

LAW AND PUBLIC SAFETY

NEW JERSEY RACING COMMISSION

Horse Racing

Penalties

Adopted Rule: N.J.A.C. 13:70-31.3

Proposed: September 15, 2004 at 35 N.J.R. 4182(a)

Adopted: February 18, 2004 by the New Jersey Racing Commission,

Frank Zanzuccki, Executive Director

Filed: _____ As R. 2004 _____, without change

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

Effective Date: April 19, 2004

Expiration Date: December 22, 2004

Summary of Public Comments and Agency Responses:

COMMENT:

Barbara Sachau of New Jersey is in agreement with raising fines and suggested that the fine level should be \$150,000 with the revenues being placed in a fund to establish a retirement home for old racing horses so the horses are not sent to slaughterhouses.

RESPONSE:

Not accepted. While the Racing Commission recognizes Ms. Sachau's comments in support of the increased penalties, a maximum fine of \$150,000 is considered excessive and the fine revenue has been legislatively determined to accrue to the benefit of the

Backstretch Benevolence Program.