

**SENATE BILL NO. 2214
with House Amendments
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Introduced by

Senators Dwyer, Bakke, Heitkamp

Representatives Heinert, Klemin

1 A BILL for an Act to amend and reenact subsection 6 of section 53-06.2-01, section 53-06.2-03,
2 subsection 3 of section 53-06.2-07, and section 53-06.2-15 of the North Dakota Century Code,
3 relating to the executive director of the North Dakota racing commission; and to declare an
4 emergency.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 6 of section 53-06.2-01 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 6. "~~Director~~Executive director" means the executive director of the commission.

9 **SECTION 2. AMENDMENT.** Section 53-06.2-03 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **53-06.2-03. ~~Director~~Executive director of racing - Appointment - Qualifications -**
12 **Salary - Duties - Other personnel.**

13 1. The commission shall appoint ~~a~~an executive director of racing. The commission shall
14 establish the executive director's qualifications and salary.

15 2. The executive director shall devote such time to the duties of the office as the
16 commission may prescribe. The executive director is the executive officer of the
17 commission and shall enforce the rules and orders of the commission. The executive
18 director shall perform other duties the commission prescribes.

19 3. The executive director may employ other persons as authorized by the commission.

20 **SECTION 3. AMENDMENT.** Subsection 3 of section 53-06.2-07 of the North Dakota
21 Century Code is amended and reenacted as follows:

22 3. At least thirty days before the commission issues or renews a license to conduct
23 races, the applicant shall deliver a complete copy of the application to the local
24 jurisdiction governing body. The application to the commission must include a

1 certificate verified by a representative of the applicant, indicating delivery of the
2 application copy to the governing body. If the governing body of the local jurisdiction
3 adopts a resolution disapproving the application for license or renewal and so informs
4 the executive director within thirty days of receiving a copy of the application, the
5 license to conduct races may not be issued or renewed.

6 **SECTION 4. AMENDMENT.** Section 53-06.2-15 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **53-06.2-15. Revocation, suspension, fine - Procedure.**

9 The commission, on proof of violation by a licensee, its agents or employees, of this chapter
10 or any rule adopted by the commission may, on reasonable notice to the licensee and after
11 giving the licensee an opportunity to be heard, fine the licensee or revoke or suspend the
12 license. If the license is revoked, the licensee is not eligible to receive another license within
13 twelve months from the date of revocation. Every decision or order of the commission must be
14 made in writing and filed with the executive director for preservation as a permanent record of
15 the commission. The decision must be signed by the chairman, attested by the executive
16 director, and dated.

17 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.