

1999 HOUSE JUDICIARY

HB 1429


1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1429

House Judiciary Committee

Conference Committee

Hearing Date : February 8, 1999

Tape Number	Side A	Side B	Meter #
1	X		0
Committee Clerk Signature 			

Minutes:

REP. RENNER: I introduced this bill on behalf of some of my constituents and they will speak to the reasons behind it. It will allow calcuttas on events where minors are competing, but not allow minors to wager.

LARRY POLENSHY (Assn of Bull Riders) We want to lower the age because so many of our riders are under 18. They compete, but they can't be chosen in the pool. The minors could not participate in betting.

ROCHELLE BACKHAUS I have 4 boys ages 16 to 10. They have been raised around horses and are excellent horsemen. My two younger boys can make good money as jockeys, but they have trouble getting rides because it reduces the size of the calcutta pool.. I fail to see the evil in my boys riding, with my consent, and being in a calcutta pool.

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SEN. TOMAC I support both 1429 and 1431. Minors are participating in these events and we can't have a good calcutta because they can't be chosen..

WARREN DEKREY: I am opposed to getting our younger people involved in gambling.

CHUCK KELLER (Gaming Comm) The Gaming Commission is opposed to this bill. Minors are too young to understand gambling and if they are chosen in a calcutta they may be tempted to take extra risks.

COMMITTEE ACTION: February 9, 1999

REP. MEYER moved that the committee recommend that the bill DO PASS. Rep. Maragos seconded and the motion passed on a roll call vote with 9 ayes, 6 nays and 0 absent. Rep. Meyer was assigned to carry the bill on the floor.

Date: 2/9
Roll Call Vote #: _____

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1429

House JUDICIARY Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By MEYER Seconded By MAR

Representatives	Yes	No	Representatives	Yes	No
REP. DEKREY		✓	REP. KELSH	✓	
✓ REP. CLEARY	✓		REP. KLEMIN		✓
REP. DELMORE	✓		REP. KOPPELMAN		✓
REP. DISRUD		✓	REP. MAHONEY	✓	
REP. FAIRFIELD	✓		REP. MARAGOS	✓	
REP. GORDER		✓	REP. MEYER	✓	
REP. GUNTER		✓	REP. SVEEN	✓	
REP. HAWKEN	✓				

Total Yes 9 No 6

Absent 0

Floor Assignment Meyer

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 9, 1999 1:31 p.m.

Module No: HR-26-2344
Carrier: Meyer
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1429: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1429 was placed on the Eleventh order on the calendar.

1999 SENATE JUDICIARY

HB 1429

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1429

Senate Judiciary Committee

Conference Committee

Hearing Date March 9, 1999

Tape Number	Side A	Side B	Meter #
2	x		0 - 3500
Committee Clerk Signature <i>Jackie Follman</i>			

Minutes:

HB1429 relates to calcutta participants.

SENATOR STENEHJEM opened the hearing on HB1429 at 11:00 A.M.

All were present.

SENATOR TOMAC testified in support of HB1429. This bill allows individuals under the age of 18 to participate in the calcutta. This will not stop those individuals from participating in the event it will only continue to limit them from not participating in the calcutta.

REPRESENTATIVE RENNER, District 31, testified in support of HB1429.

REPRESENTATIVE MEYER, District 36, testified in support of HB1429. A calcutta relates to an auction pool. They will purchase these people in an auction. We want everyone to be able to participate in the auction pool. These are local fundraisers.

MICHELLE BACKHAUS testified in support of HB1429. This bill will give my boys more participation in the event.

LEIGH BACKHAUS testified in support of HB1429.

LARRY POLINSKY, Western Racing Association of Flasher, testified in support of HB1429.

These kyds will still participate in the event even if they cannot be in the calcutta. This will bring more money for the charitable organizations.

LLOYD ROSS, Flasher, testified in support of HB1429. These kyds are athletes and they will ride anyway.

JERRY WEINBERGER testified in support of HB1429. I have children who participate in these events.

MEDORA GEITSUN testified in support of HB1429. I started being a jockey when I was 14. I ride in these events and would like to be able to participate in the calcutta.

SENATOR STENEHJEM asked how many kyds under age are there.

MEDORA GEITSUN stated there are quite a few.

CHUCK KELLER, Attorney General's Office, testified in opposition to HB1429. Testimony attached.

DICK ELEFSON testified in opposition to HB1429. I am in opposition to anymore gambling in North Dakota.

ARTHUR LINK testified in opposition to HB1429. Participation and gambling should not be put together with children.

WARREN WENZEL testified in opposition to HB1429. It opens the gate to gambling a little bit more.

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Senate Judiciary Committee

Bill/Resolution Number HB1429

Hearing Date March 9, 1999

SENATOR STENEHJEM CLOSED the hearing on HB1429.

SENATOR LYSON made a motion for DO PASS, SENATOR BERCIER seconded.

Discussion. Motion carried. 4 - 2 - 0

SENATOR LYSON will carry the bill.

Date: 3-9-99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB1429

Senate Judiciary Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do PASS

Motion Made By Senator Lyson Seconded By Senator Bercier

Senators	Yes	No	Senators	Yes	No
Senator Wayne Stenehjem	X				
Senator Darlene Watne	X	X			
Senator Stanley Lyson	X				
Senator John Traynor	X				
Senator Dennis Bercier	X				
Senator Caroloyne Nelson		X			

Total (Yes) 4 No 2

Absent 0

Floor Assignment Senator Lyson

REPORT OF STANDING COMMITTEE (410)
March 9, 1999 4:50 p.m.

Module No: SR-42-4392
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1429: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO PASS
(4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1429 was placed on the
Fourteenth order on the calendar.

1999 TESTIMONY

HB 1429

TESTIMONY ON HOUSE BILL NO. 1429

By Charles Keller, Chief Auditor, Gaming Division
Office of Attorney General

Senate Judiciary Committee
March 9, 1999

My name is Chuck Keller. I am the chief auditor of the Gaming Division of the Office of Attorney General. I am testifying on behalf of the State Gaming Commission. The Commission opposes the bill for these reasons:

1. The bill would enable a player (a person who is not a competitor in a sporting event) to place a bet on a competitor who is under the age of eighteen, namely, children. Children should not be an active party to this gaming activity. The present law – lines 12 and 13 that are struck out – prohibits players from betting on children, but allows the children to participant in a sporting event on which a calcutta is conducted; and
2. The bill would reverse a clarification made to the gaming law last legislative session. The law was made crystal clear that players may not bet on children in a calcutta sporting event, because:
 - A. They are children;
 - B. Children are not mature enough to fully comprehend the risk/benefit factor - that a person should not sacrifice the person's safety, which could result in serious bodily harm or death, to win a sporting event. If a child has been wagered on in a calcutta sporting event, the child may be more apt than an adult to take perilous risks to win the event. Sports such as bull riding and horse riding are very dangerous; and
 - C. A child's morals may be easily challenged by peers, adults, and family members.

I would be happy to answer any questions.