

AMENDMENTS TO LB 1012

Introduced by General Affairs.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 2-1201, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 2-1201 (1) There hereby is created a State Racing
6 Commission.

7 (2) Until the effective date of this act, the commission
8 shall consist ~~consisting~~ of three members who shall be appointed
9 by the Governor and subject to confirmation by a majority of the
10 members elected to the Legislature and may be for cause removed by
11 the Governor. One member shall be appointed each year for a term
12 of three years. The members shall serve until their successors are
13 appointed and qualified.

14 (3) On and after the effective date of this act, the
15 commission shall consist of five members who shall be appointed
16 by the Governor and subject to confirmation by a majority of the
17 members elected to the Legislature and may be for cause removed by
18 the Governor. One member of the commission shall be appointed from
19 each congressional district, as such districts existed on January
20 1, 2010, and two members of the commission shall be appointed at
21 large for terms as follows:

22 (a) The member representing the second congressional
23 district who is appointed on or after April 1, 2010, shall serve

1 until March 31, 2014, and until his or her successor is appointed
2 and qualified. Thereafter the term of the member representing such
3 district shall be four years and until his or her successor is
4 appointed and qualified;

5 (b) The member representing the third congressional
6 district who is appointed on or after April 1, 2011, shall serve
7 until March 31, 2015, and until his or her successor is appointed
8 and qualified. Thereafter the term of the member representing such
9 district shall be four years and until his or her successor is
10 appointed and qualified;

11 (c) The member representing the first congressional
12 district who is appointed on or after April 1, 2012, shall serve
13 until March 31, 2016, and until his or her successor is appointed
14 and qualified. Thereafter the term of the member representing such
15 district shall be four years and until his or her successor is
16 appointed and qualified;

17 (d) Not later than sixty days after the effective date
18 of this act, the Governor shall appoint one at-large member who
19 shall serve until March 31, 2013, and until his or her successor is
20 appointed and qualified. Thereafter the term of such member shall
21 be four years and until his or her successor is appointed and
22 qualified; and

23 (e) Not later than sixty days after the effective date
24 of this act, the Governor shall appoint one at-large member who
25 shall serve until March 31, 2014, and until his or her successor is
26 appointed and qualified. Thereafter the term of such member shall
27 be four years and until his or her successor is appointed and

1 qualified.

2 (4) Not more than ~~two~~ three members of the commission
3 shall belong to the same political party, ~~+~~ no more than two of
4 the members shall reside, when appointed, in the same congressional
5 district, ~~+~~ and no more than two of the members shall reside
6 in any one county. Any vacancy shall be filled by appointment
7 by the Governor for the unexpired term. The members shall serve
8 without compensation, ~~7~~ but shall be reimbursed for their actual
9 expenses incurred in the performance of their duties as provided in
10 sections 81-1174 to 81-1177. ~~for state employees.~~ The members of
11 the commission shall be bonded or insured as required by section
12 11-201.

13 Sec. 2. Section 2-1219, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 2-1219 (1) No horse in which any ~~member~~ employee of the
16 State Racing Commission ~~or its employees~~ has any interest shall be
17 raced at any meet under the jurisdiction of the commission.

18 (2) When any matter comes before the commission that may
19 cause financial benefit or detriment to a member of the commission,
20 a member of his or her immediate family, or a business with which
21 the member is associated, which is distinguishable from the effects
22 of such matter on the public generally or a broad segment of the
23 public, such member shall take the following actions as soon as he
24 or she is aware of such potential conflict or should reasonably be
25 aware of such potential conflict, whichever is sooner:

26 (a) Prepare a written statement describing the matter
27 requiring action or decision and the nature of the potential

1 conflict;

2 (b) Deliver a copy of the statement to the secretary of
3 the commission; and

4 (c) Recuse himself or herself from taking any action or
5 making any decision relating to such matter in the discharge of his
6 or her official duties as a member of the commission.

7 ~~(2)~~ (3) No member employee of the State Racing Commission
8 ~~or its employees~~ shall have a pecuniary interest or engage in any
9 private employment in a profession or business which is regulated
10 by or interferes or conflicts with the performance or proper
11 discharge of the duties of the commission.

12 ~~(3)~~ (4) No member employee of the State Racing Commission
13 ~~or its employees~~ shall wager or cause a wager to be placed on
14 the outcome of any race at a race meeting which is under the
15 jurisdiction and supervision of the commission.

16 ~~(4)~~ (5) No member employee of the State Racing Commission
17 ~~or its employees~~ shall have a pecuniary interest or engage in
18 any private employment in a business which does business with any
19 racing association licensed by the commission or in any business
20 issued a concession operator license by the commission.

21 ~~(5)~~ (6) Any commission member or employee violating this
22 section shall forfeit his or her ~~office.~~ employment.

23 ~~(6)~~ (7) The commission shall include in its rules
24 and regulations prohibitions against actual or potential specific
25 conflicts of interest on the part of racing officials and other
26 individuals licensed by the commission.

27 Sec. 3. Original sections 2-1201 and 2-1219, Reissue

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- 1 Revised Statutes of Nebraska, are repealed.