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LB 200

SENATOR HALL: Yes.

SPEAKER BAACK: Senator Hall.

SENATOR HALL: Always.

SENATOR SMITH: In just looking at this and thinking about it a little bit and discussing it with the committee counsel, the question is raised that these people are not, themselves, licensed in Nebraska. And I'm informed that under due process there has to be some form of basis for requiring, for instance, the fingerprinting of licensee's and the basis, in this case, is that they are licensed and the license precludes anyone unlicensed from engaging in the activity for which they have been licensed. I'm just raising that as a question at this point in time.

SENATOR HALL: Okay. All right.

SENATOR SMITH: And do you have a concern about that?

SENATOR HALL: I do not, Senator Smith, because in this state we license race tracks. And these are the individuals that stand behind those licenses that we sanction, that the commission sanctions for that track. In other words, we don't grant the license to the real property that is out there, we grant it to the, for example, the Board of Governors at Ak-Sar-Ben who operate the track and then we list whoever the Executive Director might be there, and their staff, Don Drew, for example, at Ak-Sar-Ben. Those are the people that, I think, fall under the issue of licensing the track and I recognize the question that the counsel raises and it's a good one. But I think they're covered there because we do grant licenses for tracks and if there weren't individuals that stood behind those, then I guess it would be a different story. But, in this case, those are the individuals who make that decision and those are the ones who decide on many of the issues with regard to operation, if not all, of the track and I think that it is appropriate that we know that there are no past felons in those areas as well.

SENATOR SMITH: Thank you, Senator Hall. I wanted to have this in the record because this was a question that was brought and so I think that we just wanted to have this discussion. And I am going to add that at least on two occasions, in my memory without checking the record, I do remember, and I mentioned that