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Senate Judiciary Committee
Senate Bill No. 2271
Relating to the Authority of the Attorney General
January 31, 2023, Peace Garden Room

Madam Chair Larson, and Senate Judiciary members, my name is Deb McDaniel, I am the Director of Gaming for the Office of Attorney General.

I want to thank Senator Luick for sponsoring Senate Bill 2271. I wish to submit this bill to enable the Office of Attorney General to have regulatory authority over site owners where gaming activity is conducted for failure to comply with chapter 53-06.1 and North Dakota Games of Chance Administrative Rules 99-01.3.

Under chapter 53-06.1-06(1), Persons Permitted to Conduct Games, the Attorney General may allow an employee of an alcoholic beverage establishment to provide limited assistance to an organization. For certain games of chance, administrative rules allow alcoholic beverage employees to assist with gaming activity such as redeeming paper pull tabs and electronic pull tab vouchers. There are requirements that an alcoholic beverage establishment must follow in the administrative rules to safely assist in this activity. However, should an alcoholic beverage employee fail to follow the administrative rules, under chapter 53-06.1-15-1, Authority of the Attorney General, the attorney general only has authority to suspend, deny or revoke an organizations license or permit and may only impose a monetary fine on a licensed organization, organization that has a permit, distributor, or manufacture.

The Office of Attorney General does not wish to penalize a charitable organization if they are following the law and rules when it is the alcoholic beverage establishment that is failing to following the requirements of the rules in safely assisting the charitable gaming organization in this activity.

For the reasons explained I would request your support and a Do Pass for Senate Bill 2271.

Thank you for your time and consideration.

Deb McDaniel
Director of Gaming
Office of Attorney General