

**2021 SENATE INDUSTRY, BUSINESS AND LABOR**

**SB 2047**

# 2021 SENATE STANDING COMMITTEE MINUTES

## Industry, Business and Labor Committee Fort Union Room, State Capitol

SB 2047  
1/6/2021

relating to conduct prohibited under the Revised Uniform Athlete Agents Act; and to provide a penalty

**Chairman Klein** called the meeting to order.

All members present: Senators: Klein, Larsen, Burckhard, Kreun, Marcellais, Vedaa

### Discussion Topics:

- Types of physicals for athletes

**Senator Hogue** [13:02] testified in favor.

**Tony Weiler, Director of State Bar Association** [13:21] testified in in favor.

**Senator Burckhard** moved a Do Pass [13:23].

**Senator Kreun** 2<sup>nd</sup> the motion [13:24].

[13:24]

Senators	Vote
Senator Jerry Klein	Y
Senator Doug Larsen	Y
Senator Randy A. Burckhard	Y
Senator Curt Kreun	Y
Senator Richard Marcellais	Y
Senator Shawn Vedaa	Y

Motion passed 6-0-0

**Senator Burckhard** will carry the bill [13:25].

**Chair Klein** closed the meeting at 1:26 PM

*Isabella Grotberg, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2047: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the Eleventh order on the calendar.

**2021 HOUSE INDUSTRY, BUSINESS AND LABOR**

**SB 2047**

# 2021 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee  
Room JW327C, State Capitol

SB 2047  
3/8/2021

<b>Conduct prohibited under the Revised Uniform Athlete Agents Act.</b>
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(2:00) Chairman Lefor called the hearing to order.

Representatives	Attendance	Representatives	Attendance
Chairman Lefor	P	Rep Ostlie	P
Vice Chairman Keiser	P	Rep D Ruby	P
Rep Hagert	P	Rep Schauer	P
Rep Kasper	P	Rep Stemen	P
Rep Louser	P	Rep Thomas	P
Rep Nehring	P	Rep Adams	P
Rep O'Brien	P	Rep P Anderson	P

## Discussion Topics:

- Elite college athletes
- College recruiting agents

Al Jaeger~Secretary of State. Introduced the bill.

Chairman Lefor closed the hearing.

Vice Chairman Keiser moved a Do Pass.

Rep O'Brien second.

<b>Representatives</b>	<b>Vote</b>
Chairman Lefor	Y
Vice Chairman Keiser	Y
Rep Hagert	Y
Rep Jim Kasper	Y
Rep Scott Louser	Y
Rep Nehring	Y
Rep O'Brien	Y
Rep Ostlie	Y
Rep Ruby	Y
Rep Schauer	Y
Rep Stemen	Y
Rep Thomas	Y
Rep Adams	Y
Rep P Anderson	y

Vote roll call taken Motion carried 14-0-0 & Rep Adams is the carrier.

**Additional written testimony:** Attachment # 7828.

(2:18) End time.

*Ellen LeTang, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2047: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the Fourteenth order on the calendar.

**TESTIMONY OF DAVID HOGUE IN SUPPORT OF SB 2047**  
**HOUSE INDUSTRY, BUSINESS, AND LABOR COMMITTEE**  
**MARCH 8, 2021**

Good Morning Chairman Lefor, Vice-Chairman Keiser, and members of the House Industry, Business, and Labor Committee. My name is David Hogue. I am a North Dakota state senator representing District 38, which includes northwest Minot and the city of Burlington. I appear before your committee to seek support for Senate Bill 2047.

SB 2047 is a proposed amendment to the Revised Uniform Athlete Agent Act of 2015. The amendments relate to highly elite student athletes who are considering a professional career in the NBA, NHL, or some other professional sports league before they attend or enroll in college.

In making this decision, athletes necessarily need agent representation to explore this possibility. But what the NCAA found is a major disconnect between athletes' perception of their own abilities, and their actual prospects to leapfrog college and have a successful professional career. If they enter a professional draft and go undrafted they may jeopardize their eligibility to participate in college athletics. The amendments would permit the athlete agents to accept reimbursement for travel expenses and not jeopardize their eligibility to participate in college athletics. The permissive acceptance of reimbursement of expenses is not obvious from the language



1 of the amendments because the NCAA rules governing eligibility determines whether  
2 the athlete remains eligible.

3 Lines 23-24 of the bill and the first five lines of page 2 of the bill tracks the two  
4 steps necessary to preserve eligibility: (1) notify the athletic director of the educational  
5 institution of the giving of value within 72 hours of giving the item of value to the  
6 athlete or family member and (2) notifies the athlete or guardian that the  
7 reimbursement may result in a loss of eligibility to participate in collegiate athletes.

8 I am attaching to my testimony a copy of a US map depicting that states that have  
9 adopted the 2015 Revised Uniform Athlete Act and various amendments to the Act.

10

11 Chairman Lefor and members of the Committee, I'm happy to stand for your questions.