

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1367

2007 HOUSE JUDICIARY

HB 1367

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1367

House Judiciary Committee

Check here for Conference Committee

Hearing Date: HB 1/29/07

Recorder Job Number: 2106, 2199

Committee Clerk Signature *A Penrose*

Minutes:

Chairman DeKrey: We will open the hearing on HB 1367.

Rep. Gerry Ugem: (see attached testimony).

Chairman DeKrey: Thank you. Further testimony in support.

Lance Hagen, ND Hospitality Association: We support this bill.

Chairman DeKrey: Thank you. Further testimony in support. Testimony in opposition. We will close the hearing.

(Reopened later in the day)

Chairman DeKrey: We will take a look at HB 1367.

Rep. Delmore: I move a Do Pass on HB 1367.

Rep. Griffin: Second. This is an issue in my district, and I'm sure others as well, when there is a poker tournament going on in a separate area, the pull tabs are turned off. I think this is needed.

Chairman DeKrey: The clerk will call the roll on a Do Pass motion on HB 1367.

13 YES 0 NO 1 ABSENT

DO PASS

CARRIER: Rep. Dahl

FISCAL NOTE
 Requested by Legislative Council
 01/22/2007

Bill/Resolution No.: HB 1367

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$6,000		\$6,000	
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill allows one licensed organization to offer poker on up to 2 occasions per year, at another organization's current site, with approval also needed by the bar owner.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Current law allows raffles to be conducted by a licensed organization on special occasions by another regular organization. This bill adds poker as a game to be played at another licensed organization site. A raffle or poker can be offered if either the raffle or poker is physically separated from the area where a regular organization conducts their games; or with approval from the regular organization and the bar owner, at the same area and time as the regular organization's site.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Based on the changes contained in the bill, this legislation is estimated to result in a \$6,000 general fund revenue increase for the 2007-09 biennium.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

N/A

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

N/A

Name:	Kathy Roll/Keith Lauer	Agency:	Office of Attorney General
Phone Number:	328-3622/328-3234	Date Prepared:	01/25/2007

Date: 1/29/07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1367

House JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Delmore Seconded By Rep. Griffin

Representatives	Yes	No	Representatives	Yes	No
Ch. DeKrey	✓		Rep. Delmore	✓	
Rep. Klemin	✓		Rep. Griffin	✓	
Rep. Boehning			Rep. Meyer	✓	
Rep. Charging	✓		Rep. Onstad	✓	
Rep. Dahl	✓		Rep. Wolf	✓	
Rep. Heller	✓				
Rep. Kingsbury	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Dahl

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

REPORT OF STANDING COMMITTEE (410)
January 30, 2007 7:03 a.m.

Module No: HR-20-1482
Carrier: Dahl
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1367: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1367 was placed on the
Eleventh order on the calendar.

2007 SENATE JUDICIARY

HB 1367

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1367

Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: February 13, 2007

Recorder Job Number: 3443

Committee Clerk Signature *Mario L Solby*

Minutes: Relating to the games of chance that may be conducted by licensed organizations at a single site.

Senator David Nething, Chairman called the Judiciary committee to order. All Senators were present. The hearing opened with the following committee hearing:

Testimony in Favor of the Bill:

Rep. Garry Uglen, Dist #19 introduced the bill and gave his testimony – Att. #1.

Sen. Fiebiger asked how big of a problem this is? I don not know but it has occurred in other communities. **Sen. Lyson** spoke (2:28) of how gambling keeps expanding. **Sen. Nelson** asked how difficult it is to close the machines down. I do not know, it is too smoky in the bar for me to want to go in. They discussed the process.

Niki Wiessman, ND Hospitality Assoc. Spoke in support of the bill (meter 3:38) Any time a bar can enhance there income we are in support. She spoke of types of games and stated that the ND Foundation in Charitable Gaming is also in support of the bill.

Sen. Fiebiger asked how much money is lost when the other games are shut down?

She did not know, but could find out for the committee. Usually one wall unit brings in approximately \$500 to \$600 dollars a night.

Sen. Marcellais spoke of the "Poker Runs" with snow mobiles in his community.

Testimony Against the bill:

None

Testimony Neutral to the bill:

Keith Lower, Dir. of Gaming Division in ND (meter 7:00) spoke that it is only a matter of shutting a switch off of a machine. He discussed the licensing process in a "poker run", only the last place where the "hands" are revealed has to have a license. He reviewed the two types of licenses; charitable and state.

Sen. Fiebiger spoke to the exemption of a licensed organization's.

Senator David Nething, Chairman closed the hearing.

Sen. Olafson spoke of how they do poker runs in his hometown. **Sen. Fiebiger** spoke of the "chipping away" process that gaming has done

Sen. Olafson made the motion to Do Pass HB 1367 and **Sen. Marcellais** seconded the motion. They were the only two in favor of the motion and it fails.

Sen. Lyson made the motion to Do NOT Pass HB 1367 as amended and **Sen. Nelson** seconded the motion. All members were in favor except for **Sen. Olafson** and **Sen. Marcellais**. and the motion passes.

Carrier: **Sen. Lyson**

Senator David Nething, Chairman closed the hearing.

REPORT OF STANDING COMMITTEE (410)
February 13, 2007 12:44 p.m.

Module No: SR-30-3053
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1367: Judiciary Committee (Sen. Nething, Chairman) recommends DO NOT PASS
(4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1367 was placed on the
Fourteenth order on the calendar.

2007 TESTIMONY

HB 1367

1367

Chairman DeKrey, Committee members,

Same given to Senate

I am Representative Gerry Uglem from district 19 (rural Grand Forks county).

My home town of Northwood has a bar that both our Legion Club and our Fire Department use for their poker tournaments. The Fire Department also has pull tab machines in this bar.

When the Legion has a poker tournament, the Fire Department pull tab machines have to be shut down. Present law states "Only one licensed organization that has a permit may conduct games at an authorized site on a day".

This bill allows for an exception so the Fire Department can keep their pull tab machines working on the two evenings a year that the Legion club has their poker tournaments. These are two very busy nights at the bar and our Legion club does not want the Fire Department to lose potential income on these nights. The Legion club requested this bill. The patrons at the bar are also disappointed when the pull tabs are not available.

I understand this conflict has occurred in other communities as well. Lets make it a little easier for these nonporofit organizations to do their fundraising.

Thank you for your consideration