

2023 HOUSE JUDICIARY

HB 1114

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1114
1/9/2023

Relating to transfers of charitable gaming funds; and to provide a continuing appropriation.
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Chairman Klemin opened the hearing on HB 1152 at 10:12 AM. Members present: Chairman Klemin , Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roes Jones, Rep. Satrom, , Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- Amendment
- Gaming disorder and treatment fund.

Becky Keller, Finance Committee of the Attorney General: Introduced the bill. Testimony #12656

Scott Meske, ND Gaming Alliance: Testimony #12558

Additional written testimony:

Mark Jorritsma, Executive Director, ND Family Alliance Legislative Action: Testimony #12603

Hearing closed at 10:22 AM.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1114
1/9/2023

Relating to transfers of charitable gaming funds; and to provide a continuing appropriation.
--

Chairman Klemin opened the hearing on HB 1114 at 2:15 PM.

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

Discussion Topics:

- Amendment

Rep. VanWinkle reference previous testimony #12656 and moved adoption of amendment 23.8011.01001.

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	Y
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	Y
Representative Steve Vetter	Y

Roll call vote: 12 Yes 0 No 1 Absent Motion carried.

Rep. VanWinkle moved an amendment to increase line 15, Page 1 from \$40,000 to \$80,000 per quarter.

Seconded by Rep. Shannon Roers Jones

Rep. VanWinkle withdraws her motion.

Committee discussion

Rep. Christensen moved a Do Pass as Amended;
Seconded by Rep. Vetter

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

Roll call vote: 13 Yes 0 No 0 Absent

Motion carried

Carrier: Rep. Cory

Hearing closed at 2:31 PM.

Delores Shimek, Committee Clerk

23.8011.01001
Title.02000

Adopted by the House Judiciary Committee

January 9, 2023

JA
4/1

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1114

Page 1, line 2, remove "and"

Page 1, line 2, after "appropriation" insert "; to provide for retroactive application; and to declare an emergency"

Page 2, after line 12, insert:

"SECTION 2. RETROACTIVE APPLICATION. This Act applies retroactively to transfers to the gambling disorder prevention and treatment fund made after June 30, 2021.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1114: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1114 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "appropriation" insert "; to provide for retroactive application; and to declare an emergency"

Page 2, after line 12, insert:

"SECTION 2. RETROACTIVE APPLICATION. This Act applies retroactively to transfers to the gambling disorder prevention and treatment fund made after June 30, 2021.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2023 SENATE APPROPRIATIONS

HB 1114

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1114
3/14/2023

A BILL for an Act relating to transfers of charitable gaming funds; to provide a continuing appropriation; to provide for retroactive application; and to declare an emergency.

10:30 AM Chairman Bekkedahl opened the hearing on HB 1114.

Members present: Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

Members absent: Senator Roers

Discussion Topics:

- Charitable Gaming Funds
- Continuing appropriation
- North Dakota Attorney General
- Gambling disorders

10:35 AM Becky Keller, Director of Finance Office of the Attorney General, introduced the bill, testified in favor, no written testimony

10:39 AM Pam Sagness, Executive Director Behavioral Health Department of Human Services, testified in favor, no written testimony

10:53 AM Scott Meske, North Dakota Gaming Alliance, testified neutral, no written testimony

Additional written testimony:

- **Lisa Vig, Program Director, Gamblers Choice North Dakota Department of Health and Human Services, testimony # 24895**
- **Mike Jorritsma, Executive Director, North Dakota Family Alliance Legislative Action, testimony # 24595**

Chairman Bekkedahl assigned this bill to the Human Resources Division.

11:01 AM Chairman Bekkedahl closed the hearing.

Kathleen Hall, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations - Human Resources Division Roughrider Room, State Capitol

HB 1114
3/22/2023

A BILL relating to transfers of charitable gaming funds; to provide a continuing appropriation; to provide for retroactive application; to provide an effective date; and to declare an emergency.

10:30 AM Chairman Dever called the meeting to order. Members present: Senators Dever, Burckhard, Mathern, Kreun. Senator Davison was absent.

Discussion Topics:

- Applications
- Funds transfers

10:35 AM Committee discussion.

10:37 AM **Tasha Gerding, Accounting Manager, Attorney General's Office**, provided information verbally.

10:41 AM **Lisa Vig Johnson, Addition Counselor, Gamblers Choice**, provided information verbally.

10:47 AM **John Reiten, Policy Advisor, Behavioral Health ND Human and Health Services**, provided information verbally.

10:59 AM **Pam Sagness, Executive Director, Behavioral Health N D Human and Health Services**, provided information verbally.

11:19 AM **Deb McDaniel, Director of Charitable Gaming, Attorney General's Office**, provided information verbally.

11:37 AM **Senator Mathern** moved to adopt amendment. LC 23.8011.02000.
Senator Burckhard seconded the motion.

11:38 AM Roll call vote.

Senators	Vote
Senator Dick Dever	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	AB
Senator Curt Kreun	Y
Senator Tim Mathern	Y

Motion passed 4-0-1 .

11:38 AM **Senator Mathern** moved **DO PASS** as **AMENDED**.

Senator Kreun seconded the motion.

11:38 AM Roll call vote.

Senators	Vote
Senator Dick Dever	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	AB
Senator Curt Kreun	Y
Senator Tim Mathern	Y

Motion passed 4-0-1.

Senator Dever will carry HB 1114.

11:40 AM **Chairman Dever** closed the meeting.

Susan Huntington, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1114
3/31/2023

A BILL for an relating to transfers of charitable gaming funds; to provide a continuing appropriation; to provide for retroactive application; and to declare an emergency.

8:06 AM Chairman Bekkedahl opened the hearing on HB 1114.

Members present: Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

Discussion Topics:

- Attorney General
- Charitable gaming fund
- Retroactive application
- Emergency clause
- Treatment funds
- General fund reduction
- Committee work

8:08 AM Becky Kellere, Finance Director North Dakota Attorney General's Office, introduced the bill, no written testimony

8:16 AM Senator Dever explains amendment LC 23.8011.02002, testimony # 27131.

8:24 AM Chairman Bekkedahl closed the hearing.

Kathleen Hall, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1114
3/31/2023

A BILL for an relating to transfers of charitable gaming funds; to provide a continuing appropriation; to provide for retroactive application; and to declare an emergency.

10:18 AM Chairman Bekkedahl opened the hearing on HB 1114.

Members present: Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

Discussion Topics:

- Committee work

10:20 AM Senator Dever provided information. #27150

10:22 AM Senator Dever moved to adopt amendment. LC 23.8011.02002 #27131.
Senator Burckhard seconded.

Roll call vote.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Jim P. Roers	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	Y
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	Y

Motion passed. 16-0-0

10:26 AM Senator Dever moved DO PASS as Amended.
Senator Burckhard seconded.

Roll call vote.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Jim P. Roers	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	Y
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	Y

Motion passed. 16-0-0

Senator Dever will carry the bill.

10:29 AM Chairman Bekkedahl closed the hearing.

Justin Boone on behalf of Kathleen Hall, Committee Clerk

March 23, 2023

AG
3-31-23
(1-2)

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1114

Page 1, line 3, after the semicolon insert "to provide an effective date;"

Page 1, line 8, after the boldfaced period insert "**(Effective through June 30, 2023)**"

Page 2, after line 12, insert:

"SECTION 2. AMENDMENT. Section 53-06.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-11.2. Charitable gaming operating fund - Attorney general - State treasurer - Allocations - Transfer to the general fund.

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.
2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:
 - a. ~~Ten~~Two hundred sixty thousand dollars to the gambling disorder prevention and treatment fund. Moneys in the charitable gaming operating fund are appropriated on a continuing basis to the attorney general for the purpose provided in this subdivision.
 - b. Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.
3. ~~On or before June thirtieth of each odd-numbered year, the attorney general shall certify to the state treasurer the amount of accumulated funds in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the general fund prior to the end of each biennium.~~ The balance of the net proceeds in the charitable gaming operating fund, less holdback of any amount appropriated by the legislative assembly for administrative and operating costs associated with charitable

gaming for the subsequent biennium must be transferred to the general fund on a biennial basis."

Page 2, line 13, replace "This" with "Section 1 of this"

Page 2, after line 14, insert:

"SECTION 4. EFFECTIVE DATE. Section 2 of this Act is effective July 1, 2023."

Page 2, line 15, replace "This" with "Section 1 of this"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the quarterly transfer of charitable gaming tax revenues from the charitable gaming operating fund to the gambling disorder prevention and treatment fund from \$10,000 per quarter to \$260,000 per quarter, resulting in an additional \$2 million being transferred to the gambling disorder prevention and treatment fund rather than the general fund each biennium.

AG
3-31-23
(22)

REPORT OF STANDING COMMITTEE

HB 1114, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1114 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 3, after the semicolon insert "to provide an effective date;"

Page 1, line 8, after the boldfaced period insert "**(Effective through June 30, 2023)**"

Page 2, after line 12, insert:

"SECTION 2. AMENDMENT. Section 53-06.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-11.2. Charitable gaming operating fund - Attorney general - State treasurer - Allocations - Transfer to the general fund.

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.
2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:
 - a. ~~Ten~~Two hundred sixty thousand dollars to the gambling disorder prevention and treatment fund. Moneys in the charitable gaming operating fund are appropriated on a continuing basis to the attorney general for the purpose provided in this subdivision.
 - b. Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.
3. ~~On or before June thirtieth of each odd-numbered year, the attorney general shall certify to the state treasurer the amount of accumulated funds in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the general fund prior to the end of each biennium. The balance of the net proceeds in the charitable gaming operating fund, less holdback of any amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium must be transferred to the general fund on a biennial basis.~~

Page 2, line 13, replace "This" with "Section 1 of this"

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"SECTION 4. EFFECTIVE DATE. Section 2 of this Act is effective July 1, 2023."

Page 2, line 15, replace "This" with "Section 1 of this"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the quarterly transfer of charitable gaming tax revenues from the charitable gaming operating fund to the gambling disorder prevention and treatment fund from \$10,000 per quarter to \$260,000 per quarter, resulting in an additional \$2 million being transferred to the gambling disorder prevention and treatment fund rather than the general fund each biennium.

2023 CONFERENCE COMMITTEE

HB 1114

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1114
4/21/2023
Conference Committee

Relating to transfers of charitable gaming funds; and to provide a continuing appropriation.
--

10:55 AM Rep. Cory, Chairman opened the meeting on HB 1114.

Members present: Rep. Cory, Chairman, Rep. S. Olson, Rep. M. Schneider, Senator Burckhard, Chairman, Senator Kreun, Senator Dever.

Discussion Topics:

- Gaming addiction treatment
- Tribal gaming
- Attorney General's office

Committee Discussion.

James Knopik, ND Behavior Health Services, oral testimony in favor of HB 1114

11:31 AM meeting adjourned.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1114
4/21/2023
Conference Committee

Relating to transfers of charitable gaming funds; and to provide a continuing appropriation.
--

Rep. Cory, Chairman opened the meeting on HB 1114 at 2:30 PM.

Members present: Rep. Cory, Chairman, Rep. S. Olson, Rep. M. Schneider; Senator Burckhard, Chairman, Senator Kreun, Senator Dever.

Discussion Topics:

- Amendment
- Gambling addiction.

Committee discussion.

The meeting was adjourned at 3:00 PM.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1114
4/22/2023
Conference Committee

Relating to transfers of charitable gaming funds; and to provide a continuing appropriation.
--

9:30 AM Rep. Cory, Chairman opened the meeting on HB 1114.

Members present: Rep. Cory, Chairman, Rep. S. Olson, Rep. M. Schneider; Senator Burckhard, Chairman, Senator Kreun, Senator Dever.

Discussion Topics:

- Committee action
- Addiction
- Funding

Senator Dever moved Senate recede from Senate amendments and further amend as follows: 23.8011.02005.

Seconded by Senator Burckhard

Roll call vote: 5 Yes 1 No 0 Absent Motion carried.

Senate Carrier: Senator Kruen

House Carrier: Rep. Cory

10:00 AM meeting adjourned.

Delores Shimek, Committee Clerk

April 22, 2023

AG
4-22-23
(1-2)

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1114

That the Senate recede from its amendments as printed on page 1626 and 1627 of the House Journal and pages 1361 and 1362 of the Senate Journal and that Engrossed House Bill No. 1114 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide an effective date;"

Page 1, line 8, after the boldfaced period insert "**(Effective through June 30, 2023)**"

Page 2, after line 12, insert:

"SECTION 2. AMENDMENT. Section 53-06.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-11.2. Charitable gaming operating fund - Attorney general - State treasurer - Allocations - Transfer to the general fund.

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.
2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:
 - a. ~~Ten~~Ninety-five thousand dollars to the gambling disorder prevention and treatment fund. Moneys in the charitable gaming operating fund are appropriated on a continuing basis to the attorney general for the purpose provided in this subdivision.
 - b. Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.
3. ~~On or before June thirtieth of each odd-numbered year, the attorney general shall certify to the state treasurer the amount of accumulated funds in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the general fund prior to the end of each biennium. The balance of the net proceeds in the charitable gaming operating fund, less holdback of any amount appropriated by the legislative~~

assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium must be transferred to the general fund on a biennial basis."

AG
4-22-23
(2-2)

Page 2, line 13, replace "This" with "Section 1 of this"

Page 2, after line 14, insert:

"SECTION 4. EFFECTIVE DATE. Section 2 of this Act is effective July 1, 2023."

Page 2, line 15, replace "This" with "Section 1 of this"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the quarterly transfer of charitable gaming tax revenues from the charitable gaming operating fund to the gambling disorder prevention and treatment fund from \$10,000 per quarter to \$95,000 per quarter, resulting in an additional \$680,000 being transferred to the gambling disorder prevention and treatment fund rather than the general fund each biennium.

REPORT OF CONFERENCE COMMITTEE

HB 1114, as engrossed: Your conference committee (Sens. Burckhard, Kreun, Dever and Reps. Cory, S. Olson, Schneider) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1626-1627, adopt amendments as follows, and place HB 1114 on the Seventh order:

That the Senate recede from its amendments as printed on page 1626 and 1627 of the House Journal and pages 1361 and 1362 of the Senate Journal and that Engrossed House Bill No. 1114 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide an effective date;"

Page 1, line 8, after the boldfaced period insert "**(Effective through June 30, 2023)**"

Page 2, after line 12, insert:

"SECTION 2. AMENDMENT. Section 53-06.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-11.2. Charitable gaming operating fund - Attorney general - State treasurer - Allocations - Transfer to the general fund.

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.
2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:
 - a. ~~Ten~~Ninety-five thousand dollars to the gambling disorder prevention and treatment fund. Moneys in the charitable gaming operating fund are appropriated on a continuing basis to the attorney general for the purpose provided in this subdivision.
 - b. Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.
3. ~~On or before June thirtieth of each odd-numbered year, the attorney general shall certify to the state treasurer the amount of accumulated funds in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the general fund prior to the end of each biennium.~~The balance of the net proceeds in the charitable gaming operating fund, less holdback of any amount appropriated by the legislative assembly for administrative and operating costs associated

with charitable gaming for the subsequent biennium must be transferred to the general fund on a biennial basis."

Page 2, line 13, replace "This" with "Section 1 of this"

Page 2, after line 14, insert:

"**SECTION 4. EFFECTIVE DATE.** Section 2 of this Act is effective July 1, 2023."

Page 2, line 15, replace "This" with "Section 1 of this"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the quarterly transfer of charitable gaming tax revenues from the charitable gaming operating fund to the gambling disorder prevention and treatment fund from \$10,000 per quarter to \$95,000 per quarter, resulting in an additional \$680,000 being transferred to the gambling disorder prevention and treatment fund rather than the general fund each biennium.

Engrossed HB 1114 was placed on the Seventh order of business on the calendar.

TESTIMONY

HB 1114



Benefiting North Dakota Communities through Charitable Gaming

Testimony in SUPPORT of House Bill 1114 – proposed amendment

Chairman Klemin and Members of the Committee:

I'm Scott Meske, representing the North Dakota Gaming Alliance and on behalf of the 152 Members of the NDGA, we offer our support for House Bill 1114 and respectfully offer a one word amendment.

In section 2. Paragraph a, the NDGA requests the amount of charitable gaming funds allocated to the gambling disorder fund increase from ten thousand per quarter to eighty thousand per quarter, bringing the total contribution to \$320,000 per year.

2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:

a. ~~Ten~~ Eighty thousand dollars to the gambling disorder prevention and treatment fund. Moneys in the charitable gaming operating fund are appropriated on a continuing basis to the attorney general for the purpose provided in this subdivision.

We do believe it is important the State's gambling disorder fund is properly structured, and appropriately funded. Any funds remaining after funding both the administrative needs of the gaming office, and the gambling disorder program, should be transferred to the State's General Fund.

Thank you



Benefiting North Dakota Communities through Charitable Gaming

To assist with the funding of the programs, we would also request an amendment be added to the bill to *increase* the amount that is designated towards gambling disorder prevention from it's current level of \$10,000 per quarter to \$80,000 per quarter, or an eight-fold increase. Combined with proceeds from the North Dakota Lottery, and the contributions from the Tribal Gaming Compact, the total amount available for the gambling addiction and treatment program would total about \$790,000 each year.

We believe there is more than enough revenue from gaming-generated taxes and contributions to support a comprehensive gaming addiction and treatment program in North Dakota, run by the Department of Health and Human Services.

The North Dakota Gaming Alliance urges a DO PASS on SB 2077 with the proposed modifications as we have outlined.



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Testimony in Support of House Bill 1114

Mark Jorritsma, Executive Director
North Dakota Family Alliance Legislative Action
January 9, 2023

Dear Chairman Klemin and honorable members of the House Judiciary Committee. My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying in support of House Bill 1114 and respectfully request that you render a "DO PASS" on this bill, with adoption of the changes proposed by the North Dakota Gaming Alliance.

While our organization is opposed to legalized gambling in North Dakota, we are undoubtedly in favor of helping those with gambling disorders. It is crucial that the Great State of North Dakota helps these individuals in order for them to overcome their gambling disorders and move on with their lives.

House Bill 1114, with changes proposed by the North Dakota Gaming Alliance, would increase funding for gambling disorder prevention from its current level of \$10,000 per quarter to \$80,000 per quarter. This would greatly help the people in our state prevent as well as overcome existing gambling disorders.

For these reasons, North Dakota Family Alliance Legislative Action asks that you please vote House Bill 1114, with proposed changes, out of committee with a "DO PASS" recommendation.

January 9, 2023

Becky Keller – Finance Director, Office of Attorney General

Proposed Amendments for HB 1114 – Senate Judiciary

SECTION 2. RETROACTIVE APPLICATION. This act applies retroactively to transfers to the gambling disorder prevention and treatment fund made after June 30, 2021.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Testimony in Support of House Bill 1114

Mark Jorritsma, Executive Director
North Dakota Family Alliance Legislative Action
March 14, 2023

Dear Chairman Bekkedahl and members of the Senate Appropriations Committee,

My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying in support of House Bill 1114 and respectfully request that you render a "DO PASS" on this bill, with adoption of the changes proposed by the North Dakota Gaming Alliance.

While our organization is opposed to legalized gambling in North Dakota, we are undoubtedly in favor of helping those with gambling disorders. It is crucial that the Great State of North Dakota helps these individuals in order for them to overcome their gambling disorders and move on with their lives.

House Bill 1114, with proposed changes, would increase funding for gambling disorder prevention from its current level of \$10,000 per quarter to \$80,000 per quarter. This would greatly increase resources to help the affected people in our state overcome their gambling disorders. However, these suggested changes were not included in the bill as an amendment in the House Judiciary Committee.

While we are not opposed to this bill without the higher funding amount, North Dakota Family Alliance Legislative Action asks that you please vote House Bill 1114, with proposed funding changes, out of committee with a "DO PASS" recommendation.

Thank you for taking the time to read this testimony. Please feel free to contact us with any questions.

Sincerely,

Mark Jorritsma
Executive Director

HB 1114

Chairman Bekkedahl and members of the Senate Appropriations Committee,

My name is Lisa Vig. I am a Licensed Addiction Counselor and Internationally Certified Gambling Counselor. I have been providing treatment services to problem gamblers and their family members for over 30 years, primarily with Lutheran Social Services of ND and most recently with the ND DHHS Behavioral Health Division.

I am writing today in support of additional funding to address problem gambling and related harms in ND. A continuum of care, much like we have for those struggling with Substance Abuse Disorder is needed. Problem gamblers and affected others are deserving of the same kinds of resources and supports as those with alcohol or drug problems. Problem Gamblers suffer similar harms; mental health struggles, lost or damaged family relations, legal struggles, financial devastation, loss of job, and a high risk for suicide.

Currently, there are limited prevention and early intervention efforts. This results in the rapid progression of a gambling disorder. By the time many problem gamblers seek help, they often need a more structured program and/or an inpatient setting to stabilize and address suicidality. We have limited availability for counseling and treatment throughout the State with only 3 trained counselors currently offering services. Problem Gamblers would also benefit from the support of Peer Recovery Specialists as well as sober living arrangements, much like those that are available for substance abuse clients.

We've made great strides in creating a continuum of care for those struggling with substance abuse, allowing them the greatest opportunity for a successful recovery. Effectively treating problem gamblers requires the same commitment and effort. Surely, with the overwhelming dollars generated from gambling activities in ND, more direct consideration could be given to support and help those who are damaged and harmed because of their involvement in gambling activity.

Please contact me if you have questions or require additional information about problem gambling.

Thank you for your time and consideration.

Lisa Vig, LAC, ICGC
Program Director
Gamblers Choice
NDDHHS BHD
lvigjohnson@nd.gov

23.8011.02002
Title.

Prepared by the Legislative Council staff for
the Senate Appropriations - Human Resources
Division Committee
March 23, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1114

Page 1, line 3, after the semicolon insert "to provide an effective date;"

Page 1, line 8, after the boldfaced period insert "**(Effective through June 30, 2023)**"

Page 2, after line 12, insert:

"SECTION 2. AMENDMENT. Section 53-06.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

53-06.1-11.2. Charitable gaming operating fund - Attorney general - State treasurer - Allocations - Transfer to the general fund.

1. There is created in the state treasury the charitable gaming operating fund. The fund consists of all gaming taxes, monetary fines, and interest and penalties collected under this chapter.
2. Excluding moneys in the charitable gaming operating fund appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming, the attorney general shall allocate remaining moneys in the charitable gaming operating fund on a quarterly basis as follows:
 - a. ~~Ten~~ Two hundred sixty thousand dollars to the gambling disorder prevention and treatment fund. Moneys in the charitable gaming operating fund are appropriated on a continuing basis to the attorney general for the purpose provided in this subdivision.
 - b. Subject to legislative appropriations, five percent of the total moneys deposited in the charitable gaming operating fund to cities and counties in proportion to the taxes collected under section 53-06.1-12 from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.
3. ~~On or before June thirtieth of each odd-numbered year, the attorney general shall certify to the state treasurer the amount of accumulated funds in the charitable gaming operating fund which exceed the amount appropriated by the legislative assembly for administrative and operating costs associated with charitable gaming for the subsequent biennium. The state treasurer shall transfer the certified amount from the charitable gaming operating fund to the general fund prior to the end of each biennium.~~ The balance of the net proceeds in the charitable gaming operating fund, less holdback of any amount appropriated by the legislative assembly for administrative and operating costs associated with charitable

gaming for the subsequent biennium must be transferred to the general fund on a biennial basis."

Page 2, line 13, replace "This" with "Section 1 of this"

Page 2, after line 14, insert:

"SECTION 4. EFFECTIVE DATE. Section 2 of this Act is effective July 1, 2023."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the quarterly transfer of charitable gaming tax revenues from the charitable gaming operating fund to the gambling disorder prevention and treatment fund from \$10,000 per quarter to \$260,000 per quarter, resulting in an additional \$2 million being transferred to the gambling disorder prevention and treatment fund rather than the general fund each biennium.

Charitable Gaming Tax Revenue Proceeds 2021-2023 Biennium

