



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 10, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 129, an Act relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver".

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 129

AN ACT

RELATING TO THE RACING AND GAMING COMMISSION BY MODIFYING
PROVISIONS REGULATING HORSES INVOLVED IN HORSE RACING AND
PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 99D.25, subsections 5 and 9, Code 2007,
are amended to read as follows:

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 by a veterinarian or a veterinary pathologist at a
time and place acceptable to the commission veterinarian to
determine the injury or sickness which resulted in euthanasia
or natural death. Test samples ~~shall~~ may 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
to conduct the postmortem examination. A record of every
postmortem shall be filed with the commission by the
veterinarian or veterinary pathologist who performed the
postmortem within seventy-two hours of the death. 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.

9. 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 may be conducted both prior to and after a race. The commission ~~shall~~ may 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 an accident during a race. When practical, blood and urine test samples should be procured prior to euthanasia.

Sec. 2. Section 99D.25A, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. "Bleeder" means, according to its context, ~~either~~ any of the following:

(1) A horse which, during a race or exercise, is observed by the commission veterinarian or ~~designee~~ a licensed practicing veterinarian 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 or a licensed practicing veterinarian immediately following such a race or exercise~~7~~.

(2) A horse which, within one and one-half hours of such a race or exercise, is observed by the commission veterinarian or a licensed practicing veterinarian, through visual or endoscopic examination, to be shedding blood from the lower airway~~7-or~~.

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

(4) A horse which has furosemide listed on its most recent past performance.

(5) A horse which, by recommendation of a licensed practicing veterinarian, is prescribed furosemide to control or prevent bleeding from the lungs.

Sec. 3. Section 99D.25A, subsection 2, Code 2007, is amended to read as follows:

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

Sec. 4. Section 99D.25A, subsection 4, Code 2007, is amended to read as follows:

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 at least two hundred dollars for the first offense and at least 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.~~

Sec. 5. Section 99D.25A, subsection 7, Code 2007, is amended to read as follows:

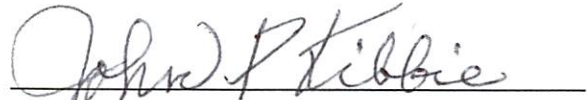
7. A horse entered to race with furosemide must be treated at least four hours prior to post time. The furosemide shall be administered intravenously by a veterinarian employed by the owner or trainer of the horse. The commission shall adopt rules to ensure that furosemide is administered as provided in this section. The commission shall require that the practicing veterinarian deliver an affidavit signed by the veterinarian which certifies information regarding the treatment of the horse. The affidavit must be delivered to a commission veterinarian within twenty minutes following the treatment. The statement must at least include the name of the practicing veterinarian, the tattoo number of the horse, the location of the barn and stall where the treatment occurred, the race number of the horse, the name of the trainer, and the time that the furosemide was administered. Furosemide shall only be administered in a dose level of two no less than one hundred fifty milligrams and no more than five hundred milligrams.

Sec. 6. Section 99F.6, subsection 8, paragraph a, Code 2007, is amended to read as follows:

a. The licensee or a holder of an occupational license shall consent to the search, without a warrant, by agents of the division of criminal investigation of the department of public safety or commission employees designated by the secretary administrator of the commission, of the licensee's or holder's person, personal property, and effects, and premises which are located on the excursion gambling boat or adjacent facilities under control of the licensee, in order to inspect or investigate for violations of this chapter or rules

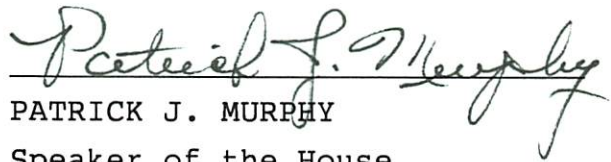
adopted by the commission pursuant to this chapter. The department or commission may also obtain administrative search warrants under section 808.14.

Sec. 7. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.



JOHN P. KIBBIE

President of the Senate



PATRICK J. MURPHY

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 129, Eighty-second General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved April 10th, 2007



CHESTER J. CULVER

Governor