

LEGISLATIVE BILL 200

Approved by the Governor May 31, 1991

Introduced by Smith, 33; R. Johnson, 34; Will, 8;
Rogers, 41; Hartnett, 45; Cudaback, 36;
Rasmussen, 20

AN ACT relating to horseracing; to amend section 2-1203, Reissue Revised Statutes of Nebraska, 1943; to provide for revocation and suspension of licenses and imposition of fines; to require fingerprinting and criminal history record information checks as prescribed; and to repeal the original section.

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

Section 1. That section 2-1203, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1203. The ~~commission~~ State Racing Commission shall have power to prescribe and enforce rules and regulations governing horseraces and race meetings; licensed as ~~hereinafter~~ provided in sections 2-1201 to 2-1229 and section 2 of this act. Such rules and regulations shall contain criteria to be used by the commission for decisions on approving and revoking track licenses 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. 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 such sections, 2-1201 to 2-1219. 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. Any person applying for or holding a license to participate in or be employed at a horserace meeting licensed by the State Racing Commission shall be subject to fingerprinting and a check of his or her criminal history record information maintained by the

Identification Division of the Federal Bureau of Investigation for the purpose of determining whether the commission has a basis to deny the license application or to suspend, cancel, or revoke the person's license, except that the commission shall not require a person to be fingerprinted if such person has been previously fingerprinted in connection with a license application in this state or any other state within the last five years prior to the application for such license. Any person involved in the administration or management of a racetrack, including the governing body, shall be subject to fingerprinting and a check of his or her criminal history record information maintained by the Identification Division of the Federal Bureau of Investigation. The applicant, licensee, or person involved in the administration or management of a racetrack shall pay the actual cost of any fingerprinting or check of his or her criminal history record information. The requirements of this section shall not apply to employees of food or drink concessions who do not work in restricted-access areas and admissions employees whose duties involve only admissions ticket sales and verification or parking receipts sales and verification.

Sec. 3. That original section 2-1203, Reissue Revised Statutes of Nebraska, 1943, is repealed.