

491—6.1(99D,99F) Definitions.

“*Applicant*” means an individual applying for an occupational license.

“*Beneficial interest*” means any and all direct and indirect forms of ownership or control, voting power, or investment power held through any contract, lien, lease, partnership, stockholding, syndication, joint venture, understanding, relationship (including family relationship), present or reversionary right, title or interest, or otherwise.

“*Board*” means either the board of stewards or the gaming board, as appointed by the administrator, whichever is appropriate. The administrator may serve as a board of one.

“*Commission*” means the Iowa racing and gaming commission.

“*Commission representative*” means a gaming representative, steward, or any person designated by the commission or commission administrator.

“*Conviction*” means the act or process of judicially finding someone guilty of a crime; the state of a person’s having been proved guilty; the judgment that a person is guilty of a crime or criminal offense, which includes a guilty plea entered in conjunction with a deferred judgment, and a juvenile who has been adjudicated delinquent. The date of conviction shall be the date the sentence and judgment is entered.

“*Deceptive practice*” means any deception or misrepresentation made by the person with the knowledge that the deception or misrepresentation could result in some benefit to the person or some other person.

“*Facility*” means an entity licensed by the commission to conduct pari-mutuel wagering or gaming operations in Iowa.

“*Jockey*” means a person licensed to ride a horse in a race.

“*Kennel/stable name*” means any type of name other than the legal name or names used by an owner or lessee and registered with the commission.

“*Licensee*” means a person licensed by the commission to perform an occupation which the commission has identified as requiring a license for a person to work in the pari-mutuel, gambling structure, or excursion gambling boat industry in Iowa.

“*Occupation*” means a license category listed on the commission’s occupational license application form.

“*Owner*” means a person or entity that holds any title, right or interest, whole or partial, in a racing animal.

“*Rules*” means the rules promulgated by the commission to regulate the racing and gaming industries.

“*Theft*” includes, but is not limited to:

1. The act of taking possession or control of either facility property or the property of another without the express authorization of the owner;
2. The use, disposition, or destruction of property in a manner which is inconsistent with or contrary to the owner’s rights in such property;
3. Misappropriation or misuse of property the person holds in trust for another; or
4. Any act which constitutes theft as defined by Iowa Code chapter 714. No specific intent requirement is imposed by rule 6.5(99D,99F) nor is it required that there be any showing that the licensee received personal gain from any act of theft.

“*Year*” means a calendar year.