

H-2/16/95 Agriculture

FILED FEB 14 1995

H. 2/22/95 Do Pass
H. 4/2/95 unfinished Business
Colmdaw

SENATE FILE 146
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO LSB 2021SC)

Passed Senate, Date 2/16/95 (p. 380) Passed House, Date 4/20/95 (p. 1759)
Vote: Ayes 48 Nays 0 Vote: Ayes 97 Nays 0
Approved May 1, 1995

A BILL FOR

1 An Act relating to Iowa-foaled horses and Iowa-whelped dogs used
2 for breeding and racing.

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

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S.F. 146

1 Section 1. Section 99D.22, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. A licensee shall hold at least one race on each racing
4 day limited to Iowa-foaled horses or Iowa-whelped dogs as
5 defined by the department of agriculture and land stewardship
6 using standards consistent with this section. However, if
7 sufficient competition cannot be had among that class of
8 horses or dogs on any day, another race for the day may be
9 substituted. A sum equal to twelve percent of the purse won
10 by an Iowa-foaled horse or Iowa-whelped dog shall be used to
11 promote the horse and dog breeding industries. The twelve
12 percent shall be withheld by the licensee from the breakage
13 and shall be paid at the end of the race meeting to the state
14 department of agriculture and land stewardship which in turn
15 shall deposit it in a special fund to be known as the Iowa
16 horse and dog breeders fund and pay it by December 31 of each
17 calendar year to the breeder of the winning Iowa-foaled horse
18 or Iowa-whelped dog. For the purposes of this section, the
19 breeder of a thoroughbred horse shall be considered to be the
20 owner of the brood mare at the time the foal is dropped. The
21 breeder of a quarter horse or standardbred horse shall be
22 considered to be the owner of the mare at the time of
23 breeding.

24 Sec. 2. Section 99D.22, subsection 2, unnumbered paragraph
25 1, Code 1995, is amended to read as follows:

26 For the purposes of this chapter, the following shall be
27 considered in determining if a horse is an Iowa-foaled
28 thoroughbred horse, quarter horse, or standardbred horse:

29 Sec. 3. Section 99D.22, subsection 2, paragraph a, Code
30 1995, is amended to read as follows:

31 a. All thoroughbred horses, quarter horses, or
32 standardbred horses foaled in Iowa prior to January 1, 1985,
33 which are registered by the jockey club, American quarter
34 horse association, or United States trotting association as
35 Iowa foaled shall be considered to be Iowa foaled.

1 Sec. 4. Section 99D.22, subsection 2, paragraph c,
2 unnumbered paragraph 1, Code 1995, is amended to read as
3 follows:

4 To be eligible for registration as an Iowa thoroughbred,
5 quarter horse, or standardbred stallion, the following
6 requirements shall be met:

7 Sec. 5. Section 99D.22, subsection 2, paragraph c, sub-
8 paragraph (1), Code 1995, is amended by striking the sub-
9 paragraph and inserting in lieu thereof the following:

10 (1) Stallion residency from January 1 through July 31 for
11 the year of registration. However, horses going to stud for
12 the first year shall be eligible upon registration with
13 residency to continue through July 31.

14 Sec. 6. Section 99D.22, subsection 3, paragraphs a and d,
15 Code 1995, are amended to read as follows:

16 a. Adopt standards to qualify thoroughbred, quarter horse,
17 or standardbred stallions for Iowa breeding. A stallion shall
18 stand for service in the state at the time of the foal's
19 conception and shall not stand for service at any place
20 outside the state during the calendar year in which the foal
21 is conceived.

22 d. Adopt a schedule of fees to be charged to breeders of
23 thoroughbreds, quarter horses, or standardbreds to administer
24 this subsection.

25 Sec. 7. Section 99D.22, subsection 4, Code 1995, is
26 amended to read as follows:

27 4. To qualify for the Iowa horse and dog breeders fund, a
28 dog shall have been whelped in Iowa and raised for the first
29 six months of its life in Iowa. In addition, the owner of the
30 dog shall have been a resident of the state for at least two
31 years prior to the whelping. The department of agriculture
32 and land stewardship shall adopt rules and prescribe forms to
33 bring Iowa breeders into compliance with residency
34 requirements of dogs and breeders in this subsection.

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EXPLANATION

1 This bill makes several changes relating to the
2 requirements to qualify an Iowa-foaled horse or an Iowa-
3 whelped dog for pari-mutuel racing purposes. These changes
4 include defining who is a breeder for Iowa-foaled quarter and
5 standardbred horses, modifying residency requirements for Iowa
6 stallions, and mandating the department of agriculture and
7 land stewardship to adopt rules and prescribe forms to verify
8 residency for Iowa-whelped dogs.

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SENATE FILE 146

H-3440

1 Amend Senate File 146 as follows:

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

4 "Section 1. Section 12.32, subsection 1, Code
5 1995, is amended to read as follows:

6 1. "Eligible borrower" means any person who is in
7 the business or is entering the business of producing,
8 processing, or marketing horticultural crops, or
9 nontraditional crops, or nontraditional livestock in
10 this state, including but not limited to the breeding
11 or training of Iowa-foaled horses and Iowa-whelped
12 dogs which are involved in racing at a facility
13 licensed pursuant to chapter 99D.

14 Sec. ____ . Section 12.33, subsection 1, Code 1995,
15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. c. That there is an increasing
17 expansion of nontraditional livestock production which
18 promises new opportunities for agricultural animal
19 producers, creates new value-added products, and
20 ensures greater diversity in agricultural production.

21 Sec. ____ . Section 12.33, subsections 2 and 3, Code
22 1995, are amended to read as follows:

23 2. The linked investments for tomorrow program
24 provided for in this division is intended to provide
25 statewide availability of lower cost funds for lending
26 purposes that will stimulate existing or encourage new
27 businesses in the area of producing, processing, or
28 marketing horticultural or crops, nontraditional
29 crops, or nontraditional livestock, including but not
30 limited to the breeding or training of Iowa-foaled
31 horses and Iowa-whelped dogs which are involved in
32 racing at a facility licensed pursuant to chapter 99D.

33 3. It is the public policy of the state through
34 the linked investments for tomorrow program to create
35 an availability of lower cost funds to inject needed
36 capital into the business of producing, processing, or
37 marketing horticultural crops, or nontraditional
38 crops, or nontraditional livestock, including but not
39 limited to the breeding or training of Iowa-foaled
40 horses and Iowa-whelped dogs which are involved in
41 racing at a facility licensed pursuant to chapter 99D.

42 Sec. ____ . Section 12.34, subsection 2, Code 1995,
43 is amended to read as follows:

44 2. The treasurer shall adopt rules pursuant to
45 chapter 17A to implement this division including, but
46 not limited to, rules identifying horticultural crops,
47 and nontraditional crops, and nontraditional
48 livestock, including but not limited to the breeding
49 or training of Iowa-foaled horses and Iowa-whelped
50 dogs which are involved in racing at a facility

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Page 2

1 licensed pursuant to chapter 99D, for which the linked
2 investments may be loaned.

3 Sec. ____ . Section 12.35, subsection 1, Code 1995,
4 is amended to read as follows:

5 1. An eligible lending institution that desires to
6 receive a linked investment shall accept and review
7 applications for loans from eligible borrowers. The
8 lending institution shall apply all usual lending
9 standards to determine the credit worthiness of each
10 eligible borrower. Loan applications shall be for the
11 purchase or lease of land, machinery, equipment, seed,
12 fertilizer, direct marketing facilities, or new or
13 expanding production, processing, or marketing
14 facilities for horticultural crops, or nontraditional
15 crops, or nontraditional livestock, including but not
16 limited to the breeding or training of Iowa-foaled
17 horses and Iowa-whelped dogs which are involved in
18 racing at a facility licensed pursuant to chapter 99D.
19 The maximum size of a loan is two hundred thousand
20 dollars per borrower for a production loan and five
21 hundred thousand dollars for processing or marketing
22 facilities."

23 2. By renumbering as necessary.

By KREMER of Buchanan

H-3440 FILED MARCH 23, 1995

WITHDRAWN 4/20/95 (p. 1759)

SENATE FILE 146

AN ACT

RELATING TO IOWA-FOALED HORSES AND IOWA-WHELPED DOGS USED FOR BREEDING AND RACING.

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

Section 1. Section 99D.22, subsection 1, Code 1995, is amended to read as follows:

1. A licensee shall hold at least one race on each racing day limited to Iowa-foaled horses or Iowa-whelped dogs as defined by the department of agriculture and land stewardship using standards consistent with this section. However, if sufficient competition cannot be had among that class of horses or dogs on any day, another race for the day may be substituted. A sum equal to twelve percent of the purse won by an Iowa-foaled horse or Iowa-whelped dog shall be used to promote the horse and dog breeding industries. The twelve percent shall be withheld by the licensee from the breakage and shall be paid at the end of the race meeting to the state department of agriculture and land stewardship which in turn shall deposit it in a special fund to be known as the Iowa horse and dog breeders fund and pay it by December 31 of each calendar year to the breeder of the winning Iowa-foaled horse or Iowa-whelped dog. For the purposes of this section, the breeder of a thoroughbred horse shall be considered to be the owner of the brood mare at the time the foal is dropped. The breeder of a quarter horse or standardbred horse shall be considered to be the owner of the mare at the time of breeding.

Sec. 2. Section 99D.22, subsection 2, unnumbered paragraph 1, Code 1995, is amended to read as follows:

For the purposes of this chapter, the following shall be considered in determining if a horse is an Iowa-foaled

thoroughbred horse, quarter horse, or standardbred horse:

Sec. 3. Section 99D.22, subsection 2, paragraph a, Code 1995, is amended to read as follows:

a. All thoroughbred horses, quarter horses, or standardbred horses foaled in Iowa prior to January 1, 1985, which are registered by the jockey club, American quarter horse association, or United States trotting association as Iowa foaled shall be considered to be Iowa foaled.

Sec. 4. Section 99D.22, subsection 2, paragraph c, unnumbered paragraph 1, Code 1995, is amended to read as follows:

To be eligible for registration as an Iowa thoroughbred, quarter horse, or standardbred stallion, the following requirements shall be met:

Sec. 5. Section 99D.22, subsection 2, paragraph c, subparagraph (1), Code 1995, is amended by striking the subparagraph and inserting in lieu thereof the following:

(1) Stallion residency from January 1 through July 31 for the year of registration. However, horses going to stud for the first year shall be eligible upon registration with residency to continue through July 31.

Sec. 6. Section 99D.22, subsection 3, paragraphs a and d, Code 1995, are amended to read as follows:

a. Adopt standards to qualify thoroughbred, quarter horse, or standardbred stallions for Iowa breeding. A stallion shall stand for service in the state at the time of the foal's conception and shall not stand for service at any place outside the state during the calendar year in which the foal is conceived.

d. Adopt a schedule of fees to be charged to breeders of thoroughbreds, quarter horses, or standardbreds to administer this subsection.

Sec. 7. Section 99D.22, subsection 4, Code 1995, is amended to read as follows:

4. To qualify for the Iowa horse and dog breeders fund, a dog shall have been whelped in Iowa and raised for the first six months of its life in Iowa. In addition, the owner of the dog shall have been a resident of the state for at least two years prior to the whelping. The department of agriculture and land stewardship shall adopt rules and prescribe forms to bring Iowa breeders into compliance with residency requirements of dogs and breeders in this subsection.

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 146, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved May 1, 1995

TERRY E. BRANSTAD
Governor