

LEGISLATIVE BILL 243

Approved by the Governor March 20, 2003

Introduced by Janssen, 15

AN ACT relating to the State Racing Commission; to amend section 2-1203, Revised Statutes Supplement, 2002; to change the disposition of fines; to delete obsolete language; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 2-1203, Revised Statutes Supplement, 2002, is amended to read:

2-1203. The State Racing Commission shall have power to prescribe and enforce rules and regulations governing horseraces and race meetings licensed as provided in sections 2-1201 to 2-1242. Such rules and regulations shall contain criteria to be used by the commission for decisions on approving and revoking track licenses and licenses for teleracing facilities and telephonic wagering and setting racing dates.

The commission may revoke or suspend licenses issued to racing industry participants and may, in lieu of or in addition to such suspension or revocation, impose a fine in an amount not to exceed one thousand dollars upon a finding that a rule or regulation has been violated by a licensed racing industry participant. The exact amount of the fine shall be proportional to the seriousness of the violation and the extent to which the licensee derived financial gain as a result of the violation. All fines collected under this section shall be remitted to the State Treasurer to be disposed of in accordance with Article VII, section 5, of the Constitution of Nebraska. ~~for credit to the permanent school fund. Any fund for alcohol and drug rehabilitation services for horseracing industry participants created under this section prior to September 1, 2001, shall terminate on September 1, 2001. Any money in such fund on September 1, 2001, shall be transferred to the permanent school fund on such date.~~

The commission may delegate to a board of stewards such of the commission's powers and duties as may be necessary to carry out and effectuate the purposes of sections 2-1201 to 2-1242. Any decision or action of such board of stewards may be appealed to the commission or reviewed by the commission on its own initiative.

Sec. 2. Original section 2-1203, Revised Statutes Supplement, 2002, is repealed.