

REPRINTED

FILED JAN 28 1997

SENATE FILE 79
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 3)

Passed Senate, Date ^(P. 857) 3-31-97

Passed House, Date 4/23/97 (P. 1485)

Vote: Ayes 45 Nays 2

Vote: Ayes 97 Nays 2

Approved _____

A BILL FOR

1 An Act relating to a moratorium on the issuance of new licenses
2 to conduct gambling games and providing an effective date.

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

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S.F. 79

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1 Section 1. NEW SECTION. 99F.4C MORATORIUM FOR ISSUANCE
2 OF LICENSES FOR GAMBLING GAMES.

3 1. The commission shall not issue a new license to conduct
4 gambling games pursuant to this chapter until July 1, 2000.

5 2. The commission may approve the sale or transfer of the
6 ownership of a gambling operation licensed before the
7 effective date of this Act and issue a new license to the
8 purchaser or transferee.

9 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
10 immediate importance, takes effect upon enactment.

11 EXPLANATION

12 This bill creates new Code section 99F.4C to provide for a
13 moratorium until July 1, 2000, on the issuance of additional
14 licenses by the state racing and gaming commission to conduct
15 gambling games authorized pursuant to chapter 99F.

16 This bill is effective upon enactment.

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HOUSE AMENDMENT TO
SENATE FILE 79

S-3727

1 Amend Senate File 79, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 "Section 1. Section 99D.24, Code 1997, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 7. A licensee shall not knowingly
8 allow a financial institution or vendor to loan money
9 on its premises on the basis of a credit card or
10 similar instrument through an electronic or mechanical
11 device, including, but not limited to, a satellite
12 terminal as defined in section 572.2 for the purpose
13 of permitting that person to wager on any race. The
14 use of a check or a debit card with overdraft
15 protection is not prohibited by this subsection. The
16 acceptance and cashing of checks by a licensee is not
17 prohibited and the use of ATM and debit cards at on-
18 site premises is not prohibited by this subsection."

19 2. Page 1, line 4, by inserting after the figure
20 "1997," the following: "for an excursion gambling
21 boat operation on the Mississippi or Missouri river,
22 or on or before December 31, 1997, for an excursion
23 gambling boat operation on a lake or water reservoir
24 approved by a county electorate before the effective
25 date of this Act,".

26 3. Page 1, by inserting after line 10 the
27 following:

28 "Sec. ____ . Section 99F.7, subsection 1, Code 1997,
29 is amended to read as follows:

30 1. If the commission is satisfied that this
31 chapter and its rules adopted under this chapter
32 applicable to licensees have been or will be complied
33 with, the commission shall issue a license for a
34 period of not more than three years to an applicant to
35 own a gambling game operation and to an applicant to
36 operate an excursion gambling boat. The commission
37 shall decide which of the gambling games authorized
38 under this chapter it will permit. The Except as
39 otherwise provided in section 1 of this Act, the
40 commission shall decide the number, location, and type
41 of excursion gambling boats licensed under this
42 chapter for operation only on the Mississippi and
43 Missouri rivers,--lakes,--and--reservoirs--of--this--state.
44 The license shall set forth the name of the licensee,
45 the type of license granted, the place where the
46 excursion gambling boats will operate and dock, and
47 the time and number of days during the excursion
48 season and the off season when gambling may be
49 conducted by the licensee. The commission shall not
50 allow a licensee to conduct gambling games on an

S-3727

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Page 2

1 excursion gambling boat while docked during the off
2 season if the licensee does not operate gambling
3 excursions for a minimum number of days during the
4 excursion season. The commission may delay the
5 commencement of the excursion season at the request of
6 a licensee."

7 4. Page 1, by inserting before line 11 the
8 following:

9 "Sec. _____. Section 99F.15, Code 1997, is amended
10 by adding the following new subsection:

11 NEW SUBSECTION. 7. A licensee shall not knowingly
12 allow a financial institution or vendor to loan money
13 on its premises on the basis of a credit card or
14 similar instrument through an electronic or mechanical
15 device, including, but not limited to, a satellite
16 terminal as defined in section 572.2 for the purpose
17 of permitting that person to wager on any game of
18 chance. The use of a check or a debit card with
19 overdraft protection is not prohibited by this
20 subsection. The acceptance and cashing of checks by a
21 licensee is not prohibited and the use of ATM and
22 debit cards at on-site premises is not prohibited by
23 this subsection."

24 5. Page 1, line 11, by striking the word "This"
25 and inserting the following: "Section 1 of this".

26 6. Title page, line 2, by inserting after the
27 word "games" the following: ", the use of credit for
28 gambling,".

29 7. By renumbering, relettering, or redesignating
30 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3727 FILED APRIL 23, 1997

SENATE FILE 79

S-3735

1 Amend the House amendment, S-3727, to Senate File
2 79, as passed by the Senate as follows:

3 1. Page 1, line 12, by striking the figure
4 "572.2" and inserting the following: "527.2".

5 2. Page 2, line 16, by striking the figure
6 "572.2" and inserting the following: "527.2".

By DERRYL McLAREN

S-3735 FILED APRIL 23, 1997

SENATE FILE 79

S-3739

1 Amend the House amendment, S-3727, to Senate File
2 79, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 9, by striking the words "on its
5 premises" and inserting the following: "at the
6 licensee's racetrack enclosure".

7 2. Page 2, line 13, by striking the words "its
8 premises" and inserting the following: "the
9 licensee's excursion gambling boat".

By MICHAEL E. GRONSTAL

S-3739 FILED APRIL 24, 1997

SENATE FILE 79

S-3280

- 1 Amend the amendment, S-3262, to Senate File 79 as
- 2 follows:
- 3 1. Page 1, line 5, by striking the word and
- 4 figure "March 15" and inserting the following: "June
- 5 1".

By TOM VILSACK

S-3280 FILED MARCH 31, 1997

WITHDRAWN 3-31-97

(P. 856)

SENATE FILE 79

S-3283

- 1 Amend the amendment, S-3262, to Senate File 79, as
- 2 follows:
- 3 1. Page 1, by striking line 8 and inserting the
- 4 following: "applicant."
- 5 2. Page 1, by striking line 9 and inserting the
- 6 following:
- 7 "2. However, the commission".

By ROD HALVORSON

S-3283 FILED MARCH 31, 1997

LOST 3-31-97

(P. 856)

SENATE FILE 79

S-3034

- 1 Amend Senate File 79 as follows:
- 2 1. Page 1, by inserting after line 8 the
- 3 following:
- 4 "3. Notwithstanding subsection 1, a licensed
- 5 excursion gambling boat may be sold and a new license
- 6 may be issued for operation in the same county."

By STEVEN D. HANSEN

S-3034 FILED FEBRUARY 4, 1997

Withdrawn 3-31-97 (P. 857)

SENATE FILE 79

S-3035

- 1 Amend Senate File 79 as follows:
- 2 1. Page 1, by striking line 4 and inserting the
- 3 following: "gambling games or pari-mutuel wagering
- 4 pursuant to chapter 99D or this chapter after July 1,
- 5 1997."
- 6 2. Page 1, lines 6 and 7, by striking the words
- 7 "the effective date of this Act" and inserting the
- 8 following: "July 1, 1997".
- 9 3. Page 1, line 8, by inserting after the word
- 10 "transferee" the following: "for operation in the
- 11 same county".

By ROD HALVORSON

S-3035 FILED FEBRUARY 4, 1997

*o/Order
3/28/97 (P. 857)*

SENATE FILE 79

S-3262

- 1 Amend Senate File 79 as follows:
- 2 1. Page 1, by striking lines 3 through 8 and
- 3 inserting the following:
- 4 "1. Unless an application for a license has been
- 5 received by the commission on or before March 15,
- 6 1997, the commission shall not issue a license to
- 7 conduct gambling games pursuant to this chapter to an
- 8 applicant until July 1, 2000.
- 9 2. However, prior to July 1, 2000, the commission
- 10 may approve the sale or transfer of the ownership of a
- 11 gambling game operation licensed pursuant to this
- 12 chapter and issue a new license to the purchaser or
- 13 transferee."

By DERRYL McLAREN

S-3262 FILED MARCH 26, 1997

*adopted 3-31-97
(P. 857)*

SENATE FILE 79

S-3275

- 1 Amend the amendment, S-3262, to Senate File 79, as
- 2 follows:
- 3 1. Page 1, line 5, by striking the word and
- 4 figure "March 15" and inserting the following: "June
- 5 1".

By TOM VILSACK

S-3275 FILED MARCH 27, 1997

*Adopted
3/31/97 (P. 856)*

H. 4-1-97 Still Ho.
H. 4/3/97 Do Pass
H- 4/10/97 Unfinished Business
Rereferred To: State Post Calendar

SENATE FILE 79
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 3)
(AS AMENDED AND PASSED BY THE SENATE MARCH 31, 1997)
 - New Language by the Senate

Passed Senate, Date _____ Passed House, Date 4/23/97 (p.1485)
Vote: Ayes _____ Nays _____ Vote: Ayes 97 Nays 2
Approved _____

A BILL FOR

1 An Act relating to a moratorium on the issuance of new licenses
2 to conduct gambling games and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 79

1 Section 1. NEW SECTION. 99F.4C MORATORIUM FOR ISSUANCE
2 OF LICENSES FOR GAMBLING GAMES.

3 1. Unless an application for a license has been received
4 by the commission on or before June 1, 1997, the commission
5 shall not issue a license to conduct gambling games pursuant
6 to this chapter to an applicant until July 1, 2000.

7 2. However, prior to July 1, 2000, the commission may
8 approve the sale or transfer of the ownership of a gambling
9 game operation licensed pursuant to this chapter and issue a
10 new license to the purchaser or transferee.

11 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
12 immediate importance, takes effect upon enactment.

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SENATE FILE 79

H-1839

1 Amend Senate File 79, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 "Section 1. Section 99D.9, subsection 6, Code
6 1997, is amended to read as follows:

7 6. A licensee may shall not loan to any person
8 money or any other thing of value or permit a
9 financial institution, vendor, or other person to loan
10 money on the basis of a credit card or similar
11 instrument in person or through an electronic or
12 mechanical device including but not limited to a
13 satellite terminal as defined in section 527.2 for the
14 purpose of permitting that person to wager on any
15 race. The use of a check or a debit card with
16 overdraft protection is not prohibited by this
17 subsection."

18 2. Page 1, by inserting before line 11 the
19 following:

20 "Sec. ____ . Section 99F.7, subsection 9, Code 1997,
21 is amended to read as follows:

22 9. A licensee shall not loan to any person money
23 or any other thing of value or permit a financial
24 institution, vendor, or other person to loan money on
25 the basis of a credit card or similar instrument in
26 person or through an electronic or mechanical device
27 including but not limited to a satellite terminal as
28 defined in section 527.2 for the purpose of permitting
29 that person to wager on any game of chance. The use
30 of a check or a debit card with overdraft protection
31 is not prohibited by this subsection."

32 3. Title page, line 2, by inserting after the
33 word "games" the following: ", the use of credit for
34 gambling,".

35 4. By renumbering as necessary.

By FALLON of Polk
GARMAN of Story
SUKUP of Franklin

H-1839 FILED APRIL 22, 1997

*Ruled not germane, Unanimous consent suspended Rules,
Adopted 4/23/97 (p.1477-78) MTR: Fallon (p.1484), MTR:
prevailed, Adopted as amended (p.1485)*

H-1542

1 Amend Senate File 79, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 10 the
4 following:

5 "Sec. ____ . NEW SECTION. 99F.4D MORATORIUM ON
6 ADDITIONAL GAMBLING DEVICES OR TABLES.

7 Before July 1, 2000, the commission shall not allow
8 a licensee to operate a larger number of slot
9 machines, game tables, or other gambling devices or
10 games than the licensee was authorized to operate on
11 the effective date of this Act."

12 2. Title page, line 2, by inserting after the
13 word "games" the following: "and on the number of
14 gambling games or devices,".

By CORMACK of Webster

H-1542 FILED APRIL 2, 1997

Revised not germane 4/23/97 (p. 1479)

H-1493

1 Amend Senate File 79, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 10 the
4 following:

5 "Sec. ____ . Section 99F.7, subsection 1, Code 1997,
6 is amended to read as follows:

7 1. If the commission is satisfied that this
8 chapter and its rules adopted under this chapter
9 applicable to licensees have been or will be complied
10 with, the commission shall issue a license for a
11 period of not more than three years to an applicant to
12 own a gambling game operation and to an applicant to
13 operate an excursion gambling boat. The commission
14 shall decide which of the gambling games authorized
15 under this chapter it will permit. The commission
16 shall decide the number, location, and type of
17 excursion gambling boats licensed under this chapter
18 for operation only on the Mississippi and Missouri
19 rivers, lakes, and reservoirs of this state. The
20 license shall set forth the name of the licensee, the
21 type of license granted, the place where the excursion
22 gambling boats will operate and dock, and the time and
23 number of days during the excursion season and the off
24 season when gambling may be conducted by the licensee.
25 The commission shall not allow a licensee to conduct
26 gambling games on an excursion gambling boat while
27 docked during the off season if the licensee does not
28 operate gambling excursions for a minimum number of
29 days during the excursion season. The commission may
30 delay the commencement of the excursion season at the
31 request of a licensee."

32 2. Page 1, line 11, by striking the word "This"
33 and inserting the following: "Section 1 of this".

34 3. By renumbering as necessary.

By BLODGETT of Cerro Gordo

H-1493 FILED APRIL 1, 1997

o/c 4/23/97 (p. 1478)

SENATE FILE 79

H-1880

1 Amend the amendment, H-1839, to Senate File 79, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 5 through 17 and
5 inserting the following:

6 "Section 1. Section 99D.24, Code 1997, is amended
7 by adding the following new subsection:

8 NEW SUBSECTION. 7. A licensee shall not knowingly
9 allow a financial institution or vendor to loan money
10 on its premises on the basis of a credit card or
11 similar instrument through an electronic or mechanical
12 device, including, but not limited to, a satellite
13 terminal as defined in section 572.2 for the purpose
14 of permitting that person to wager on any race. The
15 use of a check or a debit card with overdraft
16 protection is not prohibited by this subsection. The
17 acceptance and cashing of checks by a licensee is not
18 prohibited and the use of ATM and debit cards at on-
19 site premises is not prohibited by this subsection."

20 2. Page 1, by striking lines 20 through 31 and
21 inserting the following:

22 "Sec. _____. Section 99F.15, Code 1997, is amended
23 by adding the following new subsection:

24 NEW SUBSECTION. 7. A licensee shall not knowingly
25 allow a financial institution or vendor to loan money
26 on its premises on the basis of a credit card or
27 similar instrument through an electronic or mechanical
28 device, including, but not limited to, a satellite
29 terminal as defined in section 572.2 for the purpose
30 of permitting that person to wager on any game of
31 chance. The use of a check or a debit card with
32 overdraft protection is not prohibited by this
33 subsection. The acceptance and cashing of checks by a
34 licensee is not prohibited and the use of ATM and
35 debit cards at on-site premises is not prohibited by
36 this subsection."

By FALLON of Polk
GARMAN of Story
SUKUP of Franklin

H-1880 FILED APRIL 23, 1997
ADOPTED (p. 1485)

SENATE FILE 79

H-1879

1 Amend Senate File 79, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 10 the
4 following:

5 "Sec. ____ . Section 99F.7, subsection 1, Code 1997,
6 is amended to read as follows:

7 1. If the commission is satisfied that this
8 chapter and its rules adopted under this chapter
9 applicable to licensees have been or will be complied
10 with, the commission shall issue a license for a
11 period of not more than three years to an applicant to
12 own a gambling game operation and to an applicant to
13 operate an excursion gambling boat. The commission
14 shall decide which of the gambling games authorized
15 under this chapter it will permit. The Except as
16 otherwise provided in section 1 of this Act, the
17 commission shall decide the number, location, and type
18 of excursion gambling boats licensed under this
19 chapter for operation only on the Mississippi and
20 Missouri rivers, lakes, and reservoirs of this state.
21 The license shall set forth the name of the licensee,
22 the type of license granted, the place where the
23 excursion gambling boats will operate and dock, and
24 the time and number of days during the excursion
25 season and the off season when gambling may be
26 conducted by the licensee. The commission shall not
27 allow a licensee to conduct gambling games on an
28 excursion gambling boat while docked during the off
29 season if the licensee does not operate gambling
30 excursions for a minimum number of days during the
31 excursion season. The commission may delay the
32 commencement of the excursion season at the request of
33 a licensee."

34 2. Page 1, line 11, by striking the word "This"
35 and inserting the following: "Section 1 of this".

36 3. By renumbering as necessary.

By BLODGETT of Cerro Gordo

H-1879 FILED APRIL 23, 1997

ADOPTED (p. 1484)

SENATE FILE 79

H-1803

1 Amend Senate File 79, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 4, by inserting after the figure
4 "1997," the following: "for an excursion gambling
5 boat operation on the Mississippi or Missouri river,
6 or on or before December 31, 1997, for an excursion
7 gambling boat operation on a lake or water reservoir
8 approved by a county electorate before the effective
9 date of this Act,".

By ARNOLD of Lucas

H-1803 FILED APRIL 17, 1997

Adopted 4/23/97 (p. 1478)

SENATE FILE 79

H-1882

1 Amend the amendment, H-1839, to Senate File 79, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting before line 18 the
5 following:

6 "Sec. ____ Section 99E.9, subsection 3, paragraph
7 i, Code 1997, is amended to read as follows:

8 i. The locations at which tickets or shares may be
9 sold. The board may authorize the sale of tickets or
10 shares on the premises of establishments which sell or
11 serve alcoholic beverages, wine, or beer as defined in
12 section 123.3. The board shall prohibit the sale of
13 tickets or shares on any premises where a satellite
14 terminal, as defined in section 527.2, is located."

15 2. Title page, line 2, by inserting after the
16 word "games" the following: "and to the sale of
17 lottery tickets on certain premises".

By DRAKE of Pottawattamie

H-1882 FILED APRIL 23, 1997

WITHDRAWN (p. 1485)

Lind, Chair
DeLukey
McLaren

S.S.B. 3

State Government

Succeeded By
SF/HF 79

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON LIND)

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

A BILL FOR

1 An Act relating to a moratorium on the issuance of new licenses
2 to conduct gambling games and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 99F.4C MORATORIUM FOR ISSUANCE
2 OF LICENSES FOR GAMBLING GAMES.

3 1. The commission shall not issue a new license to conduct
4 gambling games pursuant to this chapter until July 1, 2000.

5 2. The commission may approve the sale or transfer of the
6 ownership of a gambling operation licensed before the
7 effective date of this Act and issue a new license to the
8 purchaser or transferee.

9 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
10 immediate importance, takes effect upon enactment.

11 EXPLANATION

12 This bill creates new Code section 99F.4C to provide for a
13 moratorium until July 1, 2000, on the issuance of additional
14 licenses by the state racing and gaming commission to conduct
15 gambling games authorized pursuant to chapter 99F.

16 This bill is effective upon enactment.

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