

FILED APR 14 1989

*reprinted*

*Judiciary*

*Process 4-7-89 (p. 147)*

SENATE FILE

525

BY HUTCHINS

(COMPANION TO LSB 4220XH

BY ARNOULD)

Passed Senate, Date 4-18-89 (p. 153) Passed House, Date 4/20/89 (p. 1751)

Vote: Ayes 28 Nays 2 Vote: Ayes 80 Nays 17

Approved May 8, 1989

A BILL FOR

1 An Act relating to excursion gambling boats, by providing  
2 licensing requirements, by providing for the allocation of  
3 revenue, by providing for the accounting of receipts, by  
4 providing restrictions on the operation of gambling games, and  
5 providing a penalty.

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

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*SF 525*

37887

1 Section 1. Section 99F.4, as enacted by 1989 Iowa Acts,  
2 Senate File 124, section 4, is amended by adding the following  
3 new subsections:

4 NEW SUBSECTION. 16. To set the payout rate for all slot  
5 machines.

6 NEW SUBSECTION. 17. To define the duration of an  
7 excursion which shall be at least three hours during the  
8 excursion season. For the off season, the commission shall  
9 adopt rules limiting times of admission to excursion gambling  
10 boats consistent with maximum loss per player per gambling  
11 excursion specified in subsection 4.

12 NEW SUBSECTION. 18. To provide for the continuous  
13 videotaping of all gambling activities on an excursion boat.

14 NEW SUBSECTION. 19. To provide for adequate security  
15 aboard each excursion gambling boat.

16 NEW SUBSECTION. 20. To provide that gambling games shall  
17 be conducted only during the same hours when alcoholic  
18 beverages are lawfully sold or dispensed as provided in  
19 section 123.49.

3772, 3769  
3781, 3774

20 Sec. 2. Section 99F.7, subsection 1, as enacted by 1989  
21 Iowa Acts, Senate File 124, section 7, is amended by striking  
22 the subsection and inserting in lieu thereof the following:

3767 23 1. If the commission is satisfied that this chapter and  
24 its rules adopted under this chapter applicable to licensees  
25 have been or will be complied with, the commission shall issue  
26 a license for a period of not more than three years to an  
27 applicant to own a gambling game operation and to an applicant  
28 to operate an excursion gambling boat. The commission may  
29 decide which of the gambling games authorized under this  
30 chapter it will permit. The commission shall decide the  
31 number, location, and type of excursion gambling boats  
32 licensed under this chapter for operation on the rivers,

3783 33 lakes, and reservoirs of this state. The license shall set  
34 forth the name of the licensee, the type of license granted,  
35 the place where the excursion gambling boats will operate and

1 dock, and the time and number of days during the excursion  
37732 season and the off season when gambling may be conducted by  
3 the licensee. The commission shall not allow a licensee to  
4 conduct gambling games on an excursion gambling boat while  
5 docked during the off season if the licensee does not operate  
6 gambling excursions for a minimum number of days during the  
7 excursion season.

8 Sec. 3. Section 99F.7, subsection 5, paragraph c, as  
9 enacted by 1989 Iowa Acts, Senate File 124, section 7, is  
10 amended by striking the paragraph and inserting in lieu  
11 thereof the following:

12 c. A section is reserved solely for activities and  
3782 13 interests of persons under the age of twenty-one and is  
14 staffed to provide adequate supervision.

15 Sec. 4. Section 99F.7, subsection 8, as enacted by 1989  
16 Iowa Acts, Senate File 124, section 7, is amended by striking  
17 the subsection and inserting in lieu thereof the following:

18 8. A license shall not be granted if there is substantial  
19 evidence that the applicant is not of good repute and moral  
20 character or if the applicant has pled guilty to, or has been  
21 convicted of, a felony.

3186, 317122 Sec. 5. Section 99F.7, subsection 10, paragraph b, as  
23 enacted by 1989 Iowa Acts, Senate File 124, section 7, is  
24 amended by striking the paragraph and inserting in lieu  
25 thereof the following:

26 b. If licenses to conduct gambling games and to operate an  
27 excursion gambling boat are in effect, pursuant to a  
28 referendum as set forth in this section and are subsequently  
29 disapproved by a referendum of the county electorate, the  
30 licenses issued by the commission after a referendum approving  
31 gambling games on excursion gambling boats shall remain valid  
32 and are subject to renewal for a total of nine years from the  
33 date of original issue unless the commission revokes a license  
34 at an earlier date as provided in this chapter.

35 c. If, after the effective date of 1989 Iowa Acts, Senate

1 File 124, section 99F.1, subsection 5, 99F.4, subsection 4, or  
2 99F.9, subsection 2 is amended, the board of supervisors of a  
3 county in which excursion boat gambling has been approved,  
4 shall submit to the county electorate a proposition to approve  
5 or disapprove the conduct of gambling games on excursion  
6 gambling boats at a special election at the earliest  
7 practicable time. If excursion boat gambling is not approved  
8 at the election, paragraph "b" does not apply to the licenses  
9 and the commission shall cancel the licenses issued for the  
10 county within sixty days of the unfavorable referendum.

11 Sec. 6. Section 99F.9, subsection 6, as enacted by 1989  
12 Iowa Acts, Senate File 124, section 9, is amended by striking  
13 the subsection and inserting in lieu thereof the following:

3784 14 6. A person under the age of twenty-one years shall not  
15 make a wager on an excursion gambling boat and shall not be  
16 allowed in the area of the excursion boat where gambling is  
17 being conducted.

18 Sec. 7. Section 99F.11, subsection 3, as enacted by 1989  
19 Iowa Acts, Senate File 124, section 11, is amended by striking  
20 the subsection and inserting in lieu thereof the following:

21 3. Three percent of the adjusted gross receipts shall be  
22 deposited in the gamblers assistance fund specified in section  
23 99E.10, subsection 1, paragraph "a".

24 Sec. 8. Section 99F.12, unnumbered paragraph 2, as enacted  
25 by 1989 Iowa Acts, Senate File 124, section 12, is amended by  
26 striking the unnumbered paragraph and inserting in lieu  
27 thereof the following:

28 The licensee shall furnish to the commission reports and  
29 information as the commission may require with respect to its  
30 activities. The gross receipts and adjusted gross receipts  
31 from gambling shall be separately handled and accounted for  
32 from all other moneys received from operation of an excursion  
33 gambling boat. The commission may designate a representative  
34 to board a licensed excursion gambling boat, who shall have  
35 full access to all places within the enclosure of the boat,

1 who shall directly supervise the handling and accounting of  
2 all gross receipts and adjusted gross receipts from gambling,  
3 and who shall supervise and check the admissions. The  
4 compensation of a representative shall be fixed by the  
5 commission but shall be paid by the licensee.

6 Sec. 9. Section 99F.15, subsection 2, as enacted by 1989  
7 Iowa Acts, Senate File 124, section 15, is amended by striking  
8 the subsection and inserting in lieu thereof the following:

31249 2. A person knowingly permitting a person under the age of  
378210 twenty-one years to make a wager is guilty of a simple  
11 misdemeanor.

12 Sec. 10. APPLICABILITY. This Act shall take effect only  
13 if Senate File 124 is enacted by the Seventy-third General  
14 Assembly.

15 EXPLANATION

16 The bill includes restrictions and requirements regarding  
17 the operation of excursion gambling boats and the operation of  
18 gambling games. The bill provides a definition of an  
19 excursion, requires continuous videotaping of gambling  
20 activities, provides for security aboard an excursion boat,  
21 restricts gambling to persons 21 years of age and older,  
22 provides that gambling hours are the same as hours for selling  
23 alcoholic beverages, provides for separate accounting and  
24 handling of gambling moneys, and requires the commission to  
25 set the payout rate for slot machines. The allotment of the  
26 adjusted gross receipts to the gamblers assistance fund is  
27 increased to three percent.

28 A license to operate the gambling games or an excursion  
29 gambling boat cannot be issued to a person who has plead  
30 guilty to, or has been convicted of, a felony.

31 The bill also provides that if a county approves a  
32 referendum on excursion boat gambling, licenses related to the  
33 gambling shall remain valid and are renewable for nine years  
34 from the date of original issue unless earlier revoked for a  
35 violation.

1 If the definition of a gambling game, the wager limits, and  
2 loss limits are amended after a county referendum approves  
3 excursion boat gambling, another referendum is required to  
4 approve excursion gambling under the amended provisions.

5 This bill takes effect only if Senate File 124 is enacted.

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SENATE FILE 525

S-3773

- 1 Amend Senate File 525 as follows:
- 2 1. Page 2, by striking lines 2 through 7 and
- 3 inserting the following: "season when gambling may be
- 4 conducted by the licensee. The commission shall not
- 5 allow a licensee to conduct gambling games on an
- 6 excursion gambling boat while docked during the off
- 7 season."

By WILLIAM W. DIELEMAN

S-3773 FILED APRIL 18, 1989

LOST 4-18-89 (p. 1531)

SENATE FILE 525

S-3774

- 1 Amend Senate File 525 as follows:
- 2 1. Page 1, by inserting after line 19 the fol-
- 3 lowing:
- 4 "NEW SUBSECTION. To require the periodic drug
- 5 testing of the captain and all other persons directly
- 6 responsible for the operation and navigation of an
- 7 excursion gambling boat subject to section 730.5."

By WILLIAM W. DIELEMAN

S-3774 FILED APRIL 18, 1989

WITHDRAWN 4-18-89 (p. 1530)

SENATE FILE 525

S-3782

- 1 Amend Senate File 525 as follows:
- 2 1. Page 2, line 13, by striking the word "twenty-
- 3 one" and inserting the following: "eighteen".
- 4 2. Page 3, line 14, by striking the word "twenty-
- 5 one" and inserting the following: "eighteen".
- 6 3. Page 4, line 10, by striking the word "twenty-
- 7 one" and inserting the word "eighteen".

By JULIA GENTLEMAN

S-3782 FILED APRIL 18, 1989

LOST 4-18-89 (p. 1532)

SENATE FILE 525

S-3783

- 1 Amend Senate File 525 as follows:
- 2 1. Page 1, line 33, by inserting after the word
- 3 "state." the following: "The commission shall not
- 4 license an excursion gambling boat having a passenger
- 5 capacity of less than five hundred."

By MICHAEL GRONSTAL

S-3783 FILED APRIL 18, 1989

LOST 4-18-89 (p. 1531)

SENATE FILE 525

S-3769

1 Amend Senate File 525 as follows:

2 1. Page 1, by striking lines 32 and 33 and  
3 inserting the following: "licensed under this chapter  
4 for operation on the rivers of this state, provided  
5 that no more than four excursion gambling boat  
6 licenses shall be granted for operation between April  
7 1, 1991, and March 31, 1995. The license shall set".

By WILLIAM W. DIELEMAN

S-3769 FILED APRIL 18, 1989

LOST 4-18-89 (p. 1531)

SENATE FILE 525

S-3770

1 Amend Senate File 525 as follows:

2 1. Page 1, by inserting after line 19 the  
3 following:

4 "NEW SUBSECTION. \_\_\_\_\_. To determine the areas on  
5 an excursion gambling boat in which alcoholic  
6 beverages may be sold and consumed and to regulate the  
7 pricing of alcoholic beverages including the  
8 dispensing of drinks without charge."

By WILLIAM W. DIELEMAN

S-3770 FILED APRIL 18, 1989

LOST 4-18-89 (p. 1530)

SENATE FILE 525

S-3771

1 Amend Senate File 525 as follows:

2 1. Page 2, by striking lines 24 through 34 and  
3 inserting the following: "is amended by adding the  
4 following paragraph:"

By WILLIAM W. DIELEMAN

S-3771 FILED APRIL 18, 1989

RULED OUT OF ORDER 4-18-89 (p. 1532)

SENATE FILE 525

S-3772

1 Amend Senate File 525 as follows:

2 1. Page 1, by inserting after line 19 the  
3 following:

4 "NEW SUBSECTION. \_\_\_\_\_. To establish minimum  
5 charges for admission to excursion gambling boats and  
6 regulate the number of free admissions."

By WILLIAM DIELEMAN

S-3772 FILED APRIL 18, 1989

ADOPTED 4-18-89 (p. 1530)

## SENATE FILE 525

S-3786

Amend Senate File 525 as follows:

1. Page 2, line 22, by striking the words  
3 "paragraph b,".
2. Page 2, by striking lines 24 through 34 and  
5 inserting the following: "is amended by adding the  
6 following paragraph:"

By WILLIAM W. DIELEMAN

S-3786 FILED APRIL 18, 1989

LOST

4-18-89 (p.1332)

## SENATE FILE 525

S-3787

1 Amend Senate File 525 as follows:

- 2 1. Page 1, by inserting after line 19 the  
3 following:  
4 "NEW SUBSECTION. Drug testing, as permitted by  
5 section 730.5, shall be required periodically, not  
6 less than every sixty days, of persons employed as  
7 captains, pilots, or physical operators of excursion  
8 gambling boats under the provisions of this bill."

By WILLIAM W. DIELEMAN

S-3787 FILED APRIL 18, 1989

ADOPTED

4-18-89 (p.1333)

## SENATE FILE 525

S-3788

1 Amend Senate File 525 as follows:

- 2 1. Page 1, by inserting before line 1 the  
3 following:  
4 "Section 1. Section 99F.1, subsection 5, enacted  
5 by 1989 Iowa Acts, Senate File 124, section 1, is  
6 amended by striking the subsection and inserting in  
7 lieu thereof the following:  
8 5. "Gambling game" means twenty-one or slot  
9 machine."

By WILLIAM W. DIELEMAN

S-3788 FILED APRIL 18, 1989

LOST

4-18-89 (p.1333)

SENATE FILE 525

S-3784

1 Amend Senate File 525 as follows:  
2 1. Page 3, line 17, by inserting after the word  
3 "conducted." the following: "However, a person age  
4 eighteen, nineteen or twenty may wager within the area  
5 of an excursion gambling boat where gambling is being  
6 conducted with the knowledge and consent of the  
7 person's parent or guardian."  
8 2. Page 4, line 9, by striking the words "A  
9 person" and inserting the following: "Except as  
10 provided for wagering by persons under age twenty-one  
11 with knowledge and consent of a parent or guardian as  
12 provided in section 99F.9, subsection 6, a person".

By JIM LIND

S-3784 FILED APRIL 18, 1989

LOST 4-18-89 (p. 1533)

SENATE FILE 525

S-3785

1 Amend Senate File 525 as follows:  
2 1. Page 3, by inserting after line 17 the  
3 following new section:  
4 "Sec. \_\_\_\_ . Section 99F.11, first unnumbered  
5 paragraph, as enacted by 1989 Iowa Acts, Senate  
6 File 124, section 11, is amended by striking the  
7 unnumbered paragraph and inserting in lieu thereof  
8 the following:  
9 A tax is imposed on the adjusted gross receipts  
10 received annually from gambling games authorized  
11 under this chapter at the rate of seven and one-half  
12 percent on the first one million dollars of adjusted  
13 gross receipts, at the rate of twelve and one-half  
14 percent on the next two million dollars of adjusted  
15 gross receipts, and at the rate of twenty-two and  
16 one-half percent on any amount of adjusted gross  
17 receipts over three million dollars. The taxes  
18 imposed by this section shall be paid by the  
19 licensee to the treasurer of state within ten days  
20 after the close of the day when the wagers were  
21 made and shall be distributed as follows:"

By CHARLES BRUNER

S-3785 FILED APRIL 18, 1989

LOST 4-18-89 (p. 1533)



1 Section 1. Section 99F.4, as enacted by 1989 Iowa Acts,  
2 Senate File 124, section 4, is amended by adding the following  
3 new subsections:

4 NEW SUBSECTION. 16. To set the payout rate for all slot  
5 machines.

6 NEW SUBSECTION. 17. To define the duration of an  
7 excursion which shall be at least three hours during the  
8 excursion season. For the off season, the commission shall  
9 adopt rules limiting times of admission to excursion gambling  
10 boats consistent with maximum loss per player per gambling  
11 excursion specified in subsection 4.

12 NEW SUBSECTION. 18. To provide for the continuous  
4123> 13 videotaping of all gambling activities on an excursion boat.

14 NEW SUBSECTION. 19. To provide for adequate security  
15 aboard each excursion gambling boat.

16 NEW SUBSECTION. 20. To provide that gambling games shall  
17 be conducted only during the same hours when alcoholic  
18 beverages are lawfully sold or dispensed as provided in  
19 section 123.49.

20 NEW SUBSECTION. 21. To establish minimum charges for  
21 admission to excursion gambling boats and regulate the number  
22 of free admissions.

23 NEW SUBSECTION. 22. Drug testing, as permitted by section  
24 730.5, shall be required periodically, not less than every  
25 sixty days, of persons employed as captains, pilots, or  
26 physical operators of excursion gambling boats under the  
27 provisions of this bill.

28 Sec. 2. Section 99F.7, subsection 1, as enacted by 1989  
29 Iowa Acts, Senate File 124, section 7, is amended by striking  
30 the subsection and inserting in lieu thereof the following:

4108, 4109 31 1. If the commission is satisfied that this chapter and  
4122 32 its rules adopted under this chapter applicable to licensees  
33 have been or will be complied with, the commission shall issue  
34 a license for a period of not more than three years to an  
35 applicant to own a gambling game operation and to an applicant

1 to operate an excursion gambling boat. The commission may  
2 decide which of the gambling games authorized under this  
3 chapter it will permit. The commission shall decide the  
4 number, location, and type of excursion gambling boats  
5 licensed under this chapter for operation on the rivers,  
6 lakes, and reservoirs of this state. The license shall set  
7 forth the name of the licensee, the type of license granted,  
8 the place where the excursion gambling boats will operate and  
9 dock, and the time and number of days during the excursion  
10 season and the off season when gambling may be conducted by  
11 the licensee. The commission shall not allow a licensee to  
12 conduct gambling games on an excursion gambling boat while  
13 docked during the off season if the licensee does not operate  
14 gambling excursions for a minimum number of days during the  
15 excursion season.

16 Sec. 3. Section 99F.7, subsection 5, paragraph c, as  
17 enacted by 1989 Iowa Acts, Senate File 124, section 7, is  
18 amended by striking the paragraph and inserting in lieu  
19 thereof the following:

20 c. A section is reserved solely for activities and  
21 interests of persons under the age of twenty-one and is  
22 staffed to provide adequate supervision.

23 Sec. 4. Section 99F.7, subsection 8, as enacted by 1989  
24 Iowa Acts, Senate File 124, section 7, is amended by striking  
25 the subsection and inserting in lieu thereof the following:

26 8. A license shall not be granted if there is substantial  
27 evidence that the applicant is not of good repute and moral  
28 character or if the applicant has pled guilty to, or has been  
29 convicted of, a felony.

4102  
4127, 4126

30 Sec. 5. Section 99F.7, subsection 10, paragraph b, as  
31 enacted by 1989 Iowa Acts, Senate File 124, section 7, is  
32 amended by striking the paragraph and inserting in lieu  
33 thereof the following:

4126

34 b. If licenses to conduct gambling games and to operate an  
35 excursion gambling boat are in effect, pursuant to a

1 referendum as set forth in this section and are subsequently  
2 disapproved by a referendum of the county electorate, the  
3 licenses issued by the commission after a referendum approving  
4 gambling games on excursion gambling boats shall remain valid  
4114 5 and are subject to renewal for a total of nine years from the  
6 date of original issue unless the commission revokes a license  
7 at an earlier date as provided in this chapter.

8 c. If, after the effective date of 1989 Iowa Acts, Senate  
9 File 124, section 99F.1, subsection 5, 99F.4, subsection 4, or  
10 99F.9, subsection 2 is amended, the board of supervisors of a  
11 county in which excursion boat gambling has been approved,  
12 shall submit to the county electorate a proposition to approve  
13 or disapprove the conduct of gambling games on excursion  
14 gambling boats at a special election at the earliest  
15 practicable time. If excursion boat gambling is not approved  
16 at the election, paragraph "b" does not apply to the licenses  
17 and the commission shall cancel the licenses issued for the  
18 county within sixty days of the unfavorable referendum.

4124 19 Sec. 6. Section 99F.9, subsection 6, as enacted by 1989  
20 Iowa Acts, Senate File 124, section 9, is amended by striking  
21 the subsection and inserting in lieu thereof the following:

22 6. A person under the age of twenty-one years shall not  
23 make a wager on an excursion gambling boat and shall not be  
24 allowed in the area of the excursion boat where gambling is  
25 being conducted.

26 Sec. 7. Section 99F.11, subsection 3, as enacted by 1989  
27 Iowa Acts, Senate File 124, section 11, is amended by striking  
28 the subsection and inserting in lieu thereof the following:

29 3. Three percent of the adjusted gross receipts shall be  
30 deposited in the gamblers assistance fund specified in section  
31 99E.10, subsection 1, paragraph "a".

32 Sec. 8. Section 99F.12, unnumbered paragraph 2, as enacted  
33 by 1989 Iowa Acts, Senate File 124, section 12, is amended by  
34 striking the unnumbered paragraph and inserting in lieu  
35 thereof the following:

1 The licensee shall furnish to the commission reports and  
2 information as the commission may require with respect to its  
3 activities. The gross receipts and adjusted gross receipts  
4 from gambling shall be separately handled and accounted for  
5 from all other moneys received from operation of an excursion  
6 gambling boat. The commission may designate a representative  
7 to board a licensed excursion gambling boat, who shall have  
8 full access to all places within the enclosure of the boat,  
9 who shall directly supervise the handling and accounting of  
10 all gross receipts and adjusted gross receipts from gambling,  
11 and who shall supervise and check the admissions. The  
12 compensation of a representative shall be fixed by the  
13 commission but shall be paid by the licensee.

412414 Sec. 9. Section 99F.15, subsection 2, as enacted by 1989  
15 Iowa Acts, Senate File 124, section 15, is amended by striking  
16 the subsection and inserting in lieu thereof the following:

17 2. A person knowingly permitting a person under the age of  
18 twenty-one years to make a wager is guilty of a simple  
410719 misdemeanor.

20 Sec. 10. APPLICABILITY. This Act shall take effect only  
21 if Senate File 124 is enacted by the Seventy-third General  
22 Assembly.

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## SENATE FILE 525

H-4108

- 1 Amend Senate File 525, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 10 through 15 and
- 4 inserting the following: "season when gambling may be
- 5 conducted by the licensee. The commission shall not
- 6 allow a licensee to conduct gambling games on an
- 7 excursion gambling boat while docked during the off
- 8 season."

By HOLVECK of Polk

H-4108 FILED APRIL 19, 1989

*lost 4-20-89 (p-1747)*

## SENATE FILE 525

H-4109

- 1 Amend Senate File 525, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, lines 5 and 6, by striking the words
- 4 ", lakes, and reservoirs".

By GRUHN of Dickinson  
McKEAN of JonesOSTERBERG of Linn  
HOLVECK of Polk

H-4109 FILED APRIL 19, 1989

*lost 4-20-89 (p-1746)*

## SENATE FILE 525

H-4114

- 1 Amend Senate File 525, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 3, line 5, by striking the word "nine"
- 4 and inserting the following: "five".

By HOLVECK of Polk  
GRUHN of Dickinson

H-4114 FILED APRIL 19, 1989

*lost 4-20-89 (p-1748)*

## SENATE FILE 525

H-4122

- 1 Amend Senate File 525, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 1, by striking the word "may" and
- 4 inserting the following: "shall".

By HARBOR of Mills

H-4122 FILED APRIL 19, 1989

*adopted 4-20-89 (p-1745)*

## SENATE FILE 525

H-4102

1 Amend Senate File 525, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 2, by inserting after line 29, the  
 4 following:  
 5 "Sec. \_\_\_\_ . Section 99F.7, subsection 10, paragraph  
 6 a, as enacted by the 1989 Iowa Acts, Senate File 124,  
 7 section 7, is amended by striking the paragraph and  
 8 inserting in lieu thereof the following:  
 9 a. A license to conduct gambling games on an  
 10 excursion gambling boat in a county shall be issued  
 11 only if the county electorate approves the conduct of  
 12 the gambling games as provided in this subsection.  
 13 The board of supervisors, upon receipt of a valid  
 14 petition meeting the requirements of section 331.306,  
 15 shall direct the commissioner of elections to submit  
 16 to the qualified voters of the county a proposition to  
 17 approve or disapprove the conduct of gambling games on  
 18 an excursion gambling boat in the county. The  
 19 proposition shall be submitted at a general election  
 20 or at a special election called for that purpose. To  
 21 be submitted at a general election, the petition must  
 22 be received by the board of supervisors at least sixty  
 23 days before the election. If a majority of the voters  
 24 in each township of the county voting on the  
 25 proposition favor the conduct of gambling games, the  
 26 commission may issue one or more licenses as provided  
 27 in this chapter. If the township voters voting on the  
 28 proposition do not favor the conduct of gambling  
 29 games, a license to conduct gambling games in the  
 30 county shall not be issued. After a referendum has  
 31 been held, another referendum requested by petition  
 32 shall not be held for at least two years."

By TYRRELL of Iowa

H-4102 FILED APRIL 19, 1989

108-1-20-89 (p. 1747)

## SENATE FILE 525

H-4107

1 Amend Senate File 525, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 4, line 19, by inserting after the word  
 4 "misdemeanor." the following: "If a person who is  
 5 guilty of violating this subsection possesses a  
 6 license to own a gambling game operation or a license  
 7 to operate an excursion gambling boat, the license  
 8 shall be suspended for thirty days upon a guilty plea  
 9 or conviction of a first offense and the license shall  
 10 be revoked upon a guilty plea or conviction of a  
 11 second offense."

By TYRRELL of Iowa

H-4107 FILED APRIL 19, 1989

108-1-20-89 (p. 1747)

SENATE FILE 525

H-4123

1 Amend Senate File 525, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, line 13, by inserting after the word  
 4 "boat." the following: "The videotaping shall be  
 5 performed under guidelines set by rule of the division  
 6 of criminal investigation and the rules may be  
 7 required that all or part of the original tapes be  
 8 submitted to the division on a timely schedule."

By HARBOR of Mills

H-4123 FILED APRIL 19, 1989

adopted 4-20-89 (p. 1745)

SENATE FILE 525

H-4124

1 Amend Senate File 525, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 3, by striking lines 19 through 25.  
 4 2. Page 4, by striking lines 14 through 19.

By GRONINGA of Cerro Gordo

H-4124 FILED APRIL 19, 1989

lost 4-20-89 (p. 1749)

SENATE FILE 525

H-4126

1 Amend Senate File 525, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 2, line 30, by striking the words  
 4 "paragraph b,".  
 5 2. By striking page 2, line 32 through page 3,  
 6 line 8, and inserting the following: "amended by  
 7 adding the following paragraph:  
 8 NEW PARAGRAPH. c. If, after the effective date of  
 9 1989 Iowa Acts, Senate".

By GRUHN of Dickinson  
 McKEAN of Jones  
 OSTERBERG of Linn

FOGARTY of Palo Alto  
 HOLVECK of Polk

H-4126 FILED APRIL 19, 1989

lost 4-20-89 (p. 1748)

SENATE FILE 525

H-4127

1 Amend Senate File 525, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 2, line 30, by striking the words  
 4 "paragraph b,".  
 5 2. By striking page 2, line 32 through page 3,  
 6 line 8, and inserting the following: "amended by  
 7 adding the following paragraph:  
 8 NEW PARAGRAPH. c. If, after the effective date of  
 9 1989 Iowa Acts, Senate".

By HOLVECK of Polk

H-4127 FILED APRIL 19, 1989

lost 4-20-89 (p. 1748)

HOUSE AMENDMENT TO  
SENATE FILE 525

S-3846

1 Amend Senate File 525, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 13, by inserting after the word  
4 "boat." the following: "The videotaping shall be  
5 performed under guidelines set by rule of the division  
6 of criminal investigation and the rules may be  
7 required that all or part of the original tapes be  
8 submitted to the division on a timely schedule."

9 2. Page 2, line 1, by striking the word "may" and  
10 inserting the following: "shall".

11 3. By renumbering, relettering, or redesignating  
12 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3846 FILED APRIL 20, 1989

*Senate concurred 4-21-89 (P/160)*

*3853, 3851*

## SENATE FILE 525

S-3851

1 Amend House amendment S-3846 to Senate File  
2 525, as amended, passed and reprinted by the Senate,  
3 as follows:  
4 1. Page 1, by inserting after line 10 the  
5 following:  
6 "\_\_\_\_. Page 3, line 31, by inserting after the  
7 period the following: "However, to the extent this  
8 amount exceeds \$100,000, the remainder of the  
9 adjusted gross receipts otherwise deposited in  
10 the gamblers assistance fund shall be deposited in  
11 a children's trust fund to be appropriated by the  
12 general assembly for child abuse prevention  
13 projects, services to children with special needs,  
14 and innovative programs designed to improve oppor-  
15 tunities for Iowa's children."

By CHARLES BRUNER

S-3851 FILED APRIL 21, 1989

RULED OUT OF ORDER

4-21-89 (p.1601)

## SENATE FILE 525

S-3853

1 Amend the House amendment, S-3846, to Senate File  
2 525, as amended, passed, and reprinted by the Senate,  
3 as follows:  
4 1. Page 1, by inserting after line 10 the  
5 following:  
6 "\_\_\_\_. Page 3, line 5, by striking the word "nine"  
7 and inserting the following: "five"."

By KAY HEDGE  
WILLIAM DIELEMAN  
RAY TAYLOR

S-3853 FILED APRIL 21, 1989

RULED OUT OF ORDER

4-21-89 (p.1601)

SENATE FILE 525

AN ACT

RELATING TO EXCURSION GAMBLING BOATS, BY PROVIDING  
LICENSING REQUIREMENTS, BY PROVIDING FOR THE ALLOCATION  
OF REVENUE, BY PROVIDING FOR THE ACCOUNTING OF RECEIPTS,  
BY PROVIDING RESTRICTIONS ON THE OPERATION OF GAMBLING  
GAMES, AND PROVIDING A PENALTY.

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

Section 1. Section 99F.4, as enacted by 1989 Iowa Acts,  
Senate File 124, section 4, is amended by adding the following  
new subsections:

NEW SUBSECTION. 16. To set the payout rate for all slot  
machines.

NEW SUBSECTION. 17. To define the duration of an  
excursion which shall be at least three hours during the  
excursion season. For the off season, the commission shall  
adopt rules limiting times of admission to excursion gambling  
boats consistent with maximum loss per player per gambling  
excursion specified in subsection 4.

NEW SUBSECTION. 18. To provide for the continuous  
videotaping of all gambling activities on an excursion boat.  
The videotaping shall be performed under guidelines set by  
rule of the division of criminal investigation and the rules  
may be required that all or part of the original tapes be  
submitted to the division on a timely schedule.

NEW SUBSECTION. 19. To provide for adequate security  
aboard each excursion gambling boat.

NEW SUBSECTION. 20. To provide that gambling games shall  
be conducted only during the same hours when alcoholic  
beverages are lawfully sold or dispensed as provided in  
section 123.49.

NEW SUBSECTION. 21. To establish minimum charges for  
admission to excursion gambling boats and regulate the number  
of free admissions.

NEW SUBSECTION. 22. Drug testing, as permitted by section  
730.5, shall be required periodically, not less than every  
sixty days, of persons employed as captains, pilots, or  
physical operators of excursion gambling boats under the  
provisions of this bill.

Sec. 2. Section 99F.7, subsection 1, as enacted by 1989  
Iowa Acts, Senate File 124, section 7, is amended by striking  
the subsection and inserting in lieu thereof the following:

1. If the commission is satisfied that this chapter and  
its rules adopted under this chapter applicable to licensees  
have been or will be complied with, the commission shall issue  
a license for a period of not more than three years to an  
applicant to own a gambling game operation and to an applicant  
to operate an excursion gambling boat. The commission shall  
decide which of the gambling games authorized under this  
chapter it will permit. The commission shall decide the  
number, location, and type of excursion gambling boats  
licensed under this chapter for operation on the rivers,  
lakes, and reservoirs of this state. The license shall set  
forth the name of the licensee, the type of license granted,  
the place where the excursion gambling boats will operate and  
dock, and the time and number of days during the excursion  
season and the off season when gambling may be conducted by  
the licensee. The commission shall not allow a licensee to  
conduct gambling games on an excursion gambling boat while  
docked during the off season if the licensee does not operate  
gambling excursions for a minimum number of days during the  
excursion season.

Sec. 3. Section 99F.7, subsection 5, paragraph c, as  
enacted by 1989 Iowa Acts, Senate File 124, section 7, is  
amended by striking the paragraph and inserting in lieu  
thereof the following:

c. A section is reserved solely for activities and interests of persons under the age of twenty-one and is staffed to provide adequate supervision.

Sec. 4. Section 99F.7, subsection 8, as enacted by 1989 Iowa Acts, Senate File 124, section 7, is amended by striking the subsection and inserting in lieu thereof the following:

8. A license shall not be granted if there is substantial evidence that the applicant is not of good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony.

Sec. 5. Section 99F.7, subsection 10, paragraph b, as enacted by 1989 Iowa Acts, Senate File 124, section 7, is amended by striking the paragraph and inserting in lieu thereof the following:

b. If licenses to conduct gambling games and to operate an excursion gambling boat are in effect, pursuant to a referendum as set forth in this section and are subsequently disapproved by a referendum of the county electorate, the licenses issued by the commission after a referendum approving gambling games on excursion gambling boats shall remain valid and are subject to renewal for a total of nine years from the date of original issue unless the commission revokes a license at an earlier date as provided in this chapter.

c. If, after the effective date of 1989 Iowa Acts, Senate File 124, section 99F.1, subsection 5, 99F.4, subsection 4, or 99F.9, subsection 2 is amended, the board of supervisors of a county in which excursion boat gambling has been approved, shall submit to the county electorate a proposition to approve or disapprove the conduct of gambling games on excursion gambling boats at a special election at the earliest practicable time. If excursion boat gambling is not approved at the election, paragraph "b" does not apply to the licenses and the commission shall cancel the licenses issued for the county within sixty days of the unfavorable referendum.

Sec. 6. Section 99F.9, subsection 6, as enacted by 1989 Iowa Acts, Senate File 124, section 9, is amended by striking the subsection and inserting in lieu thereof the following:

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

Sec. 7. Section 99F.11, subsection 3, as enacted by 1989 Iowa Acts, Senate File 124, section 11, is amended by striking the subsection and inserting in lieu thereof the following:

3. Three percent of the adjusted gross receipts shall be deposited in the gamblers assistance fund specified in section 99E.10, subsection 1, paragraph "a".

Sec. 8. Section 99F.12, unnumbered paragraph 2, as enacted by 1989 Iowa Acts, Senate File 124, section 12, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

The licensee shall furnish to the commission reports and information as the commission may require with respect to its activities. The gross receipts and adjusted gross receipts from gambling shall be separately handled and accounted for from all other moneys received from operation of an excursion gambling boat. The commission may designate a representative to board a licensed excursion gambling boat, who shall have full access to all places within the enclosure of the boat, who shall directly supervise the handling and accounting of all gross receipts and adjusted gross receipts from gambling, and who shall supervise and check the admissions. The compensation of a representative shall be fixed by the commission but shall be paid by the licensee.

Sec. 9. Section 99F.15, subsection 2, as enacted by 1989 Iowa Acts, Senate File 124, section 15, is amended by striking the subsection and inserting in lieu thereof the following:

2. A person knowingly permitting a person under the age of twenty-one years to make a wager is guilty of a simple misdemeanor.

Sec. 10. APPLICABILITY. This Act shall take effect only if Senate File 124 is enacted by the Seventy-third General Assembly.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 525, Seventy-third General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved May 8, 1989

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TERRY E. BRANSTAD  
Governor