



**MEDIA: PLEASE CONTACT THE MEETING FACILITY DIRECTLY TO MAKE THE NECESSARY ARRANGEMENTS FOR ANY EQUIPMENT YOU MAY NEED.**

## **MEETING ANNOUNCEMENT**

**DATE: NOVEMBER 21, 2024**  
**TIME: 8:30 AM**  
**LOCATION: CATFISH BEND CASINO**  
**EVENT CENTER HALL A**  
**3001 WINEGARD DR**  
**BURLINGTON, IA 52601**  
**PHONE: (319) 753-2946**

## **PROPOSED AGENDA**

- 1. APPROVE AGENDA**
- 2. APPROVE MINUTES** – From October 3, 2024 Commission Meeting
- 3. WELCOME** – Rob Higgins, General Manager
- 4. ANNOUNCEMENTS**
  - A. December 2024 – No Meeting
  - B. January 23, 2025 – Wild Rose Hotel & Casino, Jefferson, IA (Submissions due by January 8, 2025)
  - C. February 6, 2025 – Prairie Meadows, Altoona, IA
- 5. RULES** – Notice of Intended Action
- 6. DIAMOND JO WORTH, LLC** – Request for Approval of Remodeling Pursuant to 491 IAC 5.4(15)
- 7. DUBUQUE RACING ASSOCIATION, LTD.**

- A. Request for Approval of Revised Security Plan
  - B. Request for Approval of Development Agreement with City of Dubuque
- 8. HGI – LAKESIDE, LLC – Request for Approval of Revised Security Plan**
- 9. CASINO QUEEN MARQUETTE, INC. – Update on Remodel**
- 10. IOWA GAMING ASSOCIATION – Report of Tax Impact of Gaming Industry on State**
- 11. PRAIRIE MEADOWS RACETRACK AND CASINO, INC. d/b/a PRAIRIE MEADOWS RACETRACK AND CASINO**
- A. Application for Pari-Mutuel License and Granting of Race Dates; Racetrack Enclosure Gambling License, and Sports Wagering License for January 1, 2025 through December 31, 2025. Year-round simulcasting was requested with the exception of December 24 and 25.
  - B. Advance Deposit Wagering Operator Agreements
    - 1. Request for Approval of New Agreement – NYRabets, LLC, and the Iowa Horseman’s Benevolent and Protective Association
    - 2. Request for Approval of a New Agreement – Churchill Downs Technology Initiatives Company (Twinspires), and the Iowa Horsemen’s Benevolent and Protective Association
    - 3. Request for Approval of New Agreement – XpressBet, LLC and the Iowa Horseman’s Benevolent and Protective Association
    - 4. Request for Approval of New Agreement – Lien Games Racing, LLC, and the Iowa Horsemen’s Benevolent and Protective Association
  - C. Contracts:
    - 1. AJR Equities – Promotional Items
    - 2. American Express – Corporate Credit Cards for Travel Purposes (OSV)
    - 3. American Wagering (Caesars Sports Book) – Banking Support
    - 4. Armstrong Systems & Consulting – Prairie Gold Club Cards & Printers
    - 5. Asset Management (USA Security) – Surveillance Products & Services
    - 6. Bankers Trust Company – Line of Credit
    - 7. Brewer Meats (Midwest Quality Wholesale) – Meat Supplier
    - 8. Capital Sanitary – Housekeeping Supplies
    - 9. Chesnut Sign – Sign Manufacture & Installation
    - 10. Competitive Edge – Promotional & Advertising Items
    - 11. Core Mark (Farmer Bocken) – Food Products
    - 12. Deloitte & Touche – Audit & Consulting Services
    - 13. Delta Dental of Iowa – Employee Dental Insurance
    - 14. Doll Distributing – Beer Distributor
    - 15. EMC Risk Services – Workers Compensation Insurance
    - 16. Global Spectrum – Advertising – Wells Fargo Arena/Caseys Center
    - 17. Graphic Controls – Slot Game Tickets (OSV)
    - 18. Iowa Beverage Systems – Beer Distributor
    - 19. Iowa Des Moines Supply – Food, Beverage and Housekeeping Supplies

20. Johnson Brothers – Wine Distributor
21. Kone Inc. – Elevator & Escalator Maintenance
22. Loffredo Fresh Produce – Food Products
23. Lowes Companies – Building Supplies
24. Microsoft Licensing – Volume Licensing of Microsoft Software (OSV)
25. Nalco Company – Water Treatment Chemicals & Equipment
26. Renewable Energy Group (Keck Fuels) – Fuel Purchases
27. RJ Kool Company – Ironer/Folder/Stacker System for Laundry Areas (OSV)
28. Roberts Communications Network (RCN) – Simulcast Communications & Audio/Visual/Data and Archiving (OSV)
29. Rotellas Bakery – Bread Products
30. RSM US LLP (McGladrey) – GP Dynamics Accounting Software & Support
31. Schumacher Elevator Company – Elevator Maintenance
32. Skinner & Paschke – Lobbyist Related Activities
33. State of Iowa (Iowa Alcoholic Beverages) – Liquor Products
34. The Paper Corporation (First Choice) – Paper & Housekeeping Supplies
35. The Printer Inc. – Printing Services
36. Trane US (Des Moines Trane) – HVAC Equipment & Service
37. Tri Mark – Hockenbergs Equipment – Foodservice Equipment & Supplies
38. Van Wall Equipment (Farmers Supply) – Track & Grounds Equipment
39. Vestis Services (Aramark) – Table Linen Services
40. Wellmark Blue Cross Blue Shield – Employee Medical Insurance
41. Ziegler, Inc. – Maintenance Equipment

**12. CONTRACT APPROVALS (OSV – OUT OF STATE VENDOR; RP – RELATED PARTY)**

- A. Diamond Jo Worth, LLC
  1. Bloom Lighting – Custom Hospitality Lighting (OSV)
  2. Conference Technologies, Inc (CTI) – A/V System IP Video Distribution System
  3. Pierpoint – Textiles, Area Rugs and Accessories (OSV)
  4. TLC Hospitality DBA University Furnishings – Hospitality Furnishings (OSV)
  
- B. Dubuque Racing Association, Ltd.
  1. Aramark – Linen Service
  2. Capital Sanitary Supply – Janitorial and Paper Supplies
  3. Everi Payments – Cash Advance Processing Agreement and ATM Service Agreement (OSV)
  4. Guest Supply – Vendor for In-Room Guest Supplies per Hilton Brand Standard Specifications (OSV)
  5. Lime Rock Springs – Beverage Service
  6. Lincoln Financial Group C/O C&B Insurance – Employee Life, AD&D and STD Insurance Management Group
  7. Performance Food Group – Grocery and Food Service Purchases
  8. Pinseekers RE, LLC – Sublease of Land to Construct Pinseekers Facility (OSV)

- C. IOC Black Hawk County, Inc.
  - 1. Element Construction Services, Inc – General Construction
  - 2. Mediacom – Cable and Internet Provider
  
- D. Ameristar Casino Council Bluffs, LLC
  - 1. Cummins Allison Corp – New Countroom Counting Machine
  - 2. Eakes Inc dba Eakes Office Solutions – Copy Machine and Printer Supply and Maintenance (OSV)
  - 3. Edwards Chevrolet Cadillac Inc – Vehicle Purchase
  
- E. Wild Rose Clinton, L.L.C. – USA Security – Surveillance Equipment
  
- F. Wild Rose Jefferson, L.L.C. – Empower Retirement – Administrative & Technology Services Vendor for Northwest Bank (OSV)
  
- G. Casino Queen Marquette, Inc. – Andrew J. and Kathrine M. Torkelson – Real Estate Sale to Torkelson’s
  
- H. Diamond Jo, LLC – Conlon Construction – Patio Renovation
  
- I. HGI – Lakeside, LLC
  - 1. Embark IT, Inc – Audio System
  - 2. Everi Payments Inc – Provides 3<sup>rd</sup> Party Electronic Access to Cash and/or Credit for Patrons (OSV)
  - 3. Performance Foodservice – Food & Supplies for Kitchen
  - 4. Terrell Taylor dba CSSI – Installation & Cable (Fiber Optic) for Surveillance and Maintenance
  - 5. The Printer Inc – Printing Costs Related to Marketing Mailers
  
- J. Grand Falls Casino Resort, LLC
  - 1. Video Security Specialists – Surveillance Equipment & Install (OSV)
  - 2. United States Postal Service – Direct Mail Marketing Postage
  
- K. SCE Partners, LLC – Sioux City Compressed Steel Co – Disposal of Slot Chairs, Table Games Chairs & Chair Bases (RP)
  
- L. Riverside Casino and Golf Resort, LLC
  - 1. Cintas Corporation – Casino Uniforms
  - 2. Elite Casino Resorts, LLC – Goods and Services Cost Allocations (RP)
  - 3. MedOne Healthcare Systems – Prescription Drug Benefit Plan
  - 4. Office Express – Office and EVS Supplies
  - 5. Principal Financial Group – Plan Record Keeper/Custodian
  - 6. U.S. Foods – Food Purchases
  - 7. Video Security Specialists – Surveillance Equipment & Install (OSV)
  - 8. Zurich North America – Insurance-Workers’ Comp & General Liability (OSV)

- M. Harveys Iowa Management Company LLC
  - 1. DH Pace – Installation of New Exterior Garage Doors
  - 2. MMC, Mechanical Contractors, Inc. – Mechanical Contractor, Changing Out Rooftop HVAC Units
  
- N. Iowa West Racing Association d/b/a Horseshoe Casino Council Bluffs
  - 1. Aroi Asian Cuisine LLC, dba Aroi Asian Cuisine – Reimbursement for Complimentary Meals for Guests
  - 2. DH Pace – Installation of Exterior Garage Doors
  - 3. MMC, Mechanical Contractors, Inc. – Mechanical Contractor, Changing Out Rooftop HVAC Units
  - 4. VSR Industries – Slot Bases and Locks (OSV)

**13. HEARINGS**

- A. Riverside Casino and Golf Resort, LLC – For a violation of Iowa Code § 99F.9(5). (Minor)
- B. Wild Rose Jefferson, LLC – For a violation of Iowa Code § 99F.9(5). (Minor)

**14. PUBLIC COMMENT**

**15. ADMINISTRATIVE BUSINESS**

- A. Report on 2025 Horseracing Integrity and Safety Authority Financial Assessment
- B. Consideration of Extension of Voluntary Implementation Agreement among the Horseracing Integrity & Safety Authority, Inc., Horseracing Integrity & Welfare Unit and the Iowa Racing and Gaming Commission
- C. Petition for Declaratory Order by Riverside Casino and Golf Resort, LLC and Washington County Riverboat Foundation, Inc. Regarding Iowa Code section 99F.7(11)
  - 1. Description of the Petition
  - 2. Decide 30-day Action Item under Iowa Code section 17A.9(5)
  - 3. Consideration of Request for Stay of Any License Application for Linn County

**16. ADJOURN**

**MEETING ANNOUNCEMENT**

The Iowa Racing and Gaming Commission and staff will meet at approximately 5:30 PM on Wednesday, November 20, 2024 for a facility tour of Catfish Bend Casino, 3001 Winegard Dr, Burlington, IA. Following the tour, they will meet for dinner at 7:00 PM at Martini’s Grille located at 610 N 4<sup>th</sup> St, #400, Burlington, IA (319-752-6262). Racing and gaming matters may be discussed, but no official action will be taken.

## **PUBLIC PARTICIPATION**

Persons wishing to make a statement at a commission meeting may sign a sheet at the entrance to the meeting room and will appear during the agenda item titled “Public Comment”. This segment is intended for an individual to make a brief statement to the Commissioners supported by fact, on current issues, which are within the jurisdiction of the Iowa Racing & Gaming Commission. It is not intended to be a debatable item.

Speakers are limited to 3 minutes. Specific organizations, businesses, or licensees must designate one person to speak on the group’s or organization’s behalf.

Individuals who want to provide public comment on the pending application for a casino in Linn County are encouraged to attend the in-person public meeting on November 20, 2024 in Cedar Rapids. Written comments can also be sent to the Commission via email at [irgc@iowa.gov](mailto:irgc@iowa.gov) or via standard mail at: Iowa Racing and Gaming Commission, 6200 Park Ave., Ste 100, Des Moines, IA 50321.

Anyone who wishes to appear and/or distribute material should submit a written request to the Commission office not later than ten business days before the scheduled meeting in accordance with rule 491-1.2(3). Information or material submitted must be in completed form. This policy is intended to provide the Commissioners and staff adequate time to study the submitted material and appropriately prepare for presentations.

**RACING AND GAMING COMMISSION[491]**  
**Notice of Intended Action**

The Racing and Gaming Commission hereby proposes to amend Chapter 13, “Sports Wagering,” and Chapter 14, “Fantasy Sports Contests,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code sections 99E.3 and 99F.4.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code sections 99E.3 and 99F.

*Purpose and Summary*

Item 1 enhances licensee requirements for messaging to applicants/customers with regard to underage wagering and account sharing.

Item 2 clarifies licensee requirements by removing the requirement to utilize a list in determining prohibited players, which effectively reverts the rule to language that was present prior to recent rulemaking.

Item 3 resolves issues and concerns with a previously delayed rulemaking process.

Item 4 resolves issues and concerns with a previously delayed rulemaking process.

Item 5 resolves issues and concerns with a previously delayed rulemaking process.

Item 6 clarifies requirements for geolocation testing and auditing.

Item 7 resolves issues and concerns with a previously delayed rulemaking process.

Item 8 clarifies licensee requirements by removing the requirement to utilize a list in determining prohibited players, which effectively reverts the rule to language that was present prior to recent rulemaking.

Item 9 clarifies licensee requirements for account verification at registration.

*Fiscal Impact*

This rulemaking has no fiscal impact to the state of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 491 — 1.8.

#### *Public Comment*

Any interested person may submit comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Commission no later than 4:30 p.m. on December 31. Comments should be directed to:

Barb Blake  
Iowa Racing and Gaming Commission  
6200 Park Ave Suite 100  
Des Moines, IA 50321  
Email: [barb.blake@iowa.gov](mailto:barb.blake@iowa.gov)

#### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

January 2, 2025  
9:00 am

Commission Office  
6200 Park Ave Suite 100  
Des Moines IA 50321

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Commission and advise of specific needs.

#### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request



by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking actions are proposed:

ITEM 1. Rescind subrule **13.2(4)** and adopt the following **new** subrule in lieu thereof:

**13.2(4) Public notice.**

a. The public shall have access to the sports wagering rules, available wagers, odds or payouts, the payout period, and the source of the information used to determine the outcome of a sports wager. All licensees and advance deposit sports wagering operators shall require participants to follow the rules of play. The sports wagering rules shall be:

(1) Displayed in the licensee's sports wagering area.

(2) Posted on the Internet site or mobile application used to conduct advance deposit sports wagering.

(3) Included in any terms and conditions disclosure statements of the advance deposit sports wagering system.

b. During account registration and each time the user logs in, advance deposit sports wagering operators shall display the following information on any interface that accepts wagers:

(1) Account sharing is prohibited.

(2) Persons under the age of 21 are prohibited from wagering.

(3) Any other disclosures, as required by the administrator.

ITEM 2. Rescind paragraphs **13.2(7)"a"**, **13.2(7) "b"** and **13.2(7)"d"** and adopt the following **new** paragraphs in lieu thereof:

a. To prohibit wagering by coaches, athletic trainers, officials, players, or other individuals who participate and persons employed in a position with direct involvement with coaches, athletic trainers, officials, players or other individuals who participate in an authorized sporting event in which wagers may be accepted.

b. To identify and suspend accounts opened by individuals on behalf of persons under the age of 21.

d. To promptly report to the commission, in a format approved by the administrator, any abnormal wagering activity or patterns that may indicate a concern about the integrity of an authorized sporting event or events, and any other conduct with the potential to corrupt a wagering outcome of an authorized sporting event for purposes of financial gain, including but not limited to match fixing, and suspicious or illegal wagering activities, including the use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, use of agents to place wagers, account sharing, or use of false identification. Integrity-monitoring procedures shall also provide for the sharing of information with other licensees, other governing authorities, and accredited sports governing entities by participating in an integrity-monitoring association or group or by another method as approved by the administrator.

ITEM 3. Rescind subrule **13.5(2)** and adopt the following **new** subrule in lieu thereof:

**13.5(2) Account registration.** A person must have an established account in order to place advance deposit sports wagers. The process for establishing an account is subject to the administrator's approval. An account may be established through on-site registration under procedures previously approved by the administrator, or through remote registration. To establish an account, an application for an account shall be signed or otherwise authorized in a manner approved by the administrator and shall include the applicant's full legal name, principal residential address, date of birth, last four digits of the social security number, and any other information required by the administrator. The account registration process shall also include:

*a.* Age verification to prevent persons under the legal age for sports wagering from establishing an account.

*b.* An applicant verification process that includes an exact match of the following:

(1) Date of birth, including month, date and year of birth.

(2) The last four digits of the social security number.

(3) Last name.

*c.* An applicant verification process that permits a flexible match by allowing the following:

(1) First name may include nicknames and abbreviations.

(2) Address may include abbreviations.

*d.* Authentication of identification by:

(1) Answering knowledge-based questions based on the applicant's public or private data;

or

(2) Verifying that device ID and phone number match the applicant's publicly known data; or

(3) Comparing of valid government-issued ID to applicant's picture taken at time of account registration; or

(4) Another method as approved by the administrator.

*e.* Verification that the player applicant is not on the statewide self-exclusion list set forth in Iowa Code section 99F.4(22) prior to establishing an account.

*f.* Availability and acceptance of a set of terms and conditions that is also readily accessible to the player before and after registration and noticed when updated. Notices shall include, at a minimum, the following:

(1) Explanation of rules in which any unrecoverable malfunctions of hardware/software are addressed including, but not limited to, if the unrecoverable malfunction, wagering event cancellation, or other catastrophic malfunction results in the voiding of any wagers.

(2) Procedures to deal with interruptions caused by the suspension of data flow from the network server during an event.

(3) Specifications advising players to keep their account credentials secure.

(4) Statement that no underage individuals are permitted to participate in wagering.

(5) Explanation of conditions under which an account is declared inactive and actions undertaken on the account once this declaration is made

*g.* Availability and acceptance of a privacy policy that is also readily accessible to the player before and after registration and noticed when updated and that includes, at a minimum, the following:

(1) Statement of information that is collected, the purpose for information collection, and the conditions under which information may be disclosed.

(2) Statement that any information obtained in respect to player registration or account establishment must be done in compliance with the privacy policy.

(3) Requirement that any information about player accounts which is not subject to disclosure pursuant to the privacy policy must be kept confidential, except where the release of that information is required by law.

(4) Requirement that all player information must be securely erased from hard disks, magnetic tapes, solid state memory, and other devices before the device is properly disposed of by the licensee. If erasure is not possible, the storage device must be destroyed.

*h.* If an advance deposit sports wagering operator has an agreement with more than one licensee, the advance deposit sports wagering operator shall submit an agreement to the administrator that indicates the manner in which customer net receipts shall be assigned with its licensee partners. The agreement shall include all partnering licensees and their respective qualified sponsoring organizations, and the net receipts shall be allocated using one of the following methods:

(1) Make available an option for new remotely registered customers to select the licensee at which net receipts are assigned.

(2) Allocate new remotely registered customer net receipts to the licensee which is located nearest to the customer's principal residential address.

(3) Distribute all customer receipts evenly between all licensees for which an agreement exists.

(4) An alternative allocation agreement that complies with local, state and federal law. The agreement shall be made available for public inspection.

ITEM 4. Rescind paragraphs **13.5(2) "b" and 13.5(2) "e"** and adopt the following **new** paragraphs in lieu thereof:

*b.* Location detection procedures to reasonably detect and dynamically monitor the location of a player attempting to place any wager or perform other account activities as identified by the advance deposit sports wagering operator or licensee, related to an Iowa authorized account. Account activity-based location detection controls shall be informed by industry best practices and any commission guidelines for the detection of fraud or other unauthorized or illegal activity. The advance deposit sports wagering operator or licensee shall utilize and monitor geolocation activity to detect potential fraudulent and suspicious activity, which shall be reported in accordance with paragraph 13.2(7) "*d.*" A player outside the permitted boundary attempting to make a wager shall be rejected, and the player shall be notified. The confidence radius shall be entirely located within the permitted boundary.

*e.* Authentication for login using a multifactor authentication process or other secure alternative means as authorized by the commission. After successful login, multifactor authentication will need to be performed at least every 14 days for each unique device. Processes for retrieving lost usernames and passwords shall be available, secure, and clearly disclosed to the player. Players shall be allowed to change their passwords.

ITEM 5. Rescind subrule 13.5(7) and adopt the following **new** subrule in lieu thereof:

**13.5(7) Expiration or termination of an Iowa Code section 99F.7A operating agreement.** In the event an advance deposit sports wagering operating agreement between a licensee under Iowa Code section 99F.7A and another entity expires, terminates, or is no longer valid, notice of termination must be given to the commission and all customers affiliated with the licensee. A customer shall be given an opportunity to close an account. If the advance deposit sports wagering operator has an operating agreement with other licensees in the state of Iowa, the customer shall have the option to select another partner licensee to which their net receipts shall

be assigned, or the customer's net receipts shall be assigned to any remaining partner licensees in accordance with an agreement submitted to the administrator pursuant to paragraph 13.5(2) "h. "

ITEM 6. Rescind paragraphs **13.6(3) "b" and 13.6(3)"c"** and adopt the following **new** paragraphs in lieu thereof:

b. A geolocation system and integrity test shall be performed annually on the advance deposit wagering system.

(1) The testing organization must be independent of the licensee and the licensed geolocation vendor and shall be qualified by the administrator.

(2) The geolocation test shall be completed and the results submitted no later than March 31 of each year.

(3) Geolocation testing shall review existing licensee procedures for detecting and reporting fraudulent activity associated with any account activity detected by the geolocation system.

c. At the discretion of the administrator, additional assessments or specific testing criteria may be required.

ITEM 7. Rescind subrule 14.7(2) and adopt the following **new** subrule in lieu thereof:

**14.7(2) Customer verification.**

a. A customer verification process shall include an exact match of the following:

(1) Date of birth, including month, date and year of birth.

(2) The last four digits of the social security number.

(3) Last name.

b. A customer verification process shall permit a flexible match by allowing the following:

(1) First name may include nicknames and abbreviations.

(2) Address may include abbreviations.

c. A customer verification process shall authenticate identification by the following:

(1) Answering knowledge-based questions based on the applicant's public or private data;

or

(2) Verifying that device ID and phone number match the applicant's publicly known data; or

(3) Comparing a valid government-issued ID to a photo of the applicant taken at the time of account registration; or

(4) Another method as approved by the administrator.

ITEM 8. Rescind paragraph **14.8(1)"c"** and adopt the following **new** paragraph in lieu thereof:

c. Restriction of entries from coaches, officials, athletes, contestants, or other individuals who participate in a game or contest that is the subject of an internet fantasy sports contest in which the outcome is determined, in whole or in part, by the accumulated statistical results of a team of individuals in the game or contest in which they participate.

ITEM 9. Rescind paragraph **14.8(5)"h"** and adopt the following **new** paragraph in lieu thereof:

h. During account registration and each time the user logs in, fantasy sports contest service providers shall display the following information on any interface that accepts fantasy sports contest entries:

- (1) Account sharing is prohibited.
- (2) Persons under the age of 21 are prohibited from entering fantasy sports contests.
- (3) Any other disclosures, as required by the administrator.