

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1087

2005 HOUSE JUDICIARY

HB 1087

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087

House Judiciary Committee

☐ Conference Committee

Hearing Date 1/10/05

Tape Number

1

Side A

xx

Side B

Meter #

43.4-46.1

Committee Clerk Signature



Minutes: 14 members present.

Chairman DeKrey: We will open the hearing on HB 1087.

Keith Lauer, Gaming Division, Office of Attorney General: (see written testimony).

Chairman DeKrey: Thank you. Any further testimony in support of HB 1087, testimony in opposition to HB 1087. We will close the hearing.

(Reopened in same session, side B).

Chairman DeKrey: I will entertain a motion on HB 1087, which is a clean up of the language.

Representative Kretschmar: I move a Do Pass.

Representative Maragos: I second the motion

Chairman DeKrey: Any discussion. The clerk will call the roll Do Pass motion on HB 1087.

14 yes 0 no 0 absent

DO PASS

Carrier: Rep. Boehning

Date: 1/10/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1087

HOUSE JUDICIARY COMMITTEE

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass

Motion Made By

Rep. Kretschmar

Seconded By

Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	/		Representative Delmore	/	
Representative Maragos	/		Representative Meyer	/	
Representative Bernstein	/		Representative Onstad	/	
Representative Boehning	/		Representative Zaiser	/	
Representative Charging	/				
Representative Galvin	/				
Representative Kingsbury	/				
Representative Klemin	/				
Representative Koppelman	/				
Representative Kretschmar	/				

Total (Yes)

14

No

0

Absent

0

Floor Assignment

Rep. Boehning

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

REPORT OF STANDING COMMITTEE (410)
January 10, 2005 11:20 a.m.

Module No: HR-05-0207
Carrier: Boehning
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1087: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1087 was placed on the
Eleventh order on the calendar.

2005 SENATE JUDICIARY

HB 1087

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1087

Senate Judiciary Committee

☐ Conference Committee

Hearing Date February ¹⁶, 2005

Tape Number

1

Side A

Side B

X

Meter #

1285 - End

Committee Clerk Signature *Maria L Solberg*

Minutes: Relating to regulations of games of chance operations.

Senator John (Jack) T. Traynor, Chairman called the Judiciary committee to order. All

Senators were present. The hearing opened with the following testimony:

Testimony In Support of the Bill:

Keith Lauer, Director of the Gaming Division of the Attorney General's Office (meter 1285)

Gave Testimony - Att. #1 This is a "house keeping" bill and the original language was excessively restrictive to "site premises".

Senator Triplett asked if this has been an issue? **Mr. Lauer** responded to a location that closed its doors and relocated its records. We can not find any of the records. Discussed using a search warrant and the persons unwillingness to corporate. Discussion of the process of obtaining a license that the premise and the location of record could be different locations. If they get out of the business then they may not even have a location to reference any longer.

Testimony in Opposition of the Bill:

Page 2

Senate Judiciary Committee

Bill/Resolution Number HB 1087

Hearing Date February 16, 2005

none

Senator John (Jack) T. Traynor, Chairman closed the Hearing

Senator Triplett made the motion to Do Pass and seconded by **Senator Hacker**. All members were in favor and motion passes.

Carrier: **Senator Triplett**

Senator John (Jack) T. Traynor, Chairman closed the Hearing

Date: 2/14/05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1087

Senate Judiciary

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Do Pass*

Motion Made By Senator *Triplett* Seconded By Senator *Hacker*

Senators	Yes	No	Senators	Yes	No
Sen. Traynor	<i>A</i>		Sen. Nelson	✓	
Senator Syverson	✓		Senator Triplett	✓	
Senator Hacker	✓				
Sen. Trenbeath	✓				

Total (Yes) *56* No 0

Absent 10

Floor Assignment *Sen. Triplett.*

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

REPORT OF STANDING COMMITTEE (410)
February 16, 2005 2:37 p.m.

Module No: SR-31-3173
Carrier: Triplett
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1087: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1087 was placed on the
Fourteenth order on the calendar.

2005 TESTIMONY

HB 1087

TESTIMONY ON HOUSE BILL NO. 1087

By Keith Lauer, Gaming Division, Office of Attorney General

House Judiciary Committee
January 10, 2005

My name is Keith Lauer. I am Director of the Gaming Division of the Attorney General's Office. I am testifying on behalf of the Attorney General's Office in support of House Bill No. 1087, and will describe the provisions of this bill.

1. This bill does general housekeeping on subsections 2, 3, and 4 of section 53-06.1-15.1 of the North Dakota Century Code entitled Authority of the attorney general.
2. The previous language in subsections 2, 3, and 4 of section 53-06.1-15.1 has been determined by our office to be excessively restrictive when the audit and investigative staff attempts to secure gaming related records from organizations. As a result, formal search warrants may be necessary if the records are maintained at locations other than an organization's formal sites or premises.
3. The terms site or premises are unnecessary language in these subsections.
4. The unnecessary language may create confusion particularly when a previously licensed organization no longer has a formal site authorization from a city or county or official office location.

I would be happy to answer any questions.

TESTIMONY ON HOUSE BILL NO. 1087

By Keith Lauer, Gaming Division, Office of Attorney General

Senate Judiciary Committee
February 16, 2005

My name is Keith Lauer. I am Director of the Gaming Division of the Attorney General's Office. I am testifying on behalf of the Attorney General's Office in support of House Bill No. 1087, and will describe the provisions of this bill.

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I would be happy to answer any questions.