

# Legislative Epilogue

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## LEGISLATIVE EPILOGUE

### *VIDEO GAME RATING ACT OF 1994 (H.R. 3785)*

On February 3, 1994, Representative Tom Lantos (D-Cal.) introduced a bill to provide parents with information about the nature of video games which are used in homes or public areas, including arcades or family entertainment centers. This bill entitled the Video Game Rating Act of 1994 comes on the heels of action taken by the broadcast and cable industries to self-monitor and rate television violence. Rep. Lantos expressed that this legislation should be enacted in the event the industry fails to act in a quick, credible manner and fails to provide important consumer information to help parents monitor their children's games.

The Video Game Rating Act would establish an independent agency to work with the video game industry to create a system to provide parents and other purchasers with information about graphic violence or sexually explicit material contained in some video games. This Act envisions video games which would carry easily read rating or warning labels, so parents may determine whether the game is appropriate for their children. Rep. Lantos believes targeting video games is especially important because they can make players feel as if they are actually participating in the action. This aspect makes video games pervasive than television broadcasts. Rep. Lantos notes this only one step to curb violence viewed by children and he expects additional approaches will be considered in the future.

To date the bill is pending. H.R. 3785, 103d Cong., 2d Sess. (1994).

### *FEE SCHEDULE FOR TOWER SITE USE (H.R. 3657)*

On November 22, 1993, Representative Larry Larocco (D-Ind.) introduced a bill to control the fee increases imposed on broadcasters which have tower sites located on federal land managed by the Forest Service and the Bureau of Land Management.

Rep. Larocco noted government agencies and the broadcast industry have been struggling with the issue of fee increases imposed on broadcasters for years. Actual proposals for increases put forth by the Forest Service and the Bureau of Land Management have reached a thousand percent. These increases have far exceeded the fair market values associated with the sites in question.

The solution proposed by Rep. Larocco is to codify the recommendation which establishes an advisory committee to study the issue, develop an acceptable and equitable fee schedule, and report the finding back to Congress. The committee which completed this task developed a fee schedule which contained reasonable fee increases ranging from two hundred to nine hundred percent for broadcasters with tower sits on federal land.

To date the bill is pending. H.R. 3657, 103d Cong., 1st Sess. (1993).

*NATIONAL COMMUNICATIONS COMPETITIVENESS AND INFORMATION INFRASTRUCTURE ACT OF 1993 (H.R. 3636)*

In November 1993, Representative Edward Markey (D-Mass.) introduced a bill aimed at helping consumers by promoting a national communications and information infrastructure. Rep. Markey stated the legislation would accomplish its goal in a number of ways: 1) by encouraging the deployment of advanced communications services and technologies through competition, 2) by safeguarding ratepayers and competitors from potential anti-competitive abuses, and 3) by preserving and enhancing universal service.

Three key elements support this goal. First, the Act will promote and accelerate access to advanced telecommunications capabilities, as well as spur competition to local telephone companies from diverse competitors. This will be accomplished by granting competitors such as cable companies, independent phone companies information service providers, and others the right to compete with local telephone companies and use their facilities. Second, the legislation would promote and accelerate competition in the cable television industry by permitting telephone companies to compete in offering video programming. Third, the legislation would preserve and enhance the universal provision of television service at affordable rates. This will be accomplished by establishing a federal-state joint board to develop a plan to perpetuate the universal provision of affordable, high-quality telephone service.

Rep. Markey concluded by stating this legislation presents a well-balanced approach to a difficult problem and proposes consumer protection where none exists.

To date this bill is pending. H.R. 3636, 103d Cong., 1st Sess. (1993).

*ARTS IN EDUCATION*

The Goals 2000 Education bill pending in Congress would establish artistic standards for children. Under the proposed standards, by the time children graduate from high school, they should have the following skills: 1) basic knowledge in dance, music, theater, and the visual arts, 2) proficient communication in at least one art form, 3) an ability to analyze artistic works, and 4) an appreciation of artwork from several cultures and historical periods. The Act focuses on student achievement in music, dance, theater, and visual arts by setting standards children should reach by the ends of grades four, eight, and twelve. Associated Press, *Fine Arts Program Stressed*, Chicago Tribune, Mar. 10, 1994, § 1, at 19.

*GAMBLING IMPACT STUDY COMMISSION ACT (S.1720)*

On November 19, 1993, Illinois Senator Paul Simon (D) introduced legislation which would establish a commission to study all matters relating to the impact of gambling on states, political subdivision of states and Native American tribes. This commission would then issue a report to Congress and the President.

Sen. Simon noted gambling has become one of the largest growth industries in this country. Many state and local governments, as well as Indian reservations

raising revenues from the gambling industry and solving their financial woes. Sen. Simon opined that while this potential is certainly an aspect of casino gambling, much of that potential is currently not being realized. Moreover, the possibility for detriment to the surrounding communities must be a factor of the analysis. Sen. Simon stated his bill would resolve much of the problem by putting to task a nine-member commission which would study the positive and negative effects of gambling, and then report to Congress and the President some possible solutions or alternatives to the revenue problems.

To date the bill is pending. S. 1720, 103d Cong., 1st Sess. (1993)

#### GAMING INTEGRITY AND STATE LAW ENFORCEMENT ACT OF 1993 (H.R. 2287)

Last summer, Representative Robert G. Torricelli (D-N.J.) introduced a bill to amend the Indian Gaming Regulatory Act (IGRA). This bill comes as a response to a petition signed by forty-nine governors, a request by the National Association of Attorney Generals, and “hundreds of thousands of Americans who are opposed to casino [gambling]” on Indian reservations. Rep. Torricelli stated the problem with high-stakes gambling on Indian reservations is it is essentially equivalent to de-regulation of the gambling industry without the consent of the United States. This has resulted in problems relating to increased corruption for the gambling casinos on Indian reservations, that is, organized crime is now a problem. Additionally, profits also are not earmarked for programs benefiting citizens of the local communities and litigation of these issues is repetitious.

Rep. Torricelli outlined four ways in which this amendment would improve these problems. First, it would prohibit gaming on tribal lands in any state unless the specific form of gaming is allowed as a commercial, for-profit enterprise by state laws. Second, it prohibits gaming on any lands that were not part of a federally recognized tribe’s reservation at the time of IRGA’s enactment in 1988. Third it would restore state sovereignty by reforming the compact negotiation process. Finally, it gives the United States Attorney General authority to conduct background checks using all pertinent government documents to ensure the suitability of any individual involved with the ownership, financing, management or operation of a native American gaming operation.

This pending bill is currently supported by eighteen representatives. H.R. 2287, 103d Cong., 1st Sess. (1993).

