

LAW AND PUBLIC SAFETY

NEW JERSEY RACING COMMISSION

Horse Racing

Continuation of Certain Race Events in Event of Declared State of Emergency

Adopted New Rule: N.J.A.C. 13:70-1.42

Proposed: August 16, 2010 at 42 N.J.R. 1849(a)

Adopted: November 10, 2010 by the New Jersey Racing Commission,
Frank Zanzuccki, Executive Director

Filed: December 7, 2010 as R. 2011 d.017, without change

Authority: N.J.S.A. 5:5-30

Effective Date: January 3, 2011

Expiration Date: December 7, 2015

Summary of Public Comments and Agency Responses:

The following individuals and organizations submitted written comments:

Susan E. Craft, Executive Director, State Agriculture Development
Committee

Barbara Sachau, New Jersey

1. COMMENT:

Susan E. Craft, Executive Director, State Agriculture Development
Committee, is requesting that the Racing Commission discontinue stating in the
Agriculture Industry Statement that racehorses are not considered livestock for
the purpose of determining impacts to the agricultural industry. Executive

Director Susan Craft states that horses exist as a recognized part of agriculture and the horse industry as a whole has a significant economic impact.

RESPONSE:

The Racing Commission agrees with the commenter that racehorses have a positive indirect impact on the agriculture industry and, therefore, will discontinue the use of this statement.

2. COMMENT:

Barbara Sachau of New Jersey, e-mailed the Racing Commission indicating that she is against continuing racing in any form and does not feel the taxpayer should be forced into paying the cost of racing.

RESPONSE:

The Racing Commission disagrees with the commenter because there is no supporting basis for the opposition to horse racing in New Jersey and the Commission believes that the proposed new rule establishes procedures, guidelines and requirements for the continuation of live race and simulcast race vents in the event a state of emergency is declared.

N.J.A.C. 13:70-1.42

Federal Standards Statement

A Federal standards analysis is not required because the rules of racing are dictated by State statute, N.J.S.A. 5:5-22, et seq., and the adopted amendment is not subject to any Federal requirements or standards.

The **full text** of the adopted rule can be found in the New Jersey Register at 42 N.J.R. 1849(a).