

Superseded 5/10/2016

4-38-3 Utah Horse Racing Commission.

- (1)
 - (a) There is created within the Department the Utah Horse Racing Commission.
 - (b)
 - (i) The commission shall consist of five members who shall be U.S. citizens, Utah residents, and qualified voters of Utah.
 - (ii) Each member shall have an interest in horse racing.
 - (c)
 - (i) The governor shall appoint the members of the commission.
 - (ii) The governor shall appoint commission members from a list of nominees submitted by the commissioner of agriculture and food.
 - (d)
 - (i) The members of the commission shall be appointed to four-year terms.
 - (ii) A commission member may not serve more than two consecutive terms.
 - (e) Each member shall hold office until his or her successor is appointed and qualified.
 - (f) Vacancies on the commission shall be filled by appointment by the governor for the unexpired term.
 - (g)
 - (i) A member may be removed from office by the governor for cause after a public hearing.
 - (ii) Notice of the hearing shall fix the time and place of the hearing and shall specify the charges.
 - (iii) Copies of the notice of the hearing shall be served on the member by mailing it to the member at his last known address at least 10 days before the date fixed for the hearing.
 - (iv) The governor may designate a hearing officer to preside over the hearing and report his findings to the governor.
- (2)
 - (a) The members of the commission shall annually elect a commission chair.
 - (b) Three members of the commission shall constitute a quorum for the transaction of any business of the commission.
- (3) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (4) All claims and expenditures made under this chapter shall be first audited and passed upon by the commission and when approved shall be paid in the manner provided by law for payment of claims against the state.
- (5) Any member of the commission who has a personal or private interest in any matter proposed or pending before the commission shall publicly disclose this fact to the commission and may not vote on the matter.
- (6) Any member of the commission who owns or who has any interest or whose spouse or member of his immediate family has any interest in a horse participating in a race shall disclose that interest and may not participate in any commission decision involving that race.