

Points of view/Testimony on HB 1296

Greetings Honorable Senators

I find the proposed changes to the law as proposed in HB129 results in taking away any local authority on how gaming is to be conducted in their jurisdiction.

Subsection 2b2 will only allow the city to limit the number of tables for 21gaming.

- IT does NOT allow the city to limit number of e-tab machines (or any other type of gaming), except for the number of 21 tables allowed.
- Is does not allow the city to exclude any game type that is submitted on the permit
 - If the city doesn't want poker, for example, but it is on the permit as submitted by the organization, the city under this part of the amendment cannot change the permit.

Subsection 2b5 requires that a site authorization must be approved to a licensed eligible organization.

“(5) May not deny approval of a site authorization to a licensed eligible organization”

- The point with this particular wording is that the city ‘really doesn’t get any say’ on permitting, as they would not be allowed by law to deny the permit.
 - Why then would getting a local governing body permit even be in the law if it could not be denied?

Subsection 2b7 is redundant and conflicts with subsection 2b5

- 2b5 says that the site authorization cannot be denied, but 2b7 states that it can be denied if incomplete or would violate existing local statute or ordinance.
 - Would someone please make up their mind on if the local government can deny or not?

My overall point on this is that whoever wrote this proposed amendment just wants to take the city/county governments out of the process.

- Local governments tend to know what is best for their area
- I know that you as Legislators would be screaming ‘bloody murder’ if the US Congress took away your ability to exercise your part in governing the state of ND, as you most likely know better than Washington DC bureaucrats, what is better for ND.

In conclusion, I ask that this bill be give a DO NOT PASS recommendation from this committee due to inconsistencies and the removal of local government ability to exercise their authority on this subject.

George A Zeller