

# House Study Bill 698

## Bill Text

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1 1 Section 1. NEW SECTION. 99F.7A GAMBLING GAMES AT HORSE  
1 2 RACETRACK ENCLOSURES PROPOSITIONS AND GOVERNANCE.  
1 3 1. If a proposition to operate gambling games at a horse  
1 4 racetrack enclosure is approved by a majority of the county  
1 5 electorate voting on the proposition at the general election  
1 6 held in 2002 pursuant to section 99F.7, subsection 10,  
1 7 paragraph "d", and upon petition of the eligible voters of the  
1 8 county equal in number to at least ten percent of the votes  
1 9 cast in the county for the office of governor at the 2002  
1 10 general election, requesting that the board of supervisors to  
1 11 the county electorate submit a second proposition on the type  
1 12 or types of gambling to be authorized at the horse racetrack  
1 13 enclosure. The petition shall be filed with the board of  
1 14 supervisors within ninety days after the 2002 general election  
1 15 approving continuation of operation of gambling games at the  
1 16 horse racetrack enclosure and shall comply with section  
1 17 331.306, except that the board of supervisors shall notify the  
1 18 commissioner of elections to schedule the special election  
1 19 within one hundred eighty days of the 2002 general election.  
1 20 The second proposition shall consist of the following  
1 21 question:  
1 22 "Which of the following types of gambling shall be  
1 23 conducted at the horse racetrack enclosure:  
1 24 a. Slot machines only.  
1 25 b. Pari-mutuel wagering only.  
1 26 c. Both slot machines and pari-mutuel wagering."  
1 27 The type or types of gambling receiving the highest number  
1 28 of the total votes cast on the proposition shall be conducted  
1 29 at the horse racetrack enclosure.  
1 30 2. a. Notwithstanding section 99D.9 or 99F.4A, if the  
1 31 proposition to operate gambling games at a horse racetrack  
1 32 enclosure is approved by the county electorate pursuant to  
1 33 section 99F.7, subsection 10, paragraph "d", at the general  
1 34 election held in 2002, the commission shall transfer the pari-  
1 35 mutuel wagering and gambling game licenses at the horse  
2 1 racetrack enclosure to a public board of directors consisting  
2 2 of the following members:  
2 3 (1) The members of the board of supervisors of the county  
2 4 in which the licensed horse racetrack enclosure is located.  
2 5 (2) One member of the board of supervisors of each county  
2 6 adjacent to the county in which the licensed horse racetrack  
2 7 enclosure is located. The member shall be selected by the  
2 8 board of supervisors of each adjacent county for a term of  
2 9 office as determined by each respective board of supervisors.  
2 10 (3) The mayor and one member of the city council of each  
2 11 city having a population of twenty-five thousand or more that  
2 12 is located in the county in which the licensed horse racetrack  
2 13 enclosure is located. The council member shall be selected by  
2 14 the city council of each affected city for a term of office as  
2 15 determined by each respective city council.  
2 16 (4) One mayor and two city council members selected from  
2 17 and representing all of the cities having a population of less  
2 18 than twenty-five thousand within the county in which the horse  
2 19 racetrack enclosure is located. The mayor and the two city  
2 20 council members shall be selected by a conference of all city  
2 21 council members from the affected cities. The date, time, and

2 22 location of a conference shall be determined by a joint  
2 23 declaration of the mayors of the affected cities. The terms  
2 24 of office of the mayor and the two council members shall be  
2 25 determined by the conference.

2 26 b. A vacancy on the board of directors shall be filled in  
2 27 the same manner as the predecessor was selected.

2 28 3. a. The board of directors created pursuant to  
2 29 subsection 2 shall organize annually by the election of a  
2 30 chairperson, vice chairperson, and other officers as deemed  
2 31 necessary from among its members. The initial meeting of the  
2 32 board shall be called by the chairperson of the board of  
2 33 supervisors of the county in which the horse racetrack  
2 34 enclosure is located. The board shall adopt rules of  
2 35 procedure and take actions as may be reasonable or appropriate  
3 1 to supervise and administer the gambling game operations of  
3 2 the racetrack enclosure.

3 3 b. Notwithstanding section 99F.6, subsection 4, paragraph  
3 4 "a", the board of directors shall determine the annual subsidy  
3 5 of purses or supplements for horse races, if any.

3 6 EXPLANATION

3 7 This bill provides that if the referendum to approve  
3 8 continuation of gambling games at a horse racetrack enclosure  
3 9 at the 2002 general election is successful, and upon petition  
3 10 of the eligible voters of the county equal in number to at  
3 11 least 10 percent of the votes cast in the county for governor  
3 12 at the 2002 general election, the board of supervisors shall  
3 13 submit a second proposition on gambling options at the horse  
3 14 racetrack enclosure to the county electorate. The petition  
3 15 must be submitted within 90 days after the general election  
3 16 approving continuation of gambling games at the horse  
3 17 racetrack enclosure. The petition shall comply with Code  
3 18 section 331.306, except that the board of supervisors shall  
3 19 notify the commissioner of elections to schedule the special  
3 20 election within 180 days of the 2002 general election. The  
3 21 gambling options are slot machines only, pari-mutuel wagering  
3 22 only, or both slot machines and pari-mutuel wagering. The  
3 23 gambling option receiving the highest number of votes shall be  
3 24 implemented at the horse racetrack enclosure.

3 25 In addition, if the continuation of gambling games is  
3 26 approved at the general election in 2002, the state racing and  
3 27 gaming commission shall transfer the pari-mutuel wagering and  
3 28 gambling games licenses at the horse racetrack enclosure to a  
3 29 public board of directors composed of elected county and city  
3 30 elected officers. The public board of directors shall include  
3 31 the members of the board of supervisors of the county in which  
3 32 the horse racetrack enclosure is located, a member of the  
3 33 board of supervisors of each county adjacent to the county in  
3 34 which the horse racetrack enclosure is located, the mayor and  
3 35 one member of the city council of each city having a  
4 1 population of 25,000 or more, which is located in the county  
4 2 in which the horse racetrack enclosure is located, and one  
4 3 mayor and two city council members selected from and  
4 4 representing all of the cities having a population of less  
4 5 than 25,000 that are located in the county in which the horse  
4 6 racetrack enclosure is located. The members of the boards of  
4 7 supervisors representing the adjacent counties shall be  
4 8 selected by their respective boards of supervisors and the  
4 9 mayor and one member of the city council of each city having a  
4 10 population of 25,000 or more shall be selected by their  
4 11 respective city councils. One mayor and two city council  
4 12 members representing all of the cities having a population of  
4 13 less than 25,000 shall be selected by a conference of all city  
4 14 council members of those cities. The terms of office shall be  
4 15 determined, and vacancies shall be filled, by the respective  
4 16 appointing authorities.

4 17 The board of directors shall organize annually by selecting  
4 18 a chairperson, vice chairperson, and other officers deemed

4 19 necessary. The chairperson of the county board of supervisors  
4 20 of the county in which the horse racetrack enclosure is  
4 21 located shall call the initial meeting of the board of  
4 22 directors. The board shall adopt rules of procedure and take  
4 23 actions as may be reasonable or appropriate to supervise and  
4 24 administer the gambling operations of the horse racetrack  
4 25 enclosure. The board is also responsible for determining the  
4 26 annual subsidy of purses or supplements for horse races, if  
4 27 any.  
4 28 LSB 6852YC 79  
4 29 tj/pj/5