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2003 HOUSE JUDICIARY

HB 1172

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1172

House Judiciary Committee

Conference Committee

Hearing Date 1-27-03

Tape Number	Side A	Side B	Meter #
2	xx		10-47

Committee Clerk Signature *D. Penrose*

Minutes: 13 members present.

Chairman DeKrey: We will open the hearing on HB 1172.

Rep. Maragos: Explained the bill. I sponsor this bill every session.

Rep. Bernstein: What is different in this bill, from the previous bills submitted.

Rep. Maragos: Nothing. People just don't want the gambling expanded.

Rep. Delmore: There is talk about things being illegally promoted in the newspapers as you said. Why are these places never punished, if it really is illegal.

Rep. Maragos: It is so prevalent to participate in it, it is almost impossible.

Chairman DeKrey: Thank you. Anyone else in support? Anyone in opposition?

Jack McDonald, National Football League: Opposed. (see attached testimony)

Rep. Delmore: Is the NFL aware of the sports' pools - do they condone them.

Mr. McDonald: They have no control over it, but they do not condone it.

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1/27/03
Date

Page 2
House Judiciary Committee
Bill/Resolution Number HB 1172
Hearing Date 1-27-03

Rep. Delmore: Are you aware of legislation where we can in certain instances a participant can put money on them, did we not make that legal in the last session.

Mr. McDonald: Yes, you do. That is a version of the calcutta. Those are legal under ND, if you register those. You can run a calcutta in ND, you register with the Attorney General and follow the AG rules.

Rep. Kretschmar: Are you aware of any Supreme Court cases, that have determined the meaning of this section of the law.

Mr. McDonald: I am not aware, there have been prosecutions under that law.

Rep. Kretschmar: Looking at the current law, contest of skill, could one argue that the skill I have is picking winners in NFL Football games.

Mr. McDonald: What Rep. Maragos is trying to do in his bill, is trying to take that first exemption and make it fit people who actually aren't participating in the game itself.

Rep. Kretschmar: Would it be like a bowling or golf tournament.

Mr. McDonald: Yes, exactly right.

Chairman DeKrey: Thank you. Anyone else in opposition?

Sherman Sylling, Exec. Secretary of ND High School Activities Association: Opposed. (see attached testimony)

Rep. Delmore: This is already taking place in small towns, etc., wouldn't you agree?

Mr. Sylling: Yes, but to legalize it, I don't know what kind of impact this will have on high school activities.

Rep. Maragos: Why do you suppose newspapers and people don't bother to try to promote these kinds of forecasting contests with high schools now?

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10/2/03
Date

Page 3
House Judiciary Committee
Bill/Resolution Number HB 1172
Hearing Date 1-27-03

Mr. Sylling: No, I don't.

Rep. Maragos: You'd think we would be very interested in it, but they don't bother, and you have no idea, could it be that nobody is really interested.

Mr. Sylling: Possibly. We're not totally sure that this would involve high school contests, but we don't believe that the language is there to prevent it. So we're approaching this cautiously and we'd like to see it not extended into the high school sports.

Rep. Maragos: I would like to assure you that this bill has nothing to do with high school contests.

Chairman DeKrey: Thank you.

Andrew Varvel: Opposed to how it is written, might corrupt politics, might open the door to bet on politicians.

Rep. Maragos: Why haven't they bet on politicians.

Mr. Varvel: No that far a stretch - we are a culture of change, change is always occurring.

Rep. Maragos: Is it legal in London to bet on war and has it had ramifications that you are aware of?

Mr. Varvel: I don't know the ramifications, in any piece of legislation you look at what possibilities exists and what might be wrong or go wrong in the future.

Chairman DeKrey: Thank you.

Steve Wisthoff, ND Council on Gambling Problems: Opposed, we need to slow down the expansion down considerably, so we can get a handle on the issues that could potentially surround that problem. We are opposed to what the bill says and what it does not say.

Chairman DeKrey: Thank you.

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