

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2318

Introduced by

Senators Thane, Kringstad, Sand, W. Stenehjem

Representatives Maragos, Oban

1 A BILL for an Act to create and enact two new subsections to section 53-06.1-01 and a new
2 section to chapter 53-06.1 of the North Dakota Century Code, relating to the development and
3 implementation of a compulsive gambling awareness, rehabilitation, and treatment program by
4 the department of human services; to amend and reenact section 53-06.1-12.1 of the North
5 Dakota Century Code, relating to the use of gaming and excise taxes; and to provide an
6 appropriation.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1.** Two new subsections to section 53-06.1-01 of the 1995 Supplement to
9 the North Dakota Century Code are created and enacted as follows:

10 "Compulsive gambler" means an individual who is chronically and progressively
11 preoccupied with gambling and the urge to gamble and with gambling behavior
12 that compromises, disrupts, or damages personal, family, or vocational pursuits.

13 "Qualifying service provider" means an entity based in North Dakota which is
14 experienced in and capable of delivering compulsive gambling education,
15 prevention, awareness, crisis intervention, rehabilitation, and financial counseling
16 and mental health treatment services as defined by the department of human
17 services.

18 **SECTION 2.** A new section to chapter 53-06.1 of the North Dakota Century Code is
19 created and enacted as follows:

20 **Compulsive gambling education, prevention, awareness, crisis intervention,**
21 **rehabilitation, and treatment services.** The department of human services shall contract with
22 a qualifying service provider for the development and implementation of a program for gambling
23 education, prevention, awareness, crisis intervention, rehabilitation, and financial counseling

1 and mental health treatment services. The program may provide outpatient services; partial
2 care services; aftercare services; intervention services; financial counseling services;
3 consultation and educational services; or other forms of preventive, rehabilitative, or treatment
4 services for compulsive gamblers. Educational services may include expanding the state's
5 primary and secondary education curriculum. The program may provide training for individuals
6 engaged in counseling, treating, and rehabilitating compulsive gamblers. An individual who
7 provides treatment services must complete at least sixty hours of a nationally accredited
8 training program, be certified or actively seeking certification as a counselor for compulsive
9 gamblers, and be a mental health professional as defined in section 25-03.1-02. An individual
10 who provides financial counseling services must be a certified consumer credit counselor with
11 an accredited financial counseling agency. The department of human services may establish a
12 sliding payment scale for services under the program. The department of human services may
13 establish a centrally located repository of educational materials on identifying and treating
14 compulsive gambling. Any service fee collected by a qualifying service provider for services
15 provided under the contract must be applied toward the program's compulsive gambling
16 services.

17 **SECTION 3. AMENDMENT.** Section 53-06.1-12.1 of the 1995 Supplement to the
18 North Dakota Century Code is amended and reenacted as follows:

19 **53-06.1-12.1. Deposits.** The state treasurer shall deposit ~~gaming and excise taxes,~~
20 ~~monetary fines, and interest~~ and penalties collected in the general fund in the state treasury.
21 Of the gaming and excise taxes and interest collected under this chapter in each quarter, the
22 state treasurer shall deposit the first two million seven hundred sixty-three thousand dollars in
23 the general fund in the state treasury. The state treasurer shall distribute the amount in excess
24 of two million seven hundred sixty-three thousand dollars collected in each quarter, if any, as
25 follows:

- 26 1. If less than two million seven hundred sixty-three thousand dollars was collected in
27 a prior quarter, the amount of variance for that prior quarter must be deposited in
28 the general fund in the state treasury until the amount of variance is reduced to
29 zero. Otherwise, subsections 2 and 3 apply.
- 30 2. Fifty percent of the amount must be transferred to the department of human
31 services for use only as provided in section 2 of this Act.

1 3. Fifty percent of the amount must be paid to cities and counties in proportion to the
2 adjusted gross proceeds within each city, for sites within city limits, or within each
3 county, for sites outside city limits, to the total adjusted gross proceeds for that
4 quarter. A payment to a city or county under this subsection may be made only if
5 the amount owed to the city or county for that quarter is ten dollars or more. A city
6 or county receiving any moneys under this subsection must use those moneys for
7 expenses of gaming enforcement within the city or county.

8 **SECTION 4. APPROPRIATION.** There is hereby appropriated from special funds
9 derived from gaming and excise taxes and interest transferred to the department of human
10 services operating fund, the sum of \$750,000, or so much of the sum as may be necessary, to
11 the department of human services for the purpose of implementing section 2 of this Act, for the
12 biennium beginning July 1, 1997, and ending June 30, 1999.

13 **SECTION 5. APPROPRIATION.** There is hereby appropriated from special funds
14 derived from gaming and excise taxes and interest, the sum of \$750,000, or so much of the
15 sum as may be necessary, to the attorney general for the purpose of providing grants to cities
16 and counties for gaming enforcement as provided in section 3 of this Act.