

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

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

19 **Compulsive gambling prevention, awareness, crisis intervention, rehabilitation,**
20 **and treatment services.** The department of human services shall contract with qualified
21 treatment service providers for the development and implementation of a program for gambling
22 education, prevention, awareness, crisis intervention, rehabilitation, and financial counseling
23 and mental health treatment services. The program may provide outpatient services; partial

1 care services; aftercare services; intervention services; financial counseling services;
2 consultation services; or other forms of preventive, rehabilitative, or treatment services for
3 compulsive gamblers. An individual who provides treatment services must meet the minimum
4 standards for certification as a gambling counselor as established by the national council on
5 problem gambling and be a mental health professional as defined in section 25-03.1-02. An
6 individual who provides financial counseling services must be a certified consumer credit
7 counselor with an accredited financial counseling agency. The department of human services
8 may establish a sliding payment scale for services under the program. The department of
9 human services may establish a centrally located repository of educational materials on
10 identifying and treating compulsive gambling. Any service fee collected by qualified treatment
11 service providers for services provided under the contract must be applied toward the
12 program's compulsive gambling services.

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

15 **53-06.1-12.1. Deposits.** The state treasurer shall deposit ~~gaming and excise taxes,~~
16 ~~monetary fines, and interest~~ and penalties collected in the general fund in the state treasury.
17 Of the gaming and excise taxes and interest collected under this chapter in each quarter, the
18 state treasurer shall deposit the first two million seven hundred sixty-three thousand dollars in
19 the general fund in the state treasury. The state treasurer shall distribute the amount in excess
20 of two million seven hundred sixty-three thousand dollars collected in each quarter, if any, as
21 follows:

- 22 1. If less than two million seven hundred sixty-three thousand dollars was collected in
23 a prior quarter, the amount of variance for that prior quarter must be deposited in
24 the general fund in the state treasury until the amount of variance is reduced to
25 zero. Otherwise, subsections 2 and 3 apply.
- 26 2. Fifty percent of the amount, but not more than a total of seven hundred fifty
27 thousand dollars for the eight quarters of a biennium, must be transferred to the
28 department of human services for use only as provided in section 2 of this Act.
- 29 3. Fifty percent of the amount must be paid to cities and counties in proportion to the
30 adjusted gross proceeds within each city, for sites within city limits, or within each
31 county, for sites outside city limits, to the total adjusted gross proceeds for that

1 quarter. A payment to a city or county under this subsection may be made only if
2 the amount owed to the city or county for that quarter is ten dollars or more. A city
3 or county receiving any moneys under this subsection must use those moneys for
4 expenses of gaming enforcement within the city or county.

5 4. If one million five hundred thousand dollars has been transferred or paid as
6 provided by subsections 2 and 3 for a biennium, the amount must be deposited in
7 the state treasury.

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.