

2017 HOUSE INDUSTRY, BUSINESS, AND LABOR

HB 1059

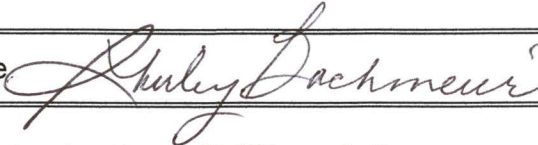
2017 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee Peace Garden Room, State Capitol

HB 1059
1/4/2017
26556

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Amend and reenact Century Code relating to the employment of individuals under twenty-one years of age at establishments selling alcoholic beverages.

Minutes:

Representative Beadle: The issue for this bill is to address the serving laws in North Dakota. You can serve alcohol under twenty-one but someone else has to pour. So you can physically be in the establishment working as a server. The way the language is written, you can physically be in the live entertainment. There is some vagueness and clarity needed to address entertainment services in the establishment regarding age of entertainer and availability to be present to entertain.

Representative C Johnson: Will this affect the off sale?

Representative Beadle: No, this should not as this addresses entertainment aspect. They do not typically have entertainment at off-sale establishments.

Chairman Keiser: Is there a difference between the services of a bar maid verses a server?

Representative Beadle: Yes there is a distinction. If you are over eighteen but under twenty-one in the restaurant setting, you can deliver an alcoholic beverage to a table but you are not allowed to dispense that alcoholic beverage. Someone under twenty-one has to be under the supervision of someone that is over twenty-one.

Chairman Keiser: If you are over twenty-one, you can work in the bar. If you are under 21, you have to work in the restaurant.

Rudy Martinsen~ND Hospitality Assn: This also includes set up crews for musicians.

Chairman Keiser: Yes, this includes the people who set up for a band?

Representative Beadle: Yes.

Chairman Keiser: Anyone have questions?

Chairman Keiser: Is there any more testimony, either for, against or neutral. Seeing none, we will close HB1059. What are the wishes of the committee?

Chairman Keiser: Do Pass.

Representative Beadle: Motion made to do pass on HB 1059

Representative Becker: Seconded

Roll call vote: Yes 13 – No 0 Absent 1. Motion carried & Rep Beadle will be the carrier.

Chairman Keiser: Closed the hearing.

Date: 1/4/2017Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
 BILL/RESOLUTION NO. 1059

House _____ Industry, Business and Labor _____ Committee

☐ SubcommitteeAmendment LC# or
Description: _____**Recommendation**

- ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions

☐ Reconsider ☐ _____Motion Made By Rep Beadle Seconded By Rep Becker

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	X		Rep Laning	X	
Vice Chairman Sukut	X		Rep Lefor	AB	X
Rep Beadle	X		Rep Louser	X	
Rep R Becker	X		Rep O'Brien	X	
Rep Bosch	X		Rep Ruby	X	
Rep C Johnson	X		Rep Boschee	X	
Rep Kasper	X		Rep Dobervich	X	

Total (Yes) 13 No 0Absent 1Floor
Assignment Rep. Beadle

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

REPORT OF STANDING COMMITTEE

HB 1059: Industry, Business and Labor Committee (Rep. Keiser, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
HB 1059 was placed on the Eleventh order on the calendar.

2017 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1059

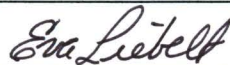
2017 SENATE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee Roosevelt Park Room, State Capitol

HB 1059
3/1/2017
Job Number 28544

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to the employment of individuals under twenty-one years of age at establishments where alcoholic beverages are sold

Minutes:

No Attachments

Chairman Klein: Called the committee back to order.

Representative Owens: Introduced the bill. It turns out that the current law while intending to allow DJ's to act as entertainers, there seems to be an uncomfortableness out there with the bar owners and the police force in interpreting the current law. What has been asked for if we detail it as you read it, they would be under supervision and this is only for DJ's in these businesses where they have a pretty good turnover in their employees. It is normally college kids working their way through school and this would allow them to go in and work as entertainers and work as DJ's in these facilities. We of course are changing the law basically for a comfort factor for the bar owners, the resort owners, or whoever may hire these people where there is alcohol being served and to elevate any concern over law enforcement interpreting it differently than they had interpreted it. That is the purpose of the bill.

Chairman Klein: We had musicians before and now we are just clearly defining what a musician really is, the description.

Representative Owens: That was the point, under musicians and entertainers the DJ's, because they do MC and put on a little show, they weren't being viewed as entertainers for the allowances of this law.

Chairman Klein: I think it is certainly to the point and we are just clarifying what we thought we were doing in the past and this will provide that consistency for the owners and dealing with the law enforcement because I could see where that may be a problem. Closed the hearing.

Senator Poolman moved a do pass.

Senator Casper seconded the motion.

Senate Industry, Business and Labor Committee
HB 1059
March 1, 2017
Page 2

Roll Call Vote: Yes-6 No-1 Absent-0

Senator Burckhard will carry the bill.

**2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1059**

Senate Industry, Business and Labor Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Senator Poolman Seconded By Senator Casper

Senators	Yes	No	Senators	Yes	No
Chairman Klein	x		Senator Marcellais		x
Vice Chairman Campbell	x				
Senator Roers	x				
Senator Burckhard	x				
Senator Casper	x				
Senator Poolman	x				

Total (Yes) 6 No 1

Absent 0

Floor Assignment Senator Burckhard

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

REPORT OF STANDING COMMITTEE

HB 1059: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends
DO PASS (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1059 was placed
on the Fourteenth order on the calendar.