

Bill as Introduced

HB 348-FN - AS INTRODUCED

2011 SESSION

11-0141

10/04

HOUSE BILL

348-FN

AN ACT

transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

SPONSORS:

Rep. Kurk, Hills 7; Rep. Hess, Merr 9

COMMITTEE:

Executive Departments and Administration

ANALYSIS

This bill eliminates the racing and charitable gaming commission and transfers all of its duties, personnel, rules, and budget to the state lottery commission. The bill also prohibits the use of new electronic gaming devices in the state without specific statutory authorization.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Eleven

AN ACT transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

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

- 1 1 Agency Reports; Racing and Charitable Gaming Deleted. Amend RSA 20:7 to read as follows:
2 20:7 Issuance of Reports. The following agency reports shall be issued annually: secretary of
3 state, state treasurer, bank commissioner, insurance commissioner, division of personnel,
4 commissioner of revenue administration, lottery commission, [~~racing and charitable gaming~~
5 ~~commission,~~] liquor commission, department of transportation, department of environmental
6 services, department of safety, adult parole board, and the board of trustees of the state colleges and
7 university. All other reports shall be issued biennially. All reports shall cover periods ending on June
8 30, and be submitted to the governor and council, the speaker of the house of representatives, and
9 the senate president by October 1. Biennial reports shall cover periods ending in odd-numbered
10 years.
- 11 2 Terms of Appointment. Amend RSA 21:33-a, III(a) to read as follows:
12 III.(a) That any commissioner or agency head of a department, as defined in RSA 21-G:5, VI,
13 who is an unclassified employee of the state, and appointed to such position, shall serve for the
14 appropriate term or unexpired portion thereof. The commissioner or agency head may serve beyond
15 the appointed term or unexpired portion thereof with the written authorization of the governor. This
16 subparagraph shall also apply to the adjutant general and the attorney general, and to appointees to
17 the liquor commission, the lottery commission, [~~the racing and charitable gaming commission,~~] and
18 the public utilities commission.
- 19 3 Taxation of Gambling Winnings; Definitions. Amend RSA 77:38, IV to read as follows:
20 IV. "New Hampshire entities" means establishments the purpose of which is to engage in
21 any gaming regulated by the [~~racing and charitable gaming~~] **lottery** commission and the sale of
22 lottery tickets as permitted by the lottery commission.
- 23 4 Taxation of Gambling Winnings. Amend RSA 77:39, II to read as follows:
24 II. The lottery commission [~~and the charitable gaming and racing commission~~] shall
25 withhold all tax due and payable to the state from any payout of gambling winnings.
- 26 5 Taxation of Gambling Winnings; Returns. Amend RSA 77:42, II to read as follows:
27 II. The taxes collected by the lottery commission [~~and the racing and charitable gaming~~
28 ~~commission~~] shall be paid over to the state treasurer on or before the fifteenth day of the month
29 following collection of said tax.

1 6 State Employees; Terms Defined. Amend RSA 98-A:1, III to read as follows:

2 III. "The equivalent of 6 months or more" shall mean the equivalent of 130 or more regularly
3 scheduled work days, not necessarily consecutive, provided that whenever an employee of the [~~rac~~ing
4 ~~commission or greyhound racing~~] lottery commission is employed on any day on a per diem basis he
5 *or she* shall be deemed to have worked one day.

6 7 Salaries Deleted. Amend RSA 94:1-a, II and III to read as follows:

7 II. The salary wages for the positions set forth below shall be as follows commencing
8 January 2, 2009:

	Minimum	Maximum
9 Governor's councilors		\$15,169
10 [Racing and charitable gaming commissioners]		\$11,765
11 Sweepstakes commission, chairman		\$17,111
12 Sweepstakes commission, members		\$ 9,632

13 III. Officials named in this section shall be placed in the corresponding steps in the new
14 salary ranges as their length of service justifies and in accordance with RSA 94:3. Lottery
15 commissioners who are members of a multi-state lottery commission and who are authorized to be
16 compensated for such services shall be compensated in addition to their salary under RSA 94:1-a, II,
17 provided, that such additional salary equals no more than \$50 per actual day worked plus reasonable
18 expenses for duties performed as a multi-state lottery commissioner. [~~Racing commissioners,~~
19 Lottery commissioners,] and the state entomologist only excepted, any official whose salary upon
20 placement in the new salary range is less than that of a subordinate classified employee shall be
21 placed at the next higher step in range above said classified employee and shall be entitled to any
22 increase provided for herein until the maximum provided herein is reached. However, in the event
23 that the maximum of the unclassified position is less than the salary of said subordinate classified
24 employee, the governor and council is authorized to increase the maximum of the unclassified
25 position in an amount to provide a differential of not more than \$1,000.

26 8 Investigators; Police Standards and training Council Certification. Amend RSA 188-F:27, VI
27 to read as follows:

28 VI. Any investigator who has the power to enforce the criminal laws under RSA 106-A and
29 RSA 287-E and rules of the lottery commission[,] *or* the department of safety[, ~~or the racing and~~
30 ~~charitable gaming commission~~] and who was serving under a permanent appointment prior to July
31 1, 1986, shall not be required to meet the requirements of paragraphs I and III; however, any
32 investigator referred to in this paragraph shall complete such limited programs as may be
33 prescribed by the police standards and training council under this section within one year of the
34 date the programs are required. Should any investigator exempted from the requirements of
35 paragraphs I and III of this section by this paragraph terminate employment with the department
36 of safety and be hired as a police officer by another police department of the state or a political
37

1 subdivision thereof, the inspector's certification shall lapse and may be reinstated upon completion
2 of such necessary additional training courses as the police standards and training council may
3 prescribe.

4 9 Subdivision Heading Changed. Amend the subdivision heading preceding RSA 284:6 to read
5 as follows:

6 Racing and Charitable Gaming [~~Commission~~]

7 10 Racing and Charitable Gaming; Lottery Commission Authorized. Amend RSA 284:6-a to
8 read as follows:

9 284:6-a Racing and Charitable Gaming; *Lottery* Commission.

10 I. [~~There shall be a state~~] *The regulation of* racing and charitable gaming [~~commission~~
11 ~~consisting of 6 members appointed by the governor with the advice and consent of the council. Each~~
12 ~~member shall hold office for a term of 3 years. Any vacancy shall be filled for the unexpired term.~~
13 ~~Annually, one member shall be chosen chairperson by the commission, and one shall be chosen as~~
14 ~~secretary.] *shall be under the authority of the lottery commission established in RSA 284:21-a*~~

15 II. The [~~racing and charitable gaming~~] *lottery* commission shall assume the powers,
16 rights, duties, and responsibilities granted to the *racing and charitable gaming*
17 *commission, the* state racing commission, and the state greyhound racing commission [~~under~~
18 ~~RSA 284, and any reference to the state racing commission or the state greyhound racing~~
19 ~~commission in RSA 284 or any other statutory cites shall be deemed to refer to the~~
20 ~~New Hampshire racing and charitable gaming commission]. The [~~New Hampshire racing and~~
21 ~~charitable gaming~~] *lottery* commission shall, in carrying out the purpose of this chapter, use the
22 applicable provisions for horse racing independent of the applicable provisions for simulcast dog
23 racing.~~

24 III. The [~~racing and charitable gaming~~] *lottery* commission shall have all the powers, duties,
25 and rights conferred upon state commissions under the United States Interstate Horseracing Act of
26 1978 as it currently exists and as it may be amended from time to time.

27 IV. The [~~racing and charitable gaming~~] *lottery* commission shall administer RSA 287-E
28 relating to bingo and lucky 7.

29 V. The [~~racing and charitable gaming~~] *lottery* commission shall administer RSA 287-D,
30 relating to games of chance conducted by charitable organizations.

31 VI. *Notwithstanding any law, rule, or current practice to the contrary, the*
32 *commission shall not authorize the use of any electronic gaming device in any game,*
33 *lottery, or other offering which was not in use by the public on or before October 1, 2010,*
34 *unless specific authorization for such electronic gaming device is enacted by the*
35 *legislature. Electronic gaming devices shall mean and include all electromechanical*
36 *instruments and devices used for the purpose of gaming whether in physical presence or*
37 *through the Internet, and shall include video slot machines and other gambling machines,*

1 *devices which function or are designed to emulate a video slot machine or other gambling*
2 *machine, an historical racing machine, electronic lucky 7 ticket units, and computer*
3 *technology to reveal instant ticket winners.*

4 11 Licensees; Restriction on Gambling. Amend RSA 284:17-c to read as follows:

5 284:17-c Restriction on Gambling. Notwithstanding any other provision of law, except as
6 provided in RSA 284:22-a and in the introductory paragraph of RSA 284:22, no licensee who holds
7 running horse races shall at the same facility hold any other kinds of races or permit any other type
8 of gambling except harness horse races and activities licensed by the lottery commission [~~or the~~
9 ~~racing and charitable gaming commission~~].

10 12 Stewards. Amend RSA 284:20 to read as follows:

11 284:20 Stewards. There shall be at least 3 stewards to supervise each running or harness horse
12 race or meet, conducted under the provisions of this chapter, at which pari-mutuel pools are sold.
13 One of such stewards shall be the official steward of the state [~~racing~~] **lottery** commission, and the
14 remaining stewards shall be appointed by the person, association, corporation, or any other type of
15 entity conducting the race or meet, subject to the approval of the commission. Said stewards shall be
16 authorized to assess fines and suspend licenses and shall exercise such other powers and perform
17 such duties at each race meet as may be prescribed by the rules [~~and regulations~~] of the commission.
18 Any person who has been assessed a fine or whose license has been suspended may appeal any fine
19 or suspension imposed by the stewards under this section to the commission.

20 13 Rights Protected; Liability Limited. Amend RSA 284:20-a to read as follows:

21 284:20-a Rights Protected. No licensee conducting a race or meet under this chapter, no
22 member of the state [~~racing~~] **lottery** commission, no steward, judge, or assistant official appointed to
23 act as such pursuant to the provisions of this chapter, shall be liable for damages to any person,
24 association or corporation for any cause whatsoever arising out of or from the performance by such
25 licensee, commissioner, steward, judge or assistant official of such person's duties and exercise of
26 discretion with respect to such duties, so long as such person acted in good faith, without malice or
27 improper motive.

28 14 Lottery Commission Revenues. Amend RSA 284:21-j, I to read as follows:

29 I. The state treasurer shall credit all moneys received from the lottery commission [~~and all~~
30 ~~moneys received from the racing and charitable gaming commission under RSA 287-D and RSA 287-~~
31 ~~E,~~] and interest received on such moneys, to a special fund from which the treasurer shall pay all
32 expenses of the commission incident to the administration of this subdivision and all administration
33 and enforcement expenses of [~~the~~] racing and charitable gaming [~~commission~~] under RSA 287-D and
34 RSA 287-E. Any balance left in such fund after such expenses are paid shall be deposited in the
35 education trust fund established under RSA 198:39.

36 15 Change from Racing and Charitable Gaming to Lottery. Amend the following RSA provisions
37 by replacing "racing and charitable gaming commission" with "lottery commission": 21-I:18, I(n); the

1 introductory paragraph of 21-P:4, VI; 175:1, LVI; 273-C:2, VI; the introductory paragraph of 284:12;
2 284:20-d; 284:20-f, I; 284:22; 284:23, VII; 284:32-b; 284:38-a; 287-A:8; 287-D:1-a; the introductory
3 paragraph of 287-D:1-b; 287-D:2, II; 287-D:2-a; 287-D:2-b; 287-D:2-c; 287-D:2-d; 287-D:3; 287-D:5;
4 287-D:6; 287-D:7; 287-D:8; 287-D:9; 287-E:1, VI; 287-E:2; 287-E:16; and 647:2, V(a).

5 16 Repeal. The following are repealed:

6 I. RSA 6:12-d, II(1), relative to the racing and charitable gaming escrow account.

7 II. RSA 284:7, relative to the office for the racing and charitable gaming commission.

8 III. RSA 284:9, relative to expenses of the racing and charitable gaming commission.

9 IV. RSA 284:11, relative to the report of the racing and charitable gaming commission.

10 17 Transfer of Functions, Positions, Equipment, Records, and Accounts; Rules Continued.

11 I. All of the functions, positions, powers, duties, and responsibilities of the racing and
12 charitable gaming commission shall be transferred to the lottery commission. The transfer shall
13 include all of the equipment, books, papers, and records of the racing and charitable gaming
14 commission related to the above functions.

15 II. All existing rules, statutory responsibilities, regulations, and procedures in effect, in
16 operation, or adopted in or by the racing and charitable gaming commission are transferred to the
17 lottery commission, and are declared in effect and shall continue in effect until rescinded, revised, or
18 amended in accordance with applicable law.

19 18 Effective Date. This act shall take effect July 1, 2011.

LBAO
11-0141
12/21/10

HB 348-FN - FISCAL NOTE

AN ACT transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

FISCAL IMPACT:

The Racing and Charitable Gaming Commission (RCGC) states this bill would decrease state expenditures by \$22,715 in FY 2012, by \$49,474 in FY 2013, by \$78,362 in FY 2014, and by \$83,210 in FY 2015. The Lottery Commission states this bill will reduce State expenditures by \$70,590 in FY 2012 and each year thereafter. This bill will have no fiscal impact on county and local expenditures, or state, county, and local revenue.

METHODOLOGY:

The RCGC and Lottery Commission state this bill would transfer its duties to the Lottery Commission and eliminate six RCGC Commissioners. Enforcement of racing and charitable gaming would still be performed by enforcement employees transferred from the RCGC to the Lottery Commission. The RCGC, also states the six Commissioners may be contractual in nature and may require continued payment of salaries and benefits until the end of their respective terms. Based on the six Commissioners' budgeted salaries for FYs 2012 and 2013 and assuming no change in FYs 2014 and 2015, the RCGC estimates savings to be as follows.

Salaries And Benefits	FY 12	FY 13	FY 14	FY 15
Budgeted Salaries	\$86,133	\$83,210	\$83,210	\$83,210
Payments To Be Made	(\$63,418)	(\$33,736)	(\$4,848)	(\$0.00)
Net Savings	\$22,715	\$49,474	\$78,362	\$83,210

Salaries and benefits are based on:

- 1) Three Commissioners for a full year and two for a partial year during FY 2012.
- 2) One Commissioner for a full year and two for a partial year during FY 2013.
- 3) One Commissioner for a partial year during FY 2014.

The RCGC assumes its abolition would not change its physical location; therefore, expenditures associated with its current location, including leases, utilities, etc., are not included. The Lottery Commission states without a full understanding of the operation or costs of the RCGC, it is unable to determine the fiscal impact beyond elimination of the salaries of the six Commissioners.

Amendments

Rep. C. McGuire, Merr. 8
February 28, 2011
2011-0538h
10/01

Amendment to HB 348-FN

1 Amend RSA 284:6-a, VI as inserted by section 10 of the bill by replacing it with the following:

2

3 *VI. Notwithstanding any law, rule or current practice to the contrary, the*
4 *commission shall not authorize:*

5 *(a) Any game, lottery or other offering which was not in use by the public on or*
6 *before October 1, 2010, including but not limited to any game, lottery or other offering by*
7 *video slot machine and other gambling machines, devices which function or are designed*
8 *to emulate a video slot machine or other gambling machine, an historical racing machine,*
9 *electronic lucky 7 ticket units and computer technology to reveal instant ticket winners,*
10 *whether in physical presence or through the Internet; or*

11 *(b) A reduction in the length of time between placing a wager, purchasing a*
12 *lottery ticket or otherwise engaging in gambling and the announcement of the result of the*
13 *wager, lottery or gamble for any game, lottery or other offering which was in use by the*
14 *public on or before October 1, 2010.*

Rep. Hess, Merr. 9
March 2, 2011
2011-0592h
10/05



Amendment to HB 348-FN

1 Amend RSA 284:6-a, VI as inserted by section 10 of the bill by replacing it with the following:

2

3 *VI. Notwithstanding any law, rule, or current practice to the contrary, no*
4 *electronic gaming device in any game, lottery, or other offering which was not in use by the*
5 *public on or before October 1, 2010 shall be permitted unless specific authorization for*
6 *such electronic gaming device is enacted by the legislature. Electronic gaming devices*
7 *shall mean and include all electromechanical instruments and devices used for the*
8 *purpose of gaming whether in physical presence or through the Internet, and shall include*
9 *video slot machines and other gambling machines, devices which function or are designed*
10 *to emulate a video slot machine or other gambling machine, an historical racing machine,*
11 *electronic lucky 7 ticket units, and computer technology to reveal instant ticket winners.*
12 *This provision shall not prevent the replacement of existing gaming devices by newer*
13 *gaming devices provided the newer devices do not change the speed, repetition, or*
14 *character of the game.*

Rep. Hess, Merr. 9
March 2, 2011
2011-0592h
10/05

NOT
ADOPTED

Amendment to HB 348-FN

1 Amend RSA 284:6-a, VI as inserted by section 10 of the bill by replacing it with the following:

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Speakers

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 348-FN

BILL TITLE: transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

DATE: 2/17/11

LOB ROOM: 306 **Time Public Hearing Called to Order:** 1:30 pm

Time Adjourned:

(please circle if present)

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

Bill Sponsors: Rep. Kurk, Hills 7; Rep. Hess, Merr 9

TESTIMONY

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

Rep. Kurk introduced bill

1 - Abolish Racing Commission

2 - Prohibits new games without legislative approval

Commission much smaller - empty space - w/combining - consolidation of back-office functions and less leased space

Gaming commission expanded into gaming - Lottery commission was looking at Keno and video slot machines

(Currently 3 commissioners (lottery) 1 missing - would one or more commissioners move to lottery. Does not want to add commissioners)

The language of bill not adequate - on page 3 of the bill

Institutional - Charitable was removed. Rep. Hess feels that this is where Charitable gaming should go. If we remove gambling tax - par_____ can be taken off.

Rep. Schmidt - 2 commissions do have different division. Some agencies - DRED -

Charles McIntyre- NH Gaming Commission - No hindrance to replacing terminals

Rep. Hawkins - Replace new equipment or adding new equipment

Ed Callahan - Here to change this bill - Racing industry in decline - opposition

Rep. Bowers – Same interpretation as VI

Ed Callahan – Lottery commission was once called Sweepstakes Commission
Page 3 – line 10 says nothing about gaming commission
Inspect businesses and look at clearly
Should have a study on Commissions – Don't rush

Dan Callahan – Yankee Greyhound Racing, Inc. Gambling legal only under state law

Ted Connors – Chairman of Gaming Commission Games of Chance – 2005
2 positions – Gaming and lottery

Rick Newman – The Lodge at Belmont - Charity Games of Chance at the Lodge
Lottery Commission didn't want this 7 years ago and legislature passed it at that time.
Testimony – 2004

Mike McLaughlin – The intro of Gambling – There shouldn't be expanded gambling

Rep. Hansen – Concern – 2 headed

Fran Wendelboe – Charitable Regulatory Agency – Not enough savings – Gambling not ready
for prime time

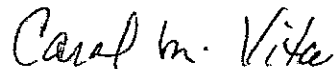
Aucrill Cate – Belmont, Seabrook and Lafayette Falls – Not good

George Roberts – Before organizing – what will you actually do
Put a new bill in and start from scratch

Jay Ward – Slow down

Steve Vaillancourt – Full speed ahead! Combine agencies

Respectfully submitted,



Carol M. Vita

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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1) Abolish Racing Commission

2) Prohibits new games w/o legislative approval.

① Commission much smaller - empty space -
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+ less leased space -
② ~~gaming~~ ^{gaming} Commission expanded into gaming.
Lottery commission was looking at Keno.

[Currently 3 Commissioners (Lottery) + Video slot machines.
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more commissioners move to Lottery.
Does not want to add Commissioners.]

The language of bill not adequate - ~~was~~ only 3 out of 11
Inst. National - Charitable was removed by previous
Hess feels that this is where Charitable gaming should go
If we remove gambling tax - para 1 can be taken off

SUB COMMITTEE

Schmidt

~~Harvey~~ - 2 commissions do have different discussions
Some agencies - DRET - Some ~~industries~~

McIntyre - No hindrance to replacing terminals

~~Harvey~~ ~~King~~ ~~Smith~~ - Spl. new equipment or adding new equipment

Callahan - Here to change this bill

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Inspect businesses + look at clearly

Should have a study on Commissions - DON'T RUSH -

~~Harvey~~ ~~King~~ ~~Smith~~

D. Callahan ~~Harvey~~ - Gambling legal only under state law.

CONORS - Games of Chance - 2005

2 Positions - Gaming + Lottery

Newman - Charity Games of Chance at the LODGE

LOTTERY COMMISSION DIDN'T WANT THIS TYPE ASD

+ legislature didn't pass it at that time

WINTER ~~NEWMAN~~ - Testimony - 2004

McLAUGHLIN - THE INTRO. OF GAMBLING

THERE SHOULDN'T BE EXPANDED GAMBLING

HANSON - CONCERN - 2 HEADED -

WENDIEBOE - CHARITABLE ~~GAMBLING~~ REGULATORY AGENCY - NOT ENOUGH

NOT ready for PRIME TIME SAILINGS -

CATE - BELMONT SEABROOK + WAFAYETTE FALLS - ^{NOT} 2007

ROBERTS - BY organizing - what will you actually do

ROBERTS Put a new bill in and start from scratch

WARD Slow Down

VALLENORRETH Full SPEED AHEAD; COBINE AGENCIES

MIKE McLAUGHLIN - DIAMOND GAME

FRAN WENTLEBEE - NCI CHARITY FUNDRAISER, LLC

o AVERILL CATE - NON PROFIT ORGANIZATIONS

(LTV)

GEORGE ROBERTS - YANKEE GREYHOUND RACING PARK

o JAY WARD - SEA

o STEVE VALENCORT - REP.

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Rep Kurk -

Lottery Comm. ? - Keep

Rep PUCATE

Rep SYTEX

Rep Hanson

Rep Hess 2010 2.46m

730,000 ~~returned to expenses~~ went into state \$440,000

From Gov. Report 310,000

Charlie McIntyre - NH Gaming Commission

ED - CALAHAN -

Henry Verelstey - Granite State Coalition Against Expanded Gambling

o - DAN CALAHAN - YANKEE BROTHOUOD RACING, INC

TED CONNORS - Chairman of Gaming Commission

o RICK NEUMAN - THE LODGE AT BELMONT

STATE OF NEW HAMPSHIRE

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3 scheduled work days, not necessarily consecutive, provided that whenever an employee of the [racing
4 ~~commission or greyhound racing] lottery commission is employed on any day on a per diem basis he
5 or she shall be deemed to have worked one day.~~

6 7 Salaries Deleted. Amend RSA 94:1-a, II and III to read as follows:

7 II. The salary wages for the positions set forth below shall be as follows commencing
8 January 2, 2009:

	Minimum	Maximum
9 Governor's councilors		\$15,169
10 [Racing and charitable gaming commissioners]		\$11,765]
11 Sweepstakes commission, chairman		\$17,111
12 Sweepstakes commission, members		\$ 9,632

13 III. Officials named in this section shall be placed in the corresponding steps in the new
14 salary ranges as their length of service justifies and in accordance with RSA 94:3. Lottery
15 commissioners who are members of a multi-state lottery commission and who are authorized to be
16 compensated for such services shall be compensated in addition to their salary under RSA 94:1-a, II,
17 provided, that such additional salary equals no more than \$50 per actual day worked plus reasonable
18 expenses for duties performed as a multi-state lottery commissioner. ~~[Racing commissioners,]~~
19 Lottery commissioners[,] and the state entomologist only excepted, any official whose salary upon
20 placement in the new salary range is less than that of a subordinate classified employee shall be
21 placed at the next higher step in range above said classified employee and shall be entitled to any
22 increase provided for herein until the maximum provided herein is reached. However, in the event
23 that the maximum of the unclassified position is less than the salary of said subordinate classified
24 employee, the governor and council is authorized to increase the maximum of the unclassified
25 position in an amount to provide a differential of not more than \$1,000.

26 8 Investigators; Police Standards and training Council Certification. Amend RSA 188-F:27, VI
27 to read as follows:

28 VI. Any investigator who has the power to enforce the criminal laws under RSA 106-A and
29 RSA 287-E and rules of the lottery commission[,] or the department of safety[, or the racing and
30 ~~charitable gaming commission]~~ and who was serving under a permanent appointment prior to July
31 1, 1986, shall not be required to meet the requirements of paragraphs I and III; however, any
32 investigator referred to in this paragraph shall complete such limited programs as may be
33 prescribed by the police standards and training council under this section within one year of the
34 date the programs are required. Should any investigator exempted from the requirements of
35 paragraphs I and III of this section by this paragraph terminate employment with the department
36 of safety and be hired as a police officer by another police department of the state or a political
37

1 subdivision thereof, the inspector's certification shall lapse and may be reinstated upon completion
2 of such necessary additional training courses as the police standards and training council may
3 prescribe.

4 9 Subdivision Heading Changed. Amend the subdivision heading preceding RSA 284:6 to read
5 as follows:

6 Racing and Charitable Gaming [~~Commission~~]

7 10 Racing and Charitable Gaming; Lottery Commission Authorized. Amend RSA 284:6-a to
8 read as follows:

9 284:6-a Racing and Charitable Gaming; *Lottery* Commission.

10 I. [~~There shall be a state~~] *The regulation of* racing and charitable gaming [~~commission~~
11 ~~consisting of 6 members appointed by the governor with the advice and consent of the council. Each~~
12 ~~member shall hold office for a term of 3 years. Any vacancy shall be filled for the unexpired term.~~
13 ~~Annually, one member shall be chosen chairperson by the commission, and one shall be chosen as~~
14 ~~secretary.] *shall be under the authority of the lottery commission established in RSA 284:21-a*~~

15 II. The [~~racing and charitable gaming~~] *lottery* commission shall assume the powers,
16 rights, duties, and responsibilities granted to the *racing and charitable gaming*
17 *commission, the* state racing commission, and the state greyhound racing commission [~~under~~
18 ~~RSA 284, and any reference to the state racing commission or the state greyhound racing~~
19 ~~commission in RSA 284 or any other statutory cites shall be deemed to refer to the~~
20 ~~New Hampshire racing and charitable gaming commission]. The [~~New Hampshire racing and~~
21 ~~charitable gaming~~] *lottery* commission shall, in carrying out the purpose of this chapter, use the
22 applicable provisions for horse racing independent of the applicable provisions for simulcast dog
23 racing.~~

24 III. The [~~racing and charitable gaming~~] *lottery* commission shall have all the powers, duties,
25 and rights conferred upon state commissions under the United States Interstate Horseracing Act of
26 1978 as it currently exists and as it may be amended from time to time.

27 IV. The [~~racing and charitable gaming~~] *lottery* commission shall administer RSA 287-E
28 relating to bingo and lucky 7.

29 V. The [~~racing and charitable gaming~~] *lottery* commission shall administer RSA 287-D,
30 relating to games of chance conducted by charitable organizations.

31 VI. *Notwithstanding any law, rule, or current practice to the contrary, the*
32 *commission shall not authorize the use of any electronic gaming device in any game,*
33 *lottery, or other offering which was not in use by the public on or before October 1, 2010,*
34 *unless specific authorization for such electronic gaming device is enacted by the*
35 *legislature. Electronic gaming devices shall mean and include all electromechanical*
36 *instruments and devices used for the purpose of gaming whether in physical presence or*
37 *through the Internet, and shall include video slot machines and other gambling machines,*

1 *devices which function or are designed to emulate a video slot machine or other gambling*
2 *machine, an historical racing machine, electronic lucky 7 ticket units, and computer*
3 *technology to reveal instant ticket winners.*

4 11 Licensees; Restriction on Gambling. Amend RSA 284:17-c to read as follows:

5 284:17-c Restriction on Gambling. Notwithstanding any other provision of law, except as
6 provided in RSA 284:22-a and in the introductory paragraph of RSA 284:22, no licensee who holds
7 running horse races shall at the same facility hold any other kinds of races or permit any other type
8 of gambling except harness horse races and activities licensed by the lottery commission [~~or the~~
9 ~~racing and charitable gaming commission~~].

10 12 Stewards. Amend RSA 284:20 to read as follows:

11 284:20 Stewards. There shall be at least 3 stewards to supervise each running or harness horse
12 race or meet, conducted under the provisions of this chapter, at which pari-mutuel pools are sold.
13 One of such stewards shall be the official steward of the state [~~racing~~] **lottery** commission, and the
14 remaining stewards shall be appointed by the person, association, corporation, or any other type of
15 entity conducting the race or meet, subject to the approval of the commission. Said stewards shall be
16 authorized to assess fines and suspend licenses and shall exercise such other powers and perform
17 such duties at each race meet as may be prescribed by the rules [~~and regulations~~] of the commission.
18 Any person who has been assessed a fine or whose license has been suspended may appeal any fine
19 or suspension imposed by the stewards under this section to the commission.

20 13 Rights Protected; Liability Limited. Amend RSA 284:20-a to read as follows:

21 284:20-a Rights Protected. No licensee conducting a race or meet under this chapter, no
22 member of the state [~~racing~~] **lottery** commission, no steward, judge, or assistant official appointed to
23 act as such pursuant to the provisions of this chapter, shall be liable for damages to any person,
24 association or corporation for any cause whatsoever arising out of or from the performance by such
25 licensee, commissioner, steward, judge or assistant official of such person's duties and exercise of
26 discretion with respect to such duties, so long as such person acted in good faith, without malice or
27 improper motive.

28 14 Lottery Commission Revenues. Amend RSA 284:21-j, I to read as follows:

29 I. The state treasurer shall credit all moneys received from the lottery commission [~~and all~~
30 ~~moneys received from the racing and charitable gaming commission under RSA 287-D and RSA 287-~~
31 ~~E,~~] and interest received on such moneys, to a special fund from which the treasurer shall pay all
32 expenses of the commission incident to the administration of this subdivision and all administration
33 and enforcement expenses of [~~the~~] racing and charitable gaming [~~commission~~] under RSA 287-D and
34 RSA 287-E. Any balance left in such fund after such expenses are paid shall be deposited in the
35 education trust fund established under RSA 198:39.

36 15 Change from Racing and Charitable Gaming to Lottery. Amend the following RSA provisions
37 by replacing "racing and charitable gaming commission" with "lottery commission": 21-I:18, I(n); the

1 introductory paragraph of 21-P:4, VI; 175:1, LVI; 273-C:2, VI; the introductory paragraph of 284:12;
2 284:20-d; 284:20-f, I; 284:22; 284:23, VII; 284:32-b; 284:38-a; 287-A:8; 287-D:1-a; the introductory
3 paragraph of 287-D:1-b; 287-D:2, II; 287-D:2-a; 287-D:2-b; 287-D:2-c; 287-D:2-d; 287-D:3; 287-D:5;
4 287-D:6; 287-D:7; 287-D:8; 287-D:9; 287-E:1, VI; 287-E:2; 287-E:16; and 647:2, V(a).

5 16 Repeal. The following are repealed:

6 I. RSA 6:12-d, II(l), relative to the racing and charitable gaming escrow account.

7 II. RSA 284:7, relative to the office for the racing and charitable gaming commission.

8 III. RSA 284:9, relative to expenses of the racing and charitable gaming commission.

9 IV. RSA 284:11, relative to the report of the racing and charitable gaming commission.

10 17 Transfer of Functions, Positions, Equipment, Records, and Accounts; Rules Continued.

11 I. All of the functions, positions, powers, duties, and responsibilities of the racing and
12 charitable gaming commission shall be transferred to the lottery commission. The transfer shall
13 include all of the equipment, books, papers, and records of the racing and charitable gaming
14 commission related to the above functions.

15 II. All existing rules, statutory responsibilities, regulations, and procedures in effect, in
16 operation, or adopted in or by the racing and charitable gaming commission are transferred to the
17 lottery commission, and are declared in effect and shall continue in effect until rescinded, revised, or
18 amended in accordance with applicable law.

19 18 Effective Date. This act shall take effect July 1, 2011.

LBAO
11-0141
12/21/10

HB 348-FN - FISCAL NOTE

AN ACT transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

FISCAL IMPACT:

The Racing and Charitable Gaming Commission (RCGC) states this bill would decrease state expenditures by \$22,715 in FY 2012, by \$49,474 in FY 2013, by \$78,362 in FY 2014, and by \$83,210 in FY 2015. The Lottery Commission states this bill will reduce State expenditures by \$70,590 in FY 2012 and each year thereafter. This bill will have no fiscal impact on county and local expenditures, or state, county, and local revenue.

METHODOLOGY:

The RCGC and Lottery Commission state this bill would transfer its duties to the Lottery Commission and eliminate six RCGC Commissioners. Enforcement of racing and charitable gaming would still be performed by enforcement employees transferred from the RCGC to the Lottery Commission. The RCGC, also states the six Commissioners may be contractual in nature and may require continued payment of salaries and benefits until the end of their respective terms. Based on the six Commissioners' budgeted salaries for FYs 2012 and 2013 and assuming no change in FYs 2014 and 2015, the RCGC estimates savings to be as follows.

Salaries And Benefits	FY 12	FY 13	FY 14	FY 15
Budgeted Salaries	\$86,133	\$83,210	\$83,210	\$83,210
Payments To Be Made	(\$63,418)	(\$33,736)	(\$4,848)	(\$0.00)
Net Savings	\$22,715	\$49,474	\$78,362	\$83,210
Salaries and benefits are based on:				
1) Three Commissioners for a full year and two for a partial year during FY 2012.				
2) One Commissioner for a full year and two for a partial year during FY 2013.				
3) One Commissioner for a partial year during FY 2014.				

The RCGC assumes its abolition would not change its physical location; therefore, expenditures associated with its current location, including leases, utilities, etc., are not included. The Lottery Commission states without a full understanding of the operation or costs of the RCGC, it is unable to determine the fiscal impact beyond elimination of the salaries of the six Commissioners.

Sub-Committee Actions

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 348-FN

BILL TITLE: transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

DATE: 3/1/11

Subcommittee Members: Reps. Gould, Hansen, Jeudy, Perkins, Pilotte

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Hansen

Seconded by Rep. Gould

Vote: 4-0

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Kenneth Gould
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 348-FN

BILL TITLE: transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

DATE: 3/1/11

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Comments and Recommendations:

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Sponsor: Rep. OLS Document #:

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

Moved by Rep. Hansen

Seconded by Rep. Gould

Vote: 4-0

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. K. Gould

Subcommittee Chairman/Clerk

Testimony

Rick
NEWMAN

2m

regulation to the gaming community which would come from an experienced group of people who already perform that function.

So we think that it's very cost effective in the long run. We have provided a fiscal note, which is not attached to this bill, and I'm not sure where it is.

Senator Russell E. Prescott, D. 23: You have provided a fiscal note?

Mr. Moore: Yes, sir.

Senator Russell E. Prescott, D. 23: That is for the..

Mr. Moore: We were talking to Jeff Patterson so somewhere along the way it's, I'm not sure where it is but we'll be happy to get it to you.

Senator Russell E. Prescott, D. 23: Thank you.

Mr. Moore: I apologize for being too long but if you have any questions we'll be happy to answer them and if this ever gets to a subcommittee I'd be happy to work there too.

Senator Russell E. Prescott, D. 23: Terrific. Thank you very much for your testimony. For the record, Ken Bradley is signed up in favor. He's from Waste Inc. Anybody else wish to testify on behalf of SB 534? Please come forward and state your name for the record.

Rick Wisler, New Hampshire Sweepstakes Commission: My name is Rick Wisler from the New Hampshire Sweepstakes Commission. I'm the director. I'm here to support the provision that would change the licensing from the Sweepstakes Commission to the Pari-Mutuel Commission. Currently as was mentioned before a significant amount of my time, my chief financial officer's time, my administrative assistant's time and the three commissioner's time is spent on charitable gaming. In fact, 50 % not 40% but 50% of our time is spent on charitable gaming activities. Although charitable gaming only raises \$1.5 million a year towards our overall revenues. The rest of our revenues, the other \$65.5 million comes from the lottery. It would be far more efficient for me to spend my time, my commissioner's time and my staff's time running the lottery rather than charitable gaming.

So for that in itself I believe this part of the bill would be well worthwhile shifting the direction. Additionally the lottery is a marketing organization. We're not regulatory. The Pari-Mutuel Commission is regulatory. I think it would be a wonderful fit in the Pari-Mutuel Commission.

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 348-FN

BILL TITLE: transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

DATE: 3/2/11

LOB ROOM: 306

Amendments:

Sponsor: Rep.	OLS Document #:	2011	0538h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

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

Moved by Rep. Sullivan

Seconded by Rep. Perkins

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

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

Moved by Rep. Sullivan

Seconded by Rep. Perkins

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

CONSENT CALENDAR VOTE: Regular 9-6

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

Rep Carol Vita

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 348-FN

BILL TITLE: transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

DATE: 3-2-11

LOB ROOM: 306

Amendments: - 05284

Sponsor: Rep. SULLIVAN OLS Document #:
Sponsor: Rep. PERKINS OLS Document #:
Sponsor: Rep. OLS Document #:

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

Moved by Rep. SULLIVAN

Seconded by Rep. PERKINS

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

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

Moved by Rep. SULLIVAN

Seconded by Rep. PERKINS

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

CONSENT CALENDAR VOTE:

REGULAR 9-6

(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

Bill #: 348 Title: AMU26

PH Date: 2, 17, 11 Exec Session Date: 3, 2, 11

Motion: OTP (Amendment) Amendment #: 0538H

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	✓	
Hawkins, Kenneth, V Chairman	✓	
Sytek, John J	✓	
Day, Russell C	✓	
Gould, Kenneth H	✓	
Pratt, Calvin D	✓	
Vita, Carol M, Clerk	✓	
Perkins, Lawrence B	✓	
Winter, Steven J	✓	
Bowers, Spec	✓	
Hansen, Peter T	✓	
Proulx, Mark L	Abs	
Whitehead, Randall A	✓	
Schmidt, Peter B	✓	
Pilotte, Maurice L	✓	
Jeudy, Jean L	✓	
Sullivan, Daniel J		✓

TOTAL VOTE:

Printed: 1/28/2011

15

1

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: 348 Title: GA.D.D.C.

PH Date: 2/17/11 Exec Session Date: 3/2/11

Motion: OTR/A Amendment #: 0538h

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	✓	
Hawkins, Kenneth, V Chairman	✓	
Sytek, John J	✓	
Day, Russell C	✓	
Gould, Kenneth H	✓	
Pratt, Calvin D		
Vita, Carol M, Clerk		✓
Perkins, Lawrence B		✓
Winter, Steven J	✓	
Bowers, Spec	✓	
Hansen, Peter T	✓	
Proulx, Mark L	AB	
Whitehead, Randall A	✓	
Schmidt, Peter B		✓
Pilotte, Maurice L		✓
Jeudy, Jean L		✓
Sullivan, Daniel J		✓

TOTAL VOTE:
Printed: 1/28/2011

9 6

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: 348 Title: GAMING

PH Date: 2, 17, 11 Exec Session Date: 3, 2, 11

Motion: RETAIN *Retain* Amendment #: _____

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman		✓
Hawkins, Kenneth, V Chairman	✗	✓
Sytek, John J		✓
Day, Russell C		✓
Gould, Kenneth H		✓
Pratt, Calvin D		✓
Vita, Carol M, Clerk		✓
Perkins, Lawrence B	✓	
Winter, Steven J		✓
Bowers, Spec		✓
Brown, Paul E WHITEHEAD		✓
Hansen, Peter T		✓
Proulx, Mark L		AB
Schmidt, Peter B	✓	
Pilotte, Maurice L	✓	
Jeudy, Jean L	✓	
Sullivan, Daniel J	✓	
<p>REP SULLIVAN - TL REP PERKINS - UD REP PILOTTE - 1ST PART = NOT GOOD (RETAIN) 2ND " - OK</p>		
TOTAL VOTE:	5	11

Committee Report

REGULAR CALENDAR

March 3, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on EXECUTIVE
DEPARTMENTS AND ADMINISTRATION to which was
referred HB348-FN,**

**AN ACT transferring the duties of the racing and
charitable gaming commission to the lottery
commission and abolishing the racing and charitable
gaming commission, and prohibiting new electronic
gaming devices without statutory authorization.**

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

Rep. Kenneth H Gould

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

Original: House Clerk
Cc: Committee Bill File

**MAJORITY
COMMITTEE REPORT**

Committee: **EXECUTIVE DEPARTMENTS AND
ADMINISTRATION**

Bill Number: **HB348-FN**

Title: **transferring the duties of the racing and
charitable gaming commission to the lottery
commission and abolishing the racing and
charitable gaming commission, and prohibiting
new electronic gaming devices without
statutory authorization.**

Date: **March 3, 2011**

Consent Calendar: **NO**

Recommendation: **OUGHT TO PASS WITH AMENDMENT**

STATEMENT OF INTENT

This bill eliminates the racing and charitable gaming commission and transfers all of its duties, personnel, rules, and budget to the state lottery commission. The bill also prohibits the use of new electronic gaming devices in the state without specific statutory authorization. The amendment clarifies that gaming devices can be replaced as needed due to wear and tear. The lottery is a promotional agency and the racing and gaming commission is an enforcement agency, but the committee senses the need to streamline state agencies in this instance. Concerns about regulation of charitable gaming should not be affected by this reorganization.

Vote 9-6

Rep. Kenneth H Gould
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB348-FN, transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth H Gould for the **Majority** of EXECUTIVE DEPARTMENTS AND ADMINISTRATION. This bill eliminates the racing and charitable gaming commission and transfers all of its duties, personnel, rules, and budget to the state lottery commission. The bill also prohibits the use of new electronic gaming devices in the state without specific statutory authorization. The amendment clarifies that gaming devices can be replaced as needed due to wear and tear. The lottery is a promotional agency and the racing and gaming commission is an enforcement agency, but the committee senses the need to streamline state agencies in this instance. Concerns about regulation of charitable gaming should not be affected by this reorganization. **Vote 9-6.**

Original: House Clerk
Cc: Committee Bill File

HB 348-FN – Majority

This bill eliminates the racing and charitable gaming commission and transfers all of its duties, personnel, rules, and budget to the state lottery commission. The bill also prohibits the use of new electronic gaming devices in the state without specific statutory authorization. The amendment clarifies that gaming devices can be replaced as needed due to wear and tear. The lottery is a promotional agency and the racing and gaming commission is an enforcement agency, but the committee senses the need to streamline state agencies in this instance. Concerns about regulation of charitable gaming should not be affected by this reorganization.

Kenneth H. Gould for the Committee

Carol M. Quinn

HB348FN - *May*.

This bill eliminates the racing and charitable gaming commission and transfers all of its duties, personnel, rules, and budget to the state lottery commission. The bill also prohibits the use of new electronic gaming devices in the state without specific statutory authorization. The amendment clarifies that gaming devices can be replaced as needed due to wear and tear. The lottery is a promotional agency and the racing and gaming commission is an enforcement agency, but the committee senses the need to streamline state agencies in this instance. *Concerns about regulation of charitable gaming should not be affected by this reorganization.*

M. Guine

REGULAR CALENDAR

March 3, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on EXECUTIVE
DEPARTMENTS AND ADMINISTRATION to which was
referred HB348-FN,**

**AN ACT transferring the duties of the racing and
charitable gaming commission to the lottery
commission and abolishing the racing and charitable
gaming commission, and prohibiting new electronic
gaming devices without statutory authorization.**

**Having considered the same, and being unable to agree
with the Majority, report with the following Resolution:**

RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Lawrence B Perkins

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

Original: House Clerk
Cc: Committee Bill File

**MINORITY
COMMITTEE REPORT**

Committée: **EXECUTIVE DEPARTMENTS AND
ADMINISTRATION**

Bill Number: **HB348-FN**

Title: **transferring the duties of the racing and
charitable gaming commission to the lottery
commission and abolishing the racing and
charitable gaming commission, and prohibiting
new electronic gaming devices without
statutory authorization.**

Date: **March 3, 2011**

Consent Calendar: **NO**

Recommendation: **INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

Although the minority understands the premise of combining state agencies for the purpose of lowering the budget, we also understand that charitable gaming needs regulation and enforcement and a marketing entity such as the lottery commission is not the vehicle for such an undertaking. In fact five years ago the lottery relinquished bingo and lucky 7's to charitable gaming. This bill looks to save \$60,000 while jeopardizing hundreds of charities in New Hampshire.

Rep. Lawrence B Perkins
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB348-FN, transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization. **INEXPEDIENT TO LEGISLATE.** Rep. Lawrence B Perkins for the **Minority** of EXECUTIVE DEPARTMENTS AND ADMINISTRATION. Although the minority understands the premise of combining state agencies for the purpose of lowering the budget, we also understand that charitable gaming needs regulation and enforcement and a marketing entity such as the lottery commission is not the vehicle for such an undertaking. In fact five years ago the lottery relinquished bingo and lucky 7's to charitable gaming. This bill looks to save \$60,000 while jeopardizing hundreds of charities in New Hampshire.

Original: House Clerk
Cc: Committee Bill File

MINORITY REPORT

COMMITTEE: ED & A

BILL NUMBER: HB 348-FW

TITLE: _____

DATE: 3/6/11 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- ~~RETAINED~~
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

Although the minority understands the
premise of combining state agencies for
the purpose of lowering the budget. We also
understand that Charitable Gaming needs
regulation and enforcement and a marketing entity.
Such as the Lottery Commission is not the
vehicle for such an undertaking. In
fact 5 years ago the lottery relinquished
Bingo and Lucky 7's to charitable
gaming. This bill looks to save \$10,000
while jeopardizing ~~hundreds~~ of charities
in NH

COMMITTEE VOTE: 9-6 OTP/A

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. Lawrence Perkins
For the Committee

Carol M. Zeare

HB 348-FN - Minority

Although the minority understands the premise of combining state agencies for the purpose of lowering the budget, we also understand that charitable gaming needs regulation and enforcement and a marketing entity such as the lottery commission is not the vehicle for such an undertaking. In fact five years ago the lottery relinquished bingo and lucky 7's to charitable gaming. This bill looks to save \$60,000 while jeopardizing hundreds of charities in New Hampshire.

Rep. Perkins for the Committee

A handwritten signature in cursive script, reading "Carol M. Quinn". The signature is written in black ink and is positioned in the lower right quadrant of the page.