

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB823

Hearing Date: Friday February 05, 2016
Committee On: Government, Military and Veterans Affairs
Introducer: Larson
One Liner: Change powers and duties of the State Athletic Commissioner and provide administrative fine authority as prescribed

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Bloomfield, Craighead, Garrett, Groene, Hansen, Larson, McCoy, Murante

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

Senator Tyson Larson
Aaron Hendry

Representing:

Introducer
Nebraska Athletic Commission

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 823 amends section 81-8,139 to grant the State Athletic Commissioner the power to fine an individual that violates section 1(2) of the act up to \$1,000.

Section 1(2) is created to grant the State Athletic Commission rulemaking authority to create a list of substances that are banned from use in amateur and professional sports contests in the State of Nebraska.

Section 1(3) grants the State Athletic Commissioner the authority to suspend an individual that violates section 1(2) from sports contests for up to one year. It also grants the commissioner the authority to fine a professional contestant either up to \$1,500 or 40% of the prize money for the event in question, whichever is greater. For a second offense of section 1(2), the commissioner may suspend an amateur contestant from sports contests for up to three years and fine a professional contestant up to \$3,000, or 70% of the prize money for the event in question, whichever is greater. For a third offense, the commissioner is given the authority to ban an amateur from sports contests for life, and to fine a professional up to \$5,000, or 100% of the prize money for the event in question, whichever is greater. This section also clarifies that refusing a test for such substances is treated as an offense under the act.

Section 1(4) grants any individual accused of a violation of subsection 2 a right to an administrative hearing.

Section 1(5) directs the commissioner to remit any fines collected under this provision to the State Treasurer, in accordance with Article VII, section 5 of the Constitution of Nebraska.

John Murante, Chairperson