

State Dept. 27 June 1990
then 1/11/90 (House Report 1556 & Senate 2/16/90)

FILED JAN 11 1990

SENATE FILE 2057
BY KINLEY

Passed Senate, Date 2-7-90 (p. 458) Passed House, Date 3-15-90 (p. 1132)
Vote: Ayes 27 Nays 14 Vote: Ayes 53 Nays 37
Approved April 19, 1990

A BILL FOR

1 An Act relating to the conduct of pari-mutuel racing by
2 simultaneous telecast.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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Conference Committee Appointed 4/2
Representatives Blanshard (Chair), Harman, Broder, Connor,
Senators Kinley (Chair), Fraiss, Rummey, Lind, Gentleson (p. 171)
(p. 1467)

Passed per Conference Committee Report
Senate: 4/5/90 (p. 1575) House: 4/5/90 (p. 2575)
34-16 56-37

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2057

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

3 b. The commission may authorize the licensee to
4 simultaneously telecast within the racetrack enclosure for
5 purpose of pari-mutuel wagering a horse or dog race licensed
6 by the racing authority of another state. It is the
7 responsibility of each licensee to obtain the consent of
8 appropriate racing officials in other states as required by
9 the federal Interstate Horseracing Act of 1978, 15 U.S.C. §
10 3001-3007, to televise races for the purpose of conducting
11 pari-mutuel wagering. A licensee may also obtain the
12 permission of a person licensed by the commission to conduct
13 horse or dog races in this state to televise races conducted
14 by that person for the purpose of conducting pari-mutuel
15 racing. However, arrangements made by a licensee to televise
16 any race for the purpose of conducting pari-mutuel wagering
17 are subject to the approval of the commission, and the
18 commission shall ~~limit a licensee to ten races a calendar year~~
19 ~~which races are chosen by the commission and which are~~ select
20 the races to be televised. The races selected by the
21 commission shall be the same for all licensees approved by the
22 commission to televise races for the purpose of conducting
23 pari-mutuel wagering. The commission shall not authorize the
24 simultaneous telecast or televising of and a licensee shall
25 not simultaneously telecast or televise any horse or dog race
26 for the purpose of conducting pari-mutuel wagering unless the
27 simultaneous telecast or televising is done at the racetrack
28 of the licensee on a day and during the time, when there is a
29 horse or dog racing meet being held at the racetrack. For
30 purposes of the taxes imposed under this chapter, races
31 televised by a licensee for purposes of pari-mutuel wagering
32 shall be treated as if the races were held at the racetrack of
33 the licensee.

34 EXPLANATION

35 This bill removes the limitation on the number of horse or

1 dog races per year which a licensee can conduct by
2 simultaneous telecast for pari-mutuel wagering purposes.

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SENATE FILE 2057

H-5556

1 Amend Senate File 2057, as passed by the Senate as
2 follows:
3 1. Page 1, by striking lines 17 through 29 and
4 inserting the following: "are subject to the approval
5 of the commission, ~~and the commission shall limit a.~~
6 Each licensee is limited to ten days of races a during
7 each calendar year, which days and races are chosen by
8 the commission licensee and which are the same for all
9 licensees approved by the commission to televise races
10 for telecast or televising for the purpose of
11 conducting pari-mutuel wagering. A licensee may
12 telecast or televise, with approval of the commission,
13 a complete day of racing at another racetrack. The
14 commission shall not authorize the simultaneous
15 telecast or televising of and a licensee shall not
16 simultaneously telecast or televise any horse or dog
17 race for the purpose of conducting pari-mutuel
18 wagering unless the simultaneous telecast or
19 televising is done at the racetrack of the licensee on
20 a day and during the time, when there is a days
21 authorized by the commission for horse or dog racing
22 meet-being-held at the racetrack. For".

By COMMITTEE ON STATE GOVERNMENT
BLANSHAN of Greene, Chairperson

H-5556 FILED MARCH 7, 1990

Adopted as amended by 5721B 3/15 (g 1130)

SENATE FILE 2057

H-5602

1 Amend the amendment, H-5556, to Senate File 2057,
2 as passed by the Senate, as follows:
3 1. Page 1, line 6, by striking the words "days of
4 races" and inserting the following: "races racing
5 events".
6 2. Page 1, line 7, by striking the words "days
7 and races" and inserting the following: "races racing
8 events".
9 3. Page 1, line 11, by inserting after the word
10 "wagering." the following: "The Breeder's Cup shall
11 be considered one racing event."
12 4. Page 1, line 13, by striking the words
13 "complete day of racing" and inserting the following:
14 "racing event".
15 5. Page 1, line 20, by striking the word "days"
16 and inserting the following: "events".
17 6. Page 1, by inserting after line 22 the fol-
18 lowing:
19 "____. Page 1, line 29, by striking the word
20 "meet" and inserting the following: "meet event".

By OSTERBERG of Linn

H-5602 FILED MARCH 12, 1990

Done 3/15 (g 1119)

SENATE FILE 2057

H-5633

1 Amend the Committee amendment, H-5556, to Senate
2 File 2057, as passed by the Senate, as follows:

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

5 "____. Page 1, by inserting after line 33 the
6 following:

7 "Sec. ____ . NEW SECTION. 99D.27 COUNTY AND CITY
8 SUBSIDIES.

9 1. A county shall grant or loan money to a
10 licensee under this chapter only in accordance with
11 the following terms and procedures:

12 a. A loan agreement entered into by a county may
13 contain provisions similar to those sometimes found in
14 loan agreements between private parties, including the
15 issuance of notes to evidence its obligations.

16 b. A provision of a loan agreement which
17 stipulates that a portion of the payments be applied
18 as interest is subject to chapter 74A. Other laws
19 relating to interest rates do not apply. Chapter 75
20 is not applicable. A county enterprise is a separate
21 entity under the provisions of this section whether it
22 is governed by the board or another governing body.

23 c. The board shall follow substantially the same
24 authorization procedure required for the issuance of
25 general obligation bonds issued for the same purpose,
26 to authorize a loan agreement made payable from the
27 debt service fund or to authorize a grant from other
28 county funds.

29 d. The board may authorize a grant which is
30 payable from the general fund or a loan agreement
31 which is payable from the general fund and which would
32 not cause the total of scheduled annual payments of
33 principal or interest or both principal and interest
34 of the county due from the general fund of the county
35 in any future year with respect to all loan agreements
36 in force on the date of the authorization to exceed
37 ten percent of the last certified general fund budget
38 amount in accordance with the following procedures:

39 (1) The board must follow substantially the
40 authorization procedures of section 331.443 to
41 authorize a loan agreement or a grant which is payable
42 from the general fund if the amount of the loan
43 agreement or grant does not exceed one hundred
44 thousand dollars.

45 (2) The board must follow the following procedures
46 to authorize a loan agreement or grant which is
47 payable from the general fund if the principal amount
48 of the loan agreement or the grant exceeds the limits
49 set forth in subparagraph (1):

50 (a) The board must institute proceedings for

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1 entering into a loan agreement or authorizing a grant
2 by causing a notice of the proposal to enter into the
3 loan agreement, including a statement of the principal
4 amount and purpose of the loan agreement or grant, and
5 the right to petition for an election, to be published
6 as provided in section 331.305 at least twenty days
7 prior to the meeting at which it is proposed to take
8 the action.

9 (b) If at any time before the date fixed for
10 taking the action a petition is filed with the auditor
11 in the manner provided by section 331.306 asking that
12 the question of entering into the loan agreement or
13 authorizing a grant be submitted to the qualified
14 electors of the county, the board shall either by
15 resolution declare the proposal to enter into the loan
16 agreement to have been abandoned or shall direct the
17 county commissioner of elections to call a special
18 election upon the question of entering into the loan
19 agreement. However, for purposes of this paragraph
20 the petition shall require signatures of three percent
21 of the qualified electors, except that no fewer than
22 two hundred fifty and no more than three thousand
23 signatures are required. Notice of the election and
24 its conduct shall be in the manner provided in section
25 331.442, subsections 2 through 4.

26 (c) If no petition is filed, or if a petition is
27 filed and the proposition of entering into the loan
28 agreement or authorizing a grant is approved at an
29 election, the board may proceed and enter into the
30 loan agreement or authorize a grant.

31 (d) The governing body may authorize a loan
32 agreement or a grant payable from the net revenues of
33 a county enterprise or combined county enterprise by
34 following the authorization procedures of section
35 331.464.

36 (e) A loan agreement to which a county is a party
37 or in which a county has a participatory interest, is
38 an obligation of a political subdivision of this state
39 for the purpose of chapters 502 and 682, and is a
40 lawful investment for banks, trust companies, building
41 and loan associations, savings and loan associations,
42 investment companies, insurance companies, insurance
43 associations, executors, guardians, trustees, and any
44 other fiduciaries responsible for the investment of
45 funds.

46 2. A city shall grant or loan money to a licensee
47 under this chapter only in accordance with the
48 following terms and procedures:

49 a. A loan agreement entered into by a city may
50 contain provisions similar to those sometimes found in

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Page 3

1 loan agreements between private parties, including the
2 issuance of notes to evidence its obligations.

3 b. A provision of a loan agreement which
4 stipulates that a portion of the payments be applied
5 as interest is subject to chapter 74A. Other laws
6 relating to interest rates do not apply. Chapter 75
7 is not applicable. A city utility or city enterprise
8 is a separate entity under this section whether it is
9 governed by the council or another governing body.

10 c. The governing body shall following
11 substantially the same authorization procedure
12 required for the issuance of general obligation bonds
13 issued for the same purpose, to authorize a loan
14 agreement made payable from the debt service fund or
15 to authorize a grant from other city funds.

16 d. The governing body may authorize a grant which
17 is payable from the general fund or a loan agreement
18 which is payable from its general fund and which would
19 not cause the total of scheduled annual payments of
20 principal or interest or principal and interest of the
21 city due from the general fund of the city in any
22 future year with respect to all loan agreements in
23 force on the date of the authorization, to exceed ten
24 percent of the last certified general fund budget
25 amount in accordance with the following procedures:

26 (1) The governing body must follow substantially
27 the authorization procedures of section 384.25 to
28 authorize a loan agreement or a grant which is payable
29 from the general fund if the amount of the loan
30 agreement or grant does not exceed one hundred
31 thousand dollars.

32 (2) The governing body must follow the following
33 procedures to authorize a loan agreement or a grant
34 which is payable from the general fund if the amount
35 of the loan agreement or the grant exceeds the limits
36 set forth in subparagraph (1):

37 (a) The governing body may institute proceedings
38 to enter into a loan agreement or authorize a grant
39 payable from its general fund by causing a notice of
40 the proposal to enter into the loan agreement or
41 authorize a grant, including a statement of the amount
42 and purpose of the loan agreement or grant, and the
43 right to petition for an election, to be published at
44 least once in a newspaper of general circulation
45 within the city at least twenty days prior to the
46 meeting at which it is proposed to take action.

47 (b) If any time before the date fixed for taking
48 action to enter into the loan agreement or authorize a
49 grant, a petition is filed with the clerk of the city
50 in the manner provided by section 362.4, asking that

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1 the question of entering into the loan agreement or
2 authorizing a grant be submitted to the qualified
3 electors of the city, the governing body shall either
4 by resolution declare the proposal to enter into the
5 loan agreement or authorize the grant to have been
6 abandoned or shall direct the county commissioner of
7 elections to call a special election upon the question
8 of entering into the loan agreement or authorizing the
9 grant. However, for purposes of this paragraph, the
10 petition shall require the signatures of three percent
11 of the qualified electors, except that no fewer than
12 one hundred and no more than three thousand signatures
13 are required. Notice of the election and its conduct
14 shall be in the manner provided in section 384.26,
15 subsections 2 through 4.

16 (c) If no petition is filed, or if a petition is
17 filed and the proposition of entering into the loan
18 agreement or authorizing the grant is approved at an
19 election, the governing body may proceed and enter
20 into the loan agreement or authorize the grant.

21 (3) The governing body may authorize a loan
22 agreement or grant payable from the net revenues of a
23 city utility, combined utility system, city
24 enterprise, or combined city enterprise by following
25 the authorization procedures of section 384.83.

26 (4) A loan agreement to which a city is a party,
27 or in which the city has a participatory interest, is
28 an obligation of a political subdivision of this state
29 for the purposes of chapters 502 and 682, and is a
30 lawful investment for banks, trust companies, building
31 and loan associations, savings and loan associations,
32 investment companies, insurance companies, insurance
33 associations, executors, guardians, trustees, and any
34 other fiduciaries responsible for the investment of
35 funds."

By METCALF of Polk
CARPENTER of Polk
HANSON of Delaware

H-5633 FILED MARCH 13, 1990

Revised in a previous 3/15/90 of 1/23/90

SENATE FILE 2057

H-5634

1 Amend the Committee amendment, H-5556, to Senate
2 File 2057, as passed by the Senate, as follows:
3 1. Page 1, by inserting after line 22 the fol-
4 lowing:
5 " . Page 1, by inserting after line 33 the
6 following:
7 "Sec. . Section 21.2, subsection 1, Code Sup-
8 plement 1989, is amended by adding the following new
9 paragraph:
10 NEW PARAGRAPH. f. A nonprofit corporation
11 licensed to conduct gambling games or pari-mutuel
12 wagering on dog or horse races pursuant to chapter 99D
13 or 99F."
14 . Title page, line 1, by inserting after the
15 word "to" the following: "meetings of nonprofit cor-
16 porations licensed to conduct gambling games or pari-
17 mutuel wagering,".
18 . Title page, line 2, by inserting after the
19 word "telecast" the following: ", and subject
20 violators to an existing penalty"."

By HERMANN of Scott

HAMMOND of Story

HALVORSON of Webster

SHEARER of Louisa

H-5634 FILED MARCH 13, 1990

Filed not german 3/15 (p. 1129)

SENATE FILE 2057

H-5678

1 Amend the Committee amendment, H-5556, to Senate
2 File 2057, as passed by the Senate, as follows:
3 1. Page 1, line 22, by inserting after the word
4 "racetrack." the following: "A simulcast race shall
5 be conducted only when live racing is being conducted
6 at the racetrack and only harness races shall be
7 simulcast during the harness race season at a
8 racetrack."

By OSTERBERG of Linn

H-5678 FILED MARCH 14, 1990

4/15 3/15 (p. 1120)

SENATE FILE 2057

5686

Amend the Senate File 2057, as passed by the Senate, as follows:

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

"Sec. ____ . Section 21.2, subsection 1, Code Supplement 1989, is amended by adding the following new paragraphs:

NEW PARAGRAPH. f. A nonprofit corporation licensed to conduct pari-mutuel wagering on dog or horse races pursuant to chapter 99D.

NEW PARAGRAPH. g. A nonprofit corporation licensed to conduct gambling games on excursion gambling boats pursuant to chapter 99F.

Sec. ____ . EFFECTIVE DATE.

Section 21.2, subsection 1, paragraph g, takes effect January 1, 1993."

2. Title page, line 1, by inserting after the word "to" the following: "meetings of nonprofit corporations licensed to conduct gambling games or pari-mutuel wagering,".

3. Title page, line 2, by inserting after the word "telecast" the following: ", providing an effective date, and subject violators to an existing penalty".

HALVORSON of Webster

SHEARER of Louisa

HAMMOND of Story

KNAPP of Dubuque

5686 FILED MARCH 14, 1990

Printed and signed 3/15/90 (p. 1120)

SENATE FILE 2057

H-5721

1 Amend the Committee amendment, H-5556, to Senate
2 File 2057, as passed by the Senate, as follows:

3 1. Page 1, line 13, by inserting after the word
4 "racetrack." the following: "During the harness
A 5 racetrack season authorized by the commission, if
6 televised or telecasted races are shown at the
7 racetrack for pari-mutuel wagering purposes, the races
8 shall be harness races."

9 2. Page 1, line 22, by inserting after the word
10 "racetrack." the following: "A licensee shall
B 11 telecast or televise a race for pari-mutuel wagering
12 purposes only when live racing is being conducted at
13 the racetrack."

By OSTERBERG of Linn

H-5721 FILED MARCH 15, 1990

DIVISION A - WITHDRAWN, DIVISION B - ADOPTED (pp 1119, 1120)

HOUSE AMENDMENT TO
SENATE FILE 2057

S-5553

1 Amend Senate File 2057, as passed by the Senate as
2 follows:
3 1. Page 1, by striking lines 17 through 29 and
4 inserting the following: "are subject to the approval
5 of the commission, ~~and the commission shall limit a.~~
6 Each licensee is limited to ten days of races a during
7 each calendar year, which days and races are chosen by
8 the commission licensee and which are the same for all
9 licensees approved by the commission to televise races
10 for telecast or televising for the purpose of
11 conducting pari-mutuel wagering. A licensee may
12 telecast or televise, with approval of the commission,
13 a complete day of racing at another racetrack. The
14 commission shall not authorize the simultaneous
15 telecast or televising of and a licensee shall not
16 simultaneously telecast or televise any horse or dog
17 race for the purpose of conducting pari-mutuel
18 wagering unless the simultaneous telecast or
19 televising is done at the racetrack of the licensee on
20 a day and during the time when there is a days
21 authorized by the commission for horse or dog racing
22 meet being held at the racetrack. A licensee shall
23 telecast or televise a race for pari-mutuel wagering
24 purposes only when live racing is being conducted at
25 the racetrack. For".

RECEIVED FROM THE HOUSE

S-5553 FILED MARCH 19, 1990

Senate Referred to committee 3/20 (of 1195)
House inserted 4/2 (of 1717)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2057

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2057, a bill for An Act relating to the conduct of pari-mutuel racing by simultaneous telecast, respectfully make the following report:

1. That the House recedes from its amendment, S-5553.

2. That Senate File 2057, as passed by the Senate, is amended to read as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 21.2, subsection 1, Code Supplement 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. A nonprofit corporation whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D or a nonprofit corporation which is a successor to the nonprofit corporation which built the facility.

Sec. 2. NEW SECTION. 21.11 APPLICABILITY TO NONPROFIT CORPORATIONS.

This chapter applies to nonprofit corporations which are defined as governmental bodies subject to section 21.2, subsection 1, paragraph "f", only when the meetings conducted by the nonprofit corporations relate to the conduct of pari-mutuel racing and wagering pursuant to chapter 99D.

Sec. 3. Section 99B.6, subsection 1, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

Except as provided in subsections 5, 6, 7, and 8, and 9 gambling is unlawful on premises for which a class "A", class "B", class "C", or class "D" liquor control license, or class "B" beer permit has been issued pursuant to chapter 123 unless all of the following are complied with:

Sec. 4. Section 99B.6, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 9. Pari-mutuel wagering authorized under chapter 99D may be conducted within a racetrack enclosure which is licensed as an establishment that serves or sells alcoholic beverages as defined in section 123.3 if the pari-mutuel wagering is conducted pursuant to chapter 99D and rules adopted under chapter 99D."

2. Page 1, by striking lines 28 and 29 and inserting the following: "of the licensee on a day ~~and-during-the-time,~~ when there ~~is-a~~ are horse or dog ~~racing-meet~~ races being held at the racetrack. For".

3. Page 1, by inserting after line 33 the following:

"Sec. ____ . Section 123.30, subsection 3, paragraph d, Code 1989, is amended to read as follows:

d. CLASS "D". A class "D" liquor control license may be issued to a railway corporation, to an air common carrier, and to passenger-carrying boats or ships for hire with a capacity of twenty-five persons or more operating in inland or boundary waters, and shall authorize the holder to sell or furnish alcoholic beverages, wine, and beer to passengers for consumption only on trains, watercraft as described in this section, or aircraft, respectively. Each license is valid throughout the state. Only one license is required for all

trains, watercraft, or aircraft operated in the state by the licensee. However, if a watercraft is an excursion gambling boat licensed under chapter 99F, the owner shall obtain a separate class "D" liquor control license for each excursion gambling boat operating in the waters of this state.

Sec. _____. Section 123.36, subsection 6, Code 1989, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license, subject to section 123.49, subsection 2, paragraph "b", may apply for and receive permission to sell and dispense alcoholic liquor and wine to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours of ten a.m. and twelve midnight on Sunday. A class "D" liquor control licensee may apply for and receive permission to sell and dispense alcoholic beverages to patrons for consumption on the premises only between the hours of ten a.m. and twelve midnight on Sunday. For the privilege of selling beer, wine, and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license.

Sec. _____. Section 123.49, subsection 2, paragraph a, Code Supplement 1989, is amended to read as follows:

a. Knowingly permit any gambling, except in accordance with chapter 99B, 99D, 99E, or 99F, or knowingly permit solicitation for immoral purposes, or immoral or disorderly conduct on the premises covered by the license or permit.

Sec. _____. EFFECTIVE DATE.

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

4. Title page, by striking line 2 and inserting the following: "authorizing wagering on simultaneous telecast races, by providing for the conduct of meetings by certain nonprofit corporations, by authorizing sales of alcoholic

beverages at racetracks and on Sundays, by subjecting violators to existing penalties, and by providing an effective date."

ON THE PART OF THE SENATE:

GEORGE R. KINLEY, Chairperson
EUGENE S. FRAISE
JULIA B. GENTLEMAN
JIM LIND
RICHARD V. RUNNING

ON THE PART OF THE HOUSE:

EUGENE H. BLANSHAN, Chairperson
TONY BISIGNANO
JOHN H. CONNORS

CCR-2057 FILED APRIL 5, 1990
ADOPTED (p. 1595)

House adopted 4/5 (p. 2074)

SENATE FILE 2057

AN ACT

RELATING TO THE CONDUCT OF PARI-MUTUEL RACING BY AUTHORIZING WAGERING ON SIMULTANEOUS TELECAST RACES, BY PROVIDING FOR THE CONDUCT OF MEETINGS BY CERTAIN NONPROFIT CORPORATIONS, BY AUTHORIZING SALES OF ALCOHOLIC BEVERAGES AT RACETRACKS AND ON SUNDAYS, BY SUBJECTING VIOLATORS TO EXISTING PENALTIES, AND BY PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 21.2, subsection 1, Code Supplement 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. A nonprofit corporation whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D or a nonprofit corporation which is a successor to the nonprofit corporation which built the facility.

Sec. 2. NEW SECTION. 21.11 APPLICABILITY TO NONPROFIT CORPORATIONS.

This chapter applies to nonprofit corporations which are defined as governmental bodies subject to section 21.2, subsection 1, paragraph "f", only when the meetings conducted by the nonprofit corporations relate to the conduct of pari-mutuel racing and wagering pursuant to chapter 99D.

Sec. 3. Section 99B.6, subsection 1, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

Except as provided in subsections 5, 6, 7, and 8, and 9 gambling is unlawful on premises for which a class "A", class "B", class "C", or class "D" liquor control license, or class "B" beer permit has been issued pursuant to chapter 123 unless all of the following are complied with:

Sec. 4. Section 99B.6, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 9. Pari-mutuel wagering authorized under chapter 99D may be conducted within a racetrack enclosure which is licensed as an establishment that serves or sells alcoholic beverages as defined in section 123.3 if the pari-mutuel wagering is conducted pursuant to chapter 99D and rules adopted under chapter 99D.

Sec. 5. Section 99D.11, subsection 6, paragraph b, Code Supplement 1989, is amended to read as follows:

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 select~~ the races to be televised. The races selected by the commission shall be 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

are horse or dog racing-meet races 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. 6. Section 123.30, subsection 3, paragraph d, Code 1989, is amended to read as follows:

d. CLASS "D". A class "D" liquor control license may be issued to a railway corporation, to an air common carrier, and to passenger-carrying boats or ships for hire with a capacity of twenty-five persons or more operating in inland or boundary waters, and shall authorize the holder to sell or furnish alcoholic beverages, wine, and beer to passengers for consumption only on trains, watercraft as described in this section, or aircraft, respectively. Each license is valid throughout the state. Only one license is required for all trains, watercraft, or aircraft operated in the state by the licensee. However, if a watercraft is an excursion gambling boat licensed under chapter 99F, the owner shall obtain a separate class "D" liquor control license for each excursion gambling boat operating in the waters of this state.

Sec. 7. Section 123.36, subsection 6, Code 1989, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license, subject to section 123.49, subsection 2, paragraph "b", may apply for and receive permission to sell and dispense alcoholic liquor and wine to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours of ten a.m. and twelve midnight on Sunday. A class "D" liquor control licensee may apply for and receive permission to sell and dispense alcoholic beverages to patrons for consumption on the premises only between the hours of ten a.m. and twelve midnight on Sunday. For the privilege of selling beer, wine, and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by

twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license.

Sec. 8. Section 123.49, subsection 2, paragraph a, Code Supplement 1989, is amended to read as follows:

a. Knowingly permit any gambling, except in accordance with chapter 99B, 99D, 99E, or 99F, or knowingly permit solicitation for immoral purposes, or immoral or disorderly conduct on the premises covered by the license or permit.

Sec. 9. EFFECTIVE DATE.

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

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2057, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved *April 19*, 1990

TERRY E. BRANSTAD
Governor