

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1316

Page 1, line 1, after "to" insert "create and enact a new section to chapter 4-01 and a new subsection to section 53-06.2-04 of the North Dakota Century Code, relating to the duty of the agriculture commissioner to promote horse racing and to the duties of the racing commission;"; after "sections" insert "53-06.2-01,"; and after "53-06.2-02" insert a comma

Page 1, after line 5, insert:

"SECTION 1. A new section to chapter 4-01 of the North Dakota Century Code is created and enacted as follows:

Agriculture commissioner to promote racing. In accordance with chapter 53-06.2, the agriculture commissioner shall administer the breeders' fund, the purse fund, and the racing promotion fund and shall provide for the promotion of horse racing under that chapter.

SECTION 2. AMENDMENT. Section 53-06.2-01 of the North Dakota Century Code is amended and reenacted as follows:

53-06.2-01. Definitions. As used in this chapter:

1. "Breeder's fund" means a fund, administered by the ~~commission~~ agriculture commissioner, established to financially reward breeders or owners of North Dakota-bred horses to be paid in accordance with rules as approved by the ~~commission~~ agriculture commissioner.
2. "Certificate system" means the system of betting described in section 53-06.2-10.
3. "Charitable organization" means a nonprofit organization operated for the relief of poverty, distress, or other conditions of public concern in this state and has been so engaged in this state for at least two years.
4. "Civic and service club" means a branch, lodge, or chapter of a nonprofit national or state organization that is authorized by its written constitution, charter, articles of incorporation, or bylaws to engage in a civic or service purpose in this state and has so existed in this state for at least two years. The term includes a similar local nonprofit organization, not affiliated with a state or national organization, which is so recognized by a resolution adopted by the governing body of the local jurisdiction in which the organization conducts its principal activities, and which has existed in this state for at least two years.
5. "Commission" means the North Dakota racing commission.
6. "Director" means the director of the commission.
7. "Fraternal organization" means a nonprofit organization in this state, which is a branch, lodge, or chapter of a national or state organization and exists for the common business, brotherhood, or other interests of its members, and has so existed in this state for two years. The term does not include a college or high school fraternity.

8. "Local jurisdiction" means, with respect to a site inside the city limits of a city, that city, and with respect to a site not inside the city limits of a city, the county in which the site is located.
9. "Other public-spirited organization" means a nonprofit organization recognized by the governing body of the appropriate local jurisdiction by resolution as public-spirited and eligible under this chapter.
10. "Purse fund" means a fund, administered by the ~~commission~~ agriculture commissioner, established to supplement and improve purses offered at racetracks within the state.
11. "Racing" means live or simulcast horse racing under the certificate system or simulcast dog racing under the certificate system.
12. "Racing promotion fund" means a fund administered by the ~~commission~~ agriculture commissioner established to assist in improving and upgrading racetracks in the state; and promoting horse racing in the state; ~~and developing new racetracks in the state as necessary and approved by the commission.~~
13. "Religious organization" means a nonprofit organization, church, body of communicants, or group gathered in common membership for mutual support and edification in piety, worship, and religious observances, and which has been so gathered or united in this state for at least two years.
14. "Veterans' organization" means a congressionally chartered organization in this state, or a branch, lodge, or chapter of a nonprofit national or state organization in this state, the membership of which consists of individuals who were members of the armed services or forces of the United States, and which has so been in existence in this state for at least two years."

Page 1, line 12, remove " , except with regard to the commission's authority to spend the"

Page 1, line 13, remove "funds described in subsection 6 of section 53-06.2-11"

Page 3, after line 5, insert:

"SECTION 5. A new subsection to section 53-06.2-04 of the North Dakota Century Code is created and enacted as follows:

Advise the attorney general on policy and general operation of racing under this chapter."

Page 3, line 12, overstrike "commission" and insert immediately thereafter "agriculture commissioner"

Page 3, line 15, overstrike the first "commission" and insert immediately thereafter "agriculture commissioner" and overstrike the second "commission" and insert immediately thereafter "agriculture commissioner"

Page 3, line 16, overstrike "commission" and insert immediately thereafter "agriculture commissioner"

Page 3, line 18, overstrike "commission" and insert immediately thereafter "agriculture commissioner"

Page 3, line 20, overstrike "The commission, upon approval of the"

Page 3, line 21, remove "attorney general" and overstrike ", may receive no more than twenty-five percent of the racing"

Page 3, overstrike line 22

Renumber accordingly