

January 2008

Introduced by

1 A BILL for an Act to create and enact two new sections to chapter 53-06.1 of the North Dakota
2 Century Code, relating to the creation of a gaming advisory commission and to the rulemaking
3 authority of the attorney general; and to repeal section 53-06.1-01.1 of the North Dakota
4 Century Code, relating to the gaming commission.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** Two new sections to chapter 53-06.1 of the North Dakota Century Code
7 are created and enacted as follows:

8 **Attorney general to adopt rules.** The attorney general shall adopt rules to administer
9 and regulate the gaming industry, including methods of conduct, play, and promotion of games;
10 minimum procedures and standards for recordkeeping and internal control; required tax returns
11 and reports from organizations or distributors; methods of competition and doing business by
12 distributors and manufacturers; acquisition and use of gaming equipment; quality standards or
13 specifications for the manufacture of pull tabs, paper bingo cards, pull tab and bingo card
14 dispensing devices, and bingo card marking devices; to ensure that net proceeds are used for
15 educational, charitable, patriotic, fraternal, religious, or public-spirited uses; to protect and
16 promote the public interest; to ensure fair and honest games; to ensure that fees and taxes are
17 paid; and to prevent and detect unlawful gambling activity.

18 **Gaming advisory commission.**

19 1. There is created the gaming advisory commission composed of five members
20 appointed by the attorney general. The term of office is three years, expiring on
21 July thirty-first with no more than two terms expiring in any one year. Of the first
22 members appointed, one must be appointed for a term of one year, two must be
23 appointed for terms of two years, and two must be appointed for terms of three
24 years. A member may not be appointed to more than two consecutive terms.

Each member must be a citizen of the United States and a resident of this state for at least two years before the date of appointment. At the first meeting of the commission each fiscal year, a majority of the members of the commission shall elect a chairman from the membership of the commission. A member may serve as chairman for more than one year.

2. An individual is ineligible for appointment to the gaming advisory commission if that individual is not of a character and reputation as to promote public confidence in the administration of gaming in this state. An individual may not be a member of the commission if that individual has pled guilty or been found guilty of a felony criminal offense or has pled guilty or been found guilty of any violation of chapter 12.1-06, 12.1-08, 12.1-09, 12.1-10, 12.1-11, 12.1-12, 12.1-22, 12.1-23, 12.1-24, 12.1-28, 53-06.1, or 53-06.2, or has pled guilty or found guilty of any violation of section 6-08-16 or 6-08-16.2, or has pled guilty or been found guilty of any offense or violation that has a direct bearing on the person's fitness to be involved in gaming, or who has committed an equivalent offense or violation of the laws of another state or of the United States. An individual who has a financial interest in gaming or is an employee or a member of the gaming committee of a licensed organization or distributor may not be a member of the commission. For the purpose of this subsection, a financial interest includes the receiving of any direct payment from an eligible organization for property, services, or facilities provided to that organization.

3. The gaming advisory commission shall meet at least once a quarter and any additional meetings as the chairman determines necessary. The chairman may call special meetings upon the written request of the attorney general or any three members of the commission.

4. The gaming advisory commission shall advise the attorney general on policy and general operation of gaming.

5. A member of the gaming advisory commission who is not a permanent full-time state employee is entitled to compensation at a rate of seventy-five dollars per day and entitled to mileage and expenses as provided by law for state employees. A state employee who is a member of the commission must receive that employee's

1 regular salary and is entitled to mileage and expenses, to be paid by the employing
2 agency.

3 **SECTION 2. REPEAL.** Section 53-06.1-01.1 of the North Dakota Century Code is
4 repealed.