

CHAPTER 215
COUNTY VACANCIES
H.F. 522

AN ACT relating to the filling of a vacancy on the county board of supervisors or in the elected county offices.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 43.78, subsection 4, Code 1989, is amended to read as follows:

4. Political party candidates for a vacant seat in the United States house of representatives, the board of supervisors, the elected county offices, or the general assembly which is to be filled at a special election called pursuant to section 69.14 or 69.14A shall be nominated in the manner provided by subsection 1 of this section for filling a vacancy on the general election ballot for the same office. The name of any candidate so nominated shall be submitted in writing to the state commissioner, as required by section 43.88, at the earliest practicable time.

Sec. 2. Section 69.8, subsection 3, Code 1989, is amended to read as follows:

3. COUNTY OFFICES. In county offices, by the board of supervisors, unless an election is called as provided in section 69.14A.

Sec. 3. Section 69.8, subsection 4, Code 1989, is amended to read as follows:

4. BOARD OF SUPERVISORS. In the membership of the board of supervisors, by the treasurer, auditor, and recorder, or as provided in section 69.14A. ~~In the event that~~ If any of these offices have been abolished through consolidation, the county attorney shall serve on this committee.

Sec. 4. NEW SECTION. 69.14A FILLING VACANCY OF ELECTED COUNTY OFFICER.

1. When a vacancy exists on the board of supervisors, the committee of county officers designated to fill the vacancy shall publish notice as provided in section 331.305 indicating the method, appointment or special election, by which the committee intends to fill the vacancy. If appointment is selected by the committee, the appointment may be made before publication of the notice, but the appointment shall be made within forty days after the vacancy occurs. However, if within fourteen days after the date of the notice or within fourteen days after the appointment is made, whichever date is later, a petition requesting a special election to fill the vacancy is filed with the county auditor, the appointment is temporary and a special election shall be called as provided in subsection 3. The petition shall meet the requirements of section 331.306.

2. When a vacancy exists in an elected county office, the board of supervisors shall publish notice as provided in section 331.305 indicating the method, appointment or special election, by which the board intends to fill the vacancy. If appointment is selected by the board, the appointment may be made before publication of the notice, but the appointment shall be made within forty days after the vacancy occurs. However, if within fourteen days after the date of the notice or within fourteen days after the appointment is made, whichever date is later, a petition requesting a special election to fill the vacancy is filed with the county auditor, the appointment is temporary and a special election shall be called as provided in subsection 3. The petition shall meet the requirements of section 331.306.

3. The committee of county officers or board of supervisors as applicable may, on its own motion, or shall, upon receipt of a petition as provided in this section, call for a special election to fill the vacancy in lieu of appointment if section 69.13, subsection 2, does not apply. The committee or board shall order the special election at the earliest practicable date, but giving at least thirty days' notice of the election. A special election called under this section shall be held on a Tuesday and shall not be held on the same day as a school election within the county.

Sec. 5. Section 331.322, subsection 3, Code 1989, is amended to read as follows:

3. Fill vacancies in county offices in accordance with sections 69.8 to ~~69.13~~ 69.14A, and make appointments in accordance with section 69.16 unless a special election is called pursuant to section 69.14A.

Approved May 24, 1989

CHAPTER 216

PARI-MUTUEL WAGERING

S.F. 220

AN ACT relating to the winnings from and the taxes imposed on pari-mutuel wagering at racetracks in the state and providing applicability and effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 99D.11, subsection 6, Code 1989, is amended to read as follows:

6. a. All wagering shall be conducted within the racetrack enclosure where the licensed race is held, except as provided in paragraph "b".

b. The commission may authorize the licensee to simultaneously telecast within the racetrack enclosure for purpose of pari-mutuel wagering a horse or dog race licensed by the racing authority of another state. It is the responsibility of each licensee to obtain the consent of appropriate racing officials in other states as required by the federal Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-3007, to televise races for the purpose of conducting pari-mutuel wagering. A licensee may also obtain the permission of a person licensed by the commission to conduct horse or dog races in this state to televise races conducted by that person for the purpose of conducting pari-mutuel racing. However, arrangements made by a licensee to televise any race for the purpose of conducting pari-mutuel wagering are subject to the approval of the commission, and the commission shall limit a licensee to ten races a calendar year which races are chosen by the commission and which are the same for all licensees approved by the commission to televise races for the purpose of conducting pari-mutuel wagering. The commission shall not authorize the simultaneous telecast or televising of and a licensee shall not simultaneously telecast or televise any horse or dog race for the purpose of conducting pari-mutuel wagering unless the simultaneous telecast or televising is done at the racetrack of the licensee on a day and during the time, when there is a horse or dog racing meet being held at the racetrack. For purposes of the taxes imposed under this chapter, races televised by a licensee for purposes of pari-mutuel wagering shall be treated as if the races were held at the racetrack of the licensee.

Sec. 2. Section 99D.12, subsection 2, paragraph a, Code 1989, is amended to read as follows:

a. ~~Seventy-five~~ Seventy-three percent shall be retained by the licensee to supplement purses for races won by Iowa-whelped dogs as provided in section 99D.22.

Sec. 3. Section 99D.12, subsection 2, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Two percent shall be deposited by the commission into a special fund to be known as the dog racing promotion fund. The commission each year shall approve a nonprofit organization to use moneys in the fund for research, education, and marketing of dog racing in the state, including public relations, and other promotional techniques. The nonprofit organization shall not engage in political activity. It shall be a condition of the allocation of funds that any organization receiving funds shall not expend the funds on political activity or on any attempt to influence legislation.