a penalty of $1,000 plus the amount of the first sustaining payment within 30 days of the original due date of the payment.

2:32-2.20 Entry fees
(a) Entry fees will be added to the basic purse in Standardbred Development Fund and Premier series races. Entry fees will be:
Premier Division Standardbred Development Fund Division
2 year olds. . . $500.00 2 year olds. . . $200.00
3 year olds. . . $500.00 3 year olds. . . $200.00

(b) Entry fees for Premier Finals will be $1,500.
(c) Entry fees for all Standardbred Development Fund finals will be $500.00.
(d) The Sire Stakes Board of Trustees may reduce entry fees by majority vote in the interest of the Sire Stakes Program.

2:32-2.22 Qualifying standards
All starters in the New Jersey Sire Stakes Premier Division and the New Jersey Sires Stakes Standardbred Development Fund Division must meet all track qualifying standards at the track where the race is being contested and be eligible at time of entry.

2:32-2.27 Final races
(a) There will be a two- and three-year old “Final” race in each Premier Division at the pari-mutuel raceways as scheduled by the New Jersey Sire Stakes Board of Trustees. There will be a Standardbred Development Fund Division series “Final” race in each Division for two-and three-year-olds.
(b) (No change.)
(c) Each Premier Final will have a $1,500 entry fee at The Meadowlands and is open to the highest New Jersey Sire Stakes point winners in the series that are declared in and can be drawn to a post position in the first tier. Each Standardbred Development Fund Final will have a $500.00 entry fee and is open to the highest New Jersey Sire Stakes Standardbred Development Fund 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. The entry fee is subject to reduction by the Sire Stakes Board of Trustees in the interest of the Sire Stakes Program.
(d) All horses competing in both the Premier and Standardbred Development Fund Finals at all tracks will be determined on a point basis. A horse must start and finish a heat in order to earn points. The point value will be awarded as follows:
1.-9. (No change.)
(e)-(i) (No change.)
(j) Total points accumulated towards Final Race eligibility in the Premier Division shall include only Premier Division points. Only Standardbred Development Division race points count toward the Standardbred Development Final eligibility.

2:32-2.28 Separate Standardbred Development Fund Division
A separate New Jersey Sire Stakes Standardbred Development Fund Division with a separate payment schedule may be in force.

Summary of Public Comment and Agency Response:
The Department of Agriculture (Department) received comments from a Jean Public in response to the notice of the proposed rulemaking concerning N.J.A.C. 2:32A.

COMMENT: Jean Public states that she opposes the continuation of the Standardbred Development Fund Program (Program) because she contends that the Program encourages “horse abuse.” She contends that the Program has no value at all to the people of New Jersey or to the horses because, according to her, “the whole business is full of drugs and horses dying on the racetracks.” She states that the proposed rules are neither reasonable nor proper.

RESPONSE: The Department and the Sire Stakes Board of Trustees do not agree with the views expressed by Jean Public. The Standardbred Development Fund Program provides the social and economic benefits to the State and the people of New Jersey that were discussed in the rulemaking notice of proposal. The Program is established by statute, and it is run in a humane manner.

Federal Standards Statement
Executive Order No. 27 (1994) and P.L. 1995, c. 65, require State agencies that adopt, readopt, or amend State rules that exceed any Federal standards or requirements to include in the rulemaking document a comparison with Federal law. A Federal standards analysis is not required because the regulation of the Standardbred Development Fund Program is dictated by the N.J.S.A. 5:5-91 and 5:5-91.1 and is not subject to any Federal requirements or standards.

Full text of the expired rules adopted herein as new rules can be found in the New Jersey Administrative Code at N.J.A.C. 2:32A.

Full text of the adopted amendments follows:

SUBCHAPTER 1. STANDARDBRED DEVELOPMENT FUND PROGRAM
2:32A-1.1 General provisions
The Sire Stakes Program Board of Trustees, on behalf of the Standardbred Development Fund Program, hereby adopts and incorporates by reference, as amended and supplemented, the 2021 U.S. Trotting Rule Book. Copies of the most current regulations may be procured online at https://www.ustrotting.com/rulebook/ and are available for inspection by contacting the Division of Marketing and Development at the New Jersey Department of Agriculture, 200 Riverview Plaza, Trenton, New Jersey. The Division’s contact information can be found at: https://www.nj.gov/agriculture/divisions/md/about/contacts.html.

SUBCHAPTER 2. NEW JERSEY STANDARDBRED DEVELOPMENT FUND CONDITIONS
2:32A-2.2 Qualifying standards
(a) In order to be eligible for nomination to the New Jersey Standardbred Development Fund Program, a foal must be the product of the mating of:
1. A Standardbred mare with a resident New Jersey Sire Stakes stallion meeting the requirements at N.J.A.C. 2:32-2.3. Said mares do not need to be registered with the New Jersey Standardbred Development Fund Program, nor does a registration fee need to be paid for said mares; or
2. A Standardbred mare with any Standardbred stallion that is registered with the United States Trotting Association or such other generally recognized Standardbred breed provided the mare resides in the State of New Jersey for a period of at least 150 days including the date of foaling. Said mare must be registered with the New Jersey Standardbred Development Fund Program by December 31 of the year of foaling in order for the offspring to be eligible to the Standardbred Development Fund Program. The registration form must be accompanied by a payment of $100.00.

2:32A-2.5 Yearling nominations
(a) All yearlings to be nominated to the Standardbred Development Fund Program must be registered with the United States Trotting Association or any Standardbred registry recognized by the United States
The Board of Trustees of the New Jersey Sire Stakes Program may, at any time, in its sole discretion, reduce the amount of these fees as conditions warrant.

2:32A-2.8 Eligibility
(a) (No change.)
(b) A two-year-old’s owner who makes the nomination payment but fails to make the first sustaining payment may regain his or her horse’s eligibility for its two-year-old and three-year-old seasons 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.

2:32A-2.15 Entry fees
(a) Entry fees will be:
   1. Two-year-olds: $200.00; and
   2. Three-year-olds: $200.00.
(b) Entry fees for Standardbred Development Fund Finals will be $500.00. Finals fee is waived if entry fees are paid for the first and second legs.
(c) (No change.)

2:32A-2.21 Final races
(a) There will be a two- and three-year-old “Final” race in each Standardbred Development Fund division at a licensed facility approved by the New Jersey Racing Commission, as scheduled by the New Jersey Sire Stakes Board of Trustees.
(b) (No change.)
(c) Each Standardbred Development Fund Final will have a $500.00 entry fee subject to waiver consistent with N.J.A.C. 2:32A-2.15, and is open to the highest New Jersey Standardbred Development Fund point winners in the series that are declared in and can be drawn to a post position in the first tier. Trailers are not permitted to start in any New Jersey Standardbred Development Fund Finals.
(d) (No change.)
(e) In the event of less than five starters, the points shall be awarded in the same fashion as the purse breakdown with less than five starters at (d) above.
(f) (No change.)

2:32A-2.29 Payments, correspondence, and inquiries
(a) (No change.)
(b) All nominating and sustaining payments, correspondence, and inquiries shall be directed to:
New Jersey Sire Stakes
PO Box 330
Trenton, NJ 08625.
Inquiries may also be directed to (609) 913-6514.