

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIRST LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1012**

Introduced by Rogert, 16.

Read first time January 20, 2010

Committee: General Affairs

A BILL

1 FOR AN ACT relating to horseracing; to amend sections 2-1201 and  
2 2-1219, Reissue Revised Statutes of Nebraska; to change  
3 provisions relating to membership on the State Racing  
4 Commission, prohibited activities, and a penalty; and to  
5 repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

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

3           2-1201 (1) There hereby is created a State Racing  
4 Commission.

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

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

20           (a) The member representing the second congressional  
21 district who is appointed on or after April 1, 2010, shall serve  
22 until March 31, 2014, and until his or her successor is appointed  
23 and qualified. Thereafter the term of the member representing such  
24 district shall be four years and until his or her successor is  
25 appointed and qualified;

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

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

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

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

25           (4) Not more than ~~two~~ three members of the commission

1 shall belong to the same political party, ~~+~~ no more than two of  
 2 the members shall reside, when appointed, in the same congressional  
 3 district, ~~+~~ and no two of the members shall reside in any  
 4 one county. Any vacancy shall be filled by appointment by the  
 5 Governor for the unexpired term. The members shall serve without  
 6 compensation, ~~r~~ but shall be reimbursed for their actual expenses  
 7 incurred in the performance of their duties as provided in sections  
 8 81-1174 to 81-1177. ~~for state employees.~~ The members of the  
 9 commission shall be bonded or insured as required by section  
 10 11-201.

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

13           2-1219 (1) No horse in which any ~~member~~ employee of the  
 14 State Racing Commission ~~or its employees~~ has any interest shall be  
 15 raced at any meet under the jurisdiction of the commission.

16           (2) No ~~member~~ employee of the State Racing Commission ~~or~~  
 17 ~~its employees~~ shall have a pecuniary interest or engage in any  
 18 private employment in a profession or business which is regulated  
 19 by or interferes or conflicts with the performance or proper  
 20 discharge of the duties of the commission.

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

25           (4) No ~~member~~ employee of the State Racing Commission

1 ~~or its employees~~ shall have a pecuniary interest or engage in  
2 any private employment in a business which does business with any  
3 racing association licensed by the commission or in any business  
4 issued a concession operator license by the commission.

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

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

11 Sec. 3. Original sections 2-1201 and 2-1219, Reissue  
12 Revised Statutes of Nebraska, are repealed.