

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 406

Introduced by General Affairs Committee: Holdcroft, 36, Chairperson;
Andersen, 49; Clouse, 37; DeKay, 40; Storm, 23.

Read first time January 17, 2025

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the State Racing and Gaming Commission; to
- 2 amend section 2-1201, Revised Statutes Cumulative Supplement, 2024;
- 3 to remove redundant language; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 2-1201, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 2-1201 (1) There hereby is created a State Racing and Gaming
4 Commission. For purposes of sections 2-1201 to 2-1229, commission means
5 the State Racing and Gaming Commission.

6 (2) The commission shall consist of seven members ~~who shall be~~
7 appointed by the Governor and subject to confirmation by a majority of
8 the members elected to the Legislature and may, after an opportunity to
9 be heard, be removed for cause by the Governor. A violation by a member
10 of the commission of section 2-1219 or any malfeasance, misfeasance, or
11 neglect in office shall be considered cause for removal. No person shall
12 be appointed to the commission, or continue to hold that office after
13 appointment, while holding any other office or position under the laws of
14 this state, any other state, or the United States. One member of the
15 commission shall be appointed from each congressional district, as such
16 districts existed on January 1, 2010, and four members of the commission
17 shall be appointed at large for terms as follows:

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

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

28 (c) The member representing the first congressional district who is
29 appointed on or after April 1, 2012, shall serve until March 31, 2016,
30 and until his or her successor is appointed and qualified. Thereafter the
31 term of the member representing such district shall be four years and

1 until his or her successor is appointed and qualified;

2 (d) Not later than sixty days after July 15, 2010, the Governor
3 shall appoint one at-large member who shall serve until March 31, 2013,
4 and until his or her successor is appointed and qualified. Thereafter the
5 term of such member shall be four years and until his or her successor is
6 appointed and qualified;

7 (e) Not later than sixty days after July 15, 2010, the Governor
8 shall appoint one at-large member who shall serve until March 31, 2014,
9 and until his or her successor is appointed and qualified. Thereafter the
10 term of such member shall be four years and until his or her successor is
11 appointed and qualified; and

12 (f) Not later than sixty days after May 26, 2021, the Governor shall
13 appoint two additional at-large members who shall serve until March 31,
14 2025, and until their successors are appointed and qualified. One of such
15 members shall have experience in the Nebraska gaming industry, and one
16 shall have experience in the Nebraska horseracing industry. Thereafter
17 the terms of such at-large members shall be four years and until their
18 successors are appointed and qualified.

19 (3) Not more than four members of the commission shall belong to the
20 same political party. No more than three of the members shall reside,
21 when appointed, in the same congressional district. No more than two of
22 the members shall reside in any one county. Any vacancy shall be filled
23 by appointment by the Governor for the unexpired term. The compensation
24 of the members of the commission shall be one thousand dollars per month,
25 which may be adjusted every two years in an amount not to exceed the
26 change in the Consumer Price Index for Urban Wage Earners and Clerical
27 Workers for the period between June 30 of the first year to June 30 of
28 the year of adjustment. The members shall be reimbursed for expenses
29 incurred in the performance of their duties as provided in sections
30 81-1174 to 81-1177. The members of the commission shall be bonded or
31 insured as required by section 11-201.

1 (4) No member shall have any personal financial interest in any
2 licensed racetrack enclosure or authorized gaming operator as defined in
3 the Nebraska Racetrack Gaming Act for the duration of the member's term.

4 **Sec. 2.** Original section 2-1201, Revised Statutes Cumulative
5 Supplement, 2024, is repealed.