

HB 1387
Senate Judiciary Committee
Submitted by Don Santer for NDAD
03/27/2023

Chairperson Larson and Committee members, thank you for the opportunity to provide information regarding the charitable gaming industry of North Dakota. I am submitting testimony to request consideration of an amendment of House Bill 1387.

My name is Don Santer, I represent the North Dakota Association for the Disabled (NDAD). NDAD is a North Dakota charity that for over 47 years has been dedicated to improving the quality of life for persons with disabilities. NDAD pays for its services with charitable gaming funds. NDAD has built and relies on the long-term relationships and mutual cooperation it develops with the bar owners it leases space from.

I feel it is appropriate for a reasonable rent increase for etab machines and is justifiable for bar assistance. However, I am concerned about the wording in the last part of the bill, lines 24 on page 1 and the 2 lines on page 2.

plus, if no gaming employee is on site to administrate the proceeds, an additional fifty dollars per machine for bar staff assistance.

I believe the intent was to allow the additional rent only when there is never a gaming employee conducting gaming activity on site. Meaning only one bank for that site and it is held by the bar. The bar and its employees are the only ones that redeem vouchers 100% of the time.

I asked the AG's gaming director how it would be interpreted and was told this language would allow the additional rent if the bar redeemed as little as one voucher per month.

An example of "partial bar assist": a bar that opens at 3:00 but the gaming staff does not get there and open the other game types until 5:00. The bar staff redeem vouchers for 2 hours from their own bank until the gaming staff arrive and take over.

Compared to 100% bar assist, where there is never a gaming employee redeeming vouchers.

Without clarification, this bill will give unscrupulous bar owners the opportunity to take advantage of their charity by redeeming tickets for 15 minutes one day a month and expect the additional rent. I suggest the following amendment to strike the wording at the end of section C and replace with:

However, monthly rent may include an additional fifty dollars per electronic pull tab device if no gaming employee is onsite to conduct gaming and bar staff is solely responsible for voucher redemption.

I believe this wording would accomplish the original intent and for that reason, I request consideration to amend the wording of the bar assist function.

Thank you, Madam Chairperson, and members of the committee, for your time and thoughtful consideration. Please feel free to contact me with any additional questions you may have.

Respectfully,

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