

States prepping for sports betting legalization

By Jennifer Roberts, The Conversation

The gambling world is waiting with bated breath for the United States Supreme Court decision that could result in an expansion of sports betting. The decision could be announced anytime between today and the end of June.

Since I teach sports betting regulation and gambling law, I've been closely watching the developments as well. Although Nevada has had a robust sports betting industry for decades, New Jersey has been at the forefront of the push to legalize sports betting.

In recent years, many other states have prepared for a ruling from the Supreme Court that would overturn the prohibition of sports betting. Even professional sports leagues – which have emerged as the leading opponents of efforts to legalize and regulate sports betting – are looking to cash in.

How we got here

According to the 10th Amendment of the United States Constitution, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

For this reason, states have traditionally overseen and regulated casino gambling. The Nevada Supreme Court specifically recognized, in a case involving the infamous Frank Rosenthal (portrayed as Ace Rothstein by Robert De Niro in the movie “Casino”), that gaming is “a matter reserved to the states within the meaning of the 10th Amendment to the United States Constitution.”

However, in 1992, responding to concerns about the spread of state-sponsored sports wagering, Congress enacted the Professional and Amateur Sports Protection Act, also known as the Bradley Act, named after its lead sponsor, then-U.S. Senator Bill Bradley.

The Bradley Act made it unlawful for any governmental entity, such as states, municipalities or Indian tribes, to “sponsor, operate, advertise, promote, license, or authorize by law or compact” any sports betting. In addition, the act prohibited any individual from operating any sort of sports betting enterprise.

However, the Bradley Act exempted four states from the prohibition: Nevada, Oregon, Delaware and Montana. Of these four states, Nevada was – and remains – the only one with full-scale sports wagering. New Jersey was given a one-year window to legalize sports wagering, but the state legislature failed to take action within the allotted time.

Fast forward to 2011. That year, New Jersey government officials decided they wanted to have regulated sports wagering, so the state introduced a referendum on a statewide ballot that would amend the state Constitution to permit wagering on college, amateur, and professional sports at Atlantic City casinos and racetracks across the state.

New Jersey voters supported the ballot referendum, and in 2012 the New Jersey legislature passed a law to legalize sports wagering.

However, the major professional and college sports leagues – NCAA, NFL, MLB, NBA and NHL – opposed the legislation and filed a lawsuit to stop New Jersey from regulating sports wagering.

In response, New Jersey claimed that the Bradley Act was unconstitutional because it violated the state’s 10th Amendment rights to regulate gambling in the form of sports

wagering. In 2013, the Third Circuit Court of Appeals ruled in favor of the leagues, and the U.S. Supreme Court declined to consider the case. The Bradley Act remained intact.

New Jersey pressed on. Having lost on the argument that legalizing sports wagering is equivalent to “authorizing” it under the existing Bradley Act, New Jersey got creative and decided to simply repeal the state’s criminal laws and regulations that prohibited sports book operations in casinos and racetracks.

Once again, the sports leagues sued to stop New Jersey. In response, New Jersey argued that it would be a violation of the 10th Amendment if the state were prevented from repealing an existing law. Again, the lower courts and Third Circuit Court of Appeals ruled in favor of the leagues – but for the first time, the U.S. Supreme Court decided it would weigh in.

Prepping for the inevitable?

Now we await the decision.

It’s important to note that this case is about more than sports betting, which is simply the subject matter before the Supreme Court. It has more to do with states’ rights, and the decision has the potential to affect other areas of dispute, from marijuana legalization to the ability of cities to protect undocumented immigrants to gun control.

There are several possible outcomes. The U.S. Supreme Court could decide in favor of the leagues, which would mean New Jersey – and any other nonexempted state – would remain prohibited from allowing any sports wagering.

At the other end of the spectrum, the court could declare the Bradley Act unconstitutional, and states and Indian tribes would no longer be blocked from authorizing and regulating full-scale sports wagering.

Another possibility is that the court sides with New Jersey and allows the state to decriminalize sports wagering – on an either limited basis (in casinos and racetracks) or entirely – but not regulate it.

Finally, the Supreme Court could strike the prohibition that prevents states and tribes from permitting sports wagering, but keep the restriction so that individuals cannot conduct legal sports wagering. If this were to happen, sports betting could be permitted by states, but individuals would be prevented from operating their own sports betting business.

About 20 states are already preparing for the event that the Bradley Act gets overturned and are gearing up to pass laws (or have already done so) that will give them the ability to offer regulated sports wagering.

However, there are many unknowns and issues that will need to be addressed: Will state-sponsored sports wagering be run by state lotteries or private enterprise such as casinos or racetracks? Will amendments be needed to permit Indian tribes to offer sports wagering? And will information on sporting events for wagering purposes – such as scores, outcomes or game statistics – be restricted to data generated from the leagues?

There are already disagreements over something called an “integrity fee.” In states where sports betting will likely become legal, leagues have been pressing to receive 1 percent of all amounts wagered on a sporting event.

In Nevada – where legal, regulated sports wagering has taken place since 1949 – such a fee has never been in place. Instead, casinos simply pay the state up to 6.75 percent in a tax on revenues (which is the same tax paid by casinos on other forms of gambling), in addition to a federal tax of 0.25 percent on amounts wagered. States looking to legalize sports betting are proposing varied rates of taxation.

So how might an integrity fee affect sports books?

If we look at the most recent Super Bowl, over \$158 million was wagered in Nevada on the game. If there were a mandated integrity fee, this means that the NFL would have received \$1.58 million from Nevada sports books.

But in the case of the Super Bowl, Nevada sports books only made \$1.17 million, or 0.7 percent of the total amount wagered. So that means that if Nevada sports books had to pay an integrity fee on the Super Bowl, it would have lost money even before having to pay state and federal taxes, rent, employee salaries and the other costs of operating a sports book. From the industry's perspective, sports wagering isn't always as lucrative as it's often portrayed to be.

For this reason, states must be educated and informed when considering whether to legalize sports betting. If they think they'll get a tax windfall for schools and roads, they could be sorely mistaken – especially if the leagues end up getting a cut.

Jennifer Roberts is an adjunct professor of law at UNLV.

NIAA approves six-team state playoffs

By Jim Krajewski, Reno Gazette-Journal

The Nevada Interscholastic Activities Association board of control approved six teams for the 4A state team bracketed tournaments at its meeting in Las Vegas on Tuesday.

The state tournaments will include two Northern, two Desert

and two Mountain Region teams. Schools in the Southern 4A will no longer be called Sunrise & Sunset regions.

The board approved six-team state playoffs in boys and girls soccer, baseball, softball and boys and girls basketball.

Read the whole story

Sugar Bowl set to overhaul snowmaking system

When skiers and snowboarders visit Sugar Bowl Resort next season they will be sliding on more snow, produced in less time, and using less energy than ever before.

This summer the first \$3 million of an \$8 million snowmaking system upgrade and expansion will be invested to produce more snow to cover trails, race venues and terrain parks faster when temperatures drop.

Because of a 50 percent increase in water pumping capacity and the latest snow gun technology, the time it takes to cover Sugar Bowl's snowmaking terrain will be reduced by two-thirds. With the addition of more than 150 low energy-use snow guns, Sugar Bowl will significantly reduce its need for high-pressure compressed air. Less compressed air equals elimination of diesel-powered air compressors and a significant reduction in CO2 gas emissions.

The resort is seeking regulatory approvals for snowmaking to be added to advanced terrain on Mt. Disney, including East

Face, Disney Traverse, Montgomery, and Upper and Lower McTavish trails.

Wise demands Congress act on global warming

By Roxanna Scott, USA Today

Olympic gold medalist David Wise stepped out of his comfort zone this week and delivered a message to members of Congress.

The Reno skier was one of five Olympic athletes who spoke about climate change on behalf of Protect Our Winters at a briefing to Congress on Wednesday. He was joined by Olympic champion cross-country skier Jessie Diggins, Alpine skier Stacey Cook, Olympic bronze-medal winning snowboarder Arielle Gold and biathlete Maddie Phaneuf.

He shared how as a skier, he's seen the effects of climate change up close.

[Read the whole story](#)

Golf tourney benefits Barton Foundation

The 24th annual Barton Foundation Golf Tournament at Lake Tahoe Golf Course is June 1.

All proceeds from the event benefit the health and well being of local residents via Barton Foundation's Community Health Endowment, which supports community health programs and facility improvements within Barton Health.

Check-in and breakfast start at 7am, and a shot gun scramble format begins at 8am.

Tickets for the golf tournament may be purchased **online**. Tournament registration includes continental breakfast, golf, golf cart, drink tickets, and a buffet lunch.

Prizes will be awarded for best costume, team spirit, and best tournament score. Registration for individuals is \$185. For more info, call Jenny Taylor at 530.543.5909.

A different ski experience after Tahoe resorts close

By Benjamin Spillman, Reno Gazette-Journal

There are two ways to think about ski resorts closing when there's still plenty of snow on the ground.

One way is to consider it a problem or unfortunate turn of events.

People who choose this route will shrug, hang up their skis in the garage and maybe even leave a frowny face emoticon on the resort's social media page.

The other way to think about it is to consider it an opportunity.

People who choose to do this can be rewarded with some of the best skiing of the year.

Read the whole story

Slew of tennis events in Zephyr Cove

With winter in the rearview mirror, it is time to look forward to non-snow sports. Zephyr Cove Tennis Club has a calendar full of activities for this season.

The nets are up at the six courts. Play is free through the end of April, with membership required starting May 1. Cost is \$90 for the season, which includes the ability to reserve courts, participate in club events for free or at a reduced cost, and to receive regular updates about all things tennis. Membership information is available **online**.

Returning May 1 for his second year as head pro at the tennis club is Dave Nostrant. He is increasing his offerings this year in terms of lessons for all abilities, as well as multi-day camps.

Viva La Tennis on May 26 is the official start to the club's tennis season. The doubles event is for current, new and prospective players of all levels and ages. It starts at noon. No need to have a partner. It is free for 2018 club members, \$15 for others. It includes a barbecue and lots of tennis. Pay your membership dues that day and the tournament is free.

Zephyr Cove Tennis Club Foundation runs the programs at Zephyr

Cove Park under a multi-year agreement with Douglas County. An all-volunteer board is in charge, with members volunteering to help in various aspects.

The first activity is the annual cleanup day on May 18 from 9am-noon. This is when members and others spruce up the grounds. Bring gloves and a rake, if you have them, to participate.

Tennis events this season at ZCTC include:

- May 26, noon: Viva La Tennis
- June 9, 11am-1pm: Free Kids' Clinic
- July 14, 9am: Breakfast at Wimbledon
- July 26-29: Tahoe Tennis Classic
- Sept. 1-2: ZCTC Club Championship
- Sept. 10-16: USTA National Husband-Wife Hard Court Championships
- Sept. 24, 11am: Sundae Monday.

Get more information on the club's **website**.

USFS approves South Shore thinning project

The U.S. Forest Service Lake Tahoe Basin Management Unit released the final decision last week for a forest thinning project that aims to reduce excess vegetation on 3,737 acres of National Forest lands on the south end of Lake Tahoe.

This project is designed to decrease the risk of wildland fires and should complement defensible space treatments implemented by local municipal fire districts on adjacent non-federal lands.

Treatments include forest thinning using hand and mechanical methods, cable yarding and prescribed fire operations involving pile and understory burning. Tree planting will occur in some areas to promote tree species or forest structure diversity. Treatments will take place in areas primarily thinned within the past 15-25 years and in some areas that will be treated for the first time.

In addition to possible short-term impacts to recreational areas, thinning projects change the appearance of our forests. Treated areas may look disturbed at first, but recover visually within a few years and provide for a healthier, more resilient forest over time.

Work could begin this year and may take approximately 10 years to complete, depending on funding and conditions.

Upgrades coming to campgrounds in Crystal Basin area

By Cathy Locke, Sacramento Bee

Two popular Eldorado National Forest campgrounds in the Crystal Basin Recreation Area are slated for improvements as part of \$150 million in projects tied to the Sacramento

Municipal Utility District's hydroelectric operations on the Upper American River.

Upgrades to existing facilities as well as some new improvements are planned this spring and summer at the Sunset and Azalea Cove campgrounds near Union Valley Reservoir as well as to the Gerle Creek Reservoir area.

Read the whole story

How the USFS grows millions of seedlings each year

By Greg M. Peters, Forests

Tucked into the Douglas fir and ponderosa pine forests of Northern Idaho sits the quaint lakeside town of Coeur d'Alene. The former lumber town is now a popular tourist destination drawing families from across the Pacific Northwest and beyond. Gone are the pounding mills, replaced with fancy lakefront hotels and bustling shopping centers.

But it's not hard to find relics of the region's once-thriving industry: Huge logs chained together to form breakwaters protect marinas and lakeside restaurants scattered around Lake Coeur d'Alene—the region's main tourist draw. In the sprawling Idaho Panhandle National Forest that nearly surrounds the town, century-old stumps the size of boulders rot beneath a canopy of trees that themselves seem a hundred or more years old.

Both the stumps and the forest's now abundant trees provide clear evidence of a century of forest management that has

played out in this quiet corner of America.

Read the whole story