

(P. 812) 3/23/94 Senate - State Gov.
(P. 840) 3-24-94 Senate - Do Pass

HOUSE FILE 2375

BY COMMITTEE ON STATE GOVERNMENT

MAR 7 1994

Place On Calendar

(SUCCESSOR TO HSB 658)

Passed House, Date ^(P. 811) 3/23/94 Passed Senate, Date ^(P. 1137) 4-11-94
Vote: Ayes 93 Nays 1 Vote: Ayes 35 Nays 13
Approved April 19, 1994

A BILL FOR

1 An Act relating to the regulation of pari-mutuel racetracks and
2 gaming on excursion gambling boats, and providing an effective
3 date.

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

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HF 2375

1 Section 1. Section 99D.7, subsection 19, Code 1993, is
2 amended to read as follows:

3 19. To require licensees to indicate in their racing
4 programs those horses to which the drugs are treated with the
5 legal medication lasix or phenylbutazone ~~were administered~~
6 ~~within ten days before the race or to which the drugs are to~~
7 ~~be administered before the race.~~ The program shall also
8 indicate if it is the first, ~~second, or third~~ or subsequent
9 time that a horse is racing with lasix, or if the horse has
10 previously raced with lasix and the present race is the first
11 race for the horse without lasix following its use.

12 Sec. 2. Section 99D.23, subsection 4, Code 1993, is
13 amended to read as follows:

14 4. The commission veterinarian shall keep a continuing
15 record ~~of the racing soundness~~ of all horses examined
16 determined to be sick, unsafe, unsound, or unfit to race by a
17 commission veterinarian at a racetrack.

18 Sec. 3. Section 99D.25, subsection 1, paragraph b, Code
19 1993, is amended to read as follows:

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

28 Sec. 4. Section 99D.25, subsection 6, Code 1993, is
29 amended by striking the subsection.

30 Sec. 5. Section 99D.25A, subsection 7, Code 1993, is
31 amended to read as follows:

32 7. A horse entered to race with lasix must be treated at
33 least four hours prior to post time. The lasix shall be
34 administered intravenously by a veterinarian employed by the
35 owner or trainer of the horse under the visual supervision of

1 the commission veterinarian. The practicing veterinarian must
2 deposit with the commission veterinarian at the detention barn
3 an unopened supply of lasix and sterile hypodermic needles and
4 syringes to be used for the administrations. Lasix shall only
5 be administered in a dose level of two hundred fifty
6 milligrams. The commission veterinarian shall extract a test
7 sample of the horse's blood, urine, or saliva to determine
8 whether the horse was improperly drugged ~~both-before-the-lasix~~
9 ~~was-administered-and~~ after the race is run.

10 Sec. 6. Section 99F.17, subsection 5, Code 1993, is
11 amended to read as follows:

12 ~~5. A-manufacturer-or-distributor-of-gambling-games-who-has~~
13 ~~been-granted-a-license-under-this-section-shall-have-a~~
14 ~~representative-within-this-state-to-take-delivery-of-gambling~~
15 ~~games-or-implements-of-gambling-prior-to-delivery-to-a~~
16 ~~licensee.~~ The manufacturer or distributor of gambling games
17 or implements of gambling shall provide the commission with a
18 copy of the invoice showing the items shipped to the licensee
19 and a copy of the bill of lading.

20 Sec. 7. Section 99F.17, Code 1993, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. 6. Subsection 2 does not apply in the
23 following cases, if approved by the commission:

24 a. Gambling games or implements of gambling previously
25 installed on an excursion gambling boat licensed in another
26 jurisdiction.

27 b. Gambling games or implements of gambling previously
28 installed on an excursion gambling boat licensed in this
29 state.

30 Sec. 8. Section 99F.17A, Code 1993, is amended to read as
31 follows:

32 99F.17A INSPECTION OF SLOT-MACHINES-OR-VIDEO-GAMES-OF
33 CHANCE GAMBLING GAMES OR IMPLEMENTS OF GAMBLING.

34 ~~The-representative-of-a~~ A licensed manufacturer or
35 distributor of gambling games ~~who-takes-delivery-of-slot~~

1 ~~machines-or-video-games-of-chance-under-section-99F.17,~~
2 ~~subsection-5,~~ or implements of gambling shall deliver those
3 ~~slot-machines-or-video-games-of-chance~~ the gambling games or
4 implements of gambling to a ~~land-based-facility~~ location
5 approved by the commission for inspection and approval prior
6 to ~~installation~~ being placed in operation. Gambling games or
7 implements of gambling acquired pursuant to section 99F.17,
8 subsection 6, shall be inspected and approved by the
9 commission prior to being placed in operation. ~~Slot-machines~~
10 ~~or-video-games-of-chance~~ Gambling games or implements of
11 gambling passing inspection and receiving approval may then be
12 ~~installed~~ placed in operation on an excursion gambling boat.

13 Sec. 9. EFFECTIVE DATE. This Act, being deemed of
14 immediate importance, takes effect upon enactment.

15 EXPLANATION

16 This bill amends chapters 99D and 99F relating to records
17 kept and drugs and drug information disclosed on pari-mutuel
18 horses and dogs and the delivery of gambling games and
19 equipment directly to an excursion gambling boat outside this
20 state.

21 Section 1 strikes the requirement that racing programs
22 indicate which horses were administered lasix or
23 phenylbutazone within 10 days before the race. The licensee
24 must indicate which horses are treated with legal drugs and if
25 the drugs are used currently.

26 Section 2 strikes the requirement that continuing records
27 of the racing soundness of all horses be kept by the state
28 racing and gaming commission veterinarian. The amendment will
29 require records only on horses which are determined to be
30 sick, unsafe, unsound, or unfit.

31 Section 3 amends the definition of numbing to treat
32 similarly all freezing devices, substances, ice, or cold packs
33 used on dogs or horses.

34 Section 4 strikes the prohibition that phenylbutazone may
35 not be administered to a horse within 96 hours of the start of

1 a race in which the horse is entered.
2 Section 5 eliminates the requirement that each horse on
3 which lasix is used be tested before a race.
4 Section 6 provides that the manufacturer or distributor of
5 gambling games and implements of gambling shall give a copy of
6 the bill of lading and the invoice of all gaming devices sent
7 to a licensee.
8 Section 7 allows an already equipped excursion gambling
9 boat to be acquired by another licensee in this state.
10 Section 8 provides that gambling games or implements of
11 gambling intended for an excursion gambling boat shall be
12 delivered to a location specified by the commission. The
13 gaming devices shall be tested on the vessel before being
14 placed in operation.
15 Section 9 provides that the bill takes effect upon
16 enactment.
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HOUSE FILE 2375

5220

Amend House File 2375 as follows:

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

"Sec. ____ . Section 99D.11, subsection 6, paragraph b, Code 1993, is amended to read as follows:

b. The commission may authorize the licensee to simultaneously telecast within the racetrack enclosure, for the purpose of pari-mutuel wagering, a horse or dog race licensed by the racing authority of another state. The commission may also authorize the licensee of an excursion gambling boat licensed pursuant to chapter 99F to simultaneously telecast on the excursion gambling boat for the purpose of pari-mutuel wagering, a horse or dog race licensed by another state. The commission shall adopt rules to regulate the simultaneous telecast of dog and horse races for the purpose of pari-mutuel wagering on a licensed excursion gambling boat in compliance with this chapter, except that the licensee of an excursion gambling boat shall not be required to conduct live races. 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 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 a licensee that schedules no less than ninety performances of nine live races each day of the season. 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."

By HANSEN of Woodbury

5220 FILED MARCH 8, 1994

WITHDRAWN

3/23/94

(P. 811)

HOUSE FILE 2375

S-5520

1 Amend House File 2375, as passed by the House, as
2 follows:

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

5 "Section 1. Section 99B.6, subsection 1, paragraph
6 k, Code 1993, as amended by 1994 Iowa Acts, House File
7 2179, section 1, is amended to read as follows:

8 k. A person under the age of twenty-one eighteen
9 years shall not participate in the gambling except
10 pursuant to sections 99B.3, 99B.4, 99B.5, and 99B.7.
11 Any licensee knowingly allowing a person under the age
12 of twenty-one eighteen to participate in the gambling
13 prohibited by this paragraph or any person knowingly
14 participating in gambling with a person under the age
15 of twenty-one eighteen, is guilty of a simple
16 misdemeanor."

17 2. Page 1, by inserting after line 11 the
18 following:

19 "Sec. ____ . Section 99D.11, subsection 7, Code
20 1993, as amended by 1994 Iowa Acts, House File 2179,
21 section 4, is amended to read as follows:

22 7. A person under the age of twenty-one eighteen
23 years shall not make a pari-mutuel wager."

24 3. Page 1, by inserting after line 17 the
25 following:

26 "Sec. ____ . Section 99D.24, subsection 2, Code
27 1993, as amended by 1994 Iowa Acts, House File 2179,
28 section 5, is amended to read as follows:

29 2. A person knowingly permitting a person under
30 the age of twenty-one eighteen years to make a pari-
31 mutuel wager is guilty of a simple misdemeanor."

32 4. Page 2, by inserting after line 9 the
33 following:

34 "Sec. ____ . Section 99E.18, subsection 2, Code
35 1993, as amended by 1994 Iowa Acts, House File 2179,
36 section 6, is amended to read as follows:

37 2. A ticket or share shall not be sold to a person
38 who has not reached the age of twenty-one eighteen.
39 This does not prohibit the lawful purchase of a ticket
40 or share for the purpose of making a gift to a person
41 who has not reached the age of twenty-one eighteen. A
42 licensee or a licensee's employee who knowingly sells
43 or offers to sell a lottery ticket or share to a
44 person who has not reached the age of twenty-one
45 eighteen is guilty of a simple misdemeanor. In
46 addition the license of a licensee shall be suspended.
47 A prize won by a person who has not reached the age
48 of twenty-one eighteen but who purchases a winning
49 ticket or share in violation of this subsection shall
50 be forfeited.

S-5520

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S-5520

Page 2

1 Sec. ____ . Section 99F.9, subsection 6, Code 1993,
2 as amended by 1994 Iowa Acts, House File 2179, section
3 23, is amended to read as follows:

4 6. A person under the age of ~~twenty-one~~ eighteen
5 years shall not make a wager on an excursion gambling
6 boat and shall not be allowed in the area of the
7 excursion boat where gambling is being conducted.

8 ~~However, a person eighteen years of age or older may~~
9 ~~be employed to work in a gambling area.~~

10 Sec. ____ . Section 99F.15, subsection 2, Code 1993,
11 as amended by 1994 Iowa Acts, House File 2179, section
12 27, is amended to read as follows:

13 2. A person knowingly permitting a person under
14 the age of ~~twenty-one~~ eighteen years to make a wager
15 is guilty of a simple misdemeanor."

16 5. By renumbering as necessary.

By MERLIN E. BARTZ
BILL FINK

S-5520 FILED APRIL 7, 1994

~~out of order 4-11-94~~
(P 1136)

Martin, Chair
Rarkin
Tyrell

HSB 658

STATE GOVERNMENT

SENATE/HOUSE FILE 2375
BY (PROPOSED DEPARTMENT OF
INSPECTIONS AND APPEALS/
RACING AND GAMING
COMMISSION BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the regulation of pari-mutuel racetracks and
2 gaming on excursion gambling boats, and providing an effective
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1 Section 1. Section 99D.7, subsection 19, Code 1993, is
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3 19. To require licensees to indicate in their racing
4 programs those horses to which the drugs are treated with the
5 legal medication lasix or phenylbutazone ~~were administered~~
6 ~~within ten days before the race or to which the drugs are to~~
7 ~~be administered before the race.~~ The program shall also
8 indicate if it is the first, ~~second, or third~~ or subsequent
9 time that a horse is racing with lasix, or if the horse has
10 previously raced with lasix and the present race is the first
11 race for the horse without lasix following its use.

12 Sec. 2. Section 99D.23, subsection 4, Code 1993, is
13 amended to read as follows:

14 4. The commission veterinarian shall keep a continuing
15 record ~~of the racing soundness~~ of all horses examined
16 determined to be sick, unsafe, unsound, or unfit to race by a
17 commission veterinarian at a racetrack.

18 Sec. 3. Section 99D.25, subsection 1, paragraph b, Code
19 1993, is amended to read as follows:

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

28 Sec. 4. Section 99D.25, subsection 6, Code 1993, is
29 amended by striking the subsection.

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32 7. A horse entered to race with lasix must be treated at
33 least four hours prior to post time. The lasix shall be
34 administered intravenously by a veterinarian employed by the
35 owner or trainer of the horse under the visual supervision of

1 the commission veterinarian. The practicing veterinarian must
2 deposit with the commission veterinarian at the detention barn
3 an unopened supply of lasix and sterile hypodermic needles and
4 syringes to be used for the administrations. Lasix shall only
5 be administered in a dose level of two hundred fifty
6 milligrams. The commission veterinarian shall extract a test
7 sample of the horse's blood, urine, or saliva to determine
8 whether the horse was improperly drugged ~~both-before-the-lasix~~
9 ~~was-administered-and~~ after the race is run.

10 Sec. 6. Section 99F.17, subsection 5, Code 1993, is
11 amended to read as follows:

12 ~~5. A-manufacturer-or-distributor-of-gambling-games-who-has~~
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14 ~~representative-within-this-state-to-take-delivery-of-gambling~~
15 ~~games-or-implements-of-gambling-prior-to-delivery-to-a~~
16 ~~licensee-~~ The manufacturer or distributor of gambling games
17 or implements of gambling shall provide the commission with a
18 copy of the invoice showing the items shipped to the licensee
19 and a copy of the bill of lading.

20 Sec. 7. Section 99F.17, Code 1993, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. 6. Subsection 2 does not apply in the
23 following cases, if approved by the commission:

24 a. Gambling games or implements of gambling previously
25 installed on an excursion gambling boat licensed in another
26 jurisdiction.

27 b. Gambling games or implements of gambling previously
28 installed on an excursion gambling boat licensed in this
29 state.

30 Sec. 8. Section 99F.17A, Code 1993, is amended to read as
31 follows:

32 99F.17A INSPECTION OF SLOT-MACHINES-OR-VIDEO-GAMES-OF
33 CHANCE GAMBLING GAMES OR IMPLEMENTS OF GAMBLING.

34 ~~The-representative-of-a~~ A licensed manufacturer or
35 distributor of gambling games ~~who-takes-delivery-of-slot~~

1 machines-or-video-games-of-chance-under-section-99F.17,
2 subsection-5, or implements of gambling shall deliver those
3 slot-machines-or-video-games-of-chance the gambling games or
4 implements of gambling to a land-based-facility location
5 approved by the commission for inspection and approval prior
6 to installation being placed in operation. Gambling games or
7 implements of gambling acquired pursuant to section 99F.17,
8 subsection 6, shall be inspected and approved by the
9 commission prior to being placed in operation. Slot-machines
10 or-video-games-of-chance Gambling games or implements of
11 gambling passing inspection and receiving approval may then be
12 installed placed in operation on an excursion gambling boat.

13 Sec. 9. EFFECTIVE DATE. This Act, being deemed of
14 immediate importance, takes effect upon enactment.

15 EXPLANATION

16 This bill amends chapters 99D and 99F relating to records
17 kept and drugs and drug information disclosed on pari-mutuel
18 horses and dogs and the delivery of gambling games and
19 equipment directly to an excursion gambling boat outside this
20 state.

21 Section 1 strikes the requirement that racing programs
22 indicate which horses were administered lasix or
23 phenylbutazone within 10 days before the race. The licensee
24 must indicate which horses are treated with legal drugs and if
25 the drugs are used currently.

26 Section 2 strikes the requirement that continuing records
27 of the racing soundness of all horses be kept by the state
28 racing and gaming commission veterinarian. The amendment will
29 require records only on horses which are determined to be
30 sick, unsafe, unsound, or unfit.

31 Section 3 amends the definition of numbing to treat
32 similarly all freezing devices, substances, ice, or cold packs
33 used on dogs or horses.

34 Section 4 strikes the prohibition that phenylbutazone may
35 not be administered to a horse within 96 hours of the start of

1 a race in which the horse is entered.

2 Section 5 eliminates the requirement that each horse on
3 which lasix is used be tested before a race.

4 Section 6 provides that the manufacturer or distributor of
5 gambling games and implements of gambling shall give a copy of
6 the bill of lading and the invoice of all gaming devices sent
7 to a licensee.

8 Section 7 allows an already equipped excursion gambling
9 boat to be acquired by another licensee in this state.

10 Section 8 provides that gambling games or implements of
11 gambling intended for an excursion gambling boat shall be
12 delivered to a location specified by the commission. The
13 gaming devices shall be tested on the vessel before being
14 placed in operation.

15 Section 9 provides that the bill takes effect upon
16 enactment.

17 BACKGROUND STATEMENT

18 SUBMITTED BY THE AGENCY

19 Section 1 eliminates the requirement that racing programs
20 indicate which horses were administered lasix or
21 phenylbutazone within 10 days before the race. The current
22 law could mislead the general public by giving the perception
23 that any horse that was administered lasix or phenylbutazone
24 within the previous 10 days has the medication in its system
25 at the time of a race. This perception could alter the
26 wagering decision of a citizen and could create a mistrust in
27 the regulation and integrity of racing in Iowa.

28 Patrons are interested in whether or not a horse has the
29 benefit of the allowable amount of medication for that day's
30 race. The racing program provides for notification to the
31 public if a horse is racing with one or both of these
32 medications in its system. Administration of one of these
33 medications 10 days prior to a race does not mean the
34 medication is still in the horse's system at the time of the
35 race.

1 Laboratory testing of urine and blood samples shows that
2 lasix is completely eliminated from a horse's system within 24
3 hours of administration.

4 To administer phenylbutazone in an amount to remain in the
5 horse's system for 10 days would require a toxic dosage.

6 The commission veterinarian receives reports filed by
7 practicing veterinarians containing detailed information of
8 the administration of any medication.

9 Section 2 eliminates the requirement that continuing
10 records of the racing soundness of all horses be kept by the
11 commission veterinarian. New language would require records
12 only on horses determined to be sick, unsafe, unsound, or
13 unfit to race.

14 All horses are examined for racing soundness on the day of
15 the race at the barn and again in the paddock and prerace
16 warmups by the commission veterinarian. The commission
17 veterinarian examines an estimated 1,000 horses several times
18 each season. Approximately 300 horses fall under the criteria
19 of sick, unsafe, unsound, or unfit to race.

20 The amended language is necessary to reduce the amount of
21 recordkeeping required by the current law. In addition to the
22 recordkeeping being burdensome for the commission
23 veterinarian, the estimated additional cost to continue to
24 keep all records and ensure all horses are examined is \$2,000.

25 Section 3 removes the distinction between freezing device
26 or substance and ice or cold packs for purposes of time
27 limitations on use before a race. Current statute simply
28 forces trainers to use ice or cold packs for therapeutic
29 purposes to reduce inflammation. It also provides a
30 prohibition on surgical or other procedures involving an
31 injection of the nerves.

32 Section 4 eliminates the requirement that phenylbutazone
33 cannot be administered within 96 hours of a race. The
34 existing law sets a dual standard that phenylbutazone cannot
35 be administered within 96-hours of a race and that the

1 concentration of phenylbutazone cannot exceed 2.2 mg/ml.
2 Phenylbutazone would have to be administered at a toxic dosage
3 level to remain in the system at a 2.2 mg/ml of plasma level
4 96 hours later. This deceives the public by giving them the
5 impression the horse is receiving therapeutic value from
6 phenylbutazone when actually the medication would be out of
7 the horse's system. In order to attempt to enforce the 96-
8 hour provision, each horse would have to be constantly
9 physically supervised by commission staff for the 96 hours
10 prior to the race. Any benefit would not justify the cost.

11 The National Association of State Racing Commissioners
12 Chemist Advisory Committee promulgated the 2.2 mg/ml as a
13 level of phenylbutazone that does not have any pain-killing
14 properties but retains anti-inflammatory values. In Iowa, 2.2
15 mg/ml is the maximum level allowed and subject to
16 administrative action. All other racing states allowing
17 phenylbutazone have levels equal to or above Iowa's level.
18 New York is the only major racing state where phenylbutazone
19 is prohibited, but has a tolerance level of 2.0 mg/ml.

20 Section 5 eliminates the requirement that every horse that
21 is administered lasix be tested before a race. The prelasix
22 administration testing is now of no value and is not cost-
23 effective. The money saved could be spent more effectively to
24 deter the use of illegal drugs. With current laboratory
25 technology and the continued postrace testing of all horses on
26 lasix, anyone attempting to abuse the system would be
27 identified. While the prelasix administration testing may
28 have been useful in the past, this is no longer true.
29 Expenditures for that type of testing are no longer meaningful
30 or beneficial to lasix administration regulation. The same
31 things can be accomplished now, without the added cost and
32 extra stress to the horses.

33 Section 6 deletes the requirement for a representative of a
34 manufacturer or distributor to take delivery of gambling games
35 in Iowa.

1 Section 7 allows for already equipped gaming vessels to be
2 acquired by licensees. Section 99F.17, subsection 2, requires
3 gambling games or implements of gambling to be acquired from a
4 licensed distributor and does not allow the acquisition of
5 gambling games or implements of gambling from another
6 licensee.

7 Now that riverboat gambling has already been established in
8 Iowa, across the midwest, and in other jurisdictions, there
9 are gaming vessels already equipped with gambling games or
10 implements of gambling. It is preferable and practical to
11 sell a gaming vessel and the games as a package. Subsection 2
12 would not allow this to occur. A purchaser of a licensed Iowa
13 boat whose intent is to continue operation at the same
14 location cannot take direct possession of gaming equipment on
15 the boat. The language needs to be amended to allow these
16 exceptions with commission approval. All gambling games or
17 implements of gambling would still have to be tested prior to
18 being placed in operation.

19 Section 8 allows gambling games or implements of gambling
20 to be delivered at a location approved by the commission.
21 Inspection and approval would be required prior to being
22 placed in operation. This would allow gaming vessels
23 constructed at a shipyard in another part of the country that
24 need to be tested for seaworthiness before being sent up the
25 Mississippi river to Iowa, to test the boats with the gaming
26 equipment installed before sending them up river. Gaming
27 equipment, particularly slot machines, constitutes a
28 significant part of the weight carried by the boat. This
29 legislation would allow for the shipbuilders to test for
30 seaworthiness and still provide for inspection and approval of
31 gambling games and implements of gambling on existing boats
32 prior to operation.

33 Section 9 -- This legislation would be effective upon
34 enactment. This is necessary to ensure that the legislation
35 is effective prior to the racing season at Prairie Meadows and

1 is effective for any new riverboat licensees.

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HOUSE FILE 2375

AN ACT

RELATING TO THE REGULATION OF PARI-MUTUEL RACETRACKS AND GAMING
ON EXCURSION GAMBLING BOATS, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 99D.7, subsection 19, Code 1993, is amended to read as follows:

19 To require licensees to indicate in their racing programs those horses to which the drugs are treated with the legal medication 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.

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4. The commission veterinarian shall keep a continuing record of the racing soundness of all horses examined determined to be sick, unsafe, unsound, or unfit to race by a commission veterinarian at a racetrack.

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b. "Numbing" means the applying of dry ice or a chemical or mechanical freezing device or substance 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, injected, or removed.

Sec. 4. Section 99D.25, subsection 6, Code 1993, is amended by striking the subsection.

Sec. 5. Section 99D.25A, subsection 7, Code 1993, is amended to read as follows:

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 detection barn an unopened supply of lasix and sterile hypodermic needles and syringes to be used for the administrations. Lasix shall not 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.

Sec. 6. Section 99E.17, subsection 5, Code 1993, is amended to read as follows:

5. A manufacturer or distributor of gambling games who has been granted a license under this section shall have a representative within this state to take delivery of gambling games or implements of gambling prior to delivery to a licensee. The manufacturer or distributor of gambling games or implements of gambling shall provide the commissioner with a copy of the invoice showing the items shipped to the licensee and a copy of the bill of lading.

Sec. 7. Section 99F.17, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Subsection 7 does not apply in the following cases, if approved by the commission:

- a. Gambling games or implements of gambling previously installed on an excursion gambling boat licensed in another jurisdiction.
- b. Gambling games or implements of gambling previously installed on an excursion gambling boat licensed in this state.

Sec. 8. Section 99F.17A, Code 1993, is amended to read as follows:

99F.17A INSPECTION OF SLOT-MACHINES OR VIDEO-GAMES OR OTHER GAMBLING GAMES OR IMPLEMENTS OF GAMBLING.
 The representative of a licensed manufacturer or distributor of gambling games who takes delivery of slot machines or video games or implements of gambling under subsection 6 or implements of gambling shall deliver those slot machines or video games or implements of gambling approved by the commission for inspection and approval prior to installation being placed in operation. Gambling games or implements of gambling acquired pursuant to section 99F.17, subsection 6, shall be inspected and approved by the commission prior to being placed in operation. Slot machines or video games or implements of gambling games or implements of gambling passing inspection and receiving approval may then be installed placed in operation at an excursion gambling boat.

Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

HAROLD VAN HAAREN
 Speaker of the House

LEONARD I. BOSWELL
 President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2175, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
 Chief Clerk of the House

Approved *April 19*, 1994

TERRY E. BRANSTAD
 Governor