fellow employees into careful consideration before allowing this new constitutional amendment to be added to the November ballot. This is our last chance for survival. This is your only chance to prove that the State of New Jersey cares about our people, our jobs, and the future of the horse racing industry.

Thank you for your time.

ASSEMBLYMAN AZZOLINA: Thank you.

Stay right there. Stay right there.

MS. LEESE: Thank you for allowing me to finish.

ASSEMBLYMAN AZZOLINA: No. Stay right there. We may have some questions.

MS. LEESE: I'm here. You got me.

MR. BULAKOWSKI: Good morning, ladies and gentlemen. My name is Andrew Bulakowski. I represent Garden State Park and Local 54.

I stand before you as a voter, a taxpayer, and a racetrack employee. My wife is also a racetrack employee. We have been with Garden State Park since its reincarnation in 1985. When it opened, Garden State Park had the best purses, the best jockeys, and the best horses in the world, but due to other gaming competition this is not the case today.

I would like to discuss some of the issues in the bill being introduced by Mr. Bateman. While offtrack betting and phone betting may help some, it is not the answer. Putting slot machines in the racetrack is. Delaware Park went from almost closing its doors to quickly becoming one of the top-paying racetracks in the country. In 1989, Pennsylvania approved offtrack wagering, and although purses increased slightly, they can't compete with Delaware racetracks. Offtrack wagering does little to generate interest in local racing. It just makes it convenient to simulcast out-of-state racing.

You must make it a condition that in order to conduct offtrack wagering a minimum of live racing dates must be adhered to. But in order to make the racetracks competitive, you must allow slot machines into the track. New York is on the verge of legalizing casino gaming, and when it happens, the North Jersey racetracks will be in the same predicament that Garden State Park is. Monmouth went from the top summer racetrack in the country to number two behind Delaware Park.

As a voter, I demand that the bill allowing slot machines in the racetrack be introduced. Stop bowing to the casino lobbyists. I call for Michael Arnone's and Joe Roberts's bill to be reintroduced. Don't let racetracks in New Jersey die. Governor Whitman wants to raise fuel taxes for open spaces. I suggest to the Governor that you keep racing live and healthy in New Jersey. Keep the horse farms open. It won't cost the taxpayers a cent, and it preserves the history and beauty of New Jersey. Do the right thing for your voters, save the racetrack and our jobs. Let the voters decide on the slot machines.

Thank you.

ASSEMBLYMAN AZZOLINA: Thank you very much.

Any questions? (no response) Okay.

You all done, Charlie?

MR. WOWKANECH: Yes.

ASSEMBLYMAN AZZOLINA: Okay. Thanks.

MS. LEESE: Thank you.

MR. BULAKOWSKI: Thank you, sir.

LEON ZIMMERMAN: Thank you, Mr. Chairman. My name is Leon Zimmerman and--

ASSEMBLYMAN AZZOLINA: I thought this was going to be a simple bill today.

MR. ZIMMERMAN: It is. I just was going to make a comment.

ASSEMBLYMAN AZZOLINA: Well, so far it's not appearing to be a simple bill. I'm a little aggravated that the sponsor isn't here to tell you the truth because I'm not sure where it's going right now.

MR. ZIMMERMAN: Well, can I explain that?

ASSEMBLYMAN AZZOLINA: Go ahead.

MR. ZIMMERMAN: If you'd let me--

ASSEMBLYMAN AZZOLINA: I want to explain because I did not-- What they're saying is true. This is very upsetting.

Go ahead.

MR. ZIMMERMAN: My name is Leon Zimmerman, and I represent the Standardbred Breeders and Owners Association, which represents approximately 10,000 working people in the harness racing industry. That's not to mention there's a separate organization, and there's someone here representing them, for the thoroughbred industry, also, representing several thousands of people who are the working people of this industry that keep it alive. They are the people who are responsible for its being in existence today. And I also happen to have been one of those nineteen people who served on the Governor's study commission representing every licensed horse person in New Jersey and that's upwards of 30,000 people, and that was what my appointment was to represent.

This commission recommended this referendum. It did not recommend closing Garden State Park as was testified earlier. That is factually incorrect. It did not recommend it. In fact, the report of the commission was specifically amended to eliminate any references to closing of racetracks at all.

The organization that I represent represents everyone in harness racing that races not only at the Meadowlands, which is a State-operated racetrack, but also the people who work at Freehold Raceway and Garden State Park, which are private facilities operated by private ownership. We believe

firmly that this referendum legislation is critical to the future of the horse racing industry in New Jersey. Without the opportunity for the Legislature to be able to enact laws as it pertains to horse racing, New Jersey will never be able to compete with the neighboring states in the horse racing business. As a result, there will be no racetracks if this referendum doesn't pass. This referendum opens the door to enacting future legislation that will then help the horse racing industry survive. Trust me, without it, it's going nowhere. And that's what's critical about this.

The concerns that were expressed earlier are legitimate concerns and should be addressed at the time the enabling legislation is enacted by the Legislature to help the racing industry so that jobs are protected so that there is live racing. Let me assure you that my organization representing 10,000 people is only in favor of these changes, subsequently, in the law if live racing is preserved. If we don't have live racing, our people have no work. So all the people who support this referendum are people who support live racing only, not simulcast parlors.

Simulcast outlets will be one avenue that will be added in the future to supplement it, but it will not exist on its own. It cannot exist on its own, and we support wholeheartedly the effort to keep the private racetracks going, particularly now Freehold Raceway and Garden State Park. So I have to emphasize very strongly that this is really, really critical to the future of the racing industry; otherwise, we can't compete with the neighboring states.

Now, no other state has this constitutional prohibition against a changing racing law without going to the voters. The casino law that was changed -- that allows casino gambling and all future changes in casino

gambling -- after that referendum was approved in 1978 is done by the Legislature without going back to referendum. When the lottery amendment was made to the constitution in 1970, that, too, allowed the Legislature to make all future changes in racing law. However, the horse racing amendment that allows horse race wagering is from way, way back in the '40s, and that said at that time that you had to go to the voters every time. And we have had to go to the voters, and that's why this referendum is proposed so that the Legislature would change racing law just as is done with casinos, just as is done with the lottery, the other forms of gambling in this state, and just as is done in every other state that I know of that allows horse race wagering.

I will just add one other thing. Candace Straight, who is Chair of the study commission -- the Governor's Study Commission -- was to be here today, and I believe she's submitted written statement for the record in support of the referendum. With me here is Sean Kean, who represents Garden State Park.

SEAN KEAN: Mr. Chairman, very briefly, we wholeheartedly support this. The intent of the Garden State Racetrack is not to close live racing at the racetrack, but rather to continue that tradition. And this piece of legislation will help us do that.

Thank you.

ASSEMBLYMAN AZZOLINA: Okay. Before you leave--

Read the amendment because I think there's confusion with what the amendment does. Since our aim is not to lose jobs and our aim is not to lose horse racing because the horse industry is a big industry to the State, and that's the only reason I've put this bill up.

Go ahead.

MS. SMOLLEN: The amendment is to allow the Legislature to offer as an addition to pari-mutuel wagering other types of betting, such as account wagering, telephone wagering, and offtrack betting, specifically for the purpose of saving live racing. This constitutional amendment would allow the Legislature to authorize through enabling legislation different forms of gambling. Without this constitutional amendment, the Legislature would not have the authority to do any of that stuff.

ASSEMBLYMAN AZZOLINA: So the key is you have to trust the Legislature to do the right thing.

I think you wanted to speak, Mr. Geist.

ASSEMBLYMAN GEIST: Mr. Chairman, I have a question. We've heard some testimony about having slot machines at the racetracks, which I anticipate is being emphasized because they believe it would benefit the horse racing industry. Would this constitutional amendment then enable that type of legislation work for the horse racing industry?

MR. ZIMMERMAN: This referendum simply allows the Legislature to have the authority to change all laws with regard to horse race wagering, period, end. It does nothing else. It does not create offtrack wagering. It does not create telephone wagering. It does not create slot machines at the racetracks. But it doesn't mean that the Legislature in its infinite wisdom in the future can't do any one or all of those things.

ASSEMBLYMAN AZZOLINA: No. No. This legislation doesn't authorize casino-type gambling. No.

MR. ZIMMERMAN: No, it does not.

ASSEMBLYMAN AZZOLINA: Okay.

MR. ZIMMERMAN: It says it's not intended to do that. That's right. There is a statement that says that. There also is a bill already in the Legislature and has been for years to allow slot machines at racetracks that's sponsored by Assemblyman Zecker. Okay, so I mean, there already is a bill.

ASSEMBLYMAN AZZOLINA: Okay.

Any questions?

ASSEMBLYMAN ASSELTA: Yes. Mr. Chairman, just real quick for my own clarification.

I'm hearing two different testimonies, but they appear to be cooperative testimony. I know Local 54 and I understand their concerns, but as I interpreted this through you, Mr. Zimmerman, is this allows the opportunity, this amendment, to pursue slot machines.

ASSEMBLYMAN AZZOLINA: No.

MR. ZIMMERMAN: No.

ASSEMBLYMAN AZZOLINA: No.

MR. ZIMMERMAN: It allows the Legislature to enact laws that will help racing. Whatever it determines--

ASSEMBLYMAN ASSELTA: Generically, correct. But--

MR. ZIMMERMAN: It could be anything.

ASSEMBLYMAN ASSELTA: Right. It could be anything and a natural progression could be possibly.

MR. ZIMMERMAN: It's not designed to be the slot machine issue at all. In fact, it says that in the question.

You're right, Assemblyman, there is an agreement of issue here, and that is that we all want to save live racing because it means jobs to our people. It means a lot more-- I have a lot more people that I represent that it means more to them and they want to save live racing. They don't want anything else. Why would they be in favor of something that would hurt racing?

ASSEMBLYMAN ASSELTA: But, Mr. Zimmerman, the bottom line here is, what is going to save live racing in your opinion?

MR. ZIMMERMAN: In my opinion, we need, first, to change the constitutional ban that prevents the Legislature from ever acting on anything. And it's just unheard of--

ASSEMBLYMAN ASSELTA: Fine.

MR. ZIMMERMAN: --that the Legislature--

ASSEMBLYMAN ASSELTA: Okay.

MR. ZIMMERMAN: --of New Jersey cannot act on horse racing law because of this constitutional prohibition.

ASSEMBLYMAN ASSELTA: And that's what this will do?

MR. ZIMMERMAN: And that's all this does.

Now, Chairwoman Candace Straight of the Racing Study Commission is here. She can address that as well. But the report -- you weren't here-- But the report does not at all say any racetrack should be closed. It never says that.

CANDACE L. STRAIGHT: All right. To answer your question, we came up with two recommendations. One is embodied in this legislation before you today. The other recommendation that we made was that -- purse

supplements in the order of approximately \$25 million a year. Those two things together, in my personal opinion, will save live racing. This is just dealing with one of those two things. If you want to save live racing long-term, you need to do both.

ASSEMBLYMAN ASSELTA: Okay. Let me continue with that because, I think, we're moving towards a solution here -- some answers. The commission, did they study the issue of slot machines in racetracks and how it would be either positively or negatively effective for, one, the casino industry, for two, the horse racing industry? Was that part of the study?

MS. STRAIGHT: The impact of slot machines on the casinos industry was not part of the study. Obviously, if you have slot machines at a racetrack, you can dramatically increase purses the way Delaware has done. We chose not to take a position on whether you should have slot machines at a racetrack. In fact, we voted against it. In the whole, we voted against it. Obviously, there were some people who voted in favor of slot machines at racetracks, but we came to the conclusion that the one thing that Delaware had that really impacted racing positively was the fact that they could increase their purses. It didn't mean necessarily slot machines. Slot machines does not necessarily bring more betters to the track on a daily basis, but what it does is it increased their handle around the country because they have higher purses, and it got them the better horses. We lose horses in New Jersey because we don't have good purses.

ASSEMBLYMAN ASSELTA: So, in effect, you're saying through the advent of casinos in the late '70s through the '80s had virtually no effect on the better who used to bet at a racetrack but now bets in a casino. You see

no correlation between those betters. They're two different -- entirely different betters.

MS. STRAIGHT: The casinos, by having more products for people to gamble with in the state, reduce the amount of gambling on horses in New Jersey. There's no question about that. In the state, it reduced it. The reason why the industry's handle has expanded and not gone down because on track has gone down dramatically. But we take our signal around the country to offtrack betting parlors throughout the United States and to racetracks in the United States. That's why our handle has stayed the same. If you don't have high purses, your total handles start to go down, and that will dramatically, even more so, impact racing.

ASSEMBLYMAN AZZOLINA: I'll tell you what we're doing here. We're in the wrong topic today.

MR. ZIMMERMAN: That's right.

MS. STRAIGHT: I apologize for just discussing the one thing.

ASSEMBLYMAN AZZOLINA: We ought to just pass this here, as is--

MS. SMARTH: We already passed it.

ASSEMBLYMAN AZZOLINA: --and then--

MS. SMARTH: We already released this.

ASSEMBLYMAN AZZOLINA: What?

MS. STRAIGHT: We passed it. This is just a public hearing.

MR. ZIMMERMAN: This is just a hearing.

MS. SMARTH: We released this.

ASSEMBLYMAN AZZOLINA: Well, what do we got to do today?

MR. ZIMMERMAN: You have to have a hearing.

MS. SMARTH: Well, this is the public hearing.

ASSEMBLYMAN AZZOLINA: Well, okay. So the key is that when we do the enabling legislation that's where all these other topics come up.

MR. ZIMMERMAN: That's correct.

MS. STRAIGHT: That's correct.

ASSEMBLYMAN AZZOLINA: Today is just so it goes on the ballot. It's a public hearing. We did pass it, and we're bringing the topics up at the wrong time. So we will handle these concerns next year, and we'll make sure that people who are here don't get hurt. And the key is so that the horsing industry will really move forward in this state. And if it doesn't move forward, then we have to do other things to help it. We don't want these racetracks closing. We don't want jobs lost, and the key is to move forward. So I think I'll cut off the public hearing now and move on.

MR. ZIMMERMAN: I want to thank you, Mr. Chairman. I think you just summarized it perfectly, and that is that it's the future legislation that we need to protect all the jobs. And, believe me, that's the way we feel.

ASSEMBLYMAN AZZOLINA: And we'll have a whole day if you want.

MS. STRAIGHT: Thank you very much.

ASSEMBLYMAN AZZOLINA: Thanks a lot.

MS. STRAIGHT: I apologize for being late.

ASSEMBLYMAN AZZOLINA: That's all right. Okay.

(HEARING CONCLUDED)