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ROLL NUMBER

DESCRIPTION

44040

2005 SENATE EDUCATION

SCR 4040

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4040

Senate Education Committee

☐ Conference Committee

Hearing Date 03/28/05

Tape Number	Side A	Side B	Meter #
1	x		0-1320
Committee Clerk Signature <i>Patty Wilkens</i>			

Minutes: A concurrent resolution urging the Commissioner of Major League Baseball to reinstate Roger Maris as holder of the single-season major league baseball home run record.

Senator Freborg called the meeting to order on **SCR 4040**

All members present.

Senator Heitkamp: Introduced the resolution.

See attached : written testimony.

Senator Flakoll : In 1998 when Mark McGwire broke the record he admitted to being on Androstenedione, is that illegal?

Senator Heitkamp: I am not sure anything that was used was illegal in the case of Major League Baseball. Baseball needs to clean their act up when it comes to this issue. People need to know that performance enhancement drugs, anything that would give you an advantage in those regards are not part of our national past time. I'm not saying that what they did is illegal, it may have

been illegal, I stand before you to tell you this is flat out wrong. Taking you back to the 1970's anyone who is a big sports fan like I am, but the women that got out of the pool during the Olympics they had deep voices. This is an advantage and it is not right. I do have amendments if you want to weaken it, I hope you don't.

Senator Flakoll : You think baseball should have guidelines that protecting and the like to prevent this from happening.

Senator Heitkamp : Absolutely, any sport they deserve to know if they are using enhancement drugs. This clearly indicates it is happening, with an advantage having one leg up. Referring to the picture and testimony, at a time in his life when under so much stress, by people not wanting him to beat Babe Ruth's record, and Mickey Mantle. He didn't do it with the benefit of illegal drugs.

Senator Flakoll : The Senate killed a bill last week that was unanimous to not allow for any testing of illegal use of drugs. Will this go contrary to that?

Senator Heitkamp : I would say no b/c of the fact that one is a personal privacy issue and the other is a drug use to enhance exactly what you are doing competing with others. I suggest this is not right.

Senator Flakoll : I do have some amendments and that these would go out to, the Government House which there are forty members on the investigation.

Senator Flakoll : moved a Do Pass on amendment .0101 SCR 4040

Senator G. Lee second the motion.

Senator G. Lee : Senator Flakoll do you think there are too many sheets going out now?

Senator Flakoll : Yes.

Senator Taylor : I like that everyone gets a chance when this is sent out b/c everyone likes to read about baseball.

Hearing no other discussion, clerk took the roll. Vote: 1 yea, 5 nay, 0 absent.

Amendment failed.

Senator Flakoll moved a **Do Pass** on **SCR 4040**.

Senator Taylor second the motion.

Senator Flakoll : You don't need to be Ken Jennings to know that baseball is in jeopardy for using steroids.

Hearing no further discussion, clerk took the roll, Vote: 6-yea, 0 nay-0 absent

Senator Flakoll will carry the bill.

Sen. Heitkamp

53134.0101
Title.

Prepared by the Legislative Council staff for
Senator Heitkamp

March 25, 2005

PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4040

Page 1, line 2, after "record" insert "if it is concluded by an appropriate tribunal that those who have bested Roger Maris's record used nondietary performance-enhancing substances"

Page 1, line 8, after "using" insert "nondietary"

Page 1, line 16, after the comma insert "if it is concluded by an appropriate tribunal that those who have bested Roger Maris's record used nondietary performance-enhancing substances,"

Page 1, line 19, after "of" insert "nondietary"

Page 1, line 24, after "baseball" insert "if it is concluded by an appropriate tribunal that those who have bested Roger Maris's record used nondietary performance-enhancing substances"

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4040

Page 2, line 2, remove "and"

Page 2, line 3, replace "Congress" with "House Committee on Government Reform, and to each member of the North Dakota Congressional Delegation"

Renumber accordingly

Date:
Roll Call Vote #:

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SCR 4040

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Motion Made By

Seconded By Lee

[illegible]

Total (Yes) 7 No 5

Absent

Floor Assignment

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

Date: 3/28/05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 4040

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Flakoll Seconded By Taylor

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent _____

Floor Assignment Flakoll

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

REPORT OF STANDING COMMITTEE (410)
March 30, 2005 3:06 p.m.

Module No: SR-58-6687
Carrier: Flakoll
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4040: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4040 was placed on the
Eleventh order on the calendar.

(

2005 HOUSE AGRICULTURE

SCR 4040

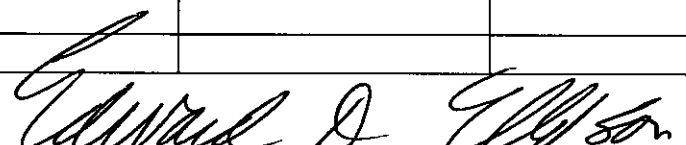
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4040

House Agriculture Committee

☐ Conference Committee

Hearing Date 4--07--05

Tape Number	Side A	Side B	Meter #
ONE	A		0.00 TO 19.1
Committee Clerk Signature 			

Minutes:

CHAIRMAN NICHOLAS: O.K. Committee Members we will open on SCR 4040.

The Roger Maris Bill. The Resolution is a concurrent resolution urging the Commissioner Of Major League Baseball to reinstate Roger Maris as holder of the single-season major League baseball home run record.

Chairman Nicholas told Senator Heitkamp that he could start the hearing with his testimony.

SENATOR HEITKAMP: [[PLEASE SEE WRITTEN INFORMATION THAT SENATOR HEITKAMP PRESENTED AS TO ROGER'S BIOGRAPHY]]. SENATOR HEITKAMP SPOKE TO THE FACT THAT HE FELT THAT ROGER RECORD WAS BROKEN BY PLAYERS THAT WERE ON STEROIDS]] The fact that Major League Baseball is armed with plenty of political capital as it confronts congressional threats of tougher steroid laws for ballplayers. Team owners also spent more then one million last

Year lobbying Congress , mostly about steroids, public documents show. Commissioner Selig says critics are exaggerating steroid abuse. Rob Manfred, baseball's head of labor relations, said "Whatever they decide to do, we would supportive. [[THIS PAST INFORMATION WAS TAKEN OFF A NEW PAPER ARTICLE FURNISHED BY ONE OF THE SENATORS.]] Senator Heitkamp basically said this is a Roger Maris Bill not a steroid bill. He wanted to focus on the Resolution the way it was written. On The back of the resolution, starting line one states BE IT FURTHER RESOLVED, that The Secretary of State send copies of this resolution to the Commissioner of Major League Baseball, the family of Roger Maris, and each member of Congress. So that Congress is aware of the feelings of North Dakota towards Roger Maris's record.

CHAIRMAN NICHOLAS: Any other testimony. Senator Hawken.

SENATOR HAWKEN: I am pleased to be part of this resolution and to be supportive Of someone from this state.

REPRESENTATIVE HEADLAND: Furnished some information that he had taken Off the computer as to Baseball and the Steroids Debate. [[THAT INFORMATION-- TESTIMONY IS ATTACHED]]

CHAIRMAN NICHOLAS: Any other testimony.

O.K. I WILL ENTERTAIN A MOTION ON SCR 4040.

REPRESENTATIVE ONSTAD: MADE A MOTION FOR A DO PASS

REPRESENTATIVE BOE SECONDED THE MOTION.

CHAIRMAN NICHOLAS ASKED THAT THE ROLL BE TAKEN.

THERE WERE 12 YES 0 NO 1 ABSENT

Page 3

House Agriculture Committee

Bill/Resolution Number SCR 4040

Hearing Date 4---07---05

REPRESENTATIVE BRANDENBURG CARRIED THE RESOLUTION.

CHAIRMAN NICHOLAS CLOSED ON SB 4040

SCR 4040
4-7-05

Date:
Roll Call Vote #:

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 ONSTAD Seconded By BOE

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

Total (Yes) 12 No 0

Absent 1

Floor Assignment BRANDENBURG

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

REPORT OF STANDING COMMITTEE (410)
April 7, 2005 11:50 a.m.

Module No: HR-64-7611
Carrier: Brandenburg
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4040: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4040 was placed on the
Tenth order on the calendar.

2005 TESTIMONY

SCR 4040

March 28, 2005

North Dakota State Senate Education Committee

Fellow Senators

I realize Mr Chairman and Fellow Senators that your committee has many important things on it's table. This bill certainly is not at the top of that list. I do however believe that we, as North Dakotans, have some time to give this issue.

Roger Maris is an example of everything we take pride in here in North Dakota. He overcame so much to achieve his goals. That took hard work, guts and since of right and wrong. Roger achieved those goals fairly.

Today we are learning that some have not. The fact that steroids have been used by current record holders in Major League Baseball is no longer a question for many of us. We believe they did. Mr Chairman, all this resolution is saying is that we don't think that is fair.

I hope you can support it.

Thanks for your efforts

Joel Heitkamp
North Dakota State Senator

Biography



Roger Maris was born in Hibbing, Minnesota on September 10, 1934. His father, who worked for the Great Northern Railroad, moved the family to North Dakota in 1942, where Roger and Rudy, his older brother by one-year, grew up. The Maris brothers played sports and attended Shanley High School in Fargo, North Dakota. It was in the 10th grade when Roger met Patricia, his future wife, at a high school basketball game.

Roger played baseball in the American Legion program during the summers, since the North Dakota high schools with the cold weather did not have a program. He led his American Legion team to the state championship. With his excellent speed, Roger was a standout in football as well. In one game against Devil's Lake his senior year, he scored four touchdowns on kickoff returns to set a national high school record.

Roger was recruited by legendary coach Bud Wilkinson to play for the University of Oklahoma, but with a professional baseball contract looming, Roger gave up his scholarship at the University of Oklahoma to pursue a career in baseball. He signed a \$15,000 contract to play for the Cleveland Indians organization.

Roger spent four years in the minor leagues playing for Fargo-Moorhead, Keokuk, Tulsa, Reading, and Indianapolis before making it to the major leagues.

During his first year in the major leagues, Roger hit 14 home runs and drove in 51 RBI's for the Cleveland Indians. Midway through his second year, Roger was traded to the Kansas City Athletics and finished the season with 28 home runs and 81 RBI's. Roger received attention and in his third year, was elected to the 1959 All-Star team.

After the 1959 season, Roger Maris was traded to the New York Yankees. In 1960, his first season with the Yankees, Roger led the major leagues with 27 home runs and 69 RBI's by the halfway point and was again named to the All-Star team. An injury sliding into second to break up a double play caused him to miss 17 games. However, Roger still finished the season first in RBI's with 112, second in home runs with 39 (one behind Mickey Mantle who led the majors with 40), won the Gold Glove Award, and was named the American League's Most Valuable Player. He also hit 2 World Series home runs, but it would be for the following year that he would be most remembered.

In 1961, Roger and teammate Mickey Mantle received national attention as they chased the single season home run record of 60 set by Babe Ruth in 1927. Although Roger got off to a slow start hitting only 1 home run in April, he quickly made up ground hitting 11 home runs in May and 15 home runs in June. The two Yankee sluggers went back and forth leading the majors in home runs during the summer. Roger became the first player in history to hit 50 home runs by the end of August. Mantle had 46. The Yankees continued to win and were playing to sellout crowds both at home and on the road. An unfortunate illness to Mantle in September caused him to miss games at the end of the season, but he still finished with a career high 54 home runs.

Roger tied Ruth on September 26th, hitting his 60th home run of the year. Then, on October 1, 1961, the final day of the season, Roger hit his 61st home run, against the Boston Red Sox, to set the new home run record. The Yankees won the game 1 to 0 on Roger's home run, and went on to win the World Series that year. Roger was named the Most Valuable Player in the American League for the second straight year, as he led the league in home runs and RBI's. Roger and Mickey also set the home run record for teammates hitting 115 home runs between them.

In 1962, Roger hit 33 home runs. He also drove in 100 RBI's and was selected to the All Star team for the 4th straight year. Mickey hit 30 home runs, drove in 89 RBI's, and was named the league's Most Valuable Player that year. The Yankees repeated as World Series Champions.

In 1963, Roger missed almost half of the season with injuries playing in only 90 games, but still hit 23 home runs and drove in 53 RBI's and the Yankees returned to the World Series.

In 1964, Roger hit 26 home runs and 71 RBI's and the Yankees again won the pennant and a trip to the World Series.

Roger sustained a wrist injury in 1965 and was only able to play in 46 games for the Yankees. After the 1966 season, the Yankees traded Roger Maris to the St. Louis Cardinals, where he played his last two years.

In 1967, Roger helped lead the Cardinals to the World Series, where he then homered and drove in a Cardinal record 7 RBI's as St. Louis won the World Series.

In 1968, Roger helped the Cardinals return to the World Series and then announced his retirement. In all, Roger Maris played in seven World Series in the Sixties (1960, 1961, 1962, 1963, 1964, 1967, 1968), hitting six World Series home runs and driving in 18 World Series RBI's. He finished his career with 275 home runs.

On July 21, 1984, in a ceremony in Yankee Stadium, the Yankees retired Roger's number (#9) and erected a plaque in his honor paying tribute to his achievements.

Roger Maris died on December 14, 1985 of lymphoma cancer at the age of 51.

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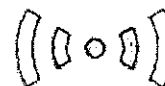
Baseball and the Steroids Debate

How Should Ken Caminiti Be Remembered?

By TOM SHANAHAN
Voice Sports Columnist
Published April 5, 2005

Picture Mark McGwire, seated as he was two weeks ago before the U.S. Congressional hearings on steroids use in baseball, wearing the blue-and-white uniform of an East German Olympic athlete.

OPINION



Now picture Barry Bonds, also dressed in East German colors, seated as he was a week ago before media members outside the San Francisco Giants' spring training clubhouse.

Ah, see. Now it's not so hard to dismiss McGwire, Bonds, et al. for the overwhelming evidence that says they used steroids in blatant disregard for our national pastime's hallowed records.

☐ Baseball fans become irrational over the issue of steroids if the athlete in question plays for their team. Fans still celebrate McGwire in St. Louis and Bonds in San Francisco. ☐

And Padres fans are guilty of turning a blind eye to a player benefiting from steroids. Ken Caminiti admitted in a *Sports Illustrated* article in May 2002 that he took steroids, yet he remained a beloved hero for his 1996 MVP season that led the Padres to the National League West title.

Not until Caminiti wound up dead from a drug overdose last fall did a public debate in San Diego begin on how Caminiti's career with the Padres should be remembered or honored.

Americans despised the East Germans for cheating with steroids. East German swimmer Kornelia Ender won four gold medals at the 1976 Olympics in Montreal. There were suspicions she was on steroids, but she says not until 1991, when the secrets of the East German evil sports empire were revealed to the world, did she know her coaches and trainers gave her steroids.

Shirley Babashoff, a silver medalist four times to Kornelia Ender and other East Germans in Montreal, is viewed by American swim fans as the rightful owner to the fame denied her. Babashoff now toils in anonymity as a mail carrier.

In baseball, there is a Shirley Babashoff for every player who finished second to a Caminiti, a McGwire, a Bonds or a Jose Canseco -- another MVP who has admitted to using steroids. But it's easier for American sports fans to rationalize labeling an East German as a cheater than the guy who plays for the "Town Team."

The Olympics, the NFL and college athletics have all acted to test for steroids in the last two decades, but baseball continued to risk the integrity of the game until forced to act by a doubting public.

The Major League Baseball Players Association prevented testing for steroids until now, but baseball should have found a way to get in front of the issue. The Padres, despite their chapter with Caminiti, attempted to do so as the first organization to institute testing for steroids in the minor leagues.

By ignoring the steroids issue, baseball has helped American sports become what we hated about East German sports. Our athletes cheat by using steroids to get an edge, and then they accept the fame and money that come with it.

We dismissed the East Germans because they were viewed as soulless communists. We should dismiss baseball's steroids users for their soulless lack of respect for the national pastime.

Tom Shanahan has been writing about San Diego athletes at the professional, collegiate and high school levels for 27 years. He is the Media Coordinator for the San Diego Hall of Champions (www.sdhoc.com).

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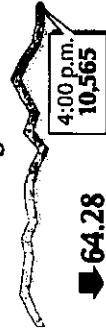


12, 2005

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Industrial average



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yield	4.52%	0.01
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150.64	1.39	
airtel	\$56.62	0.10
	\$1.3173	0.0138
	105.04	0.36

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it the conclusion of their meet-
will bring the Fed's target for
es to 2.75%, the highest since
it still historically low.

gular gas hits \$2.109

age of gasoline prices hit a rec-
ig news from AAA last week
nationwide average for a gal-
rose 2.6% from last week to
rd, not adjusted for inflation,
said in its weekly report.

le from last year

ports are trying
cater to travel-
ers by improving
the quality of food
offerings. 8B

Airport eatin': Liz Duggan of New York and Ken Starr of Boston
talk business at Los Angeles International's Encounter.

Baseball tossed cash at lawmakers

Money went to campaigns, lobbying about steroids

By Jim Hopkins
USA TODAY

Major League Baseball is armed with plenty of politi-
cal capital as it confronts congressional threats of
tougher steroid laws for ballplayers.
Its political action committee poured \$216,788 into
congressional campaigns for the 2004 elections, more
than twice what it spent two years before.

Some money went to lawmakers, including Tom Da-
vis, R-Va., chairman of the House Government Reform
Committee, who tore into league officials and players
at a high-profile hearing last week.
Team owners also spent more than \$1 million last
year lobbying Congress, mostly about steroids, public
documents show. The spending comes as baseball
Commissioner Bud Selig says critics are exaggerating
steroid abuse. Lawmakers, including Rep. Henry Wax-
man, D-Calif., are considering stiffer regulations.

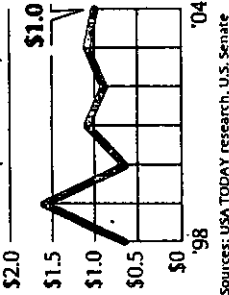
"Whatever they decide to do, we
would be supportive," Rob Manfred,
baseball's head of labor relations,
said Monday.

Baseball was No. 331 in spending
among 3,000 PACs last year. The
No. 1 National Association of Real-
tors spent \$3.8 million, says the
Center for Responsive Politics, a
non-partisan group tracking cam-
paign finance. The center's chief,
Larry Noble, says it is too soon to
know what impact the spending
may have on Congress. "Wait until
the end of the day," he says.

Baseball lobbyist Lucy Calautti, at
law firm Baker & Hostetler, says she
will not leverage contributions in congressional nego-
tiations. She characterized as "cynical" such a sugges-
tion. "We don't remind people of how we contrib-
uted," she said. The league paid the firm \$660,000 to
lobby lawmakers on steroid bills, more than any other
lobbying firm, public documents show.
Baseball's PAC gave money to five of the 40 House

Pitching to Congress

Major League Baseball spent
\$7.1 million lobbying Congress
since 1998: (in millions)



By Sam Ward, USA TODAY

committee members, Center for Re-
sponsive Politics data show Davis got
\$2,000. Waxman, the ranking Demo-
crat, got \$1,000. Davis is not "pulling
any punches," a spokesman said.
Waxman could not be reached.
One of the PAC's biggest gifts,
\$10,000, went to Sen. Jim Bunning,
R-Ky. The Hall of Fame pitcher told
the panel that team owners put the
game at risk. "For over a decade, they
turned their heads," he said.

The gift won't sway Bunning, says
spokesman Mike Reynard. "He's on
the side of fans," Reynard says.
Officials at Selig's own Milwaukee
Brewers have been big donors. Exec-
utives, including daughter Wendy Selig-Prieb, pumped
\$46,500 into federal campaigns from 1999 to 2004.

League officials last year supported legislation to ban
the sale of so-called steroid precursors without a pre-
scription, Calautti says. The bill eventually became law.

► Fans call steroids 'serious problem.' 1C

Time Warner fined \$300M

Deal settles SEC charges over AOL

By David Lieberman
USA TODAY

