

# **2011 NEW JERSEY SIRE STAKES CONDITIONS**

Tentative pending final adoption in the New Jersey Register and the New Jersey Administrative Code for 2011.

## **SUBCHAPTER 1. SIRE STAKES PROGRAM**

### **General provisions 2:32.1.1**

All rules utilized by the New Jersey Department of Agriculture in the Administration of the Sire Stakes Program shall conform to the latest edition of the United States Trotting Association published in the Racing Guide for Stakes and Futurities. (Copies of the most current regulations are available for inspection by contacting the Division of Markets, New Jersey Department of Agriculture, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.)

### **Condition #1 2:32.2.1**

#### **ADOPTION OF BY-LAWS**

(a) The by-laws of the New Jersey Sire Stakes Board are hereby adopted as follows:

1. There is hereby established in the State of New Jersey a Sire Stakes Program for Standardbred horses, bred in the State of New Jersey and to be the product of a registered New Jersey stallion, registered with the Standardbred Breeders and Owners Association of New Jersey as such and listed in their registry books.
2. Those horses eligible to race under the Sire Stakes Program shall be any foal of any registered New Jersey stallion standing at a New Jersey breeding farm and either owned by a resident of the State of New Jersey breeding farm or leased by a resident thereof for a period of not less than 10 years to stand the full season on a New Jersey breeding farm. A copy of any such lease shall be filed with the Standardbred Breeders and Owners Association of New Jersey and the New Jersey Sire Stakes.
3. The Sire Stakes Program shall be administered by a Board of Trustees consisting of five members, four appointed by the Governor, two of whom shall be members of the Standardbred Breeders and Owners Association of New Jersey, two representatives of racing interest generally, and the Secretary of Agriculture ex-officio. Of the members first appointed, the term of office of one appointee from the Breeders and Owners Association shall be for two years, and the other appointed member of such association shall be for one year; the term of office for one appointee representing racing interest generally shall be for two years, and the other appointee representing racing interest shall be for terms of two years.
4. No member of the Board of Trustees shall be compensated for his services however, reasonable travel and other expenses incurred in connections with duties as members of the Board may be reimbursed.
5. The Board of Trustees is authorized to do all that is necessary for the proper administration of the Sire Stakes Program and shall prepare, issue, and promulgate rules providing for:
  - i. Classes and division of races, eligibility of horses and owners therefore, and prizes and awards to be awarded;
  - ii. Nominating, sustaining, and entry fees for horses and races;
  - iii. Such temporary programs including eligibility of horses, breeding, and other matters as may be necessary to make the Sire Stakes Program operable as soon as possible;
  - iv. Registration and certification of New Jersey stallions, mares bred to such stallions, and foals produced thereby; and
  - v. Such other matters as the Board determines to be necessary and appropriate for the proper administration and implementation of the Sire Stakes Program.
6. The funds for the Sire Stakes Program pursuant to N.J.S.A. 5:5-91 and the nominating, sustaining, and entry fees provided for herein, shall be administered by the New Jersey Department of Agriculture and shall be deposited in a trust account entitled Sire Stakes Fund.
7. All disbursements from the Sire Stakes fund for the payment of purses and awards, cost of administration, reimbursement of expenses of members of the Board of Trustees, and any other appropriate expenses, shall be made by the Secretary of Agriculture or his designee.
8. A report shall be prepared and filed annually by the Secretary with the Racing Commission setting forth an itemization of all deposits to and expenditures from the Sire Stakes fund.
9. Sire Stakes Races shall be run only at licensed harness tracks in the State of New Jersey. The races, purses and awards awarded therefore shall be pursuant to the rules of the Board of Trustees hereunder and the New Jersey Racing Commission.
10. The five-member Board of Trustees shall elect a chairman and a vice-chairman at the meeting in January of each year.
11. The secretary of the Sire Stakes Board of Trustees need not be a member of the Board and shall be appointed each year by the New Jersey Secretary of Agriculture.
12. The Sire Stakes Board of Trustees shall meet bimonthly during the year. The date, time and place will be selected by the chairman, and the secretary shall notify all Board members by letter 10 days prior to each meeting.
13. In order for the Board of Trustees to conduct any official business at special monthly meetings, a quorum must be present. A quorum is defined as consisting of at least three of the five members.

14. The chairman is authorized to call special meetings when necessary by instructing the secretary to give each member 10 days' notice in writing.
15. The Board of Trustees by-laws can be amended by a four-out-of-five vote of the membership of the Board of Trustees.

## **SUBCHAPTER 2. NEW JERSEY SIRE STAKES CONDITIONS**

### **Condition #2 2:32-2.2**

#### **QUALIFYING STANDARDS**

(a) In order to be eligible for nomination to the New Jersey Sire Stakes Program, a foal must be the product of the mating of a Standardbred mare with a resident New Jersey Sire Stakes stallion meeting the requirements of N.J.A.C. 2:32-2.3 and

1. A foal which meets the criteria of (a) above, and which is the result of a breeding which occurred after January 1, 2002, either on a farm in New Jersey, or as a result of the intra- or inter-state transportation of the fresh semen of a qualifying stallion, may be eligible for nomination to the Sire Stakes Program.
2. A foal which meets the criteria of (a) above, and which is the result of a breeding which occurred before January 1, 2002, may be eligible for nomination to the New Jersey Sire Stakes Program only if the breeding occurred on a farm in New Jersey.

(b) A foal conceived by semen, which has been frozen, or by embryo transplant, shall not be eligible for nomination to the New Jersey Sire Stakes Program. Provided, however, a foal which meets the criteria of (a) above, and which is the result of a breeding which occurs after January 1, 2006 through embryo/ovum transplant, shall be eligible to the New Jersey Sire Stakes if the following conditions have been met:

1. Prior to the embryo/ovum transplant, approval for the embryo/ovum transplant has been received from the Registrar of the United States Trotting Association;
2. only a donor mare's first born embryo/ovum transplant foal each year will be eligible for registration;
3. the donor mare is at least two years of age or older at the time of the embryo/ovum transplant;
4. all other registration requirements are met.

### **Condition #3 2:32-2.3**

#### **REQUIREMENTS FOR SIRE STAKES STALLIONS**

(a) A Sire Stakes stallion shall be a registered Standardbred stallion standing on a farm in New Jersey for breeding purposes in accordance with N.J.A.C. 2:32-2.4, and shall be owned by a resident of the State of New Jersey or leased by a resident of the State of New Jersey for a period of at least 10 years.

(b) A stallion must be registered with the Standardbred Breeders and Owners Association of New Jersey (SBOA-NJ) as a Sire Stakes stallion in order for his foal to be eligible to be nominated to the New Jersey Sire Stakes Program. Each Sire Stakes stallion shall be registered annually for a registration period beginning January 1 and ending December 31, which shall be referred to hereinafter as the "breeding season." In order for foals that are a result of the interstate shipment of fresh semen of a Sire Stakes stallion to be eligible for nomination to the Sire Stakes Program, the stallion of said foal must have been registered with the SBOA-NJ for participation in the interstate program.

(c) A dual hemisphere stallion is a stallion which stands in New Jersey from February 5 through July 31 and in the Southern Hemisphere from August 10 through February 1. The foals of a dual hemisphere stallion will be eligible for nomination to the Sire Stakes Program only if that stallion is registered with the SBOA-NJ both as a Sire Stakes Stallion and as a dual hemisphere stallion.

(d) Completed stallion registration application must be received by the SBOA-NJ at: SBOA-NJ, 64 Business Route 33, Manalapan, NJ 07728, not later than December 1 of the year prior to that in which the stallion is to stand. In addition, a Certificate of Good Health, completed by a licensed New Jersey veterinarian who examined the stallion between January 1 and January 21 of the current breeding season, shall be submitted to the SBOA-NJ, along with a copy of the EIA-AGID test chart, by February 15 of the breeding season. A Certificate of Good Health shall be submitted for each dual hemisphere stallion on or before March 15 of the current breeding season by a licensed New Jersey veterinarian who examined the stallion prior to its first breeding of the season, and not later than March 1 of the year the stallion is registered and standing.

(e) Provided that they meet all other eligibility requirements set forth in these rules, the foals of stallion registered in accordance with N.J.A.C. 2:32-2.3 shall be eligible to be nominated to the following:

1. Charles I. Smith Trotting Classic (Open and Filly Division);
2. Harold R. Dancer Memorial Trot (foals of participating stallions only) (Open and Filly Division);
3. Lou Babic Two-Year-Old Pace (Open and Filly Division);
4. Miss New Jersey Pacing Classic;
5. New Jersey Sired Races;
6. New Jersey Futurity;
7. New Jersey Pacing Classic;
8. New Jersey Sire Stakes;

9. New Jersey Yearling Show and
10. New Jersey Sired Overnight Events

**Condition #4 2:32-2.4**

**STALLIONS STANDING FULL SEASON**

- (a) In order to establish and maintain the eligibility of his foals for the Sire Stakes program, a stallion must be present on the farm in New Jersey on which he is registered to stand by January 1 for the year for which he is registered as a Sire Stakes stallion and shall stand on that farm for breeding purposes for the full breeding season. A Sire Stakes stallion which is registered as a dual hemisphere stallion must be present on the farm on which he is registered to stand by February 15 of the year of registration, and shall stand on that farm for breeding purposes for the remainder of the breeding season, except that the Sire Stakes Board of Trustees may grant permission allowing a dual hemisphere stallion to leave the farm after July 15 of the breeding season in order to return to the southern hemisphere.
  - (1) No Sire Stakes stallion shall be moved before the end of the breeding season from the farm on which he is registered to stand without the prior permission (excluding medical emergency) of the Sire Stakes Board of Trustees.
- (b) A stallion shall not race during a breeding season for which he is registered as a Sire Stakes stallion, except in accordance with special permission granted by the New Jersey Sire Stakes Board of Trustees. The Sire Stakes Board of Trustees may grant permission to compete in any stakes or invitational events only to a first year Sire Stakes stallion whose participation the Board of Trustees determines to be important to the betterment of the Sire Stakes Program. The granting of special permission to race pursuant to this section shall not relieve any stallion from the requirements of (a) or (b) above, except that any stallion granted such special permission shall not be required to be on the farm on which he is registered to stand until March 1 of the breeding season.

**In order to be eligible, any stallion granted special permission to continue racing may only breed or have semen collected on a farm within the boundaries of the State of New Jersey. Any semen collection of such a stallion must be supervised by a responsible party and then certified to in writing by a veterinarian licensed to practice in the State of New Jersey.**

**Any foals resulting from any from semen gathered outside the State of New Jersey shall be ineligible to be nominated to the New Jersey Sire Stakes Program.**

Stallions that are registered in any jurisdiction other than the State of New Jersey shall be automatically disqualified from participation in the New Jersey Sire Stake Program and any foals resulting from breedings to said stallions shall be ineligible to participate in the New Jersey Sire Stakes Program.

- (c) If a registered Sire Stakes stallion races or is moved during a breeding season without having obtained the prior permission of the Sire Stakes Board of Trustees, the foals of that stallion which were bred during that breeding season shall not be eligible for the Sire Stakes Program.
- (d) **Provided further that beginning with the 2010 breeding season and for foals of 2011 and thereafter, in the event that a stallion based in new Jersey shall die during a breeding season, a foal conceived by frozen semen of the deceased stallion shall be eligible for registration; however, no foal conceived by semen from that stallion in a year after said death shall be eligible for registration.**

**Condition #5 2:32-2.5**

**LIST OF MARES BRED**

The stallion owner must supply the New Jersey Standardbred Breeders and Owners Association, the New Jersey Sire Stakes, and the United States Trotting Association a list of mares bred on a form prescribed by the Sire Stakes Board of Trustees, identifying each mare that has been bred to said stallion including those mares that were bred via transported semen. This list is to be supplied on a weekly basis during the breeding season. A final list of mares bred is to be supplied by not later than September 15 of the breeding season and shall contain all breeding activity of said stallion for the entire breeding season, including those mares that were bred via transported semen.

**Condition #6 2:32-2.6**

**FUND POLICY**

- (a) After consideration of the Green Acres Division portion of the Sire Stakes purse money and special event money is made, the Premier Division of the Sire Stakes purse money will be allocated as determined by the Board of Trustees.
- (b) All Sire Stakes purse moneys, excluding fees, are to be divided as closely as possible to 40 percent to trotters and 60 percent to pacers. Beginning with foals nominated in 2006 and later, however, purses shall be divided as nearly as possible according to the proportion of all nominations received for a specific gait, either trotting or pacing, to the total number of yearling nominations received in a given year.

- (c) Advertised purse moneys for all New Jersey Sire Stakes, including contributions to special event races, are predicated upon the Pari-mutuel handle of New Jersey harness tracks and therefore are subject to change without notice. Starting fees may also be adjusted, but will never be more than originally advertised for the current season.
- (d) All horsemen's fees are to follow a horse by sex and gait and the fees are to remain in the respective pools.

**Condition #7 2:32-2.7**  
**TRANSFER OF RACE**

- (a) If for any reason it becomes impractical or undesirable, in the opinion of the New Jersey Sire Stakes Board of Trustees, to hold the race at the advertised track, the New Jersey Sire Stakes Board, while making every effort to adhere as closely as possible to the advertised location, fees, date, and purse, reserves the right to change any of the foregoing or to cancel the event.
- (b) Further, it shall not be the responsibility of the New Jersey Sire Stakes Board of Trustees to individually inform Sire Stakes nominators, agents, or trainers of any of the aforementioned changes.
- (c) However, the Board shall advertise or publicize changes in racing interest trade magazines such as the various Standardbred related magazines and/or newsletters, and suggests all program participants communicate with the New Jersey Sire Stakes office.

**Condition #8 2:32-2.9**  
**YEARLING NOMINATIONS**

- (a) All yearlings to be nominated to the Sire Stakes Program must be registered with the United States Trotting Association or any Standardbred Registry recognized by the United States Trotting Association and must hold a certificate of registration dated on or before the time of nomination.
1. Nominations of yearlings to the Premier and Green Acres Divisions shall be received along with the nomination fee payment, by this office of the New Jersey Sire Stakes, not later than May 15 of each yearling year or, if May 15 falls on a Saturday, Sunday or a holiday, on the next business day following that date. Nominations received after the closing date will not be accepted.
  2. The yearling nomination fee for the foals of mares resident or bred while in the State of New Jersey shall be \$50.00 provided that a copy of the United States Trotting Association certificate of registration or a certificate of registration from a Standardbred Registry body recognized by the United States Trotting Association accompanies the yearling nomination form. An additional \$25.00 processing fee shall be due if the copy of the United States Trotting Association certificate of registration or a certificate of registration from a Standardbred Registry body recognized by the United States Trotting Association is not submitted. The nomination fee for those yearlings otherwise meeting all Sire Stakes eligibility requirements of these rules, but which were foaled as a result of the interstate transportation of the fresh semen of a registered New Jersey stallion, shall be \$250.00 if accompanied by a certificate of registration or a copy of a certificate of registration from the United States Trotting Association or from a Standardbred Registry Body recognized by the United States Trotting Association. An additional \$25.00 processing fee shall be due if said certificate of registration is not submitted. Payment of the nomination fee covers nomination to both the Green Acres and Premier divisions. Thereafter, each division will have separate sustaining payments. Nomination payments are to be made to the New Jersey Sire Stakes, P.O. Box 330, Trenton, NJ 08625.
  3. The yearling nomination payment form will also provide for nomination to the Lou Babic Pace upon payment of an additional fee of \$25.00 for colts and \$15.00 for fillies, which is also due by May 15.
  4. Supplemental nominations may be made to the New Jersey Sire Stakes commencing with foals of 1991. Parties delinquent in paying the May 15 yearling nomination fee date are given until September 15 of the yearling year to fulfill the aforementioned conditions of nomination and pay the nomination fee along with an additional late fee of \$300.00. For nominations received after September 15 but on or before February 15 of the two-year-old year the cost will be **\$650.00** [**\$600.00**] in addition to the original nomination fee. An additional \$500.00 is required to supplement to the Lou Babic Open Pace or \$400.00 for the Lou Babic Filly division by February 15 of the two-year-old year.

**Condition #9 2:32-2.10**  
**SUSTAINING FEES**

The sustaining fee schedule will be as follows:

**PREMIER DIVISION**

<b>Age</b>	<b>First Sustaining Fee</b>	<b>Second Sustaining Fee</b>
2	\$ <u>300.00</u> [ <del>\$350.00</del> ] (Feb. 15)	\$ <u>500.00</u> [ <del>\$550.00</del> ] (Apr. 15)
3	\$ <u>300.00</u> [ <del>\$400.00</del> ] (Feb. 15)	\$ <u>500.00</u> [ <del>\$650.00</del> ] (Apr. 15)

**LOU BABIC MEMORIAL PACE**

<b>Age</b>	<b>Sustaining Fee</b>
2YO Open	\$700.00 (Mar. 15)
2YO Filly	\$400.00 (Mar. 15)

**GREEN ACRES DIVISION**

<b>Age</b>	<b>First Sustaining Fee</b>	<b>Second Sustaining Fee</b>
2	\$100.00 (Feb. 15)	\$150.00 (Apr. 15)
3	\$100.00 (Feb. 15)	\$150.00 (Apr. 15)

**Condition #10 2:32-2.11**

**PAYMENT DATES**

(a) In the Premier Divisions, the first sustaining payment on a two-or three-year-old must be made on or before February 15 of a year and the second sustaining payment on a two-or three year-old must be made on or before April 15 of a year in order to remain eligible in that year.

(b) In the Green Acres Division, the first sustaining payment on a two – or three-year-old must be made on or before February 15 of a year and the second sustaining payment on a two- or three-year-old must be made on or before April 15 of a year in order to remain eligible in that year.

In the event that the 15<sup>th</sup> day of the aforementioned months falls on a Saturday, Sunday, or Holiday, the payment must be postmarked on or before the next business day following the 15<sup>th</sup> of that month.

**Condition #11 2:32-2.12**

**ELIGIBILITY**

(a) In order for the Sire Stakes eligible two-year-old horses to remain eligible as three-year-old, their owners must have made the yearling nomination and the first two-year-old sustaining payment. This condition applies to both the Green Acres and Premier Divisions.

(b) A two-year-old which makes the nomination payment but fails to make the first sustaining payment in either the Green Acres or Premier Program may regain his eligibility for his three-year-old season 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. The horse will not be eligible to compete as a two-year-old in the program to which the payment was missed but will be able to compete as a three-year-old provided those payments are made in a timely fashion.

**Condition #12 2:32-2.13**

**DISHONORED CHECKS**

An individual whose check for a sustaining payment, nominating payment, or starting fee is dishonored by the bank will be turned over to the New Jersey Racing Commission for appropriate action and the horse or horses will be immediately declared ineligible for all future Sire Stakes events until the check is made good. A \$50 administrative fee must be paid for each dishonored check. After an individual has issued more than one dishonored check, all future payments must be made by certified check or money order.

**Condition #13 2:32-2.14**

**NO CASH OR PARTIAL PAYMENTS**

The New Jersey Sire Stakes Program will accept no cash payment on nominating and sustaining payments. All fees must be paid in U.S. Funds. No post-dated checks or partial payments on a nominating, sustaining, or entry fee will be accepted on individual horses.

**Condition #14 2:32-2.15**

**REFUNDS**

All requests for refunds on sustaining or nominating payments must be made by letter to the Board Secretary postmarked on or before the 15<sup>th</sup> of the month in which the payment is due. In the event that the 15<sup>th</sup> falls on a Saturday, Sunday, or Holiday, the due date will be the next business day following the 15<sup>th</sup>.

**Condition #15 2:32-2.16**

**TIME OF DECLARATION**

Starters declare in at the same time as in practice for overnight events at the raceway where Sire Stakes Races will be contested. Under no circumstances will late entries be accepted.

**Condition #16 2 :32-2.18**

**NAME CHANGE NOTIFICATION**

Owners, trainers, drivers, or their agents, or Stakes Services, shall notify the New Jersey Sire Stakes Program of a gait or name change of a horse by the time of declaration to a race, or the entry may not be accepted for that race. No sustaining payments shall be accepted on any unnamed horse.

**Condition #17 2:32-2.18**

**ENTRY FEE DEADLINES**

- (a) All Sire Stakes Race entry fees must be paid at the time of the race or the horse may not be allowed to start.
- (b) All New Jersey Sire Stakes horses entered and drawn to post positions are required to pay entry fees at the track. This entry fee is required even though a horse is scratched.
- (c) The entry fee must be paid or the horse will not be permitted to race in any Sire Stakes event until the fee is paid and collected.
- (d) The entry fee will not be refunded unless the horse dies between the time of declaration and the start of the race.
- (e) When an owner has outstanding debts owed to the New Jersey Sire Stakes, every horse owned in whole or part by that owner shall be subject to be declared ineligible by the Board of Trustees or its representative to be entered or to start in any New Jersey Sire Stakes Race until such time that debt is collected.

**Condition #18 2:32-2.20**

**ENTRY FEES**

Entry fees will be added to the basic purse in Green Acres and Premier series races. Entry fee will be:

<b>Premier Division</b>	<b>Green Acres Division</b>
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2 year olds \$500.00	2 year olds \$200.00
3 year olds \$600.00	3 year olds \$200.00

Entry fees for Premier Finals will be \$1,500.00 at The Meadowlands and \$1,000.00 at Freehold. Entry Fees for all Green Acres finals will be \$500.00

**Condition #19 2:32-2.21**

**PURSE DISTRIBUTION**

The purse will be distributed as follows:

50-25-12-8-5	if 5 starters or more
55-25-12-8	if only 4 starters
60-28-12	if only 3 starters
65-35	if only 2 starters
100	in case of walk over

**Condition #20 2:32-2.22**

**QUALIFYING STANDARDS**

All starters in the New Jersey Sire Stakes Premier Division and the New Jersey Sire Stakes Green Acres Division must meet all track qualifying standards at the track where the race is being contested and be eligible at time of entry.

**Condition #21 2:32-2.23**

**SPLITTING RACES**

Each race is to be a one mile dash; if it becomes necessary to split an event, the Board reserves the right to adopt one of the methods of division racing then current, including elimination dashes.

**Condition # 22 2:32-2.24**

**NUMBER OF STARTERS**

In all Sire Stakes races, the number of starters permitted in the first tier shall be at the discretion of the judges. No more than two trailers will be permitted in the second tier. However, no trailers shall be permitted in the races designated as finals.

**Condition # 23 2:32-2.26**

**SPLITTING AND CARRYING OVER DIVISIONS**

In the event a Sire Stakes event is split into divisions, such Sire Stakes event shall be divided and each division shall race for an equal share of the total purse. All Sire Stakes events shall be advertised added, divided. In the event that a Premier event splits into more than three divisions, one or more of the divisions in excess of three may be carried over to the following racing day.

**Condition #24 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 Green Acres series "Final" race in each Division for two- and three-year-olds.
- (b) Consolation races may be scheduled at the option of the track and shall be conducted under track rules. Horses eligible to race in the final events must race in the finals and not in the consolation events.
- (c) Each Premier Final will have a *[\$1,500.00 entry fee at The Meadowlands and a] \$1,000.00 fee [at Freehold]* and is open to the highest New Jersey Sire Stakes point winners in the series *[at the Meadowlands and Freehold]* that are declared in and can be drawn to a post position in the first tier. Each Green Acres Final will have a \$500 entry fee and is open to the highest New Jersey Sire Stakes Green 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 Stake Finals.
- (d) All horses competing in both the Premier and Green Acres 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:
  - (a) 50 points for a winning heat
  - (b) 25 points for placing second in a heat
  - (c) 12 points for placing third in a heat
  - (d) 8 points for placing fourth in a heat
  - (e) 5 points for placing fifth in a heat
  - (f) 4 point for placing sixth in a heat
  - (g) 3 points for placing seventh in a heat
  - (h) 2 points for placing eighth in a heat
  - (i) one point for placing ninth, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> in a heat
- (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, as in N.J.A.C.2:32-2.1.
- (f) In the event of a dead heat for any position in position in a New Jersey Sire Stakes race, the points shall be split evenly between the two horses as is currently done with the moneys.
- (g) In the event of a tie in point standings for Final events, money won in Sire Stakes races in which points were accumulated shall be used to break the tie.
- (h) In the event of a tie for the last spot in the top ten or top eight money winners for a Final event, the last spot in the Final will be drawn by lot from among the horses tied in both points and money winnings in the Sire Stakes and having the highest point totals and not already included in the Final.
- (i) Judges' "official order of finish" will be used in determining eligibility to Finals exclusive of all appeals yet to be decided at the time of closing of the entry box for Finals.
- (j) Total points accumulated towards Final Races eligibility in the Premier Division shall include only Premier Division points. Only Green Acres Division race points count toward the Green Acres Final eligibility.

**Condition #25 2:32-2.28**

**SEPARATE GREEN ACRES DIVISION**

A separate New Jersey Sire Stakes Green Acres Division, with a separate payment schedule, will be in force. At tracks where both Premier and Green Acres divisions are contested, horses starting in a specific numbered leg of a Premier division cannot race in the same numbered leg of the Green Acres division. Horses starting in a specific numbered leg of a Green Acres division cannot race in the same numbered leg of the Premier division. In the event that one division

has more legs than another division, competing in the final of a division shall disqualify the horse from competing in all subsequent legs and final of the other division.

**Condition #26 2:32-2.30**

**BROADCASTING REVENUES**

- (a) In the event the Sire Stakes Board receives revenues derived from the broadcast of Sire Stakes events, any incremental revenues derived from these broadcasts shall be exclusively used by the New Jersey Sire Stakes Program to supplement the purse of Sire Stakes races.
- (b) The nominator and/or owner of horses racing in Sire Stakes events expressly and irrevocably assigns to the New Jersey Sire Stakes the ownership rights of any broadcast revenues derived therefrom.

**Condition #27 2:32-2.32**

**APPEAL FROM DECISIONS OF SUPERVISING RACE SECRETARY**

When any decision is made by any person representing the Board of Trustees pursuant to the law of New Jersey or rules of the Board of Trustees, said decision may be appealed to the Board of Trustees and a hearing requested.

**Condition #28 2:32-2.32**

**RIGHT OF APPEAL**

- (a) Any person aggrieved by any action or inaction by the Board of Trustees, or its representatives, may request an informal meeting with the Board to settle any dispute, or seek clarification of the Board's rules and regulations. The board shall respond, in writing, to any such request stating the reasons for its determination.
- (b) If any dispute is required by law or regulation to be handled formally, or if a party is dissatisfied with any informal determination, or if the Board determines the matter contested, the matter shall be treated in accordance with the Administrative Ace (N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq.), and the regulations promulgated thereunder.
- (c)

**Condition #29 2:32-2.33**

**NATURE OF PROCEEDINGS**

All hearings before the Board of Trustees will be de novo proceedings and shall be accompanied by notice and an opportunity to be heard.

**Condition #30 2:32-2.34**

**APPEAL PROCEDURE**

In the event that an appeal is taken to the Board of Trustees, said appeal and one copy must be filed, in writing, at the office of the Board of Trustees within 20 days of the date of the receipt of the decision by the person representing the Board of Trustees.

**Condition #31 2:32-2.35**

**HEARING; COSTS**

The applicant shall be responsible for any costs incurred in connection with any hearing held pursuant to the right of appeal contained in this subchapter and the laws of the State of New Jersey.

**Condition #32 2:32-2.36**

**ACTING ON APPEALS**

The Board of Trustees shall act on all appeals in accordance with the laws of the State of New Jersey and the rules and regulations promulgated by the Board of Trustees.

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