

4-5-93 Motion to R/C by Groneloh  
4-8-93 House - State Gov.

FILE MAR 18 1993

*See Link Copy*

SENATE FILE 358  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 268)

*Janet*  
Passed Senate, <sup>(p.1015)</sup> Date 4-5-93 Passed House, Date \_\_\_\_\_  
Vote: Ayes 24 Nays 24 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_  
*Passed 26/24*  
*4/7/93 (p.1056)*

**A BILL FOR**

1 An Act relating to the regulation of gambling games on excursion  
2 gambling boats and pari-mutuel wagering at racetracks, by  
3 authorizing excursion gambling boat-style gambling at pari-  
4 mutuel racetracks, by removing limits on wagering, by  
5 authorizing changes in excursion boat capacity and gambling  
6 area, by authorizing additional uses for gambling profits, by  
7 reducing live racing days, and by providing for other properly  
8 related provisions.

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

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*SF 358*

1 Section 1. Section 99D.11, subsection 6, paragraph b, Code  
2 1993, is amended to read as follows:

3 b. The commission ~~may~~ shall authorize the licensee to  
4 simultaneously telecast within the racetrack enclosure, for  
5 the purpose of pari-mutuel wagering, a horse or dog race  
6 licensed by the racing authority of another state subject to  
7 the requirements of this paragraph. It is the responsibility  
8 of each licensee to obtain the consent of appropriate racing  
9 officials in other states as required by the federal  
10 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-3007, to  
11 televise races for the purpose of conducting pari-mutuel  
12 wagering. A licensee may also obtain the permission of a  
13 person licensed by the commission to conduct horse or dog  
14 races in this state to televise races conducted by that person  
15 for the purpose of conducting pari-mutuel racing. However,  
16 arrangements made by a licensee to televise any race for the  
17 purpose of conducting pari-mutuel wagering are subject to the  
18 approval of the commission, and the commission shall select  
19 the races to be televised. The races selected by the  
20 commission shall be the same for all licensees approved by the  
21 commission to televise races for the purpose of conducting  
22 pari-mutuel wagering. The commission shall not authorize the  
23 simultaneous telecast or televising of and a licensee shall  
24 not simultaneously telecast or televise any horse or dog race  
25 for the purpose of conducting pari-mutuel wagering unless the  
26 simultaneous telecast or televising is done at the racetrack  
27 of a licensee that schedules no less than ninety sixty  
28 performances of nine live races each day of the season. For  
29 purposes of the taxes imposed under this chapter, races  
30 televised by a licensee for purposes of pari-mutuel wagering  
31 shall be treated as if the races were held at the racetrack of  
32 the licensee.

33 Sec. 2. Section 99F.1, subsection 7, Code 1993, is amended  
34 to read as follows:

35 7. "Excursion gambling boat" means a self-propelled

1 excursion boat on which lawful gambling is authorized and  
2 licensed as provided in this chapter. "Excursion gambling  
3 boat" also means the grandstand of a dog or horse racetrack  
4 licensed for pari-mutuel wagering before January 1, 1992, and  
5 which is licensed for gambling as provided in this chapter.

6 Sec. 3. Section 99F.1, subsections 8 and 15, Code 1993,  
7 are amended by striking the subsections.

8 Sec. 4. Section 99F.4, subsection 4, Code 1993, is amended  
9 by striking the subsection and inserting in lieu thereof the  
10 following:

11 4. To specify the excursion season of at least six months  
12 and the off-season for excursion gambling boats.

13 Sec. 5. Section 99F.4, subsection 17, Code 1993, is  
14 amended to read as follows:

15 17. To define the duration of an excursion which shall be  
16 at least three hours during the excursion season. ~~For-the-off~~  
17 ~~season,-the-commission-shall-adopt-rules-limiting-times-of~~  
18 ~~admission-to-excursion-gambling-boats-consistent-with-maximum~~  
19 ~~loss-per-player-per-gambling-excursion-specified-in-subsection~~  
20 4-

21 Sec. 6. Section 99F.4, subsection 20, Code 1993, is  
22 amended by striking the subsection and inserting in lieu  
23 thereof the following:

24 20. To require a licensee to schedule at least one  
25 excursion daily during the excursion season, and otherwise  
26 allow a licensee to conduct gambling games as if the licensee  
27 were operating during the off-season.

28 Sec. 7. NEW SECTION. 99F.4A GAMBLING GAMES AT PARI-  
29 MUTUEL DOG OR HORSE RACETRACKS.

30 1. The commission shall license the licensee of a pari-  
31 mutuel dog or horse racetrack to conduct gambling games at the  
32 pari-mutuel dog or horse racetrack enclosure subject to the  
33 requirements of this chapter except as otherwise provided in  
34 this section.

35 a. A person licensed pursuant to chapter 99D is exempt

1 from further investigation and examination for licensing  
2 purposes under this chapter.

3 b. The annual license fee based on passenger or guest  
4 capacity as provided in section 99F.5 shall be equivalent to  
5 the maximum occupancy authorized for the space allocated for  
6 gambling games at a pari-mutuel dog or horse racetrack which  
7 is licensed to conduct gambling games.

8 c. Section 99F.7, subsection 10, which requires approval  
9 of the county electorate for excursion boat gambling, applies  
10 to the licensing of gambling games at a pari-mutuel dog or  
11 horse racetrack.

12 2. The commission shall adopt rules, pursuant to chapter  
13 17A, as necessary to administer this section.

14 Sec. 8. Section 99F.5, subsection 1, Code 1993, is amended  
15 to read as follows:

16 1. A qualified sponsoring organization may apply to the  
17 commission for a license to conduct gambling games on an  
18 excursion gambling boat as provided in this chapter. A person  
19 may apply to the commission for a license to operate an  
20 excursion gambling boat. The application shall be filed with  
21 the administrator of the commission at least ninety days  
22 before the first day of the next excursion season as  
23 determined by the commission, shall identify the excursion  
24 gambling boat upon which gambling games will be authorized,  
25 shall specify the exact location where the excursion gambling  
26 boat will be docked, and shall be in a form and contain  
27 information as the commission prescribes. The minimum  
28 passenger capacity of an excursion gambling boat is two  
29 hundred fifty persons.

30 Sec. 9. Section 99F.6, subsection 4, Code 1993, is amended  
31 to read as follows:

32 4. Before a license is granted, the division of criminal  
33 investigation of the department of public safety shall conduct  
34 a thorough background investigation of the applicant for a  
35 license to operate a gambling game operation on an excursion

1 gambling boat. The applicant shall provide information on a  
2 form as required by the division of criminal investigation.  
3 Before a qualified sponsoring organization is licensed to  
4 operate gambling games under this chapter, the qualified  
5 sponsoring organization shall certify that the receipts of all  
6 gambling games, less reasonable expenses, charges, taxes,  
7 fees, and deductions allowed under this chapter, will be  
8 distributed as winnings to players or participants or will be  
9 distributed for educational, civic, public, charitable,  
10 patriotic, or religious uses as defined in section 99B.7,  
11 subsection 3, paragraph "b". However, a licensee who is also  
12 licensed to conduct dog or horse races for pari-mutuel  
13 wagering may use receipts from gambling games to supplement  
14 purses for dog or horse races as negotiated between the  
15 licensee and representatives of dog or horse owners. A  
16 qualified sponsoring organization shall not make a  
17 contribution to a candidate, political committee, candidate's  
18 committee, state statutory political committee, county  
19 statutory political committee, national political party, or  
20 fund-raising event as these terms are defined in section 56.2.  
21 The membership of the board of directors of a qualified  
22 sponsoring organization shall represent a broad interest of  
23 the communities.

24 Sec. 10. Section 99F.7, subsection 5, paragraph a, Code  
25 1993, is amended by striking the paragraph and inserting in  
26 lieu thereof the following:

27 a. The square footage allowed to be used for gambling  
28 activity shall be determined by the commission.

29 Sec. 11. Section 99F.9, subsection 2, Code 1993, is  
30 amended by striking the subsection.

31 EXPLANATION

32 .This bill provides for interstate simultaneous telecasting  
33 of dog and horse races at each of the pari-mutuel racetracks  
34 in this state subject to the rules of the racing and gaming  
35 commission and reduces the minimum days of live racing from 90

1 days to 60 days to qualify for simultaneous telecasting. The  
2 bill also provides that the racing and gaming commission  
3 determine the excursion season and off-season for excursion  
4 gambling boats, the number of excursions, and the hours of  
5 gambling during each season. The bill requires that the  
6 excursion season last at least six months.

7 The bill removes the maximum wager per hand limitation of  
8 \$5 and the maximum loss limit of \$200 per excursion. If  
9 enacted, the continuance of excursion boat gambling requires  
10 voter approval in counties where excursion gambling boats are  
11 currently authorized.

12 The bill requires the racing and gaming commission to  
13 approve casino-style gambling at previously licensed pari-  
14 mutuel racetracks, subject to voter approval in counties where  
15 the racetracks are located.

16 The bill also provides that the minimum capacity for an  
17 excursion gambling boat is 250 passengers. The bill provides  
18 that the square footage which may be used for gambling  
19 activity shall be determined by the commission. Currently,  
20 the square footage for gambling activity is limited to 30  
21 percent of the excursion boat.

22 The bill provides for negotiation between a licensee who is  
23 licensed for pari-mutuel and casino-style gambling and  
24 representatives of dog and horse owners to supplement purses  
25 for the pari-mutuel races.

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## SENATE FILE 358

S-3434

1 Amend Senate File 358 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. Section 99F.4, subsection 4, Code  
5 1993, is amended to read as follows:

6 4. To regulate the wagering structure for gambling  
7 excursions including providing a maximum ~~wager-of-five~~  
8 ~~dollars-per-hand-or-play-and-maximum~~ loss of ~~two~~  
9 hundred one thousand dollars per individual player per  
10 gambling excursion.

11 Sec. 2. Section 99F.7, subsection 5, paragraph a,  
12 Code 1993, is amended by striking the paragraph and  
13 inserting in lieu thereof the following:

14 a. The square footage allowed to be used for  
15 gambling activity shall be determined by the  
16 commission.

17 Sec. 3. Section 99F.9, subsection 2, Code 1993, is  
18 amended by striking the subsection.

19 Sec. 4. LOTTERY DIVISION -- PILOT STUDY --  
20 LICENSED HORSE RACETRACK.

21 1. Notwithstanding section 99E.9, the commissioner  
22 of the lottery division shall establish a three-year  
23 pilot study of video slot machines at a horse  
24 racetrack licensed before January 1, 1993, to conduct  
25 pari-mutuel wagering. The study shall be conducted  
26 under rules adopted by the lottery board. The rules  
27 shall determine the number of machines, pay outs,  
28 hours of operation, and other matters necessary for  
29 the conduct of the study.

30 2. The study shall be conducted for three years  
31 commencing upon the enactment of this Act, and ending  
32 December 31, 1996. The final report of the pilot  
33 study shall be submitted to the governor and the  
34 legislative council by December 1, 1996.

35 Sec. 5. PARI-MUTUEL HORSE RACETRACK -- LIVE RACES.

36 Notwithstanding sections 99D.9 and 99D.11, a horse  
37 racetrack licensed for pari-mutuel wagering under this  
38 chapter shall not be required to hold live races  
39 during the 1993 racing season. However, during the  
40 1994 racing season, a horse racetrack licensed for  
41 pari-mutuel wagering under this chapter shall schedule  
42 not less than sixty performances of nine races each  
43 day of the season.

44 Sec. 6. NEW SECTION. 99D. 29 PARI-MUTUEL  
45 WAGERING -- REPEAL.

46 This chapter is repealed effective December 31,  
47 1999.

48 Sec. 7. NEW SECTION. 99F.19 EXCURSION BOAT  
49 GAMBLING -- REPEAL.

50 This chapter is repealed effective December 31,

S-3434

S-3434

Page 2

1 1999.  
2 Sec. 8. This Act, being deemed of immediate  
3 importance, takes effect upon enactment."  
4 2. Title page, by striking lines 3 through 6 and  
5 inserting the following: "removing limits on  
6 wagering, by providing for a pilot study of video slot  
7 machines, by providing for the repeal of pari-mutuel  
8 wagering and excursion boat gambling, by".  
9 3. Title, line 8, by inserting after the word  
10 "provisions" the following: ", and providing an  
11 effective date".

By JOE WELSH

S-3434 FILED APRIL 7, 1993

WITHDRAWN

## SENATE FILE 358

S-3402

1 Amend Senate File 358, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 32 the  
4 following:

5 "Sec. \_\_\_\_ . NEW SECTION. 99D.18 PARI-MUTUEL  
6 ASSISTANCE FUND CREATED -- USES.

7 1. A pari-mutuel assistance fund is created in the  
8 state treasury. The pari-mutuel assistance fund shall  
9 consist of one percent of the gross lottery revenue  
10 which shall be transferred by the commissioner of the  
11 lottery as provided in section 99E.20.

12 2. The pari-mutuel assistance fund shall be used  
13 for the following purposes:

14 a. Thirty percent of the proceeds shall be paid to  
15 the licensee of the horse racetrack to be used first  
16 to retire indebtedness and, thereafter, for other  
17 expenses of the racetrack.

18 b. Twenty percent of the proceeds shall be paid to  
19 each of the other pari-mutuel racetracks.

20 c. The remaining ten percent of the proceeds shall  
21 be credited to the pari-mutuel livestock fund created  
22 in section 99E.20.

23 Sec. \_\_\_\_ . Section 99E.10, subsection 1, Code 1993,  
24 is amended by adding the following new lettered  
25 paragraph:

26 NEW PARAGRAPH. e. An amount equal to one percent  
27 of the gross lottery revenue which shall be  
28 transferred to the pari-mutuel assistance fund as  
29 provided in section 99E.20.

30 Sec. \_\_\_\_ . Section 99E.10, subsection 1, unnumbered  
31 paragraph 2, Code 1993, is amended to read as follows:

32 Lottery expenses for marketing, educational, and  
33 informational material shall not exceed ~~four~~ three  
34 percent of the lottery revenue.

35 Sec. \_\_\_\_ . Section 99E.20, subsection 2, Code 1993,  
36 is amended to read as follows:

37 2. A lottery fund is created in the office of the  
38 treasurer of state. The fund consists of all revenues  
39 received from the sale of lottery tickets or shares  
40 and all other moneys lawfully credited or transferred  
41 to the fund. The commissioner shall certify monthly  
42 that portion of the fund that is transferred to the  
43 pari-mutuel assistance fund and the CLEAN fund under  
44 section 99E.10 and shall cause that-portion the  
45 portions to be transferred to the pari-mutuel  
46 assistance fund and the CLEAN fund of the state. The  
47 commissioner shall certify before the twentieth of  
48 each month ~~that-portion the portions~~ of the fund  
49 resulting from the previous month's sales to be  
50 transferred to the pari-mutuel fund and the CLEAN

S-3402

S-3402

Page 2

1 fund.

2 Sec. \_\_\_\_ . Section 99E.20, Code 1993, is amended by  
3 adding the following new subsection:

4 NEW SUBSECTION. 4. A pari-mutuel livestock fund  
5 is created in the state treasury. The fund shall be  
6 administered by the department of economic development  
7 and used to buy-down interest or secure financing for  
8 new or expanded livestock operations for animals used  
9 in pari-mutuel races."

By LARRY MURPHY

S-3402 FILED APRIL 5, 1993

RULED OUT OF ORDER

## SENATE FILE 358

S-3404

1 Amend Senate File 358 as follows:

2 1. Page 4, by inserting before line 31 the  
3 following:

4 "Sec. 100. The following amendment to the  
5 Constitution of the State of Iowa is proposed.

6 Article III of the Constitution of the State of  
7 Iowa, is amended by adding the following new section:

8 STATEWIDE REFERENDUM ON GAMBLING SITES.

9 The General Assembly shall submit to the state  
10 electorate at a general or special election the  
11 following proposition:

12 Shall gambling games be allowed at sites other than  
13 excursion gambling boats or native American  
14 reservations or settlements?

15 If the proposition is approved by a majority of the  
16 state electorate voting on the proposition, the  
17 proposition shall be implemented as provided by the  
18 General Assembly.

19 Sec. \_\_\_\_ . The foregoing amendment in section 100  
20 to the Constitution of the State of Iowa is hereby  
21 referred to the General Assembly to be chosen at the  
22 next general election for members of the General  
23 Assembly, and the Secretary of State is directed to  
24 cause the same to be published for three consecutive  
25 months before the date of that election as provided by  
26 law."

By MIKE CONNOLLY

S-3404 FILED APRIL 5, 1993

RULED OUT OF ORDER

## SENATE FILE 358

S-3405

1 Amend the amendment, S-3404, to Senate File 358, as  
2 follows:

3 1. Page 1, by striking lines 12 through 14 and  
4 inserting the following: "Shall gambling games be  
5 allowed at land-based sites in Iowa?"

By MIKE CONNOLLY

S-3405 FILED APRIL 5, 1993

ADOPTED

## SENATE FILE 358

S-3401

1 Amend Senate File 358 as follows:

2 1. Page 4, by inserting after line 30 the follow-  
3 ing:

4 "Sec. \_\_\_\_ . There is appropriated from the pari-  
5 mutuel regulation fund to the department of  
6 agriculture and land stewardship for the fiscal year  
7 beginning July 1, 1993, and ending June 30, 1994, the  
8 sum of \$75,000 to be used for salaries and support for  
9 two veterinarians and laboratory technicians, as  
10 necessary, to provide veterinarian and related  
11 services at the pari-mutuel horse track during the  
12 period beginning 10 days before the racing season and  
13 ending 10 days after the racing season. At the end of  
14 such period the secretary of agriculture and land  
15 stewardship shall reassign the veterinarians and  
16 laboratory technicians to other duties within the  
17 department."

By BERL E. PRIEBE

S-3401 FILED APRIL 5, 1993

LOST

## SENATE FILE 358

S-3398

1 Amend Senate File 358 as follows:  
2 1. Page 4, by inserting after line 28, the  
3 following:  
4 "Sec. \_\_\_\_ . Section 99F.7, subsection 10, Code  
5 1993, is amended by adding the following new lettered  
6 paragraph:  
7 NEW PARAGRAPH. d. A license to conduct gambling  
8 games in a licensed pari-mutuel racetrack facility  
9 shall be issued only if the state electorate approves  
10 the conduct of the gambling games as provided in this  
11 subsection. The state commissioner of elections shall  
12 direct the county commissioner of elections to submit  
13 to the qualified voters of each county a proposition  
14 to approve or disapprove the conduct of gambling games  
15 at licensed pari-mutuel racetrack facilities. The  
16 proposition shall be submitted at a special election  
17 called for that purpose by the state commissioner of  
18 elections. The special election shall be held  
19 statewide on the same date. If a majority of the  
20 state voters voting on the proposition favor the  
21 conduct of gambling games, the commission shall issue  
22 licenses as provided in this chapter."

By MIKE CONNOLLY

S-3398 FILED APRIL 5, 1993  
WITHDRAWN

## SENATE FILE 358

S-3399

1 Amend Senate File 358 as follows:  
2 1. Page 4, line 13, by inserting after the word  
3 "games" the following: "generated from pari-mutuel  
4 wagering".

By MIKE CONNOLLY

S-3399 FILED APRIL 5, 1993  
WITHDRAWN

## SENATE FILE 358

S-3400

1 Amend Senate File 358 as follows:  
2 1. Page 4, line 13, by striking the words "from  
3 gambling games" and inserting the following:  
4 "generated from pari-mutuel wagering".

By MIKE CONNOLLY

S-3400 FILED APRIL 5, 1993  
LOST

## SENATE FILE 358

S-3395

1 Amend the amendment, S-3391, to Senate File 358 as  
2 follows:

- 3 1. Page 1, line 11, by inserting after the word  
4 "wagering," the following: "seventy-five percent of".  
5 2. Page 1, line 14, by inserting after the word  
6 "facilities" the following: "and twenty-five percent  
7 of the receipts shall be used to supplement purses for  
8 horse races as agreed to between the licensee and the  
9 representatives of horse owners".

By BERL E. PRIEBE

S-3395 FILED APRIL 5, 1993

ADOPTED

## SENATE FILE 358

S-3396

1 Amend the amendment, S-3388, to Senate File 358 as  
2 follows:

- 3 1. Page 1, by striking lines 22 through 34 and  
4 inserting the following: "c, Code 1993, is amended by  
5 striking the paragraph and inserting in lieu thereof  
6 the following:  
7 c. If, after January 1, 1993, section 99F.4,  
8 subsection 4A, or 99F.9, subsection 2, is amended, the  
9 state commissioner of elections shall notify each  
10 county commissioner of elections, within thirty days  
11 after the effective date of the amendment, of a  
12 statewide special election to submit to the state  
13 electorate a proposition to approve or disapprove the  
14 conduct of land-based casino gambling games at the  
15 earliest practicable time as determined by the state  
16 commissioner. If land-based casino gambling is not  
17 approved at the election, paragraph "b" does not apply  
18 to the licenses and the commission shall cancel the  
19 licenses issued for the county within sixty days of  
20 the unfavorable referendum."

By MICHAEL S. CONNOLLY

S-3396 FILED APRIL 5, 1993

WITHDRAWN

## SENATE FILE 358

S-3393

1 Amend Senate File 358 as follows:  
2 1. Page 4, by inserting before line 31 the  
3 following:  
4 "Sec. \_\_\_\_\_. Notwithstanding the provisions of House  
5 File 300, section 2, if enacted during the 1993  
6 Session of the Seventy-fifth General Assembly, four-  
7 tenths of one percent of the adjusted gross receipts  
8 from gambling gaming under section 99F.11 shall be  
9 credited to the gambler's assistance fund created in  
10 section 99E.10, subsection 1, for the fiscal year  
11 beginning July 1, 1993, and ending June 30, 1994."

By WILLIAM W. DIELEMAN

S-3393 FILED APRIL 5, 1993  
RULED OUT OF ORDER

## SENATE FILE 358

S-3394

1 Amend the amendment, S-3388, to Senate File 358 as  
2 follows:  
3 1. Page 1, by striking lines 22 through 34 and  
4 inserting the following: "c, Code 1993, is amended by  
5 striking the paragraph and inserting in lieu thereof  
6 the following:  
7 c. If, after January 1, 1993, section 99F.4,  
8 subsection 4A, or 99F.9, subsection 2, is amended, the  
9 state commissioner of elections shall notify each  
10 county commissioner of elections, within thirty days  
11 after the effective date of the amendment, of a  
12 statewide special election to submit to the state  
13 electorate a proposition to approve or disapprove the  
14 conduct of gambling games on excursion gambling boats  
15 at the earliest practicable time as determined by the  
16 state commissioner. If excursion boat gambling is not  
17 approved at the election, paragraph "b" does not apply  
18 to the licenses and the commission shall cancel the  
19 licenses issued for the county within sixty days of  
20 the unfavorable referendum."

By ANDY MCKEAN

S-3394 FILED APRIL 5, 1993  
LOST

## SENATE FILE 358

S-3389

1 Amend Senate File 358 as follows:

2 1. Page 1, line 3, by striking the words "may  
3 shall" and inserting the following: "may".4 2. Page 1, by striking line 12 and inserting the  
5 following: "wagering. A licensee may also obtain the  
6 permission of The commission shall authorize a".7 3. Page 1, line 15, by inserting after the word  
8 "racing" the following: "at other licensed racetracks  
9 within the state".

By MICHAEL E. GRONSTAL

S-3389 FILED APRIL 5, 1993

ADOPTED

## SENATE FILE 358

S-3391

1 Amend Senate File 358 as follows:

2 1. Page 4, line 12, by striking the words "or  
3 horse".4 2. Page 4, line 14, by striking the words "or  
5 horse".6 3. Page 4, line 15, by striking the words "or  
7 horse".8 4. Page 4, line 15, by inserting after the word  
9 "owners." the following: "For a licensee who is also  
10 licensed to conduct horse races for pari-mutuel  
11 wagering, any receipts available from gambling games  
12 shall be used first to repay all annual indebtedness  
13 incurred in the construction and operation of the  
14 horse racing facilities."By O. GENE MADDOX  
TONY BISIGNANOMARY E. KRAMER  
ELAINE SZYMONIAK

S-3391 FILED APRIL 5, 1993

ADOPTED

## SENATE FILE 358

S-3392

1 Amend Senate File 358 as follows:

2 1. Page 4, by inserting before line 31 the  
3 following:4 "Sec. \_\_\_\_\_. Notwithstanding the provisions of House  
5 File 300, section 2, if enacted during the 1993  
6 Session of the Seventy-fifth General Assembly, four-  
7 tenths of one percent of the adjusted gross receipts  
8 from gambling gaming under section 99F.11 shall be  
9 credited to the gambler's assistance fund created in  
10 section 99E.10, subsection 1, for the fiscal year  
11 beginning July 1, 1993, and ending June 30, 1993."

By WILLIAM W. DIELEMAN

S-3392 FILED APRIL 5, 1993

RULED OUT OF ORDER

## SENATE FILE 358

S-3386

- 1 Amend Senate File 358 as follows:  
2 1. Page 4, by inserting before line 31, the  
3 following:  
4 "Sec. \_\_\_\_ . Sections 4 and 11 of this Act, and this  
5 section, being deemed of immediate importance, take  
6 effect upon enactment."  
7 2. Title page, line 8, by inserting after the  
8 word "provisions" the following: ", and providing an  
9 effective date".

By MICHAEL GRONSTAL

S-3386 FILED APRIL 5, 1993  
ADOPTED

## SENATE FILE 358

S-3387

- 1 Amend the amendment, S-3225, to Senate File 358 as  
2 follows:  
3 1. Page 1, by striking lines 5 through 16 and  
4 inserting the following: "required live racing  
5 performances for each pari-mutuel racetrack shall be  
6 set by the licensee. Each licensee shall notify the  
7 commission of the racing dates at least twelve months  
8 before the beginning of the season."

By JIM LIND

S-3387 FILED APRIL 5, 1993  
LOST

## SENATE FILE 358

S-3383

- 1 Amend the amendment, S-3256, to Senate File 358 as  
2 follows:  
3 1. Page 2, line 11 by striking the word "dice-"  
4 and inserting the following: "dice-"  
5 2. Page 2, by striking lines 12 and 13.

By MAGGIE TINSMAN

S-3383 FILED APRIL 5, 1993  
RULED OUT OF ORDER

## SENATE FILE 358

S-3384

- 1 Amend Senate File 358 as follows:  
2 1. Page 4, by striking lines 25 through 28 and  
3 inserting the following: "1993, is amended to read as  
4 follows:  
5 a. No more than ~~thirty~~ fifty percent of the square  
6 footage shall be used for gambling activity."

By MAGGIE TINSMAN

S-3384 FILED APRIL 5, 1993  
LOST

## SENATE FILE 358

S-3388

1 Amend Senate File 358 as follows:

2 1. By striking page 1, line 33, through page 2,  
3 line 5.

4 2. Page 2, by inserting after line 12 the  
5 following:

6 "Sec. \_\_\_\_ . Section 99F.4, Code 1993, is amended by  
7 adding the following new subsection:

8 NEW SUBSECTION. 4A. To regulate the wagering  
9 structure for gambling excursions including providing  
10 a maximum loss of five hundred dollars per individual  
11 player per gambling excursion."

12 3. By striking page 2, line 21, through page 3,  
13 line 13.

14 4. By striking page 3, line 30, through page 4,  
15 line 23.

16 5. Page 4, by striking lines 25 through 28 and  
17 inserting the following: "1993, is amended to read as  
18 follows:

19 a. No more than ~~thirty~~ fifty percent of the square  
20 footage shall be used for gambling activity.

21 Sec. \_\_\_\_ . Section 99F.7, subsection 10, paragraph  
22 c, Code 1993, is amended to read as follows:

23 c. If, after July 1, 1989, section 99F.4,  
24 subsection ~~4~~ 4A or 99F.9, subsection 2, is amended,  
25 the board of supervisors of a county in which  
26 excursion boat gambling has been approved shall submit  
27 to the county electorate a proposition to approve or  
28 disapprove the conduct of gambling games on excursion  
29 gambling boats at a special election at the earliest  
30 practicable time. If excursion boat gambling is not  
31 approved at the election, paragraph "b" does not apply  
32 to the licenses and the commission shall cancel the  
33 licenses issued for the county within sixty days of  
34 the unfavorable referendum."

35 6. Page 4, by striking line 30 and inserting the  
36 following: "amended to read as follows:

37 2. Licensees shall only allow a maximum ~~wager-of~~  
38 ~~five-dollars-per-hand-or-play-and-a-maximum~~ loss of  
39 ~~two five~~ hundred dollars per person during each  
40 gambling excursion. ~~However, the commission may adopt~~  
41 ~~rules-allowing-additional-wagers-consistent-with~~  
42 ~~generally-accepted-wagering-options-in-the-games-of~~  
43 ~~twenty-one-and-dice."~~

44 7. Title page, by striking lines 3 and 4, and  
45 inserting the following: "changing loss limits, by".

46 8. Title page, line 6, by striking the words "by  
47 authorizing additional uses of gambling profits,".

By MAGGIE TINSMAN

S-3388 FILED APRIL 5, 1993

LOST

SENATE FILE 358

S-3336

1 Amend Senate File 358 as follows:  
 2 1. Page 4, by inserting before line 31, the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 99D.15, subsection 4, Code  
 5 1993, is amended to read as follows:  
 6 4. A tax of two five percent is imposed on the  
 7 gross sum wagered by the pari-mutuel method on horse  
 8 races and dog races which are simultaneously telecast.  
 9 The tax imposed by this subsection is in lieu of the  
 10 taxes imposed pursuant to subsection 1 or 3, but the  
 11 tax revenue from simulcast horse races shall be  
 12 distributed as provided in subsection 1 and the tax  
 13 revenue from simulcast dog races shall be distributed  
 14 as provided in subsection 3."  
 15 2. Title page, line 7, by inserting after the  
 16 word "days" the following: "by increasing a tax on  
 17 simulcast pari-mutuel races,".

By WILLIAM W. DIELEMAN

S-3336 FILED APRIL 1, 1993

*Lost 4-5-93 (p.999)*

SENATE FILE 358

S-3337

1 Amend Senate File 358 as follows:  
 2 1. Page 4, by inserting before line 31, the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 99D.15, subsection 2, Code  
 5 1993, is amended by adding the following new  
 6 unnumbered paragraph:  
 7 NEW UNNUMBERED PARAGRAPH. Before the tax credits  
 8 are used for debt retirement annually, the commission  
 9 shall certify that the state has been reimbursed from  
 10 the tax collected in subsection 1, an amount equal to  
 11 the difference between the fees collected by the  
 12 commission under this chapter and the total cost of  
 13 regulating the licensed facility including, but not  
 14 limited to, the costs of enforcing racing laws and  
 15 rules at the licensed facility and drug testing, and  
 16 administrative costs of the commission which may be  
 17 apportioned to the licensed facility."  
 18 2. Title page, line 4, by inserting after the  
 19 word "wagering," the following: "by limiting certain  
 20 tax credits,".

By WILLIAM W. DIELEMAN

S-3337 FILED APRIL 1, 1993

*Lost 4-5-93 (p.999)*

SENATE FILE 358

S-3359

- 1 Amend Senate File 358 as follows:
- 2 1. Page 2, by striking lines 21 through 27.  
By MAGGIE TINSMAN  
EUGENE S. FRAISE

S-3359 FILED APRIL 2, 1993

*lost 4-5-93 (p. 1008)*

SENATE FILE 358

S-3320

1 Amend Senate File 358 as follows:  
 2 1. Page 4, by inserting before line 31, the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 99F.10, subsection 4, Code  
 5 1993, is amended to read as follows:  
 6 4. In determining the license fees and state  
 7 admission fees to be charged as provided under section  
 8 99F.4 and this section, the commission shall use the  
 9 amount appropriated to the commission plus the cost of  
 10 auditing excursion gambling boat activities as the  
 11 basis for determining the amount of revenue to be  
 12 raised from the license fees and admission fees. The  
 13 costs of auditing shall include, but are not limited  
 14 to, salary and associated costs incurred by other  
 15 agencies of the state for personnel assigned to  
 16 enforcement of excursion boat gambling rules and  
 17 regulations adopted by the commission."

By ANDY MCKEAN

*Adopted 4-5-93 (p. 998)*  
 WILLIAM W. DIELEMAN  
 - Motion by R/C 4-5-93 (p. 1000)  
 Motion X 007 4-5-93 (p. 1011)

S-3320 FILED MARCH 31, 1993

SENATE FILE 358

S-3331

1 Amend Senate File 358 as follows:  
 2 1. Page 1, by inserting before line 33 the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 99D.15, subsection 3, paragraph  
 5 d, Code 1993, is amended by striking the paragraph."

By WILLIAM W. DIELEMAN

*Lost 4-5-93 (p. 996)*  
 S-3331 FILED MARCH 31, 1993

SENATE FILE 358

S-3333

1 Amend Senate File 358 as follows:  
 2 1. Page 4, by inserting before line 31, the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 99D.15, subsection 2, Code  
 5 1993, is amended by adding the following new  
 6 unnumbered paragraph:  
 7 NEW UNNUMBERED PARAGRAPH. If the licensed horse  
 8 racetrack facility is sold or leased on or after April  
 9 1, 1993, or if the public agency originally  
 10 guaranteeing the repayment of the indebtedness  
 11 incurred in the construction of the licensed facility  
 12 is no longer obligated to retire the indebtedness, the  
 13 tax credits authorized under this subsection shall  
 14 cease."  
 15 2. Title page, line 4, by inserting after the  
 16 word "wagering," the following: "by limiting certain  
 17 tax credits,".

By WILLIAM W. DIELEMAN

S-3333 FILED MARCH 31, 1993

*Lost 4-5-93 (p. 998)*

SENATE FILE 358

S-3334

1 Amend Senate File 358 as follows:  
 2 1. Page 4, by inserting before line 31 the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 99D.15, subsection 2, Code  
 5 1993, is amended to read as follows:  
 6 2. A tax credit of up to five percent of the gross  
 7 sum wagered per year shall be granted to licensees  
 8 licensed for horse races and paid into a special fund  
 9 to be used for debt retirement ~~or-operating-expenses~~  
 10 only. However, the tax credit is equal to six percent  
 11 of the gross sum wagered in a year when the gross sum  
 12 wagered is less than ninety million dollars. Any  
 13 portion of the credit not used in a particular year  
 14 shall be retained by the commission. A tax credit  
 15 shall first be assessed against any share going to a  
 16 city, then to the share going to a county, and then to  
 17 the share going to the state."  
 18 2. Title page, line 4, by inserting after the  
 19 word "wagering," the following: "by providing for the  
 20 use of certain tax credits,".

By WILLIAM DIELEMAN

S-3334 FILED MARCH 31, 1993

*Lost  
 4-5-93  
 (P. 998)*

## SENATE FILE 358

S-3256

1 Amend Senate File 358 as follows:

2 1. By striking page 1, line 33 through page 2,  
3 line 5.

4 2. Page 2, by striking lines 9 through 12 and  
5 inserting the following: "to read as follows:

6 4. To regulate the wagering structure for gambling  
7 excursions including providing a maximum ~~wager-of-five~~  
8 ~~dollars-per-hand-or-play-and-maximum~~ loss of two not  
9 more than five hundred dollars per individual player  
10 per gambling excursion as determined in section 99F.7,  
11 subsection 10. The commission shall provide that each  
12 excursion gambling boat has at least one type of table  
13 gambling game for low stakes wagers as defined by rule  
14 of the commission.

15 Sec. \_\_\_\_\_. Section 99F.4, Code 1993, is amended by  
16 adding the following new subsection:

17 NEW SUBSECTION. 4A. To specify the excursion  
18 season of at least six months and the off-season for  
19 excursion gambling boats."

20 3. By striking page 2, line 28 through page 3,  
21 line 13.

22 4. By striking page 3, line 30 through page 4,  
23 line 23.

24 5. Page 4, by inserting before line 29 the  
25 following:

26 "Sec. \_\_\_\_\_. Section 99F.7, subsection 10, paragraph  
27 c, Code 1993, is amended to read as follows:

28 c. If, after July 1, 1989, section 99F.4,  
29 subsection 4 or 99F.9, subsection 2, is amended, the  
30 board of supervisors of a county in which excursion  
31 boat gambling has been approved before January 1,  
32 1993, shall submit to the county electorate a  
33 proposition to approve or disapprove the conduct of  
34 gambling games pursuant to any amendment to the  
35 subsections on excursion gambling boats at a special  
36 election at the earliest practicable time. The amount  
37 of the maximum loss per excursion, not exceeding five  
38 hundred dollars, shall be specified by the licensee  
39 who docks in the county and shall be included on the  
40 ballot at the special election by the board of  
41 supervisors. If more than one licensee docks in a  
42 county, the maximum loss limit shall be specified by  
43 agreement of the licensees. If agreement is not  
44 reached before the ballot is made final, the board of  
45 supervisors shall specify the amount of the maximum  
46 loss per excursion. If excursion boat gambling  
47 pursuant to the amendment is not approved at the  
48 election, paragraph "b" does not apply to the licenses  
49 and the commission shall cancel the licenses issued  
50 for the county within sixty days of the unfavorable

S-3256

-1-

S-3256

Page 2

- 1 referendum."
- 2 6. Page 4, by striking line 30 and inserting the
- 3 following: "amended to read as follows:
- 4 2. Licensees shall only allow a maximum wager-of
- 5 ~~five-dollars-per-hand-or-play-and-a-maximum~~ loss of
- 6 ~~two not more than five~~ hundred dollars per person
- 7 during each gambling excursion as determined in
- 8 section 99F.7, subsection 10. ~~However, the commission~~
- 9 ~~may adopt rules allowing additional wagers consistent~~
- 10 ~~with generally accepted wagering options in the games~~
- 11 ~~of twenty-one and dice.~~
- 12 Sec. \_\_\_\_ . Section 99F.9, subsection 7, Code 1993,
- 13 is amended by striking the subsection."
- 14 7. Title page, by striking lines 2 through 7 and
- 15 inserting the following: "gambling boats and pari-
- 16 mutuel wagering at racetracks, by changing limits on
- 17 wagering, by authorizing changes in excursion boat
- 18 capacity and gambling area, by reducing live racing
- 19 dates, by authorizing changes in excursion season and
- 20 off-season activities, and by providing for other
- 21 properly".
- 22 8. By renumbering sections as necessary.

By EUGENE FRAISE

S-3256 FILED MARCH 25, 1993

~~WITHDRAWN~~  
4-5-93 (P. 997)

SENATE FILE 358

S-3277

- 1 Amend the amendment, S-3204, to Senate File 358 as
- 2 follows:
- 3 1. Page 1, line 3, by striking the words "at the"
- 4 and inserting the following: "from".
- 5 2. Page 1, line 4, by striking the word
- 6 "facility" and inserting the following: "wagering".

By MIKE CONNOLLY

S-3277 FILED MARCH 29, 1993

adopted 4-5-93  
(P. 1009)

SENATE FILE 358

S-3312

- 1 Amend Senate File 358 as follows:
- 2 1. Page 2, by striking lines 8 through 10 and in-
- 3 serting the following:
- 4 "Sec. \_\_\_\_ . Section 99F.4, Code 1993, is amended by
- 5 adding the following new subsection:"
- 6 2. Page 2, line 11, by striking the figure "4"
- 7 and inserting the following: "NEW SUBSECTION. 4A".
- 8 3. Page 4, by striking lines 29 and 30.

By ANDY MCKEAN

S-3312 FILED MARCH 30, 1993

(P. 1008)  
lost 4-5-93

SENATE FILE 358

S-3174

- 1 Amend Senate File 358 as follows:
- 2 1. Page 4, line 14, by striking the word "as" and
- 3 inserting the following: "pursuant to an agreement
- 4 which shall be".

*adopted 4-5-93 (p. 1010)*

By MICHAEL E. GRONSTAL

S-3174 FILED MARCH 22, 1993

SENATE FILE 358

S-3204

- 1 Amend Senate File 358 as follows:
- 2 1. Page 4, line 13, by inserting after the word
- 3 "games" the following: "generated at the pari-mutuel
- 4 facility".

WITHDRAWN

By JOE J. WELSH

*4-5-93*

S-3204 FILED MARCH 23, 1993

SENATE FILE 358

S-3208

- 1 Amend Senate File 358 as follows:
- 2 1. Page 4, line 12, by striking the words "or
- 3 horse".
- 4 2. Page 4, line 14, by striking the words "or
- 5 horse".
- 6 3. Page 4, line 15, by striking the words "or
- 7 horse".
- 8 4. Page 4, line 15, by inserting after the word
- 9 "owners." the following: "For a licensee who is also
- 10 licensed to conduct horse races for pari-mutuel
- 11 wagering, any receipts available from gambling games
- 12 shall be used first to repay all indebtedness incurred
- 13 in the construction and operation of the horse racing
- 14 facilities."

By O. GENE MADDOX  
TONY BISIGNANO

WITHDRAWN  
*4-5-93*

MARY E. KRAMER  
ELAINE SZYMONIAK

S-3208 FILED MARCH 23, 1993

SENATE FILE 358

S-3225

- 1 Amend Senate File 358 as follows:
- 2 1. Page 1, by inserting after line 32 the
- 3 following:
- 4 "c. The annual racing dates, including the
- 5 required live racing performances for the pari-mutuel
- 6 racetracks are as follows:
- 7 (1) Prairie Meadows: The first Friday in May
- 8 through the first Monday in September.
- 9 (2) Bluffs Run: The first day in January through
- 10 the last day in December.
- 11 (3) Dubuque Greyhound Park: The fourth Tuesday in
- 12 April through the fourth Sunday in October.
- 13 (4) Waterloo Greyhound Park: Two days following
- 14 the close of the Dubuque Greyhound Park through two
- 15 days before the opening of the Dubuque Greyhound Park
- 16 in the succeeding calendar year."

By MIKE CONNOLLY

*Lost  
4-5-93  
(p. 996)*



1 Section 1. Section 99D.11, subsection 6, paragraph b, Code  
2 1993, is amended to read as follows:

3 b. The commission may authorize the licensee to  
4 simultaneously telecast within the racetrack enclosure, for  
5 the purpose of pari-mutuel wagering, a horse or dog race  
6 licensed by the racing authority of another state subject to  
7 the requirements of this paragraph. It is the responsibility  
8 of each licensee to obtain the consent of appropriate racing  
9 officials in other states as required by the federal  
10 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-3007, to  
11 televise races for the purpose of conducting pari-mutuel  
12 wagering. A licensee may also obtain the permission of The  
13 commission shall authorize a person licensed by the commission  
14 to conduct horse or dog races in this state to televise races  
15 conducted by that person for the purpose of conducting pari-  
16 mutuel racing at other licensed racetracks within the state.  
17 However, arrangements made by a licensee to televise any race  
18 for the purpose of conducting pari-mutuel wagering are subject  
19 to the approval of the commission, and the commission shall  
20 select the races to be televised. The races selected by the  
21 commission shall be the same for all licensees approved by the  
22 commission to televise races for the purpose of conducting  
23 pari-mutuel wagering. The commission shall not authorize the  
24 simultaneous telecast or televising of and a licensee shall  
25 not simultaneously telecast or televise any horse or dog race  
26 for the purpose of conducting pari-mutuel wagering unless the  
27 simultaneous telecast or televising is done at the racetrack  
28 of a licensee that schedules no less than ninety sixty  
29 performances of nine live races each day of the season. For  
30 purposes of the taxes imposed under this chapter, races  
31 televised by a licensee for purposes of pari-mutuel wagering  
32 shall be treated as if the races were held at the racetrack of  
33 the licensee.

34 Sec. 2. Section 99F.1, subsection 7, Code 1993, is amended  
35 to read as follows:

1 7. "Excursion gambling boat" means a self-propelled  
2 excursion boat on which lawful gambling is authorized and  
3 licensed as provided in this chapter. "Excursion gambling  
4 boat" also means the grandstand of a dog or horse racetrack  
5 licensed for pari-mutuel wagering before January 1, 1992, and  
6 which is licensed for gambling as provided in this chapter.

7 Sec. 3. Section 99F.1, subsections 8 and 15, Code 1993,  
8 are amended by striking the subsections.

9 Sec. 4. Section 99F.4, subsection 4, Code 1993, is amended  
10 by striking the subsection and inserting in lieu thereof the  
11 following:

12 4. To specify the excursion season of at least six months  
13 and the off-season for excursion gambling boats.

14 Sec. 5. Section 99F.4, subsection 17, Code 1993, is  
15 amended to read as follows:

16 17. To define the duration of an excursion which shall be  
17 at least three hours during the excursion season. ~~For-the-off~~  
18 ~~season, the commission shall adopt rules limiting times of~~  
19 ~~admission to excursion gambling boats consistent with maximum~~  
20 ~~loss per player per gambling excursion specified in subsection~~  
21 ~~4.~~

22 Sec. 6. Section 99F.4, subsection 20, Code 1993, is  
23 amended by striking the subsection and inserting in lieu  
24 thereof the following:

25 20. To require a licensee to schedule at least one  
26 excursion daily during the excursion season, and otherwise  
27 allow a licensee to conduct gambling games as if the licensee  
28 were operating during the off-season.

29 Sec. 7. NEW SECTION. 99F.4A GAMBLING GAMES AT PARI-  
30 MUTUEL DOG OR HORSE RACETRACKS.

31 1. The commission shall license the licensee of a pari-  
32 mutuel dog or horse racetrack to conduct gambling games at the  
33 pari-mutuel dog or horse racetrack enclosure subject to the  
34 requirements of this chapter except as otherwise provided in  
35 this section.

1 a. A person licensed pursuant to chapter 99D is exempt  
2 from further investigation and examination for licensing  
3 purposes under this chapter.

4 b. The annual license fee based on passenger or guest  
5 capacity as provided in section 99F.5 shall be equivalent to  
6 the maximum occupancy authorized for the space allocated for  
7 gambling games at a pari-mutuel dog or horse racetrack which  
8 is licensed to conduct gambling games.

9 c. Section 99F.7, subsection 10, which requires approval  
10 of the county electorate for excursion boat gambling, applies  
11 to the licensing of gambling games at a pari-mutuel dog or  
12 horse racetrack.

13 2. The commission shall adopt rules, pursuant to chapter  
14 17A, as necessary to administer this section.

15 Sec. 8. Section 99F.5, subsection 1, Code 1993, is amended  
16 to read as follows:

17 1. A qualified sponsoring organization may apply to the  
18 commission for a license to conduct gambling games on an  
19 excursion gambling boat as provided in this chapter. A person  
20 may apply to the commission for a license to operate an  
21 excursion gambling boat. The application shall be filed with  
22 the administrator of the commission at least ninety days  
23 before the first day of the next excursion season as  
24 determined by the commission, shall identify the excursion  
25 gambling boat upon which gambling games will be authorized,  
26 shall specify the exact location where the excursion gambling  
27 boat will be docked, and shall be in a form and contain  
28 information as the commission prescribes. The minimum  
29 passenger capacity of an excursion gambling boat is two  
30 hundred fifty persons.

31 Sec. 9. Section 99F.6, subsection 4, Code 1993, is amended  
32 to read as follows:

33 4. Before a license is granted, the division of criminal  
34 investigation of the department of public safety shall conduct  
35 a thorough background investigation of the applicant for a

1 license to operate a gambling game operation on an excursion  
2 gambling boat. The applicant shall provide information on a  
3 form as required by the division of criminal investigation.  
4 Before a qualified sponsoring organization is licensed to  
5 operate gambling games under this chapter, the qualified  
6 sponsoring organization shall certify that the receipts of all  
7 gambling games, less reasonable expenses, charges, taxes,  
8 fees, and deductions allowed under this chapter, will be  
9 distributed as winnings to players or participants or will be  
10 distributed for educational, civic, public, charitable,  
11 patriotic, or religious uses as defined in section 99B.7,  
12 subsection 3, paragraph "b". However, a licensee who is also  
\*13 licensed to conduct dog races for pari-mutuel wagering may use  
\*14 receipts from gambling games to supplement purses for dog  
15 races pursuant to an agreement which shall be negotiated  
\*16 between the licensee and representatives of dog owners. For a  
17 licensee who is also licensed to conduct horse races for pari-  
18 mutuel wagering, seventy-five percent of any receipts  
19 available from gambling games shall be used first to repay all  
20 annual indebtedness incurred in the construction and operation  
21 of the horse racing facilities and twenty-five percent of the  
22 receipts shall be used to supplement purses for horse races as  
23 agreed to between the licensee and the representatives of  
24 horse owners. A qualified sponsoring organization shall not  
25 make a contribution to a candidate, political committee,  
26 candidate's committee, state statutory political committee,  
27 county statutory political committee, national political  
28 party, or fund-raising event as these terms are defined in  
29 section 56.2. The membership of the board of directors of a  
30 qualified sponsoring organization shall represent a broad  
31 interest of the communities.

32 Sec. 10. Section 99F.7, subsection 5, paragraph a, Code  
33 1993, is amended by striking the paragraph and inserting in  
34 lieu thereof the following:

35 a. The square footage allowed to be used for gambling

1 activity shall be determined by the commission.

2 Sec. 11. Section 99F.9, subsection 2, Code 1993, is  
3 amended by striking the subsection.

4 Sec. 12. Section 99F.10, subsection 4, Code 1993, is  
5 amended to read as follows:

6 4. In determining the license fees and state admission  
7 fees to be charged as provided under section 99F.4 and this  
8 section, the commission shall use the amount appropriated to  
9 the commission plus the cost of auditing excursion gambling  
10 boat activities as the basis for determining the amount of  
11 revenue to be raised from the license fees and admission fees.  
12 The costs of auditing shall include, but are not limited to,  
13 salary and associated costs incurred by other agencies of the  
14 state for personnel assigned to enforcement of excursion boat  
15 gambling rules and regulations adopted by the commission.

16 Sec. 13. Sections 4 and 11 of this Act, and this section,  
17 being deemed of immediate importance, take effect upon  
18 enactment.

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GRONSTAL, CH.  
DIELEMAN  
DRAKE

SSB 268  
STATE GOVERNMENT

SENATE FILE 358  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
REQUESTED BY BISIGNANO)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the regulation of gambling games on excursion  
2 gambling boats and pari-mutuel wagering at racetracks, by  
3 authorizing excursion gambling boat-style gambling at pari-  
4 mutuel racetracks, by removing limits on wagering, by  
5 authorizing changes in excursion boat capacity and gambling  
6 area, by authorizing additional uses for gambling profits, by  
7 reducing live racing days, and by providing for other properly  
8 related provisions.

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

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1 Section 1. Section 99D.11, subsection 6, paragraph b, Code  
2 1993, is amended to read as follows:

3 b. The commission ~~may~~ shall authorize the licensee to  
4 simultaneously telecast within the racetrack enclosure, for  
5 the purpose of pari-mutuel wagering, a horse or dog race  
6 licensed by the racing authority of another state subject to  
7 the requirements of this paragraph. It is the responsibility  
8 of each licensee to obtain the consent of appropriate racing  
9 officials in other states as required by the federal  
10 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-3007, to  
11 televise races for the purpose of conducting pari-mutuel  
12 wagering. A licensee may also obtain the permission of a  
13 person licensed by the commission to conduct horse or dog  
14 races in this state to televise races conducted by that person  
15 for the purpose of conducting pari-mutuel racing. However,  
16 arrangements made by a licensee to televise any race for the  
17 purpose of conducting pari-mutuel wagering are subject to the  
18 approval of the commission, and the commission shall select  
19 the races to be televised. The races selected by the  
20 commission shall be the same for all licensees approved by the  
21 commission to televise races for the purpose of conducting  
22 pari-mutuel wagering. The commission shall not authorize the  
23 simultaneous telecast or televising of and a licensee shall  
24 not simultaneously telecast or televise any horse or dog race  
25 for the purpose of conducting pari-mutuel wagering unless the  
26 simultaneous telecast or televising is done at the racetrack  
27 of a licensee that schedules no less than ~~ninety~~ sixty  
28 performances of nine live races each day of the season. For  
29 purposes of the taxes imposed under this chapter, races  
30 televised by a licensee for purposes of pari-mutuel wagering  
31 shall be treated as if the races were held at the racetrack of  
32 the licensee.

33 Sec. 2. Section 99F.1, subsection 7, Code 1993, is amended  
34 to read as follows:

35 7. "Excursion gambling boat" means a self-propelled

1 excursion boat on which lawful gambling is authorized and  
2 licensed as provided in this chapter. "Excursion gambling  
3 boat" also means the grandstand of a dog or horse racetrack  
4 licensed for pari-mutuel wagering before January 1, 1992, and  
5 which is licensed for gambling as provided in this chapter.

6 Sec. 3. Section 99F.1, subsections 8 and 15, Code 1993,  
7 are amended by striking the subsections.

8 Sec. 4. Section 99F.4, subsection 4, Code 1993, is amended  
9 by striking the subsection and inserting in lieu thereof the  
10 following:

11 4. To specify the excursion season and the off-season for  
12 excursion gambling boats.

13 Sec. 5. Section 99F.4, subsection 17, Code 1993, is  
14 amended to read as follows:

15 17. To define the duration of an excursion which shall be  
16 at least three hours during the excursion season. ~~Per-the-off~~  
17 ~~season, the commission shall adopt rules limiting times of~~  
18 ~~admission to excursion gambling boats consistent with maximum~~  
19 ~~loss per player per gambling excursion specified in subsection~~  
20 ~~4.~~

21 Sec. 6. Section 99F.4, subsection 20, Code 1993, is  
22 amended by striking the subsection and inserting in lieu  
23 thereof the following:

24 20. To require a licensee to schedule at least one  
25 excursion daily during the excursion season, and otherwise  
26 allow a licensee to conduct gambling games as if the licensee  
27 were operating during the off-season.

28 Sec. 7. NEW SECTION. 99F.4A GAMBLING GAMES AT PARI-  
29 MUTUEL DOG OR HORSE RACETRACKS.

30 1. The commission may license the licensee of a pari-  
31 mutuel dog or horse racetrack to conduct gambling games at the  
32 pari-mutuel dog or horse racetrack enclosure subject to the  
33 requirements of this chapter except as otherwise provided in  
34 this section.

35 a. A person licensed pursuant to chapter 99D is exempt

1 from further investigation and examination for licensing  
2 purposes under this chapter.

3 b. The annual license fee based on passenger or guest  
4 capacity as provided in section 99F.5 shall be equivalent to  
5 the maximum occupancy authorized for the space allocated for  
6 gambling games at a pari-mutuel dog or horse racetrack which  
7 is licensed to conduct gambling games.

8 c. Section 99F.7, subsection 10, which requires approval  
9 of the county electorate for excursion boat gambling, applies  
10 to the licensing of gambling games at a pari-mutuel dog or  
11 horse racetrack.

12 2. The commission shall adopt rules, pursuant to chapter  
13 17A, as necessary to administer this section.

14 Sec. 8. Section 99F.5, subsection 1, Code 1993, is amended  
15 to read as follows:

16 1. A qualified sponsoring organization may apply to the  
17 commission for a license to conduct gambling games on an  
18 excursion gambling boat as provided in this chapter. A person  
19 may apply to the commission for a license to operate an  
20 excursion gambling boat. The application shall be filed with  
21 the administrator of the commission at least ninety days  
22 before the first day of the next excursion season as  
23 determined by the commission, shall identify the excursion  
24 gambling boat upon which gambling games will be authorized,  
25 shall specify the exact location where the excursion gambling  
26 boat will be docked, and shall be in a form and contain  
27 information as the commission prescribes. The minimum  
28 passenger capacity of an excursion gambling boat is two  
29 hundred fifty persons.

30 Sec. 9. Section 99F.6, subsection 4, Code 1993, is amended  
31 to read as follows:

32 4. Before a license is granted, the division of criminal  
33 investigation of the department of public safety shall conduct  
34 a thorough background investigation of the applicant for a  
35 license to operate a gambling game operation on an excursion

1 gambling boat. The applicant shall provide information on a  
2 form as required by the division of criminal investigation.  
3 Before a qualified sponsoring organization is licensed to  
4 operate gambling games under this chapter, the qualified  
5 sponsoring organization shall certify that the receipts of all  
6 gambling games, less reasonable expenses, charges, taxes,  
7 fees, and deductions allowed under this chapter, will be  
8 distributed as winnings to players or participants or will be  
9 distributed for educational, civic, public, charitable,  
10 patriotic, or religious uses as defined in section 99B.7,  
11 subsection 3, paragraph "b". However, a licensee who is also  
12 licensed to conduct dog or horse races for pari-mutuel  
13 wagering may use receipts from gambling games to supplement  
14 purses for dog or horse races as negotiated between the  
15 licensee and representatives of dog or horse owners. A  
16 qualified sponsoring organization shall not make a  
17 contribution to a candidate, political committee, candidate's  
18 committee, state statutory political committee, county  
19 statutory political committee, national political party, or  
20 fund-raising event as these terms are defined in section 56.2.  
21 The membership of the board of directors of a qualified  
22 sponsoring organization shall represent a broad interest of  
23 the communities.

24 Sec. 10. Section 99F.7, subsection 5, paragraph a, Code  
25 1993, is amended to read as follows:

26 a. No more than thirty fifty percent of the square footage  
27 shall be used for gambling activity.

28 Sec. 11. Section 99F.9, subsection 2, Code 1993, is  
29 amended by striking the subsection.

30 EXPLANATION

31 This bill provides for interstate simultaneous telecasting  
32 of dog and horse races at each of the pari-mutuel racetracks  
33 in this state subject to the rules of the racing and gaming  
34 commission and reduces the minimum days of live racing from 90  
35 days to 60 days to qualify for simultaneous telecasting. The

1 bill also provides that the racing and gaming commission  
2 determine the excursion season and off-season for excursion  
3 gambling boats, the number of excursions, and the hours of  
4 gambling during each season.

5 The bill removes the maximum wager per hand limitation of  
6 \$5 and the maximum loss limit of \$200 per excursion. If  
7 enacted, the continuance of excursion boat gambling requires  
8 voter approval in counties where excursion gambling boats are  
9 currently authorized.

10 The bill authorizes the racing and gaming commission to  
11 approve casino-style gambling at previously licensed pari-  
12 mutuel racetracks, subject to voter approval in counties where  
13 the racetracks are located.

14 The bill also provides that the minimum capacity for an  
15 excursion gambling boat is 250 passengers and that 50 percent  
16 of the square footage of the excursion gambling boat may be  
17 used for gambling activity. Currently the square footage for  
18 gambling activity is limited to 30 percent.

19 The bill provides for negotiation between a licensee who is  
20 licensed for pari-mutuel and casino-style gambling and  
21 representatives of dog and horse owners to supplement purses  
22 for the pari-mutuel races.

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