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Commissioners

FRANCESCO ZANZUCCKI
Executive Director

ORDER

**IN THE MATTER OF THE DISTRIBUTION
OF \$53,576.60 IN CASINO SIMULCASTING
SPECIAL FUND MONIES (ACCUMULATED
IN 2014) THAT WERE NOT ALLOCATED
AT THE SEPTEMBER 16, 2015 MEETING**

WHEREAS, the New Jersey Racing Commission has the authority to distribute monies in the Casino Simulcasting Special Fund ("CSSF") pursuant to N.J.S.A. 5:12-205(d) in accordance with the order of priorities set forth therein;

WHEREAS, in considering the distribution of the CSSF monies (accumulated in 2014) at its September 16, 2015 meeting, the Commission ordered that the Meadowlands, Monmouth Park and Freehold Raceway shall each receive \$125,012.56 pursuant to paragraphs d(1) and d(2) of N.J.S.A. 5:12-205; the Standardbred Breeders' and Owners' Association shall receive \$53,576.80 pursuant to paragraph d(3) of the statute; and the New Jersey Thoroughbred Horsemen's Association, Inc. and the Thoroughbred Breeders Association of New Jersey ("TBA") shall each receive \$26,788.40 pursuant to paragraph d(3) of the statute;

WHEREAS, the Commission tabled consideration of the CSSF Committee's recommendation that \$53,576.60 be distributed to Atlantic City Race Course, which racetrack had ceased all racing and simulcasting operations on January 16, 2015, in order to obtain legal advice and allow the racetracks and horsemen's associations to comment on how these monies should be distributed;

WHEREAS, the Commission obtained comments from the horse racing industry regarding the disbursement of the remaining \$53,576.60 in CSSF monies in accordance with N.J.A.C. 13:70-1.37 and N.J.A.C. 13:71-1.32;



WHEREAS, the Commission's CSSF Committee met on March 16, 2016 to review the comments, considered the distribution of the remaining \$53,576.60 pursuant to N.J.S.A. 5:12-205(d) and prepared recommendations for the Commission;

WHEREAS, at its April 6, 2016 meeting, the Commission considered the recommendations of the CSSF Committee for the distribution of the remaining \$53,576.60 in CSSF monies (accumulated in 2014);

AND THE COMMISSION FINDING THAT allocation of the \$53,576.60 to a racetrack that is no longer operational would be contrary to the purpose of N.J.S.A. 5:12-205 which is to promote and enhance the New Jersey racing industry;

AND THE COMMISSION FINDING THAT it had already allocated the appropriate amount of CSSF monies to the Meadowlands, Monmouth Park and Freehold Raceway in accordance with N.J.S.A. 5:12-205(d)(1) and (d)(2) at its September 16, 2015 meeting;

AND THE COMMISSION FINDING THAT the \$53,576.60 should be allocated to one horsemen's association in accordance with N.J.S.A. 5:12-205(d)(3) where it would be most beneficial to the racing industry and have the greatest impact;

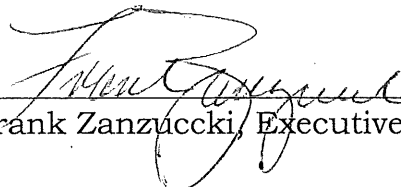
AND THE COMMISSION FINDING THAT based upon the record before it and for the reasons set forth therein, the TBA submitted the most compelling reasons to receive the \$53,576.60 since the horsemen's association is in dire need of additional monies;

IT IS THEREFORE ORDERED THAT \$53,576.60 shall be distributed to the TBA pursuant to N.J.S.A. 5:12-205(d)(3) to fund its New Jersey breeders' incentive program.

This Order memorializes the action taken by the Commission at its public meeting on April 6, 2016.

NEW JERSEY RACING COMMISSION

By:


Frank Zanzuccki, Executive Director

Dated: May 12, 2016