

AMENDED ITEMS—JANUARY 19, 2016

CONSENT AGENDA:

I. Raffle permit for West Fargo Sheyenne Mustang Boosters

SUGGESTED MOTION:

Move to approve a raffle permit for the West Fargo Sheyenne Mustang Boosters to be held January 30, 2016, at the Red River Valley Fairgrounds in West Fargo, North Dakota.

RESOLUTION

WHEREAS, West Fargo Sheyenne Mustang Boosters has made application to the Board of County Commissioners of the County of Cass for permission to conduct a game of chance; and

WHEREAS, said game of chance is to be conducted January 30, 2016, at the Red River Valley Fairgrounds in West Fargo, North Dakota; and

WHEREAS, the sworn statement of facts contained in the application of West Fargo Sheyenne Mustang Boosters for such permit indicates West Fargo Sheyenne Mustang Boosters is qualified and eligible to conduct a game of chance in accordance with the laws of the State of North Dakota;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cass County: That West Fargo Sheyenne Mustang Boosters is hereby authorized to conduct a game of chance on January 30, 2016; and that the nature of the game authorized to be conducted is: Raffle.

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

Michael Montplaisir, being first duly sworn, deposes and says that he is the duly appointed County Auditor of the County of Cass and that the foregoing resolution is a true and correct copy of a resolution duly adopted by the County Commissioners of the County of Cass; and that such resolution is a true and correct transcript of the permanent records of the minutes of the meeting of the Board of County Commissioners of the County of Cass held on the 19th day of January, 2016.

Michael Montplaisir, County Auditor

SUGGESTED MOTION:

Move to approve a raffle permit for West Fargo Sheyenne Mustang Boosters to be held January 30, 2016, at the Red River Valley Fairgrounds in West Fargo, North Dakota.



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
 OFFICE OF ATTORNEY GENERAL
 SFN 9338 (07-2009)

Application for: Local Permit * Charity Local Permit (one event per year)

Name of Non-profit Organization West Fargo Sheyenne Mustang Boosters		Date(s) of Activity 1/30/2016 to 1/30/2016	
Person Responsible for the Gaming Operation and the Disbursement of Net Income Bryan K. Schulz		Title President	Business Phone Number (701) 866-6897
Business Address P.o. Box 511	City West Fargo	State ND	Zip Code 58078-0511
Mailing Address (if different)	City	State	Zip Code
Name of Site Where Game(s) will be Conducted Red River Valley Fairgrounds - Hartl Building		Site Address 1805 Main Avenue West	
City West Fargo	State ND	Zip Code 58078-0000	County Cass
Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit.			
<input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels *			

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

Game Type	Description of Prize	Retail Value of Prize	Game Type	Description of Prize	Retail Value of Prize
Bucket Raffle	Safe and Guns	\$1,000.00			
Raffle	Tailgating Raffl	\$1,200.00			
Raffle	Gun and Jewelry	\$1,000.00			
Raffle	Money	\$1,000.00			
Total:					(Limit \$12,000 per year) \$ 4,200.00

Intended uses of gaming proceeds: Monies raised will be put towards student activities at Sheyenne High School.

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ 3,200.00. This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official	Date 1/6/2016	Title President	Business Phone Number (701) 866-6897
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PRIZE RESTRICTIONS:

A single cash prize cannot exceed \$4,000 and total cash prizes for a raffle cannot exceed \$4,000 in one day.

The retail value of a merchandise prize cannot exceed \$6,000.

The total of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$12,000 per year.

If the value of the planned cash and merchandise prizes exceeds \$12,000, the organization must reduce the prizes to this limit or apply for a state license with the Office of Attorney General.

LOCAL PERMIT AND CHARITY LOCAL PERMIT:

The major differences between a local permit and charity local permit are:

	<u>Local Permit</u>	<u>Charity Local Permit</u>
Number of events per year	Limited by prizes	One
Must file an information report	No	Yes
May pay employees compensation	Yes	No
Must use chips as wagers	No	Yes
Use of net income	Unrestricted	Restricted
Games allowed	Bingo Raffles Sports pools	Bingo Raffles Sports pools Poker Twenty-one Paddlewheels

Compared to a "local Permit," an organization with a "charity local permit" may conduct 3 more game types, but is restricted to 1 event per year, must file an information report with the city or county and Office of Attorney General, and disburse net income to eligible uses. These uses are described by North Dakota Century Code § 53-06.1-11.1(2) and North Dakota Administrative Code § 99-01.3-14-02. Refer to the backside of the "Report on a Charity Local Permit" form for a general list of eligible uses.

For a charity local permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$12,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is not a prize.

INFORMATION REQUIRED TO BE PREPRINTED ON A STANDARD RAFFLE TICKET:

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or two thousand five hundred dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty dollars, an organization may state the total number of minor prizes and their total retail price;
5. For a licensed organization, print "office of attorney general" and license number. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on a same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the department of transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of minimum age, a statement that a person must be at least " " years of age to buy a ticket, or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or two thousand five hundred dollars.



LOCAL PERMIT OR CHARITY LOCAL PERMIT
OFFICE OF ATTORNEY GENERAL
 SFN 17926 (06-2009)

Type: Local Permit * Charity Local Permit

Permit Number 530

Name of Organization West Fargo Sheyenne Mustang Boosters		Date(s) Authorized (Read instruction 2)	
Contact Person Bryan K. Schulz	Business Phone Number (701) 866-6897	1/30/2016 Beginning	to 1/30/2016 Ending
Mailing Address P. O. Box 511	City West Fargo	State ND	Zip Code 58078-0511
Site Name Red River Valley Fairgrounds	Site Address 1805 West Main Ave		
City West Fargo	State ND	Zip Code 58078-0000	County Cass
Check the Game(s) Authorized: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit.			
<input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker* <input type="checkbox"/> Twenty-one* <input type="checkbox"/> Paddlewheels*			
Restriction:			
Requirement: For a "Charity Local Permit," the organization must file a "Report on a Charity Local Permit" with the city or county auditor <u>and</u> Office of Attorney General within 30 days of the event.			
Date 1/19/2016	Signature of: <input type="checkbox"/> City Auditor <input checked="" type="checkbox"/> County Auditor	Printed Name of City or County Auditor Michael Montplaisir	Auditor Telephone Number (701) 241-5600

Please see the instructions on the backside of this form on how to complete the Permit.
 For a raffle or calendar raffle, read "Information Required to be Preprinted on a Standard Raffle Ticket" below.

cut along this line

INFORMATION REQUIRED TO BE PREPRINTED ON A STANDARD RAFFLE TICKET:

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or two thousand five hundred dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty dollars, an organization may state the total number of minor prizes and their total retail price;
5. For a licensed organization, print "office of attorney general" and license number. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on a same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the department of transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of minimum age, a statement that a person must be at least " " years of age to buy a ticket, or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or two thousand five hundred dollars.

INSTRUCTIONS:

After a city or county governing board has authorized an organization to receive a local permit or charity local permit, the city or county auditor must complete this form.

1. Enter the city or county assigned "Permit Number."
2. Enter the beginning and ending date(s) for which the permit is authorized.
 - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar-year basis.
 - b. For a "one time" raffle, the beginning and ending dates for "Date(s) Authorized" is the date of the prize drawing.
 - c. A local permit can be issued for one or more events per year.
 - d. If a local permit is issued for more than one event, enter the date of the first event as the "beginning" date and the date of the last event as the "ending" date.
 - e. A permit may not be issued more than six months prior to the first raffle drawing date.
 - f. A charity local permit may be issued for only one event per year. If the organization has received a local permit during the fiscal year, it may not receive a charity local permit. If the organization received a charity local permit during the fiscal year, it may not receive a local permit.
3. Enter any restriction placed on the organization, such as days of the week or designation of an area at a site where games may be conducted.
4. Provide a "Report on a Charity Local Permit" form to the organization. **(If a Charity Local Permit, only)**
5. Make two copies of the completed form. Provide the **original** form to the organization, keep one copy for the file and, within fourteen days of issuance, mail a copy to: OFFICE OF ATTORNEY GENERAL; LICENSING SECTION; 600 E BOULEVARD AVE - DEPT 125; BISMARCK ND 58505-0040.

If questions on the local permit or charity local permit process, please contact Missy Tesky at: 1-800-326-9240