**2023 SENATE JUDICIARY**

**SB 2271**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**
Peace Garden Room, State Capitol

SB 2271
1/31/2023

A bill relating to the authority of the attorney general to impose fines for gaming violations.

9:02 AM Chairman Larson opened the meeting.

Present were Chairman Larson and Senators Myrdal, Estenson, Sickler, Luick, Braunberger and Paulson.

**Discussion Topics:**

- Violation fines
- Gaming licenses
- Theft
- Gaming staff training

9:02 AM Senator Luick introduced the bill.

9:04 AM Deb McDaniel, Charitable Gaming Division, spoke in favor of the bill and provided written testimony #18119.

9:11 AM Rudy Martinson, North Dakota Hospitality Association, spoke neutral on the bill.

9:19 AM Chairman Larson closed the public hearing.

9:24 AM Senator Myrdal moved to Do Pass the bill. Senator Paulson seconded the motion.

9:24 AM Roll call vote was taken.

| Senators | Vote |
|---|---|
| Senator Diane Larson | Y |
| Senator Bob Paulson | Y |
| Senator Jonathan Sickler | Y |
| Senator Ryan Braunberger | Y |
| Senator Judy Estenson | Y |
| Senator Larry Luick | Y |
| Senator Janne Myrdal | Y |

Motion passes 7-0-0.

Senator Luick will carry the bill.

This bill does not affect work force development.

9:28 AM Chairman Larson closed the meeting.

*Rick Schuchard, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2271: Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2271 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

**2023 HOUSE JUDICIARY**

**SB 2271**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**
Room JW327B, State Capitol

SB 2271
3/7/2023

Relating to the authority of the attorney general to impose fines for gaming violation.

10:00 AM Chairman Klemin opened the hearing.

Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen Rep. Henderson, Rep. Rios, Rep. S. Roers Jones, Rep. Schneider, Rep. VanWinkle, and Rep. Vetter. Absent: Rep. Cory, Rep. S. Olson, Rep. Satrom.

**Discussion Topics:**

- Committee discussion
- Imposing fines
- Penalty to bar owners.
- Charitable gaming funds.

Senator Luick: Introduced the bill. No written testimony.

Deb McDaniel, Director of Gaming Division of Office of Attorney General: Testimony #22573

The hearing closed at 10:18 AM

Delores Shimek, Committee Clerk

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**
Room JW327B, State Capitol

SB 2271
3/7/2023

Relating to the authority of the attorney general to impose fines for gaming violation.

10:43 AM Chairman Klemin opened the meeting. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Schneider, Rep. VanWinkle. Absent: Rep. Cory, Rep. Satrom.and Rep. Vetter.

**Discussion Topics:**

- Chariatable gaming fund for fines.

Deb McDaniel: Neutral information. No written testimony.

Rep. Bahl moved a Do Pass;
Seconded by Rep. Christensen

| Representatives | Vote |
|---|---|
| Representative Lawrence R. Klemin | Y |
| Representative Karen Karls | Y |
| Representative Landon Bahl | Y |
| Representative Cole Christensen | Y |
| Representative Claire Cory | A |
| Representative Donna Henderson | Y |
| Representative SuAnn Olson | Y |
| Representative Nico Rios | Y |
| Representative Shannon Roers Jones | Y |
| Representative Bernie Satrom | A |
| Representative Mary Schneider | Y |
| Representative Lori VanWinkle | N |
| Representative Steve Vetter | A |

Roll call vote: 9 Yes 1 No 3 Absent Motion carried.
Carrier: Rep. Bahl

The meeting closed at 10:47 AM.

Delores Shimek, Committee Clerk

**REPORT OF STANDING COMMITTEE**

**SB 2271: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2271 was placed on the Fourteenth order on the calendar.

**TESTIMONY**

**SB 2271**

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
www.attorneygeneral.nd.gov
(701) 328-2210

Drew H. Wrigley
ATTORNEY GENERAL

**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

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
www.attorneygeneral.nd.gov
(701) 328-2210

Drew H. Wrigley
ATTORNEY GENERAL

**House Judiciary Committee**
**Senate Bill No. 2271**
**Relating to the authority of the Attorney General**
**March 7, 2023, Room 327B**

Chairman Klemin, and House Judiciary members, my name is Deb McDaniel, I am the Director of Gaming for the Office of Attorney General.

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 above 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