

**HB 1445**  
**Senate Judiciary Committee**  
**Submitted on behalf of NDAD**  
**03-06-2023**

Chairperson Larson and Committee members, thank you for the opportunity to provide information regarding the charitable gaming industry of North Dakota. I am submitting testimony in opposition to HB 1445.

My name is Don Santer, I represent the North Dakota Association for the Disabled (NDAD). NDAD is a statewide charity that for over 47 years has been dedicated to improving the quality of life for persons with disabilities. NDAD pays for most of its services with charitable gaming funds.

Simply put, House Bill 1445 if passed, will force a charity to cover bank shorts for a bar; in other words, money missing from their drawer (the bank). Although it sounds innocent enough, it will result in legalizing theft without ramifications. There are many bar owners that are honest and would never consider intentionally stealing from the charity in their bar. However, it is my experience that without ramifications every excuse eventually results in chronic problems. This bill will result in permitting intentional fraud with no ramifications to the bar owner or their staff. The charities will pay the price and fraud will become the “cost of doing business”.

A bar owner is not required to perform bar assist, it is a choice they make to benefit their establishment. A bar owner would not tolerate theft or continuous loss in their bar till, why should the charity be required to do so.

Please do not defend negligence by legalizing fraud. I ask you to consider a **Do Not Pass** on HB 1445.

Thank you, Madam Chairperson and members of the committee, for your time and thoughtful consideration. Please do not hesitate to contact me with any questions you may have.

Respectfully,

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