

BRIEN LAW, LLC  
15026 114<sup>th</sup> Street  
Oskaloosa, KS 66066  
913.205.7513 (m)  
913.548.0691 (f)  
www.brienlawllc.com

March 12, 2020

**TESTIMONY BEFORE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS**  
**HB 2671**  
**SB 283**

Dear Chairman Barker and Members of the Committee:

My name is Russell Brien and I am outside counsel to Prairie Band Potawatomi Nation (the “Nation”), which owns and, through a subsidiary tribal enterprise, operates Prairie Band Casino & Resort (“PBCR”). PBCR offers Class III Gaming to its patrons pursuant to the Nation’s laws, the federal Indian Gaming Regulatory Act, as amended, and the Tribal State Gaming Compact between the Nation and the State of Kansas. PBCR, which employs several hundred Kansas citizens, has long been a significant contributor to the economy of Northeast Kansas.

The Nation takes no position on whether or not the State of Kansas should legalize sports betting, whether in person or via the Internet or mobile apps. However, to the extent that sports betting is legalized, the Nation is strongly interested in offering sports betting to patrons of PBCR through similar channels and formats. Accordingly, the Nation is neutral on both HB 2671 and SB 283 but does support the inclusion of the specific compacting language found at New Section 15 of HB 2671 and New Section 12 of SB 283.

The Nation’s view is that a separate Tribal State Sports Betting Compact is the best vehicle to achieve this purpose. This approach would permit the Nation and the State of Kansas to fully address the parameters of sports betting activities taking place on the Nation’s Reservation while avoiding an arcane impediment contained in the existing Tribal State Gaming Compact. A Tribal State Sports Betting Compact would also put both the Nation and the State of Kansas, along with its sports betting operators, in the strongest position with respect to compliance with applicable federal law, including the Indian Gaming Regulatory Act, as amended (25 U.S.C. § 2701 *et seq.*) and the Unlawful Internet Gambling Enforcement Act, as amended (31 U.S.C. § 5361 *et seq.*).

Please feel free to contact me (913.205.7513) or Brad Smoot (785.233.0016), the Nation’s Legislative Counsel, with any additional questions.

Respectfully submitted,

**BRIEN LAW, LLC**  


Russell A. Brien