

SENATE BILL NO. 242

2 INTRODUCED BY Hag

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE BOARD OF
5 HORSERACING; REQUIRING THAT THE GOVERNOR MAKE IMMEDIATE APPOINTMENTS TO IMPLEMENT
6 THE REVISIONS; AMENDING SECTION 2-15-1881, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
7 DATE."

8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10

Section 1. Section 2-15-1881, MCA, is amended to read:

12

"2-15-1881. Board of horseracing. (1) There is a board of horseracing.

17 (b) Two board members must be in the horseracing industry. The other three members may not
18 be in the horseracing industry.

19 (c) No A member of the board may not wager at any licensed racing meet in this state.

20 (3) The governor may not appoint any member who would have a conflict of interest during his
21 the member's term of appointment. The governor shall appoint, on the basis of experience and
22 qualifications, one member from each of the following districts:

23 (a) first district, consisting of Blaine, Carter, Custer, Daniels, Dawson, Fallon, Garfield, McCone,
24 Phillips, Powder River, Prairie, Richland, Rosebud, Roosevelt, Sheridan, Treasure, Valley, and Wibaux
25 Counties:

(b) second district, consisting of Big Horn, Carbon, Fergus, Golden Valley, Judith Basin, Musselshell, Petroleum, Sweet Grass, Stillwater, Wheatland, and Yellowstone Counties;

(c) third district, consisting of Cascade, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties:

30 (d) fourth district, consisting of Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Lewis

1 and Clark, Madison, Meagher, Park, and Silver Bow Counties; and

2 (e) fifth district, consisting of Flathead, Granite, Lake, Lincoln, Missoula, Mineral, Powell, Ravalli,
3 and Sanders Counties.

4 (4) Each member shall serve for a ~~staggered~~ term of 3 years. The terms of the members must be
5 staggered. A member may be removed from office by the governor only for cause.

6 (5) A board member may ~~succeed himself upon reappointment~~ be reappointed by the governor. A
7 vacancy on the board must be filled for the unexpired term by appointment by the governor, with the
8 consent of the senate, as provided in this section.

9 (6) The board is allocated to the department for administrative purposes only as prescribed in
10 2-15-121."

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12 **NEW SECTION. Section 2. Transition -- new appointments.** To provide for an orderly transition
13 to the new board membership, the governor shall replace present board members by immediately appointing
14 new members who are in compliance with the new board membership requirements. The new members
15 shall serve the remainder of the existing terms to provide for the staggered terms required under
16 2-15-1881(4).

17

18 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

19

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0242, as amended

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising the membership of the Board of Horseracing; requiring that the Governor make immediate appointments to implement the revisions; and providing an immediate effective date.

ASSUMPTIONS:

1. The bill has been amended to increase the size of the Board of Horseracing from five to seven.
2. The board anticipates meeting eight times during each fiscal year. Of the eight meetings, four are scheduled as two-day meetings and the balance will be one-day meetings.
3. In addition to the per diem and travel costs for the two new board positions, there will be increased operational costs.

FISCAL IMPACT:

	FY96 Difference	FY97 Difference
<u>Expenditures:</u>		
Personal Services	1,200	1,200
Operating Expenses	3,992	3,992
Total	5,192	5,192
Horse Racing SSR (02)	5,192	5,192
<u>Net Impact:</u>	(5,192)	(5,192)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

The Board of Horse Racing will have to increase fees on local race tracks and licensees to offset the increased expenditures.

Dave Lewis 2-13-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Delwyn Gage 2-13-95
DELWYN GAGE, PRIMARY SPONSOR DATE

Fiscal Note for SB0242, as amended

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16 ~~of a racehorse is eligible for membership on the board~~

17 (b) Two board members must be in the horseracing industry. The other ~~three~~ FIVE members may
18 not be in the horseracing industry.

19 (c) ~~No~~ A member of the board may not wager at any licensed racing meet in this state.

20 (3) The EXCEPT FOR MEMBERS APPOINTED PURSUANT TO SUBSECTION (2)(B), THE governor
21 may not appoint any member who would have a conflict of interest during ~~his~~ the member's term of
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8 vacancy on the board must be filled for the unexpired term by appointment by the governor, with the
9 consent of the senate, as provided in this section.

10 (6) The board is allocated to the department for administrative purposes only as prescribed in
11 2-15-121."

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14 to the new board membership, the governor shall replace present board members by immediately appointing
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HOUSE STANDING COMMITTEE REPORT

March 7, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Business and Labor report that Senate Bill 242 (third reading copy -- blue) be concurred in as amended.

Signed: 

Bruce Simon, Chair

Carried by: Rep. Tuss

And, that such amendments read:

1. Page 1, line 17.

Following: "industry"

Insert: "and may not represent the same district as described in subsection (3)"

-END-

SB 242

Committee Vote:
Yes 16, No 2

HOUSE

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