



AMERICAN LEGION

EDGAR M BOYD POST 37 . WILLISTON, ND

Jon Nelson

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Re: In favor of HB1296

Chairman Louser and other committee members;

The Edgar M Boyd Post 37 of the American Legion is in favor of HB1296. We do not believe that the city should have the power to dictate which charity an establishment has to use in their business. A business owner should have the right to pick their charity based on what the charity does for their community. If a charity is not staffing the establishment correctly, if management or employees attitudes do not fit well with the establishment, then the establishment should be able to change charities at the end of their lease.

We have heard from charities about how can the charity offer a multi-year pledge (\$100,000 over 3 years) if they can be removed from an establishment at any time. It's an easy answer. If the charity is doing what they said they would do, such as a good relationship with business staff, appropriate staffing, etc., they should not have to worry about being let go. A charity should have no hold on an establishment's property other than what is negotiated in the lease agreement, and only for the term of the lease. It should not be up to the city to honor a charity's commitments to multi-year deals.

Another issue we have heard of is that smaller charities are being pushed out by larger charities. I do not see how this is being done. By law, a large charity cannot offer any more than a small charity. They cannot offer more money, they cannot offer to repair or update the establishment. However, we have seen where colleges are offering staff of

establishments scholarships if the establishment uses their charitable organization. The main difference we see is that certain charities have better trained staff, are more personable, and staff their sites accordingly. This is the main difference we see in why an establishment would want to change charities.

We have run into this last point two years ago. One of our current sites wanted to change from their charity to AL Post 37. The establishment informed the charity several months in advance that they would not be renewing the charity's lease. The charity still put in for the site authorization to the city, and even though the city was also notified of the desire to change, they granted the authorization to the former charity. The establishment owners were told that they had to use that particular charity or not have gaming at all. The establishment chose not to have gaming rather than being forced to use a charity they did not want. This cost the establishment many thousands of dollars over the course of the year until they were able to choose the charity that they desired, which was the next fiscal year.

We believe that in a free country, a business should be able to choose which charity better services their establishment and community, and not have this chosen for them by a local government whose members serve on boards of competing charities and have personal reasons for forcing a charity on an establishment.

Edgar M. Boyd Post 37 of the American Legion respectfully requests a DO PASS recommendation on HB1296.

Sincerely,

Jon Nelson