

Bill as Introduced

HB 1260-FN - AS INTRODUCED

2012 SESSION

12-2113

08/10

HOUSE BILL ***1260-FN***

AN ACT relative to poker games and charitable gaming.

SPONSORS: Rep. Lambert, Hills 27; Rep. Bowers, Sull 3

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill:

- I. Allows the offering of pay-by-the-hour charitable games.
 - II. Removes limits on by-ins and re-buys.
 - III. Removes the limit on wagers.
 - IV. Allows the playing of poker in private residences.
-

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~.
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to poker games and charitable gaming.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subparagraph; License Addendum; Pay Per Hour Games. Amend RSA 287-D:2-a, II by
2 inserting after subparagraph (g) the following new subparagraph:

3 (h) If the charitable organization will offer games of chance allowing a player to pay by
4 the hour, the addendum required by RSA 287-D:2-a, XI.

5 2 New Paragraph; License Addendum; Pay-Per-Hour Games. Amend RSA 287-D:2-a by
6 inserting after paragraph X the following new paragraph:

7 XI. If a charitable organization intends to offer games of chance that allow a player to pay by
8 the hour with no limit, the charitable organization shall submit an addendum to the license
9 application submitted to the racing and charitable gaming commission. The commission may
10 approve or deny the addendum.

11 3 Games of Chance; Limits on Buy-Ins and Re-Buys. Amend RSA 287-D:2-b, XI-XII to read as
12 follows:

13 XI. For games of chance where chips have no monetary face value, the charitable
14 organization may offer any number of games per licensed event in which each player ~~may spend up~~
15 ~~to \$150 per game including buy-ins and re-buys.~~

16 ~~XII. Notwithstanding paragraph XI, the charitable organization may offer one game per~~
17 ~~licensed event in which each player may spend up to \$250 for the game including buy-ins and re-~~
18 ~~buys] may have unlimited buy-ins and re-buys.~~

19 4 New Paragraph; License Addendum; Pay-Per-Hour Games. Amend RSA 287-D:2-b by
20 inserting after paragraph XV the following new paragraph:

21 XVI. For games where the chips have no monetary face value and the game operator allows
22 a player to pay by the hour there shall be no limit on buy-ins or re-buys.

23 5 New Subparagraph; Poker in Private Residences. Amend RSA 647:2, V by inserting after
24 subparagraph (c) the following new subparagraph:

25 (d) Poker games held in a private residence.

26 6 Repeal. RSA 287-D:3, V, relative to limits on wagers on games of chance, is repealed.

27 7 Effective Date.

28 I. Section 5 of this act shall take effect January 1, 2013.

29 II. The remainder of this act shall take effect 60 days after its passage.

LBAO
12-2113
11/09/11

HB 1260-FN - FISCAL NOTE

AN ACT relative to poker games and charitable gaming.

FISCAL IMPACT:

The Racing and Charitable Gaming Commission states this bill will have an indeterminable fiscal impact on education trust fund revenue in FY 2012 and each year thereafter. There will be no fiscal impact on state, county and local expenditures or county and local revenue.

METHODOLOGY:

The Racing and Charitable Gaming Commission states this bill allows for the offering of pay-by-the hour charitable games; removes limits on by-ins and re-buys; removes limits on wagers; and allows the playing of poker in private residences. The Commission states the offering of pay-by-the hour charitable games; removing limits on by-ins and re-buys; and removing limits on wagers may increase revenue to the education trust fund by an indeterminable amount. The Commission states allowing poker games in private residences will have an indeterminable fiscal impact on state revenue.

Amendments



Amendment to HB 1260-FN

not
adopted

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to poker games and charitable gaming and certain contributions to pari-
4 mutuel pools by race simulcastors in Cheshire county.
5

6 Amend the bill by inserting after section 5 the following and renumbering the original sections 6-7 to
7 read as 7-8 respectively:
8

9 6 Cheshire County; Simulcast Pari-Mutuel Contributions. Amend RSA 284:23, I-III to read as
10 follows:

11 284:23 Tax.

12 I.(a) Each person, association or corporation licensed to conduct a running horse race or
13 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one
14 percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race
15 or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use
16 of the state.

17 (b) Each person, association, or corporation licensed to simulcast a running horse race or
18 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4
19 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such
20 simulcast race or simulcast race meet by such person, association, or corporation licensed to
21 simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.
22 *Any amounts so paid to the state treasurer by any person, association, or corporation*
23 *licensed to simulcast a running horse race or running horse meet under this chapter*
24 *collected in Cheshire County shall be held in escrow for a period of not more than 36*
25 *months by the state treasurer. If any person, association, or corporation licensed under*
26 *this chapter has commenced to hold a live race meet within the 36-month period the*
27 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
28 *any expenses incurred for the services required to hold such meet. If there is no live race*
29 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*

30 II.(a) Each person, association, or corporation licensed to conduct a harness horse race or
31 harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to
32 one percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid



1 to the state treasurer shall be for the use of the state.

2 (b) Each person, association, or corporation licensed to simulcast a harness horse race or
3 simulcast a harness horse race meet under this chapter shall pay to the state treasurer a sum of
4 money equal to 1 1/4 percent of the total contributions to all such pari-mutuel pools conducted, made,
5 or sold at such simulcast race or race meet by such person, association, or corporation licensed to
6 simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

7 *Any amounts so paid to the state treasurer by any person, association, or corporation*
8 *licensed to simulcast a harness horse race or harness horse race meet under this chapter*
9 *collected in Cheshire County shall be held in escrow for a period of not more than 36*
10 *months by the state treasurer. If any person, association, or corporation licensed under*
11 *this chapter has commenced to hold a live race meet within the 36-month period the*
12 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
13 *any expenses incurred for the services required to hold such meet. If there is no live race*
14 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*

15 III.(a) [Repealed.]

16 (b) Each person, association or corporation licensed to simulcast a dog race or simulcast
17 a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/2
18 percent of all pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race
19 meet by such person, association, or corporation licensed under this chapter. The amount so paid to
20 the state treasurer shall be for the use of the state. *Any amounts so paid to the state treasurer*
21 *by any person, association, or corporation licensed to simulcast a dog race or meet under*
22 *this chapter collected in Cheshire County shall be held in escrow for a period of not more*
23 *than 36 months by the state treasurer. If any person, association, or corporation licensed*
24 *under this chapter has commenced to hold a live race meet within the 36-month period the*
25 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
26 *any expenses incurred for the services required to hold such meet. If there is no live race*
27 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*



2012-0779h

AMENDED ANALYSIS

This bill:

- I. Allows the offering of pay-by-the-hour charitable games.
- II. Removes limits on by-ins and re-buys.
- III. Removes the limit on wagers.
- IV. Allows the playing of poker in private residences.
- V. Requires the racing and charitable gaming commission to hold certain contributions to the pari-mutuel pools from race simulcastors in escrow in Cheshire county.



Amendment to HB 1260-FN

not
adopted

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to poker games, charitable gaming, and relative to unauthorized gambling
4 machines and sweepstakes.
5

6 Amend the bill by inserting after section 5 the following and renumbering the original sections 6-7 to
7 read as 9-10, respectively:
8

9 6 Offers of Gambling Activity. Amend RSA 647:2, I-a(b) to read as follows:

10 (b) A person is guilty of a class B felony if such person conducts, finances, manages,
11 supervises, directs, or owns all or part of a business and such person knowingly and unlawfully
12 conducts, finances, manages, supervises, **offers**, or directs any gambling activity on the business
13 premises which does any of the following:

14 7 New Paragraph; Gambling; Promotional Sweepstakes. Amend RSA 647:2 by inserting after
15 paragraph I-a the following new paragraph:

16 I-b. If a person knowingly promotes or conducts an unauthorized sweepstakes that is
17 executed through the use of the visual display of an electronic machine, such person shall be guilty
18 of:

19 (a) A class B felony; or

20 (b) Notwithstanding RSA 651:2, IV, a violation and assessed a fine of not less than
21 \$1,000 for each day that the violation continues; or

22 (c) Both (a) and (b).

23 8 Definition; Gambling Machines. Amend RSA 647:2, II(e) to read as follows:

24 (e) "Gambling machine" means any device or equipment which is capable of being used
25 to **play sweepstakes or games of chance and** which ~~[discharge]~~ **discharges** money, or anything
26 that may be exchanged for money **or opportunities to enter sweepstakes or play games of**
27 **chance**, or ~~[to display]~~ **displays** any symbol entitling a person to receive money **or opportunities**
28 **to enter sweepstakes or play games of chance.**



2012-0834h

AMENDED ANALYSIS

This bill:

- I. Allows the offering of pay-by-the-hour charitable games.
- II. Removes limits on buy-ins and re-buys.
- III. Removes the limit on wagers.
- IV. Allows the playing of poker in private residences.
- V. Creates a felony and a violation for promotion or conduction of unauthorized sweepstakes with an unauthorized gambling machine.

Amendment to HB 1260-FN

not
adopted

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to certain contributions to pari-mutuel pools by race simulcastors in
4 Cheshire county.
5

6 Amend the bill by replacing all after the enacting clause with the following:
7

8 1 Cheshire County; Simulcast Pari-Mutuel Contributions. Amend RSA 284:23, I-III to read as
9 follows:

10 284:23 Tax.

11 I.(a) Each person, association or corporation licensed to conduct a running horse race or
12 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one
13 percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race
14 or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use
15 of the state.

16 (b) Each person, association or corporation licensed to simulcast a running horse race or
17 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4
18 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such
19 simulcast race or simulcast race meet by such person, association, or corporation licensed to
20 simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.
21 *Any amounts so paid to the state treasurer by any person, association, or corporation*
22 *licensed to simulcast a running horse race or running horse meet under this chapter*
23 *collected in Cheshire County shall be held in escrow for a period of not more than 36*
24 *months by the state treasurer. If any person, association, or corporation licensed under*
25 *this chapter has commenced to hold a live race meet within the 36-month period the*
26 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
27 *any expenses incurred for the services required to hold such meet. If there is no live race*
28 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*

29 II.(a) Each person, association, or corporation licensed to conduct a harness horse race or
30 harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to
31 one percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid
32 to the state treasurer shall be for the use of the state.



(b) Each person, association, or corporation licensed to simulcast a harness horse race or simulcast a harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such simulcast race or race meet by such person, association, or corporation licensed to simulcast such races. The amount so paid to the state treasurer shall be for the use of the state. *Any amounts so paid to the state treasurer by any person, association, or corporation licensed to simulcast a harness horse race or harness horse race meet under this chapter collected in Cheshire County shall be held in escrow for a period of not more than 36 months by the state treasurer. If any person, association, or corporation licensed under this chapter has commenced to hold a live race meet within the 36-month period the escrowed amounts shall be paid to the racing and charitable gaming commission to offset any expenses incurred for the services required to hold such meet. If there is no live race meet within the 36-month period all sums so escrowed shall be for the use of the state.*

III.(a) [Repealed.]

(b) Each person, association or corporation licensed to simulcast a dog race or simulcast a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/2 percent of all pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race meet by such person, association, or corporation licensed under this chapter. The amount so paid to the state treasurer shall be for the use of the state. *Any amounts so paid to the state treasurer by any person, association, or corporation licensed to simulcast a dog race or meet under this chapter collected in Cheshire County shall be held in escrow for a period of not more than 36 months by the state treasurer. If any person, association, or corporation licensed under this chapter has commenced to hold a live race meet within the 36-month period the escrowed amounts shall be paid to the racing and charitable gaming commission to offset any expenses incurred for the services required to hold such meet. If there is no live race meet within the 36-month period all sums so escrowed shall be for the use of the state.*

2 Revocation; Simulcast Wagers. Amend RSA 284:22-a, II(c) to read as follows:

(c) Notwithstanding subparagraph II(a), an individual, association, partnership, joint venture, corporation, or other organization or entity may be issued a license to conduct simulcasting without conducting live racing provided such person or entity makes such election with the approval of the commission and such person or entity ~~[either held a license on January 1, 2009 under this chapter]~~ *has submitted an economic development plan to the commission* to conduct a race meet *within 36 months of the granting of a license* or seeks to conduct simulcasting without conducting live racing at a facility *which is located in a county* at which live racing was *previously authorized* ~~[to be conducted in 2009]~~. *If no live racing is conducted within the 36-month period the license to receive simulcast wagers shall be revoked.*

3 Effective Date. This act shall take effect 60 days after its passage.



2012-0849h

AMENDED ANALYSIS

This bill requires the racing and charitable gaming commission to hold certain contributions to the pari-mutuel pools from race simulcastors in escrow in Cheshire county.

Amendment to HB 1260-FN

not
adopted.

Amend the title of the bill by replacing it with the following:

AN ACT relative to certain contributions to pari-mutuel pools by race simulcastors in Cheshire county, compensation of charitable organizations by gaming operators, and unauthorized gambling machines and sweepstakes.

Amend the bill by replacing all after the enacting clause with the following:

1 Cheshire County; Simulcast Pari-Mutuel Contributions. Amend RSA 284:23, I-III to read as follows:

284:23 Tax.

I.(a) Each person, association or corporation licensed to conduct a running horse race or running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use of the state.

(b) Each person, association, or corporation licensed to simulcast a running horse race or running horse meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race meet by such person, association, or corporation licensed to simulcast such races. The amount so paid to the state treasurer shall be for the use of the state. *Any amounts so paid to the state treasurer by any person, association, or corporation licensed to simulcast a running horse race or running horse meet under this chapter collected in Cheshire County shall be held in escrow for a period of not more than 36 months by the state treasurer. If any person, association, or corporation licensed under this chapter has commenced to hold a live race meet within the 36-month period the escrowed amounts shall be paid to the racing and charitable gaming commission to offset any expenses incurred for the services required to hold such meet. If there is no live race meet within the 36-month period all sums so escrowed shall be for the use of the state.*

II.(a) Each person, association, or corporation licensed to conduct a harness horse race or harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to one percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid to the state treasurer shall be for the use of the state.



(b) Each person, association, or corporation licensed to simulcast a harness horse race or simulcast a harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such simulcast race or race meet by such person, association, or corporation licensed to simulcast such races. The amount so paid to the state treasurer shall be for the use of the state. *Any amounts so paid to the state treasurer by any person, association, or corporation licensed to simulcast a harness horse race or harness horse race meet under this chapter collected in Cheshire County shall be held in escrow for a period of not more than 36 months by the state treasurer. If any person, association, or corporation licensed under this chapter has commenced to hold a live race meet within the 36-month period the escrowed amounts shall be paid to the racing and charitable gaming commission to offset any expenses incurred for the services required to hold such meet. If there is no live race meet within the 36-month period all sums so escrowed shall be for the use of the state.*

III.(a) [Repealed.]

(b) Each person, association or corporation licensed to simulcast a dog race or simulcast a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/2 percent of all pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race meet by such person, association, or corporation licensed under this chapter. The amount so paid to the state treasurer shall be for the use of the state. *Any amounts so paid to the state treasurer by any person, association, or corporation licensed to simulcast a dog race or meet under this chapter collected in Cheshire County shall be held in escrow for a period of not more than 36 months by the state treasurer. If any person, association, or corporation licensed under this chapter has commenced to hold a live race meet within the 36-month period the escrowed amounts shall be paid to the racing and charitable gaming commission to offset any expenses incurred for the services required to hold such meet. If there is no live race meet within the 36-month period all sums so escrowed shall be for the use of the state.*

2 New Subparagraph; Revocation; Simulcast Wagers. Amend RSA 284:22-a, II by inserting after subparagraph (c) the following new subparagraph:

(d) Notwithstanding subparagraph II(a), an individual, association, partnership, joint venture, corporation, or other organization or entity may be issued a license to conduct simulcasting without conducting live racing provided such person or entity makes such election with the approval of the commission and such person or entity has submitted an economic development plan to the commission to conduct a race meet within 36 months of the granting of a license or seeks to conduct simulcasting without conducting live racing at a facility which is located in a county at which live racing was previously authorized. If no live racing is conducted within the 36-month period the license to receive simulcast wagers shall be revoked.

3 Compensation of Charitable Organizations. Amend RSA 287-D:2-b, II and II-a to read as



1 follows:

2 II. No compensation shall be paid to operators of a game of chance unless agreed to in
3 advance in writing by the charity *and filed with the racing and charitable gaming*
4 *commission. Pursuant to RSA 287-D:3, VIII, the charitable organization shall retain no*
5 *less than 35 percent of the gross revenues from any game of chance minus any prizes paid*
6 *on any game date in which game operators are licensed under RSA 287-D:2-c, and such*
7 *revenues shall be used by the organization to advance its charitable purpose. The game*
8 *operator shall be responsible for all fees and costs associated directly or indirectly with the*
9 *running of the games of chance, including: game operator fees, consulting fees,*
10 *management fees, paperwork fees, financial paperwork fees, marketing fees, security fees,*
11 *out of pocket fees, and administrative fees. In no way shall such fees be the responsibility*
12 *of the charitable organization and the game operator shall not receive any moneys or other*
13 *means of compensation in addition to the amounts allowed under RSA 287-D:3, VIII.*

14 Compensation shall include, but is not necessarily limited to, money or any other thing of value. [If
15 ~~the paid game operator's compensation is contingent upon the amount of revenue received from a~~
16 ~~game of chance, the compensation shall be a fixed percentage of the gross revenue from the game of~~
17 ~~chance excluding the paid game operator's expenses. If the compensation of a paid game operator is~~
18 ~~not contingent upon the amount of revenue received, the compensation shall be a reasonable~~
19 ~~estimate, expressed as a percentage of the gross revenue. The contract shall clearly disclose the~~
20 ~~assumptions upon which the estimate is based. The stated assumptions shall be based upon all of~~
21 ~~the relevant facts known to the paid game operator regarding the services to be provided and the~~
22 ~~past performance of games of chance operated by the paid game operator.]~~

23 II-a. Unless otherwise agreed to in advance, pursuant to paragraph II, in writing by the
24 charitable organization, game operators may be reimbursed for their out-of-pocket expenses in an
25 amount not to exceed \$25 per game date, provided that such expenses are itemized and submitted in
26 writing to the charitable organization *and filed with the racing and charitable gaming*
27 *commission.*

28 4 Offers of Gambling Activity. Amend RSA 647:2, 1-a(b) to read as follows:

29 (b) A person is guilty of a class B felony if such person conducts, finances, manages,
30 supervises, directs, or owns all or part of a business and such person knowingly and unlawfully
31 conducts, finances, manages, supervises, *offers*, or directs any gambling activity on the business
32 premises which does any of the following:

33 5 New Paragraph; Gambling; Promotional Sweepstakes. Amend RSA 647:2 by inserting after
34 paragraph I-a the following new paragraph:

35 I-b. If a person knowingly promotes or conducts an unauthorized sweepstakes that is
36 executed through the use of the visual display of an electronic machine, such person shall be guilty
37 of:



1 (a) A class B felony; or

2 (b) Notwithstanding RSA 651:2, IV, a violation and assessed a fine of not less than
3 \$1,000 for each day that the violation continues; or

4 (c) Both (a) and (b).

5 6 Definition; Gambling Machines. Amend RSA 647:2, II(e) to read as follows:

6 (e) "Gambling machine" means any device or equipment which is capable of being used
7 to *play sweepstakes or games of chance and* which [~~discharge~~] *discharges* money, or anything
8 that may be exchanged for money *or opportunities to enter sweepstakes or play games of*
9 *chance*, or [~~to display~~] *displays* any symbol entitling a person to receive money *or opportunities*
10 *to enter sweepstakes or play games of chance.*

11 7 Effective Date. This act shall take effect 60 days after its passage.



2012-1081h

AMENDED ANALYSIS

This bill:

- I. Requires the racing and charitable gaming commission to hold certain contributions to the pari-mutuel pools from race simulcastors in escrow in Cheshire county.
- II. Prohibits game operators from charging charitable organizations certain fees.
- III. Creates a felony and a violation for promotion or conduction of unauthorized sweepstakes with an unauthorized gambling machine.



Amendment to HB 1260-FN

not
adopted

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to certain contributions to pari-mutuel pools by race simulcastors in
4 Cheshire county, compensation of charitable organizations by gaming operators,
5 and unauthorized gambling machines and sweepstakes.
6

7 Amend the bill by replacing all after the enacting clause with the following:

8
9 1 Cheshire County; Simulcast Pari-Mutuel Contributions. Amend RSA 284:23, I-III to read as
10 follows:

11 I.(a) Each person, association or corporation licensed to conduct a running horse race or
12 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one
13 percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race
14 or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use
15 of the state.

16 (b) Each person, association, or corporation licensed to simulcast a running horse race or
17 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4
18 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such
19 simulcast race or simulcast race meet by such person, association, or corporation licensed to
20 simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

21 (c) *Any amounts so paid to the state treasurer by any person, association, or*
22 *corporation licensed to simulcast a running horse race or running horse meet under this*
23 *chapter collected in Cheshire County shall be held in escrow for a period of not more than*
24 *36 months by the state treasurer. If any person, association, or corporation licensed under*
25 *this chapter has commenced to hold a live race meet within the 36-month period the*
26 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
27 *any expenses incurred for the services required to hold such meet. If there is no live race*
28 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*

29 II.(a) Each person, association, or corporation licensed to conduct a harness horse race or
30 harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to
31 one percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid
32 to the state treasurer shall be for the use of the state.

33 (b) Each person, association, or corporation licensed to simulcast a harness horse race or



1 simulcast a harness horse race meet under this chapter shall pay to the state treasurer a sum of
2 money equal to 1 1/4 percent of the total contributions to all such pari-mutuel pools conducted, made,
3 or sold at such simulcast race or race meet by such person, association, or corporation licensed to
4 simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

5 *(c) Any amounts so paid to the state treasurer by any person, association, or*
6 *corporation licensed to simulcast a harness horse race or harness horse race meet under*
7 *this chapter collected in Cheshire County shall be held in escrow for a period of not more*
8 *than 36 months by the state treasurer. If any person, association, or corporation licensed*
9 *under this chapter has commenced to hold a live race meet within the 36-month period the*
10 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
11 *any expenses incurred for the services required to hold such meet. If there is no live race*
12 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*

13 III.(a) [Repealed.]

14 (b) Each person, association or corporation licensed to simulcast a dog race or simulcast
15 a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/2
16 percent of all pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race
17 meet by such person, association, or corporation licensed under this chapter. The amount so paid to
18 the state treasurer shall be for the use of the state.

19 *(c) Any amounts so paid to the state treasurer by any person, association, or*
20 *corporation licensed to simulcast a dog race or meet under this chapter collected in*
21 *Cheshire County shall be held in escrow for a period of not more than 36 months by the*
22 *state treasurer. If any person, association, or corporation licensed under this chapter has*
23 *commenced to hold a live race meet within the 36-month period the escrowed amounts*
24 *shall be paid to the racing and charitable gaming commission to offset any expenses*
25 *incurred for the services required to hold such meet. If there is no live race meet within the*
26 *36-month period all sums so escrowed shall be for the use of the state.*

27 2 New Subparagraph; Revocation; Simulcast Wagers. Amend RSA 284:22-a, II by inserting
28 after subparagraph (c) the following new subparagraph:

29 (d) Notwithstanding subparagraph II(a), an individual, association, partnership, joint
30 venture, corporation, or other organization or entity may be issued a license to conduct simulcasting
31 without conducting live horse racing at a location in Cheshire county, provided such person or entity
32 applies for, and is issued, a license to conduct live horse racing at such location in Cheshire county,
33 complies with other provisions of this chapter with regard to application and issuance of such
34 license, makes such election with the approval of the commission and such person or entity has
35 submitted an economic development plan to the commission to conduct a live horse racing meet in
36 Cheshire county within 36 months of the granting of a license. If no live horse racing is conducted
37 within the 36-month period the license to receive simulcast wagers shall be revoked. The



commission shall adopt regulations regarding the criteria of the proposed economic development plan prior to issuance of any approval.

3 New Paragraph; Operation of Games of Chance; Fees. Amend RSA 287-D:2-b by inserting after paragraph II-a the following new paragraph:

II-b. No operator shall require additional fees not specifically allowed under this chapter as a condition of contracting with the operator for game dates.

4 Wagering; Single Player. Amend RSA 287-D:3, V to read as follows:

V. No single wager by a player, on any game of chance, shall exceed the amount of [\$4] \$6.

5 Operation of Games of Chance; Fees. Amend RSA 287-D:3, VII to read as follows:

VII. Unless a charitable organization rents a facility from a game operator employer or a primary game operator licensed under RSA 287-D:2-c, the charitable organization shall only rent a facility by means of a fixed rental payment. The fixed rental payment shall not be based on a percentage of what the charitable organization receives from the game of chance and it shall reflect fair rental value of the property for any use not just as a place to hold a game of chance. If a charitable organization rents a facility from a licensed game operator under RSA 287-D:2-c, the charitable organization shall retain no less than 35 percent of the gross revenues from any games of chance minus any prizes paid in accordance with RSA 287-D:3, VIII. Any rental agreement entered into by the charitable organization shall be submitted with the charitable organization's license application for review by the racing and charitable gaming commission. Under no circumstances shall a charitable organization sustain any loss from games of chance, such that its share of the gross revenues minus any prizes paid is less than zero dollars, during a license period with a single game operator. *All contracts between a game operator employer and a charitable organization to conduct games of chance under this chapter shall contain the following language: "This agreement represents the entire agreement between the parties hereto. No charge or fee of any kind that is not contained in this agreement shall be required to be paid by the charity."*

6 Operation of Games of Chance; Fees. Amend RSA 287-D:3, VIII to read as follows:

VIII. The charitable organization shall retain no less than 35 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity. Such revenues shall be used by the organization to advance its charitable purpose. *No fee for any service provided by the game operator employer or primary game operator shall be allowed unless such fee is agreed to in writing and disclosed to the commission as part of the agreement between the game operator employer or primary game operator and the charity.*

7 Financial Reports and Inspections. Amend RSA 287-D:5, I to read as follows:

I.(a) A charitable organization [~~a licensed game operator employer, or a primary game operator under contract to conduct games of chance on behalf of a charitable organization and~~]



1 ~~designated by the charitable organization to be responsible for submitting financial reports]~~ shall
2 submit a complete financial report for all game dates licensed under RSA 287-D:2 and RSA 287-D:2-
3 a to the racing and charitable gaming commission on forms approved by the racing and charitable
4 gaming commission within 15 days of the end of each month during which a game of chance was
5 held.

6 *(b) A licensed game operator or a primary game operator under contract to*
7 *conduct games of chance on behalf of a charitable organization shall submit the financial*
8 *reports required under subparagraph (a). In such case the charitable organization shall*
9 *not be required to submit such report.*

10 8 Definition; Gambling Machines. Amend RSA 647:2, II(e) to read as follows:

11 (e) "Gambling machine" means any device or equipment which is capable of being used
12 to *play sweepstakes or games of chance and* which ~~[discharge]~~ *discharges* money, or anything
13 that may be exchanged for money *or cash equivalent or opportunities to enter sweepstakes or*
14 *play games of chance*, or ~~[to display]~~ *displays* any symbol entitling a person to receive money *or*
15 *cash equivalent or opportunities to enter sweepstakes or play games of chance. This*
16 *definition shall apply to an electronic device or equipment whether or not:*

17 *(1) It is server-based.*

18 *(2) It uses a simulated game terminal as a representation of the prizes*
19 *associated with the results of the sweepstakes entries.*

20 *(3) It utilizes software such that the simulated game influences or*
21 *determines the winning or value of the prize.*

22 *(4) It selects prizes from a predetermined, finite pool of entries.*

23 *(5) It utilizes a mechanism that reveals the content of a predetermined*
24 *sweepstakes entry.*

25 *(6) It predetermines the prize results and stores those results for delivery at*
26 *the time the sweepstakes entry results are revealed.*

27 *(7) It utilizes software to create a game result.*

28 *(8) It requires deposit of any money, coin, or token, or the use of any credit*
29 *card, debit card, prepaid card, or any other method of payment to activate the electronic*
30 *machine or device.*

31 *(9) It requires direct payment into the electronic machine or device, or*
32 *remote activation of the electronic machine or device.*

33 *(10) It requires purchase of a related product.*

34 *(11) The related product, if any, has legitimate value.*

35 *(12) It reveals the prize incrementally, even though it may not influence if a*
36 *prize is awarded or the value of any prize awarded.*

37 *(13) It determines and associates the prize with an entry or entries at the*



1 *time the sweepstakes is entered.*

2 *(14) It is a slot machine or other form of electrical, mechanical, or computer*
3 *game.*

4 9 New Paragraph; Gambling; Promotional Sweepstakes. Amend RSA 647:2 by inserting after
5 paragraph I-a the following new paragraph:

6 I-b. A person is guilty of a class B felony if a person knowingly and unlawfully promotes or
7 conducts a sweepstakes that is executed through the use of the visual display of an electronic
8 machine. If the offense continues over consecutive days, the person shall be charged with a single
9 continuing offense and notwithstanding RSA 651:2, IV, fined not less than \$1,000 for each day that
10 the violation occurs.

11 10 New Subparagraphs; Definitions; Sweepstakes; Visual Display. Amend RSA 647:2, II by
12 inserting after subparagraph (g) the following new subparagraphs:

13 (h) "Sweepstakes" means any game, advertising scheme or plan or other promotion,
14 which, with or without payment of any consideration, a person may enter to win or become eligible to
15 receive any prize, the determination of which is based upon chance.

16 (i) "Visual display" means any visual information, capable of being seen by a person
17 entering a sweepstakes that takes the form of an actual game play, or simulated game play, such as
18 video poker, or any other video game not dependent on skill or dexterity that is played while
19 revealing a prize as the result of an entry into a sweepstakes.

20 11 Effective Date.

21 I. Sections 8 through 10 of this act shall take effect January 1, 2013.

22 II. The remainder of this act shall take effect 60 days after its passage.



2012-1187h

AMENDED ANALYSIS

This bill:

- I. Requires the racing and charitable gaming commission to hold certain contributions to the pari-mutuel pools from race simulcastors in escrow in Cheshire county.
- II. Prohibits game operators from charging charitable organizations certain fees.
- III. Creates a felony and a violation for promotion or conduction of unauthorized sweepstakes with an unauthorized gambling machine.

Rep. Lambert, Hills. 27
March 14, 2012
2012-1229h
08/04



Amendment to HB 1260-FN

not
adopted

1 Amend the bill by replacing section 3 with the following:

2
3 3 Games of Chance; Limits on Buy-Ins and Re-Buys. Amend RSA 287-D:2-b, XI to read as
4 follows:

5 XI. For games of chance where chips have no monetary face value, the charitable
6 organization may offer any number of games per licensed event in which each player may spend up
7 to ~~[\$150]~~ \$250 per game including buy-ins ~~[and]~~ or re-buys.

8 *XI-a. For games of no-limit poker where chips have a monetary value, there shall be*
9 *a maximum table buy-in of \$250 per player including buy-ins and re-buys.*

10
11 Amend RSA 287-D:2-b, XVI as inserted by section 4 of the bill by replacing it with the following:

12
13 XVI. For games where the chips have no monetary face value and the game operator allows
14 a player to pay by the hour there shall be no limit on buy-ins or re-buys above \$250.

15
16 Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.



2012-1229h

AMENDED ANALYSIS

This bill:

- I. Allows the offering of pay-by-the-hour charitable games.
- II. Raises the limits on by-ins or re-buys.
- III. Allows the playing of poker in private residences.

Amendment to HB 1260-FN

not
adopted

Amend the title of the bill by replacing it with the following:

AN ACT relative to certain contributions to pari-mutuel pools by race simulcastors in
Cheshire county, compensation of charitable organizations by gaming operators,
and unauthorized gambling machines and sweepstakes.

Amend the bill by replacing all after the enacting clause with the following:

1 Cheshire County; Simulcast Pari-Mutuel Contributions. Amend RSA 284:23, I-III to read as
follows:

I.(a) Each person, association or corporation licensed to conduct a running horse race or
running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one
percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race
or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use
of the state.

(b) Each person, association, or corporation licensed to simulcast a running horse race or
running horse meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4
percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such
simulcast race or simulcast race meet by such person, association, or corporation licensed to
simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

*(c) Any amounts so paid to the state treasurer by any person, association, or
corporation licensed to simulcast a running horse race or running horse meet under this
chapter collected in Cheshire county shall be held in escrow for a period of not more than
36 months by the state treasurer. If any person, association, or corporation licensed under
this chapter has commenced to hold a live race meet within the 36-month period the
escrowed amounts shall be paid to the racing and charitable gaming commission to offset
any expenses incurred for the services required to hold such meet. If there is no live race
meet within the 36-month period all sums so escrowed shall be for the use of the state.*

II.(a) Each person, association, or corporation licensed to conduct a harness horse race or
harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to
one percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid
to the state treasurer shall be for the use of the state.



(b) Each person, association, or corporation licensed to simulcast a harness horse race or simulcast a harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such simulcast race or race meet by such person, association, or corporation licensed to simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

(c) Any amounts so paid to the state treasurer by any person, association, or corporation licensed to simulcast a harness horse race or harness horse race meet under this chapter collected in Cheshire county shall be held in escrow for a period of not more than 36 months by the state treasurer. If any person, association, or corporation licensed under this chapter has commenced to hold a live race meet within the 36-month period the escrowed amounts shall be paid to the racing and charitable gaming commission to offset any expenses incurred for the services required to hold such meet. If there is no live race meet within the 36-month period all sums so escrowed shall be for the use of the state.

III.(a) [Repealed.]

(b) Each person, association or corporation licensed to simulcast a dog race or simulcast a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/2 percent of all pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race meet by such person, association, or corporation licensed under this chapter. The amount so paid to the state treasurer shall be for the use of the state.

(c) Any amounts so paid to the state treasurer by any person, association, or corporation licensed to simulcast a dog race or meet under this chapter collected in Cheshire county shall be held in escrow for a period of not more than 36 months by the state treasurer. If any person, association, or corporation licensed under this chapter has commenced to hold a live race meet within the 36-month period the escrowed amounts shall be paid to the racing and charitable gaming commission to offset any expenses incurred for the services required to hold such meet. If there is no live race meet within the 36-month period all sums so escrowed shall be for the use of the state.

2 New Subparagraph; Revocation; Simulcast Wagers. Amend RSA 284:22-a, II by inserting after subparagraph (c) the following new subparagraph:

(d) Notwithstanding subparagraph II(a), an individual, association, partnership, joint venture, corporation, or other organization or entity may be issued a license to conduct simulcasting without conducting live horse racing at a location in Cheshire county, provided such person or entity applies for, and is issued, a license to conduct live horse racing at such location in Cheshire county, complies with other provisions of this chapter with regard to application and issuance of such license, makes such election with the approval of the commission and such person or entity has submitted an economic development plan to the commission to conduct a live horse racing meet in Cheshire county within 36 months of the granting of a license. If no live horse racing is conducted



1 within the 36-month period the license to receive simulcast wagers shall be revoked. The
2 commission shall adopt regulations regarding the criteria of the proposed economic development
3 plan prior to issuance of any approval.

4 3 New Paragraph; Operation of Games of Chance; Fees. Amend RSA 287-D:2-b by inserting
5 after paragraph II-a the following new paragraph:

6 II-b. No operator shall require additional fees not specifically allowed under this chapter as
7 a condition of contracting with the operator for game dates.

8 4 Wagering; Single Player. Amend RSA 287-D:3, V to read as follows:

9 V. No single wager by a player, on any game of chance, shall exceed the amount of [\$4] \$6.

10 5 Operation of Games of Chance; Fees. Amend RSA 287-D:3, VII to read as follows:

11 VII. Unless a charitable organization rents a facility from a game operator employer or a
12 primary game operator licensed under RSA 287-D:2-c, the charitable organization shall only rent a
13 facility by means of a fixed rental payment. The fixed rental payment shall not be based on a
14 percentage of what the charitable organization receives from the game of chance and it shall reflect
15 fair rental value of the property for any use not just as a place to hold a game of chance. If a
16 charitable organization rents a facility from a licensed game operator under RSA 287-D:2-c, the
17 charitable organization shall retain no less than 35 percent of the gross revenues from any games of
18 chance minus any prizes paid in accordance with RSA 287-D:3, VIII. Any rental agreement entered
19 into by the charitable organization shall be submitted with the charitable organization's license
20 application for review by the racing and charitable gaming commission. Under no circumstances
21 shall a charitable organization sustain any loss from games of chance, such that its share of the
22 gross revenues minus any prizes paid is less than zero dollars, during a license period with a single
23 game operator. *All contracts between a game operator employer and a charitable*
24 *organization to conduct games of chance under this chapter shall contain the following*
25 *language: "This agreement represents the entire agreement between the parties hereto. No*
26 *charge or fee of any kind that is not contained in this agreement shall be required to be*
27 *paid by the charity."*

28 6 Operation of Games of Chance; Fees. Amend RSA 287-D:3, VIII to read as follows:

29 VIII. The charitable organization shall retain no less than 35 percent of the gross revenues
30 from any game of chance minus any prizes paid on any game date in which game operators licensed
31 under RSA 287-D:2-c are involved in any capacity. Such revenues shall be used by the organization
32 to advance its charitable purpose. *No fee for any service provided by the game operator*
33 *employer or primary game operator shall be allowed unless such fee is agreed to in writing*
34 *and disclosed to the commission as part of the agreement between the game operator*
35 *employer or primary game operator and the charity.*

36 7 Financial Reports and Inspections. Amend RSA 287-D:5, I to read as follows:

37 I.(a) A charitable organization[~~—a licensed game operator employer, or a primary game~~



~~operator under contract to conduct games of chance on behalf of a charitable organization and designated by the charitable organization to be responsible for submitting financial reports]~~ shall submit a complete financial report for all game dates licensed under RSA 287-D:2 and RSA 287-D:2-a to the racing and charitable gaming commission on forms approved by the racing and charitable gaming commission within 15 days of the end of each month during which a game of chance was held.

(b) A licensed game operator or a primary game operator under contract to conduct games of chance on behalf of a charitable organization shall submit the financial reports required under subparagraph (a). In such case the charitable organization shall not be required to submit such report.

8 Definitions; Gambling and Gambling Machines. Amend RSA 647:2, II(d)-(e) to read as follows:

(d) "Gambling" means to risk something of value upon a future contingent event not under one's control or influence, upon an agreement or understanding that something of value will be received in the event of a certain outcome, *and includes the activity of conducting or playing sweepstakes or games of chance on a gambling machine.*

(e) "Gambling machine" means any device or equipment which is capable of being used to *play sweepstakes or games of chance and* which [discharge] *discharges* money, or anything that may be exchanged for money *or cash equivalent or opportunities to enter sweepstakes or play games of chance*, or [to display] *displays* any symbol entitling a person to receive money *or cash equivalent or opportunities to enter sweepstakes or play games of chance. This definition shall apply to an electronic device or equipment whether or not:*

(1) It is server-based.

(2) It uses a simulated game terminal as a representation of the prizes associated with the results of the sweepstakes entries.

(3) It utilizes software such that the simulated game influences or determines the winning or value of the prize.

(4) It selects prizes from a predetermined, finite pool of entries.

(5) It utilizes a mechanism that reveals the content of a predetermined sweepstakes entry.

(6) It predetermines the prize results and stores those results for delivery at the time the sweepstakes entry results are revealed.

(7) It utilizes software to create a game result.

(8) It requires deposit of any money, coin, or token, or the use of any credit card, debit card, prepaid card, or any other method of payment to activate the electronic machine or device.

(9) It requires direct payment into the electronic machine or device, or remote activation of the electronic machine or device.



1 (10) *It requires purchase of a product.*

2 (11) *The product, if any, has legitimate value.*

3 (12) *It reveals the prize incrementally, even though it may not influence if a*
4 *prize is awarded or the value of any prize awarded.*

5 (13) *It determines and associates the prize with an entry or entries at the*
6 *time the sweepstakes is entered.*

7 (14) *It is a slot machine or other form of electrical, mechanical, or computer*
8 *game.*

9 9 New Paragraph; Gambling; Promotional Sweepstakes. Amend RSA 647:2 by inserting after
10 paragraph I-a the following new paragraph:

11 I-b. A person is guilty of a class B felony if a person knowingly and unlawfully promotes or
12 conducts or offers a sweepstakes that is executed through the use of the visual display of an
13 electronic machine. If the offense continues over consecutive days, the person shall be charged with
14 a single continuing offense and notwithstanding RSA 651:2, IV, fined not less than \$1,000 for each
15 day that the violation occurs.

16 10 New Subparagraphs; Definitions; Sweepstakes; Visual Display. Amend RSA 647:2, II by
17 inserting after subparagraph (g) the following new subparagraphs:

18 (h) "Sweepstakes" means any game, advertising scheme or plan or other promotion,
19 which, with or without payment of any consideration, a person may enter to win or become eligible to
20 receive any prize, the determination of which is based upon chance.

21 (i) "Visual display" means any visual information, capable of being seen by a person
22 entering a sweepstakes that takes the form of an actual game play, or simulated game play, such as
23 video poker, or any other video game not dependent on skill or dexterity that is played while
24 revealing a prize as the result of an entry into a sweepstakes.

25 11 Effective Date. This act shall take effect upon its passage.



2012-1280h

AMENDED ANALYSIS

This bill:

- I. Requires the racing and charitable gaming commission to hold certain contributions to the pari-mutuel pools from race simulcastors in escrow in Cheshire county.
- II. Prohibits game operators from charging charitable organizations certain fees.
- III. Creates a felony and a violation for promotion or conduction of unauthorized sweepstakes with an unauthorized gambling machine.

Rep. Lambert, Hills. 27
March 19, 2012
2012-1290h
08/04



*not
adopted*

Amendment to HB 1260-FN

1 Amend RSA 647:2, V(d) as inserted by section 5 of the bill by replacing it with the following:

2

3 (d) Poker games held in a private residence so long as the house takes no rake or
4 compensation from the prize pool. The house in a poker game held in a private residence may take a
5 fee from the players for dealing.

Rep. Lambert, Hills. 27
March 20, 2012
2012-1318h
06/10



*not
adopted*

Amendment to HB 1260-FN

1 Amend RSA 287-D:2-b, XVI as inserted by section 4 of the bill by replacing it with the following:

2

3 XVI. For games of no limit poker where the chips have monetary face value and the game
4 operator allows a player to pay by the hour, the maximum buy-in or re-buy is \$250. However, there
5 shall be no limit on individual bets higher than the value of chips in front of a player. At any time, a
6 player may buy-in or re-buy up to \$250 in total value of chips of monetary face value.

7

8 Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.



2012-1318h

AMENDED ANALYSIS

This bill:

- I. Allows the offering of pay-by-the-hour charitable games.
- II. Raises the limits on by-ins or re-buys.
- III. Allows the playing of poker in private residences.

Rep. Lambert, Hills. 27
March 20, 2012
2012-1319h
08/04



Amendment to HB 1260-FN

not
adopted.

1 Amend the bill by replacing section 3 with the following:

2
3 3 Games of Chance; Limits on Buy-Ins and Re-Buys. Amend RSA 287-D:2-b, XI to read as
4 follows:

5 XI. For games of chance where chips have no monetary face value, the charitable
6 organization may offer any number of games per licensed event in which each player may spend up
7 to [~~\$150~~] **\$250** per game including buy-ins [~~and~~] **or** re-buys.

8 ***XI-a. For games of no-limit poker where chips have a monetary value, there shall be***
9 ***a maximum table buy-in at any time of up to \$250 per player including buy-ins or re-buys.***

10
11 Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.



2012-1319h

AMENDED ANALYSIS

This bill:

- I. Allows the offering of pay-by-the-hour charitable games.
- II. Raises the limits on by-ins or re-buys.
- III. Allows the playing of poker in private residences.

Rep. Lambert, Hills. 27
March 20, 2012
2012-1320h
06/10



Amendment to HB 1260-FN

*not
adopted*

1 Amend the bill by replacing section 3 with the following:

2
3 3 Games of Chance; Limits on Buy-Ins and Re-Buys. Amend RSA 287-D:2-b, XI to read as
4 follows:

5 XI. For games of chance where chips have no monetary face value, the charitable
6 organization may offer any number of games per licensed event in which each player may spend up
7 to ~~[\$150]~~ **\$250** per game including buy-ins ~~[and]~~ *or* re-buys.

8 ***XI-a. For games of no-limit poker where chips have a monetary value, there shall be***
9 ***a maximum table buy-in at any time of up to \$250 per player including buy-ins or re-buys.***

10
11 Amend RSA 287-D:2-b, XVI as inserted by section 4 of the bill by replacing it with the following:

12
13 XVI. For games of no-limit poker where the chips have monetary face value and the game
14 operator allows a player to pay by the hour the maximum buy-in or re-buy is \$250. However, there
15 shall be no limit on individual bets higher than the value of chips in front of a player. At any time a
16 player may buy-in or re-buy up to \$250 in total value of chips of monetary face value.

17
18 Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.



2012-1320h

AMENDED ANALYSIS

This bill:

- I. Allows the offering of pay-by-the-hour charitable games.
- II. Raises the limits on by-ins or re-buys.
- III. Allows the playing of poker in private residences.

Amendment to HB 1260-FN

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to certain contributions to pari-mutuel pools by race simulcasters in
4 Cheshire county, compensation of charitable organizations by gaming operators,
5 and unauthorized gambling machines and sweepstakes.
6

7 Amend the bill by replacing all after the enacting clause with the following:

8
9 1 Cheshire County; Simulcast Pari-Mutuel Contributions. Amend RSA 284:23, I-III to read as
10 follows:

11 I.(a) Each person, association or corporation licensed to conduct a running horse race or
12 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one
13 percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race
14 or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use
15 of the state.

16 (b) Each person, association, or corporation licensed to simulcast a running horse race or
17 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/4
18 percent of the total contributions to all such pari-mutuel pools conducted, made, or sold at such
19 simulcast race or simulcast race meet by such person, association, or corporation licensed to
20 simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

21 (c) *Any amounts so paid to the state treasurer by any person, association, or*
22 *corporation licensed to simulcast a running horse race or running horse meet under this*
23 *chapter collected in Cheshire county shall be held in escrow for a period of not more than*
24 *36 months by the state treasurer. If any person, association, or corporation licensed under*
25 *this chapter has commenced to hold a live race meet within the 36-month period the*
26 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
27 *any expenses incurred for the services required to hold such meet. If there is no live race*
28 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*

29 II.(a) Each person, association, or corporation licensed to conduct a harness horse race or
30 harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to
31 one percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid
32 to the state treasurer shall be for the use of the state.

33 (b) Each person, association, or corporation licensed to simulcast a harness horse race or

1 simulcast a harness horse race meet under this chapter shall pay to the state treasurer a sum of
2 money equal to 1 1/4 percent of the total contributions to all such pari-mutuel pools conducted, made,
3 or sold at such simulcast race or race meet by such person, association, or corporation licensed to
4 simulcast such races. The amount so paid to the state treasurer shall be for the use of the state.

5 *(c) Any amounts so paid to the state treasurer by any person, association, or*
6 *corporation licensed to simulcast a harness horse race or harness horse race meet under*
7 *this chapter collected in Cheshire county shall be held in escrow for a period of not more*
8 *than 36 months by the state treasurer. If any person, association, or corporation licensed*
9 *under this chapter has commenced to hold a live race meet within the 36-month period the*
10 *escrowed amounts shall be paid to the racing and charitable gaming commission to offset*
11 *any expenses incurred for the services required to hold such meet. If there is no live race*
12 *meet within the 36-month period all sums so escrowed shall be for the use of the state.*

13 III.(a) [Repealed.]

14 (b) Each person, association or corporation licensed to simulcast a dog race or simulcast
15 a dog race meet under this chapter shall pay to the state treasurer a sum of money equal to 1 1/2
16 percent of all pari-mutuel pools conducted, made, or sold at such simulcast race or simulcast race
17 meet by such person, association, or corporation licensed under this chapter. The amount so paid to
18 the state treasurer shall be for the use of the state.

19 *(c) Any amounts so paid to the state treasurer by any person, association, or*
20 *corporation licensed to simulcast a dog race or meet under this chapter collected in*
21 *Cheshire county shall be held in escrow for a period of not more than 36 months by the*
22 *state treasurer. If any person, association, or corporation licensed under this chapter has*
23 *commenced to hold a live race meet within the 36-month period the escrowed amounts*
24 *shall be paid to the racing and charitable gaming commission to offset any expenses*
25 *incurred for the services required to hold such meet. If there is no live race meet within the*
26 *36-month period all sums so escrowed shall be for the use of the state.*

27 2 New Subparagraph; Revocation; Simulcast Wagers. Amend RSA 284:22-a, II by inserting
28 after subparagraph (c) the following new subparagraph:

29 (d) Notwithstanding subparagraph II(a), an individual, association, partnership, joint
30 venture, corporation, or other organization or entity may be issued a license to conduct simulcasting
31 without conducting live horse racing at a location in Cheshire county, provided such person or entity
32 applies for, and is issued, a license to conduct live horse racing at such location in Cheshire county,
33 complies with other provisions of this chapter with regard to application and issuance of such
34 license, makes such election with the approval of the commission and such person or entity has
35 submitted an economic development plan to the commission to conduct a live horse racing meet in
36 Cheshire county within 36 months of the granting of a license. If no live horse racing is conducted
37 within the 36-month period the license to receive simulcast wagers shall be revoked. The

Amendment to HB 1260-FN

- Page 3 -

1 commission shall adopt regulations regarding the criteria of the proposed economic development
2 plan prior to issuance of any approval.

3 3 New Paragraph; Operation of Games of Chance; Fees. Amend RSA 287-D:2-b by inserting
4 after paragraph II-a the following new paragraph:

5 II-b. No operator shall require additional fees not specifically allowed under this chapter as
6 a condition of contracting with the operator for game dates.

7 4 Wagering; Single Player. Amend RSA 287-D:3, V to read as follows:

8 V. No single wager by a player, on any game of chance, shall exceed the amount of [\$4] \$6.

9 5 Operation of Games of Chance; Fees. Amend RSA 287-D:3, VII to read as follows:

10 VII. Unless a charitable organization rents a facility from a game operator employer or a
11 primary game operator licensed under RSA 287-D:2-c, the charitable organization shall only rent a
12 facility by means of a fixed rental payment. The fixed rental payment shall not be based on a
13 percentage of what the charitable organization receives from the game of chance and it shall reflect
14 fair rental value of the property for any use not just as a place to hold a game of chance. If a
15 charitable organization rents a facility from a licensed game operator under RSA 287-D:2-c, the
16 charitable organization shall retain no less than 35 percent of the gross revenues from any games of
17 chance minus any prizes paid in accordance with RSA 287-D:3, VIII. Any rental agreement entered
18 into by the charitable organization shall be submitted with the charitable organization's license
19 application for review by the racing and charitable gaming commission. Under no circumstances
20 shall a charitable organization sustain any loss from games of chance, such that its share of the
21 gross revenues minus any prizes paid is less than zero dollars, during a license period with a single
22 game operator. *All contracts between a game operator employer and a charitable*
23 *organization to conduct games of chance under this chapter shall contain the following*
24 *language: "This agreement represents the entire agreement between the parties hereto. No*
25 *charge or fee of any kind that is not contained in this agreement shall be required to be*
26 *paid by the charity."*

27 6 Operation of Games of Chance; Fees. Amend RSA 287-D:3, VIII to read as follows:

28 VIII. The charitable organization shall retain no less than 35 percent of the gross revenues
29 from any game of chance minus any prizes paid on any game date in which game operators licensed
30 under RSA 287-D:2-c are involved in any capacity. Such revenues shall be used by the organization
31 to advance its charitable purpose. *No fee for any service provided by the game operator*
32 *employer or primary game operator shall be allowed unless such fee is agreed to in writing*
33 *and disclosed to the commission as part of the agreement between the game operator*
34 *employer or primary game operator and the charity.*

35 7 Financial Reports and Inspections. Amend RSA 287-D:5, I to read as follows:

36 I.(a) A charitable organization[~~a licensed game operator employer, or a primary game~~
37 ~~operator under contract to conduct games of chance on behalf of a charitable organization and~~

~~designated by the charitable organization to be responsible for submitting financial reports]~~ shall submit a complete financial report for all game dates licensed under RSA 287-D:2 and RSA 287-D:2-a to the racing and charitable gaming commission on forms approved by the racing and charitable gaming commission within 15 days of the end of each month during which a game of chance was held.

(b) A licensed game operator or a primary game operator under contract to conduct games of chance on behalf of a charitable organization shall submit the financial reports required under subparagraph (a). In such case the charitable organization shall not be required to submit such report.

8 Definitions; Gambling and Gambling Machines. Amend RSA 647:2, II(d)-(e) to read as follows:

(d) "Gambling" means to risk something of value upon a future contingent event not under one's control or influence, upon an agreement or understanding that something of value will be received in the event of a certain outcome, and includes the activity of conducting or playing sweepstakes or games of chance on a gambling machine.

(e) "Gambling machine" means any device or equipment which is capable of being used to play sweepstakes or games of chance and which [discharge] discharges money, or anything that may be exchanged for money or cash equivalent or opportunities to enter sweepstakes or play games of chance, or [to display] displays any symbol entitling a person to receive money or cash equivalent or opportunities to enter sweepstakes or play games of chance. This definition shall apply to an electronic device or equipment whether or not:

(1) It is server-based.

(2) It uses a simulated game terminal as a representation of the prizes associated with the results of the sweepstakes entries.

(3) It utilizes software such that the simulated game influences or determines the winning or value of the prize.

(4) It selects prizes from a predetermined, finite pool of entries.

(5) It utilizes a mechanism that reveals the content of a predetermined sweepstakes entry.

(6) It predetermines the prize results and stores those results for delivery at the time the sweepstakes entry results are revealed.

(7) It utilizes software to create a game result.

(8) It requires deposit of any money, coin, or token, or the use of any credit card, debit card, prepaid card, or any other method of payment to activate the electronic machine or device.

(9) It requires direct payment into the electronic machine or device, or remote activation of the electronic machine or device.

(10) It requires purchase of a product.

1 (11) *The product, if any, has legitimate value.*

2 (12) *It reveals the prize incrementally, even though it may not influence if a*
3 *prize is awarded or the value of any prize awarded.*

4 (13) *It determines and associates the prize with an entry or entries at the*
5 *time the sweepstakes is entered.*

6 (14) *It is a slot machine or other form of electrical, mechanical, or computer*
7 *game.*

8 9 New Paragraph; Gambling; Promotional Sweepstakes. Amend RSA 647:2 by inserting after
9 paragraph I-a the following new paragraph:

10 I-b. A person is guilty of a class B felony if a person knowingly and unlawfully promotes or
11 conducts or offers a sweepstakes that is executed through the use of the visual display of an
12 electronic machine. If the offense continues over consecutive days, the person shall be charged with
13 a single continuing offense and notwithstanding RSA 651:2, IV, fined not less than \$1,000 for each
14 day that the violation occurs.

15 10 New Subparagraphs; Definitions; Sweepstakes; Visual Display. Amend RSA 647:2, II by
16 inserting after subparagraph (g) the following new subparagraphs:

17 (h) "Sweepstakes" means any game, advertising scheme or plan or other promotion,
18 which, with or without payment of any consideration, a person may enter to win or become eligible to
19 receive any prize, the determination of which is based upon chance.

20 (i) "Visual display" means any visual information, capable of being seen by a person
21 entering a sweepstakes that takes the form of an actual game play, or simulated game play, such as
22 video poker, or any other video game not dependent on skill or dexterity that is played while
23 revealing a prize as the result of an entry into a sweepstakes.

24 11 New Subparagraph; Poker in Private Residences. Amend RSA 647:2, V by inserting after
25 subparagraph (c) the following new subparagraph:

26 (d) Poker games held in a private residence so long as the house takes no rake or
27 compensation from the prize pool. The house in a poker game held in a private residence may take a
28 fee from the players for dealing.

29 12 Effective Date. This act shall take effect upon its passage.

2012-1357h

AMENDED ANALYSIS

This bill:

I. Requires the racing and charitable gaming commission to hold certain contributions to the pari-mutuel pools from race simulcasters in escrow in Cheshire county.

II. Prohibits game operators from charging charitable organizations certain fees.

III. Creates a felony and a violation for promotion or conduction of unauthorized sweepstakes with an unauthorized gambling machine.

IV. Allows the playing of poker in private residences.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1260 - FN Date 2/14/12

Committee Exec. Dept. & Admin.

**** Please Print All Information ****

[illegible]

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1260-FN

BILL TITLE: relative to poker games and charitable gaming.

DATE: 2/14/2012

LOB ROOM: 306 **Time Public Hearing Called to Order:** 2:30

Time Adjourned: 3:10

(please circle if present)

Committee Members: Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan.

Bill Sponsors: Rep. Lambert, Hills 27; Rep. Bowers, Sull 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. G. Lambert – Introduction. Removes limits from wages

***Jim Rubens, Coalition against expanded gambling.**

Rep. Peter Schmidt – What would happen with expansion of these machines?

Jim Rubens – concern with pressure, what will be the downstream if this bill is passed

Rep. Pratt – Expand on the physical impact. How would monies go to charities & states when 35% pay taxes on the rest?

Jim Rubens – There are downsized risks.

Rep. Pilotte – Poker games in homes

Ann Rice – Appearing for Attorney General against this bill. This is extended gambling. Before you do anything check on what's happening now (chap 242 A 2010)

Ann Rice – Request ITL

Rep. Ken Hawkins – amendment

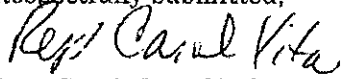
Mike McLaughlin, West New England Harness Horse Assn. & Bill Ellis- wants to build a track in Hillsdale (RSA 284)*

Rep. Pilotte – If they get license for live racing and it doesn't work out after 3 years what would happen?

Rep. Winter - # of live racing in NH limited and who should apply - \$50,000

Mike McLaughlin – anyone can apply.

Respectfully submitted,


Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1260-FN

BILL TITLE: relative to poker games and charitable gaming.

DATE: 2/14/12

LOB ROOM: 306

Time Public Hearing Called to Order: 2:30

Time Adjourned: 3:10

(please circle if present)

Committee Members: Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan

Bill Sponsors: Rep. Lambert, Hills 27; Rep. Bowers, Sull 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

REP C. LAMBERT - INTRODUCTION - REMOVES LIMITS FROM WAGES

* JIM RUBINS - COALITION AGAINST EXPANDED GAMBLING

REP SCHMIDT - WHAT WOULD HAPPEN W/ EXPANSION OF THESE MACHINES

JIM RUBINS - CONCERN W/ PRESSURE - WHAT WILL BE THE DOWN STREAM IF THIS BILL IS PASSED

REP PRATT - EXPAND ON THE PHYSICAL IMPACT.

HOW WOULD MONIES GO TO CHARITIES + STATES

35% - PAY TAXES ON REST

JIM RUBINS - THERE ARE DOWNSIZED RISKS

REP PILOTTE - POKER GAMES IN HOMES

REP HANSON - IF CASINOS IN STATE

REP HAWKINS FOR

ANN RICE - APPEARING FOR ATTY GEN - AGAINST THIS BILL

THIS IS EXPANDED GAMBLING

BY YOU DO ANYTHING - CHECK ON WHATS HAPPENING (CHAP 242 A 2010) NOW

ANN RICE - REQUEST ITL

REP SCHMIST - ~~FORS COULD SHOT~~

REP PILOTTE -

REP HAWKINS - AMENDMENT

MIKE McLAUGHLIN + BILL ELLIS - WANTS TO BUILD A TRACK IN
HILLSDALE - (ESA 284~)*

REP PILOTTE - IF THEY ~~DO NOT~~ GET ^{FOR} ~~LICENSE~~ LIVE RACING & IT DOESN'T
WORK OUT AFTER 3 YRS - WHAT WOULD HAPPEN.

REP WINTER - # OF LIVE RACING IN NH LIMITED & WHO SHOULD
APPLY - \$50000

McLAUGHLIN ANYONE CAN APPLY

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1260-FN

BILL TITLE: relative to poker games and charitable gaming.

DATE: 2/16/2012

LOB ROOM: 306 **Time Public Hearing Called to Order:** 3:45

Time Adjourned: 4:40

(please circle if present)

Committee Members: Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan.

Bill Sponsors: Rep. Lambert, Hills 27; Rep. Bowers, Sull 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Hawkins – Introduction

***Rep. Kurk** – New form slot machine Attorney General hasn't taken action on (amendment)

Rep. Schmidt – Situation – doing video slots in Seabrook? Attorney General not doing anything about it.

Rep. Kurk – Yes, Attorney General is doing nothing.

Rep. Pilotte – How about the gaming commission, do they get involved?

Rep. Kurk – they do

Paul Kelly – Chair of Racing & Gaming commission – Think these machines are illegal.

Rep. Schmidt – Attorney General contacted?

Paul Kelly – Don't know

Curtis Barry – Clears up "gray" area in law. Attorney General said "we're working on it" but we're still waiting.

Rep. Schmidt – did you know about Seabrook Operation?

Curtis Barry – "I did not"

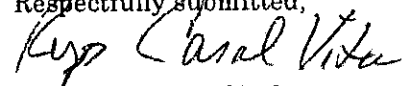
Rep. Schmidt – Does Attorney General know if these machines are illegal?

Dan Callahan, Concord Nh, Rockingham Venture Inc. – It is a concern for the industry

Rep. Sytek – Are you watching on video

Dan Callahan – Years ago we could on slot machines.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rep. Carol Vita".

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1260-FN (Proposed amendments)

BILL TITLE: relative to poker games and charitable gaming..

DATE:

LOB ROOM:

Time Public Hearing Called to Order:

345

Time Adjourned:

440

(please circle if present)

Committee Members: Reps. McGuire, Hawkins, P. Brown, Sytek, Day, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan.

Bill Sponsors: Rep. Oigny, Rock 8

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

REP HAWKINS - INTRODUCTION

* REP KURIK - NEW FORM SLOT MACHINE ATTY GEN.
AMENDMENT HASN'T TAKEN ACTION ON

REP SCHMIDT - SITUATION - DOING VIDEO SLOTS IN SEABROOK?
A.G. NOT DOING ANYTHING ABOUT

REP KURIK - YES - A.G. ATTY GEN. IS DOING NOTHING

REP PILOTTE - HOW ABOUT GAMING COMMISSION - DO THEY
GET INVOLVED

REP KURIK - THEY DO

PAUL KELLY - CHAIR OF RACING + GAMING COMMISSION
THINK THESE MACHINES ARE ILLEGAL

REP SCHMIDT - A.G. CONTACTED?

PAUL KELLY - DON'T KNOW

* CURTIS BARRY - CLEARS UP "GRAY" AREA IN LAW
A.G. SAID "WE'RE WORKING ON IT" BUT WE'RE
STILL WAITING

REP SCHMIDT - DID YOU KNOW ABOUT SEABROOK OPERATION

CURTIS BARRY - "I DID NOT"

REP SCHMIDT - DOES A.G. KNOW IF THESE MACHINES ARE ILLEGAL

DAN CALLAHAN - IT IS A CONCERN FOR THE INDUSTRY

REP SYTER - DO YOU

ARE YOU WATCHING ON VIDEO

DAN CALLAHAN - YEARS AGO WE COULD SLOT MACHINES

CHARLIE MONTYRE -

Sub-Committee Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1260-FN

BILL TITLE: relative to poker games and charitable gaming.

DATE: 3/6/2012

Subcommittee Members: Reps. Hawkins, Winter, Pilotte

Comments and Recommendations: Need new amendment to address Cheshire County –
Monday 3/12 9 am

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Kew Hawkins
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1260-FN

BILL TITLE: relative to poker games and charitable gaming.

DATE: 3/6/12 245

Subcommittee Members: Reps. *Hawkins, Winter, Pottle*
Amend 1081

Comments and Recommendations:

Need New Amend to Address Cheshire City
Mon 3/12 9 AM

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. *[Signature]*
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1260

BILL TITLE: relative to poker games and charitable gaming.

DATE: 3/12/2012

Subcommittee Members: Reps. Hawkins, McGuire, Hansen

Comments and Recommendations: Discussed amendment – Next Meeting 3/19/12

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Ken Hawkins
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1260

BILL TITLE: relative to poker games and charitable gaming.

DATE: 3/12/2012

Subcommittee Members: Reps. *Hawkins, McGuire, Hansen*

Comments and Recommendations: *Discussed Amend - Next Mtg 3/19/12 11A*

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. *[Signature]*
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1260

BILL TITLE: relative to poker games and charitable gaming.

DATE: 3/19/2012

Subcommittee Members: Reps. Hawkins, Winter, Pilotte

Comments and Recommendations:

Amendments:

Sponsor: Rep. Hawkins	OLS Document #:	1280	3-0
Sponsor: Rep. Lambert	OLS Document #:	1290	2-1
Sponsor: Rep. Lambert	OLS Document #:	1291	withdrawn

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Ken Hawkins
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 1260

BILL TITLE: relative to poker games and charitable gaming.

DATE: 3/19/2012

Subcommittee Members: Reps. *Hawkins, Winter, Pilote*

Comments and Recommendations:

Amendments:

Sponsor: Rep. *1280 - Hawkins*

OLS Document #: *1280 3-0*

Sponsor: Rep. *Lambert*

OLS Document #: *1290 2-1*

Sponsor: Rep. *Lambert*

OLS Document #: *1291 withdrawn*

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. *[Signature]*
Subcommittee Chairman/Clerk

Testimony

February 14, 2012

House Executive Departments and Administration

Testimony of Michael McLaughlin on behalf of the Western New England
Harness Horsemen's Association

Good afternoon Madame Chair and members of the Committee my name is Michael McLaughlin, I am an attorney and lobbyist in Concord and appear today on behalf of the Western New England Harness Horsemen's Association. The Association is made up of breeders, owners and drivers of standard breed horses, also known as harness horses. The association has asked that HB1260 be amended to allow them to pursue their economic development plan and goal of returning live harness racing to New Hampshire, specifically in Hinsdale, one of the communities in New Hampshire hurt by the economic slow down.

The plan is real, I have submitted an outline of the business plan developed by the association, they are ready to go, the one thing needed is a change in current law that will allow them to obtain a license, both for live racing and the simulcasting of races from out-of-state race tracks. The current version of RSA 284:22-a allows acceptance of simulcast wagers for facilities that held a license on January 1, 2009. There are two facilities that qualify for such a license, both located in the eastern half of the state. We are asking that this restriction be removed and language added that will allow an entity that has filed an economic development plan with the Racing and Charitable Gaming Commission (RCGC) to conduct a live race meet within thirty-six (36) months to be granted the opportunity to accept simulcast wagers in a county where live racing was previously authorized such as Hinsdale. The RCGC is in favor of this amendment.

Many know that the RCGC has no funding for the supervision of live racing. In the amendment we ask that the taxes collected from simulcast wagers be held for a period of thirty-six months (36) so the funds will be available to the RCGC to hire the required track stewards, state veterinarian and race officials to properly supervise a live race meet. In order to do this we ask that RSA 284:23 be amended.

The project will bring jobs to an economically strained area. The wages paid will invigorate the local economy and those in the horse breeding business will have a reason to preserve the open land they use in New Hampshire to breed and stable horses.

We hope that you can see the benefits to the community and to the state and let these independent business people get to work.

AMENDMENT TO HB 1260-WHY AND WHAT IT DOES

- 1) IN ORDER TO CONDUCT A LIVE RACING MEET A BUSINESS NEEDS TO BE LICENSED BY THE RACING AND CHARITABLE GAMING COMMISSION (RCGC) UNDER THE PROVISIONS OF RSA 284.
- 2) IN ORDER TO BE SUCCESSFUL A RACING FACILITY MUST BE ABLE TO SUPPLEMENT LIVE RACING WITH SIMULCAST REVENUE FROM TRACKS OUTSIDE OF NEW HAMPSHIRE. THE ABILITY TO ACCEPT SIMULCAST WAGERS IS CONTROLLED BY THE PROVISIONS OF RSA 284:22-a. RSA 284:22-a NEEDS TO BE CHANGED TO ALLOW A NEW FACILITY TO ACCEPT SIMULCAST WAGERS.

- 3) WESTERN NEW ENGLAND HARNESS HORSEMEN'S ASSOCIATION (WNEHHA) IS MOVING FORWARD WITH AN ECONOMIC DEVELOPMENT PLAN FOR CHESIRE COUNTY THAT WILL INCLUDE A NEW RACING FACILITY THAT CONDUCTS LIVE MEETS AND ACCEPTS SIMULCAST WAGERS.
- 4) IN ORDER TO FUND LIVE RACING WNEHHA HAS DEVELOPED A PLAN THAT WILL FUND LIVE RACING COSTS. DURING THE FIRST 36 MONTHS OF OPERATION TAXES COLLECTED ON SIMULCAST WAGERING WILL BE HELD BY THE STATE. WHEN LIVE RACING COMMENCES THE FUNDS PAID IN BY THE FACILITY WILL BE USED TO PAY THE COSTS INCURRED BY THE RCGC TO SUPERVISE THE LIVE RACE MEET. AFTER THE INITIAL MEET LIVE RACING WILL BE FUNDED FROM TRACK REVENUE.
- 5) INITIAL PLANS INDICATE THAT THE LAND ACQUISITION WILL BE IN THE VICINITY OF \$1.5 MILLION (\$22,500.00 LAND TRANSFER TAX) A NEW FACILITY, \$10,000,000.00 (APPROX. PROPERTY TAX TO HINSDALE \$230,000.00) AND 50 PERMANENT JOBS.
- 6) AT THE TIME THE PREVIOUS TRACK CLOSED IN HINSDALE IT PRODUCED NEARLY \$6 MILLION IN TRACK REVENUE AND \$500,000 IN TAX REVENUE TO THE STATE. AN ECONOMIC ENGINE IN AN ECONOMICALLY CHALLENGED AREA OF THE STATE.
- 7) IT IS A WIN/WIN OPPORTUNITY FOR THE LOCAL AREA AND THE STATE.

NEW HAMPSHIRE RACING AND CHARITABLE GAMING COMMISSION
CALENDAR YEAR STATISTICS AS OF 12/31/07

	Handle			State Revenue			Track Revenue		
	From 01/01/07 to 12/31/07	From 01/01/06 to 12/31/06	Change	From 01/01/07 to 12/31/07	From 01/01/06 to 12/31/06	Change	From 01/01/07 to 12/31/07	From 01/01/06 to 12/31/06	Change
Rockingham Park									
Live Harness	1,808,937	2,204,305	(395,368)	24,088	28,871	(4,784)	402,020	501,847	(99,827)
Live Thoroughbred									
Simulcast Thoroughbred	63,055,600	72,011,568	(8,955,967)	947,908	1,091,465	(143,558)	11,919,770	13,593,267	(1,673,497)
Simulcast Harness	7,633,401	9,263,142	(1,629,741)	112,883	137,670	(24,786)	1,556,280	1,910,298	(354,019)
Simulcast Greyhound	<u>4,641,032</u>	<u>4,702,158</u>	<u>(61,126)</u>	<u>77,777</u>	<u>79,294</u>	<u>(1,517)</u>	<u>1,036,078</u>	<u>1,051,143</u>	<u>(15,065)</u>
Totals	77,138,971	88,181,172	(11,042,202)	1,162,655	1,337,300	(174,645)	14,914,148	17,056,556	(2,142,408)
The Lodge at Belmont									
Live Greyhound	254,807	310,889	(56,082)	4,006	4,866	(860)	58,418	71,417	(12,999)
Simulcast Greyhound	12,087,964	5,967,912	6,120,052	193,057	95,812	97,246	2,648,985	1,305,647	1,343,339
Simulcast Harness	6,178,184	2,285,793	3,892,371	91,764	33,431	58,333	1,314,251	486,094	828,157
Simulcast Thoroughbred	<u>39,828,744</u>	<u>6,247,830</u>	<u>33,580,914</u>	<u>606,675</u>	<u>103,662</u>	<u>503,014</u>	<u>7,470,971</u>	<u>1,130,585</u>	<u>6,340,385</u>
Totals	58,349,679	14,812,423	43,537,256	895,503	237,771	657,732	11,492,625	2,993,744	8,498,881
Hinsdale Greyhound									
Live Greyhound	2,925,616	4,697,734	(1,772,118)	41,755	66,883	(25,128)	719,935	1,157,048	(437,112)
Simulcast Greyhound	3,060,264	3,483,525	(423,260)	48,821	55,709	(6,888)	669,798	752,806	(83,008)
Simulcast Harness	3,432,128	4,165,653	(733,525)	50,744	61,623	(10,879)	715,612	870,886	(155,274)
Simulcast Thoroughbred	<u>35,026,801</u>	<u>30,959,619</u>	<u>4,066,982</u>	<u>505,967</u>	<u>475,961</u>	<u>30,006</u>	<u>6,679,630</u>	<u>5,381,973</u>	<u>1,297,656</u>
Totals	44,444,609	43,306,530	1,138,079	647,287	660,177	(12,890)	8,784,976	8,162,713	622,263
Seabrook Greyhound									
Live Greyhound	1,196,646	2,949,646	(1,753,000)	17,834	43,635	(25,801)	285,246	707,733	(422,487)
Simulcast Greyhound	15,819,022	17,770,377	(1,951,355)	254,727	287,949	(33,223)	3,426,419	3,837,144	(410,726)
Simulcast Harness	3,286,264	3,521,976	(235,711)	48,078	51,559	(3,481)	688,596	742,639	(54,042)
Simulcast Thoroughbred	<u>24,006,702</u>	<u>27,349,745</u>	<u>(3,343,043)</u>	<u>361,261</u>	<u>417,678</u>	<u>(56,417)</u>	<u>4,545,619</u>	<u>5,171,609</u>	<u>(625,990)</u>
Totals	44,308,635	51,591,744	(7,283,109)	681,899	800,821	(118,922)	8,945,880	10,459,125	(1,513,245)
Rochester Fair									
Live Harness	333,078	337,596	(4,518)	4,654	4,832	(178)	72,348	76,875	(4,527)



Off Track Betting & Harness Racing Facility Hinsdale, NH

Amendment to HB 1260 Why & What It Does

RSA 284:22-a Needs to be changed to allow a new facility to accept simulcast wagers.

Vision

- The Western New England Harness Horsemen's Association looks to an economic developmental plan that would open a track and entertainment center in Hinsdale, NH.

Mission Statement

- To enhance the lives of the people of New Hampshire with employment opportunities and revive harness racing and preserve open lands.

Timeline

- Upon the issuance of a license by the Racing & Charitable Gaming Commission (RCGC), under the provisions of RSA 284, the W.N.E.H.H.A. will enter into a lease on property that currently stands vacant in Hinsdale, NH. Purchase of property for the harness racing facility would be shortly thereafter.

Strategies

- The idea of a track in Hinsdale, NH. is not a new one. Our track and entertainment facility would be a more efficient operation than the one that closed in 2008. Marketing would be to former patrons and to attract new patrons.
 - Simulcast wagering of harness, thoroughbred and greyhound races.
 - Charitable Gaming offered to charities in Western New Hampshire

- Entertainment venue offering food and beverages operated by a local business concern.

Funds Required & Tax Consequences

- The facility will be housed at a temporary location while the harness racetrack is being built. Once the racetrack is completed the all wagering will be conducted in the same area.

Investment for the purchase of land estimated at **1.5 million dollars**

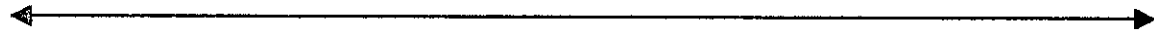
Estimated Land Transfer Tax: **\$22,500.00**

Construction of Harness Racing Facility estimated at **10 million dollars**

Estimated Property tax to Hinsdale, N.H.: **\$230,000.00**

Employment Estimates

- Estimated Employees: **50**
- Estimated Employees and Racing Personnel: **250**



During the first 36 months of the operation taxes collected on simulcast wagering will be held by the state. When racing commences the funds held by the state would be used to pay the cost incurred by the RCGC to supervise the live racing meet. After the initial meet live racing will be funded from track revenue.

When Hinsdale Greyhound Park closed in 2008 the unemployment rate in Cheshire County was **3.7%**. In 2010 that number climbed to **5.8%**.

In the final two years of operation (2007 & 2008) Hinsdale Greyhound Park paid to the state of New Hampshire a little over **1 million dollars**.

With the closing of Hinsdale Greyhound Park the town of Hinsdale, NH. lost annual revenues of **\$110,000.00**.

Total Amount Wagered at Hinsdale Greyhound Park in 2007 & 2008 was just over **74 million dollars**.

McLaughlin
&
Ellis

RSA 284:22-a

II. (a) During the calendar years 1941-2029, a licensee may sell pari-mutuel pools on races held at racetracks other than at the facility of the licensee, if any, provided:

(1) Such sales are within the enclosure of the facility at which the licensee holds a license;

(2) Wagers are made on races which are exhibited by television or other electronic reproduction at licensee's facility simultaneously with the conduct of each such race at its point of origin with the agreement or approval of the racetrack which provides the transmission of the races to be simulcast and the racetrack which conducts the races to be simulcast;

(3) Unless the licensee makes the election pursuant to RSA 284:22-a, II(c), the licensee which holds a license to conduct live harness or running horse racing has scheduled at least 50 calendar days of live harness and/or running horse racing in the calendar year such licensee simulcasts; and

(4) The licensee obtains the consents and approvals set forth in RSA 284:22-a,
III.

(b) [Repealed.]

(c) — ~~(e)~~ — Notwithstanding subparagraph II(a), an individual, association, partnership, joint venture, corporation, or other organization or entity may be issued a license to conduct simulcasting without conducting live racing provided such person or entity makes such election with the approval of the commission and such person or entity either held a license on January 1, 2009 or has submitted an economic development plan to the commission under this chapter to conduct a race meet within thirty-six (36) months or seeks to conduct simulcasting without conducting live racing at a facility which is located in a county at which live racing was previously authorized to be conducted in 2009.

Granite State Coalition Against Expanded Gambling

PO Box 3931, Concord, NH 03302-3931 (603) 359-3300

Before the House ED&A Committee
HB-1260 Public Hearing: February 14, 2012
Jim Rubens

GSCAEG Opposes HB-1260 Removes Betting Limits for Charity Gambling

There are currently 11 licensed charity gaming facilities in New Hampshire, in Belmont, Dover, Hampton, Hampton Falls, Keene, Manchester, Milford, Rochester, Salem, Seabrook, and Tilton, with nearly \$33 million wagered in FY 2010.

The NH Gaming Study Commission found (unanimously) in its May 18, 2010 final report that:

"The state should support an independent review of its current gaming regulations and systems to determine both their current effectiveness and their capacity to handle an expansion of both scale and type of gaming activity. Given the dollars and extent of gaming activity that already occurs across the state, mainly through Lottery and charitable gaming (bingo, poker and other table games), such a review is needed to assure that the interests of the state and its citizens are being protected now. ... **This review should be completed and necessary changes implemented before any expansion is enacted.**"

As of July 1, 2008, bet limits were raised from \$2 to \$4, along with other changes resulting in recent explosive growth in charity gambling.

By removing all bet limits, as this bill does, charity gambling facilities will increase in number, scale, and local/regional impact, becoming casinos minus slot machines.

There is no limit on the number of such facilities permitted statewide, meaning that a charity gambling casino could be located in or near every community in the state.

These casinos would quickly become yet another active lobbying force wanting slot machines. If slot machines are allowed anywhere in the state, these charity gambling casinos would demand and likely get them, making New Hampshire a state with a radical degree of casino gambling proliferation.

GSCAEG Board

Jim Rubens, Chair
Gordon Allen
Arnie Arnesen
Tom Boucher
Chief David Cahill
Sally Davis
Bob Kay
Ed Naile
Peter Schmidt
Katrina Swett
Wendy Warcholik

GSCAEG Organizations

NH Chiefs of Police
Granite State Taxpayers
Coalition of NH Taxpayers
NH Advantage Coalition
NH Citizens for a Sound Economy
NH Council of Churches
United Church of Christ
NH Baptists Association
Unitarian Universalists
Episcopal Diocese of NH
Cornerstone Policy Research
Concerned Women for America - NH
NH Citizens' Alliance
League of Women Voters of NH

Orgs Opposing Casinos

National Education Assn - NH
NH Medical Society
Roman Catholic Diocese of
Manchester
Stonyfield Farm, Inc
The Duprey Company, LLC

Media Opposing Casinos

Concord Monitor
Eagle Tribune
Fosters Daily Democrat
Keene Sentinel
Laconia Citizen
New Hampshire Union Leader
Portsmouth Herald
Valley News

Learn More at
NoSlots.com

Questions, Comments
info@NoSlots.com

Jim
RUBENS



State of New Hampshire
Racing and Charitable Gaming Commission
Regulation & Enforcement of Racetracks, Bingo, Lucky 7 and Games of Chance

Paul M. Kelley, Director
Sudhir K. Naik, Deputy Director

January 27, 2012

Attorney General Michael Delaney
New Hampshire Department of Justice
State of New Hampshire
33 Capitol Street
Concord, NH 03301

Dear Attorney General Delaney:

Recently, the enforcement division of the Racing and Charitable Gaming Commission (RCGC) investigated Bigs Café (Bigs) in Nashua, NH, a so-called "internet café". Bigs advertises on WMUR, and promotes that one can play "keno" and other games and win cash prizes. Bigs boldly and proudly advertises that a portion of its proceeds are charitably given to "Homes For Our Troops", which is a representation that donations are made to a charitable organization. The enforcement division of the RCGC concluded that Bigs pays cash prizes to customers upon the occurrence of a winning event while playing the so-called "sweepstakes machines".

The investigators of the RCGC also learned that players at Bigs may deposit money "on account". It appears that if a player ends a gambling session with winnings, the player may opt to either withdraw the cash from the machine or the player may keep the winnings "on account" with the internet café.

At the January 19, 2012 Commission Meeting of the RCGC, the Commissioners entertained a public discussion on the proliferation of the internet cafes. A member of the public explained to the Commission that she and a friend had recently "gambled" at Bigs. She stated that the establishment was very similar to a casino, with plush seating and gambling terminals through out the café. She also stated that senior citizens and retirees comprised the majority of the patrons at the establishment. All of the seniors aggressively played the machines for quite some time. The member of the public also confirmed that Bigs will either pay winnings in cash or a player may leave the cash winnings on deposited for potential future playing sessions.

As an agency, we have endeavored to request the presence of the proprietors of Bigs to appear before the full Commission so that the devices and the business may be examined. Our agency has been in communication with the attorney who represents Bigs Café. Originally, the attorney agreed to appear before the January 19, 2012 Commission meeting, with the proprietor of Bigs and the software developer. At the 11th hour, the attorney and his client decided not to appear, when the attorney concluded that the matter would be held in public session.

From our initial research and investigation, we have concluded that the interested parties associated with Bigs Café, believe that this type of gaming is legal and does not fall under the Commission's authority. Further Bigs stated to our investigators that the devices are not gambling, because there is no consideration present to make the wager, but rather the player is purchasing an item, i.e. internet time, and then the player is entered into a sweepstakes. The analogy has been made that the sweepstakes devices are similar to Publishers Clearing House and McDonald's Restaurants.

57 Regional Drive, Unit 3
Concord, NH 03301-8518

www.racing.nh.gov

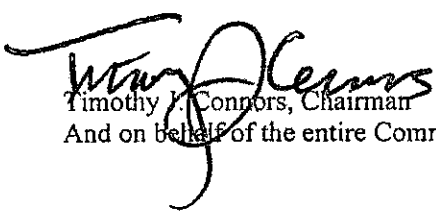
Tel. (603) 271-2158
Fax (603) 271-3381

The business being conducted at Bigs is of great concern to our Agency, and we suggest should be as great a concern to the State of New Hampshire. Bigs is operating unregulated and leads the public to believe that their gambling activities are sanctioned by the State of New Hampshire. Bigs promotes that they are donating proceeds to charitable organizations, which may lead the senior citizen player who is gambling social security income to believe that Bigs is legal.

As previously stated, Bigs retains players' cash on account, for potential future gambling sessions. To the best of our knowledge, there is no surety bond or other mechanism in place to secure performance of the payments, should Bigs go out of business. There is potential for great harm should Bigs decide to "close shop" under cover of night and abscond with senior citizens' money.

We are referring this matter to you for your review and advice. Despite our efforts to eradicate the existence of these gaming devices, the operators at Bigs Café are essentially ignoring our request to appear before the Commission. More importantly, they assert the Racing and Charitable Gaming Commission does not have any power or jurisdiction over their enterprise. Our state is losing revenue daily and the charities are suffering as these devices operate unregulated, and without any supervision. There may even be a catastrophe where senior citizens lose their social security income because of unscrupulous business practices.

Thank you for your time. We await your response.



Timothy J. Connors, Chairman
And on behalf of the entire Commission

cc:

Governor John Lynch
Speaker William O'Brien,
President Peter Bragdon,
Representative Neal Kurk,
Representative Kenneth Weyler
Senator Bob Odell
Colonel Robert L. Quinn
Mayor Donnalee Lozeau
Chief of Police John J. Seusing
Sheriff James Hardy
Mayor Donnalee Lozeau
House Members from Nashua District
Senator Members from Nashua District

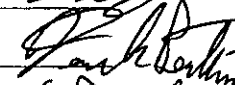
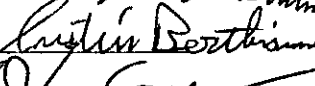
I Support NH House Bill 1260-FN -- AS INTRODUCED

I. Allows the offering of pay-by-the-hour charitable games.

II. Removes limits on by-ins and re-buys.

III. Removes the limit on wagers.

IV. Allows the playing of poker in private residences.

Name	Address	email/phone	Signature
Anthony Berts	31 Clifton Rd Bedford NH	682-9644	
Derek Berthiaume	6-4 Oakwood lane Goffstown, N.H.		
Justin Berthiaume	6-4 Oakwood lane Goffstown, N.H.		
Vera Cruz	" "	" "	

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Name	Address	email/phone	Signature
Andrew Russell	21 Wood Dr	(603) 562-4420	Andrew Russell
James Palmieri	7L Overlook Dr. Derry, NH	216-5873	James Palmieri
Michelle Bertrand	2 Louisburg Sq Apt 6	Nashua	Michelle Bertrand
Candace Hayes	Winchester	603-206-8174	Candace Hayes
ALBERT J BAIUNGO	7 SUNSET AVE DERRY NH	603-437-2864	Albert J BAIUNGO
Jason Truncillo	508 DIX ST	Manchester NH 603-264-8471	Jason Truncillo
Scott Webster	7 Pined St.	Manchester NH 603-703-4697	Scott Webster
BILL MOORE COOK	23 Kim Rd.	Salem NH 603-898-4994	BILL MOORE COOK
Richard Littlefield	Box 169 HILLSBORO, N.H.	603-547-0141	Richard Littlefield
Richard Bertolucci	4 Arlington St	Nashua, NH bertolucci@mail.com	Richard Bertolucci
STEPHEN FUSMAN	222 SEAMES DR.	MANCHESTER NH	Stephen Fusman
ROBERT SHERKAT		603-552-5501 DERRY NH	Robert Sherkat
Peter Meadows		978-692-2016	Peter Meadows
Sam Thomas		978-729-0514 SALEM NH	Sam Thomas
Stella Akerstrom		603-265-3456 Manchester NH	Stella Akerstrom
David		603-550-5581 Salem NH	David
Patrick OBrien		603-669-6050 Manchester	Patrick OBrien
Howard D. Kagan	661 CORNING RD. Manchester.	Howard.Kagan@comcast.net	Howard D. Kagan
James Place		603-361-6163	James Place
Stephen Wells		603-203-1882	Stephen Wells
Christos Melas		603-913-1126	Christos Melas
JOSE ROMAN		603-361-7204	JOSE ROMAN
Jean Carlakian		603-893-8228	Jean Carlakian (Salem NH)
Nick David		603-674-2224	Nick David

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Name	Address	email/phone	Signature
DAVE PEPPER	24 FORDWAY EXT WINDHAM N.H.	MH0RPEP@COMCAST.NET	Dave Pepper
Karen Halpeau	50 Lexington Dr. Hampstead, NH 03841	603-481-1038	Karen Halpeau
Mark Donahue	223 Mount Brown Rd Hampstead NH 03841		Mark Donahue
Kerry D. Pugh	2 MCENROE DR. Longs Ferry N.H.	03053	Kerry D. Pugh
Robert Glazier	70 Hampstead rd Sargent NH	508-335-8688 AOL.com	Robert Glazier
Stirer Pepper	24 Fordway Ext Windham N.H.		Stirer Pepper
Nick White			Nick White
Tomas Hawkins	16 Woodland New Ipswich NH		Tomas Hawkins
John Johnson	117 Engle St.		John Johnson
Frank Barry	113 CHRISTIE RD NEW BRUNSWICK, N.J.		Frank Barry
Troy Raymond	106 Putnam St. Manchester NH 03102		Troy Raymond
William McMillan	54 Hickory Lane, Windham, NH 03081		William McMillan
Bob Leander	219 Beach St Manchester NH 03103		Bob Leander
Shawn Maynard	29 Melbidge Hillborough NH 03244		Shawn Maynard
Keith Cragg	143 Kaptell Rd. Canterbury NH 03843		Keith Cragg
Camaron Yeoman			Camaron Yeoman
Wesley	Salem NH	893-5053	Wesley
John Brown		978-332-0604	John Brown
John Hays	Somerset NH	978-590-8846	John Hays
John Brown	157 Main St. Concord NH	603-851-2621	John Brown
Patricia Watson	33 Coventry Rd.	603-362-8882	Patricia Watson
John Brown		603-348-6085	John Brown
John Brown	203 Main St.	978-333-3111	John Brown
John Brown	2 Cottonwood Ln Merrimack	978-270-1111	John Brown

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Name	Address	email/phone	Signature
Ronald Cooper	22 MARSH AVE SALEM, NH	603-893-4401	[Signature]
PAUL COLE	10 HAWTHORNE RD	603-479-6274	[Signature]
WILLIAMS	37 ROOT RD		[Signature]
JOAN DUGERIEUX	39 Mallard Ln	Somerset, NH	[Signature]
THOMAS E DUSO	13 Brentwood Ave	SALEM NH	[Signature]
RYAN PONTYNI	1200 Ames Hill Drive	Tunkbury, MA	[Signature]
JEANNE LANIER	184 STONE FALK RD	Henniker NH	[Signature]
MASTERY	141 HAMPSHIRE ST	MIDDLETON MA	MICHAEL C. SURY
LAM BEATEN	86B CROSS ST	SALEM NH	[Signature]
JOHN CRIDER	4 BROOK RD.	SALEM, NH	[Signature]
JOHN LIN	52 Autumn	Wagstaff NH	[Signature]
TONI WILSON	233 Bell Hill	Milford NH	[Signature]
ERIK ARON	9 McLaughlin Ave	Salem NH	[Signature]
WYATT FEDER	30 Sawtelle Rd	Windham	[Signature]
JOHN WARR	12 Gator Rd	Somerset	[Signature]
Michael Champaud	184 Lake St	MASHUA NH	[Signature]

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Name	Address	email/phone	Signature
Keith Whitney			
Jennifer Marchant, Marchant		JTCURVES@yahoo.com	
Joyce Archambault		j.archambault@comcast.net	
Michael Elmer	24 Shelburne Rd Merrimack NH 03054	mclmer2727@yahoo.com	
Joe Michel		Michelin@auto@yahoo.com	
Cathy He	43 Fieldstone Dr.	ccote@embryo-tech.com	
Linda Durs	13 Brentwood Ave		
Jason Durs	13 Brentwood Ave		
Timothy Kory		LLKAR6@comcast.net	
JOE DENEHY		Easternborder87@aol.com	
Dennis Levesque		dmizz1c317@yahoo.com	

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1260-FN

BILL TITLE: relative to poker games and charitable gaming.

DATE: 3/21/2012

LOB ROOM: 306

Amendments:

Sponsor: Rep. Hawkins

OLS Document #: 2012 1357h

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions:

(OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hawkins

Seconded by Rep. Schmidt

Vote: 10-0 (Please attach record of roll call vote.)

Motions:

(OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hawkins

Seconded by Rep. Schmidt

Vote: 10-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1260-FN

BILL TITLE: relative to poker games and charitable gaming.

DATE: ~~2-16-12~~ 3/21/12

LOB ROOM: 306

Amendments:

Sponsor: Rep. Hawkins

OLS Document #: 2012-1357h

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: ~~Amend~~ OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hawkins

Seconded by Rep. Schmidt

Vote: yes (Please attach record of roll call vote.) 10-0

Motions: OTP OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hawkins

Seconded by Rep. Schmidt

Vote: 10-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

AB 1260, 2012-1357h relative to poker games
 Bill #: Amend Title: and charitable gaming.

PH Date: 3, 6, 12

Exec Session Date: 3, 21, 12

Motion: OT P

Amendment #: 2012-1357h

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	✓	
Hawkins, Kenneth, V Chairman	✓	
Sytek, John		
Day, Russell C		
Pratt, Calvin D		
Vita, Carol M, Clerk		
Perkins, Lawrence B		
Winter, Steven J	✓	
Bowers, Spec	✓	
Brown, Paul E		
Hansen, Peter T	✓	
Proulx, Mark L	✓	
Whitehead, Randall A	✓	
Schmidt, Peter B	✓	
Pilotte, Maurice L	✓	
Jeudy, Jean L		
Sullivan, Daniel J	✓	
	10	
TOTAL VOTE:		
Printed: 12/21/2011		

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: 1260 Title: relative to poker games and charitable gaming

PH Date: 3/6/12

Exec Session Date: 3/21/12

Motion: OTP/A

Amendment #:

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	✓	
Hawkins, Kenneth, V Chairman	✓	
Sytek, John		
Day, Russell C		
Pratt, Calvin D		
Vita, Carol M, Clerk		
Perkins, Lawrence B		
Winter, Steven J	✓	
Bowers, Spec	✓	
Brown, Paul E		
Hansen, Peter T	✓	
Proulx, Mark L	✓	
Whitehead, Randall A	✓	
Schmidt, Peter B	✓	
Pilotte, Maurice L	✓	
Jeudy, Jean L		
Sullivan, Daniel J	✓	
	10-0	
TOTAL VOTE:		

Committee Report

CONSENT CALENDAR

March 22, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on EXECUTIVE DEPARTMENTS AND
ADMINISTRATION to which was referred HB1260-FN,

AN ACT relative to poker games and charitable gaming.

Having considered the same, report the same with the
following amendment, and the recommendation that
the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Kenneth Hawkins

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	EXECUTIVE DEPARTMENTS AND ADMINISTRATION
Bill Number:	HB1260-FN
Title:	relative to poker games and charitable gaming.
Date:	March 21, 2012
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

The original bill would have removed the \$150 limit allowed for poker games and would allow unlimited betting at charitable games. The committee felt if we were going to do that, it should not be under charitable games, but under a casino bill.

The Committee amended the bill with three separate sections. The 1st section would allow horse racing and simulcast betting at a new facility in Cheshire County. The 2nd section updated what game operators could charge charities for reports required by the Charitable Gaming Commission. The 3rd section outlaws a new attempt to bypass our gambling laws. Companies are advertising on TV and newspapers a place of business where you can play slot machines that award sweepstake prizes. This amendment would make these illegal.

The 4th section, from the original bill, allows you have a poker game for money in your home. Under current law you could be fined and go to jail for hosting a poker game in your home.

Vote 10-0.

Rep. Kenneth Hawkins
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB1260-FN, relative to poker games and charitable gaming. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth Hawkins for EXECUTIVE DEPARTMENTS AND ADMINISTRATION. The original bill would have removed the \$150 limit allowed for poker games and would allow unlimited betting at charitable games. The committee felt if we were going to do that, it should not be under charitable games, but under a casino bill.

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Vote 10-0.

Original: House Clerk
Cc: Committee Bill File

Karwocki, Karen

From: Carol McGuire [mcguire4house@gmail.com]

Sent: Wednesday, March 21, 2012 9:29 PM

To: Karwocki, Karen

Cc: Hawkins, Ken; Peter T Hansen; Pratt, Calvin

Blurb HB 1435

Peter T. Hansen for ED&A: This bill, as amended, establishes a liaison committee to monitor the department of environmental services. The liaison committee will consist of 12 members, the chairperson, vice-chairperson and ranking minority member of the senate energy and natural resources committee and 9 members of the house who shall be the chairperson, vice-chairperson and ranking minority member of resources, recreation, and development committee, the environmental and agriculture committee and the science and technology committee. The liaison committee will monitor the department to support an effective, efficient, and coordinated system of environmental services and meet no less than once every 3 months, or more frequently at the call of the chair. The liaison committee will fulfill the obligations as specified in the bill and file a report as required within the time specified. The committee amendment retitles the committee from oversight to liaison, slightly modifies the committee responsibilities, adds a sunset date and corrects the effective date to January 1, 2013

HB1476

The language of this bill is a reiteration of Section 1, Article 28 of the New Hampshire constitution. The hearings and subcommittee meetings revealed that the legislature has specifically authorized a number of interstate compacts, creating an apparent conflict. A related bill, HB1475, on interstate compacts, will incorporate the intent of HB1476 while resolving the issues of the compacts, making this bill unnecessary.

Cal Pratt for the committee

Rep Ken Hawkins
Hills Cty 18

HB1260 – The original bill would have removed the \$150 limit allowed for poker games and would allow unlimited betting at charitable games. The committee felt if we were going to do that, it should not be under charitable games, but under a casino bill.

The Committee amended the bill with three separate sections. The 1st section would allow horse racing and simulcast betting at a new facility in Cheshire County. The 2nd section updated what game operators could charge charities for reports required by the Charitable Gaming Commission. The 3rd section outlaws a new

3/22/2012

attempt to bypass our gambling laws. Companies are advertising on TV and newspapers a place of business where you can play slot machines that award sweepstake prizes. This amendment would make these illegal.

The 4th section, **from the original bill**, allows you have a poker game **for money** in your home. Under current law you could be fined and go to jail for hosting a poker game in your home.