

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2214
(Senators Dwyer, Bakke, Heitkamp)
(Representatives Heinert, Klemin)

AN ACT to amend and reenact subsection 6 of section 53-06.2-01, section 53-06.2-03, subsection 3 of section 53-06.2-07, and section 53-06.2-15 of the North Dakota Century Code, relating to the executive director of the North Dakota racing commission; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

1. The commission shall appoint ~~an~~ executive director of racing. The commission shall establish the executive director's qualifications and salary.
2. The executive director shall devote such time to the duties of the office as the commission may prescribe. The executive director is the executive officer of the commission and shall enforce the rules and orders of the commission. The executive director shall perform other duties the commission prescribes.
3. The executive director may employ other persons as authorized by the commission.

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

3. At least thirty days before the commission issues or renews a license to conduct races, the applicant shall deliver a complete copy of the application to the local jurisdiction governing body. The application to the commission must include a certificate verified by a representative of the applicant, indicating delivery of the application copy to the governing body. If the governing body of the local jurisdiction adopts a resolution disapproving the application for license or renewal and so informs the executive director within thirty days of receiving a copy of the application, the license to conduct races may not be issued or renewed.

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

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

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

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

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2214 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 39 Nays 8 Absent 0

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 90 Nays 2 Absent 1

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State