

1999 HOUSE POLITICAL SUBDIVISIONS

HB 1058

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1058

House Political Subdivisions Committee

Conference Committee

Hearing Date 2-4-99

Tape Number	Side A	Side B	Meter #
1	x		24.9-48.0
2	x		28.7-38.9
Committee Clerk Signature <i>Pam Dever</i>			

Minutes: BILL SUMMARY: Relating to ticket scalping; and to provide a penalty. Chairman Froseth opened the hearing.

Rep. LeRoy Bernstein: Dist.45 : 24.9 This bill came about when Garth Brooks came to the Bismarck Civic Center, when someone got tickets, then went right outside the door, and sold the tickets for a lot more then he bought them for. It was in the parking lot. I am in support of this bill. It's a simple act, but gives them a tool, if there is scalping at the Civic Center. Some acts that come to the Civic Center, ask if the state does have a scalping law.

Vice Chair Maragos :28.7 Who determines what a reasonable fee is. Do we need to cap this; 10% or 20% service fee?

Rep. Bernstein : The transaction is between buyer and seller, if the buyer feels he is getting ripped off and wants to file a complaint, that is his or her prerogative. Value added, we are always talking about, is between buyer and seller.

Rep. Koppelman :30.0 I think the fee deals with Ticket Master as per a contract.

Rep. B. Thoreson : Have Civic Centers or Fargo Dome lost any acts dues to N.D. not having a scalping law?

Rep. Bernstein : I don't know.

Rep. B. Thoreson : Do you know how many states have something similar to this bill in law?

Rep. Bernstein : This is fashioned after MN scalping law. I asked the parties who drafted this to do some research.

Rep. Ekstrom : 32.7 If the item is valued too high in the buyers mind, he will not buy.

Rep. Delmore : How did you arrive at the penalty? Why didn't you go with a class B?

Rep. Bernstein: I accepted what the drafters brought down.

Dick Peterson, Bismarck Civic Center : neutral position. Item three was put in for Ticket Master

We are basically concerned about counterfeit tickets and counterfeit T-shirt sales, etc.

Vice Chair Maragos : 38.0 Can someone buy a group of seats?

Dick : Generally after the first day of sales, we will do that.

Rep. Koppelman : This probably isn't a big problem her in Bismarck.

Dick : Maybe two events, we have a problem of scalping on premises, in the last two years.

We would have additional cost, if we have to patrol the premises. This concerns me a bit.

Rep. Delmore : 44.4 Do we have any legislation that would help you with counterfeiting, since you said you have a bigger problem with that, than with scalping?

Dick : No, we don't. The general admission tickets are easier to counterfeit.

Chairman Froseth hearing no testimony against the bill, closed the hearing.

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House Political Subdivisions Committee

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The committee discussed bill later in the day. Committee commented scalping laws are hard to enforce. This bill will only be enforced when someone complains. Committee feels the penalty does not fit the crime.

ACTION: Rep. B. Thoreson made a motion of DO NOT PASS, Rep. Koppelman seconded the motion. VOTE: 12 YES and 3 NO and 0 ABSENT. Passed. Rep. B. Thoreson will carry the bill.

Please type or use black pen to complete

Date 2-04-99

Roll call vote # 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1058

House POLITICAL SUBDIVISIONS Committee

- Subcommittee on _____
- Conference Committee

} Identify or check where appropriate

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Rep. Thoreson, B Seconded By Rep. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Chairman Froseth		/	Rep. Wikenheiser	/	
Vice Chair Maragos		/			
Rep. Delmore	/				
Rep. Disrud	/				
Rep. Eckre	/				
Rep. Ekstrom	/				
Rep. Glassheim		/			
Rep. Gunter	/				
Rep. Johnson, N	/				
Rep. Koppelman	/				
Rep. Niemeier	/				
Rep. Rose	/				
Rep. Severson	/				
Rep. Thoreson, B	/				

Total 12 3
(Yes) (No)

Absent 0

Floor Assignment Rep. B. Thoreson

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

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE (410)
February 4, 1999 2:23 p.m.

Module No: HR-23-1944
Carrier: B. Thoreson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1058: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends DO NOT PASS (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1058 was placed on the Eleventh order on the calendar.