

FILED MAR 2 1988

Reprinted 3/88

SENATE FILE **2263**  
BY COMMITTEE ON AGRICULTURE  
*Approved (p. 533)*

Passed Senate, Date 3/14/88 (p. 783) Passed House, Date 4/16/88 (PC126)  
Vote: Ayes 29 Nays 17 Vote: Ayes 52 Nays 41  
Approved 5/2/1988  
*Motion to reconsider (p. 747)*

**A BILL FOR**

5299 1 An Act relating to horse and dog racing by allowing the  
2 application of cold with ice, cold packs, or similar  
3 treatments to the limbs of a horse or a dog prior to the start  
4 of a race and by allowing the use of certain drugs on racing  
5 horses under rules adopted by the state racing commission.

5520 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2263

1 Section 1. Section 99D.7, Code 1987, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 20. To regulate the administering of the  
4 drugs lasix and phenylbutazone to horses.

5 Sec. 2. Section 99D.25, subsection 1, paragraphs a and b,  
6 Code 1987, are amended to read as follows:

7 a. "Drugging" means administering to a horse or dog any  
8 substance, foreign to the natural horse or dog prior to the  
9 start of a race. However, "drugging" does not include  
10 administering to a horse the drugs lasix and phenylbutazone in  
11 accordance with rules adopted by the commission.

12 b. "Numbing" means ~~the-applying-of-ice-dry-ice-a-cold~~  
13 ~~pack-or-a-chemical-or-mechanical-freezing-device-to-the-limbs~~  
14 ~~of-a-horse-or-dog-within-ten-hours-before-the-start-of-a-race,~~  
15 or a surgical or other procedure which was, at any time,  
16 performed in which the nerves of a horse or dog were severed,  
17 destroyed, or removed.

18 EXPLANATION

19 The bill allows the administering of the drugs lasix and  
20 phenylbutazone to horses if done in accordance with rules  
21 adopted by the state racing commission. The bill also allows  
22 the application of cold with ice, cold packs, or similar  
23 treatments to the limbs of a horse or dog prior to the start  
24 of a race.

25 SUCCESSOR TO LSB 8301SC

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SENATE FILE 2263

S-5304

1 Amend Senate File 2263 as follows:  
2 1. Page 1, by inserting after line 17 the  
3 following:  
4 "Sec. 3. This Act, being deemed of immediate  
5 importance, takes effect upon enactment."  
6 2. Title page, line 5, by inserting after the  
7 word "commission" the following: ", and providing an  
8 effective date".

S-5304

Filed March 10, 1988

BY BERL E. PRIEBE

*Adopted 5/14 (4/88)*

SENATE FILE 2263

S-5348

1 Amend Senate File 2263 as follows:  
2 1. Page 1, by striking lines 1 through 11 and  
3 inserting the following:  
4 "Section 1. Section 99D.25, subsection 1,  
5 paragraph b, Code 1987, is amended to read as  
6 follows:"

S-5348

Filed March 14, 1988

LOST

BY WILLIAM W. DIELEMAN

*Part 2 of Sp. 182?  
Return to Recorder's Office (Sp. 183)*

SENATE 2  
MARCH 11, 1988

SENATE FILE 2263

S-5299

- 1 Amend Senate File 2263 as follows:
- 2 1. Page 1, lines 5 and 6, by striking the words
- 3 "paragraphs a and b, Code 1987, are" and inserting the
- 4 following: "paragraph a, Code 1987, is".
- 5 2. Page 1, by striking lines 12 through 17.
- 6 3. Title, by striking lines 2 through 4, and
- 7 inserting the following: "use of certain drugs on
- 8 racing".

S-5299

Filed March 10, 1988

BY WILLIAM DIELEMAN

*Lois 3/14 (p. 782)*

SENATE FILE 2263

S-5301

- 1 Amend Senate File 2263 as follows:
- 2 1. Page 1, line 2, by striking the word
- 3 "subsection" and inserting the following:
- 4 "subsections".
- 5 2. Page 1, by inserting after line 4 the
- 6 following:
- 7 "NEW SUBSECTION. 21. To require licensees to
- 8 indicate in their racing programs those horses to
- 9 which the drugs lasix or phenylbutazone were
- 10 administered within ten days before the race or to
- 11 which the drugs are to be administered before the
- 12 race." *A O O*

S-5301

Filed March 10, 1988

BY RICHARD VARN

*Accepted 3/10 (p. 782)*

SENATE FILE 2263

S-5300

- 1 Amend Senate File 2263 as follows:
- 2 1. By striking the enacting clause.

S-5300

Filed March 10, 1988

BY WILLIAM DIELEMAN

*Lois 3/14 (p. 781)*

Handwritten notes at top left: "Handwritten date 3/15" and "Amended per 5941/12 to June 3/25 (p. 1129)"

SENATE FILE 2263  
BY COMMITTEE ON AGRICULTURE

(AS AMENDED AND PASSED BY THE SENATE MARCH 14, 1988)

\_\_\_\_\_ - New Language by the Senate

Passed Senate, Date 4/17/88 (p. 1773) Passed House, Date 4/16/88 (p. 2126)  
Vote: Ayes 22 Nays 5 Vote: Ayes 52 Nays 41  
Approved May 2, 1988

A BILL FOR

1 An Act relating to horse and dog racing by allowing the  
2 application of cold with ice, cold packs, or similar  
3 treatments to the limbs of a horse or a dog prior to the start  
4 of a race and by allowing the use of certain drugs on racing  
5 horses under rules adopted by the state racing commission, and  
6 providing an effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2263

1 Section 1. Section 99D.7, Code 1987, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 20. To regulate the administering of the  
4 drugs lasix and phenyibutazone to horses.

5 NEW SUBSECTION. 21. To require licensees to indicate in  
6 their racing programs those horses to which the drugs lasix or  
7 phenylbutazone were administered within ten days before the  
8 race or to which the drugs are to be administered before the  
9 race.

10 Sec. 2. Section 99D.25, subsection 1, paragraphs a and b,  
11 Code 1987, are amended to read as follows:

12 a. "Drugging" means administering to a horse or dog any  
13 substance, foreign to the natural horse or dog prior to the  
14 start of a race. However, "drugging" does not include  
15 administering to a horse the drugs lasix and phenylbutazone in  
16 accordance with rules adopted by the commission.

17 b. "Numbing" means ~~the-applying-of-ice, dry-ice, a-cold~~  
18 ~~pack, or a-chemical-or-mechanical-freezing-device-to-the-limbs~~  
19 ~~of-a-horse-or-dog-within-ten-hours-before-the-start-of-a-race,~~  
20 or a surgical or other procedure which was, at any time,  
21 performed in which the nerves of a horse or dog were severed,  
22 destroyed, or removed.

23 Sec. 3. This Act, being deemed of immediate importance,  
24 takes effect upon enactment.

SUCCESSOR TO LSB 8301SC

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## SENATE FILE 2263

H-5950

- 1 Amend Senate File 2263 as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by inserting after line 9 the  
 4 following:  
 5 "Sec. \_\_\_\_ . Section 99D.12, Code 1987, is amended  
 6 by adding the following new unnumbered paragraph:  
 7 NEW UNNUMBERED PARAGRAPH. Purse supplements shall  
 8 be distributed to the breeders of Iowa-foaled horses  
 9 in the manner described in section 99D.22, by the  
 10 racetrack licensee, during the race meet in which the  
 11 supplements are earned. Not more than five percent of  
 12 the purse supplements shall be carried over."  
 13 2. By renumbering as necessary.

By BLACK of Jasper

H-5950 FILED MARCH 28, 1988

*w/r 4/15 (p. 2023)*

## SENATE FILE 2263

H-6051

- 1 Amend amendment, H-5941 to Senate File 2263 as  
 2 amended, passed, and reprinted by the Senate as  
 3 follows:  
 4 1. Page 1, by striking lines 6 and 7 and  
 5 inserting the following:  
 6 "\_\_\_\_ . Page 1, by striking lines 14 through 16 and  
 7 inserting the following: "start of a race. Drugging  
 8 includes administering to a horse the drugs lasix and  
 9 phenylbutazone."  
 10 2. Page 1, by striking lines 15 through 39.

H-6051 FILED MARCH 30, 1988 BY GARMAN of Story

*Done 4/15 (p. 1999)*

## SENATE FILE 2263

H-6055

- 1 Amend Senate File 2263, as amended, passed, and re-  
 2 printed by the Senate, as follows:  
 3 1. Page 1, by inserting before line 1 the  
 4 following:  
 5 "Section 1. Section 99D.5, subsection 1, Code  
 6 1987, is amended to read as follows:  
 7 1. A state racing commission is created within the  
 8 department of commerce consisting of five seven  
 9 members, one of whom shall be an active member of the  
 10 humane society for the prevention of cruelty to  
 11 animals, who shall be appointed by the governor  
 12 subject to confirmation by the senate, and who shall  
 13 serve not to exceed a three-year term at the pleasure  
 14 of the governor. The term of each member shall begin  
 15 and end as provided in section 69.19."  
 2. By renumbering as necessary.

H-6055 FILED MARCH 30, 1988 BY GARMAN of Story

*But not germane 4/15 (p. 2023)*

SENATE FILE 2263

H-5941

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 2 through 4 and  
4 inserting the following: "the following new  
5 subsection:".

6 2. Page 1, by striking line 16 and inserting the  
7 following: "accordance with this section."

8 3. Page 1, by striking lines 17 through 20 and  
9 inserting the following:

10 "b. "Numbing" means the applying of ~~ice, dry-ice,~~  
11 ~~or a cold pack, or a chemical or mechanical freezing~~  
12 ~~device~~ to the limbs of a horse or dog within ten two  
13 hours before the start of a race, or a surgical or  
14 other procedure which was, at any time,".

15 4. Page 1, by inserting after line 22 the  
16 following:

17 "Sec. \_\_\_\_ . Section 99D.25, Code 1987, is amended  
18 by adding the following new subsections:

19 NEW SUBSECTION. 5. Phenylbutazone shall not be  
20 administered to a horse in dosages which would result  
21 in concentrations of more than three micrograms of the  
22 substance or its metabolites per millimeter of blood.

23 NEW SUBSECTION. 6. Lasix shall not be  
24 administered to a horse unless the horse is registered  
25 for the use of lasix with the commission and lasix  
26 shall not be administered to the horse less than four  
27 hours before post time of a race. A horse that is  
28 registered for the use of lasix shall be brought to a  
29 security stall under the supervision of the commission  
30 not less than four hours before the scheduled post  
31 time of the race in which the horse is entered and the  
32 horse shall remain there until it is to be saddled or  
33 harnessed for the race. If lasix is administered to a  
34 horse on the day of its race, the lasix shall only be  
35 administered intravenously by a veterinarian employed  
36 by the owner or trainer of the horse under the visual  
37 supervision of a veterinarian employed by the  
38 commission. The dose level of lasix shall not exceed  
39 two hundred fifty milligrams."

40 5. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT  
BLANSHAN of Greene, Chairperson

H-5941 FILED MARCH 28, 1988

*Adopted as amended by 6052, 6442, 6513  
4/15 (p 2028)  
Reconsidered, amendment 6802 ruled do  
Readopted as amended by 6742 & 6513  
4/15 (p 2125)*

## SENATE FILE 2263

H-6473

Amend Senate File 2263 as amended, passed, and reprinted by the Senate as follows:

- 3 1. By striking everything after the enacting  
4 clause and inserting the following:  
5 "Section 1. STUDY COMMISSION CREATED.  
6 1. There is established a commission to study the  
7 issues regarding the humane treatment of racing horses  
8 and dogs and the proper use and regulation of  
9 medications which can alter in any way the behavior,  
10 attitude, temperament, or performance of racing horses  
11 or dogs.  
12 2. The commission shall consist of nineteen  
13 members composed as follows:  
14 a. Seven members of the house of representatives  
15 with four members selected by the speaker of the house  
16 and three members selected by the house minority  
17 leader.  
18 b. Seven members of the senate with four members  
19 selected by the senate majority leader and three  
20 members selected by the senate minority leader.  
21 c. One person to represent the department of  
22 public safety.  
23 d. The state veterinarian or a designee.  
24 e. One person who is an active member of the Iowa  
25 federation of human societies.  
26 f. One person to represent the state racing  
27 commission.  
28 g. One person who is a member in good standing of  
29 an organization that represents thoroughbred horse  
30 owners and trainers.  
31 3. Public members of the study commission shall  
32 receive a per diem of forty dollars and be reimbursed  
33 for travel and other expenses actually incurred in the  
34 performance of their official duties. Public  
35 employees who are members of the study commission  
36 shall be reimbursed for travel and other expenses  
37 actually incurred in the performance of their official  
38 duties.  
39 4. The cost of the study commission shall be  
40 reimbursed to the state by the state racing commission  
41 through a surcharge upon the license fee collected  
42 under section 99D.14, subsection 3.  
43 5. The study commission shall make its report to  
44 the general assembly on or before January 1, 1989."  
45 2. Title page, by striking lines 1 through 6 and  
46 inserting the following: "An Act relating to horse  
47 and dog racing by establishing an interim study  
48 committee to examine the possible use and regulation  
49 of medications which can alter the behavior,  
50 temperament, or performance of racing horses or dogs."

By OSTERBERG of Linn  
HOLVECK of Polk

H-6473 FILED APRIL 14, 1988

*Linn 4/15 (7 3022)*

## SENATE FILE 2263

H-6502

1 Amend the Amendment, H-5941, to Senate File 2263,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, by striking line 39 and inserting the  
 5 following: "two hundred fifty milligrams."  
 6 NEW SUBSECTION. 7. A person found within or in  
 7 the immediate vicinity of a security stall who is in  
 8 possession of unauthorized drugs or hypodermic needles  
 9 or who is not authorized to possess drugs or  
 10 hypodermic needles shall, in addition to any other  
 11 penalties, be barred from entry into any racetrack in  
 12 Iowa and any occupational license the person holds  
 13 shall be revoked."

By ROSENBERG of Story

H-6502 FILED APRIL 15, 1988

ADOPTED (p. 2020) Motion to Amend 4/16 (p. 2125)  
 Subd 2/16 4/16 (p. 2125)

## SENATE FILE 2263

H-6503

1 Amend Senate File 2263 as amended, passed, and  
 2 reprinted by the Senate as follows:  
 3 1. Page 1, by inserting after line 9 the  
 4 following:  
 5 "Sec. \_\_\_\_ Section 99D.23, Code 1987, is amended  
 6 by adding the following new subsection:  
 7 NEW SUBSECTION. 4. The commission veterinarian  
 8 shall keep a continuing record of the racing soundness  
 9 of all horses examined by a commission veterinarian at  
 10 a racetrack."

By McKEAN of Jones

H-6503 FILED APRIL 15, 1988

ADOPTED (p. 2086)

## SENATE FILE 2263

H-6507

1 Amend the Amendment H-5941 to Senate File 2263 as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, line 21, by striking the word "three"  
 5 and inserting the following: "two".

By HOLVECK of Polk

H-6507 FILED APRIL 15, 1988

OUT OF ORDER (p. 2077)

## SENATE FILE 2263

H-6513

1 Amend amendment H-6458 to amendment H-5941, to  
 2 Senate File 2263 as amended, passed, and reprinted by  
 3 the Senate as follows:  
 4 1. Page 1, line 35, by striking the word "three"  
 5 and inserting the words "two point two".

By HATCH of Polk

H-6513 FILED APRIL 15, 1988

Adopted 4/15 (p. 2019)

## SENATE FILE 2263

H-6499

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 22 the  
4 following:  
5 "Sec. 3. Section 99D.25, Code 1987, is amended by  
6 adding the following new subsection:  
7 NEW SUBSECTION. 5. Phenylbutazone may not be  
8 administered to a horse within one hundred sixty-eight  
9 hours of the start of a race in which the horse is  
10 entered."  
11 2. By renumbering as required.

By HOLVECK of Polk

H-6499 FILED APRIL 15, 1988

*Adopted 4/15/88*

## SENATE FILE 2263

H-6500

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 22 the  
4 following:  
5 "Sec. \_\_\_\_ . Section 99D.25, subsection 4, Code  
6 1987, is amended to read as follows:  
7 4. The owners of a horse or dog and their agents  
8 and employees shall permit a member of the commission  
9 or a person employed or appointed by the commission to  
10 make tests as the commission deems proper in order to  
11 determine whether a horse or dog has been improperly  
12 drugged. The fact that purse money has been  
13 distributed prior to the issuance of a test report  
14 shall not be deemed a finding that no chemical  
15 substance has been administered unlawfully to the  
16 horse or dog earning the purse money. The findings of  
17 the commission that a horse or dog has been improperly  
18 drugged by a narcotic or other drug are prima facie  
19 evidence of the fact. The results of the tests shall  
20 be kept on file by the commission for at least one  
21 year following the tests."

By HOLVECK of Polk

H-6500 FILED APRIL 15, 1988

*Adopted 4/15/88*

SENATE FILE 2263

H-6234

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate as follows:  
3 1. Page 1, by inserting after line 9 the  
4 following:  
5 "Sec. 2. Section 99D.12, subsection 1, Code 1987,  
6 is amended to read as follows:  
7 1. In horse races the breakage shall be retained  
8 by the licensee to supplement purses for races won by  
9 restricted to Iowa-foaled horses as provided in  
10 section 99B-22 or to supplement purses won by Iowa-  
11 foaled horses in any other race. The purse  
12 supplements will be paid in proportion to the purse  
13 surfacture of the race."  
14 2. By renumbering as required.

By BLACK of Jasper  
TYRRILL of Iowa  
SHERZAN of Polk

H-6234 FILED APRIL 5, 1988

*Bill not reported 4/15 (cf. 2224)  
Bill amended adopted 4/15 (cf. 2224)*

SENATE FILE 2263

H-6246

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate as follows:  
3 1. Page 1, by inserting after line 22 the  
4 following:  
5 "Sec. 3. Section 99D.23, Code 1987, is amended by  
6 adding the following new subsection:  
7 NEW SUBSECTION. 6. The commission shall conduct  
8 random tests of bodily substances of horses entered to  
9 race each day of a race meeting to aid in the  
10 detection of any unlawful drugging. The tests shall  
11 be conducted both prior to and after a race. The  
12 commission shall also test any horse that breaks down  
13 during a race and shall perform an autopsy on any  
14 horse that is killed or subsequently destroyed as a  
15 result of accident during a race."

By HATCH of Polk

H-6246 FILED APRIL 5, 1988

*Adopted 4/15 (cf. 2037)*

## SENATE FILE 2263

H-6237

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 9 the  
4 following:  
5 "Sec. 2. Section 99D.12, Code 1987, is amended by  
6 adding the following new unnumbered paragraph:  
7 NEW UNNUMBERED PARAGRAPH. The purse supplements  
8 shall be distributed to the owners of the Iowa-foaled  
9 horses by the licensee not later than the end of the  
10 race meeting at which the purse supplements are  
11 earned. Not more than five percent of the breakage  
12 may be carried over by a licensee from one race  
13 meeting to the next."  
14 2. By renumbering as necessary.

By BLACK of Jasper  
TYRRELL of Iowa  
SHERZAN of Polk

H-6237 FILED APRIL 5, 1988

*Adopted not germane 4/15 (p. 2085)*

## SENATE FILE 2263

H-6245

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate as follows:  
3 1. Page 1, by inserting after line 22 the  
4 following:  
5 "Sec. \_\_\_\_ . Section 99D.25, Code 1987, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 5. Veterinarians must submit  
8 daily to the commission veterinarian on a prescribed  
9 form a report of all medications and other substances  
10 which the veterinarian prescribed, administered, or  
11 dispensed for horses registered at a current race  
12 meeting. A logbook detailing other professional  
13 services performed while on the grounds of a racetrack  
14 shall be kept by veterinarians and shall be made  
15 immediately available to the commission veterinarian  
16 or the stewards upon request."

By HATCH of Polk

H-6245 FILED APRIL 5, 1988

*Adopted 4/15 (p. 2087)*

## SENATE FILE 2263

H-6257

1 Amend the amendment, H-5941, to Senate File 2263 as  
2 amended, passed, and reprinted by the Senate as  
3 follows:

4 1. Page 1, by striking lines 6 and 7 and  
5 inserting the following:

6 " . Page 1, line 16, by inserting after the  
7 word "with" the following: "section 99D.25A and."

8 2. Page 1, by striking lines 17 through 39 and  
9 inserting the following:

10 ""Sec. . NEW SECTION. 99D.25A ADMINISTRATION  
11 OF LASIX OR PHENYLBUTAZONE.

12 1. As used in this section unless the context  
13 otherwise requires:

14 a. "Bleeder" means, according to its context,  
15 either:

16 (1) A horse which, during a race or exercise, is  
17 observed by the commission veterinarian or designee to  
18 be shedding blood from one or both nostrils and in  
19 which no upper airway injury is noted during an  
20 examination by the commission veterinarian immediately  
21 following such a race or exercise;

22 (2) A horse which, within one and one-half hours  
23 of such a race or exercise, is observed by the  
24 commission veterinarian, through visual or endoscopic  
25 examination, to be shedding blood from the lower  
26 airway; or

27 (3) A horse which has been certified as a bleeder  
28 in another state.

29 b. "Bleeder list" means a tabulation of all  
30 bleeders maintained by the commission veterinarian.

31 c. "Detention barn" means a secured structure  
32 designated by the commission.

33 2. If a horse is to race with phenylbutazone in  
34 its system, the trainer shall be responsible for  
35 marking the information on the entry blank for each  
36 race in which the horse shall use phenylbutazone.  
37 Changes made after the time of entry must be submitted  
38 on the prescribed form to the commission veterinarian  
39 no later than scratch time.

40 3. Lasix may be administered to certified  
41 bleeders. Upon request, any horse placed on the  
42 bleeder list shall, in its next race, be permitted the  
43 use of lasix. Once a horse has raced with lasix, it  
44 must continue to race with lasix in all subsequent  
45 races unless a request is made to discontinue the use.  
46 If the use of lasix is discontinued, the horse shall  
47 be prohibited from again racing with lasix unless it  
48 is later observed to be bleeding. Requests for the  
49 use of or discontinuance of lasix must be made to the  
50 commission veterinarian by the horse's trainer or

H-6257

Page 2

1 assistant trainer on a form prescribed by the  
2 commission on or before the day of entry into the race  
3 for which the request is made.

4 4. Once a horse has been permitted the use of  
5 lasix, it must be brought to the detention barn for  
6 treatment not less than four hours prior to scheduled  
7 post time for the race in which it is entered to  
8 start. Once at the detention barn, a horse shall  
9 remain there until it is taken to the paddock to be  
10 saddled or harnessed for a race.

11 5. A horse entered to race with lasix must be  
12 treated at least four hours prior to post time. The  
13 lasix shall be administered intravenously by a  
14 veterinarian employed by the owner or trainer of the  
15 horse under the visual supervision of the commission  
16 veterinarian. The practicing veterinarian must  
17 deposit with the commission veterinarian at the  
18 detention barn an unopened supply of lasix and sterile  
19 hypodermic needles and syringes to be used for the  
20 administrations. The dose level of lasix shall not  
21 exceed two hundred fifty milligrams per  
22 administration."

By HATCH of Polk  
OSTERBERG of Linn

H-6257 FILED APRIL 6, 1988

*File 4/15 (of 2017)*

## SENATE FILE 2263

H-6258

1 Amend the amendment, H-6055, to Senate File 2263 as  
2 amended, passed, and reprinted by the Senate as  
3 follows:

4 1. Page 1, lines 10 and 11, by striking the words  
5 "humane society for the prevention of cruelty to  
6 animals," and inserting the following: "Iowa  
7 federation of humane societies,".

By GARMAN of Story

H-6258 FILED APRIL 6, 1988

*Adopted 4/15 (of 2023)*

## SENATE FILE 2263

H-6367

Amend Senate File 2263 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 22 the following:

"Sec. 3. Section 99D.25, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Any horse which in the opinion of the commission veterinarian has suffered a traumatic injury or disability such that a controlled program of phenylbutazone administration would not aid in restoring the racing soundness of the horse shall not be allowed to race while medicated with phenylbutazone or with phenylbutazone present in the horse's bodily systems."

2. By renumbering as necessary.

By HOLVECK of Polk

HATCH of Polk

LUNDBY of Linn

OSTERBERG of Linn

NEUHAUSER of Johnson

H-6367 FILED APRIL 11, 1988

*Adopted 4/10 (p. 2116)*

## SENATE FILE 2263

H-6384

Amend Senate File 2263 as amended, passed, and reprinted by the Senate as follows:

1. Page 1, line 9, by inserting after the word "race." the following: "The program shall also indicate if it is the first, second, or third or subsequent time that a horse is racing with lasix, or if the horse has previously raced with lasix and the present race is the first race for the horse without lasix following its use."

By OSTERBERG of Linn

H-6384 FILED APRIL 12, 1988

*Adopted 4/15 (p. 2085)*

H-6335

1 Amend the amendment, H-6234, to Senate File 2263 as  
2 amended, passed, and reprinted by the Senate as  
3 follows:  
4 1. Page 1, line 11, by inserting after the word  
5 "horses" the following: "by finishing first, second,  
6 third, or fourth".

By BLACK of Jasper

H-6335 FILED APRIL 8, 1988

*Adopted 4/15 (p. 2024)*

SENATE FILE 2263

H-6339

1 Amend the Amendment H-5941 to Senate File 2263 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, line 2i, by striking the word "three"  
5 and inserting the following: "two and two-tenths".

By HOLVECK of Polk DODERER of Johnson  
CORBETT of Linn MCKEAN of Story

H-6339 FILED APRIL 8, 1988

*Adopted 4/15 (p. 2019)*

SENATE FILE 2263

H-6340

1 Amend the amendment, H-5941, to Senate File 2263 as  
2 amended, passed, and reprinted by the Senate as  
3 follows:  
4 1. Page 1, line 12, by striking the word "two"  
5 and inserting the following: "eight".

By HOLVECK of Polk MCKEAN of Jones  
CORBETT of Linn HAMMOND of Story  
DODERER of Johnson

H-6340 FILED APRIL 8, 1988

*Adopted 4/15 (p. 2020)*

SENATE FILE 2263

H-6341

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 22 the  
4 following:  
5 "Sec. 3. Section 990.25, Code 1987, is amended by  
6 adding the following new subsection:  
7 NEW SUBSECTION. 5. A veterinarian attending a  
8 horse shall report to the commission any respiratory  
9 ailment suffered by the horse if the horse is to be  
10 entered in a race in Iowa. The commission shall not  
11 allow a horse with a respiratory ailment to race in  
12 Iowa until the commission veterinarian has determined  
13 that the horse has completely recovered from the  
14 ailment."

15 2. By renumbering as required.  
By HOLVECK of Polk MCKEAN of Jones  
CORBETT of Linn HAMMOND of Story  
DODERER of Johnson

H-6341 FILED APRIL 8, 1988

*Adopted 4/15 (p. 2028)*

## SENATE FILE 2263

H-6310

1 Amend Senate File 2263 as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by inserting after line 22 the  
 4 following:  
 5 "Sec. 3. Section 99D.25, Code 1987, is amended by  
 6 adding the following new subsection:  
 7 NEW SUBSECTION. 5. Phenylbutazone may not be  
 8 administered to a horse within ninety-six hours of the  
 9 start of a race in which the horse is entered."  
 10 2. By renumbering as required.

By HOLVECK of Polk HATCH of Polk  
 LUNDBY of Linn GARMAN of Story  
 NEUHAUSER of Johnson

H-6310 FILED APRIL 7, 1988

*(Adopted 4/12 (p. 2017))*

## SENATE FILE 2263

H-6311

1 Amend Senate File 2263 as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by inserting after line 22 the  
 4 following:  
 5 "Sec. 3. Section 99D.25, Code 1987, is amended by  
 6 adding the following new subsection:  
 7 NEW SUBSECTION. 5. Any horse which in the opinion  
 8 of the commission veterinarian has suffered a  
 9 traumatic injury or disability such that a controlled  
 10 program of phenylbutazone administration would not aid  
 11 in restoring the racing soundness of the horse shall  
 12 not be allowed to have phenylbutazone administered."  
 13 2. By renumbering as necessary.

By HOLVECK of Polk HATCH of Polk  
 LUNDBY of Linn OSTERBERG of Linn  
 NEUHAUSER of Johnson

H-6311 FILED APRIL 7, 1988

*(w/d 4/15 (p. 2057))*

## SENATE FILE 2263

H-6312

1 Amend Senate File 2263, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by inserting after line 22 the  
 4 following:  
 5 "Sec. 3. Section 99D.25, Code 1987, is amended by  
 6 adding the following new subsection:  
 7 NEW SUBSECTION. 5. Before a horse is allowed to  
 8 race using phenylbutazone, the veterinarian attending  
 9 the horse shall certify to the commission the course  
 10 of treatment followed in administering the  
 11 phenylbutazone."  
 12 2. By renumbering as necessary.

By HOLVECK of Polk HATCH of Polk  
 LUNDBY of Linn GARMAN of Story  
 NEUHAUSER of Johnson

H-6312 FILED APRIL 7, 1988

*(Adopted 4/15 (p. 2088))*

## SENATE FILE 2263

H-6307

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate as follows:  
3 1. By striking everything after the enacting  
4 clause and inserting the following:  
5 "Section 1. STUDY COMMISSION CREATED.  
6 1. There is established a commission to study the  
7 issues regarding the humane treatment of racing horses  
8 and dogs and the proper use and regulation of  
9 medications which can alter in any way the behavior,  
10 attitude, temperament, or performance of racing horses  
11 or dogs.  
12 2. The commission shall consist of fifteen members  
13 composed as follows:  
14 a. Five members of the house of representatives  
15 with three members selected by the speaker of the  
16 house and two members selected by the house minority  
17 leader.  
18 b. Five members of the senate with three members  
19 selected by the senate majority leader and two members  
20 selected by the senate minority leader.  
21 c. One member to represent the department of  
22 public safety.  
23 d. The state veterinarian or a designee.  
24 e. One member who is an active member of the Iowa  
25 federation of human societies.  
26 f. One member to represent the state racing  
27 commission.  
28 g. One member to represent those persons currently  
29 licensed to conduct pari-mutuel betting in Iowa.  
30 3. Public members of the study commission shall  
31 receive a per diem of forty dollars and be reimbursed  
32 for travel and other expenses actually incurred in the  
33 performance of their official duties. Public  
34 employees who are members of the study commission  
35 shall be reimbursed for travel and other expenses  
36 actually incurred in the performance of their official  
37 duties.  
38 4. The cost of the study commission shall be  
39 reimbursed to the state by the state racing commission  
40 through a surcharge upon the license fee collected  
41 under section 99D.14, subsection 3.  
42 5. The study commission shall make its report to  
43 the general assembly on or before January 1, 1989."

By OLLIE of Clinton

FEY of Scott

H-6307 FILED APRIL 7, 1988

*w/s 4/15 (p. 2020)*

## SENATE FILE 2263

H-6456

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 9 the  
4 following:

5 "Sec. \_\_\_\_ . Section 99D.23, subsection 1, Code  
6 1987, is amended to read as follows:

7 1. The commission shall employ one or more  
8 chemists or contract with a qualified chemical  
9 laboratory to determine by chemical testing and  
10 analysis of saliva, urine, blood, or other excretions  
11 or body fluids whether a substance or drug has been  
12 introduced which may affect the outcome of a race or  
13 whether an action has been taken or a substance or  
14 drug has been introduced which may interfere with the  
15 testing procedure. The commission shall adopt rules  
16 under chapter 17A concerning procedures and actions  
17 taken on positive drug reports. The commission may  
18 adopt by reference the standards of the national  
19 association of state racing commissioners, the  
20 association of official racing chemists, and New York  
21 jockey club, or the United States trotting association  
22 or may adopt any other procedure or standard. The  
23 commission has the authority to retain and preserve by  
24 freezing, test samples for future analysis."

By HAMMOND of Story

H-6456 FILED APRIL 13, 1988

*Adopted 4/15 (p. 2086)*

## SENATE FILE 2263

H-6442

1 Amend the amendment, H-5941, to Senate File 2263,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, by striking lines 10 through 14 and  
5 inserting the following:

6 ""b. "Numbing" means the applying of ice, dry ice,  
7 a-cold-pack, or a chemical or mechanical freezing  
8 device to the limbs of a horse or dog within ten hours  
9 before the start of a race, or the applying of ice or  
10 a cold pack to the limbs of a horse or dog within two  
11 hours before the start of a race, or a surgical or  
12 other procedure which was, at any time,."

By GARMAN of Story

H-6442 FILED APRIL 13, 1988

*Adopted 4/15 (p. 2020)*

## SENATE FILE 2263

H-6453

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 22 the  
4 following:

5 "Sec. \_\_\_\_ . Section 99D.25, Code 1987, is amended  
6 by adding the following new subsection:

7 NEW SUBSECTION. 5. Every horse which suffers a  
8 breakdown on the racetrack, in training, or in  
9 competition, and is destroyed, and every other horse  
10 which expires while stabled on the racetrack under the  
11 jurisdiction of the commission, shall undergo a  
12 postmortem examination at a time and place acceptable  
13 to the commission veterinarian to determine the injury  
14 or sickness which resulted in euthanasia or natural  
15 death. The postmortem examination shall be conducted  
16 by a veterinarian employed by the owner or the owner's  
17 trainer in the presence of and in consultation with  
18 the commission veterinarian. Test samples shall be  
19 obtained from the carcass upon which the postmortem  
20 examination is conducted and shall be sent to a  
21 laboratory approved by the commission for testing for  
22 foreign substances and natural substances at abnormal  
23 levels. When practical, blood and urine test samples  
24 should be procured prior to euthanasia. The owner of  
25 the deceased horse is responsible for payment of any  
26 charges due the veterinarian employed to conduct the  
27 postmortem examination. The services of the  
28 commission veterinarian and the laboratory testing of  
29 postmortem samples shall be made available by the  
30 commission without charge to the owner. A record of  
31 every postmortem shall be filed with the commission by  
32 the owner's veterinarian within seventy-two hours of  
33 the death and shall be submitted on a form supplied by  
34 the commission. Each owner and trainer accepts the  
35 responsibility for the postmortem examination provided  
36 herein as a requisite for maintaining the occupational  
37 license issued by the commission."

By McKEAN of Jones

H-6453 FILED APRIL 13, 1988

*Adopted 4/15 (p. 2020)*

## SENATE FILE 2263

H-6458

1 Amend the amendment, H-5941, to Senate File 2263 as  
2 amended, passed, and reprinted by the Senate as  
3 follows:

4 1. Page 1, by striking lines 6 and 7 and  
5 inserting the following:

6 "\_\_\_\_\_. Page 1, line 16, by inserting after the  
7 word "with" the following: "section 99D.25A and"."

8 2. Page 1, by striking lines 17 through 39 and  
9 inserting the following:

10 ""Sec. \_\_\_\_\_. NEW SECTION. 99D.25A ADMINISTRATION  
11 OF LASIX OR PHENYLBUTAZONE.

12 1. As used in this section unless the context  
13 otherwise requires:

14 a. "Bleeder" means, according to its context,  
15 either:

16 (1) A horse which, during a race or exercise, is  
17 observed by the commission veterinarian or designee to  
18 be shedding blood from one or both nostrils and in  
19 which no upper airway injury is noted during an  
20 examination by the commission veterinarian immediately  
21 following such a race or exercise;

22 (2) A horse which, within one and one-half hours  
23 of such a race or exercise, is observed by the  
24 commission veterinarian, through visual or endoscopic  
25 examination, to be shedding blood from the lower  
26 airway; or

27 (3) A horse which has been certified as a bleeder  
28 in another state.

29 b. "Bleeder list" means a tabulation of all  
30 bleeders maintained by the commission veterinarian.

31 c. "Detention barn" means a secured structure  
32 designated by the commission.

33 2. Phenylbutazone shall not be administered to a  
34 horse in dosages which would result in concentrations  
35 of more than three micrograms of the substance or its  
36 metabolites per millimeter of blood.

37 3. If a horse is to race with phenylbutazone in  
38 its system, the trainer shall be responsible for  
39 marking the information on the entry blank for each  
40 race in which the horse shall use phenylbutazone.  
41 Changes made after the time of entry must be submitted  
42 on the prescribed form to the commission veterinarian  
43 no later than scratch time.

44 4. If a test detects concentrations of  
45 phenylbutazone in the system of a horse in excess of  
46 the level permitted in this section, the commission  
47 shall assess a civil penalty against the trainer of  
48 two hundred dollars for the first offense and five  
49 hundred dollars for a second offense. The penalty for  
50 a third or subsequent offense shall be in the

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1 discretion of the commission. A penalty assessed  
2 under this subsection shall not affect the placing of  
3 the horse in the race.

4 5. Lasix may be administered to certified  
5 bleeders. Upon request, any horse placed on the  
6 bleeder list shall, in its next race, be permitted the  
7 use of lasix. Once a horse has raced with lasix, it  
8 must continue to race with lasix in all subsequent  
9 races unless a request is made to discontinue the use.  
10 If the use of lasix is discontinued, the horse shall  
11 be prohibited from again racing with lasix unless it  
12 is later observed to be bleeding. Requests for the  
13 use of or discontinuance of lasix must be made to the  
14 commission veterinarian by the horse's trainer or  
15 assistant trainer on a form prescribed by the  
16 commission on or before the day of entry into the race  
17 for which the request is made.

18 6. Once a horse has been permitted the use of  
19 lasix, it must be brought to the detention barn for  
20 treatment not less than four hours prior to scheduled  
21 post time for the race in which it is entered to  
22 start. Once at the detention barn, a horse shall  
23 remain there until it is taken to the paddock to be  
24 saddled or harnessed for a race. If a horse is  
25 brought to the detention barn late, the commission  
26 shall assess a civil penalty of one hundred dollars  
27 against the trainer.

28 7. A horse entered to race with lasix must be  
29 treated at least four hours prior to post time. The  
30 lasix shall be administered intravenously by a  
31 veterinarian employed by the owner or trainer of the  
32 horse under the visual supervision of the commission  
33 veterinarian. The practicing veterinarian must  
34 deposit with the commission veterinarian at the  
35 detention barn an unopened supply of lasix and sterile  
36 hypodermic needles and syringes to be used for the  
37 administrations. Lasix shall only be administered in  
38 a dose level of two hundred fifty milligrams. The  
39 commission veterinarian shall extract a test sample of  
40 the horse's blood, urine, or saliva to determine  
41 whether the horse was improperly drugged both before  
42 the lasix was administered and after the race is run.

43 8. A person found within or in the immediate  
44 vicinity of the detention barn who is in possession of  
45 unauthorized drugs or hypodermic needles or who is not  
46 authorized to possess drugs or hypodermic needles  
47 shall, in addition to any other penalties, be barred  
48 from entry into any racetrack in Iowa and any  
49 occupational license the person holds shall be  
50 revoked."

By HATCH of Polk

E-6458 FILED APRIL 14, 1988

*Adopted as amended by 6513 (p. 2:19)*

HOUSE AMENDMENT TO  
SENATE FILE 2263

S 104

1 Amend Senate File 2263 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 2 through 4 and  
4 inserting the following: "the following new  
5 subsection:".

6 2. Page 1, line 9, by inserting after the word  
7 "race." the following: "The program shall also  
8 indicate if it is the first, second, or third or  
9 subsequent time that a horse is racing with lasix, or  
10 if the horse has previously raced with lasix and the  
11 present race is the first race for the horse without  
12 lasix following its use."

13 3. Page 1, by inserting after line 9 the  
14 following:

15 "Sec. 2. Section 99D.12, subsection 1, Code 1987,  
16 is amended to read as follows:

17 1. In horse races the breakage shall be retained  
18 by the licensee to supplement purses for races won by  
19 restricted to Iowa-foaled horses ~~as provided in~~  
20 section 99D.22 or to supplement purses won by Iowa-  
21 foaled horses by finishing first, second, third, or  
22 fourth in any other race. The purse supplements will  
23 be paid in proportion to the purse structure of the  
24 race."

25 4. Page 1, by inserting after line 9 the  
26 following:

27 "Sec. \_\_\_\_ . Section 99D.23, Code 1987, is amended  
28 by adding the following new subsection:

29 NEW SUBSECTION. 4. The commission veterinarian  
30 shall keep a continuing record of the racing soundness  
31 of all horses examined by a commission veterinarian at  
32 a racetrack."

33 5. Page 1, by inserting after line 9 the  
34 following:

35 "Sec. \_\_\_\_ . Section 99D.23, subsection 1, Code  
36 1987, is amended to read as follows:

37 1. The commission shall employ one or more  
38 chemists or contract with a qualified chemical  
39 laboratory to determine by chemical testing and  
40 analysis of saliva, urine, blood, or other excretions  
41 or body fluids whether a substance or drug has been  
42 introduced which may affect the outcome of a race or  
43 whether an action has been taken or a substance or  
44 drug has been introduced which may interfere with the  
45 testing procedure. The commission shall adopt rules  
46 under chapter 17A concerning procedures and actions  
47 taken on positive drug reports. The commission may  
48 adopt by reference the standards of the national  
49 association of state racing commissioners, the  
50 association of official racing chemists, and New York

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1 jockey club, or the United States trotting association  
2 or may adopt any other procedure or standard. The  
3 commission has the authority to retain and preserve by  
4 freezing, test samples for future analysis."

5 6. Page 1, line 14, by inserting after the word  
6 "However," the following: "in counties with a  
7 population of two hundred fifty thousand or more,".

8 7. Page 1, line 16, by inserting after the word  
9 "with" the following: "section 99D.25A and".

10 8. Page 1, by striking lines 17 through 20 and  
11 inserting the following:

12 "b. "Numbing" means the applying of ice, dry ice,  
13 a-cold-pack, or a chemical or mechanical freezing  
14 device to the limbs of a horse or dog within ten hours  
15 before the start of a race, or the applying of ice or  
16 a cold pack to the limbs of a horse or dog within two  
17 hours before the start of a race, or a surgical or  
18 other procedure which was, at any time,".

19 9. Page 1, by inserting after line 22 the  
20 following:

21 "Sec.         . NEW SECTION. 99D.25A ADMINISTRATION  
22 OF LASIX OR PHENYLBUTAZONE.

23 1. As used in this section unless the context  
24 otherwise requires:

25 a. "Bleeder" means, according to its context,  
26 either:

27 (1) A horse which, during a race or exercise, is  
28 observed by the commission veterinarian or designee to  
29 be shedding blood from one or both nostrils and in  
30 which no upper airway injury is noted during an  
31 examination by the commission veterinarian immediately  
32 following such a race or exercise;

33 (2) A horse which, within one and one-half hours  
34 of such a race or exercise, is observed by the  
35 commission veterinarian, through visual or endoscopic  
36 examination, to be shedding blood from the lower  
37 airway; or

38 (3) A horse which has been certified as a bleeder  
39 in another state.

40 b. "Bleeder list" means a tabulation of all  
41 bleeders maintained by the commission veterinarian.

42 c. "Detention barn" means a secured structure  
43 designated by the commission.

44 2. Phenylbutazone shall not be administered to a  
45 horse in dosages which would result in concentrations  
46 of more than two point two micrograms of the substance  
47 or its metabolites per millimeter of blood.

48 3. If a horse is to race with phenylbutazone in  
49 its system, the trainer shall be responsible for  
50 marking the information on the entry blank for each

1 race in which the horse shall use phenylbutazone.  
2 Changes made after the time of entry must be submitted  
3 on the prescribed form to the commission veterinarian  
4 no later than scratch time.

5 4. If a test detects concentrations of  
6 phenylbutazone in the system of a horse in excess of  
7 the level permitted in this section, the commission  
8 shall assess a civil penalty against the trainer of  
9 two hundred dollars for the first offense and five  
10 hundred dollars for a second offense. The penalty for  
11 a third or subsequent offense shall be in the  
12 discretion of the commission. A penalty assessed  
13 under this subsection shall not affect the placing of  
14 the horse in the race.

15 5. Lasix may be administered to certified  
16 bleeders. Upon request, any horse placed on the  
17 bleeder list shall, in its next race, be permitted the  
18 use of lasix. Once a horse has raced with lasix, it  
19 must continue to race with lasix in all subsequent  
20 races unless a request is made to discontinue the use.  
21 If the use of lasix is discontinued, the horse shall  
22 be prohibited from again racing with lasix unless it  
23 is later observed to be bleeding. Requests for the  
24 use of or discontinuance of lasix must be made to the  
25 commission veterinarian by the horse's trainer or  
26 assistant trainer on a form prescribed by the  
27 commission on or before the day of entry into the race  
28 for which the request is made.

29 6. Once a horse has been permitted the use of  
30 lasix, it must be brought to the detention barn for  
31 treatment not less than four hours prior to scheduled  
32 post time for the race in which it is entered to  
33 start. Once at the detention barn, a horse shall  
34 remain there until it is taken to the paddock to be  
35 saddled or harnessed for a race. If a horse is  
36 brought to the detention barn late, the commission  
37 shall assess a civil penalty of one hundred dollars  
38 against the trainer.

39 7. A horse entered to race with lasix must be  
40 treated at least four hours prior to post time. The  
41 lasix shall be administered intravenously by a  
42 veterinarian employed by the owner or trainer of the  
43 horse under the visual supervision of the commission  
44 veterinarian. The practicing veterinarian must  
45 deposit with the commission veterinarian at the  
46 detention barn an unopened supply of lasix and sterile  
47 hypodermic needles and syringes to be used for the  
48 administrations. Lasix shall only be administered in  
49 a dose level of two hundred fifty milligrams. The  
50 commission veterinarian shall extract a test sample of

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1 the horse's blood, urine, or saliva to determine  
2 whether the horse was improperly drugged both before  
3 the lasix was administered and after the race is run.

4 8. A person found within or in the immediate  
5 vicinity of the detention barn who is in possession of  
6 unauthorized drugs or hypodermic needles or who is not  
7 authorized to possess drugs or hypodermic needles  
8 shall, in addition to any other penalties, be barred  
9 from entry into any racetrack in Iowa and any  
10 occupational license the person holds shall be  
11 revoked.

12 10. Page 1, by inserting after line 22 the  
13 following:

14 "Sec. \_\_\_\_ . Section 99D.25, subsection 4, Code  
15 1987, is amended to read as follows:

16 4. The owners of a horse or dog and their agents  
17 and employees shall permit a member of the commission  
18 or a person employed or appointed by the commission to  
19 make tests as the commission deems proper in order to  
20 determine whether a horse or dog has been improperly  
21 drugged. The fact that purse money has been  
22 distributed prior to the issuance of a test report  
23 shall not be deemed a finding that no chemical  
24 substance has been administered unlawfully to the  
25 horse or dog earning the purse money. The findings of  
26 the commission that a horse or dog has been improperly  
27 drugged by a narcotic or other drug are prima facie  
28 evidence of the fact. The results of the tests shall  
29 be kept on file by the commission for at least one  
30 year following the tests."

31 11. Page 1, by inserting after line 22 the  
32 following:

33 "Sec. \_\_\_\_ . Section 99D.25, Code 1987, is amended  
34 by adding the following new subsection:

35 NEW SUBSECTION. \_\_\_\_ . Every horse which suffers a  
36 breakdown on the racetrack, in training, or in  
37 competition, and is destroyed, and every other horse  
38 which expires while stabled on the racetrack under the  
39 jurisdiction of the commission, shall undergo a  
40 postmortem examination at a time and place acceptable  
41 to the commission veterinarian to determine the injury  
42 or sickness which resulted in euthanasia or natural  
43 death. The postmortem examination shall be conducted  
44 by a veterinarian employed by the owner or the owner's  
45 trainer in the presence of and in consultation with  
46 the commission veterinarian. Test samples shall be  
47 obtained from the carcass upon which the postmortem  
48 examination is conducted and shall be sent to a  
49 laboratory approved by the commission for testing for  
50 foreign substances and natural substances at abnormal

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1 levels. When practical, blood and urine test samples  
2 should be procured prior to euthanasia. The owner of  
3 the deceased horse is responsible for payment of any  
4 charges due the veterinarian employed to conduct the  
5 postmortem examination. The services of the  
6 commission veterinarian and the laboratory testing of  
7 postmortem samples shall be made available by the  
8 commission without charge to the owner. A record of  
9 every postmortem shall be filed with the commission by  
10 the owner's veterinarian within seventy-two hours of  
11 the death and shall be submitted on a form supplied by  
12 the commission. Each owner and trainer accept the  
13 responsibility for the postmortem examination provided  
14 herein as a requisite for maintaining the occupational  
15 license issued by the commission."

16 12. Page 1, by inserting after line 22 the  
17 following:

18 "Sec. 3. Section 99D.25, Code 1987, is amended by  
19 adding the following new subsection:

20 NEW SUBSECTION. \_\_\_\_\_. Phenylbutazone may not be  
21 administered to a horse within ninety-six hours of the  
22 start of a race in which the horse is entered."

23 13. Page 1, by inserting after line 22 the  
24 following:

25 "Sec. 3. Section 99D.25, Code 1987, is amended by  
26 adding the following new subsections:

27 NEW SUBSECTION. \_\_\_\_\_. Any horse which in the  
28 opinion of the commission veterinarian has suffered a  
29 traumatic injury or disability such that a controlled  
30 program of phenylbutazone administration would not aid  
31 in restoring the racing soundness of the horse shall  
32 not be allowed to race while medicated with  
33 phenylbutazone or with phenylbutazone present in the  
34 horse's bodily systems.

35 NEW SUBSECTION. \_\_\_\_\_. A person found within or in  
36 the immediate vicinity of a security stall who is in  
37 possession of unauthorized drugs or hypodermic needles  
38 or who is not authorized to possess drugs or  
39 hypodermic needles shall, in addition to any other  
40 penalties, be barred from entry into any racetrack in  
41 Iowa and any occupational license the person holds  
42 shall be revoked."

43 14. Page 1, by inserting after line 22 the  
44 following:

45 "Sec. 3. Section 99D.25, Code 1987, is amended by  
46 adding the following new subsection:

47 NEW SUBSECTION. \_\_\_\_\_. Before a horse is allowed to  
48 race using phenylbutazone, the veterinarian attending  
49 the horse shall certify to the commission the course  
50 of treatment followed in administering the

S-6104 Page 6

1 phenylbutazone."

2 15. Page 1, by inserting after line 22 the  
3 following:

4 "Sec. 3. Section 99D.25, Code 1987, is amended by  
5 adding the following new subsection:

6 NEW SUBSECTION. \_\_\_\_\_. The commission shall conduct  
7 random tests of bodily substances of horses entered to  
8 race each day of a race meeting to aid in the  
9 detection of any unlawful drugging. The tests shall  
10 be conducted both prior to and after a race. The  
11 commission shall also test any horse that breaks down  
12 during a race and shall perform an autopsy on any  
13 horse that is killed or subsequently destroyed as a  
14 result of accident during a race."

15 16. Page 1, by inserting after line 22 the  
16 following:

17 "Sec. \_\_\_\_\_. Section 99D.25, Code 1987, is amended  
18 by adding the following new subsection:

19 NEW SUBSECTION. \_\_\_\_\_. Veterinarians must submit  
20 daily to the commission veterinarian on a prescribed  
21 form a report of all medications and other substances  
22 which the veterinarian prescribed, administered, or  
23 dispensed for horses registered at a current race  
24 meeting. A logbook detailing other professional  
25 services performed while on the grounds of a racetrack  
26 shall be kept by veterinarians and shall be made  
27 immediately available to the commission veterinarian  
28 or the stewards upon request."

29 17. By renumbering, relettering, or redesignating  
30 and correcting internal references as necessary.

S-6104

Filed April 16, 1988 ADOPTED

RECEIVED FROM THE HOUSE

*Senate Concurred April 17, 1988*

SENATE FILE 2263

S-6119

1 Amend the House amendment, S-6104, to Senate File  
2 2263 as amended, passed, and reprinted by the Senate  
3 as follows:

4 1. By striking page 1, line 1 through page 6,  
5 line 30 and inserting the following:

6 "\_\_\_\_\_. By striking everything after the enacting  
7 clause and inserting the following:

8 "Section 1. STUDY COMMISSION CREATED.

9 1. There is established a commission to study the  
10 issues regarding the humane treatment of racing horses  
11 and dogs and the proper use and regulation of  
12 medications which can alter in any way the behavior,  
13 attitude, temperament, or performance of racing horses  
14 or dogs.

15 2. The commission shall consist of nineteen  
16 members composed as follows:

17 a. Seven members of the house of representatives  
18 with four members selected by the speaker of the house  
19 and three members selected by the house minority  
20 leader.

21 b. Seven members of the senate with four members  
22 selected by the senate majority leader and three  
23 members selected by the senate minority leader.

24 c. One person to represent the department of  
25 public safety.

26 d. The state veterinarian or a designee.

27 e. One person who is an active member of the Iowa  
28 federation of human societies.

29 f. One person to represent the state racing  
30 commission.

31 g. One person who is a member in good standing of  
32 an organization that represents thoroughbred horse  
33 owners and trainers.

34 3. Public members of the study commission shall  
35 receive a per diem of forty dollars and be reimbursed  
36 for travel and other expenses actually incurred in the  
37 performance of their official duties. Public  
38 employees who are members of the study commission  
39 shall be reimbursed for travel and other expenses  
40 actually incurred in the performance of their official  
41 duties.

42 4. The cost of the study commission shall be  
43 reimbursed to the state by the state racing commission  
44 through a surcharge upon the license fee collected  
45 under section 99D.14, subsection 3.

46 5. The study commission shall make its report to  
47 the general assembly on or before January 1, 1989."

48 \_\_\_\_\_. Title page, by striking lines 1 through 6  
49 and inserting the following: "An Act relating to  
50 horse and dog racing by establishing an interim study



SENATE FILE 2263

S-6107

1 Amend the House amendment, S-6104 to Senate File  
2 2263 as amended, passed, and reprinted by the Senate,  
3 as follows:  
4 1. Page 1, by inserting after line 24 the  
5 following:  
6 "\_\_\_\_\_. Page 1, by inserting after line 9 the  
7 following:  
8 "Sec. \_\_\_\_\_. Section 99D.12, Code 1987, is amended  
9 by adding the following new unnumbered paragraph:  
10 NEW UNNUMBERED PARAGRAPH. Purse supplements shall  
11 be distributed to the breeders of Iowa-foaled horses  
12 in the manner described in section 99D.22, by the  
13 racetrack licensee, during the race meet in which the  
14 supplements are earned. Not more than five percent of  
15 the purse supplements shall be carried over."  
16 2. By renumbering as necessary.

S-6107

Filed April 16, 1988 WITHDRAWN BY JOHN A. PETERSON  
(p. 1765)

SENATE FILE 2263

S-6108

1 Amend the House amendment, S-6104 to Senate File  
2 2263, as amended, passed, and reprinted by the Senate,  
3 as follows:  
4 1. Page 5, by striking lines 16 through 22.

S-6108

Filed April 16, 1988 WITHDRAWN BY JOHN A. PETERSON  
(p. 1765)

SENATE FILE 2263

S-6109

1 Amend the House amendment, S-6104, to Senate File  
2 2263 as amended, passed, and reprinted by the Senate,  
3 as follows:  
4 1. Page 2, by striking lines 10 through 18.  
5 2. Page 5, line 26, by striking the word  
6 "subsections" and inserting the following:  
7 "subsection".  
8 3. Page 5, by striking lines 35 through 42.

S-6109

Filed April 16, 1988 WITHDRAWN BY JOHN A. PETERSON  
(p. 1765)

## SENATE FILE 2263

6533

Amend Senate File 2263, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 14, by inserting after the word "However," the following: "in counties with a population of two hundred fifty thousand or more,".

By DODERER of Johnson

H-6533 FILED APRIL 16, 1988

ADOPTED (p. 215)

## SENATE FILE 2263

H-6534

Amend Senate File 2263 as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 9 the following:

"NEW SUBSECTION. 7. A person found within or in the immediate vicinity of a security stall who is in possession of unauthorized drugs or hypodermic needles or who is not authorized to possess drugs or hypodermic needles shall, in addition to any other penalties, be barred from entry into any racetrack in Iowa and any occupational license the person holds shall be revoked."

By ROSENBERG of Story

H-6534 FILED APRIL 16, 1988

ADOPTED (p. 215)

## SENATE FILE 2263

H-6530

Amend Senate File 2263, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, by inserting after line 12 the following:

"Sec. . . . NEW SECTION. 99D.27 APPLICABILITY OF EXEMPTION ON THE PROHIBITION ON DRUGGING HORSES. The provisions of sections 99D.25 and 99D.25A regarding the exemption of the drugs lasix and phenylbutazone from the prohibition on drugging horses and regulating the use of these drugs shall apply only to the racetrack located in Altoona."

By OSTERBERG of Linn

H-6530 FILED APRIL 16, 1988

LOST (p. 214)

SENATE FILE 2263

AN ACT

RELATING TO HORSE AND DOG RACING BY ALLOWING THE APPLICATION OF COLD WITH ICE, COLD PACKS, OR SIMILAR TREATMENTS TO THE LIMBS OF A HORSE OR A DOG PRIOR TO THE START OF A RACE AND BY ALLOWING THE USE OF CERTAIN DRUGS ON RACING HORSES UNDER RULES ADOPTED BY THE STATE RACING COMMISSION, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 99D.7, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 21. To require licensees to indicate in their racing programs those horses to which the drugs lasix or phenylbutazone were administered within ten days before the race or to which the drugs are to be administered before the race. The program shall also indicate if it is the first, second, or third or subsequent time that a horse is racing with lasix, or if the horse has previously raced with lasix and the present race is the first race for the horse without lasix following its use.

Sec. 2. Section 99D.12, subsection 1, Code 1987, is amended to read as follows:

1. In horse races the breakage shall be retained by the licensee to supplement purses for races won-by restricted to Iowa-foaled horses as-provided-in-section-99B722 or to supplement purses won by Iowa-foaled horses by finishing first, second, third, or fourth in any other race. The purse supplements will be paid in proportion to the purse structure of the race.

Sec. 3. Section 99D.23, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The commission veterinarian shall keep a continuing record of the racing soundness of all horses examined by a commission veterinarian at a racetrack.

Sec. 4. Section 99D.23, subsection 1, Code 1987, is amended to read as follows:

1. The commission shall employ one or more chemists or contract with a qualified chemical laboratory to determine by chemical testing and analysis of saliva, urine, blood, or other excretions or body fluids whether a substance or drug has been introduced which may affect the outcome of a race or whether an action has been taken or a substance or drug has been introduced which may interfere with the testing procedure. The commission shall adopt rules under chapter 17A concerning procedures and actions taken on positive drug reports. The commission may adopt by reference the standards of the national association of state racing commissioners, the association of official racing chemists, and New York jockey club, or the United States trotting association or may adopt any other procedure or standard. The commission has the authority to retain and preserve by freezing, test samples for future analysis.

Sec. 5. Section 99D.25, subsection 1, paragraphs a and b, Code 1987, are amended to read as follows:

a. "Drugging" means administering to a horse or dog any substance, foreign to the natural horse or dog prior to the start of a race. However, in counties with a population of two hundred fifty thousand or more, "drugging" does not include administering to a horse the drugs lasix and phenylbutazone in accordance with section 99D.25A and rules adopted by the commission.

b. "Numbing" means the applying of teer dry ice, a-cold pack, or a chemical or mechanical freezing device to the limbs of a horse or dog within ten hours before the start of a race,

or the applying of ice or a cold pack to the limbs of a horse or dog within two hours before the start of a race, or a surgical or other procedure which was, at any time, performed in which the nerves of a horse or dog were severed, destroyed, or removed.

Sec. 6. Section 99D.25, subsection 4, Code 1987, is amended to read as follows:

4. The owners of a horse or dog and their agents and employees shall permit a member of the commission or a person employed or appointed by the commission to make tests as the commission deems proper in order to determine whether a horse or dog has been improperly drugged. The fact that purse money has been distributed prior to the issuance of a test report shall not be deemed a finding that no chemical substance has been administered unlawfully to the horse or dog earning the purse money. The findings of the commission that a horse or dog has been improperly drugged by a narcotic or other drug are prima facie evidence of the fact. The results of the tests shall be kept on file by the commission for at least one year following the tests.

Sec. 7. Section 99D.25, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Every horse which suffers a breakdown on the racetrack, in training, or in competition, and is destroyed, and every other horse which expires while stabled on the racetrack under the jurisdiction of the commission, shall undergo a postmortem examination at a time and place acceptable to the commission veterinarian to determine the injury or sickness which resulted in euthanasia or natural death. The postmortem examination shall be conducted by a veterinarian employed by the owner or the owner's trainer in the presence of and in consultation with the commission veterinarian. Test samples shall be obtained from the carcass upon which the postmortem examination is conducted and shall be sent to a laboratory approved by the commission for testing

for foreign substances and natural substances at abnormal levels. When practical, blood and urine test samples should be procured prior to euthanasia. The owner of the deceased horse is responsible for payment of any charges due the veterinarian employed to conduct the postmortem examination. The services of the commission veterinarian and the laboratory testing of postmortem samples shall be made available by the commission without charge to the owner. A record of every postmortem shall be filed with the commission by the owner's veterinarian within seventy-two hours of the death and shall be submitted on a form supplied by the commission. Each owner and trainer accepts the responsibility for the postmortem examination provided herein as a requisite for maintaining the occupational license issued by the commission.

Sec. 8. Section 99D.25, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Phenylbutazone may not be administered to a horse within ninety-six hours of the start of a race in which the horse is entered.

Sec. 9. Section 99D.25, Code 1987, is amended by adding the following new subsections:

NEW SUBSECTION. 7. Any horse which in the opinion of the commission veterinarian has suffered a traumatic injury or disability such that a controlled program of phenylbutazone administration would not aid in restoring the racing soundness of the horse shall not be allowed to race while medicated with phenylbutazone or with phenylbutazone present in the horse's bodily systems.

NEW SUBSECTION. 8. A person found within or in the immediate vicinity of a security stall who is in possession of unauthorized drugs or hypodermic needles or who is not authorized to possess drugs or hypodermic needles shall, in addition to any other penalties, be barred from entry into any racetrack in Iowa and any occupational license the person holds shall be revoked.

Sec. 10. Section 99D.25, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 9. Before a horse is allowed to race using phenylbutazone, the veterinarian attending the horse shall certify to the commission the course of treatment followed in administering the phenylbutazone.

Sec. 11. Section 99D.25, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The commission shall conduct random tests of bodily substances of horses entered to race each day of a race meeting to aid in the detection of any unlawful drugging. The tests shall be conducted both prior to and after a race. The commission shall also test any horse that breaks down during a race and shall perform an autopsy on any horse that is killed or subsequently destroyed as a result of accident during a race.

Sec. 12. Section 99D.25, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 11. Veterinarians must submit daily to the commission veterinarian on a prescribed form a report of all medications and other substances which the veterinarian prescribed, administered, or dispensed for horses registered at a current race meeting. A logbook detailing other professional services performed while on the grounds of a racetrack shall be kept by veterinarians and shall be made immediately available to the commission veterinarian or the stewards upon request.

Sec. 13. NEW SECTION. 99D.25A ADMINISTRATION OF LASIX OR PHENYLBUTAZONE.

1. As used in this section unless the context otherwise requires:

a. "Bleeder" means, according to its context, either:

(1). A horse which, during a race or exercise, is observed by the commission veterinarian or designee to be shedding blood from one or both nostrils and in which no upper airway

injury is noted during an examination by the commission veterinarian immediately following such a race or exercise;

(2) A horse which, within one and one-half hours of such a race or exercise, is observed by the commission veterinarian, through visual or endoscopic examination, to be shedding blood from the lower airway; or

(3) A horse which has been certified as a bleeder in another state.

b. "Bleeder list" means a tabulation of all bleeders maintained by the commission veterinarian.

c. "Detention barn" means a secured structure designated by the commission.

2. Phenylbutazone shall not be administered to a horse in dosages which would result in concentrations of more than two point two micrograms of the substance or its metabolites per millimeter of blood.

3. If a horse is to race with phenylbutazone in its system, the trainer shall be responsible for marking the information on the entry blank for each race in which the horse shall use phenylbutazone. Changes made after the time of entry must be submitted on the prescribed form to the commission veterinarian no later than scratch time.

4. If a test detects concentrations of phenylbutazone in the system of a horse in excess of the level permitted in this section, the commission shall assess a civil penalty against the trainer of two hundred dollars for the first offense and five hundred dollars for a second offense. The penalty for a third or subsequent offense shall be in the discretion of the commission. A penalty assessed under this subsection shall not affect the placing of the horse in the race.

5. Lasix may be administered to certified bleeders. Upon request, any horse placed on the bleeder list shall, in its next race, be permitted the use of lasix. Once a horse has raced with lasix, it must continue to race with lasix in all subsequent races unless a request is made to discontinue the

use. If the use of lasix is discontinued, the horse shall be prohibited from again racing with lasix unless it is later observed to be bleeding. Requests for the use of or discontinuance of lasix must be made to the commission veterinarian by the horse's trainer or assistant trainer on a form prescribed by the commission on or before the day of entry into the race for which the request is made.

6. Once a horse has been permitted the use of lasix, it must be brought to the detention barn for treatment not less than four hours prior to scheduled post time for the race in which it is entered to start. Once at the detention barn, a horse shall remain there until it is taken to the paddock to be saddled or harnessed for a race. If a horse is brought to the detention barn late, the commission shall assess a civil penalty of one hundred dollars against the trainer.

7. A horse entered to race with lasix must be treated at least four hours prior to post time. The lasix shall be administered intravenously by a veterinarian employed by the owner or trainer of the horse under the visual supervision of the commission veterinarian. The practicing veterinarian must deposit with the commission veterinarian at the detention barn an unopened supply of lasix and sterile hypodermic needles and syringes to be used for the administrations. Lasix shall only be administered in a dose level of two hundred fifty milligrams. The commission veterinarian shall extract a test sample of the horse's blood, urine, or saliva to determine whether the horse was improperly drugged both before the lasix was administered and after the race is run.

8. A person found within or in the immediate vicinity of the detention barn who is in possession of unauthorized drugs or hypodermic needles or who is not authorized to possess drugs or hypodermic needles shall, in addition to any other penalties, be barred from entry into any racetrack in Iowa and any occupational license the person holds shall be revoked.

Sec. 14. This Act, being deemed of immediate importance, takes effect upon enactment.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2263, Seventy-second General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved \_\_\_\_\_, 1988

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TERRY E. BRANSTAD  
Governor