

NORTH DAKOTA LOTTERY

Administrative Rules Committee
December 12, 2012

Mr. Chairman and members of the Administrative Rules Committee, my name is Julie Thompson. I am the security officer of the North Dakota Lottery, a division of the Office of Attorney General. Thank you for the opportunity to provide information regarding the proposed amendments to Article 10-16 (Multi State Lottery) to be published in the January 2013 supplement to the North Dakota Administrative Code.

I will begin by addressing the committee's questions.

1. The rules do not result from statutory changes made by the Legislative Assembly.
2. The rules are not related to any federal statute or regulation.
3. The Lottery drafted the amended rules which were approved by the Lottery Advisory Commission on July 9, 2012. On July 25, 2012, a notice of public hearing was filed with the Legislative Council. Notifications of the public hearing and the availability of the proposed rules were publicized in 51 county newspapers from August 3 – August 15, 2012. The North Dakota Newspaper Association (NDNA) notified the Lottery that the Valley City Times Record did not publish the notice as requested. Repeated efforts to reschedule the publication were not answered by the public notice representative at the paper. The rules were available at the public hearing, the Lottery's office, on the Lottery's website, and to the public upon request.

The Lottery conducted a public hearing on September 6, 2012, at the Lottery's office, in Bismarck. No one attended the hearing.

The Office of Attorney General examined and approved the proposed rules as to their legality. The Lottery adopted the rules as approved and filed them with the Legislative Council.

4. There were no written or oral concerns, objections, or complaints presented for the agency's consideration regarding these rules.
5. The approximate cost of providing the public notice, conducting a public hearing, and developing and adopting the amended rules (excluding staff time) was \$1,647.00.
6. On June 11, 2012, the Wild Card 2 game group of the Multi State Lottery Association (MUSL) approved changes to the Wild Card 2 game. These changes are effective January 13, 2013.

The proposed amendments address changes to the Wild Card 2 game description, expected prize pool percentages and odds, and prize pool and payment.

7. A regulatory analysis was not required under N.D.C.C. §28-32-08.

8. A regulatory analysis or economic impact statement of impact on small entities were not required under N.D.C.C. §28-32-08.1.
9. The rules do not have a fiscal effect on state revenues and expenditures.
10. A constitutional takings assessment was not required under N.D.C.C. §28-32-09.
11. These rules were not adopted as emergency rules under N.D.C.C. §28-32-03.

Thank you for your consideration.

If there are any questions, I would be glad to answer them.