

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1180

2005 HOUSE AGRICULTURE

HB 1180

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1180

House Agriculture Committee

Conference Committee

Hearing Date 1--13--05

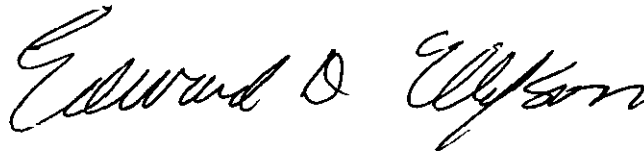
Tape Number  
ONE

Side A  
A

Side B

Meter #  
17.7 TO 21.6

Committee Clerk Signature



Minutes:

CHAIRMAN NICHOLAS: Committee Members, we will open on HB 1180.

The subject of the Bill is relating to the raffling of livestock.

REPRESENTATIVE RALPH METCALF from the greater District 24. This Bill has been filed on behalf of the North Dakota Winter Show. {{please see Rep. Metcalf printed testimony}}

REPRESENTATIVE METCALF AS FOR A DO PASS ON HB 1180.

CHAIRMAN NICHOLAS. Is there anyone else that would like to provide testimony in favor of this bill?

DON -----? A DIRECTOR OF THE NORTH DAKOTA WINTER SHOW. Gave His support for this Bill and the raffle.

CHAIRMAN NICHOLAS: An additional support for this bill

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House Agriculture Committee  
Bill/Resolution Number HB1180  
Hearing Date 1--13-05

WADE MOSER:North Dakota Stockman's Association. We support the changes that are being proposed and we also want to thank the winter show over the years for making these legislative changes because of there group of different breads of cattle are using these means To raise money for there youth program

CHAIRMAN NICHOLAS: Any other support for this bill?

Any opposition to HB 1180?

We will close the hearing on 1180. The house will entertain a motion on HB 1180

REPRESENTATIVE BOE MOVED FOR A **DO PASS**

REPRESENTATIVE MUELLER SECONDED THE MOTION FOR A **DO PASS**

THE ROLL WAS TAKEN.

**THERE WERE 13 YES-----0 NO-----0 ABSENT -----0**

**THE FLOOR ASSIGNMENT WAS GIVE TO REPRESENTATIVE MUELLER.**

Date: 1-13-05  
Roll Call Vote #: HB 1180

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House HOUSE AGRICULTURE COMMITTEE

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

DO PASS

Motion Made By

BOE

Seconded By

MUELLER

Representatives	Yes	No	Representatives	Yes	No
REP. EUGENE NICHOLAS CHAIRMAN	✓		REP. TRACY BOE	✓	
REP. JOYCE KINGSBURY VICE CHAIRMAN	✓		REP. ROD FROELICH	✓	
REP. WESLEY BELTER	✓		REP. PHILLIP MUELLER	✓	
REP. M. BRANDENBURG	✓		REP. KENTON ONSTAD	✓	
REP. CHUCK DAMSCHEN	✓				
REP. CHAIG HEADLAND	✓				
REP. GARY KREIDT	✓				
REP. GERALD UGLEM	✓				
REP. JOHN WALL	✓				

Total (Yes)

13

No

0

Absent

0

Floor Assignment

MUELLER

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

**REPORT OF STANDING COMMITTEE (410)**  
January 13, 2005 11:05 a.m.

**Module No: HR-08-0400**  
**Carrier: Mueller**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1180: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS**  
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1180 was placed on the  
Eleventh order on the calendar.

2005 SENATE AGRICULTURE

HB 1180

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1180

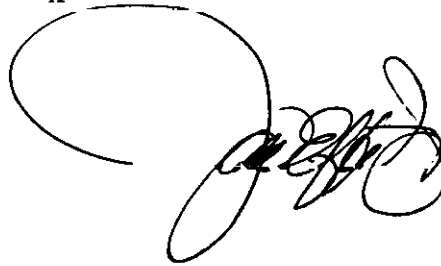
Senate Agriculture Committee

Conference Committee

Hearing Date February 24, 2005

Tape Number	Side A	Side B	Meter #
1	x		94 - 533

Committee Clerk Signature



Minutes:

Chairman Flakoll opened the hearing on HB 1180, a bill relating to the raffling of livestock.

Senator Taylor was absent.

**Senator Flakoll** introduced the bill. The problem with the original language in the code is it requires a raffled animal to be donated. The request for this bill came through the North Dakota Winter Show who received a ruling from the Attorney General's office that the animal they wished to raffle could not be purchased but rather had to be donated.

**Senator Klein** said the intent last session was to allow for purchased and donated animals to be raffled but now we are making sure.

**Wade Moser**, North Dakota Stockmen's Association, testified in favor of the bill. (meter 316)

This makes the law clearer and is at the request of the Winter Show. Other organizations that have used this form of fund raising include the Junior Red Angus, Angus and Simmental Associations.



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Senate Agriculture Committee

Bill/Resolution Number HB 1180

Hearing Date February 24, 2005

**Senator Flakoll** added the Cowboy Hall of Fame has also raffled a horse.

**Chairman Flakoll** closed the hearing on HB 1180.

**Senator Klein** moved a do pass on HB 1180.

**Senator Erbele** seconded the motion.

The motion passed on a roll call vote 5-0-1.

**Senator Urlacher** will carry the bill.

Date: *2/24/05*  
Roll Call Vote # *1*

**2005 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. *1180***

Senate Agriculture

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *200 Pass*

Motion Made By *Sen. Klein*

Seconded By *Sen. Erbele*

Senators	Yes	No	Senators	Yes	No
Senator Flakoll	✓		Senator Seymour	✓	
Senator Erbele	✓		Senator Taylor	A	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) *5* No *0*

Absent *1*

Floor Assignment *Sen. Urlacher*

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

**REPORT OF STANDING COMMITTEE (410)**  
February 24, 2005 8:17 a.m.

**Module No: SR-34-3543**  
**Carrier: Urlacher**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1180: Agriculture Committee (Sen. Flakoll, Chairman) recommends DO PASS**  
**(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1180 was placed on the**  
**Fourteenth order on the calendar.**

2005 TESTIMONY

HB 1180

TESTIMONY SUPPORTING HB 1180  
HOUSE AGRICULTURE COMMITTEE  
JANUARY 13, 2005

Good morning Chairman Nicholas and members of the House Agriculture Committee. I am Representative Ralph Metcalf from the greater District 24 representing North Dakotans living in 22 townships in Western Barnes County and 10 townships in Northwestern Ransom County.

This bill has been filed on behalf of the North Dakota Winter Show to allow them to conduct a raffle with a live animal as a main prize which they may own by purchase or donation. You can raffle most any kind of merchandise with very few limitations, but current law requires that when a live animal is raffled, it must be a donated animal. A similar bill was introduced and approved during the 2003 session but through an error the word donated was a stipulation that was left in. Actually we thought we had all bases covered as the bill was written by a lawyer in the gaming division and was reviewed by lawyers in the legislative council and was thought to allow the purchasing of animals for this purpose.

However, when the Winter Show applied for a permit to conduct the raffle, Kieth Lauer, the Director of the Gaming Division, determined that the animal must be donated. This bill before you was developed and presented to Mr. Lauer for his review on September 16th at which time it met with his approval to allow the Winter Show to raffle a purchased animal.

This authorization is necessary as the value of the animal can be well in excess of several thousand dollars and it is unlikely that an animal of this type can be secured as a donation, especially on a regular basis. However, the Winter Show committee wants it known that they are willing to accept a donation of this type in case anyone on this committee would be willing to do so.

I ask that you give this bill favorable consideration and I will try to answer any question you may have.