

LEGISLATIVE COMMITTEE MINUTES

# **SB551**

# Bill as Introduced

SB 551-FN-A-LOCAL - AS INTRODUCED

2016 SESSION

16-2733  
08/04

SENATE BILL        ***551-FN-A-LOCAL***

AN ACT            establishing video lottery and table gaming at one location.

SPONSORS:        Sen. D'Allesandro, Dist 20; Sen. Soucy, Dist 18; Sen. Lasky, Dist 13; Sen. Morse,  
Dist 22; Sen. Woodburn, Dist 1; Rep. Estevez, Hills. 37

COMMITTEE:      Ways and Means

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ANALYSIS

This bill enables the lottery commission to license one casino providing video lottery machines and table gaming at Rockingham Park in Salem.

This bill also distributes proceeds from gross slot machine income and gross table game income to reimburse the gaming regulatory oversight authority for certain expenses and to pay for the operation of the gaming commission, to the town of Salem, those communities abutting the town of Salem, Rockingham county, the department of health and human services to support addiction programs to cities and towns under the revenue sharing agreement, and the gaming regulatory fund.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



1 game including, but not limited to:

2 (a) Plastic, tape, string, or dental floss, or any other item placed inside a coin or bill  
3 acceptor or any other opening in a video lottery terminal in a manner to simulate coin or currency  
4 acceptance;

5 (b) Forged or stolen keys used to gain access to a casino game to remove its contents; or

6 (c) Game cards or dice that have been tampered with, marked, or loaded.

7 V. "Credit facilitator" means any employee of Rockingham Park approved in writing by the  
8 lottery commission whose responsibility is to review applications for credit by players, verify  
9 information on credit applications, grant, deny, or suspend credit, establish credit limits, increase  
10 and decrease credit limits, and maintain credit files, all in accordance with this chapter and rules  
11 adopted by the lottery commission.

12 VI. "Net terminal income" means currency placed into a video lottery terminal less credits  
13 redeemed for cash by players.

14 VII. "Net table game revenue" means winnings from table games minus counterfeit  
15 currency.

16 VIII. "Paraphernalia for the manufacturing of cheating devices" means the equipment,  
17 products, or materials that are intended for use in manufacturing, producing, fabricating,  
18 preparing, testing, analyzing, packaging, storing, or concealing a counterfeit facsimile of the chips,  
19 tokens, debit instruments, or other wagering devices approved by the lottery commission or lawful  
20 coin or currency of the United States of America including, but not limited to:

21 (a) Lead or lead alloy molds, forms, or similar equipment capable of producing a  
22 likeness of a gaming token or United States coin or currency.

23 (b) Melting pots or other receptacles.

24 (c) Torches, tongs, trimming tools, or other similar equipment.

25 (d) Equipment that can be used to manufacture facsimiles of debit instruments or  
26 wagering instruments approved by the lottery commission.

27 X. "Rake" means a set fee or percentage of cash and chips representing cash wagered in the  
28 playing of a nonbanking table game assessed by a table games retailer for providing the services of  
29 a dealer, gaming table or location, to allow the play of any nonbanking table game.

30 XI. "Table game" or "table gaming" means that type of casino gaming in which table games  
31 are played for cash or chips representing cash or any other representation of value that has been  
32 approved by the lottery commission, using cards, dice, or equipment and conducted by one or more  
33 live persons.

34 XII. "Rockingham Park" means a retailer authorized to conduct table gaming pursuant to  
35 this chapter.

36 XIII. "Technology provider" means any individual, partnership, corporation, or association  
37 that designs, manufactures, installs, maintains, distributes, or supplies video lottery machines or  
38 associated equipment for the sale or use in this state.

1           XIV. "Video lottery games" means lottery games played on video lottery terminals approved  
2 by the lottery commission.

3           XV. "Video lottery terminal" means any electronic computerized video game machine that,  
4 upon the insertion of cash or any other representation of value, that has been approved by the  
5 lottery commission, is available to play a video game authorized by the lottery commission, and that  
6 uses a video display and microprocessors in which, by chance, the player may receive free games or  
7 credits that can be redeemed for cash. This term does not include a machine that directly dispenses  
8 coins, cash, or tokens.

9           XVI. "Wager" means a sum of money or representative of value that is risked on an  
10 occurrence for which the outcome is uncertain.

11           284-B:3 Lottery Commission; Authority.

12           I. The lottery commission shall have full control to operate the Rockingham Park facility,  
13 the authority to make all decisions about all aspects of the functioning of the business enterprise,  
14 including the power and authority to:

15                 (a) Establish, with respect to casino gaming, one or more systems for linking, tracking,  
16 depositing and reporting of receipts, audits, annual reports, prohibitive conduct and other such  
17 matters determined from time to time.

18                 (b) Collect all receipts from casino gaming, require that Rockingham Park collect casino  
19 gaming gross receipts in trust for the state through the lottery commission, deposit such receipts  
20 into an account or accounts of its choice, allocate such receipts according to law, and otherwise  
21 maintain custody and control over all casino gaming receipts and funds.

22                 (c) Hold and exercise sufficient powers over Rockingham Park's accounting and  
23 finances to allow for adequate oversight and verification of the financial aspects of casino gaming at  
24 the facility, including:

25                         (1) The right to require Rockingham Park to maintain an annual balance sheet,  
26 profit and loss statement, and any other necessary information or reports; and

27                         (2) The authority and power to conduct periodic compliance or special or focused  
28 audits of the information or reports provided, as well as the premises with the facility containing  
29 records of casino gaming or in which the business of Rockingham Park's casino gaming operations  
30 are conducted.

31                 (d) Monitor all casino gaming operations and to terminate or suspend any casino  
32 gaming activities in the event of an integrity concern or other threat to the public trust, and in  
33 furtherance thereof, require the licensed video lottery retailer to provide a specified area or areas  
34 from which to conduct such monitoring activities.

35                 (e) Have approval rights over matters relating to the employment of individuals to be  
36 involved, directly or indirectly, with the operation of casino gaming at Rockingham Park.

37                 (f) Establish compulsive gambling treatment programs.

38           II. Supervise and administer the operation of video lottery games in accordance with this

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1 chapter and with the rules of the lottery commission.

2 III. Suspend or revoke upon a hearing any license issued pursuant to this chapter or the  
3 rules adopted in accordance with chapter.

4 IV. In compliance with the provisions of RSA 21-I, submit requests for proposals, select  
5 vendors, and enter into contracts for the operation of a central communications system and  
6 technology providers, or any part thereof.

7 V. Certify monthly to the legislative budget assistant, state treasurer, the gaming oversight  
8 commission, and to the governor a full and complete statement of lottery revenues, prize  
9 disbursements, and other expenses for the preceding month; ensure that monthly financial reports  
10 are prepared providing gross monthly revenues, prize disbursements, other expenses, and net  
11 income for keno and for all other lottery operations; submit this report to the legislative budget  
12 assistant, gaming regulatory oversight authority, the fiscal committee of the general court, and the  
13 governor no later than the twentieth business day following the close of the month; at the end of  
14 each fiscal year the director shall submit an annual report based upon an accrual system of  
15 accounting which shall include a full and complete statement of lottery revenues, prize  
16 disbursements and expenses, to the governor and the general assembly, which report shall be a  
17 public document and shall be filed with the secretary of state. The monthly report shall be  
18 prepared in a manner prescribed by the members of the revenue estimating conference.

19 284-B:4 Lottery Commission; Rulemaking. The lottery commission shall adopt rules, under  
20 RSA 541-A relative to:

21 I. The rules of play and odds of authorized casino gaming games, including, without  
22 limitation, the minimum and maximum wagers for each casino gaming game.

23 II. Control, operation, and management of casino gaming.

24 III. Accounting procedures for determining the net terminal income from lottery video  
25 terminals, and unclaimed prizes and credits.

26 IV. The type of video lottery games to be conducted.

27 V. The price to play each game and the prizes or credits to be awarded.

28 VI. Financial reporting procedures for Rockingham Park and control procedures in the  
29 event that it should become insolvent.

30 VII. Insurance and bonding by:

31 (a) Rockingham Park; and

32 (b) Technology provider.

33 VIII. The contracting with technology providers.

34 IX. Establishing an information system, operating procedures, reporting and accounting  
35 criteria in order to comply with the provisions of this chapter.

36 X. State-operated table gaming and the policy for such table games including, but not  
37 limited to:

38 (a) Establishing standards and procedures for table gaming and associated equipment.

1 (b) Establishing standards, rules, and regulations to govern the conduct of table games  
2 and the system of wagering associated with table games, including without limitation:

3 (1) The object of the table game and method of play, including what constitutes win,  
4 loss, or tie bets.

5 (2) Physical characteristics of the table games and table game equipment.

6 (3) Wager and payout odds for each type of available wager.

7 (4) The applicable inspection procedures for any of the following, as required by a  
8 table game:

9 (A) Cards.

10 (B) Dice.

11 (C) Wheels and balls.

12 (D) Other devices, equipment, and accessories related to table games.

13 (c) Procedures for the collection of bets and payouts, including requirements for internal  
14 revenue service purposes.

15 (d) Procedures for handling suspected cheating or table gaming irregularities.

16 (e) Procedures for handling any defective or malfunctioning table game equipment.

17 XI. Establishing the method for calculating net table game revenue and standards for the  
18 daily counting and recording of cash received in the conduct of table games, and ensuring that  
19 internal controls are followed, including the maintenance of financial books and records and the  
20 conduct of annual audits at the expense of Rockingham Park.

21 XII. Establishing any table game rule changes, table game minimum and maximum wager  
22 changes, and changes to the type of table game being offered at a particular gaming table, including  
23 any notice by Rockingham Park to the public.

24 XIII. Prohibiting any table game equipment from being possessed, maintained or exhibited  
25 by any person on the premises of Rockingham Park's facility except in the areas of such facility  
26 where the conduct of table games is authorized or in a restricted area designated to be used for the  
27 inspection, service, repair, or storage of table game equipment by Rockingham Park or in an area  
28 used for employee training and instruction by Rockingham Park.

29 XIV. Ensuring that drop boxes are brought into or removed from an area where table  
30 games are conducted or locked or unlocked in accordance with procedures established by the lottery  
31 commission.

32 XV. Designating secure locations for the inspection, service, repair, or storage of table game  
33 equipment and for employee training and instruction to be approved by the lottery commission.

34 XVI. Establishing the size and uniform color by denomination of table game chips used in  
35 the conduct of table games, including tournaments, and a policy for the use of promotional or  
36 commemorative chips used in the conduct of certain table games. All types of table game chips shall  
37 be approved by the lottery commission prior to being used for play at a table game.

38 XVII. Establishing the procedure to be used by Rockingham Park to determine and extract



1 a rake for the purposes of generating net table game revenue from nonbanking games.

2 XVIII. Establishing minimum standards relating to the acceptance of tips or gratuities by  
3 dealers at a table game, including:

4 (a) The requirement that tips or gratuities accepted by dealers at banking table games  
5 be placed in a common pool for complete distribution pro rata among all dealers based on the daily  
6 collection of such tips or gratuities; provided however, the lottery commission may establish an  
7 alternative distribution method for tips or gratuities at a banking table game upon submission by  
8 Rockingham Park of a proposal acceptable to the division to modify the existing distribution method  
9 for tips or gratuities.

10 (b) The requirement that tips or gratuities accepted by dealers at nonbanking table  
11 games are not required to be pooled and may be retained by the dealers; provided however, the  
12 lottery commission may establish an alternative distribution method for tips or gratuities at a  
13 nonbanking table game upon submission by Rockingham Park of a proposal acceptable to the  
14 division to modify the existing distribution method for tips or gratuities.

15 XIX. Establishing the minimal proficiency requirements for table game personnel,  
16 including without limitation table game dealers.

17 XX. Establishing the practices and procedures governing the conduct of table game  
18 tournaments.

19 XXI. Establishing appropriate eligibility requirements and standards for traditional table  
20 game equipment suppliers.

21 XXII. Operations of credit facilitators.

22 284-B:5 Licensing of Technology Providers.

23 I. The lottery commission, pursuant to this section, shall license technology providers  
24 capable of interfacing with a central communications system controlled by the lottery commission.

25 II. In making its licensing decision, the lottery commission shall select providers based on  
26 the following factors:

27 (a) Experience in performing comparable projects.

28 (b) Financial stability.

29 (c) Technical and management abilities.

30 (d) The quality of the product and service capabilities.

31 (e) Likelihood of timely performance.

32 (f) Maximum revenue generation.

33 (g) Ability to pass a background investigation.

34 (h) Any other factors found by the lottery commission to be relevant to performance.

35 III. The lottery commission shall require criminal background checks of license applicants  
36 as it deems appropriate and said applicants shall apply to the attorney general for a national  
37 criminal records check with fingerprinting. The applicant whose criminal records check is being  
38 conducted shall be responsible for the payment of the costs of said criminal records check. The

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1 attorney general shall send the results of such criminal records check to the lottery commission.  
2 Once said results are received by the lottery commission, the attorney general shall promptly  
3 destroy said fingerprint records.

4 IV. All video lottery machines shall be linked under a central communications system to  
5 provide auditing program information as approved by the lottery commission. The communications  
6 system approved by the lottery commission shall not limit participation to only one manufacturer of  
7 video lottery machines by either cost of implementing the necessary program modifications to  
8 communicate or the inability to communicate with the central communication system.

9 284-B:6 Central Computer System.

10 I. Pursuant to an open competitive bidding process conducted in accordance with the  
11 provisions of RSA 21-I, the commission shall acquire and operate a central computer system into  
12 which all video lottery machines shall be connected.

13 II. Any central computer system acquired and operated by the commission shall be capable  
14 of:

15 (a) Continuously monitoring, retrieving, and auditing the operations, financial data,  
16 and program information of all slot machines.

17 (b) Allowing the commission to account for all money inserted in and payouts made  
18 from a slot machine.

19 (c) Disabling from operation or play a slot machine as the commission deems necessary  
20 to carry out the provisions of this chapter.

21 (d) Supporting and monitoring a progressive jackpot system capable of operating one or  
22 more progressive jackpots.

23 (e) Providing any other function that the commission considers necessary.

24 III. The central computer system shall employ a widely accepted gaming industry  
25 communications protocol, as approved by the Gaming Standards Association, to facilitate the ability  
26 of slot machine manufacturers to communicate with the central computer system.

27 IV. Except as provided in paragraph II(b), the commission shall not permit a gaming  
28 licensee to have access to, or obtain information from, the central computer system unless it  
29 determines that such access does not in any way affect the integrity or security of the central  
30 computer system and is relevant to the legitimate operation of its slot machines.

31 284-B:7 Rockingham Park Operations. Rockingham Park shall:

32 I. Provide written information at each table game about game rules, payoffs, or winning  
33 wagers and other information as the lottery commission may require.

34 II. Provide specifications approved by the lottery commission to integrate and update  
35 Rockingham Park's surveillance system to cover all areas where table games are conducted and  
36 other areas as required by the lottery commission. The specifications shall include provisions  
37 providing the lottery commission and other persons authorized by the lottery commission with  
38 onsite access to the system.

1           III. Ensure that visibility in Rockingham Park's facility shall not obstructed in any way  
2 that could interfere with the ability of the lottery commission, Rockingham Park, or other persons  
3 authorized under this chapter or by the lottery commission to oversee the surveillance of the  
4 conduct of table games.

5           IV. Ensure that the count room for table gaming shall have appropriate security for the  
6 counting and storage of cash.

7           V. Provide each table game with a sign acceptable to the lottery commission indicating the  
8 permissible minimum and maximum wagers at the table game.

9           VI. Reimburse and pay to the lottery commission all reasonable costs and expenses  
10 associated with the lottery commission's review of the business or operations of Rockingham Park,  
11 including, but not limited to, such items as ongoing auditing, legal, investigation services,  
12 compulsive and problem gambling programs, and other related matters.

13           VII. Provide secure, segregated facilities as required by the lottery commission on the  
14 premises for the exclusive use of the lottery commission staff and the state police. Such space shall  
15 be located proximate to the gaming floor and shall include surveillance equipment, monitors with  
16 full camera control capability, as well as other office equipment that may be deemed necessary by  
17 the lottery commission. The location and size of the space shall be subject to the approval of the  
18 lottery commission.

19           284-B:8 Gaming Credit Authorized.

20           I. The lottery commission shall authorize Rockingham Park to extend credit to players  
21 pursuant to this chapter.

22           II. Except for applicable licensing laws and regulations, Rockingham Park may extend  
23 interest-free, unsecured credit to its patrons for the sole purpose of such patrons making wagers at  
24 table games or video lottery terminals at the Rockingham Park facility subject to the requirements  
25 of this chapter.

26           III. Within 90 days of the effective date of this section, Rockingham Park shall submit to  
27 the lottery commission, for review and approval, proposed rules regarding the establishment of  
28 procedures governing a program for the extension of credit and requirements with respect to a  
29 credit applicant's financial fitness including, without limitation, annual income, debt-to-income  
30 ratio, prior credit history, average monthly bank balance, or level of play. The lottery commission  
31 may approve, approve with modification, or disapprove any portion of the policies and procedures  
32 submitted for review and approval.

33           IV. Each applicant for credit shall submit a written application to Rockingham Park that  
34 shall be maintained by Rockingham Park for 3 years in a confidential credit file. The application  
35 shall include the patron's name, address, telephone number, social security number, comprehensive  
36 bank account information, the requested credit limit, the patron's approximate amount of current  
37 indebtedness, the amount and source of income in support of the application, the patron's signature  
38 on the application, a certification of truthfulness, and any other information deemed relevant by

1 Rockingham Park or the lottery commission.

2 V. As part of the review of a credit application and before an application for credit is  
3 approved, Rockingham Park shall verify:

4 (a) The identity, creditworthiness, and indebtedness information of the applicant by  
5 conducting a review of:

6 (1) The information submitted with the application.

7 (2) Indebtedness information regarding the applicant received from a credit bureau.

8 (3) Information regarding the applicant's credit activity at other licensed facilities  
9 that Rockingham Park may obtain through a casino credit bureau and, if appropriate, through  
10 direct contact with other casinos.

11 (b) That the applicant's name is not included on an exclusion or self-exclusion list  
12 maintained by Rockingham Park or the lottery commission.

13 (c) As part of the credit application, Rockingham Park shall notify each applicant in  
14 advance that Rockingham Park will verify the information in subparagraphs (a)(1) and (a)(2) and  
15 may verify any other information provided by the applicant as part of the credit application. The  
16 applicant shall acknowledge in writing that he or she understands that the verification process will  
17 be conducted as part of the application process and that he or she consents to having said  
18 verification process conducted.

19 VI. After a review of the credit application and upon completion of the verification required  
20 under paragraph V, and subject to the rules and regulations approved by the lottery commission, a  
21 credit facilitator may approve or deny an application for credit to a player. The credit facilitator  
22 shall establish a credit limit for each patron to whom credit is granted. The approval or denial of  
23 credit shall be recorded in the applicant's credit file that shall also include the information that was  
24 verified as part of the review process, and the reasons and information relied on by the credit  
25 facilitator in approving or denying the extension of credit and determining the credit limit. Subject  
26 to the rules and regulations approved by the lottery commission, increases to an individual's credit  
27 limit may be approved by a credit facilitator upon receipt of written request from the player after a  
28 review of updated financial information requested by the credit facilitator and re-verification of the  
29 player's credit information.

30 VII. Detailed information pertaining to all transactions affecting an individual's  
31 outstanding indebtedness to Rockingham Park shall be recorded in chronological order in the  
32 individual's credit file. The financial information in an application for credit and documents related  
33 thereto shall be confidential. All credit application files shall be maintained by Rockingham Park in  
34 a secure manner and shall not be accessible to anyone who is not a credit facilitator or a  
35 Rockingham Park manager or officer responsible for the oversight of the extension of credit  
36 program.

37 VIII. A credit facilitator may reduce a player's credit limit or suspend his or her credit to  
38 the extent permitted by the rules and regulations approved by the lottery commission.

1 IX. A player may request that Rockingham Park suspend or reduce his or her credit. Upon  
2 receipt of a written request to do so, the player's credit shall be reduced or suspended as requested.  
3 A copy of the request and the action taken by the credit facilitator shall be placed in the player's  
4 credit application file.

5 X. In the event that a player fails to repay a debt owed to Rockingham Park resulting from  
6 the extension of credit by Rockingham Park, neither the state of New Hampshire nor the lottery  
7 commission shall be responsible for the loss and said loss shall not affect net table game revenue or  
8 net terminal income. Rockingham Park, the state of New Hampshire, the lottery commission, and  
9 any employee of Rockingham Park, shall not be liable in any judicial or administrative proceeding  
10 to any player, any individual, or any other party, including table game players or individuals on the  
11 voluntary suspension list, for any harm, monetary or otherwise, that may arise as a result of:

12 (a) Granting or denial of credit to a player.

13 (b) Increasing the credit limit of a player.

14 (c) Allowing a player to exercise his or her right to use credit as otherwise authorized.

15 (d) Failure of Rockingham Park to increase a credit limit.

16 (e) Failure of Rockingham Park to restore credit privileges that have been suspended,  
17 whether involuntarily or at the request of the table game patron.

18 (f) Permitting or prohibiting an individual whose credit privileges have been suspended,  
19 whether involuntarily or at the request of the player, to engage in gaming activity in a licensed  
20 facility while on the voluntary credit suspension list.

21 XII. For any extensions of credit, the maximum amount of outstanding credit per player  
22 shall be \$50,000.

23 284-B:9 Powers of the Division of State Police Gaming Enforcement Unit.

24 I. The commissioner of safety acting through the division of state police, gaming  
25 enforcement unit established in RSA 21-P:7-d, may take such actions as may be necessary in his or  
26 her judgment to fulfill the responsibilities of the division of state police under this chapter and the  
27 rules adopted pursuant thereto.

28 II. The division of state police gaming enforcement unit shall have primary law  
29 enforcement authority over the gaming floor and restricted areas in the gaming location. It shall  
30 have concurrent law enforcement authority over all other areas of the gaming location with the  
31 local law enforcement agency having the primary enforcement responsibility.

32 III. The division of state police and its gaming enforcement unit shall:

33 (a) Ensure the timely processing of fingerprints and criminal history record checks in  
34 connection with a license application registration, permit or other authorization required pursuant  
35 to this chapter.

36 (b) Notwithstanding RSA 106-B:15, investigate alleged criminal activity and criminal  
37 violations involving the gaming floor and restricted areas of a gaming location.

38 (c) Notwithstanding RSA 106-B:15, receive and investigate with regard to any referral

1 by the commission, a host community or other person relating to alleged criminal activity and  
2 criminal violations involving the gaming floor and restricted areas of a gaming location.

3 (d) Participate in any hearing conducted by the lottery commission.

4 (e) Provide advice and assistance, upon request or on his or her motion, to the  
5 commission in the adoption of rules.

6 (f) Recommend, with respect to persons to be placed on a list of excluded persons to be  
7 maintained by the lottery commission.

8 (g) Discharge other responsibilities as may be provided in law.

9 III. The division of state police gaming enforcement unit shall be present at a gaming  
10 location, at such times, under such circumstances, and to such extent as it deems appropriate to  
11 fulfill its responsibilities under this chapter.

12 IV. The lottery commission shall notify the division of state police gaming enforcement unit  
13 of any known or suspected criminal law violations that are related in any way to implementation  
14 and enforcement of the provisions of this chapter. Notwithstanding any provisions relating to the  
15 confidentiality of any information acquired under this chapter, the lottery commission shall share  
16 such information with the division of state police gaming enforcement unit as may be deemed  
17 necessary by the commissioner of safety to ensure compliance with the provisions of this chapter.

18 V. The lottery commission, the division of state police gaming enforcement unit, and the  
19 attorney general shall cooperate on the regulatory and criminal implementation and enforcement of  
20 this chapter, which efforts shall include cooperation with municipal and county attorney offices and  
21 with local law enforcement.

22 284-B:10 Employees and Contractors.

23 I. The lottery commission, the attorney general, and the division of state police gaming  
24 enforcement unit may contract for such legal, financial, economic, or security consultants, and any  
25 other technical and professional services as it deems necessary for the discharge of its duties under  
26 this chapter.

27 II. The lottery commission may employ certain assistants, and contract with certain  
28 individuals or entities experienced in the regulation of gaming to carry out the provisions of this  
29 chapter. Such assistants and employees shall receive compensation at rates to be established by the  
30 department of administrative services, division of personnel.

31 284-B:11 Annual Report to the General Court.

32 I. No later than November 1 of each year, the lottery commission shall provide a report to  
33 the fiscal committee of the general court regarding the generation of revenues of video lottery  
34 machines and table games by Rockingham Park.

35 II. The legislative budget assistant, and any expert consultants hired to assist the  
36 legislative budget assistant in carrying out his or her duties, shall have access to any information,  
37 including confidential information, the legislative budget assistant may request for the purpose of  
38 conducting audits of the commission pursuant to RSA 14:31-a. If the legislative budget assistant or

1 any expert consultant requires access to confidential information, the commission shall furnish the  
2 information and the legislative budget assistant or any expert consultant shall be subject to the  
3 same restrictions and penalties regarding the disclosure of the information as the original custodian  
4 of the information. This paragraph shall not be construed to authorize disclosure to any member of  
5 the legislature. Any confidential information provided to the legislative budget assistant under this  
6 section shall be subject to the provisions of RSA 14:31, IV.

7 284-B:12 Gaming License; Rockingham Park. The lottery commission shall award one gaming  
8 license to the pari-mutuel facility at Rockingham Park in Salem for:

9 I. The operation of no more than 160 table games and no fewer than 80 table games; and

10 II. The operation of no more than 3,500 slot machines and no fewer than 2,000 video lottery  
11 machines.

12 284-B:13 Procedures for Adoption.

13 I. The town of Salem may adopt the provisions of RSA 284-B to allow the operation of video  
14 lottery machines and table games in the following manner:

15 (a) Upon request of Rockingham Park to authorize the operation of video lottery  
16 machines and table games at its facility located within Salem in accordance with the provisions of  
17 RSA 284-B, the town governing body shall place the question on the ballot to be voted upon at the  
18 next regularly scheduled municipal or biennial election unless such election is more than 90 days  
19 from the request. In such circumstance, the town governing body shall place the question on the  
20 ballot for a special election called for the purpose of voting on said question and which special  
21 election shall occur within 75 days after the request is made. Such special election shall be held at  
22 the usual ward polling places by the regular election officials.

23 (b) If a majority of those voting on the question vote "Yes," RSA 284-B shall apply in  
24 Salem and the operation of video slot machines and table games shall be permitted at Rockingham  
25 Park in Salem in accordance with RSA 284-B. If a majority of those voting on the question vote "No"  
26 the question may be voted on at a subsequent time in accordance with this section provided,  
27 however, the town of Salem may consider the question at no more than one special election and a  
28 regular municipal or biennial election in the same calendar year after a "No" vote.

29 (c) The wording of the question shall be substantially as follows: "Shall the town of  
30 Salem adopt the provisions of RSA 284-B allowing the operation of video lottery machines and table  
31 games at Rockingham Park in Salem"?

32 II. If Rockingham Park requests action under paragraph I, Rockingham Park shall pay all  
33 costs associated with carrying out the actions under this section.

34 284-B:14 Gaming License Fees; License Term.

35 I. The lottery commission shall collect, in conjunction with a gaming license application, a  
36 nonrefundable gaming license application fee in the amount of \$400,000 to cover the cost of  
37 processing and reviewing an application. If the cost of processing and reviewing the application  
38 exceeds the amount of the initial application fee, the commission may impose upon the applicant an

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1 additional fee sufficient to cover any documented shortfall which the applicant shall pay to the  
2 commission within 15 days of the date of an invoice. The amount shall be deposited in the gaming  
3 regulatory fund and shall be available to the state in the fiscal year received.

4 II. The lottery commission shall collect in conjunction with a gaming license application,  
5 and transmit to the attorney general, a nonrefundable gaming license investigation fee in the  
6 amount of \$100,000 to cover the cost of the background investigation. If the cost of the background  
7 investigation exceeds the amount of the initial application fee, the commission may impose upon the  
8 applicant an additional fee sufficient to cover any documented shortfall which the applicant shall  
9 pay to the commission, for transmission to the attorney general, within 15 days of the date of an  
10 invoice. The amount shall be deposited in the gaming regulatory fund and shall be available to the  
11 state in the fiscal year received.

12 III. Upon an award of a gaming license, the lottery commission shall collect an initial  
13 license fee in the amount of \$80,000,000. Such fees shall be paid to the gaming regulatory fund  
14 within 30 days of the award of the license.

15 IV. Upon payment of a license fee by a Rockingham Park under this chapter, the lottery  
16 commission shall fully reimburse funds received:

17 (1) By the commission from activities authorized by RSA 284, RSA 287-D, RSA 287-  
18 E, and RSA 287-F in proportion to the expenses incurred by the commission from each such activity  
19 in the administration of this chapter as authorized by RSA 284-B:3, VII(a), prior to the payment of  
20 the license fee.

21 (2) By the gaming regulatory oversight authority from activities authorized by  
22 RSA 284 and RSA 287-F in proportion to the expenses incurred by the authority from each such  
23 activity in the administration of RSA 284-B.

24 (b) The general court shall determine the distribution of the balance of the initial  
25 license fee revenue after the reimbursements required by RSA 284-B:13, IV, provided that  
26 distributions shall include the following:

27 (1) Distributions to host or near-by municipalities deemed sufficient by the general  
28 court to offset costs incurred by such municipalities attributable to a gaming location's placement.

29 (2) Revenue in an amount determined by the general court shall be paid to the state  
30 treasurer and credited to the commissioner of the department of health and human services to  
31 support programs established by RSA 172 to fund baseline research into the prevalence of problem  
32 gambling in New Hampshire prior to the expansion of gaming as authorized by this chapter, to  
33 identify and assess the treatment needs of individuals with compulsive and problem gambling  
34 disorders, to identify effective programming to prevent and control compulsive and problem  
35 gambling, and to examine the connections between gambling disorders and drug and alcohol  
36 addiction disorders.

37 (3) Distributions to the state treasurer for transfer to the lottery commission,  
38 attorney general, and department of safety in amounts equal to any costs of regulatory control over



1 Rockingham Park that are not covered by any other designated source of funding in this chapter.

2 (c) Upon receipt of the license fee, the lottery commission shall issue the gaming license.

3 (d) The amount shall be deposited in the gaming regulatory fund and shall be available  
4 to the state in the fiscal year received.

5 V. A gaming license shall expire 10 years from the date of issuance and may be renewed  
6 pursuant to this chapter.

7 (a) The lottery commission shall adopt rules under RSA 541-A consistent with this  
8 chapter relating to procedures for renewal of a gaming license, including an application and review  
9 process and such other procedures as are necessary to implement this paragraph.

10 (b) The commission shall collect a license renewal fee in the amount of \$1,500,000 which  
11 shall be paid to the state treasurer by Rockingham Park within 30 days of the renewal of the  
12 license. The general court shall determine the distribution of the license renewal fee. Upon receipt  
13 of the renewal fee, and satisfaction of any additional conditions precedent imposed by the  
14 commission, the commission shall issue the gaming license renewal. The amount shall be deposited  
15 in the gaming regulatory fund and shall be available to the state in the fiscal year received.

16 VI. There is established in the office of the state treasurer a nonlapsing fund to be known  
17 as the gaming regulatory fund to be administered by the gaming commission which shall be kept  
18 distinct and separate from all other funds. All moneys in the gaming regulatory fund shall be  
19 nonlapsing and continually appropriated to the lottery commission for the purpose of distribution  
20 under this section.

21 284-B:15 Video Lottery Games. Video lottery games authorized by this chapter may be played  
22 at the licensed video lottery retailer's facilities with the approval of the lottery commission even if  
23 that facility is not conducting a pari-mutuel event.

24 284-B:16 Exclusion of Individuals Under the Age of 21 from a Gaming Location.

25 I. Except as provided in paragraph II, no individual under the age of 21 shall be permitted  
26 access to a gaming floor or restricted area or to otherwise place a wager on a slot machine or table  
27 game.

28 II. An individual 18 years or older who is a lottery commission-licensed, registered, or  
29 permitted employee of Rockingham Park may access a gaming floor or restricted area only at such  
30 times and to the extent necessary to perform the duties the individual was employed to perform.

31 III. Rockingham Park shall not conduct marketing and promotional communications or  
32 otherwise target or entice an individual under the age of 21 to gamble.

33 IV. An individual who is prohibited from gaming in a gaming location under this section  
34 shall not collect any winnings or recover any losses arising as a result of prohibited gaming  
35 winnings and any winnings shall be forfeited to the lottery commission and deposited into the  
36 general fund.

37 V. Rockingham Park shall take all reasonable measures to prevent violations of the  
38 criminal code provisions related to gambling by individuals under the age of 21 including the

1 provisions set forth in this chapter and RSA 647.

2 284-B:17 Gaming Ticket Expiration, Unclaimed Tickets, Cash, and Prizes.

3 I. Rockingham Park shall redeem a ticket issued by a video lottery machine for cash or a  
4 cash equivalent for a period of one year from the date of issuance of the ticket.

5 II. Upon the expiration of the one-year period in paragraph I, the value of the expired ticket  
6 shall revert to the state as an unclaimed prize.

7 III. Rockingham Park shall retain unclaimed cash and winnings for a player for a one-year  
8 period from the date of the transaction generating the cash or winnings.

9 IV. Upon the expiration of the one-year period in paragraph III, the value of the unclaimed  
10 cash or winnings shall revert to the state as unclaimed prizes.

11 V. The lottery commission shall adopt rules pursuant to RSA 541-A, consistent with this  
12 chapter and the efficient administration of Rockingham Park's obligations hereunder with regard to  
13 the reversion of amounts to the state.

14 284-B:18 Gross Revenue Tax and Other Assessments Payable by Rockingham Park.

15 I. Rockingham Park shall remit to the state treasurer a tax of 35 percent of gross slot  
16 machine revenue and 18 percent of gross table game revenue in a manner and time as provided for  
17 by this chapter.

18 (a) Upon receipt of payment of taxes on gross slot machine revenue and gross table  
19 game revenue by Rockingham Park under this chapter and in accordance with a schedule  
20 established by the state treasurer, the state treasurer shall:

21 (1) Pay 3 percent of the gross slot machine revenue of Rockingham Park to the town  
22 of Salem.

23 (2) Pay one percent of the gross slot machine revenue of Rockingham Park to the  
24 New Hampshire community or communities that abut the host community, dividing such one  
25 percent for payment in equal shares if there is more than one abutting community.

26 (3) Pay one percent of the gross slot machine revenue of Rockingham Park to  
27 Rockingham county.

28 (4) Pay one percent of the gross slot machine revenue to the commissioner of the  
29 department of health and human services to support programs established by RSA 172 to identify,  
30 assess, prevent, and treat both compulsive and problem gambling and the related disorders of drug  
31 and alcohol addiction.

32 (5) Return that part of the gross slot machine revenue remaining after the  
33 distributions provided in subparagraphs (1) through (4) to cities and towns in New Hampshire equal  
34 to the amounts determined in accordance with RSA 31-A:4, or if the remaining gross slot machine  
35 revenue is less than the amounts that would otherwise be payable in accordance with RSA 31-A:4,  
36 then each such city's or town's pro rata share of the total available amount determined in  
37 accordance with RSA 31-A:4.

38 (6) Deposit the balance into the gaming regulatory fund established by RSA 284-

1 B:14, VI.

2 (b) Upon payment of taxes on gross slot machine revenue and gross table game revenue  
3 by Rockingham Park under this chapter, and subject to payment by the state treasurer of the  
4 amounts specified in subparagraph (a), the lottery commission shall:

5 (1) Reimburse funds received by the lottery commission from activities authorized  
6 by RSA 284, RSA 287-D, RSA 287-E, and RSA 287-F in proportion to the expenses incurred by the  
7 commission for each activity in the administration of this chapter, prior to the payment of the  
8 license fee.

9 (2) Charge to and pay out of the tax payments received the compensation of the  
10 commissioners, expenses of the commissioners, compensation of assistants, and other necessary  
11 expenses of the commission, of the office of the commission chairperson, and of the gaming  
12 enforcement unit established in RSA 21-P:7-d, including suitable furniture, equipment, supplies,  
13 and office expenses, provided that the lottery commission shall submit an operating budget based on  
14 accounting units or other budgetary units required by the general court and shall submit its budget  
15 in the same format and at the same time as other state agencies; provided, however, the commission  
16 is authorized to transfer funds between line items within and among any budgetary unit.

17 (3) Make distributions to the state treasurer for transfer to the attorney general and  
18 the department of safety and local law enforcement agencies in amounts equal to any costs of  
19 regulatory control over Rockingham Park that are not covered by any other designated source of  
20 funding in this chapter, provided that such distributions shall be in accordance with a budget  
21 approved by the general court.

22 II. The general court shall determine the distribution of the balance of tax payments on  
23 gross slot machine revenue or gross table game revenue remitted by Rockingham Park that remains  
24 after provision for the distributions and charges provided for by paragraph I.

25 III. Rockingham Park shall deliver to the state treasurer the amount due to the state  
26 treasurer provided for in this section in immediately available funds of the United States at least  
27 once a week in such manner and at such time as the state treasurer, with the concurrence of the  
28 lottery commission, shall agree. At the time payment is delivered, Rockingham Park shall provide  
29 to the state treasurer a written accounting of gross table game revenue and gross slot machine  
30 revenue on an aggregate basis together with its calculation of the amount due to the state treasurer  
31 pursuant to this section. Rockingham Park's written accounting shall be in a form satisfactory to  
32 the lottery commission and shall be filed concurrently with the commission. Rockingham Park shall  
33 pay a penalty of \$1,000 for each day that payment or the accounting is not delivered on time to the  
34 state treasurer or the commission.

35 IV. Rockingham Park shall remit to the lottery commission a fee in the amount of \$600 per  
36 year per slot machine which fee shall be deposited in a public health trust fund administered by the  
37 lottery commission dedicated to addressing problems associated with compulsive gambling,  
38 including, but not limited to, gambling prevention and addiction services, substance abuse services,

1 educational campaigns to mitigate the potential addictive nature of gambling, research, and any  
2 studies and evaluations consistent with this chapter.

3 284-B:19 Legal Shipment of Gaming Devices Into New Hampshire. All shipments into this  
4 state of gaming devices, including slot machines, the registering, recording, and labeling of which  
5 has been duly made by the manufacturer or dealer in accordance with sections 3 and 4 of an Act of  
6 Congress of the United States entitled "An Act to Prohibit Transportation of Gambling Devices in  
7 Interstate and Foreign Commerce," designated as 15 U.S.C. sections 171-1172, shall be deemed  
8 legal shipments into this state.

9 284-B:20 Declaration of Limited Exemption From Operation of the Provisions of 15 U.S.C.  
10 sections 1171-1178. Pursuant to section 2 of an act of Congress of the United States entitled "An Act  
11 to Prohibit Transportation of Gambling Devices in Interstate and Foreign Commerce," designated  
12 as 15 U.S.C. sections 1171-1178, the state of New Hampshire, acting by and through the duly  
13 elected and qualified members of its legislature, does hereby, in accordance with and in compliance  
14 with the provisions of that section 2 of that act of Congress, declare and proclaim that section 2 of  
15 that Act of Congress shall not apply to any gambling device in this state where the transportation of  
16 such a device is specifically authorized by and done in compliance with the provisions of this  
17 chapter and any rules adopted by the commission pursuant to it, and that any such gambling device  
18 transported in compliance with state law or regulations shall be exempt from the provisions of that  
19 Act of Congress.

20 284-B:21 Prohibited Acts; Penalties.

21 I. It shall be unlawful for any person to:

22 (a) Use or attempt to use a cheating device in a casino game or to have possession of  
23 such a device in a gaming facility.

24 (b) Use, acquire, or possess paraphernalia with intent to cheat, or attempt to use,  
25 acquire, or possess, paraphernalia with the intent to manufacture cheating devices.

26 (c) Cheat, or attempt to cheat in order to take or collect money or anything of value,  
27 whether for one's self or another, in or from a casino game in a gaming facility.

28 (d) Conduct, carry on, operate, deal, or attempt to conduct, carry on, operate or deal, or  
29 allow to be conducted, carried on, operated, or dealt, any cheating game or device.

30 (e) Manipulate or alter or attempt to manipulate or alter, with the intent to cheat, any  
31 physical, mechanical, electromechanical, electronic, or computerized component of a casino game,  
32 contrary to the designed and normal operational purpose for the component.

33 (f) Use, sell, or possess, or attempt to use, sell, or possess, counterfeit coins, slugs,  
34 tokens, gaming chips, debit instruments, player rewards cards or any counterfeit wagering  
35 instruments, or devices resembling tokens, gaming chips, debit, or other wagering instruments  
36 approved by the lottery commission for use in a casino game in a gaming facility.

37 (g)(1) Place, increase, decrease, cancel, or remove a wager or determine the course of  
38 play of a table game, or attempt to place, increase, decrease, cancel, or remove a wager or determine

1 the course of play of a table game, with knowledge of the outcome of the table game where such  
2 knowledge is not available to all players; or

3 (2) Aid, or attempt to aid anyone in acquiring such knowledge for the purpose of  
4 placing, increasing, decreasing, canceling, or removing a wager or determining the course of play of  
5 the table game.

6 (h) Claim, collect or take, or attempt to claim, collect or take, money or anything of  
7 value in or from a casino game or gaming facility, with intent to defraud, or to claim, collect or take  
8 an amount greater than the amount won.

9 (i) In the course of his or her duties as an employee of a gaming facility or anyone  
10 acting on behalf of or at the direction of an employee of a gaming facility, to knowingly fail to  
11 collect, or attempt to fail to collect, a losing wager or pay, or attempt to pay, an amount greater on  
12 any wager than required under the rules of a casino game.

13 (j) Directly or indirectly offer, or attempt to offer, to conspire with another, or solicit, or  
14 attempt to solicit, from another, anything of value, for the purpose of influencing the outcome of a  
15 casino game.

16 (k) Use or possess, or attempt to use or possess, at a gaming facility, without the  
17 written consent of the director of the lottery commission, any electronic, electrical or mechanical  
18 device designed, constructed or programmed to assist the user or another person with the intent to:

19 (1) Predict the outcome of a casino game.

20 (2) Keep track of the cards played.

21 (3) Analyze and/or predict the probability of an occurrence relating to the casino  
22 game.

23 (4) Analyze or predict the strategy for playing or wagering to be used in the casino  
24 game.

25 (l) Skim, or attempt to skim, casino gaming proceeds by excluding anything of value  
26 from the deposit, counting, collection, or computation of:

27 (1) Gross revenues from gaming operations or activities.

28 (2) Net gaming proceeds.

29 (3) Amounts due the state pursuant to applicable casino gaming-related laws.

30 (m) Cheat, or attempt to cheat, in the performance of his or her duties as a dealer or  
31 other casino employee by conducting one's self in a manner that is deceptive to the public or alters  
32 the normal random selection of characteristics or the normal chance or result of the game,  
33 including, but not limited to, using cards, dice or any cheating device which has been marked,  
34 tampered with, or altered.

35 (n) Possess or use, or attempt to use, without proper authorization from the lottery  
36 commission, while in the gaming facility, any key or device designed for the purpose of or suitable  
37 for opening or entering any self-redemption unit, kiosk, vault, video lottery terminal, drop box, or  
38 any secured area in the gaming facility that contains casino gaming and/or surveillance equipment,

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1 computers, electrical systems, currency, cards, chips, dice, or any other thing of value.

2 (o) Tamper or interfere, or attempt to tamper or interfere, with any casino gaming or  
3 surveillance equipment including, but not limited to, computers and related electrical systems.

4 (p) Access, interfere with, infiltrate, hack into, or infect, or attempt to access, interfere  
5 with, infiltrate, hack into or infect any casino gaming-related computer, network, hardware,  
6 software, or other equipment.

7 (q) Sell, trade, barter, profit from, or otherwise use to one's financial advantage, or  
8 attempt to sell, trade, barter, profit from, or otherwise use to one's financial advantage, any  
9 confidential information related to casino gaming operations, including, but not limited to, data  
10 (whether stored on a computer's software, hardware, network or elsewhere), passwords, codes,  
11 surveillance and security characteristics or vulnerabilities, or non-public internal controls, policies  
12 and procedures related thereto.

13 (r) Conduct a gaming operation, or attempt to conduct a gaming operation, where  
14 wagering is used or to be used without a license issued by the lottery commission.

15 (s) Provide false information or testimony to the lottery commission, or their authorized  
16 representatives, or the state police while under oath.

17 II. Any person convicted of violating this section shall be guilty of a felony punishable by  
18 imprisonment for not more than 10 years, a fine of not more than \$100,000, or both.

19 284-B:22 Barred from Gaming Facility; Restitution; Confiscation.

20 I. Any person convicted of any crime under RSA 284-B:21 shall be barred for a period of  
21 time, up to a lifetime ban, from Rockingham Park by court order, by the lottery commission, or by  
22 Rockingham Park.

23 II. Upon conviction of either a felony or misdemeanor in this chapter, the sentencing judge  
24 may require full restitution for any monetary losses suffered.

25 III. Any cheating device, paraphernalia used to manufacture cheating devices, counterfeit  
26 coins, slugs, tokens, gaming chips, debit instruments, player rewards cards, or any counterfeit  
27 wagering instruments or devices resembling tokens, gaming chips, debit, or other wagering  
28 instruments or any other equipment or real or personal property used, obtained, or received in  
29 violation of this chapter shall be confiscated by the lottery commission, Rockingham Park, or the  
30 gaming enforcement unit of the state police, and shall be forfeited to the gaming enforcement unit.  
31 This section shall include the confiscation and forfeiture of vehicles containing any items listed  
32 above.

33 284-B:23 Additional Crimes. The criminal offenses under this chapter shall be in addition to  
34 any other offenses under the laws of this state and nothing in this chapter shall be construed so as  
35 to prohibit the prosecution for any other such offenses.

36 2 New Sections; Department of Safety; Gaming Enforcement Unit Established. Amend RSA 21-  
37 P by inserting after section 7-c the following new sections:

38 21-P:7-d Division of State Police; Gaming Enforcement Unit.

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1 I. There is established within the division of state police a gaming enforcement unit under  
2 the supervision of the commissioner of the department of safety. Notwithstanding RSA 106-B:15,  
3 the unit shall:

4 (a) Investigate violations of RSA 284-B and the rules adopted under the provisions of  
5 RSA 284-B, and initiate proceedings before the lottery commission for such violations. The unit  
6 shall report the results of any investigation conducted to the commission.

7 (b) Participate in any hearing conducted by the lottery commission.

8 (c) Investigate crimes which may involve a violation of RSA 284-B that occur at a  
9 gaming location.

10 II. The commissioner of the department of safety shall organize the unit as the  
11 commissioner deems necessary. The commissioner may employ such state police personnel as the  
12 commissioner deems necessary to fulfill the responsibilities of the unit.

13 21-P:7-e Enforcement Expenditures. The governor and council, upon request from the  
14 commissioner of the department of safety, may authorize the transfer of general funds as necessary  
15 to the department of safety to implement and enforce RSA 21-P:7-d and RSA 284-B.

16 3 New Subparagraphs; Gaming Regulatory Fund. Amend RSA 6:12 by inserting after  
17 subparagraph (331) the following new subparagraphs:

18 (332) Moneys deposited into the gaming regulatory fund established in RSA 284-  
19 B:14, VI.

20 (333) Moneys deposited into the public health trust fund established in RSA 284-  
21 B:18, IV.

22 4 Effective Date. This act shall take effect January 1, 2017.

LBAO  
16-2733  
1/28/16

**SB 551-FN-A-LOCAL- FISCAL NOTE**

AN ACT            establishing video lottery and table gaming at one location.

**FISCAL IMPACT:**

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill, as introduced, as it is awaiting information from the New Hampshire Municipal Association, who was contacted on 11/24/15, 01/05/16 and 01/26/16 relative to the potential fiscal impact of this bill. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.



SB 551-FN-A-LOCAL - AS INTRODUCED

2016 SESSION

16-2733

08/04

SENATE BILL        ***551-FN-A-LOCAL***

AN ACT            establishing video lottery and table gaming at one location.

SPONSORS:        Sen. D'Allesandro, Dist 20; Sen. Soucy, Dist 18; Sen. Lasky, Dist 13; Sen. Morse, Dist 22; Sen. Woodburn, Dist 1; Rep. Estevez, Hills. 37

COMMITTEE:       Ways and Means

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ANALYSIS

This bill enables the lottery commission to license one casino providing video lottery machines and table gaming at Rockingham Park in Salem.

This bill also distributes proceeds from gross slot machine income and gross table game income to reimburse the gaming regulatory oversight authority for certain expenses and to pay for the operation of the gaming commission, to the town of Salem, those communities abutting the town of Salem, Rockingham county, the department of health and human services to support addiction programs to cities and towns under the revenue sharing agreement, and the gaming regulatory fund.

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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.



1 game including, but not limited to:

2 (a) Plastic, tape, string, or dental floss, or any other item placed inside a coin or bill  
3 acceptor or any other opening in a video lottery terminal in a manner to simulate coin or currency  
4 acceptance;

5 (b) Forged or stolen keys used to gain access to a casino game to remove its contents; or

6 (c) Game cards or dice that have been tampered with, marked, or loaded.

7 V. "Credit facilitator" means any employee of Rockingham Park approved in writing by the  
8 lottery commission whose responsibility is to review applications for credit by players, verify  
9 information on credit applications, grant, deny, or suspend credit, establish credit limits, increase  
10 and decrease credit limits, and maintain credit files, all in accordance with this chapter and rules  
11 adopted by the lottery commission.

12 VI. "Net terminal income" means currency placed into a video lottery terminal less credits  
13 redeemed for cash by players.

14 VII. "Net table game revenue" means winnings from table games minus counterfeit  
15 currency.

16 VIII. "Paraphernalia for the manufacturing of cheating devices" means the equipment,  
17 products, or materials that are intended for use in manufacturing, producing, fabricating,  
18 preparing, testing, analyzing, packaging, storing, or concealing a counterfeit facsimile of the chips,  
19 tokens, debit instruments, or other wagering devices approved by the lottery commission or lawful  
20 coin or currency of the United States of America including, but not limited to:

21 (a) Lead or lead alloy molds, forms, or similar equipment capable of producing a  
22 likeness of a gaming token or United States coin or currency.

23 (b) Melting pots or other receptacles.

24 (c) Torches, tongs, trimming tools, or other similar equipment.

25 (d) Equipment that can be used to manufacture facsimiles of debit instruments or  
26 wagering instruments approved by the lottery commission.

27 X. "Rake" means a set fee or percentage of cash and chips representing cash wagered in the  
28 playing of a nonbanking table game assessed by a table games retailer for providing the services of  
29 a dealer, gaming table or location, to allow the play of any nonbanking table game.

30 XI. "Table game" or "table gaming" means that type of casino gaming in which table games  
31 are played for cash or chips representing cash or any other representation of value that has been  
32 approved by the lottery commission, using cards, dice, or equipment and conducted by one or more  
33 live persons.

34 XII. "Rockingham Park" means a retailer authorized to conduct table gaming pursuant to  
35 this chapter.

36 XIII. "Technology provider" means any individual, partnership, corporation, or association  
37 that designs, manufactures, installs, maintains, distributes, or supplies video lottery machines or  
38 associated equipment for the sale or use in this state.

1 XIV. "Video lottery games" means lottery games played on video lottery terminals approved  
2 by the lottery commission.

3 XV. "Video lottery terminal" means any electronic computerized video game machine that,  
4 upon the insertion of cash or any other representation of value, that has been approved by the  
5 lottery commission, is available to play a video game authorized by the lottery commission, and that  
6 uses a video display and microprocessors in which, by chance, the player may receive free games or  
7 credits that can be redeemed for cash. This term does not include a machine that directly dispenses  
8 coins, cash, or tokens.

9 XVI. "Wager" means a sum of money or representative of value that is risked on an  
10 occurrence for which the outcome is uncertain.

11 284-B:3 Lottery Commission; Authority.

12 I. The lottery commission shall have full control to operate the Rockingham Park facility,  
13 the authority to make all decisions about all aspects of the functioning of the business enterprise,  
14 including the power and authority to:

15 (a) Establish, with respect to casino gaming, one or more systems for linking, tracking,  
16 depositing and reporting of receipts, audits, annual reports, prohibitive conduct and other such  
17 matters determined from time to time.

18 (b) Collect all receipts from casino gaming, require that Rockingham Park collect casino  
19 gaming gross receipts in trust for the state through the lottery commission, deposit such receipts  
20 into an account or accounts of its choice, allocate such receipts according to law, and otherwise  
21 maintain custody and control over all casino gaming receipts and funds.

22 (c) Hold and exercise sufficient powers over Rockingham Park's accounting and  
23 finances to allow for adequate oversight and verification of the financial aspects of casino gaming at  
24 the facility, including:

25 (1) The right to require Rockingham Park to maintain an annual balance sheet,  
26 profit and loss statement, and any other necessary information or reports; and

27 (2) The authority and power to conduct periodic compliance or special or focused  
28 audits of the information or reports provided, as well as the premises with the facility containing  
29 records of casino gaming or in which the business of Rockingham Park's casino gaming operations  
30 are conducted.

31 (d) Monitor all casino gaming operations and to terminate or suspend any casino  
32 gaming activities in the event of an integrity concern or other threat to the public trust, and in  
33 furtherance thereof, require the licensed video lottery retailer to provide a specified area or areas  
34 from which to conduct such monitoring activities.

35 (e) Have approval rights over matters relating to the employment of individuals to be  
36 involved, directly or indirectly, with the operation of casino gaming at Rockingham Park.

37 (f) Establish compulsive gambling treatment programs.

38 II. Supervise and administer the operation of video lottery games in accordance with this

1 chapter and with the rules of the lottery commission.

2 III. Suspend or revoke upon a hearing any license issued pursuant to this chapter or the  
3 rules adopted in accordance with chapter.

4 IV. In compliance with the provisions of RSA 21-I, submit requests for proposals, select  
5 vendors, and enter into contracts for the operation of a central communications system and  
6 technology providers, or any part thereof.

7 V. Certify monthly to the legislative budget assistant, state treasurer, the gaming oversight  
8 commission, and to the governor a full and complete statement of lottery revenues, prize  
9 disbursements, and other expenses for the preceding month; ensure that monthly financial reports  
10 are prepared providing gross monthly revenues, prize disbursements, other expenses, and net  
11 income for keno and for all other lottery operations; submit this report to the legislative budget  
12 assistant, gaming regulatory oversight authority, the fiscal committee of the general court, and the  
13 governor no later than the twentieth business day following the close of the month; at the end of  
14 each fiscal year the director shall submit an annual report based upon an accrual system of  
15 accounting which shall include a full and complete statement of lottery revenues, prize  
16 disbursements and expenses, to the governor and the general assembly, which report shall be a  
17 public document and shall be filed with the secretary of state. The monthly report shall be  
18 prepared in a manner prescribed by the members of the revenue estimating conference.

19 284-B:4 Lottery Commission; Rulemaking. The lottery commission shall adopt rules, under  
20 RSA 541-A relative to:

21 I. The rules of play and odds of authorized casino gaming games, including, without  
22 limitation, the minimum and maximum wagers for each casino gaming game.

23 II. Control, operation, and management of casino gaming.

24 III. Accounting procedures for determining the net terminal income from lottery video  
25 terminals, and unclaimed prizes and credits.

26 IV. The type of video lottery games to be conducted.

27 V. The price to play each game and the prizes or credits to be awarded.

28 VI. Financial reporting procedures for Rockingham Park and control procedures in the  
29 event that it should become insolvent.

30 VII. Insurance and bonding by:

31 (a) Rockingham Park; and

32 (b) Technology provider.

33 VIII. The contracting with technology providers.

34 IX. Establishing an information system, operating procedures, reporting and accounting  
35 criteria in order to comply with the provisions of this chapter.

36 X. State-operated table gaming and the policy for such table games including, but not  
37 limited to:

38 (a) Establishing standards and procedures for table gaming and associated equipment.

1 (b) Establishing standards, rules, and regulations to govern the conduct of table games  
2 and the system of wagering associated with table games, including without limitation:

3 (1) The object of the table game and method of play, including what constitutes win,  
4 loss, or tie bets.

5 (2) Physical characteristics of the table games and table game equipment.

6 (3) Wager and payout odds for each type of available wager.

7 (4) The applicable inspection procedures for any of the following, as required by a  
8 table game:

9 (A) Cards.

10 (B) Dice.

11 (C) Wheels and balls.

12 (D) Other devices, equipment, and accessories related to table games.

13 (c) Procedures for the collection of bets and payouts, including requirements for internal  
14 revenue service purposes.

15 (d) Procedures for handling suspected cheating or table gaming irregularities.

16 (e) Procedures for handling any defective or malfunctioning table game equipment.

17 XI. Establishing the method for calculating net table game revenue and standards for the  
18 daily counting and recording of cash received in the conduct of table games, and ensuring that  
19 internal controls are followed, including the maintenance of financial books and records and the  
20 conduct of annual audits at the expense of Rockingham Park.

21 XII. Establishing any table game rule changes, table game minimum and maximum wager  
22 changes, and changes to the type of table game being offered at a particular gaming table, including  
23 any notice by Rockingham Park to the public.

24 XIII. Prohibiting any table game equipment from being possessed, maintained or exhibited  
25 by any person on the premises of Rockingham Park's facility except in the areas of such facility  
26 where the conduct of table games is authorized or in a restricted area designated to be used for the  
27 inspection, service, repair, or storage of table game equipment by Rockingham Park or in an area  
28 used for employee training and instruction by Rockingham Park.

29 XIV. Ensuring that drop boxes are brought into or removed from an area where table  
30 games are conducted or locked or unlocked in accordance with procedures established by the lottery  
31 commission.

32 XV. Designating secure locations for the inspection, service, repair, or storage of table game  
33 equipment and for employee training and instruction to be approved by the lottery commission.

34 XVI. Establishing the size and uniform color by denomination of table game chips used in  
35 the conduct of table games, including tournaments, and a policy for the use of promotional or  
36 commemorative chips used in the conduct of certain table games. All types of table game chips shall  
37 be approved by the lottery commission prior to being used for play at a table game.

38 XVII. Establishing the procedure to be used by Rockingham Park to determine and extract

1 a rake for the purposes of generating net table game revenue from nonbanking games.

2 XVIII. Establishing minimum standards relating to the acceptance of tips or gratuities by  
3 dealers at a table game, including:

4 (a) The requirement that tips or gratuities accepted by dealers at banking table games  
5 be placed in a common pool for complete distribution pro rata among all dealers based on the daily  
6 collection of such tips or gratuities; provided however, the lottery commission may establish an  
7 alternative distribution method for tips or gratuities at a banking table game upon submission by  
8 Rockingham Park of a proposal acceptable to the division to modify the existing distribution method  
9 for tips or gratuities.

10 (b) The requirement that tips or gratuities accepted by dealers at nonbanking table  
11 games are not required to be pooled and may be retained by the dealers; provided however, the  
12 lottery commission may establish an alternative distribution method for tips or gratuities at a  
13 nonbanking table game upon submission by Rockingham Park of a proposal acceptable to the  
14 division to modify the existing distribution method for tips or gratuities.

15 XIX. Establishing the minimal proficiency requirements for table game personnel,  
16 including without limitation table game dealers.

17 XX. Establishing the practices and procedures governing the conduct of table game  
18 tournaments.

19 XXI. Establishing appropriate eligibility requirements and standards for traditional table  
20 game equipment suppliers.

21 XXII. Operations of credit facilitators.

22 284-B:5 Licensing of Technology Providers.

23 I. The lottery commission, pursuant to this section, shall license technology providers  
24 capable of interfacing with a central communications system controlled by the lottery commission.

25 II. In making its licensing decision, the lottery commission shall select providers based on  
26 the following factors:

27 (a) Experience in performing comparable projects.

28 (b) Financial stability.

29 (c) Technical and management abilities.

30 (d) The quality of the product and service capabilities.

31 (e) Likelihood of timely performance.

32 (f) Maximum revenue generation.

33 (g) Ability to pass a background investigation.

34 (h) Any other factors found by the lottery commission to be relevant to performance.

35 III. The lottery commission shall require criminal background checks of license applicants  
36 as it deems appropriate and said applicants shall apply to the attorney general for a national  
37 criminal records check with fingerprinting. The applicant whose criminal records check is being  
38 conducted shall be responsible for the payment of the costs of said criminal records check. The

1 attorney general shall send the results of such criminal records check to the lottery commission.  
2 Once said results are received by the lottery commission, the attorney general shall promptly  
3 destroy said fingerprint records.

4 IV. All video lottery machines shall be linked under a central communications system to  
5 provide auditing program information as approved by the lottery commission. The communications  
6 system approved by the lottery commission shall not limit participation to only one manufacturer of  
7 video lottery machines by either cost of implementing the necessary program modifications to  
8 communicate or the inability to communicate with the central communication system.

9 284-B:6 Central Computer System.

10 I. Pursuant to an open competitive bidding process conducted in accordance with the  
11 provisions of RSA 21-I, the commission shall acquire and operate a central computer system into  
12 which all video lottery machines shall be connected.

13 II. Any central computer system acquired and operated by the commission shall be capable  
14 of:

15 (a) Continuously monitoring, retrieving, and auditing the operations, financial data,  
16 and program information of all slot machines.

17 (b) Allowing the commission to account for all money inserted in and payouts made  
18 from a slot machine.

19 (c) Disabling from operation or play a slot machine as the commission deems necessary  
20 to carry out the provisions of this chapter.

21 (d) Supporting and monitoring a progressive jackpot system capable of operating one or  
22 more progressive jackpots.

23 (e) Providing any other function that the commission considers necessary.

24 III. The central computer system shall employ a widely accepted gaming industry  
25 communications protocol, as approved by the Gaming Standards Association, to facilitate the ability  
26 of slot machine manufacturers to communicate with the central computer system.

27 IV. Except as provided in paragraph II(b), the commission shall not permit a gaming  
28 licensee to have access to, or obtain information from, the central computer system unless it  
29 determines that such access does not in any way affect the integrity or security of the central  
30 computer system and is relevant to the legitimate operation of its slot machines.

31 284-B:7 Rockingham Park Operations. Rockingham Park shall:

32 I. Provide written information at each table game about game rules, payoffs, or winning  
33 wagers and other information as the lottery commission may require.

34 II. Provide specifications approved by the lottery commission to integrate and update  
35 Rockingham Park's surveillance system to cover all areas where table games are conducted and  
36 other areas as required by the lottery commission. The specifications shall include provisions  
37 providing the lottery commission and other persons authorized by the lottery commission with  
38 onsite access to the system.



1           III. Ensure that visibility in Rockingham Park's facility shall not obstructed in any way  
2 that could interfere with the ability of the lottery commission, Rockingham Park, or other persons  
3 authorized under this chapter or by the lottery commission to oversee the surveillance of the  
4 conduct of table games.

5           IV. Ensure that the count room for table gaming shall have appropriate security for the  
6 counting and storage of cash.

7           V. Provide each table game with a sign acceptable to the lottery commission indicating the  
8 permissible minimum and maximum wagers at the table game.

9           VI. Reimburse and pay to the lottery commission all reasonable costs and expenses  
10 associated with the lottery commission's review of the business or operations of Rockingham Park,  
11 including, but not limited to, such items as ongoing auditing, legal, investigation services,  
12 compulsive and problem gambling programs, and other related matters.

13           VII. Provide secure, segregated facilities as required by the lottery commission on the  
14 premises for the exclusive use of the lottery commission staff and the state police. Such space shall  
15 be located proximate to the gaming floor and shall include surveillance equipment, monitors with  
16 full camera control capability, as well as other office equipment that may be deemed necessary by  
17 the lottery commission. The location and size of the space shall be subject to the approval of the  
18 lottery commission.

19           284-B:8 Gaming Credit Authorized.

20           I. The lottery commission shall authorize Rockingham Park to extend credit to players  
21 pursuant to this chapter.

22           II. Except for applicable licensing laws and regulations, Rockingham Park may extend  
23 interest-free, unsecured credit to its patrons for the sole purpose of such patrons making wagers at  
24 table games or video lottery terminals at the Rockingham Park facility subject to the requirements  
25 of this chapter.

26           III. Within 90 days of the effective date of this section, Rockingham Park shall submit to  
27 the lottery commission, for review and approval, proposed rules regarding the establishment of  
28 procedures governing a program for the extension of credit and requirements with respect to a  
29 credit applicant's financial fitness including, without limitation, annual income, debt-to-income  
30 ratio, prior credit history, average monthly bank balance, or level of play. The lottery commission  
31 may approve, approve with modification, or disapprove any portion of the policies and procedures  
32 submitted for review and approval.

33           IV. Each applicant for credit shall submit a written application to Rockingham Park that  
34 shall be maintained by Rockingham Park for 3 years in a confidential credit file. The application  
35 shall include the patron's name, address, telephone number, social security number, comprehensive  
36 bank account information, the requested credit limit, the patron's approximate amount of current  
37 indebtedness, the amount and source of income in support of the application, the patron's signature  
38 on the application, a certification of truthfulness, and any other information deemed relevant by

1 Rockingham Park or the lottery commission.

2 V. As part of the review of a credit application and before an application for credit is  
3 approved, Rockingham Park shall verify:

4 (a) The identity, creditworthiness, and indebtedness information of the applicant by  
5 conducting a review of:

6 (1) The information submitted with the application.

7 (2) Indebtedness information regarding the applicant received from a credit bureau.

8 (3) Information regarding the applicant's credit activity at other licensed facilities  
9 that Rockingham Park may obtain through a casino credit bureau and, if appropriate, through  
10 direct contact with other casinos.

11 (b) That the applicant's name is not included on an exclusion or self-exclusion list  
12 maintained by Rockingham Park or the lottery commission.

13 (c) As part of the credit application, Rockingham Park shall notify each applicant in  
14 advance that Rockingham Park will verify the information in subparagraphs (a)(1) and (a)(2) and  
15 may verify any other information provided by the applicant as part of the credit application. The  
16 applicant shall acknowledge in writing that he or she understands that the verification process will  
17 be conducted as part of the application process and that he or she consents to having said  
18 verification process conducted.

19 VI. After a review of the credit application and upon completion of the verification required  
20 under paragraph V, and subject to the rules and regulations approved by the lottery commission, a  
21 credit facilitator may approve or deny an application for credit to a player. The credit facilitator  
22 shall establish a credit limit for each patron to whom credit is granted. The approval or denial of  
23 credit shall be recorded in the applicant's credit file that shall also include the information that was  
24 verified as part of the review process, and the reasons and information relied on by the credit  
25 facilitator in approving or denying the extension of credit and determining the credit limit. Subject  
26 to the rules and regulations approved by the lottery commission, increases to an individual's credit  
27 limit may be approved by a credit facilitator upon receipt of written request from the player after a  
28 review of updated financial information requested by the credit facilitator and re-verification of the  
29 player's credit information.

30 VII. Detailed information pertaining to all transactions affecting an individual's  
31 outstanding indebtedness to Rockingham Park shall be recorded in chronological order in the  
32 individual's credit file. The financial information in an application for credit and documents related  
33 thereto shall be confidential. All credit application files shall be maintained by Rockingham Park in  
34 a secure manner and shall not be accessible to anyone who is not a credit facilitator or a  
35 Rockingham Park manager or officer responsible for the oversight of the extension of credit  
36 program.

37 VIII. A credit facilitator may reduce a player's credit limit or suspend his or her credit to  
38 the extent permitted by the rules and regulations approved by the lottery commission.

1 IX. A player may request that Rockingham Park suspend or reduce his or her credit. Upon  
2 receipt of a written request to do so, the player's credit shall be reduced or suspended as requested.  
3 A copy of the request and the action taken by the credit facilitator shall be placed in the player's  
4 credit application file.

5 X. In the event that a player fails to repay a debt owed to Rockingham Park resulting from  
6 the extension of credit by Rockingham Park, neither the state of New Hampshire nor the lottery  
7 commission shall be responsible for the loss and said loss shall not affect net table game revenue or  
8 net terminal income. Rockingham Park, the state of New Hampshire, the lottery commission, and  
9 any employee of Rockingham Park, shall not be liable in any judicial or administrative proceeding  
10 to any player, any individual, or any other party, including table game players or individuals on the  
11 voluntary suspension list, for any harm, monetary or otherwise, that may arise as a result of:

12 (a) Granting or denial of credit to a player.

13 (b) Increasing the credit limit of a player.

14 (c) Allowing a player to exercise his or her right to use credit as otherwise authorized.

15 (d) Failure of Rockingham Park to increase a credit limit.

16 (e) Failure of Rockingham Park to restore credit privileges that have been suspended,  
17 whether involuntarily or at the request of the table game patron.

18 (f) Permitting or prohibiting an individual whose credit privileges have been suspended,  
19 whether involuntarily or at the request of the player, to engage in gaming activity in a licensed  
20 facility while on the voluntary credit suspension list.

21 XII. For any extensions of credit, the maximum amount of outstanding credit per player  
22 shall be \$50,000.

23 284-B:9 Powers of the Division of State Police Gaming Enforcement Unit.

24 I. The commissioner of safety acting through the division of state police, gaming  
25 enforcement unit established in RSA 21-P:7-d, may take such actions as may be necessary in his or  
26 her judgment to fulfill the responsibilities of the division of state police under this chapter and the  
27 rules adopted pursuant thereto.

28 II. The division of state police gaming enforcement unit shall have primary law  
29 enforcement authority over the gaming floor and restricted areas in the gaming location. It shall  
30 have concurrent law enforcement authority over all other areas of the gaming location with the  
31 local law enforcement agency having the primary enforcement responsibility.

32 III. The division of state police and its gaming enforcement unit shall:

33 (a) Ensure the timely processing of fingerprints and criminal history record checks in  
34 connection with a license application registration, permit or other authorization required pursuant  
35 to this chapter.

36 (b) Notwithstanding RSA 106-B:15, investigate alleged criminal activity and criminal  
37 violations involving the gaming floor and restricted areas of a gaming location.

38 (c) Notwithstanding RSA 106-B:15, receive and investigate with regard to any referral

1 by the commission, a host community or other person relating to alleged criminal activity and  
2 criminal violations involving the gaming floor and restricted areas of a gaming location.

3 (d) Participate in any hearing conducted by the lottery commission.

4 (e) Provide advice and assistance, upon request or on his or her motion, to the  
5 commission in the adoption of rules.

6 (f) Recommend, with respect to persons to be placed on a list of excluded persons to be  
7 maintained by the lottery commission.

8 (g) Discharge other responsibilities as may be provided in law.

9 III. The division of state police gaming enforcement unit shall be present at a gaming  
10 location, at such times, under such circumstances, and to such extent as it deems appropriate to  
11 fulfill its responsibilities under this chapter.

12 IV. The lottery commission shall notify the division of state police gaming enforcement unit  
13 of any known or suspected criminal law violations that are related in any way to implementation  
14 and enforcement of the provisions of this chapter. Notwithstanding any provisions relating to the  
15 confidentiality of any information acquired under this chapter, the lottery commission shall share  
16 such information with the division of state police gaming enforcement unit as may be deemed  
17 necessary by the commissioner of safety to ensure compliance with the provisions of this chapter.

18 V. The lottery commission, the division of state police gaming enforcement unit, and the  
19 attorney general shall cooperate on the regulatory and criminal implementation and enforcement of  
20 this chapter, which efforts shall include cooperation with municipal and county attorney offices and  
21 with local law enforcement.

22 284-B:10 Employees and Contractors.

23 I. The lottery commission, the attorney general, and the division of state police gaming  
24 enforcement unit may contract for such legal, financial, economic, or security consultants, and any  
25 other technical and professional services as it deems necessary for the discharge of its duties under  
26 this chapter.

27 II. The lottery commission may employ certain assistants, and contract with certain  
28 individuals or entities experienced in the regulation of gaming to carry out the provisions of this  
29 chapter. Such assistants and employees shall receive compensation at rates to be established by the  
30 department of administrative services, division of personnel.

31 284-B:11 Annual Report to the General Court.

32 I. No later than November 1 of each year, the lottery commission shall provide a report to  
33 the fiscal committee of the general court regarding the generation of revenues of video lottery  
34 machines and table games by Rockingham Park.

35 II. The legislative budget assistant, and any expert consultants hired to assist the  
36 legislative budget assistant in carrying out his or her duties, shall have access to any information,  
37 including confidential information, the legislative budget assistant may request for the purpose of  
38 conducting audits of the commission pursuant to RSA 14:31-a. If the legislative budget assistant or

1 any expert consultant requires access to confidential information, the commission shall furnish the  
2 information and the legislative budget assistant or any expert consultant shall be subject to the  
3 same restrictions and penalties regarding the disclosure of the information as the original custodian  
4 of the information. This paragraph shall not be construed to authorize disclosure to any member of  
5 the legislature. Any confidential information provided to the legislative budget assistant under this  
6 section shall be subject to the provisions of RSA 14:31, IV.

7 284-B:12 Gaming License; Rockingham Park. The lottery commission shall award one gaming  
8 license to the pari-mutuel facility at Rockingham Park in Salem for:

9 I. The operation of no more than 160 table games and no fewer than 80 table games; and

10 II. The operation of no more than 3,500 slot machines and no fewer than 2,000 video lottery  
11 machines.

12 284-B:13 Procedures for Adoption.

13 I. The town of Salem may adopt the provisions of RSA 284-B to allow the operation of video  
14 lottery machines and table games in the following manner:

15 (a) Upon request of Rockingham Park to authorize the operation of video lottery  
16 machines and table games at its facility located within Salem in accordance with the provisions of  
17 RSA 284-B, the town governing body shall place the question on the ballot to be voted upon at the  
18 next regularly scheduled municipal or biennial election unless such election is more than 90 days  
19 from the request. In such circumstance, the town governing body shall place the question on the  
20 ballot for a special election called for the purpose of voting on said question and which special  
21 election shall occur within 75 days after the request is made. Such special election shall be held at  
22 the usual ward polling places by the regular election officials.

23 (b) If a majority of those voting on the question vote "Yes," RSA 284-B shall apply in  
24 Salem and the operation of video slot machines and table games shall be permitted at Rockingham  
25 Park in Salem in accordance with RSA 284-B. If a majority of those voting on the question vote "No"  
26 the question may be voted on at a subsequent time in accordance with this section provided,  
27 however, the town of Salem may consider the question at no more than one special election and a  
28 regular municipal or biennial election in the same calendar year after a "No" vote.

29 (c) The wording of the question shall be substantially as follows: "Shall the town of  
30 Salem adopt the provisions of RSA 284-B allowing the operation of video lottery machines and table  
31 games at Rockingham Park in Salem?"

32 II. If Rockingham Park requests action under paragraph I, Rockingham Park shall pay all  
33 costs associated with carrying out the actions under this section.

34 284-B:14 Gaming License Fees; License Term.

35 I. The lottery commission shall collect, in conjunction with a gaming license application, a  
36 nonrefundable gaming license application fee in the amount of \$400,000 to cover the cost of  
37 processing and reviewing an application. If the cost of processing and reviewing the application  
38 exceeds the amount of the initial application fee, the commission may impose upon the applicant an

1 additional fee sufficient to cover any documented shortfall which the applicant shall pay to the  
2 commission within 15 days of the date of an invoice. The amount shall be deposited in the gaming  
3 regulatory fund and shall be available to the state in the fiscal year received.

4 II. The lottery commission shall collect in conjunction with a gaming license application,  
5 and transmit to the attorney general, a nonrefundable gaming license investigation fee in the  
6 amount of \$100,000 to cover the cost of the background investigation. If the cost of the background  
7 investigation exceeds the amount of the initial application fee, the commission may impose upon the  
8 applicant an additional fee sufficient to cover any documented shortfall which the applicant shall  
9 pay to the commission, for transmission to the attorney general, within 15 days of the date of an  
10 invoice. The amount shall be deposited in the gaming regulatory fund and shall be available to the  
11 state in the fiscal year received.

12 III. Upon an award of a gaming license, the lottery commission shall collect an initial  
13 license fee in the amount of \$80,000,000. Such fees shall be paid to the gaming regulatory fund  
14 within 30 days of the award of the license.

15 IV. Upon payment of a license fee by a Rockingham Park under this chapter, the lottery  
16 commission shall fully reimburse funds received:

17 (1) By the commission from activities authorized by RSA 284, RSA 287-D, RSA 287-  
18 E, and RSA 287-F in proportion to the expenses incurred by the commission from each such activity  
19 in the administration of this chapter as authorized by RSA 284-B:3, VII(a), prior to the payment of  
20 the license fee.

21 (2) By the gaming regulatory oversight authority from activities authorized by  
22 RSA 284 and RSA 287-F in proportion to the expenses incurred by the authority from each such  
23 activity in the administration of RSA 284-B.

24 (b) The general court shall determine the distribution of the balance of the initial  
25 license fee revenue after the reimbursements required by RSA 284-B:13, IV, provided that  
26 distributions shall include the following:

27 (1) Distributions to host or near-by municipalities deemed sufficient by the general  
28 court to offset costs incurred by such municipalities attributable to a gaming location's placement.

29 (2) Revenue in an amount determined by the general court shall be paid to the state  
30 treasurer and credited to the commissioner of the department of health and human services to  
31 support programs established by RSA 172 to fund baseline research into the prevalence of problem  
32 gambling in New Hampshire prior to the expansion of gaming as authorized by this chapter, to  
33 identify and assess the treatment needs of individuals with compulsive and problem gambling  
34 disorders, to identify effective programming to prevent and control compulsive and problem  
35 gambling, and to examine the connections between gambling disorders and drug and alcohol  
36 addiction disorders.

37 (3) Distributions to the state treasurer for transfer to the lottery commission,  
38 attorney general, and department of safety in amounts equal to any costs of regulatory control over

1 Rockingham Park that are not covered by any other designated source of funding in this chapter.

2 (c) Upon receipt of the license fee, the lottery commission shall issue the gaming license.

3 (d) The amount shall be deposited in the gaming regulatory fund and shall be available  
4 to the state in the fiscal year received.

5 V. A gaming license shall expire 10 years from the date of issuance and may be renewed  
6 pursuant to this chapter.

7 (a) The lottery commission shall adopt rules under RSA 541-A consistent with this  
8 chapter relating to procedures for renewal of a gaming license, including an application and review  
9 process and such other procedures as are necessary to implement this paragraph.

10 (b) The commission shall collect a license renewal fee in the amount of \$1,500,000 which  
11 shall be paid to the state treasurer by Rockingham Park within 30 days of the renewal of the  
12 license. The general court shall determine the distribution of the license renewal fee. Upon receipt  
13 of the renewal fee, and satisfaction of any additional conditions precedent imposed by the  
14 commission, the commission shall issue the gaming license renewal. The amount shall be deposited  
15 in the gaming regulatory fund and shall be available to the state in the fiscal year received.

16 VI. There is established in the office of the state treasurer a nonlapsing fund to be known  
17 as the gaming regulatory fund to be administered by the gaming commission which shall be kept  
18 distinct and separate from all other funds. All moneys in the gaming regulatory fund shall be  
19 nonlapsing and continually appropriated to the lottery commission for the purpose of distribution  
20 under this section.

21 284-B:15 Video Lottery Games. Video lottery games authorized by this chapter may be played  
22 at the licensed video lottery retailer's facilities with the approval of the lottery commission even if  
23 that facility is not conducting a pari-mutuel event.

24 284-B:16 Exclusion of Individuals Under the Age of 21 from a Gaming Location.

25 I. Except as provided in paragraph II, no individual under the age of 21 shall be permitted  
26 access to a gaming floor or restricted area or to otherwise place a wager on a slot machine or table  
27 game.

28 II. An individual 18 years or older who is a lottery commission-licensed, registered, or  
29 permitted employee of Rockingham Park may access a gaming floor or restricted area only at such  
30 times and to the extent necessary to perform the duties the individual was employed to perform.

31 III. Rockingham Park shall not conduct marketing and promotional communications or  
32 otherwise target or entice an individual under the age of 21 to gamble.

33 IV. An individual who is prohibited from gaming in a gaming location under this section  
34 shall not collect any winnings or recover any losses arising as a result of prohibited gaming  
35 winnings and any winnings shall be forfeited to the lottery commission and deposited into the  
36 general fund.

37 V. Rockingham Park shall take all reasonable measures to prevent violations of the  
38 criminal code provisions related to gambling by individuals under the age of 21 including the

1 provisions set forth in this chapter and RSA 647.

2 284-B:17 Gaming Ticket Expiration, Unclaimed Tickets, Cash, and Prizes.

3 I. Rockingham Park shall redeem a ticket issued by a video lottery machine for cash or a  
4 cash equivalent for a period of one year from the date of issuance of the ticket.

5 II. Upon the expiration of the one-year period in paragraph I, the value of the expired ticket  
6 shall revert to the state as an unclaimed prize.

7 III. Rockingham Park shall retain unclaimed cash and winnings for a player for a one-year  
8 period from the date of the transaction generating the cash or winnings.

9 IV. Upon the expiration of the one-year period in paragraph III, the value of the unclaimed  
10 cash or winnings shall revert to the state as unclaimed prizes.

11 V. The lottery commission shall adopt rules pursuant to RSA 541-A, consistent with this  
12 chapter and the efficient administration of Rockingham Park's obligations hereunder with regard to  
13 the reversion of amounts to the state.

14 284-B:18 Gross Revenue Tax and Other Assessments Payable by Rockingham Park.

15 I. Rockingham Park shall remit to the state treasurer a tax of 35 percent of gross slot  
16 machine revenue and 18 percent of gross table game revenue in a manner and time as provided for  
17 by this chapter.

18 (a) Upon receipt of payment of taxes on gross slot machine revenue and gross table  
19 game revenue by Rockingham Park under this chapter and in accordance with a schedule  
20 established by the state treasurer, the state treasurer shall:

21 (1) Pay 3 percent of the gross slot machine revenue of Rockingham Park to the town  
22 of Salem.

23 (2) Pay one percent of the gross slot machine revenue of Rockingham Park to the  
24 New Hampshire community or communities that abut the host community, dividing such one  
25 percent for payment in equal shares if there is more than one abutting community.

26 (3) Pay one percent of the gross slot machine revenue of Rockingham Park to  
27 Rockingham county.

28 (4) Pay one percent of the gross slot machine revenue to the commissioner of the  
29 department of health and human services to support programs established by RSA 172 to identify,  
30 assess, prevent, and treat both compulsive and problem gambling and the related disorders of drug  
31 and alcohol addiction.

32 (5) Return that part of the gross slot machine revenue remaining after the  
33 distributions provided in subparagraphs (1) through (4) to cities and towns in New Hampshire equal  
34 to the amounts determined in accordance with RSA 31-A:4, or if the remaining gross slot machine  
35 revenue is less than the amounts that would otherwise be payable in accordance with RSA 31-A:4,  
36 then each such city's or town's pro rata share of the total available amount determined in  
37 accordance with RSA 31-A:4.

38 (6) Deposit the balance into the gaming regulatory fund established by RSA 284-



1 B:14, VI.

2 (b) Upon payment of taxes on gross slot machine revenue and gross table game revenue  
3 by Rockingham Park under this chapter, and subject to payment by the state treasurer of the  
4 amounts specified in subparagraph (a), the lottery commission shall:

5 (1) Reimburse funds received by the lottery commission from activities authorized  
6 by RSA 284, RSA 287-D, RSA 287-E, and RSA 287-F in proportion to the expenses incurred by the  
7 commission for each activity in the administration of this chapter, prior to the payment of the  
8 license fee.

9 (2) Charge to and pay out of the tax payments received the compensation of the  
10 commissioners, expenses of the commissioners, compensation of assistants, and other necessary  
11 expenses of the commission, of the office of the commission chairperson, and of the gaming  
12 enforcement unit established in RSA 21-P:7-d, including suitable furniture, equipment, supplies,  
13 and office expenses, provided that the lottery commission shall submit an operating budget based on  
14 accounting units or other budgetary units required by the general court and shall submit its budget  
15 in the same format and at the same time as other state agencies; provided, however, the commission  
16 is authorized to transfer funds between line items within and among any budgetary unit.

17 (3) Make distributions to the state treasurer for transfer to the attorney general and  
18 the department of safety and local law enforcement agencies in amounts equal to any costs of  
19 regulatory control over Rockingham Park that are not covered by any other designated source of  
20 funding in this chapter, provided that such distributions shall be in accordance with a budget  
21 approved by the general court.

22 II. The general court shall determine the distribution of the balance of tax payments on  
23 gross slot machine revenue or gross table game revenue remitted by Rockingham Park that remains  
24 after provision for the distributions and charges provided for by paragraph I.

25 III. Rockingham Park shall deliver to the state treasurer the amount due to the state  
26 treasurer provided for in this section in immediately available funds of the United States at least  
27 once a week in such manner and at such time as the state treasurer, with the concurrence of the  
28 lottery commission, shall agree. At the time payment is delivered, Rockingham Park shall provide  
29 to the state treasurer a written accounting of gross table game revenue and gross slot machine  
30 revenue on an aggregate basis together with its calculation of the amount due to the state treasurer  
31 pursuant to this section. Rockingham Park's written accounting shall be in a form satisfactory to  
32 the lottery commission and shall be filed concurrently with the commission. Rockingham Park shall  
33 pay a penalty of \$1,000 for each day that payment or the accounting is not delivered on time to the  
34 state treasurer or the commission.

35 IV. Rockingham Park shall remit to the lottery commission a fee in the amount of \$600 per  
36 year per slot machine which fee shall be deposited in a public health trust fund administered by the  
37 lottery commission dedicated to addressing problems associated with compulsive gambling,  
38 including, but not limited to, gambling prevention and addiction services, substance abuse services,

1 educational campaigns to mitigate the potential addictive nature of gambling, research, and any  
2 studies and evaluations consistent with this chapter.

3 284-B:19 Legal Shipment of Gaming Devices Into New Hampshire. All shipments into this  
4 state of gaming devices, including slot machines, the registering, recording, and labeling of which  
5 has been duly made by the manufacturer or dealer in accordance with sections 3 and 4 of an Act of  
6 Congress of the United States entitled "An Act to Prohibit Transportation of Gambling Devices in  
7 Interstate and Foreign Commerce," designated as 15 U.S.C. sections 171-1172, shall be deemed  
8 legal shipments into this state.

9 284-B:20 Declaration of Limited Exemption From Operation of the Provisions of 15 U.S.C.  
10 sections 1171-1178. Pursuant to section 2 of an act of Congress of the United States entitled "An Act  
11 to Prohibit Transportation of Gambling Devices in Interstate and Foreign Commerce," designated  
12 as 15 U.S.C. sections 1171-1178, the state of New Hampshire, acting by and through the duly  
13 elected and qualified members of its legislature, does hereby, in accordance with and in compliance  
14 with the provisions of that section 2 of that act of Congress, declare and proclaim that section 2 of  
15 that Act of Congress shall not apply to any gambling device in this state where the transportation of  
16 such a device is specifically authorized by and done in compliance with the provisions of this  
17 chapter and any rules adopted by the commission pursuant to it, and that any such gambling device  
18 transported in compliance with state law or regulations shall be exempt from the provisions of that  
19 Act of Congress.

20 284-B:21 Prohibited Acts; Penalties.

21 I. It shall be unlawful for any person to:

22 (a) Use or attempt to use a cheating device in a casino game or to have possession of  
23 such a device in a gaming facility.

24 (b) Use, acquire, or possess paraphernalia with intent to cheat, or attempt to use,  
25 acquire, or possess, paraphernalia with the intent to manufacture cheating devices.

26 (c) Cheat, or attempt to cheat in order to take or collect money or anything of value,  
27 whether for one's self or another, in or from a casino game in a gaming facility.

28 (d) Conduct, carry on, operate, deal, or attempt to conduct, carry on, operate or deal, or  
29 allow to be conducted, carried on, operated, or dealt, any cheating game or device.

30 (e) Manipulate or alter or attempt to manipulate or alter, with the intent to cheat, any  
31 physical, mechanical, electromechanical, electronic, or computerized component of a casino game,  
32 contrary to the designed and normal operational purpose for the component.

33 (f) Use, sell, or possess, or attempt to use, sell, or possess, counterfeit coins, slugs,  
34 tokens, gaming chips, debit instruments, player rewards cards or any counterfeit wagering  
35 instruments, or devices resembling tokens, gaming chips, debit, or other wagering instruments  
36 approved by the lottery commission for use in a casino game in a gaming facility.

37 (g)(1) Place, increase, decrease, cancel, or remove a wager or determine the course of  
38 play of a table game, or attempt to place, increase, decrease, cancel, or remove a wager or determine

1 the course of play of a table game, with knowledge of the outcome of the table game where such  
2 knowledge is not available to all players; or

3 (2) Aid, or attempt to aid anyone in acquiring such knowledge for the purpose of  
4 placing, increasing, decreasing, canceling, or removing a wager or determining the course of play of  
5 the table game.

6 (h) Claim, collect or take, or attempt to claim, collect or take, money or anything of  
7 value in or from a casino game or gaming facility, with intent to defraud, or to claim, collect or take  
8 an amount greater than the amount won.

9 (i) In the course of his or her duties as an employee of a gaming facility or anyone  
10 acting on behalf of or at the direction of an employee of a gaming facility, to knowingly fail to  
11 collect, or attempt to fail to collect, a losing wager or pay, or attempt to pay, an amount greater on  
12 any wager than required under the rules of a casino game.

13 (j) Directly or indirectly offer, or attempt to offer, to conspire with another, or solicit, or  
14 attempt to solicit, from another, anything of value, for the purpose of influencing the outcome of a  
15 casino game.

16 (k) Use or possess, or attempt to use or possess, at a gaming facility, without the  
17 written consent of the director of the lottery commission, any electronic, electrical or mechanical  
18 device designed, constructed or programmed to assist the user or another person with the intent to:

19 (1) Predict the outcome of a casino game.

20 (2) Keep track of the cards played.

21 (3) Analyze and/or predict the probability of an occurrence relating to the casino  
22 game.

23 (4) Analyze or predict the strategy for playing or wagering to be used in the casino  
24 game.

25 (l) Skim, or attempt to skim, casino gaming proceeds by excluding anything of value  
26 from the deposit, counting, collection, or computation of:

27 (1) Gross revenues from gaming operations or activities.

28 (2) Net gaming proceeds.

29 (3) Amounts due the state pursuant to applicable casino gaming-related laws.

30 (m) Cheat, or attempt to cheat, in the performance of his or her duties as a dealer or  
31 other casino employee by conducting one's self in a manner that is deceptive to the public or alters  
32 the normal random selection of characteristics or the normal chance or result of the game,  
33 including, but not limited to, using cards, dice or any cheating device which has been marked,  
34 tampered with, or altered.

35 (n) Possess or use, or attempt to use, without proper authorization from the lottery  
36 commission, while in the gaming facility, any key or device designed for the purpose of or suitable  
37 for opening or entering any self-redemption unit, kiosk, vault, video lottery terminal, drop box, or  
38 any secured area in the gaming facility that contains casino gaming and/or surveillance equipment,

1 computers, electrical systems, currency, cards, chips, dice, or any other thing of value.

2 (o) Tamper or interfere, or attempt to tamper or interfere, with any casino gaming or  
3 surveillance equipment including, but not limited to, computers and related electrical systems.

4 (p) Access, interfere with, infiltrate, hack into, or infect, or attempt to access, interfere  
5 with, infiltrate, hack into or infect any casino gaming-related computer, network, hardware,  
6 software, or other equipment.

7 (q) Sell, trade, barter, profit from, or otherwise use to one's financial advantage, or  
8 attempt to sell, trade, barter, profit from, or otherwise use to one's financial advantage, any  
9 confidential information related to casino gaming operations, including, but not limited to, data  
10 (whether stored on a computer's software, hardware, network or elsewhere), passwords, codes,  
11 surveillance and security characteristics or vulnerabilities, or non-public internal controls, policies  
12 and procedures related thereto.

13 (r) Conduct a gaming operation, or attempt to conduct a gaming operation, where  
14 wagering is used or to be used without a license issued by the lottery commission.

15 (s) Provide false information or testimony to the lottery commission, or their authorized  
16 representatives, or the state police while under oath.

17 II. Any person convicted of violating this section shall be guilty of a felony punishable by  
18 imprisonment for not more than 10 years, a fine of not more than \$100,000, or both.

19 284-B:22 Barred from Gaming Facility; Restitution; Confiscation.

20 I. Any person convicted of any crime under RSA 284-B:21 shall be barred for a period of  
21 time, up to a lifetime ban, from Rockingham Park by court order, by the lottery commission, or by  
22 Rockingham Park.

23 II. Upon conviction of either a felony or misdemeanor in this chapter, the sentencing judge  
24 may require full restitution for any monetary losses suffered.

25 III. Any cheating device, paraphernalia used to manufacture cheating devices, counterfeit  
26 coins, slugs, tokens, gaming chips, debit instruments, player rewards cards, or any counterfeit  
27 wagering instruments or devices resembling tokens, gaming chips, debit, or other wagering  
28 instruments or any other equipment or real or personal property used, obtained, or received in  
29 violation of this chapter shall be confiscated by the lottery commission, Rockingham Park, or the  
30 gaming enforcement unit of the state police, and shall be forfeited to the gaming enforcement unit.  
31 This section shall include the confiscation and forfeiture of vehicles containing any items listed  
32 above.

33 284-B:23 Additional Crimes. The criminal offenses under this chapter shall be in addition to  
34 any other offenses under the laws of this state and nothing in this chapter shall be construed so as  
35 to prohibit the prosecution for any other such offenses.

36 2 New Sections; Department of Safety; Gaming Enforcement Unit Established. Amend RSA 21-  
37 P by inserting after section 7-c the following new sections:

38 21-P:7-d Division of State Police; Gaming Enforcement Unit.

1 I. There is established within the division of state police a gaming enforcement unit under  
2 the supervision of the commissioner of the department of safety. Notwithstanding RSA 106-B:15,  
3 the unit shall:

4 (a) Investigate violations of RSA 284-B and the rules adopted under the provisions of  
5 RSA 284-B, and initiate proceedings before the lottery commission for such violations. The unit  
6 shall report the results of any investigation conducted to the commission.

7 (b) Participate in any hearing conducted by the lottery commission.

8 (c) Investigate crimes which may involve a violation of RSA 284-B that occur at a  
9 gaming location.

10 II. The commissioner of the department of safety shall organize the unit as the  
11 commissioner deems necessary. The commissioner may employ such state police personnel as the  
12 commissioner deems necessary to fulfill the responsibilities of the unit.

13 21-P:7-e Enforcement Expenditures. The governor and council, upon request from the  
14 commissioner of the department of safety, may authorize the transfer of general funds as necessary  
15 to the department of safety to implement and enforce RSA 21-P:7-d and RSA 284-B.

16 3 New Subparagraphs; Gaming Regulatory Fund. Amend RSA 6:12 by inserting after  
17 subparagraph (331) the following new subparagraphs:

18 (332) Moneys deposited into the gaming regulatory fund established in RSA 284-  
19 B:14, VI.

20 (333) Moneys deposited into the public health trust fund established in RSA 284-  
21 B:18, IV.

22 4 Effective Date. This act shall take effect January 1, 2017.

**SB 551-FN-A-LOCAL- FISCAL NOTE**

AN ACT                    establishing video lottery and table gaming at one location.

**FISCAL IMPACT:**

The New Hampshire Lottery Commission, Department of Safety, Department of Justice, Department of Health and Human Services, New Hampshire Municipal Association, Judicial Branch, Judicial Council, Department of Corrections, and New Hampshire Association of Counties state this bill, as introduced, will increase state, county, and local revenues and expenditures by an indeterminable amount in FY 2017 and each year thereafter.

This bill establishes a nonlapsing, continually appropriated fund known as the gaming regulatory fund.

This bill establishes a fund known as the public health trust fund.

**METHODOLOGY:**

This bill enables the Lottery Commission to license one casino offering video lottery machines and table games at Rockingham Park in Salem, New Hampshire, and establishes the Gaming Enforcement Unit within the Department of Safety's Division of State Police. The Lottery Commission and Gaming Enforcement Unit would be primarily responsible for the administration and enforcement of gaming under this bill. This bill allows for the issuance of one gaming license to be awarded, following an application process, and requires the licensee to operate between 2,000 and 3,500 video lottery machines and between 80 and 160 table games. The initial license fee is \$80,000,000 and shall be valid for ten years, with the license renewal fee set at \$1,500,000, which will also be valid for ten years.

This bill requires gaming licensees remit to the state a tax of 35% of gross slot machine revenue and 18% of gross table game revenue, with proceeds allocated as follows:

- 3% of gross slot machine revenue to the Town of Salem, New Hampshire;
- 1% of gross slot machine revenue to the New Hampshire communities that abut Salem, New Hampshire, divided equally;
- 1% of gross slot machine revenue to Rockingham county;
- 1% of the gross slot machine revenue to the Department of Health and Human Services to support programs relative to prevention and treatment of problem gambling;
- \$25,216,054, or amount available, for "revenue sharing" payments to municipalities

pursuant to RSA 31-A:4; and,

- The remainder deposited into the gaming regulatory fund.

In addition to license fees, the bill imposes application and investigation fees. In each case, the bill states that if the cost of processing each application or conducting each investigation exceeds the amount of the fee, the applicant shall pay the difference. The fees are as follows:

- A \$400,000 fee to cover the Lottery Commission's costs for processing and review; and
- A \$100,000 fee to cover the Department of Justice's costs for completing a background investigation of the applicant.

The Lottery Commission estimates the following activity related to application and license fees:

	FY 2017	FY 2018	FY 2019	FY 2020
Gaming Application Fee (1 @ \$400,000) <sup>1</sup>	\$400,000	\$0	\$0	\$0
Background Investigation Fee (1 @ \$100,000 in FY 17) <sup>1</sup>	\$100,000	\$0	\$0	\$0
License Fee (1 @ \$80,000,000) <sup>1</sup>	\$0	\$80,000,000	\$0	\$0
<b>Total (Gaming Regulatory Fund)</b>	<b>\$500,000</b>	<b>\$80,000,000</b>	<b>\$0</b>	<b>\$0</b>
Slot Machine Fee (3,000 @ \$600) <sup>2</sup>	\$0	\$0	\$1,800,000	\$1,800,000
<b>Total (Public Health Trust Fund)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,800,000</b>	<b>\$1,800,000</b>

<sup>1</sup> Revenue deposited in the gaming regulatory fund.

<sup>2</sup> Revenue deposited in the public health trust fund administered by the Lottery Commission.

The Lottery Commission makes the following assumptions in estimating the potential gaming revenue impact of this bill:

- The casino will open September 1, 2018 with 3,000 slot machines & 150 table games with gross slot machine revenue averaging \$275 per day and gross table game revenue averaging \$2,200 per day;
- There is not a gaming facility closer than Everett, Massachusetts, or another does not open within a 100 mile radius of Salem, New Hampshire;
- Construction of a facility will take approximately two years and the facility will not open up in phases or on a temporary basis; and
- Between 60%-67% of player base comes from Massachusetts and 25%-30% from New Hampshire.

Based on the above assumptions, the Lottery Commission estimates a total of \$105,895,625 in tax revenue under this bill in FY 2019 (partial year beginning in September) and \$127,074,750 in FY 2020, the assumed first full year of operation. The Commission assumes a casino

operating in the state will decrease traditional lottery net revenue by \$5,800,000 to \$7,300,000 per year and charitable gaming revenue by an indeterminable amount. With respect to Lottery Commission expenditures, the Commission estimates they will incur \$700,000 in personnel and contractor expenditures in FY 2017 and \$735,000 in FY 2018 leading up to the opening of a facility. After the assumed opening of the casino, it estimates personnel and contractor expenditures to be \$1,584,000 in FY 2019 and \$1,728,000 in FY 2020. Lastly, the Commission estimates the operation of a central gaming system to total \$1,666,666 in FY 2019 and \$2,000,000 in FY 2020.

Based on the Commission's revenue estimates, under this bill gross slot machine and table game revenue would be distributed as follows:

	FY 2019	FY 2020
<b>Gaming Revenue</b>		
# Slot Machines	3,000	3,000
Average Daily Gross Machine Revenue (Per Machine)	<u>\$275</u>	<u>\$275</u>
Average Daily Gross Machine Revenue (All Machines)	\$825,000	\$825,000
Estimated Annual Gross Machine Revenue (All Machines)	<u>\$301,125,000</u>	<u>\$301,125,000</u>
<b>Gross Slot Machine Tax Revenue (35%)</b>	<b>\$105,393,750</b>	<b>\$105,393,750</b>
# Table Games	150	150
Average Daily Gross Table Game Revenue (Per Table)	<u>\$2,200</u>	<u>\$2,200</u>
Average Daily Gross Table Game Revenue (All Tables)	\$330,000	\$330,000
Estimated Annual Gross Table Game Revenue (All Tables)	<u>\$120,450,000</u>	<u>\$120,450,000</u>
<b>Gross Table Game Tax Revenue (18%)</b>	<b>\$21,681,000</b>	<b>\$21,681,000</b>
<b>Subtotal Total Tax Revenue</b>	<b>\$127,074,750</b>	<b>\$127,074,750</b>
<i>Partial Year Adjustment (10 of 12 Months Only - FY 19)</i>	<i>(\$21,179,125)</i>	<i>\$0</i>
<b>Total Tax Revenue</b>	<b>\$105,895,625</b>	<b>\$127,074,750</b>
<b>Distribution/Allocation of Revenue</b>		
Town of Salem (3% of Gross Slot Machine Revenue)	(\$2,634,844)	(\$3,161,813)
Abutting Communities (1% of Gross Slot Machine Revenue)	(\$878,281)	(\$1,053,938)
Rockingham County (1% of Gross Slot Machine Revenue)	(\$878,281)	(\$1,053,938)
DHHS for Problem Gaming (1% of Gross Slot Machine Revenue)	(\$878,281)	(\$1,053,938)
"Revenue Sharing" Payments to Communities	<u>(\$25,216,054)</u>	<u>(\$25,216,054)</u>
<i>Deductions Total</i>	<i>(\$30,485,741)</i>	<i>(\$31,539,679)</i>
<b>Gaming Regulatory Fund (Net Revenue After Distributions)</b>	<b>\$75,409,884</b>	<b>\$95,535,071</b>

Under this bill, reimbursements of certain expenditures shall be made from available funds in the gaming regulatory fund to the Lottery Commission, the Department of Justice (Attorney General), the Department of Safety, and local law enforcement agencies. The amounts and timing of such reimbursements is indeterminable.

The Department of Safety states this bill establishes a Gaming Enforcement Unit within the Division of State Police. The Unit will be charged with investigating violations of the bill's provisions, initiating proceedings before the Lottery Commission for such violations,



participating in hearings conducted by the Commission, and reporting the results of investigations to the Commission. In addition, the Unit will investigate any crimes that occur at the gaming facility, and present its findings to the appropriate prosecuting authority for potential prosecution in a criminal court. Based on the assumption that once this legislation passes a casino could be operational during FY 2020, the Department assumes that prior to the actual opening of a casino significant efforts would be required to establish the gaming enforcement unit within the Division of State Police, including hiring and training of required personnel. This effort would require coordination with other state agencies and cannot be estimated at this time. While the Department states it is unable to estimate FY 2017 and FY 2018 costs, it has provided the following costs assuming a casino opening in FY 2020:

	FY 2019	FY 2020
<b><u>Salary and Benefits for 16 Employees</u></b>		
(1) State Police Lieutenant		
(1) State Police Sergeant	\$1,784,475	\$1,800,809
(13) State Police Detectives		
(1) Administrative Secretary		
Overtime and Part-Time Employee Costs	\$90,828	\$90,828
Training	\$30,000	\$30,000
Operating Expense	\$66,500	\$63,500
Equipment	\$834,938	\$0
<b>Total Costs</b>	<b>\$2,806,741</b>	<b>\$1,985,137</b>

Under this bill, the Department of Safety may receive a distribution of gaming revenue for costs not covered by any other designated source of funding. Additionally, this bill allows the Governor and Executive Council, upon request from the Commissioner of the Department to authorize a transfer of general funds as necessary for the Department to implement and enforce RSA 21-P:7-d and RSA 284-B, as established under this bill.

The Department of Justice states this bill would authorize the licensing of one casino which would be regulated by the Lottery Commission. The Lottery Commission would act as primary enforcement agent for regulatory matters and the Division of State Police Gaming Enforcement Unit would be responsible for investigations and violations under the gaming statutes and rules adopted thereunder related to the gaming floor and restricted areas of each gaming location. The Department of Justice states under this bill it would be responsible for conducting a background investigation of any applicant for a gaming license and conducting background investigations of applicants for a gaming license. Under this bill, gaming applicants would be required to pay an investigation fee of \$100,000 to cover the Department of Justice's costs relative to conducting a background investigation on applicants for a gaming

license, as well be responsible to cover any costs in excess of \$100,000, therefore making this responsibility of the Department revenue neutral. In addition to applicant background investigations, the Department would also be responsible for the following:

- Investigating and prosecuting regulatory violations;
- Prosecute criminal violations;
- Serve as legal counsel to the Lottery Commission to promulgate administrative rules, conduct administrative hearings, and manage its obligation to perform gambling oversight; and,
- Provide legal counsel to the Lottery Commission relative to overseeing the daily operations and legal compliance.

The Department of Justice anticipates the following costs relative to these other responsibilities:

	FY 2017	FY 2018	FY 2019	FY 2020
<b><u>Personnel, Equipment, and Supply Costs</u></b>				
(2) Full-Time Attorneys				
(2) Full-Time Legal Secretaries	\$495,000	\$493,000	\$501,000	\$510,000
(1) Part-Time Attorney				

Under this bill, the Department of Justice may receive a distribution of gaming revenue for costs not covered by any other designated source of funding.

The Department of Health and Human Services states that based on current staffing levels for prevention and treatment service programs, the Department would need to establish two new full-time positions. The Department states additional funds will be used for media advertising and outreach, information development and dissemination, data collection and research to determine the scope of problem gambling and effectiveness of interventions and contracts for outpatient gambling addiction. This bill allocates one percent of gross slot machine income to the Department to support programs established under RSA 172 to treat problem gaming. The Department is unable to estimate position costs, contract costs, or costs of other uses of potential funding at this time.

In addition to the municipal revenue and expenditure impacts stated above, the New Hampshire Municipal Association states this bill would require local approval by the voters of the town of Salem at a regular municipal, state, or special election. The Association states it is possible if this bill were to pass the question could be submitted to voters at the town's election in March of 2017 or at a special election in the first part of 2017. The Association further states it cannot predict the timing of site plan approvals or other required permitting and

therefore is unable to predict this bill's impact on municipal expenditures.

This bill establishes felony level prohibited acts and therefore may result in a fiscal impact on state agencies and county government as there may be an increase in prosecutions, incarcerations, and appeals as a result of this bill. While it is not possible to estimate how many individuals may be prosecuted or incarcerated or how many appeals may be filed, each potentially affected agency has provided the following data for information purposes:

	FY 2017	FY 2018
<b><u>Judicial Branch</u></b>		
Routine Criminal Felony Case	\$449	\$470
Appeals	Varies	Varies
It should be noted average case cost estimates for FY 2017 and FY 2018 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types.		
<b><u>Judicial Council</u></b>		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Felony	\$756/Case	\$756/Case
Assigned Counsel – Felony	\$60/Hour up to \$4,100	\$60/Hour up to \$4,100
It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).		
<b><u>Department of Corrections</u></b>		
FY 2015 Average Cost of Incarcerating an Individual	\$34,336	\$34,336
FY 2015 Average Cost of Supervising an Individual on Parole/Probation	\$520	\$520
<b><u>NH Association of Counties</u></b>		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$85 to \$110	\$85 to \$110

# Amendments

Sen. D'Allesandro, Dist 20  
Sen Morse, Dist 22  
March 8, 2016  
2016-0942s  
08/09

Amendment to SB 551-FN-A-LOCAL

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

2  
3 1 Statement of Purpose. The general court finds that:

4 I. Regulation of all forms of gaming is vitally important to the economy of the state and the  
5 general welfare of New Hampshire citizens.

6 II. By virtue of New Hampshire's unique location, natural resources, and development,  
7 tourism is a critically important and valuable asset in the continued viability of the state and  
8 strength of its communities.

9 III. New Hampshire has an interest in promoting economic recovery, small business  
10 development, tax relief, and job creation, as soon as possible, through the development of regulated  
11 gaming in order to preserve the quality of life for New Hampshire residents.

12 IV. New Hampshire has an interest in ensuring the financial stability and integrity of  
13 gaming operations in the state.

14 V. New Hampshire must limit the proliferation of gaming by controlling the number of  
15 gaming sites in New Hampshire and choosing gaming sites based on potential for job growth and  
16 revenue generation, access to appropriate transportation, suitability for tourism, local resources,  
17 and development opportunities.

18 VI. Any license issued or permission granted pursuant to the provisions of RSA 284-B is a  
19 revocable privilege and no holder acquires any vested right in such license or permission.

20 2 New Chapter; Video Lottery Machines and Table Games. Amend RSA by inserting after  
21 chapter 284-A the following new chapter:

22 CHAPTER 284-B

23 VIDEO LOTTERY MACHINES AND TABLE GAMES

24 284-B:1 Definitions. In this chapter:

25 I. "Affiliated" means a person who directly or indirectly through one or more  
26 intermediaries, controls, is controlled by, or is under common control with, a specified person.

27 II. "Applicant" means any person who applies to the lottery commission for a license,  
28 certification, registration or qualification under this chapter, and includes any such person.

29 III. "Associated equipment" means any equipment or mechanical, electromechanical, or  
30 electronic contrivance, component, or machine used in connection with video lottery machines  
31 and/or table gaming, including linking devices, replacement parts, equipment which affects the  
32 proper reporting of gross revenue, computerized systems for controlling and monitoring table

Amendment to SB 551-FN-A-LOCAL

- Page 2 -

1 games, including, but not limited to, the central computer system, and devices for weighing or  
2 counting money.

3 IV. "Cash" means United States currency and coin or foreign currency and coin that have  
4 been exchanged for its equivalent in United States currency and coin.

5 V. "Cash equivalent" means an asset that is readily convertible to cash, including, but not  
6 limited to, any of the following:

7 (a) Travelers checks.

8 (b) Certified checks, cashier's checks, and money orders.

9 (c) Personal checks or drafts.

10 (d) Credit extended by the gaming licensee, a recognized credit card company, or a  
11 banking institution.

12 (e) Any other instrument that the New Hampshire lottery commission deems a cash  
13 equivalent. Other than recognized credit cards or credit extended by the gaming licensee, all  
14 instruments that constitute a cash equivalent shall be made payable to the gaming licensee, to the  
15 bearer, or to cash. An instrument made payable to a third party shall not be considered a cash  
16 equivalent.

17 VI. "Central computer system" means a central monitor and control system provided and  
18 monitored by the lottery commission to which video lottery terminals communicate for purposes of  
19 information retrieval, retrieval of the win and loss determination from video lottery machines, and  
20 programs to activate and disable video lottery machines.

21 VII. "Certificate holder" means a gaming licensee issued a table game operation certificate  
22 by the lottery commission to operate the table games at a gaming location.

23 VIII. "Charitable gaming" means games of chance and other gaming as permitted under  
24 RSA 287-A, RSA 287-D, and RSA 287-E.

25 IX. "Count room" means the room designated for counting, wrapping, and recording of table  
26 game results and storage of cash, coins, tokens, checks, plaques, gaming vouchers, coupons, and  
27 other devices or items of value used in wagering and approved by the division that are received in  
28 the conduct of gaming and for the inspection, counting, and storage of dice, cards, chips, and other  
29 representatives of value.

30 X. "Gaming" means the operation of video lottery machines and table games.

31 XI. "Gaming applicant" means the person applying for approval by the lottery commission  
32 as a gaming licensee.

33 XII. "Gaming employee" means a person employed in the operation of a gaming location  
34 whose employment duties and responsibilities involve the security, maintenance, servicing, repair,  
35 or operation of video lottery machines or table game devices. Such employees shall include, without  
36 limitation, dealers, floorpersons, video lottery machine personnel, video lottery machine  
37 technicians, count room and cage personnel, security and surveillance employees, data processing

1 personnel, employees responsible for handling assets and proceeds associated with the operation of  
2 gaming activity, and employees that have input into data regarding complimentary services.

3 XIII. "Gaming license" means the license issued to a gaming licensee to operate table games  
4 and video lottery machines at a gaming location pursuant to this chapter.

5 XIV. "Gaming licensee" means the person or entity licensed by the lottery commission to  
6 possess, conduct, and operate video lottery machines and table games at a gaming location.

7 XV. "Gaming location" means the premises approved under a gaming license which  
8 includes the land, buildings, structures, and any portion thereof approved by the lottery commission  
9 as the gaming area and any nongaming structure related to the gaming area.

10 XVI.(a) "Gross table game revenue" means the total of cash or cash equivalent wagers  
11 received in the playing of a table game minus the total of:

12 (1) Cash or cash equivalents paid out to patrons as a result of playing a table game;

13 (2) Cash paid to purchase annuities to fund prizes payable to patrons over a period  
14 of time as a result of playing a table game;

15 (3) Any personal property distributed to a patron as a result of playing a table  
16 game; and

17 (4) Any promotional credits provided to patrons.

18 (b) "Gross table game revenue" shall not include travel expenses, food, refreshments,  
19 lodging, or other complimentary services. This term shall not include counterfeit money, tokens, or  
20 chips; coins or currency of other countries received in the playing of a table game, except to the  
21 extent that they are readily convertible to United States currency; cash taken in a fraudulent act  
22 perpetrated against a licensee for which the licensee is not reimbursed; or cash received as entry  
23 fees for contests or tournaments in which patrons compete for prizes.

24 XVII. "Holding company" means any corporation, association, firm, partnership, trust, or  
25 other form of business organization not a natural person which, directly or indirectly, owns, has the  
26 power or right to control, or has the power to vote any significant part of the outstanding voting  
27 securities of a corporation or other form of business organization which holds or applies for a  
28 gaming license or technology provider license. For purposes of this section, in addition to any other  
29 reasonable meaning of the words used, a "holding company" indirectly has, holds, or owns any such  
30 power, right or security if it does so through any interest in a subsidiary or successive subsidiaries,  
31 however many such subsidiaries may intervene between the holding company and the gaming  
32 licensee or technology provider.

33 XVIII. "Key employee" means any individual who is employed in a director or department  
34 head capacity and who is authorized to make discretionary decisions that regulate video lottery  
35 machine and/or table game operations, including the general manager and assistant manager of the  
36 gaming licensee or technology provider, director of operations, director of table games, director of  
37 cage or credit operations, director of surveillance, director of marketing, director of management

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1 information systems, director of security, comptroller, pit bosses, shift bosses, credit supervisors,  
2 cashier supervisors, table game facility managers and assistant managers, and any employee who  
3 supervises the operations of these departments or to whom these department directors or  
4 department heads report, and such other positions which the lottery commission shall determine  
5 based on detailed analyses of job descriptions as provided in the internal controls of the licensee.  
6 All other gaming employees shall be considered non-key employees.

7 XIX. "Licensee" means any individual or entity required to be licensed pursuant to this  
8 chapter.

9 XX. "Lottery commission" or "commission" means the New Hampshire lottery commission  
10 created pursuant to RSA 284:21-a, including the administration and enforcement bureau of the  
11 commission created pursuant to RSA 284-B:2.

12 XXI. "Net machine income" means all cash or other consideration utilized to play a video  
13 lottery machine at a gaming location, less all cash or other consideration paid to players of video  
14 lottery machines as winnings. Noncashable promotional credits shall be excluded from the  
15 calculation.

16 XXII. "Non-key gaming employee" means an employee of a gaming licensee who is not a key  
17 employee and is directly connected to the operation or maintenance of a video lottery machine or  
18 table game taking place in a gaming location.

19 XXIII. "Progressive jackpot" means a prize that increases over time or as video lottery  
20 machines that are linked to a progressive system are played. Upon conditions established by the  
21 lottery commission, a progressive jackpot may be paid by annuity.

22 XXIV. "Progressive system" means one or more video lottery machines linked to one or  
23 more common progressive jackpots.

24 XXV. "Request for applications" means a request for applications to be submitted by  
25 applicants to the lottery commission pursuant to RSA 284-B:11.

26 XXVI. "Table game" means any banking or percentage game in which there is an  
27 opportunity for the player to use his or her reason, foresight, or other strategy to increase the  
28 expected return, including roulette, baccarat, blackjack, poker, craps, big six wheel, mini-baccarat,  
29 red dog, pai gow, casino war, Asia poker, Boston 5 stud poker, Caribbean stud poker, Colorado hold  
30 'em poker, double attack blackjack, double cross poker, double down stud poker, fast action hold  
31 'em, flop poker, four card poker, let it ride poker, mini-craps, mini-dice, pai gow poker, pokette,  
32 Spanish 21, Texas hold 'em bonus poker, 3-card poker, 2-card joker poker, ultimate Texas hold 'em,  
33 winner's pot poker, and sic bo or any multi-station electronic version of the games described in this  
34 paragraph, and any other games approved by the lottery commission. The term includes any  
35 variations or composites of approved games, provided that the lottery commission determines that  
36 the new table game, variations, or composites are suitable for use after an appropriate test or  
37 experimental period under such terms and conditions as the lottery commission may deem



1 appropriate, and any other game which the lottery commission determines to be suitable for use in  
2 a gaming location after an appropriate test or experimental period as the lottery commission may  
3 deem appropriate. The term shall also include gaming contests or tournaments in which players  
4 compete against one another in any table game authorized for use in a gaming location by the  
5 lottery commission. The term shall not include wagering on pari-mutuel racing regulated by the  
6 lottery commission pursuant to RSA 284, raffles regulated pursuant to RSA 287-A, lotteries  
7 regulated by the lottery commission pursuant to RSA 284:21-h and RSA 287-F, and bingo and lucky  
8 7 games regulated by the lottery commission pursuant to RSA 287-E. Table games which are  
9 operated as games of chance pursuant to RSA 287-D shall not be subject to the provisions of this  
10 chapter.

11 XXVII. "Table game device" includes tables, cards, dice, chips, shufflers, tiles, dominoes,  
12 wheels, drop boxes, or any mechanical or electrical contrivance, terminal, machine, or other device  
13 approved by the commission and used or consumed in operation of or in connection with a table  
14 game.

15 XXVIII. "Table game operation certificate" means a certificate issued by the commission  
16 that certifies that the table gaming operation of a gaming licensee conforms to the requirements of  
17 this chapter and rules adopted under this chapter and that authorizes a gaming licensee to conduct  
18 table games under this chapter.

19 XXIX. "Table game operator" means:

20 (a) "Primary game operator" which means any consultant or any person involved in  
21 conducting, managing, supervising, directing, or running the table games at a gaming location and  
22 shall include the banker, the auditor, the counter, and persons involved in the cage; or

23 (b) "Secondary game operator" which means any person involved in dealing, running a  
24 roulette wheel, or handling chips at a gaming location.

25 XXX. "Technology provider" means any person or entity which designs, manufactures,  
26 builds or rebuilds, programs, installs, modifies, distributes, or supplies video lottery machines or  
27 table games for sale or lease to the gaming licensees, and which are for use by a gaming licensee for  
28 conducting video lottery games or table games in accordance with this chapter.

29 XXXI. "Technology provider license" means the license issued by the lottery commission to  
30 a technology provider licensee which allows the technology provider licensee to design,  
31 manufacture, install, distribute, or supply video lottery machines and/or table game devices for sale  
32 or lease to a gaming licensee.

33 XXXII. "Technology provider licensee" means a technology provider that is licensed by the  
34 lottery commission.

35 XXXIII. "Token" means the coin or coupon, which is not legal tender, sold by a cashier in a  
36 face amount equal to the cash paid by a player for the sole purpose of playing a video lottery  
37 machine at the gaming location or paid to a player of a video lottery machine, which can be

1 exchanged for cash at the gaming location.

2 XXXIV. "Video lottery" means any lottery conducted with a video lottery machine or linked  
3 video lottery machines with a progressive jackpot or progressive system. Video lottery conducted  
4 pursuant to this chapter shall not be considered a state-run lottery.

5 XXXV. "Video lottery machine" means an electronic, mechanical, or computerized machine  
6 which, upon the insertion of bills, coins, tokens, or any representative of value is available to be  
7 played where, by chance or skill, or both, the player may receive cash, cash equivalents, or tokens.  
8 Video lottery machines include, but are not limited to, slot machines, video poker machines, and  
9 other lottery machines. A machine shall be considered a video lottery machine notwithstanding the  
10 use of an electronic credit system making the deposit of bills, coins, or tokens unnecessary. Video  
11 lottery machines shall not include any redemption slot machines and redemption-poker machines as  
12 defined in RSA 647:2 or video poker machines or other similar machines used for amusement  
13 purposes only.

14 284-B:2 Gaming Oversight and Regulation; Lottery Commission; Bureau of Administration and  
15 Enforcement.

16 I. The lottery commission shall have general responsibility for the implementation of this  
17 chapter. The lottery commission shall have the exclusive authority to license and regulate the  
18 installation, operation, and conduct of video lottery machines and table games. The lottery  
19 commission shall only issue licenses to persons who operate video lottery machines and table games  
20 at a gaming location meeting the requirements of this chapter.

21 II. There shall be established within the lottery commission an administration and  
22 enforcement bureau, which shall be the primary enforcement agent for regulatory matters under  
23 this chapter. The bureau shall perform such functions as the commissioners may determine from  
24 time to time in relation to the administration and enforcement of this chapter, including the  
25 enforcement of violations of this chapter. The bureau shall be under the control of the director of  
26 administration and enforcement, who shall be appointed by the commissioners and shall report to  
27 the executive director of the lottery commission. The director shall be the executive and  
28 administrative head of the bureau and shall be responsible for administering the duties of the  
29 bureau and any administrative units created within the bureau. The bureau shall cooperate with  
30 the attorney general and the gaming enforcement unit of the division of state police in the  
31 enforcement of this chapter.

32 284-B:3 Rulemaking.

33 I. The lottery commission shall adopt rules, that include as a minimum guidance from the  
34 International Association of Gaming Regulators, under RSA 541-A, relative to:

35 (a) License renewals, and making recommendations for the suspension or revocation of  
36 any license issued under this chapter.

37 (b) Conducting all investigations in conjunction with the attorney general required

1 under this chapter with regard to the application of any applicant for any license.

2 (c) Conducting hearings pertaining to civil violations, rules, and penalties required  
3 under this chapter.

4 (d) Establishing standards for licensure and a reasonable fee structure for the licensing  
5 and renewal of licenses for gaming licensees and technology providers consistent with this chapter.

6 (e) Establishing technical standards for approval of video lottery machines, including  
7 mechanical and electrical reliability and security against tampering, as deemed necessary to protect  
8 the public from fraud or deception and to insure the integrity of the operation.

9 (f) Establishing a process for verifying the training and experience of non-key gaming  
10 employees.

11 (g) Ensuring that all licensees update the lottery commission with regard to any change  
12 in ownership or material change in information or data regarding the licensee that the commission  
13 determines is necessary and appropriate.

14 (h) Prescribing procedures for the fingerprinting of an applicant, key employee, or  
15 employee of a licensee, or other methods of identification which may be necessary in the judgment  
16 of the lottery commission to accomplish effective enforcement of restrictions to access to the gaming  
17 location.

18 (i) Prescribing the manner and procedure of all hearings conducted by the lottery  
19 commission or any hearing examiner, including special rules of evidence applicable thereto and  
20 notices thereof.

21 (j) Prescribing the method of collection of payments of taxes, fees, and penalties.

22 (k) Defining and limiting the areas of operation, the rules of authorized games, odds,  
23 and devices permitted, and the method of operation of such games and devices.

24 (l) Prescribing grounds and procedures for the issuing of sanctions, including but not  
25 limited to, the revocation or suspension of licenses.

26 (m) Governing the manufacture, distribution, sale, and servicing of video lottery  
27 machines and table game devices and associated equipment.

28 (n) Prescribing minimum procedures for the exercise of effective control over the  
29 internal fiscal affairs of a gaming licensee, including provisions for the safeguarding of assets and  
30 revenues, the recording of cash and evidence of indebtedness, and the maintenance of reliable  
31 records, accounts, and reports of transactions, operations, and events, including reports to the  
32 lottery commission.

33 (o) Providing for a minimum standard of accountancy methods, procedures, and forms;  
34 a uniform code of accounts and accounting classifications; and such other standard operating  
35 procedures as may be necessary to assure consistency, comparability, and effective disclosure of all  
36 financial information.

37 (p) Requiring quarterly financial reports and the form thereof, and an annual audit

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1 prepared by a certified public accountant licensed to do business in this state, attesting to the  
2 financial condition of a licensee and disclosing whether the accounts, records, and control  
3 procedures examined are maintained by the licensee as required by this chapter.

4 (q) Governing the gaming-related advertising of gaming licensees and their employees  
5 and agents, with the view toward assuring that such advertisements are in no way deceptive and  
6 promote the purposes of this chapter; provided, however, that such rules shall require the words  
7 "Bet with your head, not over it," or some comparable language approved by the lottery commission,  
8 to appear on all billboards, signs, and other on-site advertising of a licensee operation and shall  
9 require the words "If you or someone you know has a gambling problem and wants help, call 1-800-  
10 GAMBLER," or some comparable language approved by the lottery commission, provided such  
11 language shall include the words "gambling problem" and "call 1-800-GAMBLER," which shall  
12 appear legibly on all print, billboard, and sign advertising of a gaming location.

13 (r) Providing for the establishment and maintenance by the lottery commission of a list  
14 of persons who are to be excluded or ejected from any gaming location, because the person's  
15 criminal background or presence in a gaming location would be, in the opinion of the lottery  
16 commission, inimical to the interests of the state, including standards relating to persons to be  
17 excluded, and providing for a self-exclusion program to be established by gaming licensees, whereby  
18 persons who are problem gamblers can be excluded or ejected from a gaming location.

19 (s) Establishing the licensing process and approval process for selecting the provider of  
20 the central computer system.

21 (t) Regulating the operation of table games consistent with RSA 284-B:19, including  
22 requiring proper accountability controls to ensure game integrity.

23 II. Notwithstanding any law to the contrary, the lottery commission shall initiate the  
24 licensing process within 60 days of the effective date of this chapter as provided in RSA 284-B:11  
25 and subject to standards set forth in this chapter. The lottery commission shall adopt rules  
26 pursuant to paragraph I no later than June 1, 2016.

27 284-B:4 Duties and Authority of the Lottery Commission.

28 I. The lottery commission, with the assistance and cooperation of the attorney general and  
29 the division of state police gaming enforcement unit, shall administer and enforce the provisions of  
30 this chapter.

31 II. The lottery commission shall have the authority to request any and all records  
32 maintained by local, municipal, state, or federal agencies relative to gaming applicants or gaming  
33 licensees.

34 III. The lottery commission shall have the authority to issue subpoenas and compel the  
35 attendance of witnesses, to administer oaths, and to require testimony under oath.

36 IV. The lottery commission shall:

37 (a) Collect all license fees imposed upon any applicant and all taxes imposed by this

1 chapter.

2 (b) Certify net machine income and gross table game revenue by inspecting records,  
3 conducting audits, or having its agents on site, or by any other reasonable means.

4 (c) Require gaming licensees to submit all contracts for services where the annual  
5 amount to be expended by the gaming licensee is over \$500,000 to the lottery commission, and  
6 provide any further information to the lottery commission regarding vendors and suppliers as is  
7 requested.

8 (d) Require all holders of gaming licenses issued by the lottery commission pursuant to  
9 RSA 284-B to maintain a system of internal controls. At a minimum, the licensee's proposed system  
10 of internal controls shall:

11 (1) Safeguard its assets and revenues, including, but not limited to the recording of  
12 cash and evidences of indebtedness related to the video lottery machines and table games.

13 (2) Provide for reliable records, accounts, and reports of any financial event that  
14 occurs in the operation of a video lottery machine and table games.

15 (3) Ensure that each video lottery machine directly provides or communicates all  
16 required activities and financial details to the central computer system.

17 (4) Provide for accurate and reliable financial records.

18 (5) Ensure any financial event that occurs in the operation of a video lottery  
19 machine or table game is performed only in accordance with the management's general or specific  
20 authorization.

21 (6) Ensure that any financial event that occurs in the operation of a video lottery  
22 machine is recorded adequately to permit proper and timely reporting of net machine income and  
23 the calculation thereof and the related fees and taxes.

24 (7) Ensure that access to assets is permitted only in accordance with management's  
25 specific authorization.

26 (8) Ensure that recorded accountability for assets is compared with actual assets at  
27 reasonable intervals and appropriate action is taken with respect to any discrepancies.

28 (9) Ensure that all functions, duties, and responsibilities are appropriately  
29 segregated and performed in accordance with sound financial practices by qualified personnel.

30 (e) Establish technical standards for approval of video lottery machines, including  
31 mechanical and electrical reliability and security against tampering, as it may deem necessary to  
32 protect the public from fraud or deception and to ensure the integrity of their operation.

33 (f) Require all holders of licenses issued by the lottery commission pursuant to RSA 284-  
34 B to comply with any exclusion program established by the lottery commission and maintained  
35 pursuant to RSA 284-B:3, II(r) and to establish and implement a self-exclusion program whereby a  
36 person who acknowledges that he or she is a problem gambler and who requests to be placed on a  
37 self-exclusion list shall be excluded or ejected from a licensed facility.

1 V.(a) The lottery commission shall establish a code of ethics for all commissioners and  
2 employees of the lottery commission. A copy of the code shall be filed with the attorney general's  
3 office. The code shall include provisions reasonably necessary to carry out the purposes of this  
4 chapter and any other laws subject to the jurisdiction of the commission including, but not limited  
5 to:

6 (1) Prohibiting the receipt of any discount, gift, gratuity, compensation, travel,  
7 lodging, or other thing of value, directly or indirectly, by commissioners and employees from any  
8 gaming licensee or gaming vendor licensee or applicant or other person subject to the jurisdiction of  
9 the commission;

10 (2) Prohibiting the participation by commissioners and employees in a particular  
11 matter that affects the financial interest of the commissioner or employee or of a relative of the  
12 commissioner or employee;

13 (3) Providing for recusal of a commissioner in a licensing decision due to a potential  
14 conflict of interest; and

15 (4) Prohibiting the solicitation of funds for any charitable, educational, religious,  
16 health, fraternal, civic, or other nonprofit entity from any gaming licensee or gaming vendor  
17 licensee or applicant or other person subject to the jurisdiction of the commission.

18 (b) Immediately upon assuming office, each commissioner and employee of the  
19 commission, except for secretarial and clerical personnel, shall swear or affirm that the  
20 commissioner or employee possesses no interest in a person licensed under this chapter. No  
21 individual shall be employed by the commission if, during the period commencing 3 years prior to  
22 employment, that individual held any direct or indirect interest in, or was employed by, a licensee  
23 under this chapter. No commissioner shall hold a direct or indirect interest in, or be employed by,  
24 an applicant or by a person licensed by the commission for a period of 3 years after the termination  
25 of employment with the commission.

26 (c) No employee of the commission holding a major policymaking position shall acquire  
27 an interest in, or accept employment with, an applicant or licensee for a period of 2 years after the  
28 termination of employment with the commission.

29 (d) No employee of the commission in a non-major policymaking position shall acquire  
30 an interest in, or accept employment with, an applicant or licensee for a period of one year after the  
31 termination of employment with the commission.

32 (e) Notwithstanding the provisions of subparagraphs (a)-(d), if the employment of a  
33 commission employee holding a major policymaking position at any time during the 5 years  
34 preceding a termination, is terminated as a result of a reduction in the workforce of the commission,  
35 the employee may, after one year following the termination of employment with the commission,  
36 accept employment with any applicant or person licensed under this chapter upon application to  
37 and the approval of the commission, upon a finding that the employment will not create the

1 appearance of a conflict of interest and does not evidence a conflict of interest in fact. The  
2 commission shall act upon an application within 30 days of receipt and the application may be  
3 submitted to the commission prior to or after commencement of the employment.

4 (f) No commissioner or employee, other than in the performance of the commissioner's  
5 or employee's official duties, shall place a wager in a gaming location. The commissioners and those  
6 employees holding major policymaking positions shall be sworn to the faithful performance of their  
7 official duties. The commissioners and those employees holding major policymaking positions shall:

8 (1) Conduct themselves in a manner so as to render decisions that are fair and  
9 impartial and in the public interest;

10 (2) Avoid impropriety and the appearance of impropriety in all matters under their  
11 jurisdiction;

12 (3) Avoid all prohibited communications;

13 (4) Require staff and personnel subject to their direction and control to observe the  
14 same standards of fidelity and diligence;

15 (5) Disqualify themselves from proceedings in which their impartiality might  
16 reasonably be questioned; and

17 (6) Refrain from financial or business dealings which would tend to reflect adversely  
18 on impartiality.

19 (g) The commissioners and employees shall not own, or be in the employ of, or own any  
20 stock in, a business which holds a license under this chapter, nor shall they have, directly or  
21 indirectly, a pecuniary interest in, or be connected with, any such business or be in the employ of or  
22 connected with any person financing any such business; provided, however, that immediate family  
23 members of commissioners and employees holding major policymaking positions shall not own, or be  
24 in the employ of, or own stock in, any business which holds a license under this chapter. The  
25 commissioners and employees shall not personally, or through a partner or agent, render  
26 professional services or make or perform any business contract with or for any regulated entity,  
27 except contracts made with the commissioners for the furnishing of services, nor shall the  
28 commissioners or employees directly or indirectly receive any commission, bonus, discount, gift, or  
29 reward from a regulated entity.

30 284-B:5 Central Computer System.

31 I. The lottery commission shall provide and operate a central computer system into which  
32 all licensed video lottery machines shall be connected.

33 II. The central computer system shall be capable of:

34 (a) Continuously monitoring, retrieving, and auditing the operations, financial data,  
35 and program information of all video lottery machines;

36 (b) Allowing the lottery commission to account for all money inserted in and payouts  
37 made from any video lottery machine;

1 (c) Disabling from operation or play any video lottery machine as the lottery  
2 commission deems necessary to carry out the provisions of this chapter;

3 (d) Supporting and monitoring a progressive jackpot system capable of operating one or  
4 more progressive jackpots; and

5 (e) Providing any other function that the lottery commission considers necessary.

6 III. The central computer system shall employ a widely accepted gaming industry  
7 communications protocol, as approved by the Gaming Standards Association, to facilitate the ability  
8 of video lottery machine manufacturers to communicate with the central computer system.

9 IV.(a) Except as provided in subparagraph (b), the lottery commission shall not allow a  
10 gaming licensee to have access to, or obtain information from, the central computer system.

11 (b) If the access does not in any way affect the integrity or security of the central  
12 computer system, the lottery commission may allow a gaming licensee to have access to the central  
13 computer system that allows the licensee to obtain information pertinent to the legitimate operation  
14 of its video lottery machines.

15 284-B:6 Records; Confidentiality.

16 I. The lottery commission shall keep and maintain a list of all applicants for licenses it  
17 receives under this chapter, together with a record of all action taken with respect to such  
18 applicants. Except as provided in paragraph IV, a file, including the criminal records of each  
19 applicant, its officers, directors, partners, members, shareholders, and key employees, and record of  
20 the actions of the lottery commission shall be open to public inspection; provided, however, that  
21 information regarding any applicant whose license or registration has been denied, revoked, or not  
22 renewed shall be removed from the list after 5 years from the date of such action.

23 II. The lottery commission shall publish on the commission's Internet website a complete  
24 list of all persons or entities who applied for or held a license, certificate, or approval pursuant to  
25 this chapter, or racetrack license at any time during the preceding calendar year and all affiliates,  
26 intermediaries, subsidiaries, and holding companies thereof and the status of the application or  
27 license, however, information regarding any applicant whose approval or certificate has been  
28 denied, revoked or not renewed shall be removed from such list after 5 years from the date of such  
29 action.

30 III. The lottery commission shall maintain such other files and records as the commission  
31 determines are necessary. All records maintained by the lottery commission may be maintained in  
32 digital or other format, provided that such information can be produced in written form upon the  
33 request of the commission.

34 IV. All personal and financial proprietary information and data of an applicant, its officers,  
35 directors, partners, members, shareholders, or key employees, other than their criminal records,  
36 required by the lottery commission to be furnished to it, or which may otherwise be obtained, shall  
37 be considered confidential and shall not be disclosed in whole or in part except in the course of the



1 necessary administration of this chapter, or upon the lawful order of a court of competent  
2 jurisdiction, or, with the approval of the attorney general, to a duly authorized law enforcement  
3 agency. Notwithstanding this paragraph, the state police may share information with the lottery  
4 commission and the attorney general as is appropriate under this chapter.

5 V. All records, information, or data maintained or kept by the lottery commission may be  
6 maintained or kept at the office of the gaming enforcement unit.

7 VI. Notice of the contents of any information or data to be released consistent with  
8 paragraph IV, except to a duly authorized law enforcement agency, shall be given to any applicant  
9 or licensee in a manner prescribed by the rules adopted by the lottery commission so that the  
10 applicant or licensee has the opportunity to object to such release.

11 VII. With regard to meetings, minutes, and records of the lottery commission, the lottery  
12 commission shall notice all proceedings and shall make and keep a record of all proceedings held at  
13 public meetings of the lottery commission. A verbatim transcript of those proceedings shall be  
14 prepared by the lottery commission upon the request of any commissioner or upon the request of  
15 any other person and the payment by that person of the costs of preparation. A copy of the  
16 transcript shall be made available to any person upon request and payment of the costs of preparing  
17 the copy.

18 284-B:7 Employees and Contractors.

19 I. The lottery commission, the attorney general, or the division of state police gaming  
20 enforcement unit may from time to time contract for such financial, economic, or security  
21 consultants, and any other technical and professional services as it deems necessary for the  
22 discharge of its duties.

23 II. The lottery commission may employ certain assistants, and contract with certain  
24 individuals or entities experienced in the regulation of gaming to carry out the provisions of this  
25 chapter. Such assistants and employees shall receive compensation at rates to be established by the  
26 department of administrative services, division of personnel.

27 III. Compensation of assistants, employees, and contractors shall be funded by proceeds  
28 paid or received by the lottery commission pursuant to this chapter.

29 IV. No employee or contractor of the lottery commission shall have any pecuniary or other  
30 interest whatsoever in any supplier or agent to the commission or in any gaming location or license  
31 licensed under this chapter and shall be subject to the code of ethics established by the lottery  
32 commission pursuant to RSA 284-B:4, V.

33 284-B:8 Annual Report. No later than November 1 of each calendar year, the lottery  
34 commission shall provide a report to the fiscal committee of the general court regarding the  
35 generation of revenues of video lottery machines and table games by licensees.

36 284-B:9 Number of Gaming Licenses. The lottery commission shall review, select, and grant a  
37 license for one gaming location. The gaming licensee shall operate no more than 150 table games

1 under RSA 284-B:12 and no more than 5,000 video lottery machines at its gaming location.

2 284-B:10 Procedures for Adoption by Local Community.

3 I. Any municipality in which a gaming location is or proposes to be situated may adopt the  
4 provisions of this chapter to allow the operation of video lottery machines and table games at a  
5 specific location in the following manner:

6 (a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the  
7 questions shall be placed on the warrant of an annual or special town meeting, by the governing  
8 body or by petition pursuant to RSA 39:3.

9 (b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D,  
10 upon request of a gaming applicant to authorize the operation of video lottery machines and table  
11 games at a specific location within the municipality in accordance with the provisions of this  
12 chapter, the governing body shall place the question on the ballot to be voted upon at the next  
13 regularly scheduled municipal or biennial election unless such election is more than 90 days from  
14 the request. In such circumstance, the governing body shall place the question on the ballot for a  
15 special election called for the purpose of voting on said question and which special election shall  
16 occur within 75 days after the request is made. Such special election shall be held at the usual  
17 ward polling places by the regular election officials.

18 (c) In any unincorporated place, and notwithstanding any other provision of law to the  
19 contrary, upon the request of a gaming applicant to authorize the operation of video lottery  
20 machines and table games at a specific location within the unincorporated place to either the  
21 moderator of the unincorporated place if the unincorporated place is organized to vote pursuant to  
22 RSA 668:1, or the clerk of the designated town if the unincorporated place is not organized for  
23 voting as provided in RSA 668:2, and the moderator or the clerk shall place the question on the  
24 ballot to be voted upon at the next regularly scheduled biennial election. The ballot shall be given  
25 to the individuals who are domiciled in such unincorporated place who are registered to vote.

26 (d) If a majority of those voting on the question vote "Yes," this chapter shall apply in  
27 such town or city and the operation of video lottery machines and table games shall be permitted at  
28 a specific location within such town, city, or unincorporated place in accordance with this chapter.  
29 If a majority of those voting on the question vote "No" the question may be voted on at a subsequent  
30 time in accordance with this section provided, however, the town may consider the question at no  
31 more than one special meeting and the annual town meeting in the same calendar year after a "No"  
32 vote. A city or town subject to subparagraph (b) may consider the question at no more than one  
33 special election and a regular municipal or biennial election in the same calendar year after a "No"  
34 vote.

35 (e) The wording of the question shall be substantially as follows: "Shall we adopt the  
36 provisions of RSA 284-B allowing the operation of video lottery machines and table games at [insert  
37 the name of the proposed gaming location] located within the [insert name of town, city, or

1 unincorporated place]”?

2 II. When a gaming licensee requests a town, city, or unincorporated place to act under  
3 paragraph I, the gaming licensee shall pay all costs associated with carrying out the actions under  
4 this section.

5 284-B:11 Schedule for License Applications; Requests for Application.

6 I. In order to facilitate the timely and orderly deployment of licensed gaming operations in  
7 New Hampshire, the lottery commission shall adopt a schedule by which applications for gaming  
8 licenses and technology provider licenses shall be accepted, reviewed, granted, or denied in  
9 accordance with the provisions of this section.

10 II. The lottery commission shall issue a request for applications for a gaming license  
11 pursuant to the process set forth in this section. The lottery commission shall approve, approve  
12 with conditions, or deny all applications submitted, in accordance with the provisions of this  
13 chapter. The request for applications shall be issued within 60 days of the effective date of this  
14 chapter pursuant to RSA 284-B:3, II. The requests for applications shall require all applications to  
15 be submitted within 90 days of the publication of the request. Applications received after the  
16 deadline shall not be reviewed by the lottery commission.

17 III. Requests for applications pursuant to paragraph II of this section shall be advertised in  
18 a newspaper of general circulation in the state and on the official internet website of the lottery  
19 commission.

20 284-B:12 Gaming License Applications; Requirements.

21 I. A gaming applicant shall obtain a gaming license from the lottery commission to possess,  
22 conduct, and operate video lottery machines and table games as follows:

23 (a) An applicant shall complete and sign an application on forms, in a manner and  
24 providing the information prescribed by the lottery commission.

25 (b) The applicant shall include in the application any and all information requested by  
26 the lottery commission, including but not limited to, information regarding:

27 (1) The applicant's criminal history background including authorization for a  
28 criminal background and records check, and an attested disclosure of all arrests and citations for  
29 nontraffic offenses;

30 (2) Civil judgments against the applicant during the past 15 years;

31 (3) The applicant's financial affairs, including evidence of financial stability as  
32 documented by bank references, business and personal income and disbursement schedules, tax  
33 returns and other reports filed by government agencies, business and personal accounting check  
34 records and ledgers and other relevant source documents. The lottery commission may require  
35 evidence of the financial affairs to be provided on a multi-jurisdictional personal history disclosure  
36 form;

37 (4) The full name, address, date of birth, and other personal identifying information

1 of the applicant and all key employees;

2 (5) If a corporation or other form of business enterprise, the information listed in  
3 subparagraphs (b)(1)-(4) shall be provided with respect to each partner, trustee, officer, and  
4 director, and any shareholder, limited liability company member, or other holder who owns more  
5 than 10 percent of the legal or beneficial interests of such entity, as well as the name of the state  
6 under the laws of which the corporation or business enterprise is formed or incorporated and the  
7 location of its principal place of business;

8 (6) The identity of the owners of the gaming location, if other than the applicant,  
9 along with information listed in subparagraphs (b)(1)-(4) shall be provided with respect to each  
10 owner, partner, principal, trustee, officer, and director, and any shareholder, limited liability  
11 company member, or other holder who owns more than 10 percent of the legal or beneficial interest  
12 of such gaming location. If the owner of the gaming location is not an affiliate of the applicant, the  
13 applicant shall also submit a copy of the proposed lease agreement and executed letter of intent to  
14 operate between the owner of the gaming location and the applicant;

15 (7) Information and documentation demonstrating by clear and convincing evidence  
16 the applicant's financial stability including, but not limited to, bank references, business and  
17 personal income and disbursement schedules, tax returns and other reports filed by government  
18 agencies and business and personal accounting check records and ledgers. The applicant shall  
19 include with its application the disclosure of all contributions, donations, loans or any other  
20 financial transactions to or from the applicant and any affiliated gaming entity or operator in the  
21 past 5 years; and

22 (8) Information and documentation demonstrating by clear and convincing evidence  
23 that the applicant has sufficient business ability and experience to establish and maintain  
24 successful gaming operations, including, but not limited to, information demonstrating the  
25 experience of the applicant in developing, constructing, and managing a similar gaming enterprise.  
26 If the applicant or any principal has held or holds a gaming or video lottery machine license in a  
27 jurisdiction where video lottery machine activities are permitted, the applicant shall so state and  
28 shall produce either a letter of reference from the gaming or lottery enforcement or control agency  
29 in such jurisdiction which sets forth the experience of that agency with the applicant, the  
30 applicant's associates and gaming operations, or a statement under oath that the applicant is or was  
31 during the period of licensure conducting gaming activities in good standing with the agency.

32 (c) The application shall be accompanied by a complete description of the proposed  
33 project and include the following:

34 (1) A complete description of the gaming location, including the designs for the  
35 proposed gaming establishment, the names and addresses of the architects, engineers, and  
36 designers, a timeline of construction that includes detailed stages of construction for the gaming  
37 establishment, non-gaming structures, and racecourse, where applicable, and a description of the



1 ability of the applicant to comply with statutory, regulatory, and technical standards applicable to  
2 the design of the proposed gaming location;

3 (2) Identification of the type and number of video lottery machines, and type and  
4 number of table games, and the specific location of the games in the proposed gaming establishment  
5 consistent with this chapter;

6 (3) The availability of space in the facility and proposed details of the space for  
7 charitable gaming to take place under RSA 287-D;

8 (4) The names, and verified good character and integrity of proposed vendors of  
9 gaming equipment;

10 (5) A description of the supporting amenities and ancillary entertainment services  
11 to be provided at the proposed gaming establishment, including the number of hotels and rooms, if  
12 any, restaurants and other amenities located at the proposed gaming establishment and how they  
13 measure in quality to other area amenities;

14 (6) The number of employees to be employed at the proposed gaming establishment,  
15 including detailed information on the projected pay rate and benefits for employees;

16 (7) The site of the proposed gaming location, which shall include the address, maps,  
17 book and page numbers from the appropriate registry of deeds, assessed value of the land at the  
18 time of application, and identification of all interests, options and agreements in the gaming  
19 location; and

20 (8) Information regarding the minimum total capital investment required pursuant  
21 to paragraph II.

22 (d) The application shall include evidence in the form of completed studies and/or  
23 reports required by the commission to demonstrate how the proposed project meets the following  
24 criteria:

25 (1) The availability of local resources to support services and amenities necessary to  
26 accommodate projected guest volume in the form of transportation, regional geography, work force  
27 demographics, rooms and meals, utilities, and law enforcement;

28 (2) The immediate and long range financial feasibility of the applicant's proposed  
29 project including a projection of the revenues to be produced by the operation of the video lottery  
30 machines and table games at the gaming location, the ability to achieve positive gross operating  
31 profit on an annual basis in a specific time frame, and the estimated municipal and state tax  
32 revenue to be generated by the gaming location, as supported by an expert experienced in the field  
33 of gaming;

34 (3) Economic benefits to the region and the state from the project, including the  
35 ability of the applicant's proposed gaming location to provide new and sustainable jobs for the  
36 community;

37 (4) The accessibility of the proposed gaming location to public access and public

1 highway infrastructures;

2 (5) The suitability of the proposed gaming location and facility design for tourism  
3 and development, including evidence the development of the gaming location is compatible with  
4 historic uses, regional branding, and local zoning ordinances, and an explanation of anticipated  
5 commercial development opportunities for the community; and

6 (6) The impact on the local and regional community, including:

7 (A) Impact on the local and regional economies, including but not limited to,  
8 cultural institutions and small businesses in the host community and surrounding communities;  
9 and

10 (B) Costs and benefits to the host and surrounding communities in the form of  
11 jobs, revenues, business development, and social issues associated with the gaming location.

12 (e) The applicant shall provide a licensing fee payment bond, letter of credit, or  
13 guaranty of private equity or other funds with demonstrated cash and reserve availability  
14 supporting the applicant's ability to pay the licensing fee.

15 (f) The applicant shall provide detailed information regarding its proposed system of  
16 internal security and accounting controls.

17 (g) The application shall be accompanied by a petition for a table game operation  
18 certificate consistent with RSA 284-B:19.

19 (h) The applicant shall obtain local approval of the municipality in which the project is  
20 proposed by local referendum consistent with RSA 284-B:10.

21 II.(a) The applicant shall agree to make a minimum capital investment in the project in an  
22 amount determined by the commission; provided that such capital investment shall be not less than  
23 \$425,000,000.

24 (b) For purposes of this paragraph, the required capital investment shall include the  
25 license fee required to be paid pursuant to RSA 284-B:13, all gaming areas and other amenities  
26 proposed in the application, the purchase or lease price of land where the gaming facility will be  
27 located and any infrastructure designed to support the site, including, but not limited to, drainage,  
28 utility support, roadways, interchanges, fill and soil or groundwater or surface water contamination  
29 issues; provided, however, that any infrastructure improvements necessary to increase visitor  
30 capacity and account for traffic mitigation shall not be considered part of the required capital  
31 investment and, as determined by the commission, shall be completed before the licensee shall be  
32 authorized to commence operations. The investment required under this paragraph shall be made  
33 within 5 years after receiving a gaming license.

34 III. Every application shall contain the information required pursuant to this section and  
35 such information the lottery commission requests or requires by rule.

36 284-B:13 Gaming License Application Fees; Initial License Fees; Renewal Fees.

37 I. The lottery commission shall impose a nonrefundable application fee of \$500,000 on all

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1 applicants submitting an application for a gaming license which shall be used to defray the cost of  
2 processing and reviewing the application. If the cost of processing and reviewing the application  
3 exceeds the \$500,000 application fee, the applicant shall pay the difference to the lottery  
4 commission within 15 days of receiving a detailed invoice.

5 II. The attorney general shall impose a nonrefundable investigation fee of \$100,000 on all  
6 applicants for a gaming license which shall be used to defray the cost of the background  
7 investigation. If the cost of the background investigation exceeds the \$100,000 applicable amount,  
8 the applicant shall pay the difference to the attorney general within 15 days of receiving a detailed  
9 invoice.

10 III. Upon approval of a gaming license, the lottery commission shall charge an initial  
11 license fee of \$80,000,000 which shall be deposited into the fund established by RSA 284:21-j. The  
12 amount deposited shall be available to the state in the fiscal year received. A gaming license shall  
13 expire after 10 years, subject to renewal pursuant to RSA 284-B:18, I. The lottery commission shall  
14 charge a license renewal fee of \$1,500,000 to renew a gaming license; however, the person seeking  
15 renewal of a gaming license shall pay all costs incurred by the attorney general to conduct an  
16 investigation with regard to such application to renew the gaming license.

17 284-B:14 Gaming License Applications; Lottery Commission Completeness Review; Attorney  
18 General Background Review.

19 I. The lottery commission shall be available to provide technical assistance to any applicant  
20 submitting an application in response to a request for applications.

21 II.(a) The lottery commission shall examine every application for form and completeness,  
22 and the information required by this chapter as well as any specifications and standards outlined in  
23 the request for application. All applications and accompanying submissions shall be maintained as  
24 confidential during completeness review.

25 (b) If an application is determined incomplete by the lottery commission, the lottery  
26 commission shall provide a first notification of incompleteness to the applicant by certified mail  
27 within 30 days of receipt of the application. Such first notification of incompleteness shall include a  
28 full explanation of the reasons for incompleteness. If no first notification of incompleteness is made  
29 by the lottery commission within such 30-day period, the application shall be considered complete  
30 and the applicant shall be notified by certified mail.

31 (c) The applicant shall provide any required additional information within 15 business  
32 days of receipt of the first notification of incompleteness. The applicant shall not provide more than  
33 the required additional information. The lottery commission shall review the additional  
34 information submitted by the applicant; and, if satisfactory, the application shall be considered  
35 complete and the applicant shall be notified by certified mail.

36 (d) If the application is still determined to be incomplete, the commission shall provide a  
37 second notification of incompleteness to the applicant by certified mail within 10 business days of

1 receipt of the additional information.

2 (e) The applicant shall provide any required additional information within 10 business  
3 days of receipt of the second notification of incompleteness. The applicant shall not provide more  
4 than the required additional information. The lottery commission shall review the additional  
5 information submitted by the applicant, and, if satisfactory, the application shall be considered  
6 complete and the applicant shall be notified by certified mail.

7 (f) If the application is still found to be incomplete, the lottery commission shall provide  
8 a third and final notification of incompleteness to the applicant by certified mail within 5 business  
9 days of receipt of the additional information. The applicant shall provide the required additional  
10 information within 3 business days of receipt of the third and final notification of incompleteness.  
11 The applicant shall not provide more than the required additional information.

12 (g) Within 2 business days of the receipt of any information submitted pursuant to the  
13 third and final notification of incompleteness, the lottery commission shall review the additional  
14 information submitted by the applicant and notify the applicant whether the application is  
15 complete.

16 (h) An applicant whose application is incomplete and who fails to provide the additional  
17 required information within the applicable time period specified shall be deemed to have withdrawn  
18 its application and to have waived any right to have the application reviewed.

19 (i) An applicant may withdraw an application at any time, thereby terminating the  
20 review process and waiving any right to have its application reviewed.

21 (j) The lottery commission shall require the applicant who has been notified of a  
22 complete application to proceed to a background review by the attorney general pursuant to  
23 paragraph III.

24 III.(a) Upon receipt of a complete application from a gaming applicant, the lottery  
25 commission shall request that the attorney general conduct a background review, and the attorney  
26 general shall conduct a background review of a gaming applicant and its principals, owners, and  
27 key employees. The background review may be conducted through any appropriate state or federal  
28 law enforcement system and the authorized reviewers may seek information as to the subject's  
29 financial, criminal, or business background, or any other information which the attorney general, in  
30 his or her sole discretion, may find relevant to the subject's fitness to be associated with the  
31 ownership or management of gaming in New Hampshire, including, but not limited to, the subject's  
32 character, personal associations, and the extent to which the subject is properly doing business in  
33 the manner in which it purports to operate. If the applicant is a pari-mutuel licensee licensed and  
34 authorized to conduct racing, whether live, simulcast, or both, as provided in RSA 284:16 or RSA  
35 284:16-a at a pari-mutuel licensee location, and the attorney general has conducted a background  
36 investigation pursuant to RSA 284:15-b within the 12 months prior to the application filing, the  
37 attorney general may rely on the results of the previous investigation to the extent the applicant's



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1 circumstances have not materially changed. The attorney general shall also take into consideration  
2 as evidence of fitness a letter of reference or sworn statement of good standing produced pursuant  
3 to RSA 284-B:12, I(b)(8).

4 (b) The attorney general shall report the results of the background review to the lottery  
5 commission within a reasonable time, not to exceed 120 days unless a request for additional time  
6 has been granted by the lottery commission for good cause. At a minimum, the attorney general's  
7 report shall state whether or not in his or her opinion each of the persons subjected to the  
8 background review is fit to be associated with the ownership or management of gaming in New  
9 Hampshire. Notwithstanding any other law to the contrary, the information provided to the  
10 attorney general and the results of the attorney general's background review shall be confidential  
11 and shall not be subject to disclosure or to public inspection, except that the attorney general, in the  
12 attorney general's sole discretion, shall determine the extent to which and the manner in which  
13 said results may be reported to the lottery commission or other state agency or official and, if  
14 reported, whether such results are to retain their confidential character.

15 (c) The attorney general may on his or her motion conduct a background review into the  
16 background of the gaming applicant or gaming licensee, key employee, or any person or entity upon  
17 whom the gaming applicant or gaming licensee relies for financial support.

18 (d) In any background review conducted pursuant to subparagraph (a) or subparagraph  
19 (c), the attorney general or any duly authorized member of the attorney general's staff may require  
20 by subpoena or otherwise the attendance of witnesses and the production of such correspondence,  
21 documents, books, and papers as he or she deems advisable, and for purposes of this section, may  
22 administer oaths and take the testimony of witnesses.

23 284-B:15 Gaming License Determinations.

24 I. If there is only one complete application pending for a gaming license, then upon receipt  
25 of the report of the attorney general on the gaming applicant's fitness for gaming, the lottery  
26 commission shall make a determination as to whether the gaming applicant demonstrates it meets  
27 the standards for licensure in RSA 284-B:17. The lottery commission shall make such  
28 determination within 60 days of receiving the report of the attorney general. Such a determination  
29 shall be made by majority vote of eligible commission members. Any commission member who has a  
30 personal or business conflict with any application shall not vote on such application. The decision  
31 shall be in the form of an approval, denial, or an approval with conditions.

32 II. If there is more than one complete application pending for a gaming license, the lottery  
33 commission shall consider competing applicants in relationship to each other. Within 30 days of  
34 receiving all of the attorney general's reports on the competing applicants pursuant to RSA 284-  
35 B:14, III, the lottery commission shall schedule and conduct a hearing pursuant to the process set  
36 forth in RSA 541-A regarding adjudicative proceedings. Competing applicants shall serve  
37 prehearing memoranda as prescribed by the lottery commission which shall include at a minimum a

1 summary of evidence each applicant intends to present in support of its application for licensure.  
2 Competing applications shall be heard separately by the lottery commission at one hearing. There  
3 will be no right for an applicant to cross-examine witnesses of a competing applicant. Upon  
4 conclusion of the hearing, based on the evidence submitted, the lottery commission shall determine  
5 which applicant demonstrates superiority in meeting the standards in RSA 284-B:17. Such a  
6 determination shall be made by majority vote of eligible commission members. Any commission  
7 member who has a personal or business conflict with any application shall not vote on any of the  
8 competing applications. With respect to the applicant determined to demonstrate superiority in  
9 meeting the standards in RSA 284-B:17, the decision shall be in the form of an approval or approval  
10 with conditions. With respect to the other competing applicants the decision shall be in the form of  
11 a denial.

12 III. No gaming applicant who withdraws an application or is denied approval by the lottery  
13 commission shall be prevented from responding to subsequent requests for applications.

14 IV. A decision of the lottery commission approving the application is a final, binding, non-  
15 appealable determination which is not subject to legal challenge except by a competing applicant  
16 whose application was denied consistent with paragraph III. Applicants may appeal the denial of a  
17 license to the New Hampshire supreme court, pursuant to RSA 541. Such appeal shall be filed with  
18 the clerk of the supreme court within 5 days after the lottery commission has denied any request for  
19 reconsideration. Such appeal shall be limited to questions of law. Findings of fact made by the  
20 commission shall be final. The supreme court may hold a special session to consider such appeal if  
21 it considers such action necessary.

22 284-B:16 Technology Provider Licensee Applications. A technology provider licensee applicant  
23 shall obtain a technology provider license from the lottery commission, as follows:

24 I. An applicant shall complete and sign an application on forms and in a manner prescribed  
25 by the lottery commission.

26 II. The applicant shall include information regarding:

27 (a) The applicant's criminal history background including authorization for a criminal  
28 background and records check, and an attested disclosure of all arrests and citations for nontraffic  
29 offenses;

30 (b) Civil judgments;

31 (c) Financial affairs using a multi-jurisdictional personal history disclosure form;

32 (d) The full name, address, date of birth, and other personal identifying information of  
33 the applicant and all key employees; and

34 (e) If the applicant is a corporation or other form of business enterprise, the same  
35 information shall be provided with respect to each partner, trustee, officer, director, and any  
36 shareholder or other holder who owns more than 10 percent of the legal or beneficial interests of  
37 such entity.

1           III. If the applicant or any owner has held or holds a technology provider, manufacturer, or  
2 supplier's license in a jurisdiction where video lottery machine activities are permitted, the  
3 applicant shall so state and may produce either a letter of reference from the gaming or lottery  
4 enforcement or control agency in such jurisdiction which sets forth the experience of that agency  
5 with the applicant, the applicant's associates, and gaming operation, or a statement under oath that  
6 the applicant is or was during the period the activities were conducted in good standing with the  
7 agency.

8           IV.(a) Upon receipt of a complete application from a technology provider applicant the  
9 lottery commission shall request that the attorney general conduct a background review, and the  
10 attorney general shall conduct a background review of each technology provider applicant and any  
11 of its owners and key employees. The review may be conducted through any appropriate state or  
12 federal law enforcement system and may seek information as to the subject's financial, criminal, or  
13 business background, or any other information which the attorney general, in his or her sole  
14 discretion, may find relevant to the subject's fitness to be associated with the distribution of video  
15 lottery machines, table game devices, or associated equipment in New Hampshire, including, but  
16 not limited to, the subject's character, personal associations, and the extent to which the subject is  
17 properly doing business in the manner in which it purports to operate. The attorney general shall  
18 take into consideration as evidence of fitness a letter of reference or sworn statement of good  
19 standing.

20           (b) The attorney general shall report the results of the review to the lottery commission  
21 within a reasonable time not to exceed 120 days unless a request for additional time has been  
22 granted by the lottery commission for good cause. Whenever the attorney general conducts such a  
23 review, the attorney general shall notify the lottery commission whether or not in his or her opinion  
24 such person is fit to be associated with the distribution of video lottery machines in this state.  
25 Notwithstanding any other law to the contrary, the information provided to the attorney general  
26 and the results of any such review shall be confidential and shall not be subject to disclosure or to  
27 public inspection, except that the attorney general, in the attorney general's sole discretion, shall  
28 determine the extent to which and the manner in which said results may be reported to the lottery  
29 commission or other state agency or official and, if reported, whether such results are to retain their  
30 confidential character.

31           (c) The attorney general may conduct a background review on the attorney general's  
32 motion into the background of the technology provider applicant or licensee, or any person or entity  
33 upon whom the technology provider applicant or licensee relies for financial support.

34           V. In any review conducted pursuant to paragraph IV, the attorney general or any duly  
35 authorized member of the attorney general's staff may require by subpoena or otherwise the  
36 attendance of witnesses and the production of such correspondence, documents, books, and papers  
37 as he or she deems advisable, and for purposes of this section; may administer oaths and take the

1 testimony of witnesses.

2 VI.(a) The lottery commission shall charge the technology provider applicant an application  
3 fee of \$100,000 which shall be used to defray the cost of processing the application. If the cost of  
4 processing the application exceeds \$100,000, the applicant shall pay the difference.

5 (b) The attorney general shall charge the technology provider applicant an investigation  
6 fee of \$25,000 which shall be used to defray the cost of the background investigation. If the cost of  
7 the background investigation exceeds \$25,000, the applicant shall pay the difference.

8 (c) Upon approval of a technology provider licensee, the lottery commission shall charge  
9 an initial license fee of \$50,000. Licenses shall expire after 5 years. The lottery commission shall  
10 charge a fee of \$50,000 to renew a license to a technology provider licensee provided, however, such  
11 person seeking renewal of its license shall pay all costs incurred by the attorney general to conduct  
12 an investigation with regard to such application to renew the technology provider's license.

13 284-B:17 Licensure Requirements for All Licenses.

14 I. No license shall be issued by the lottery commission unless the applicant demonstrates it  
15 meets the standards set forth in this section. The lottery commission shall consider the applicant's  
16 ability to meet the criteria set forth in this section based upon the application submitted pursuant to  
17 RSA 284-B:12 or RSA 284-B:16, as applicable, the evidence submitted during a hearing conducted  
18 pursuant to RSA 284-B:15, as applicable, the attorney general's report delivered pursuant to RSA  
19 284-B:14 and any letter of reference or sworn statement of good standing from the gaming or lottery  
20 enforcement or control agency in any jurisdiction where the applicant has held or holds a gaming  
21 license.

22 II. The applicant shall demonstrate the following:

23 (a) The applicant's financial stability, integrity, and responsibility, considering, without  
24 limitation, bank references, business and personal income and disbursement schedules, tax returns,  
25 and other reports filed with governmental agencies, business and personal accounting records,  
26 check records, and ledgers.

27 (b) The trustworthiness of all financial backers, investors, mortgagees, bondholders,  
28 and holders of indentures, notes, and other evidences of indebtedness of the applicant, its affiliated  
29 persons, subsidiaries, or holding companies that bears a relation to the application.

30 (c) The applicant's good character, honesty, and integrity, considering, without  
31 limitation, information pertaining to family, habits, character, reputation, criminal and arrest  
32 record, business activities, financial affairs, and business, professional, and personal associates,  
33 covering at least the 10-year period immediately preceding the filing of the application.

34 (d) The likelihood that the applicant can establish and maintain a successful and  
35 efficient operation (including, without limitation, by demonstrating that the applicant meets the  
36 criteria specified in RSA 284-B:12, I(d).

37 III. The lottery commission shall not issue a license to any applicant unless the applicant

1 proves that each owner, director, officer, and key employee of the applicant, its principals,  
2 subsidiaries, and affiliated entities is fit for gaming based upon the attorney general's review  
3 conducted pursuant to RSA 284-B:14 or RSA 284-B:16, as applicable. The lottery commission may  
4 waive the requirements of this section for a person directly or indirectly holding ownership of  
5 securities in a publicly traded corporation if the board determines that the holder of the securities is  
6 not significantly involved in the activities of the corporation and does not have the ability to control  
7 the corporation or elect one or more directors thereof. The lottery commission may determine  
8 whether the licensing standards of another jurisdiction within the United States or Canada in  
9 which an applicant, its affiliated entity, intermediary, subsidiary, or holding company for a gaming  
10 license or technology provider license is similarly licensed are comprehensive and thorough and  
11 provide similar adequate safeguards as those required by this chapter. If the lottery commission  
12 makes that determination, it may determine that the gaming applicant or technology provider  
13 meets the standards set forth in RSA 284-B:17, II, if an applicant holds a similar license in such  
14 other jurisdiction after conducting an evaluation of the information relating to the applicant from  
15 such other jurisdiction, as updated by the lottery commission, and evaluating other information  
16 related to the applicant received from that jurisdiction and other jurisdictions where the applicant  
17 may be licensed. The lottery commission may incorporate such information, in whole or in part,  
18 into its or the attorney general's evaluation of the applicant.

19 IV. The lottery commission shall not issue a license to any applicant if the applicant, any  
20 key employee, or any individual who has an ownership or financial interest in or with the applicant  
21 or its gaming location or an affiliated entity, is an elected official of the general court or executive  
22 branch of the state of New Hampshire or employee of the attorney general's office or the lottery  
23 commission on a full or part-time or contractual basis or has been at any time during the previous 2  
24 years. If any such applicant, key employee, or any individual who has an ownership or financial  
25 interest in the applicant becomes an employee of the attorney general's office or the lottery  
26 commission on a full or part-time or contractual basis, the applicant shall be subject to sanctions  
27 pursuant to RSA 284-B:25.

28 V. If the lottery commission finds that an individual who is a principal or has an interest in  
29 the applicant does not meet the eligibility requirements of paragraph II, and on this basis the  
30 applicant shall be denied a license, the lottery commission may afford the individual the  
31 opportunity to completely divest his or her interest in the applicant and after such divestiture  
32 reconsider the applicant's suitability for licensure in an expedited proceeding and may, after such  
33 proceeding, issue the applicant a license.

34 VI. No license shall be issued to a gaming applicant unless the applicant has obtained local  
35 approval as provided in RSA 284-B:10.

36 VII.(a) The lottery commission shall approve, approve with conditions, or deny each  
37 application according to the time frames set forth in RSA 284-B:15. Following approval of an

1 application for a license and receiving notice from the lottery commission that the decision is final  
2 and not subject to an appeal pursuant to RSA 284-B:15, IV, the applicant shall pay any applicable  
3 licensing fee. The applicant shall provide formal notification to the commission as soon as it fulfills  
4 all required conditions for issuance of the license. Upon receipt of such formal notification, and  
5 upon conducting any necessary verification, and payment of the license fee, the lottery commission  
6 shall issue a license to the applicant.

7 (b) No gaming licensee may begin operations until the lottery commission has adopted  
8 final rules. Once final rules have been adopted, a gaming licensee may commence operations in a  
9 temporary gaming location while completing construction of the permanent gaming location. The  
10 gaming licensee shall commence construction of the permanent gaming location within 6 months of  
11 issuance of a license or adoption of final rules by the lottery commission, whichever occurs later.

12 (c) The lottery commission may impose reasonable requirements upon a gaming  
13 licensee with respect to the completion of construction of the permanent gaming location, provided  
14 that the lottery commission may amend, modify, or waive such conditions upon good cause shown  
15 by the gaming licensee and determined by the lottery commission.

16 VIII. The lottery commission shall not consider an incomplete application and shall notify  
17 the applicant in writing if an application is incomplete consistent with RSA 284-B:14, II. An  
18 application shall be considered incomplete if it does not include all applicable application fees and  
19 all information and accompanying documentation required by the commission, including, but not  
20 limited to, a current tax lien certificate issued by the department of revenue administration at the  
21 time of filing the application. Any unpaid taxes identified on the tax lien certificate shall be paid  
22 before the application is considered complete. A notification of incompleteness shall state the  
23 deficiencies in the application that must be corrected prior to consideration of the merits of the  
24 application.

25 IX. The lottery commission shall not consider any application for a license to be complete if  
26 the applicant or any person affiliated with or directly related to the applicant is a party in any  
27 ongoing civil proceeding in which the party is seeking to overturn or otherwise challenge a decision  
28 or order of the lottery commission pertaining to the approval, denial, or conditioning of a license to  
29 conduct gaming. This paragraph shall not be interpreted to affect the rights of applicants to seek  
30 judicial enforcement of mandatory obligations of boards or commissions as may be required by this  
31 chapter.

32 X. Each applicant at all times shall have the burden of establishing its eligibility and  
33 suitability for licensure. If an applicant or licensee does not meet the requirements for licensure,  
34 the lottery commission may deny, revoke, suspend, or condition the license until the applicant or  
35 licensee meets the requirements.

36 XI. During the course of review of any application for a gaming license, the lottery  
37 commission shall take reasonable measures to prohibit and prevent all ex parte communication

1 relating to the merits of such application.

2 XII. No licensee or any person owning an interest in a licensee or affiliated personnel shall  
3 be permitted to make a political contribution as defined by RSA 664:2, VIII.

4 284-B:18 Term of License; Limits on Transfer.

5 I. Any license issued to a gaming licensee pursuant to this chapter and any renewal thereof  
6 shall be valid for 10 years unless earlier suspended or revoked by the lottery commission. Any  
7 license issued to a technology provider pursuant to this chapter and any renewal thereof shall be  
8 valid for 5 years unless earlier suspended or revoked by the lottery commission. The lottery  
9 commission shall adopt procedures for license renewal; provided that such license may be renewed  
10 by the licensee so long as the licensee shall comply with the requirements of the law and continues  
11 to meet the standards for licensure pursuant to this chapter, and so long as the fee for renewal has  
12 been paid pursuant to RSA 284-B:13, III.

13 II. No license issued by the lottery commission may be transferred to a separate person or  
14 entity without the prior approval of the lottery commission consistent with this chapter. Any  
15 proposed transferee of a license issued pursuant to this chapter shall pay an application fee to the  
16 lottery commission and an investigation fee to the attorney general as specified in RSA 284-B:13 or  
17 RSA 284-B:16, as applicable. Any transfer of a license approved by the lottery commission shall be  
18 for the balance of the term of the license. The transferee approved by the lottery commission shall  
19 not pay any additional fee at the time of the approval. The transferee shall be subject to the  
20 provisions of this chapter with regard to renewal of the license.

21 III. For purposes of this section, a transfer includes the transfer of 50 percent or more of the  
22 ownership of the entity which holds the license issued by the lottery commission, whether such  
23 proposed transfer occurs in one transaction or a series of transactions over the course of 12  
24 consecutive months. Any transfer without the approval of the lottery commission shall result in the  
25 immediate and automatic termination of the license. The lottery commission shall adopt rules and  
26 procedures to implement consideration of a proposed transfer of a license.

27 284-B:19 Table Game Operation Certificates.

28 I. The lottery commission shall have general and sole regulatory authority over the conduct  
29 of table games described in this chapter. The lottery commission shall ensure the integrity of the  
30 acquisition and operation of table game devices and associated equipment and shall have sole  
31 regulatory authority over every aspect of the authorization and operation of table games.

32 II.(a) The lottery commission shall:

33 (1) Issue, approve, renew, revoke, suspend, condition, or deny issuance or renewal  
34 of a table game operation certificate permitting a gaming licensee to operate table games at a  
35 gaming location consistent with this chapter.

36 (2) Determine at its discretion the suitability of any person, including technology  
37 vendors not licensed pursuant to this chapter, who furnishes or seeks to furnish to a certificate

1 holder directly or indirectly any services or property related to the table games or associated  
2 equipment or through any arrangements under which that person receives payment based directly  
3 or indirectly on earnings, profits, or receipts from table games and associated equipment. Any  
4 criminal background checks shall be conducted by the division of state police, gaming enforcement  
5 unit, and any other background investigations shall be conducted by the attorney general's office.  
6 The commission may require any such person to comply with the requirements of this chapter and  
7 the rules of the commission and may prohibit the person from furnishing the services or property.

8 (b) The certificate shall only permit the operation of table games at a gaming location of  
9 a gaming licensee that operates or permits the operation of games of chance for or on behalf of  
10 charitable organizations pursuant to RSA 287-D. The space allocated for games of chance at the  
11 facility of a gaming licensee shall be at least 5,000 square feet within the principal gaming area of  
12 the gaming location, and the number of tables used for table games shall be limited to no more than  
13 150 tables.

14 (c) The certificate shall not be transferable.

15 III. The lottery commission shall only permit the operation of table games and the system of  
16 wagering associated with table games at a gaming location. Authorization to conduct table games  
17 shall be contingent upon the gaming applicant's agreement to conduct table games in accordance  
18 with this section.

19 IV.(a) A gaming licensee may seek approval to operate table games by filing a petition with  
20 the lottery commission consistent with this chapter.

21 (b) A petition shall include the following:

22 (1) An itemized list of the number and type of table games for which authorization  
23 is being sought.

24 (2) The estimated number of full-time and part-time employment positions that will  
25 be created at the gaming location if table games are authorized.

26 (3) Information and authorizations sufficient to allow the commission to confirm  
27 that any person providing services as a table game operator has not, in any jurisdiction, been  
28 convicted of a felony or class A misdemeanor within the previous 10 years which has not been  
29 annulled by a court, or a class B misdemeanor within the previous 5 years which has not been  
30 annulled by a court, or has violated any statutes or rules governing gambling or gaming of any  
31 kind.

32 (4) The details of any financing that will be obtained or has been obtained to  
33 accommodate the operation of table games.

34 (5) Detailed site plans identifying the petitioner's proposed table game area within  
35 the gaming location including reference to the area reserved for charitable games of chance and  
36 affirmation that the petitioner agrees to permit the operation of charitable games of chance  
37 consistent with RSA 284-B:12, II(c)(3). The proposed table game area shall be reviewed by the



1 lottery commission to determine the adequacy of the proposed internal controls and external  
2 security and proposed surveillance measures and submit a finding regarding adequacy to the  
3 commission.

4 V. The applicant shall certify under oath that:

5 (a) The information provided on the petition is accurate.

6 (b) The applicant who will be participating in the operation of the games of chance is  
7 aware of all statutes and rules applicable to the operation of table games.

8 (c) The proposed internal and external security and proposed surveillance measures  
9 within the petitioner's proposed table game area within the gaming location are adequate.

10 (d) The petitioner's proposed internal controls and audit protocols shall:

11 (1) Safeguard its assets and revenues, including the recording of cash and evidences  
12 of indebtedness related to the table games.

13 (2) Provide for reliable records, accounts, and reports of any financial event that  
14 occurs in the operation of a table game, including reports to the commission related to the table  
15 games.

16 (3) Provide for accurate and reliable financial records related to the table games  
17 operation.

18 (4) Establish procedures for all the following:

19 (A) The receipt, storage, and disbursal of chips, cash, and other cash equivalents  
20 used in table gaming.

21 (B) Check cashing.

22 (C) The redemption of chips and other cash equivalents used in table gaming  
23 and the payoff of jackpots.

24 (D) The recording of transactions pertaining to table gaming.

25 (5) Establish procedures for the collection and security of moneys at the gaming  
26 tables.

27 (6) Establish procedures for the transfer and recording of chips between the gaming  
28 tables and the cashier's cage.

29 (7) Establish procedures for the transfer of drop boxes for table games from the  
30 gaming tables to the count room.

31 (8) Establish procedures and security for the counting and recording of table  
32 gaming revenue.

33 (9) Establish procedures for the security, storage, and recording of cash, chips, and  
34 other cash equivalents utilized in table gaming.

35 (10) Establish procedures and security standards for the handling and storage of  
36 gaming apparatus, including cards, dice, machines, wheels, and all other gaming equipment.

37 (11) Establish procedures and rules governing the conduct of particular games and

1 the responsibility of non-key gaming employees.

2 (12) Establish procedures for the collection and recording of revenue from poker  
3 when it is a nonlicensee bank game, including the type of rake utilized, the methodology for  
4 calculating the rake, and the amount of maximum permissible rake.

5 (13) Ensure that any wagering governing the operation of a table game is  
6 implemented only in accordance with the management's general or specific authorization, as  
7 approved by the lottery commission.

8 (14) Ensure that there is proper and timely accounting of gross table game revenue  
9 and the calculation of gross table game revenue, fees, and taxes and maintain accountability for  
10 assets.

11 (15) Ensure that recorded accountability for assets is compared with actual assets at  
12 reasonable intervals and that appropriate action is taken with respect to any discrepancies.

13 (16) Ensure that all functions, duties, and responsibilities are appropriately  
14 segregated and performed in accordance with sound financial practices by competent, qualified  
15 personnel.

16 (17) Permit use of its existing onsite facilities by the lottery commission and other  
17 persons authorized by the commission to facilitate their ability to perform regulatory and oversight  
18 functions under this chapter.

19 VI.(a) Each gaming licensee shall, prior to being approved for a table game operation  
20 certificate, submit to the commission a detailed description of its administrative and accounting  
21 procedures related to table games, including its written system of internal controls. Each written  
22 system of internal controls shall include:

23 (1) An organizational chart depicting appropriate functions and responsibilities of  
24 employees involved in the table game operation.

25 (2) A description of the duties and responsibilities of each position shown on the  
26 organizational chart.

27 (3) The record retention policy of the applicant.

28 (4) The procedure to be utilized to ensure that assets are safeguarded, including  
29 mandatory count procedures.

30 (b) Gaming licensees shall maintain a detailed narrative description of the  
31 administrative and accounting procedures which meet the requirements of this section.

32 (c) A gaming licensee with a table game operation certificate may accept a check from a  
33 patron in exchange for cash or chips, provided that each check is deposited with the financial  
34 institution upon which the check is drawn within 10 days of receipt by the gaming licensee.

35 (d) A gaming licensee with a table game operation certificate may make credit card  
36 advances and debit card withdrawals available to table game patrons at a gaming location. All fees  
37 charged for cash advances, check cashing, and debit card withdrawals shall be disclosed.

1 Notwithstanding any other provision of law, a gaming licensee with a table game operation  
2 certificate may provide credit to patrons for the purpose of playing table games in accordance with  
3 this section. No third party checks shall be permitted.

4 VII. A certificate holder shall maintain all books, records, and documents pertaining to the  
5 certificate holder's table game operation in a manner and location as approved by the lottery  
6 commission. All books, records, and documents related to table game operations shall:

7 (a) Be maintained separately and apart from all books, records, and documents of the  
8 video lottery machine operations;

9 (b) Be immediately available for inspection upon request of the lottery commission, the  
10 state police, or agents of the attorney general during all hours of operation in accordance with rules  
11 adopted by the commission; and

12 (c) Be maintained for a period as the lottery commission, by rule, may require.

13 VIII. A gaming licensee shall distribute its daily gross table revenue as follows:

14 (a) Fourteen percent of daily gross table revenue to the state to be deposited into the  
15 education trust fund under RSA 198:39; and

16 (b) The balance of the daily gross table game revenue shall be retained by the  
17 gaming licensee that operates the table games.

18 IX. The distribution due to the state pursuant to subparagraph VIII(a) shall be due and  
19 payable to the state treasurer on a daily basis and shall be based upon gross table game revenue  
20 derived during the previous day. All funds owed to the state under this section shall be held in  
21 trust by the certificate holder until the funds are paid or transferred and distributed by the  
22 certificate holder. Unless otherwise agreed to by the lottery commission, a certificate holder shall  
23 establish a separate bank account to maintain table gaming proceeds until such time as the  
24 proceeds are paid or transferred under this section.

25 X. Any person seeking to supply table game devices for use at a gaming location shall  
26 obtain approval by the commission for authority to manufacture or supply table games, table game  
27 devices, or other equipment associated with table games, and shall pay such fees as the commission  
28 deems reasonable and appropriate. Upon approval, the manufacturer or supplier shall pay a fee of  
29 \$50,000. A fee of \$25,000 shall be paid for the annual renewal of an approval.

30 XI.(a) No table games shall be conducted with any equipment except such as is owned or  
31 leased from a supplier or manufacturer of such equipment who has been approved by the  
32 commission pursuant to RSA 284-B:19, X and who has registered with the secretary of state in such  
33 manner and on such form as the secretary of state prescribes.

34 (b) All devices and equipment used to conduct table games shall be subject to inspection  
35 by duly authorized law enforcement officials of the commission.

36 (c) The amount of any wager permitted to be played by a player, on any table game,  
37 shall be prominently posted.

1 284-B:20 Exclusion of Minors.

2 I. No person under 21 years of age shall play a video lottery machine or table game  
3 authorized by this chapter. Each violation of this paragraph shall be punishable by a fine of no  
4 more than \$2,400 and shall be payable by such person who violates this section.

5 II. No gaming licensee shall knowingly permit any person under 21 years of age to play or  
6 participate in any aspect of the play of a video lottery machine or table game. Each violation of this  
7 paragraph shall be punishable by a fine of no more than \$20,000 and shall be payable by the  
8 gaming licensee.

9 284-B:21 Operation of Video Lottery Machines.

10 I.(a) A gaming licensee shall provide to the lottery commission prior to commencing  
11 operations of any video lottery machines, by diagram or narrative, a description of:

12 (1) The location of each video lottery machine available for play by the public.

13 (2) The location of all areas for the storage, maintenance, or repair of video lottery  
14 machines.

15 (3) A description of all security measures to be taken for the safeguarding of video  
16 lottery machines.

17 (4) The location and security measures taken for the safeguarding of all moneys,  
18 tokens, or other items of value utilized in the use of video lottery machines.

19 (5) All procedures for the operation, maintenance, repair, and inserting or removing  
20 of moneys, tokens, or other items of value from video lottery machines.

21 (6) All internal control systems as required by RSA 284-B:12, I(f).

22 (b) The provisions of subparagraphs (a)(1)-(6) shall be approved by the lottery  
23 commission prior to a gaming licensee's commencing the operation of any video lottery machine.

24 II. No video lottery machine shall be possessed, maintained, exhibited, brought into, or  
25 removed from a gaming location by any person unless such machine has permanently affixed to it  
26 an identification number or symbol authorized by the lottery commission and prior notice of any  
27 such movement has been given to the lottery commission.

28 III. Each gaming licensee shall maintain secure facilities for the counting and storage of all  
29 moneys, tokens, or other items of value utilized in the conduct or operation of video lottery  
30 machines.

31 IV. The drop boxes and other devices shall not be brought into a gaming location or  
32 removed from a video lottery machine, locked or unlocked, except at such specific times and such  
33 places and according to such procedures as the lottery commission may require to safeguard such  
34 boxes and devices and their contents.

35 V. No video lottery machine shall be used to conduct gaming unless it is identical in all  
36 electrical, mechanical, and other aspects to a model which has been specifically tested by the lottery  
37 commission and licensed for use by the lottery commission. In conducting such tests, the lottery

1 commission shall use the services of an independent laboratory, and the cost of such independent  
2 laboratory shall be paid by the technology provider.

3 VI. Video lottery machines in operation at a gaming location shall provide a payoff of an  
4 average of at least 90 percent, except that progressive jackpots shall have a payoff of an average of  
5 at least 85-percent.

6 VII. All tickets given as prizes or winnings from video lottery machines shall be redeemed  
7 for cash within one year after the date of winning. Upon the expiration of such one-year period, the  
8 value of such unredeemed tickets shall be considered net machine income of the issuing gaming  
9 licensee.

10 VIII. A gaming licensee shall not be restricted in the days of operation of video lottery  
11 machines.

12 IX. Video lottery machines shall be operated only at times when the public is allowed access  
13 to the gaming locations.

14 X. No automatic teller machines shall be located within 50 feet of video lottery machines.

15 XI. All table games operated by a gaming licensee shall be approved in advance by the  
16 lottery commission consistent with RSA 284-B:19 and operated consistent with such approval.

17 284-B:22 Distribution of Net Machine Income.

18 I.(a) Notwithstanding any law to the contrary, the net machine income generated by video  
19 lottery machines operated by a gaming licensee shall be paid as follows:

20 (1) Twenty-five percent of the net machine income generated by video lottery  
21 machines shall be paid to the commission from which it shall pay for the costs of regulation,  
22 administration, enforcement of this chapter, and the operation of the central computer system, and  
23 the balance of which shall be paid to the state treasurer to be distributed through the operating  
24 budget as determined by the general court for the following purposes:

25 (A) Forty-five percent shall be appropriated to the department of transportation  
26 to be used to pay the debt service costs on bonds issued after December 31, 2012 for the widening of  
27 I-93. The remainder of this 45 percent shall be disbursed as follows:

28 (i) Notwithstanding the provisions of RSA 235:23 and RSA 235:23-a, the  
29 first 1/6 shall be deposited into the highway and bridge betterment account established under RSA  
30 235:23-a and dedicated to local highway and bridge betterment projects; and

31 (ii) The next 5/6 shall be distributed pursuant to the apportionment formula  
32 in RSA 235:23, I.

33 (B) Forty-five percent shall be appropriated to the university system of New  
34 Hampshire and community college system of New Hampshire higher education fund to provide  
35 additional funding to public institutions of higher education in New Hampshire. There is  
36 established the university system of New Hampshire and community college system of New  
37 Hampshire higher education fund. This fund shall be nonlapsing and continually appropriated for

1 the purposes of this subparagraph.

2 (C) To be deposited in the north country economic development fund established  
3 in RSA 284-B:29 for the purposes of north country economic development.

4 (2) Three percent of the net machine income generated by video lottery machines  
5 operated by a gaming licensee in any specific municipality shall be paid to the municipality in  
6 which the gaming licensee operates video lottery machines.

7 (3) One percent of the net machine income generated by video lottery machines  
8 operated by a gaming licensee shall be paid in equal portions to each of the municipalities of New  
9 Hampshire which abut the municipality in which the gaming licensee operates video lottery  
10 machines; provided, however, that if a municipality abuts more than one municipality in which a  
11 gaming licensee operates video lottery machines, such municipality shall only receive net machine  
12 income pursuant to this paragraph from the gaming licensee who operates video lottery machines in  
13 the same county as the abutting municipality.

14 (4) One percent of the net machine income generated by all video lottery machines  
15 shall be paid to the state treasurer and credited to the commissioner of the department of health  
16 and human services to support programs established by RSA 172 to treat problem gambling.

17 (b) The balance of the funds from the net machine income from video lottery machines  
18 shall be retained by the gaming licensee that operates such video lottery machines, subject to any  
19 adjusted charitable benefit amount or gaming location charitable benefit amount due to the lottery  
20 commission from the gaming licensee pursuant to RSA 284:6-b, III.

21 II. The gaming licensee shall deliver the amounts payable to the state or municipality as  
22 provided in paragraph I in immediately available funds of the United States on a daily basis. At the  
23 time payment is delivered, the gaming licensee shall provide a written accounting of net machine  
24 income generated from the video lottery machines by the gaming licensee on an aggregate basis and  
25 the calculation of amounts due to the state separately for distribution pursuant to subparagraphs  
26 I(a)(1) and (4), the amount due the municipality pursuant to subparagraph I(a)(2), the amount due  
27 certain municipalities pursuant to subparagraph I(a)(3), and the balance of net machine income  
28 retained by the gaming licensee. The gaming licensee shall pay a penalty of \$1,000 for each day  
29 that payment or the accounting is not delivered on time to the state, and a penalty of \$1,000 for  
30 each day that payment or the accounting is not delivered to the municipality on time.

31 284-B:23 Inspection of Video Lottery Machines; Penalty for Tampering or Manipulating.

32 I. The lottery commission shall periodically test video lottery machines installed at any  
33 gaming location. In conducting such tests, the lottery commission shall use the services of an  
34 independent laboratory, and the cost of such independent laboratory shall be paid by the technology  
35 provider.

36 II. Any person who purposely manipulates the outcome, payoff, or operation of any video  
37 lottery machine or table game by physical, electronic, or mechanical means, shall be guilty of a

1 felony.

2 284-B:24 Presence of the Lottery Commission. The lottery commission and the division of state  
3 police gaming enforcement unit may be present at any gaming location at which video lottery  
4 machines and table games are operated at all times when the gaming location is open to the public.  
5 The gaming licensee may be required by the lottery commission or gaming enforcement unit to  
6 provide such office space and equipment which the commission or unit shall determine is  
7 reasonably necessary or proper.

8 284-B:25 Sanction Powers of the Lottery Commission.

9 I. The lottery commission shall have the sole and exclusive authority following appropriate  
10 hearings and factual determinations, to impose sanctions against any person for any violation of  
11 this chapter or any rule of the commission adopted under the provisions of this chapter as follows:

12 (a) Revocation or suspension of a license.

13 (b) Civil penalties as may be necessary to punish misconduct and to deter future  
14 violations, which penalties may not exceed \$50,000 for each violation.

15 (c) Order restitution of any moneys or property unlawfully obtained or retained by a  
16 person.

17 (d) Issuance of a cease and desist order which specifies the conduct which is to be  
18 discontinued, altered, or implemented by the person.

19 (e) Issuance of letters of reprimand or censure, which shall be made a permanent part  
20 of the file of each person so sanctioned.

21 (f) Imposition of any or all of the foregoing sanctions in combination with each other.

22 II. In determining appropriate sanctions in a particular case, the commission shall consider:

23 (a) The risk to the public and to the integrity of video lottery machine or table game  
24 operations created by the conduct of the person.

25 (b) The seriousness of the conduct of the person and whether the conduct was  
26 purposeful or with knowledge that it was in contravention of the provisions of this chapter or the  
27 rules of the commission.

28 (c) Any justification or excuse for such conduct.

29 (d) The prior history of the person involved.

30 (e) The corrective action taken by the person to prevent future misconduct of a like  
31 nature from occurring.

32 (f) In the case of a monetary penalty, the amount of the penalty in relation to the  
33 misconduct and the financial means of the person.

34 (g) In the event that a person receives 3 civil penalties during the term of such person's  
35 license, the commission may subject such person to enhanced fines or other disciplinary action.

36 284-B:26 Declaration of Limited Exemption from Operation of Provisions of 15 U.S.C. sections  
37 1171-1178. Pursuant to section 2 of an act of Congress of the United States entitled "An Act to

1 Prohibit Transportation of Gambling Devices in Interstate and Foreign Commerce," designated as  
2 15 U.S.C. sections 1171-1178, the state of New Hampshire, acting by and through the duly elected  
3 and qualified members of its legislature, does hereby, in accordance with and in compliance with  
4 the provisions of that section 2 of that act of Congress, declare and proclaim that it is in the state's  
5 best interest to benefit from limiting gambling device revenues but prevent the proliferation of  
6 gambling devices by limiting approved facility locations and therefore that section 2 of that act of  
7 Congress shall not apply to any gambling device in this state where the transportation of such a  
8 device is specifically authorized by and done in compliance with the provisions of this chapter and  
9 any rules adopted pursuant to it, and that any such gambling device transported in compliance with  
10 state law and rules shall be exempt from the provisions of that act of Congress.

11 284-B:27 Legal Shipment of Gaming Devices into New Hampshire. All shipments into this  
12 state of gaming devices, the registering, recording, and labeling of which has been duly made by the  
13 manufacturer or dealer in accordance with sections 3 and 4 of an act of Congress of the United  
14 States entitled "An Act to Prohibit Transportation of Gambling Devices in Interstate and Foreign  
15 Commerce," designated as 15 U.S.C. sections 1171-1172, shall be deemed legal shipments into this  
16 state.

17 284-B:28 Gaming Study Commission Established.

18 I. There is established a gaming study commission consisting of members as follows::

- 19 (a) Three members appointed by the governor.  
20 (b) One member appointed by the president of the senate.  
21 (c) One member appointed by the speaker of house of representatives.  
22 (d) The commissioner of the department of resources and economic development; or  
23 designee.  
24 (e) The executive director of the lottery commission, or designee.

25 II. The terms of the members shall commence upon their appointment and continue  
26 through the date on which the report of the commission is delivered as provided in paragraph IV.  
27 The commission shall elect a chairperson from its membership. The commission shall meet at the  
28 call of chairperson who may call a meeting as often as necessary. Five commissioner members shall  
29 constitute a quorum and action shall be taken by a majority of the members present when there is a  
30 quorum.

31 III. The commission shall review the operation of the gaming location by the gaming  
32 licensee authorized pursuant to this chapter and shall evaluate the economic and regulatory impact  
33 of such operations and the competitive conditions in the gaming industry then existing. Based upon  
34 such review, the commission may make such findings and recommendations as it determines  
35 appropriate, including with respect to whether additional licenses should be issued for gaming  
36 locations under this chapter and under what conditions.

37 IV. The commission shall make a report, together with its findings and recommendations,



1 to the governor, the president of the senate, and the speaker of the house of representatives within  
2 2 years of the date on which the gaming location authorized under this chapter becomes  
3 operational.

4 284-B:29 Fund Established.

5 I. There is hereby established a special fund to be known as the north country economic  
6 development fund. The fund shall consist of moneys from the net machine income generated by  
7 video lottery machines as prescribed in RSA 284-B:22. The fund shall be managed by the state  
8 treasurer and the committee in paragraph II, shall be nonlapsing, and shall be continually  
9 appropriated for the purposes of this chapter.

10 II.(a) Use of the fund shall be solely for supporting job creation, economic stability and  
11 other activities which improve the standard of living of residents of the north country. The fund  
12 distribution will be managed by a committee consisting of 3 public members from the north country  
13 appointed by the governor:

14 (b) The members appointed under subparagraph (a) shall serve 2-year terms.

15 III. For the purposes of this section the north country shall consist of the upper 1/3 of the  
16 state of New Hampshire.

17 3 New Section; Lottery Commission; Administration of Video Lottery. Amend RSA 284 by  
18 inserting after section 21-v the following new section:

19 284:21-w Administration of Video Lottery and Table Games. The lottery commission shall  
20 administer and enforce the provisions of RSA 284:B.

21 4 New Sections; Department of Safety; Gaming Enforcement Unit Established. Amend RSA 21-  
22 P by inserting after section 7-c the following new sections:

23 21-P:7-d Division of State Police; Gaming Enforcement Unit.

24 I. There is established within the division of state police a gaming enforcement unit under  
25 the supervision of the commissioner of the department of safety. Notwithstanding RSA 106-B:15,  
26 the unit shall:

27 (a) Investigate violations of RSA 284-B and the rules adopted under the provisions of  
28 RSA 284-B, and initiate proceedings before the lottery commission for such violations. The unit  
29 shall report the results of any investigation conducted to the lottery commission.

30 (b) Participate in any hearing conducted by the lottery commission.

31 (c) Investigate crimes which may involve a violation of RSA 284-B that occur at a  
32 gaming location.

33 II. The commissioner of the department of safety shall organize the unit as the  
34 commissioner deems necessary. The commissioner of safety may employ such state police personnel  
35 as the commissioner deems necessary to fulfill the responsibilities of the unit.

36 21-P:7-e Enforcement Expenditures. The governor and council, upon request from the  
37 commissioner of the department of safety, may authorize the transfer of general funds as necessary

1 to the department of safety to implement and enforce RSA 21-P:7-d and RSA 284-B.

2 5 New Section; Lottery Commission; Duties. Amend RSA 284 by inserting after section 6-b the  
3 following new section:

4 284:6-c Duties of the Lottery Commission. The lottery commission shall:

5 I. Provide to the attorney general or division of state police gaming enforcement unit, all  
6 records pertaining to the licensing of a pari-mutuel licensee to the extent a pari-mutuel licensee is  
7 an applicant or gaming location relevant to the lottery commission's approval process under RSA  
8 284-B within 30 days after the lottery commission receives a request. All records provided to the  
9 lottery commission shall be confidential in accordance with RSA 284-B:16.

10 II. Notice of the contents of any information or data released, except to a duly authorized  
11 law enforcement agency pursuant to paragraph I, shall be given to any applicant, registrant, or  
12 licensee in a manner prescribed by the rules adopted by the lottery commission.

13 III. Any charity that held charitable games in New Hampshire in accordance with RSA 287-  
14 D or RSA 287-E during the fiscal year ending June 30, 2012, ("FY 12") shall be eligible to receive an  
15 adjusted charitable benefit as follows:

16 (a) The lottery commission shall determine the total net revenue awarded to each  
17 charity from charitable gaming events held in accordance with RSA 287-D and RSA 287-E during  
18 FY 12. This amount shall be called the "base charitable benefit."

19 (b) Within 60 days of the close of a fiscal year in which a gaming licensee has operated  
20 video lottery machines and table gaming pursuant to RSA 284-B, the lottery commission shall  
21 determine the total net revenue awarded to each charity from charitable gaming events held in  
22 accordance with RSA 287-D and RSA 287-E for that fiscal year. This amount shall be called the  
23 "annual charitable benefit."

24 (c) For each charity eligible under this paragraph, the lottery commission shall  
25 determine if the base charitable benefit exceeds the annual charitable benefit for the previous fiscal  
26 year. If the base charitable benefit exceeds the annual charitable benefit, the difference shall be  
27 called the "adjustable annual charitable benefit" and the lottery commission shall notify the gaming  
28 licensee of the amount of the adjusted annual charitable benefit.

29 (d) Within 20 days of receipt of such notice, the gaming licensee shall pay the adjusted  
30 annual charitable benefit of each eligible charity to the lottery commission

31 (e) Within 10 days of receipt of the adjusted annual charitable benefit, the lottery  
32 commission shall pay the adjusted annual charitable benefit to each eligible charity.

33 (f) The payment due under this section shall not be subject to offsets or credits.

34 (g) To the extent the gaming licensee has operated video lottery machines and table  
35 games for only a portion of a fiscal year, the adjusted annual charitable benefit amount for that year  
36 shall be proportionally pro-rated.

37 (h) If a charity eligible under this paragraph stops engaging in charitable games under

1 RSA 287-D and RSA 287-E for over a year any time after the opening of the gaming licensee, such  
2 charity shall no longer be eligible to receive an annual charitable benefit.

3 IV. The lottery commission shall adopt rules, under RSA 541-A, relative to the calculation,  
4 collection, and distribution of the adjusted annual charitable benefit consistent with this section.

5 6 Restriction on Gambling. RSA 284:17-c is repealed and reenacted to read as follows:

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

10 7 New Paragraph; Facility Licensee; Cocktail Lounge License. Amend RSA 178:22 by inserting  
11 after paragraph V the following new paragraph:

12 VI. The commission may issue a special license to a person holding a gaming license under  
13 the provisions of RSA 284-B, provided the gaming location has an existing liquor license. Such  
14 special license shall allow the sale of liquor and beverage within the gaming location, including  
15 dining room, function room, gaming room, lounge, or any other area designated by the commission,  
16 without regard to whether meals are served therein, but only during the time gaming is being  
17 conducted under RSA 284-B.

18 8 New Subparagraph; Authorized Video Lottery Machines. Amend RSA 647:2, V by inserting  
19 after subparagraph (c) the following new subparagraph:

20 (d) Video lottery machines and table games authorized pursuant to RSA 284-B.

21 9 Rehabilitation of Problem Gaming. Amend RSA 172:2-a to read as follows:

22 172:2-a Program Established. The commissioner shall provide for the scientific care,  
23 treatment, and rehabilitation of *gambling*, alcohol and drug abusers, and work towards the  
24 prevention of, and assist in the control of, alcohol and drug abuse within the state through  
25 education, treatment, community organization, and research.

26 10 Rehabilitation of Problem Gaming. Amend RSA 172:8 to read as follows:

27 172:8 Duties of Commissioner. The commissioner shall:

28 I. Study the problems presented by *gambling*, alcohol and drug abuse, including methods  
29 and facilities available for the care, treatment, custody, employment, and rehabilitation of persons  
30 who are *problem gamblers*, inebriates, alcohol abusers, drug dependent, or drug abusers.

31 II. Promote meetings and programs for the discussion of *gambling*, alcohol and drug  
32 dependency and abuse for the guidance and assistance of individuals, schools, courts, and other  
33 public and private agencies.

34 III. Conduct, promote and finance, in full or in part, studies, and other appropriate facilities  
35 dealing with the physical, psychological, and/or social aspects of *gambling*, alcohol and drug abuse.

36 IV. Have the authority to accept or reject for examination, diagnosis, guidance, and  
37 treatment, insofar as funds and facilities permit, any resident of the state who comes to the

1 commissioner voluntarily for advice and treatment.

2 V. [Repealed.]

3 VI. Render biennially to the governor and council a report of his activities including  
4 recommendations for improvements therein by legislation or otherwise.

5 VII. Coordinate community medical resources for the emergency medical care of persons  
6 suffering acute mental or physical reaction to *gambling*, alcohol or drugs and of persons suffering  
7 from drug dependency.

8 VIII. Employ such assistants as may be necessary to carry out the purposes of this chapter,  
9 in accordance with state personnel regulations, and within available appropriations and funds.

10 IX. Disseminate information on the subjects of *gambling*, alcohol and drug abuse for the  
11 guidance and assistance of individuals, schools, courts and other public and private agencies.

12 X. [Repealed.]

13 11 Problem Gaming Added. Amend RSA 172:8-a to read as follows:

14 172:8-a Confidentiality of Client Records. No reports or records or the information contained  
15 therein on any client of the program or a certified *gambling*, alcohol or drug abuse treatment  
16 facility or any client referred by the commissioner shall be discoverable by the state in any criminal  
17 prosecution. No such reports or records shall be used for other than rehabilitation, research,  
18 statistical or medical purpose, except upon the written consent of the person examined or treated.  
19 Confidentiality shall not be construed in such manner as to prevent recommendation by the  
20 commissioner to a referring court, nor shall it deny release of information through court order  
21 pursuant to appropriate federal regulations.

22 12 Problem Gaming Added. Amend RSA 172:8-b to read as follows:

23 172:8-b Rulemaking. The commissioner shall adopt rules under RSA 541-A relative to the  
24 following:

25 I. The acceptance, care, and treatment of *gambling*, alcohol or drug dependent persons  
26 and alcohol or drug abusers who are clients of the program established under this chapter or a  
27 certified substance abuse treatment facility.

28 II. A fee schedule and collection of fees under RSA 172:14, IV.

29 III. Certification of *such* substance abuse treatment facilities including, but not limited to:

- 30 (a) Program content;  
31 (b) Qualifications of program staff; and  
32 (c) Type of substance abuse treatment offered.

33 IV. Certification and recertification of *gambling*, alcohol and drug abuse counselors  
34 including, but not limited to:

- 35 (a) Peer review of applicants.  
36 (b) Minimum qualifications and competency.  
37 (c) Education and continuing education.

1 (d) Experience required.

2 (e) Required knowledge of *gambling*, alcohol and drug abuse counseling.

3 (f) Such other matters as the commissioner may deem necessary to carry out the  
4 purposes of this chapter.

5 V. Voluntary admissions under RSA 172:13.

6 13 Acceptance of Funds; Treatment of Problem Gamblers. Amend RSA 172:9 to read as follows:

7 172:9 Acceptance of [~~Grants~~] *Funds*. The commissioner is authorized to accept in the name of  
8 the state special grants or money or services from the federal or state governments or any of their  
9 agencies and may accept gifts to carry on the functions provided for in this chapter.

10 14 New Subparagraph; Gambling Offenses; Minors. Amend RSA 647:2, I by inserting after  
11 subparagraph (c) the following new subparagraph:

12 (d) Violates the provisions of RSA 284-B:7.

13 15 Education Trust Fund; Proceeds. Amend RSA 6:12, I(b)(65) to read as follows:

14 (65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA  
15 83-F, *RSA 284-B:19, VIII* and from the sweepstakes fund, which shall be credited to the education  
16 trust fund under RSA 198:39.

17 16 New Subparagraphs; Special Funds. Amend RSA 6:12, I(b) by inserting after subparagraph  
18 331 the following new subparagraphs:

19 (332) Moneys received for the university system of New Hampshire and community  
20 college system of New Hampshire higher education fund established under RSA 284-B:22, I(a)(1)(B).

21 (333) Moneys deposited in the north country economic development fund  
22 established in RSA 284-B:29.

23 17 License Proceeds to Lottery Commission. Amend RSA 284:21-j, I to read as follows:

24 I. The state treasurer shall credit all moneys received from the lottery commission under  
25 RSA 284, RSA 287-D, *RSA 284-B:13, I*, and RSA 287-E, and interest received on such moneys, to a  
26 special fund from which the treasurer shall pay all expenses of the commission incident to the  
27 administration of this subdivision and all administration and enforcement expenses of racing and  
28 charitable gaming under RSA 284, RSA 287-D, and RSA 287-E. Any balance left in such fund after  
29 such expenses are paid shall be deposited in the education trust fund established under RSA 198:39.

30 18 Effective Date. This act shall take effect upon its passage.

2016-0942s

AMENDED ANALYSIS

This bill:

I. Allows video lottery machines and table games at one gaming location in the state pursuant to a competitive application process.

II. Distributes proceeds of video lottery machines and table games to the municipalities where the facility is located and abutting communities, to support programs to treat problem gambling, and to the education trust fund. Proceeds will also be distributed for highway and bridge projects, higher education, and north country economic development.

III. Establishes a gaming enforcement unit in the division of state police.

IV. Requires the lottery commission to regulate, license, and enforce the provisions for video lottery and table games operated at a gaming location.

V. Creates a commission to study the operation of the licensed gaming location and its effects on the community, and to make recommendations that may include whether to issue additional licenses.

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

2

3 1 Statement of Purpose. The general court finds that:

4 I. Regulation of all forms of gaming is vitally important to the economy of the state and the  
5 general welfare of New Hampshire citizens.

6 II. By virtue of New Hampshire's unique location, natural resources, and development,  
7 tourism is a critically important and valuable asset in the continued viability of the state and  
8 strength of its communities.

9 III. New Hampshire has an interest in promoting economic recovery, small business  
10 development, tax relief, and job creation, as soon as possible, through the development of regulated  
11 gaming in order to preserve the quality of life for New Hampshire residents.

12 IV. New Hampshire has an interest in ensuring the financial stability and integrity of  
13 gaming operations in the state.

14 V. New Hampshire must limit the proliferation of gaming by controlling the number of  
15 gaming sites in New Hampshire and choosing gaming sites based on potential for job growth and  
16 revenue generation, access to appropriate transportation, suitability for tourism, local resources,  
17 and development opportunities.

18 VI. Any license issued or permission granted pursuant to the provisions of RSA 284-B is a  
19 revocable privilege and no holder acquires any vested right in such license or permission.

20 2 New Chapter; Video Lottery Machines and Table Games. Amend RSA by inserting after  
21 chapter 284-A the following new chapter:

22

CHAPTER 284-B

23

VIDEO LOTTERY MACHINES AND TABLE GAMES

24 284-B:1 Definitions. In this chapter:

25 I. "Affiliated" means a person who directly or indirectly through one or more  
26 intermediaries, controls, is controlled by, or is under common control with, a specified person.

27 II. "Applicant" means any person who applies to the lottery commission for a license,  
28 certification, registration or qualification under this chapter, and includes any such person.

29 III. "Associated equipment" means any equipment or mechanical, electromechanical, or  
30 electronic contrivance, component, or machine used in connection with video lottery machines  
31 and/or table gaming, including linking devices, replacement parts, equipment which affects the  
32 proper reporting of gross revenue, computerized systems for controlling and monitoring table

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1 games, including, but not limited to, the central computer system, and devices for weighing or  
2 counting money.

3 IV. "Cash" means United States currency and coin or foreign currency and coin that have  
4 been exchanged for its equivalent in United States currency and coin.

5 V. "Cash equivalent" means an asset that is readily convertible to cash, including, but not  
6 limited to, any of the following:

7 (a) Travelers checks.

8 (b) Certified checks, cashier's checks, and money orders.

9 (c) Personal checks or drafts.

10 (d) Credit extended by the gaming licensee, a recognized credit card company, or a  
11 banking institution.

12 (e) Any other instrument that the New Hampshire lottery commission deems a cash  
13 equivalent. Other than recognized credit cards or credit extended by the gaming licensee, all  
14 instruments that constitute a cash equivalent shall be made payable to the gaming licensee, to the  
15 bearer, or to cash. An instrument made payable to a third party shall not be considered a cash  
16 equivalent.

17 VI. "Central computer system" means a central monitor and control system provided and  
18 monitored by the lottery commission to which video lottery terminals communicate for purposes of  
19 information retrieval, retrieval of the win and loss determination from video lottery machines, and  
20 programs to activate and disable video lottery machines.

21 VII. "Certificate holder" means a gaming licensee issued a table game operation certificate  
22 by the lottery commission to operate the table games at a gaming location.

23 VIII. "Charitable gaming" means games of chance and other gaming as permitted under  
24 RSA 287-A, RSA 287-D, and RSA 287-E.

25 IX. "Count room" means the room designated for counting, wrapping, and recording of table  
26 game results and storage of cash, coins, tokens, checks, plaques, gaming vouchers, coupons, and  
27 other devices or items of value used in wagering and approved by the division that are received in  
28 the conduct of gaming and for the inspection, counting, and storage of dice, cards, chips, and other  
29 representatives of value.

30 X. "Gaming" means the operation of video lottery machines and table games.

31 XI. "Gaming applicant" means the person applying for approval by the lottery commission  
32 as a gaming licensee.

33 XII. "Gaming employee" means a person employed in the operation of a gaming location  
34 whose employment duties and responsibilities involve the security, maintenance, servicing, repair,  
35 or operation of video lottery machines or table game devices. Such employees shall include, without  
36 limitation, dealers, floorpersons, video lottery machine personnel, video lottery machine  
37 technicians, count room and cage personnel, security and surveillance employees, data processing



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1 personnel, employees responsible for handling assets and proceeds associated with the operation of  
2 gaming activity, and employees that have input into data regarding complimentary services.

3 XIII. "Gaming license" means the license issued to a gaming licensee to operate table games  
4 and video lottery machines at a gaming location pursuant to this chapter.

5 XIV. "Gaming licensee" means the person or entity licensed by the lottery commission to  
6 possess, conduct, and operate video lottery machines and table games at a gaming location.

7 XV. "Gaming location" means the premises approved under a gaming license which  
8 includes the land, buildings, structures, and any portion thereof approved by the lottery commission  
9 as the gaming area and any nongaming structure related to the gaming area.

10 XVI.(a) "Gross table game revenue" means the total of cash or cash equivalent wagers  
11 received in the playing of a table game minus the total of:

12 (1) Cash or cash equivalents paid out to patrons as a result of playing a table game;

13 (2) Cash paid to purchase annuities to fund prizes payable to patrons over a period  
14 of time as a result of playing a table game;

15 (3) Any personal property distributed to a patron as a result of playing a table  
16 game; and

17 (4) Any promotional credits provided to patrons.

18 (b) "Gross table game revenue" shall not include travel expenses, food, refreshments,  
19 lodging, or other complimentary services. This term shall not include counterfeit money, tokens, or  
20 chips; coins or currency of other countries received in the playing of a table game, except to the  
21 extent that they are readily convertible to United States currency; cash taken in a fraudulent act  
22 perpetrated against a licensee for which the licensee is not reimbursed; or cash received as entry  
23 fees for contests or tournaments in which patrons compete for prizes.

24 XVII. "Holding company" means any corporation, association, firm, partnership, trust, or  
25 other form of business organization not a natural person which, directly or indirectly, owns, has the  
26 power or right to control, or has the power to vote any significant part of the outstanding voting  
27 securities of a corporation or other form of business organization which holds or applies for a  
28 gaming license or technology provider license. For purposes of this section, in addition to any other  
29 reasonable meaning of the words used, a "holding company" indirectly has, holds, or owns any such  
30 power, right or security if it does so through any interest in a subsidiary or successive subsidiaries,  
31 however many such subsidiaries may intervene between the holding company and the gaming  
32 licensee or technology provider.

33 XVIII. "Key employee" means any individual who is employed in a director or department  
34 head capacity and who is authorized to make discretionary decisions that regulate video lottery  
35 machine and/or table game operations, including the general manager and assistant manager of the  
36 gaming licensee or technology provider, director of operations, director of table games, director of  
37 cage or credit operations, director of surveillance, director of marketing, director of management

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1 information systems, director of security, comptroller, pit bosses, shift bosses, credit supervisors,  
2 cashier supervisors, table game facility managers and assistant managers, and any employee who  
3 supervises the operations of these departments or to whom these department directors or  
4 department heads report, and such other positions which the lottery commission shall determine  
5 based on detailed analyses of job descriptions as provided in the internal controls of the licensee.  
6 All other gaming employees shall be considered non-key employees.

7 XIX. "Licensee" means any individual or entity required to be licensed pursuant to this  
8 chapter.

9 XX. "Lottery commission" or "commission" means the New Hampshire lottery commission  
10 created pursuant to RSA 284:21-a, including the administration and enforcement bureau of the  
11 commission created pursuant to RSA 284-B:2.

12 XXI. "Net machine income" means all cash or other consideration utilized to play a video  
13 lottery machine at a gaming location, less all cash or other consideration paid to players of video  
14 lottery machines as winnings. Noncashable promotional credits shall be excluded from the  
15 calculation.

16 XXII. "Non-key gaming employee" means an employee of a gaming licensee who is not a key  
17 employee and is directly connected to the operation or maintenance of a video lottery machine or  
18 table game taking place in a gaming location.

19 XXIII. "Progressive jackpot" means a prize that increases over time or as video lottery  
20 machines that are linked to a progressive system are played. Upon conditions established by the  
21 lottery commission, a progressive jackpot may be paid by annuity.

22 XXIV. "Progressive system" means one or more video lottery machines linked to one or  
23 more common progressive jackpots.

24 XXV. "Request for applications" means a request for applications to be submitted by  
25 applicants to the lottery commission pursuant to RSA 284-B:11.

26 XXVI. "Table game" means any banking or percentage game in which there is an  
27 opportunity for the player to use his or her reason, foresight, or other strategy to increase the  
28 expected return, including roulette, baccarat, blackjack, poker, craps, big six wheel, mini-baccarat,  
29 red dog, pai gow, casino war, Asia poker, Boston 5 stud poker, Caribbean stud poker, Colorado hold  
30 'em poker, double attack blackjack, double cross poker, double down stud poker, fast action hold  
31 'em, flop poker, four card poker, let it ride poker, mini-craps, mini-dice, pai gow poker, pokette,  
32 Spanish 21, Texas hold 'em bonus poker, 3-card poker, 2-card joker poker, ultimate Texas hold 'em,  
33 winner's pot poker, and sic bo or any multi-station electronic version of the games described in this  
34 paragraph, and any other games approved by the lottery commission. The term includes any  
35 variations or composites of approved games, provided that the lottery commission determines that  
36 the new table game, variations, or composites are suitable for use after an appropriate test or  
37 experimental period under such terms and conditions as the lottery commission may deem

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1 appropriate, and any other game which the lottery commission determines to be suitable for use in  
2 a gaming location after an appropriate test or experimental period as the lottery commission may  
3 deem appropriate. The term shall also include gaming contests or tournaments in which players  
4 compete against one another in any table game authorized for use in a gaming location by the  
5 lottery commission. The term shall not include wagering on pari-mutuel racing regulated by the  
6 lottery commission pursuant to RSA 284, raffles regulated pursuant to RSA 287-A, lotteries  
7 regulated by the lottery commission pursuant to RSA 284:21-h and RSA 287-F, and bingo and lucky  
8 7 games regulated by the lottery commission pursuant to RSA 287-E. Table games which are  
9 operated as games of chance pursuant to RSA 287-D shall not be subject to the provisions of this  
10 chapter.

11 XXVII. "Table game device" includes tables, cards, dice, chips, shufflers, tiles, dominoes,  
12 wheels, drop boxes, or any mechanical or electrical contrivance, terminal, machine, or other device  
13 approved by the commission and used or consumed in operation of or in connection with a table  
14 game.

15 XXVIII. "Table game operation certificate" means a certificate issued by the commission  
16 that certifies that the table gaming operation of a gaming licensee conforms to the requirements of  
17 this chapter and rules adopted under this chapter and that authorizes a gaming licensee to conduct  
18 table games under this chapter.

19 XXIX. "Table game operator" means:

20 (a) "Primary game operator" which means any consultant or any person involved in  
21 conducting, managing, supervising, directing, or running the table games at a gaming location and  
22 shall include the banker, the auditor, the counter, and persons involved in the cage; or

23 (b) "Secondary game operator" which means any person involved in dealing, running a  
24 roulette wheel, or handling chips at a gaming location.

25 XXX. "Technology provider" means any person or entity which designs, manufactures,  
26 builds or rebuilds, programs, installs, modifies, distributes, or supplies video lottery machines or  
27 table games for sale or lease to the gaming licensees, and which are for use by a gaming licensee for  
28 conducting video lottery games or table games in accordance with this chapter.

29 XXXI. "Technology provider license" means the license issued by the lottery commission to  
30 a technology provider licensee which allows the technology provider licensee to design,  
31 manufacture, install, distribute, or supply video lottery machines and/or table game devices for sale  
32 or lease to a gaming licensee.

33 XXXII. "Technology provider licensee" means a technology provider that is licensed by the  
34 lottery commission.

35 XXXIII. "Token" means the coin or coupon, which is not legal tender, sold by a cashier in a  
36 face amount equal to the cash paid by a player for the sole purpose of playing a video lottery  
37 machine at the gaming location or paid to a player of a video lottery machine, which can be

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1 exchanged for cash at the gaming location.

2 XXXIV. "Video lottery" means any lottery conducted with a video lottery machine or linked  
3 video lottery machines with a progressive jackpot or progressive system. Video lottery conducted  
4 pursuant to this chapter shall not be considered a state-run lottery.

5 XXXV. "Video lottery machine" means an electronic, mechanical, or computerized machine  
6 which, upon the insertion of bills, coins, tokens, or any representative of value is available to be  
7 played where, by chance or skill, or both, the player may receive cash, cash equivalents, or tokens.  
8 Video lottery machines include, but are not limited to, slot machines, video poker machines, and  
9 other lottery machines. A machine shall be considered a video lottery machine notwithstanding the  
10 use of an electronic credit system making the deposit of bills, coins, or tokens unnecessary. Video  
11 lottery machines shall not include any redemption slot machines and redemption poker machines as  
12 defined in RSA 647:2 or video poker machines or other similar machines used for amusement  
13 purposes only.

14 284-B:2 Gaming Oversight and Regulation; Lottery Commission; Bureau of Administration and  
15 Enforcement.

16 I. The lottery commission shall have general responsibility for the implementation of this  
17 chapter. The lottery commission shall have the exclusive authority to license and regulate the  
18 installation, operation, and conduct of video lottery machines and table games. The lottery  
19 commission shall only issue licenses to persons who operate video lottery machines and table games  
20 at a gaming location meeting the requirements of this chapter.

21 II. There shall be established within the lottery commission an administration and  
22 enforcement bureau, which shall be the primary enforcement agent for regulatory matters under  
23 this chapter. The bureau shall perform such functions as the commissioners may determine from  
24 time to time in relation to the administration and enforcement of this chapter, including the  
25 enforcement of violations of this chapter. The bureau shall be under the control of the director of  
26 administration and enforcement, who shall be appointed by the commissioners and shall report to  
27 the executive director of the lottery commission. The director shall be the executive and  
28 administrative head of the bureau and shall be responsible for administering the duties of the  
29 bureau and any administrative units created within the bureau. The bureau shall cooperate with  
30 the attorney general and the gaming enforcement unit of the division of state police in the  
31 enforcement of this chapter.

32 284-B:3 Rulemaking.

33 I. The lottery commission shall adopt rules, that include as a minimum guidance from the  
34 International Association of Gaming Regulators, under RSA 541-A, relative to:

35 (a) License renewals, and making recommendations for the suspension or revocation of  
36 any license issued under this chapter.

37 (b) Conducting all investigations in conjunction with the attorney general required

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1 under this chapter with regard to the application of any applicant for any license.

2 (c) Conducting hearings pertaining to civil violations, rules, and penalties required  
3 under this chapter.

4 (d) Establishing standards for licensure and a reasonable fee structure for the licensing  
5 and renewal of licenses for gaming licensees and technology providers consistent with this chapter.

6 (e) Establishing technical standards for approval of video lottery machines, including  
7 mechanical and electrical reliability and security against tampering, as deemed necessary to protect  
8 the public from fraud or deception and to insure the integrity of the operation.

9 (f) Establishing a process for verifying the training and experience of non-key gaming  
10 employees.

11 (g) Ensuring that all licensees update the lottery commission with regard to any change  
12 in ownership or material change in information or data regarding the licensee that the commission  
13 determines is necessary and appropriate.

14 (h) Prescribing procedures for the fingerprinting of an applicant, key employee, or  
15 employee of a licensee, or other methods of identification which may be necessary in the judgment  
16 of the lottery commission to accomplish effective enforcement of restrictions to access to the gaming  
17 location.

18 (i) Prescribing the manner and procedure of all hearings conducted by the lottery  
19 commission or any hearing examiner, including special rules of evidence applicable thereto and  
20 notices thereof.

21 (j) Prescribing the method of collection of payments of taxes, fees, and penalties.

22 (k) Defining and limiting the areas of operation, the rules of authorized games, odds,  
23 and devices permitted, and the method of operation of such games and devices.

24 (l) Prescribing grounds and procedures for the issuing of sanctions, including but not  
25 limited to, the revocation or suspension of licenses.

26 (m) Governing the manufacture, distribution, sale, and servicing of video lottery  
27 machines and table game devices and associated equipment.

28 (n) Prescribing minimum procedures for the exercise of effective control over the  
29 internal fiscal affairs of a gaming licensee, including provisions for the safeguarding of assets and  
30 revenues, the recording of cash and evidence of indebtedness, and the maintenance of reliable  
31 records, accounts, and reports of transactions, operations, and events, including reports to the  
32 lottery commission.

33 (o) Providing for a minimum standard of accountancy methods, procedures, and forms;  
34 a uniform code of accounts and accounting classifications; and such other standard operating  
35 procedures as may be necessary to assure consistency, comparability, and effective disclosure of all  
36 financial information.

37 (p) Requiring quarterly financial reports and the form thereof, and an annual audit

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1 prepared by a certified public accountant licensed to do business in this state, attesting to the  
2 financial condition of a licensee and disclosing whether the accounts, records, and control  
3 procedures examined are maintained by the licensee as required by this chapter.

4 (q) Governing the gaming-related advertising of gaming licensees and their employees  
5 and agents, with the view toward assuring that such advertisements are in no way deceptive and  
6 promote the purposes of this chapter; provided, however, that such rules shall require the words  
7 "Bet with your head, not over it," or some comparable language approved by the lottery commission,  
8 to appear on all billboards, signs, and other on-site advertising of a licensee operation and shall  
9 require the words "If you or someone you know has a gambling problem and wants help, call 1-800-  
10 GAMBLER," or some comparable language approved by the lottery commission, provided such  
11 language shall include the words "gambling problem" and "call 1-800-GAMBLER," which shall  
12 appear legibly on all print, billboard, and sign advertising of a gaming location.

13 (r) Providing for the establishment and maintenance by the lottery commission of a list  
14 of persons who are to be excluded or ejected from any gaming location, because the person's  
15 criminal background or presence in a gaming location would be, in the opinion of the lottery  
16 commission, inimical to the interests of the state, including standards relating to persons to be  
17 excluded, and providing for a self-exclusion program to be established by gaming licensees, whereby  
18 persons who are problem gamblers can be excluded or ejected from a gaming location.

19 (s) Establishing the licensing process and approval process for selecting the provider of  
20 the central computer system.

21 (t) Regulating the operation of table games consistent with RSA 284-B:19, including  
22 requiring proper accountability controls to ensure game integrity.

23 II. Notwithstanding any law to the contrary, the lottery commission shall initiate the  
24 licensing process within 60 days of the effective date of this chapter as provided in RSA 284-B:11  
25 and subject to standards set forth in this chapter. The lottery commission shall adopt rules  
26 pursuant to paragraph I no later than June 1, 2016.

27 284-B:4 Duties and Authority of the Lottery Commission.

28 I. The lottery commission, with the assistance and cooperation of the attorney general and  
29 the division of state police gaming enforcement unit, shall administer and enforce the provisions of  
30 this chapter.

31 II. The lottery commission shall have the authority to request any and all records  
32 maintained by local, municipal, state, or federal agencies relative to gaming applicants or gaming  
33 licensees.

34 III. The lottery commission shall have the authority to issue subpoenas and compel the  
35 attendance of witnesses, to administer oaths, and to require testimony under oath.

36 IV. The lottery commission shall:

37 (a) Collect all license fees imposed upon any applicant and all taxes imposed by this

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1 chapter.

2 (b) Certify net machine income and gross table game revenue by inspecting records,  
3 conducting audits, or having its agents on site, or by any other reasonable means.

4 (c) Require gaming licensees to submit all contracts for services where the annual  
5 amount to be expended by the gaming licensee is over \$500,000 to the lottery commission, and  
6 provide any further information to the lottery commission regarding vendors and suppliers as is  
7 requested.

8 (d) Require all holders of gaming licenses issued by the lottery commission pursuant to  
9 RSA 284-B to maintain a system of internal controls. At a minimum, the licensee's proposed system  
10 of internal controls shall:

11 (1) Safeguard its assets and revenues, including, but not limited to the recording of  
12 cash and evidences of indebtedness related to the video lottery machines and table games.

13 (2) Provide for reliable records, accounts, and reports of any financial event that  
14 occurs in the operation of a video lottery machine and table games.

15 (3) Ensure that each video lottery machine directly provides or communicates all  
16 required activities and financial details to the central computer system.

17 (4) Provide for accurate and reliable financial records.

18 (5) Ensure any financial event that occurs in the operation of a video lottery  
19 machine or table game is performed only in accordance with the management's general or specific  
20 authorization.

21 (6) Ensure that any financial event that occurs in the operation of a video lottery  
22 machine is recorded adequately to permit proper and timely reporting of net machine income and  
23 the calculation thereof and the related fees and taxes.

24 (7) Ensure that access to assets is permitted only in accordance with management's  
25 specific authorization.

26 (8) Ensure that recorded accountability for assets is compared with actual assets at  
27 reasonable intervals and appropriate action is taken with respect to any discrepancies.

28 (9) Ensure that all functions, duties, and responsibilities are appropriately  
29 segregated and performed in accordance with sound financial practices by qualified personnel.

30 (e) Establish technical standards for approval of video lottery machines, including  
31 mechanical and electrical reliability and security against tampering, as it may deem necessary to  
32 protect the public from fraud or deception and to ensure the integrity of their operation.

33 (f) Require all holders of licenses issued by the lottery commission pursuant to RSA 284-  
34 B to comply with any exclusion program established by the lottery commission and maintained  
35 pursuant to RSA 284-B:3, II(r) and to establish and implement a self-exclusion program whereby a  
36 person who acknowledges that he or she is a problem gambler and who requests to be placed on a  
37 self-exclusion list shall be excluded or ejected from a licensed facility.

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1 V.(a). The lottery commission shall establish a code of ethics for all commissioners and  
2 employees of the lottery commission. A copy of the code shall be filed with the attorney general's  
3 office. The code shall include provisions reasonably necessary to carry out the purposes of this  
4 chapter and any other laws subject to the jurisdiction of the commission including, but not limited  
5 to:

6 (1) Prohibiting the receipt of any discount, gift, gratuity, compensation, travel,  
7 lodging, or other thing of value, directly or indirectly, by commissioners and employees from any  
8 gaming licensee or gaming vendor licensee or applicant or other person subject to the jurisdiction of  
9 the commission;

10 (2) Prohibiting the participation by commissioners and employees in a particular  
11 matter that affects the financial interest of the commissioner or employee or of a relative of the  
12 commissioner or employee;

13 (3) Providing for recusal of a commissioner in a licensing decision due to a potential  
14 conflict of interest; and

15 (4) Prohibiting the solicitation of funds for any charitable, educational, religious,  
16 health, fraternal, civic, or other nonprofit entity from any gaming licensee or gaming vendor  
17 licensee or applicant or other person subject to the jurisdiction of the commission.

18 (b) Immediately upon assuming office, each commissioner and employee of the  
19 commission, except for secretarial and clerical personnel, shall swear or affirm that the  
20 commissioner or employee possesses no interest in a person licensed under this chapter. No  
21 individual shall be employed by the commission if, during the period commencing 3 years prior to  
22 employment, that individual held any direct or indirect interest in, or was employed by, a licensee  
23 under this chapter. No commissioner shall hold a direct or indirect interest in, or be employed by,  
24 an applicant or by a person licensed by the commission for a period of 3 years after the termination  
25 of employment with the commission.

26 (c) No employee of the commission holding a major policymaking position shall acquire  
27 an interest in, or accept employment with, an applicant or licensee for a period of 2 years after the  
28 termination of employment with the commission.

29 (d) No employee of the commission in a non-major policymaking position shall acquire  
30 an interest in, or accept employment with, an applicant or licensee for a period of one year after the  
31 termination of employment with the commission.

32 (e) Notwithstanding the provisions of subparagraphs (a)-(d), if the employment of a  
33 commission employee holding a major policymaking position at any time during the 5 years  
34 preceding a termination, is terminated as a result of a reduction in the workforce of the commission,  
35 the employee may, after one year following the termination of employment with the commission,  
36 accept employment with any applicant or person licensed under this chapter upon application to  
37 and the approval of the commission, upon a finding that the employment will not create the



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1 appearance of a conflict of interest and does not evidence a conflict of interest in fact. The  
2 commission shall act upon an application within 30 days of receipt and the application may be  
3 submitted to the commission prior to or after commencement of the employment.

4 (f) No commissioner or employee, other than in the performance of the commissioner's  
5 or employee's official duties, shall place a wager in a gaming location. The commissioners and those  
6 employees holding major policymaking positions shall be sworn to the faithful performance of their  
7 official duties. The commissioners and those employees holding major policymaking positions shall:

8 (1) Conduct themselves in a manner so as to render decisions that are fair and  
9 impartial and in the public interest;

10 (2) Avoid impropriety and the appearance of impropriety in all matters under their  
11 jurisdiction;

12 (3) Avoid all prohibited communications;

13 (4) Require staff and personnel subject to their direction and control to observe the  
14 same standards of fidelity and diligence;

15 (5) Disqualify themselves from proceedings in which their impartiality might  
16 reasonably be questioned; and

17 (6) Refrain from financial or business dealings which would tend to reflect adversely  
18 on impartiality.

19 (g) The commissioners and employees shall not own, or be in the employ of, or own any  
20 stock in, a business which holds a license under this chapter, nor shall they have, directly or  
21 indirectly, a pecuniary interest in, or be connected with, any such business or be in the employ of or  
22 connected with any person financing any such business; provided, however, that immediate family  
23 members of commissioners and employees holding major policymaking positions shall not own, or be  
24 in the employ of, or own stock in, any business which holds a license under this chapter. The  
25 commissioners and employees shall not personally, or through a partner or agent, render  
26 professional services or make or perform any business contract with or for any regulated entity,  
27 except contracts made with the commissioners for the furnishing of services, nor shall the  
28 commissioners or employees directly or indirectly receive any commission, bonus, discount, gift, or  
29 reward from a regulated entity.

30 284-B:5 Central Computer System.

31 I. The lottery commission shall provide and operate a central computer system into which  
32 all licensed video lottery machines shall be connected.

33 II. The central computer system shall be capable of:

34 (a) Continuously monitoring, retrieving, and auditing the operations, financial data,  
35 and program information of all video lottery machines;

36 (b) Allowing the lottery commission to account for all money inserted in and payouts  
37 made from any video lottery machine;

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1 (c) Disabling from operation or play any video lottery machine as the lottery  
2 commission deems necessary to carry out the provisions of this chapter;

3 (d) Supporting and monitoring a progressive jackpot system capable of operating one or  
4 more progressive jackpots; and

5 (e) Providing any other function that the lottery commission considers necessary.

6 III. The central computer system shall employ a widely accepted gaming industry  
7 communications protocol, as approved by the Gaming Standards Association, to facilitate the ability  
8 of video lottery machine manufacturers to communicate with the central computer system.

9 IV.(a) Except as provided in subparagraph (b), the lottery commission shall not allow a  
10 gaming licensee to have access to, or obtain information from, the central computer system.

11 (b) If the access does not in any way affect the integrity or security of the central  
12 computer system, the lottery commission may allow a gaming licensee to have access to the central  
13 computer system that allows the licensee to obtain information pertinent to the legitimate operation  
14 of its video lottery machines.

15 284-B:6 Records; Confidentiality.

16 I. The lottery commission shall keep and maintain a list of all applicants for licenses it  
17 receives under this chapter, together with a record of all action taken with respect to such  
18 applicants. Except as provided in paragraph IV, a file, including the criminal records of each  
19 applicant, its officers, directors, partners, members, shareholders, and key employees, and record of  
20 the actions of the lottery commission shall be open to public inspection; provided, however, that  
21 information regarding any applicant whose license or registration has been denied, revoked, or not  
22 renewed shall be removed from the list after 5 years from the date of such action.

23 II. The lottery commission shall publish on the commission's Internet website a complete  
24 list of all persons or entities who applied for or held a license, certificate, or approval pursuant to  
25 this chapter, or racetrack license at any time during the preceding calendar year and all affiliates,  
26 intermediaries, subsidiaries, and holding companies thereof and the status of the application or  
27 license, however, information regarding any applicant whose approval or certificate has been  
28 denied, revoked or not renewed shall be removed from such list after 5 years from the date of such  
29 action.

30 III. The lottery commission shall maintain such other files and records as the commission  
31 determines are necessary. All records maintained by the lottery commission may be maintained in  
32 digital or other format, provided that such information can be produced in written form upon the  
33 request of the commission.

34 IV. All personal and financial proprietary information and data of an applicant, its officers,  
35 directors, partners, members, shareholders, or key employees, other than their criminal records,  
36 required by the lottery commission to be furnished to it, or which may otherwise be obtained, shall  
37 be considered confidential and shall not be disclosed in whole or in part except in the course of the

1 necessary administration of this chapter, or upon the lawful order of a court of competent  
2 jurisdiction, or, with the approval of the attorney general, to a duly authorized law enforcement  
3 agency. Notwithstanding this paragraph, the state police may share information with the lottery  
4 commission and the attorney general as is appropriate under this chapter.

5 V. All records, information, or data maintained or kept by the lottery commission may be  
6 maintained or kept at the office of the gaming enforcement unit.

7 VI. Notice of the contents of any information or data to be released consistent with  
8 paragraph IV, except to a duly authorized law enforcement agency, shall be given to any applicant  
9 or licensee in a manner prescribed by the rules adopted by the lottery commission so that the  
10 applicant or licensee has the opportunity to object to such release.

11 VII. With regard to meetings, minutes, and records of the lottery commission, the lottery  
12 commission shall notice all proceedings and shall make and keep a record of all proceedings held at  
13 public meetings of the lottery commission. A verbatim transcript of those proceedings shall be  
14 prepared by the lottery commission upon the request of any commissioner or upon the request of  
15 any other person and the payment by that person of the costs of preparation. A copy of the  
16 transcript shall be made available to any person upon request and payment of the costs of preparing  
17 the copy.

18 284-B:7 Employees and Contractors.

19 I. The lottery commission, the attorney general, or the division of state police gaming  
20 enforcement unit may from time to time contract for such financial, economic, or security  
21 consultants, and any other technical and professional services as it deems necessary for the  
22 discharge of its duties.

23 II. The lottery commission may employ certain assistants, and contract with certain  
24 individuals or entities experienced in the regulation of gaming to carry out the provisions of this  
25 chapter. Such assistants and employees shall receive compensation at rates to be established by the  
26 department of administrative services, division of personnel.

27 III. Compensation of assistants, employees, and contractors shall be funded by proceeds  
28 paid or received by the lottery commission pursuant to this chapter.

29 IV. No employee or contractor of the lottery commission shall have any pecuniary or other  
30 interest whatsoever in any supplier or agent to the commission or in any gaming location or license  
31 licensed under this chapter and shall be subject to the code of ethics established by the lottery  
32 commission pursuant to RSA 284-B:4, V.

33 284-B:8 Annual Report. No later than November 1 of each calendar year, the lottery  
34 commission shall provide a report to the fiscal committee of the general court regarding the  
35 generation of revenues of video lottery machines and table games by licensees.

36 284-B:9 Number of Gaming Licenses. The lottery commission shall review, select, and grant a  
37 license for one gaming location. The gaming licensee shall operate no more than 150 table games

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1 under RSA 284-B:12 and no more than 5,000 video lottery machines at its gaming location.

2 284-B:10 Procedures for Adoption by Local Community.

3 I. Any municipality in which a gaming location is or proposes to be situated may adopt the  
4 provisions of this chapter to allow the operation of video lottery machines and table games at a  
5 specific location in the following manner:

6 (a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the  
7 questions shall be placed on the warrant of an annual or special town meeting, by the governing  
8 body or by petition pursuant to RSA 39:3.

9 (b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D,  
10 upon request of a gaming applicant to authorize the operation of video lottery machines and table  
11 games at a specific location within the municipality in accordance with the provisions of this  
12 chapter, the governing body shall place the question on the ballot to be voted upon at the next  
13 regularly scheduled municipal or biennial election unless such election is more than 90 days from  
14 the request. In such circumstance, the governing body shall place the question on the ballot for a  
15 special election called for the purpose of voting on said question and which special election shall  
16 occur within 75 days after the request is made. Such special election shall be held at the usual  
17 ward polling places by the regular election officials.

18 (c) In any unincorporated place, and notwithstanding any other provision of law to the  
19 contrary, upon the request of a gaming applicant to authorize the operation of video lottery  
20 machines and table games at a specific location within the unincorporated place to either the  
21 moderator of the unincorporated place if the unincorporated place is organized to vote pursuant to  
22 RSA 668:1, or the clerk of the designated town if the unincorporated place is not organized for  
23 voting as provided in RSA 668:2, and the moderator or the clerk shall place the question on the  
24 ballot to be voted upon at the next regularly scheduled biennial election. The ballot shall be given  
25 to the individuals who are domiciled in such unincorporated place who are registered to vote.

26 (d) If a majority of those voting on the question vote "Yes," this chapter shall apply in  
27 such town or city and the operation of video lottery machines and table games shall be permitted at  
28 a specific location within such town, city, or unincorporated place in accordance with this chapter.  
29 If a majority of those voting on the question vote "No" the question may be voted on at a subsequent  
30 time in accordance with this section provided, however, the town may consider the question at no  
31 more than one special meeting and the annual town meeting in the same calendar year after a "No"  
32 vote. A city or town subject to subparagraph (b) may consider the question at no more than one  
33 special election and a regular municipal or biennial election in the same calendar year after a "No"  
34 vote.

35 (e) The wording of the question shall be substantially as follows: "Shall we adopt the  
36 provisions of RSA 284-B allowing the operation of video lottery machines and table games at [insert  
37 the name of the proposed gaming location] located within the [insert name of town, city, or

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1 unincorporated place]”?

2 II. When a gaming licensee requests a town, city, or unincorporated place to act under  
3 paragraph I, the gaming licensee shall pay all costs associated with carrying out the actions under  
4 this section.

5 284-B:11 Schedule for License Applications; Requests for Application.

6 I. In order to facilitate the timely and orderly deployment of licensed gaming operations in  
7 New Hampshire, the lottery commission shall adopt a schedule by which applications for gaming  
8 licenses and technology provider licenses shall be accepted, reviewed, granted, or denied in  
9 accordance with the provisions of this section.

10 II. The lottery commission shall issue a request for applications for a gaming license  
11 pursuant to the process set forth in this section. The lottery commission shall approve, approve  
12 with conditions, or deny all applications submitted, in accordance with the provisions of this  
13 chapter. The request for applications shall be issued within 60 days of the effective date of this  
14 chapter pursuant to RSA 284-B:3, II. The requests for applications shall require all applications to  
15 be submitted within 90 days of the publication of the request. Applications received after the  
16 deadline shall not be reviewed by the lottery commission.

17 III. Requests for applications pursuant to paragraph II of this section shall be advertised in  
18 a newspaper of general circulation in the state and on the official internet website of the lottery  
19 commission.

20 284-B:12 Gaming License Applications; Requirements.

21 I. A gaming applicant shall obtain a gaming license from the lottery commission to possess,  
22 conduct, and operate video lottery machines and table games as follows:

23 (a) An applicant shall complete and sign an application on forms, in a manner and  
24 providing the information prescribed by the lottery commission.

25 (b) The applicant shall include in the application any and all information requested by  
26 the lottery commission, including but not limited to, information regarding:

27 (1) The applicant's criminal history background including authorization for a  
28 criminal background and records check, and an attested disclosure of all arrests and citations for  
29 nontraffic offenses;

30 (2) Civil judgments against the applicant during the past 15 years;

31 (3) The applicant's financial affairs, including evidence of financial stability as  
32 documented by bank references, business and personal income and disbursement schedules, tax  
33 returns and other reports filed by government agencies, business and personal accounting check  
34 records and ledgers and other relevant source documents. The lottery commission may require  
35 evidence of the financial affairs to be provided on a multi-jurisdictional personal history disclosure  
36 form;

37 (4) The full name, address, date of birth, and other personal identifying information

1 of the applicant and all key employees;

2 (5) If a corporation or other form of business enterprise, the information listed in  
3 subparagraphs (b)(1)-(4) shall be provided with respect to each partner, trustee, officer, and  
4 director, and any shareholder, limited liability company member, or other holder who owns more  
5 than 10 percent of the legal or beneficial interests of such entity, as well as the name of the state  
6 under the laws of which the corporation or business enterprise is formed or incorporated and the  
7 location of its principal place of business;

8 (6) The identity of the owners of the gaming location, if other than the applicant,  
9 along with information listed in subparagraphs (b)(1)-(4) shall be provided with respect to each  
10 owner, partner, principal, trustee, officer, and director, and any shareholder, limited liability  
11 company member, or other holder who owns more than 10 percent of the legal or beneficial interest  
12 of such gaming location. If the owner of the gaming location is not an affiliate of the applicant, the  
13 applicant shall also submit a copy of the proposed lease agreement and executed letter of intent to  
14 operate between the owner of the gaming location and the applicant;

15 (7) Information and documentation demonstrating by clear and convincing evidence  
16 the applicant's financial stability including, but not limited to, bank references, business and  
17 personal income and disbursement schedules, tax returns and other reports filed by government  
18 agencies and business and personal accounting check records and ledgers. The applicant shall  
19 include with its application the disclosure of all contributions, donations, loans or any other  
20 financial transactions to or from the applicant and any affiliated gaming entity or operator in the  
21 past 5 years; and

22 (8) Information and documentation demonstrating by clear and convincing evidence  
23 that the applicant has sufficient business ability and experience to establish and maintain  
24 successful gaming operations, including, but not limited to, information demonstrating the  
25 experience of the applicant in developing, constructing, and managing a similar gaming enterprise.  
26 If the applicant or any principal has held or holds a gaming or video lottery machine license in a  
27 jurisdiction where video lottery machine activities are permitted, the applicant shall so state and  
28 shall produce either a letter of reference from the gaming or lottery enforcement or control agency  
29 in such jurisdiction which sets forth the experience of that agency with the applicant, the  
30 applicant's associates and gaming operations, or a statement under oath that the applicant is or was  
31 during the period of licensure conducting gaming activities in good standing with the agency.

32 (c) The application shall be accompanied by a complete description of the proposed  
33 project and include the following:

34 (1) A complete description of the gaming location, including the designs for the  
35 proposed gaming establishment, the names and addresses of the architects, engineers, and  
36 designers, a timeline of construction that includes detailed stages of construction for the gaming  
37 establishment, non-gaming structures, and racecourse, where applicable, and a description of the

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1 ability of the applicant to comply with statutory, regulatory, and technical standards applicable to  
2 the design of the proposed gaming location;

3 (2) Identification of the type and number of video lottery machines, and type and  
4 number of table games, and the specific location of the games in the proposed gaming establishment  
5 consistent with this chapter;

6 (3) The availability of space in the facility and proposed details of the space for  
7 charitable gaming to take place under RSA 287-D;

8 (4) The names, and verified good character and integrity of proposed vendors of  
9 gaming equipment;

10 (5) A description of the supporting amenities and ancillary entertainment services  
11 to be provided at the proposed gaming establishment, including the number of hotels and rooms, if  
12 any, restaurants and other amenities located at the proposed gaming establishment and how they  
13 measure in quality to other area amenities;

14 (6) The number of employees to be employed at the proposed gaming establishment,  
15 including detailed information on the projected pay rate and benefits for employees;

16 (7) The site of the proposed gaming location, which shall include the address, maps,  
17 book and page numbers from the appropriate registry of deeds, assessed value of the land at the  
18 time of application, and identification of all interests, options and agreements in the gaming  
19 location; and

20 (8) Information regarding the minimum total capital investment required pursuant  
21 to paragraph II.

22 (d) The application shall include evidence in the form of completed studies and/or  
23 reports required by the commission to demonstrate how the proposed project meets the following  
24 criteria: .

25 (1) The availability of local resources to support services and amenities necessary to  
26 accommodate projected guest volume in the form of transportation, regional geography, work force  
27 demographics, rooms and meals, utilities, and law enforcement;

28 (2) The immediate and long range financial feasibility of the applicant's proposed  
29 project including a projection of the revenues to be produced by the operation of the video lottery  
30 machines and table games at the gaming location, the ability to achieve positive gross operating  
31 profit on an annual basis in a specific time frame, and the estimated municipal and state tax  
32 revenue to be generated by the gaming location, as supported by an expert experienced in the field  
33 of gaming;

34 (3) Economic benefits to the region and the state from the project, including the  
35 ability of the applicant's proposed gaming location to provide new and sustainable jobs for the  
36 community;

37 (4) The accessibility of the proposed gaming location to public access and public

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1 highway infrastructures;

2 (5) The suitability of the proposed gaming location and facility design for tourism  
3 and development, including evidence the development of the gaming location is compatible with  
4 historic uses, regional branding, and local zoning ordinances, and an explanation of anticipated  
5 commercial development opportunities for the community; and

6 (6) The impact on the local and regional community, including:

7 (A) Impact on the local and regional economies, including but not limited to,  
8 cultural institutions and small businesses in the host community and surrounding communities;  
9 and

10 (B) Costs and benefits to the host and surrounding communities in the form of  
11 jobs, revenues, business development, and social issues associated with the gaming location.

12 (e) The applicant shall provide a licensing fee payment bond, letter of credit, or  
13 guaranty of private equity or other funds with demonstrated cash and reserve availability  
14 supporting the applicant's ability to pay the licensing fee.

15 (f) The applicant shall provide detailed information regarding its proposed system of  
16 internal security and accounting controls.

17 (g) The application shall be accompanied by a petition for a table game operation  
18 certificate consistent with RSA 284-B:19.

19 (h) The applicant shall obtain local approval of the municipality in which the project is  
20 proposed by local referendum consistent with RSA 284-B:10.

21 II.(a) The applicant shall agree to make a minimum capital investment in the project in an  
22 amount determined by the commission; provided that such capital investment shall be not less than  
23 \$425,000,000.

24 (b) For purposes of this paragraph, the required capital investment shall include the  
25 license fee required to be paid pursuant to RSA 284-B:13, all gaming areas and other amenities  
26 proposed in the application, the purchase or lease price of land where the gaming facility will be  
27 located and any infrastructure designed to support the site, including, but not limited to, drainage,  
28 utility support, roadways, interchanges, fill and soil or groundwater or surface water contamination  
29 issues; provided, however, that any infrastructure improvements necessary to increase visitor  
30 capacity and account for traffic mitigation shall not be considered part of the required capital  
31 investment and, as determined by the commission, shall be completed before the licensee shall be  
32 authorized to commence operations. The investment required under this paragraph shall be made  
33 within 5 years after receiving a gaming license.

34 III. Every application shall contain the information required pursuant to this section and  
35 such information the lottery commission requests or requires by rule.

36 284-B:13 Gaming License Application Fees; Initial License Fees; Renewal Fees.

37 I. The lottery commission shall impose a nonrefundable application fee of \$500,000 on all



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1 applicants submitting an application for a gaming license which shall be used to defray the cost of  
2 processing and reviewing the application. If the cost of processing and reviewing the application  
3 exceeds the \$500,000 application fee, the applicant shall pay the difference to the lottery  
4 commission within 15 days of receiving a detailed invoice.

5 II. The attorney general shall impose a nonrefundable investigation fee of \$100,000 on all  
6 applicants for a gaming license which shall be used to defray the cost of the background  
7 investigation. If the cost of the background investigation exceeds the \$100,000 applicable amount,  
8 the applicant shall pay the difference to the attorney general within 15 days of receiving a detailed  
9 invoice.

10 III. Upon approval of a gaming license, the lottery commission shall charge an initial  
11 license fee of \$80,000,000 which shall be deposited into the fund established by RSA 284:21-j. The  
12 amount deposited shall be available to the state in the fiscal year received. A gaming license shall  
13 expire after 10 years, subject to renewal pursuant to RSA 284-B:18, I. The lottery commission shall  
14 charge a license renewal fee of \$1,500,000 to renew a gaming license; however, the person seeking  
15 renewal of a gaming license shall pay all costs incurred by the attorney general to conduct an  
16 investigation with regard to such application to renew the gaming license.

17 284-B:14 Gaming License Applications; Lottery Commission Completeness Review; Attorney  
18 General Background Review.

19 I. The lottery commission shall be available to provide technical assistance to any applicant  
20 submitting an application in response to a request for applications.

21 II.(a) The lottery commission shall examine every application for form and completeness,  
22 and the information required by this chapter as well as any specifications and standards outlined in  
23 the request for application. All applications and accompanying submissions shall be maintained as  
24 confidential during completeness review.

25 (b) If an application is determined incomplete by the lottery commission, the lottery  
26 commission shall provide a first notification of incompleteness to the applicant by certified mail  
27 within 30 days of receipt of the application. Such first notification of incompleteness shall include a  
28 full explanation of the reasons for incompleteness. If no first notification of incompleteness is made  
29 by the lottery commission within such 30-day period, the application shall be considered complete  
30 and the applicant shall be notified by certified mail.

31 (c) The applicant shall provide any required additional information within 15 business  
32 days of receipt of the first notification of incompleteness. The applicant shall not provide more than  
33 the required additional information. The lottery commission shall review the additional  
34 information submitted by the applicant; and, if satisfactory, the application shall be considered  
35 complete and the applicant shall be notified by certified mail.

36 (d) If the application is still determined to be incomplete, the commission shall provide a  
37 second notification of incompleteness to the applicant by certified mail within 10 business days of

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1 receipt of the additional information.

2 (e) The applicant shall provide any required additional information within 10 business  
3 days of receipt of the second notification of incompleteness. The applicant shall not provide more  
4 than the required additional information. The lottery commission shall review the additional  
5 information submitted by the applicant, and, if satisfactory, the application shall be considered  
6 complete and the applicant shall be notified by certified mail.

7 (f) If the application is still found to be incomplete, the lottery commission shall provide  
8 a third and final notification of incompleteness to the applicant by certified mail within 5 business  
9 days of receipt of the additional information. The applicant shall provide the required additional  
10 information within 3 business days of receipt of the third and final notification of incompleteness.  
11 The applicant shall not provide more than the required additional information.

12 (g) Within 2 business days of the receipt of any information submitted pursuant to the  
13 third and final notification of incompleteness, the lottery commission shall review the additional  
14 information submitted by the applicant and notify the applicant whether the application is  
15 complete.

16 (h) An applicant whose application is incomplete and who fails to provide the additional  
17 required information within the applicable time period specified shall be deemed to have withdrawn  
18 its application and to have waived any right to have the application reviewed.

19 (i) An applicant may withdraw an application at any time, thereby terminating the  
20 review process and waiving any right to have its application reviewed.

21 (j) The lottery commission shall require the applicant who has been notified of a  
22 complete application to proceed to a background review by the attorney general pursuant to  
23 paragraph III.

24 III.(a) Upon receipt of a complete application from a gaming applicant, the lottery  
25 commission shall request that the attorney general conduct a background review, and the attorney  
26 general shall conduct a background review of a gaming applicant and its principals, owners, and  
27 key employees. The background review may be conducted through any appropriate state or federal  
28 law enforcement system and the authorized reviewers may seek information as to the subject's  
29 financial, criminal, or business background, or any other information which the attorney general, in  
30 his or her sole discretion, may find relevant to the subject's fitness to be associated with the  
31 ownership or management of gaming in New Hampshire, including, but not limited to, the subject's  
32 character, personal associations, and the extent to which the subject is properly doing business in  
33 the manner in which it purports to operate. If the applicant is a pari-mutuel licensee licensed and  
34 authorized to conduct racing, whether live, simulcast, or both, as provided in RSA 284:16 or RSA  
35 284:16-a at a pari-mutuel licensee location, and the attorney general has conducted a background  
36 investigation pursuant to RSA 284:15-b within the 12 months prior to the application filing, the  
37 attorney general may rely on the results of the previous investigation to the extent the applicant's

1 circumstances have not materially changed. The attorney general shall also take into consideration  
2 as evidence of fitness a letter of reference or sworn statement of good standing produced pursuant  
3 to RSA 284-B:12, I(b)(8).

4 (b) The attorney general shall report the results of the background review to the lottery  
5 commission within a reasonable time, not to exceed 120 days unless a request for additional time  
6 has been granted by the lottery commission for good cause. At a minimum, the attorney general's  
7 report shall state whether or not in his or her opinion each of the persons subjected to the  
8 background review is fit to be associated with the ownership or management of gaming in New  
9 Hampshire. Notwithstanding any other law to the contrary, the information provided to the  
10 attorney general and the results of the attorney general's background review shall be confidential  
11 and shall not be subject to disclosure or to public inspection, except that the attorney general, in the  
12 attorney general's sole discretion, shall determine the extent to which and the manner in which  
13 said results may be reported to the lottery commission or other state agency or official and, if  
14 reported, whether such results are to retain their confidential character.

15 (c) The attorney general may on his or her motion conduct a background review into the  
16 background of the gaming applicant or gaming licensee, key employee, or any person or entity upon  
17 whom the gaming applicant or gaming licensee relies for financial support.

18 (d) In any background review conducted pursuant to subparagraph (a) or subparagraph  
19 (c), the attorney general or any duly authorized member of the attorney general's staff may require  
20 by subpoena or otherwise the attendance of witnesses and the production of such correspondence,  
21 documents, books, and papers as he or she deems advisable, and for purposes of this section, may  
22 administer oaths and take the testimony of witnesses.

23 284-B:15 Gaming License Determinations.

24 I. If there is only one complete application pending for a gaming license, then upon receipt  
25 of the report of the attorney general on the gaming applicant's fitness for gaming, the lottery  
26 commission shall make a determination as to whether the gaming applicant demonstrates it meets  
27 the standards for licensure in RSA 284-B:17. The lottery commission shall make such  
28 determination within 60 days of receiving the report of the attorney general. Such a determination  
29 shall be made by majority vote of eligible commission members. Any commission member who has a  
30 personal or business conflict with any application shall not vote on such application. The decision  
31 shall be in the form of an approval, denial, or an approval with conditions.

32 II. If there is more than one complete application pending for a gaming license, the lottery  
33 commission shall consider competing applicants in relationship to each other. Within 30 days of  
34 receiving all of the attorney general's reports on the competing applicants pursuant to RSA 284-  
35 B:14, III, the lottery commission shall schedule and conduct a hearing pursuant to the process set  
36 forth in RSA 541-A regarding adjudicative proceedings. Competing applicants shall serve  
37 prehearing memoranda as prescribed by the lottery commission which shall include at a minimum a

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1 summary of evidence each applicant intends to present in support of its application for licensure.  
2 Competing applications shall be heard separately by the lottery commission at one hearing. There  
3 will be no right for an applicant to cross-examine witnesses of a competing applicant. Upon  
4 conclusion of the hearing, based on the evidence submitted, the lottery commission shall determine  
5 which applicant demonstrates superiority in meeting the standards in RSA 284-B:17. Such a  
6 determination shall be made by majority vote of eligible commission members. Any commission  
7 member who has a personal or business conflict with any application shall not vote on any of the  
8 competing applications. With respect to the applicant determined to demonstrate superiority in  
9 meeting the standards in RSA 284-B:17, the decision shall be in the form of an approval or approval  
10 with conditions. With respect to the other competing applicants the decision shall be in the form of  
11 a denial.

12 III. No gaming applicant who withdraws an application or is denied approval by the lottery  
13 commission shall be prevented from responding to subsequent requests for applications.

14 IV. A decision of the lottery commission approving the application is a final, binding, non-  
15 appealable determination which is not subject to legal challenge except by a competing applicant  
16 whose application was denied consistent with paragraph III. Applicants may appeal the denial of a  
17 license to the New Hampshire supreme court, pursuant to RSA 541. Such appeal shall be filed with  
18 the clerk of the supreme court within 5 days after the lottery commission has denied any request for  
19 reconsideration. Such appeal shall be limited to questions of law. Findings of fact made by the  
20 commission shall be final. The supreme court may hold a special session to consider such appeal if  
21 it considers such action necessary.

22 284-B:16 Technology Provider Licensee Applications. A technology provider licensee applicant  
23 shall obtain a technology provider license from the lottery commission, as follows:

24 I. An applicant shall complete and sign an application on forms and in a manner prescribed  
25 by the lottery commission.

26 II. The applicant shall include information regarding:

27 (a) The applicant's criminal history background including authorization for a criminal  
28 background and records check, and an attested disclosure of all arrests and citations for nontraffic  
29 offenses;

30 (b) Civil judgments;

31 (c) Financial affairs using a multi-jurisdictional personal history disclosure form;

32 (d) The full name, address, date of birth, and other personal identifying information of  
33 the applicant and all key employees; and

34 (e) If the applicant is a corporation or other form of business enterprise, the same  
35 information shall be provided with respect to each partner, trustee, officer, director, and any  
36 shareholder or other holder who owns more than 10 percent of the legal or beneficial interests of  
37 such entity.

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1           III. If the applicant or any owner has held or holds a technology provider, manufacturer, or  
2 supplier's license in a jurisdiction where video lottery machine activities are permitted, the  
3 applicant shall so state and may produce either a letter of reference from the gaming or lottery  
4 enforcement or control agency in such jurisdiction which sets forth the experience of that agency  
5 with the applicant, the applicant's associates, and gaming operation, or a statement under oath that  
6 the applicant is or was during the period the activities were conducted in good standing with the  
7 agency.

8           IV.(a) Upon receipt of a complete application from a technology provider applicant the  
9 lottery commission shall request that the attorney general conduct a background review, and the  
10 attorney general shall conduct a background review of each technology provider applicant and any  
11 of its owners and key employees. The review may be conducted through any appropriate state or  
12 federal law enforcement system and may seek information as to the subject's financial, criminal, or  
13 business background, or any other information which the attorney general, in his or her sole  
14 discretion, may find relevant to the subject's fitness to be associated with the distribution of video  
15 lottery machines, table game devices, or associated equipment in New Hampshire, including, but  
16 not limited to, the subject's character, personal associations, and the extent to which the subject is  
17 properly doing business in the manner in which it purports to operate. The attorney general shall  
18 take into consideration as evidence of fitness a letter of reference or sworn statement of good  
19 standing.

20           (b) The attorney general shall report the results of the review to the lottery commission  
21 within a reasonable time not to exceed 120 days unless a request for additional time has been  
22 granted by the lottery commission for good cause. Whenever the attorney general conducts such a  
23 review, the attorney general shall notify the lottery commission whether or not in his or her opinion  
24 such person is fit to be associated with the distribution of video lottery machines in this state.  
25 Notwithstanding any other law to the contrary, the information provided to the attorney general  
26 and the results of any such review shall be confidential and shall not be subject to disclosure or to  
27 public inspection, except that the attorney general, in the attorney general's sole discretion, shall  
28 determine the extent to which and the manner in which said results may be reported to the lottery  
29 commission or other state agency or official and, if reported, whether such results are to retain their  
30 confidential character.

31           (c) The attorney general may conduct a background review on the attorney general's  
32 motion into the background of the technology provider applicant or licensee, or any person or entity  
33 upon whom the technology provider applicant or licensee relies for financial support.

34           V. In any review conducted pursuant to paragraph IV, the attorney general or any duly  
35 authorized member of the attorney general's staff may require by subpoena or otherwise the  
36 attendance of witnesses and the production of such correspondence, documents, books, and papers  
37 as he or she deems advisable, and for purposes of this section, may administer oaths and take the

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1 testimony of witnesses.

2 VI.(a) The lottery commission shall charge the technology provider applicant an application  
3 fee of \$100,000 which shall be used to defray the cost of processing the application. If the cost of  
4 processing the application exceeds \$100,000, the applicant shall pay the difference.

5 (b) The attorney general shall charge the technology provider applicant an investigation  
6 fee of \$25,000 which shall be used to defray the cost of the background investigation. If the cost of  
7 the background investigation exceeds \$25,000, the applicant shall pay the difference.

8 (c) Upon approval of a technology provider licensee, the lottery commission shall charge  
9 an initial license fee of \$50,000. Licenses shall expire after 5 years. The lottery commission shall  
10 charge a fee of \$50,000 to renew a license to a technology provider licensee provided, however, such  
11 person seeking renewal of its license shall pay all costs incurred by the attorney general to conduct  
12 an investigation with regard to such application to renew the technology provider's license.

13 284-B:17 Licensure Requirements for All Licenses.

14 I. No license shall be issued by the lottery commission unless the applicant demonstrates it  
15 meets the standards set forth in this section. The lottery commission shall consider the applicant's  
16 ability to meet the criteria set forth in this section based upon the application submitted pursuant to  
17 RSA 284-B:12 or RSA 284-B:16, as applicable, the evidence submitted during a hearing conducted  
18 pursuant to RSA 284-B:15, as applicable, the attorney general's report delivered pursuant to RSA  
19 284-B:14 and any letter of reference or sworn statement of good standing from the gaming or lottery  
20 enforcement or control agency in any jurisdiction where the applicant has held or holds a gaming  
21 license.

22 II. The applicant shall demonstrate the following:

23 (a) The applicant's financial stability, integrity, and responsibility, considering, without  
24 limitation, bank references, business and personal income and disbursement schedules, tax returns,  
25 and other reports filed with governmental agencies, business and personal accounting records,  
26 check records, and ledgers.

27 (b) The trustworthiness of all financial backers, investors, mortgagees, bondholders,  
28 and holders of indentures, notes, and other evidences of indebtedness of the applicant, its affiliated  
29 persons, subsidiaries, or holding companies that bears a relation to the application.

30 (c) The applicant's good character, honesty, and integrity, considering, without  
31 limitation, information pertaining to family, habits, character, reputation, criminal and arrest  
32 record, business activities, financial affairs, and business, professional, and personal associates,  
33 covering at least the 10-year period immediately preceding the filing of the application.

34 (d) The likelihood that the applicant can establish and maintain a successful and  
35 efficient operation (including, without limitation, by demonstrating that the applicant meets the  
36 criteria specified in RSA 284-B:12, I(d).

37 III. The lottery commission shall not issue a license to any applicant unless the applicant

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1 proves that each owner, director, officer, and key employee of the applicant, its principals,  
2 subsidiaries, and affiliated entities is fit for gaming based upon the attorney general's review  
3 conducted pursuant to RSA 284-B:14 or RSA 284-B:16, as applicable. The lottery commission may  
4 waive the requirements of this section for a person directly or indirectly holding ownership of  
5 securities in a publicly traded corporation if the board determines that the holder of the securities is  
6 not significantly involved in the activities of the corporation and does not have the ability to control  
7 the corporation or elect one or more directors thereof. The lottery commission may determine  
8 whether the licensing standards of another jurisdiction within the United States or Canada in  
9 which an applicant, its affiliated entity, intermediary, subsidiary, or holding company for a gaming  
10 license or technology provider license is similarly licensed are comprehensive and thorough and  
11 provide similar adequate safeguards as those required by this chapter. If the lottery commission  
12 makes that determination, it may determine that the gaming applicant or technology provider  
13 meets the standards set forth in RSA 284-B:17, II, if an applicant holds a similar license in such  
14 other jurisdiction after conducting an evaluation of the information relating to the applicant from  
15 such other jurisdiction, as updated by the lottery commission, and evaluating other information  
16 related to the applicant received from that jurisdiction and other jurisdictions where the applicant  
17 may be licensed. The lottery commission may incorporate such information, in whole or in part,  
18 into its or the attorney general's evaluation of the applicant.

19 IV. The lottery commission shall not issue a license to any applicant if the applicant, any  
20 key employee, or any individual who has an ownership or financial interest in or with the applicant  
21 or its gaming location or an affiliated entity, is an elected official of the general court or executive  
22 branch of the state of New Hampshire or employee of the attorney general's office or the lottery  
23 commission on a full or part-time or contractual basis or has been at any time during the previous 2  
24 years. If any such applicant, key employee, or any individual who has an ownership or financial  
25 interest in the applicant becomes an employee of the attorney general's office or the lottery  
26 commission on a full or part-time or contractual basis, the applicant shall be subject to sanctions  
27 pursuant to RSA 284-B:25.

28 V. If the lottery commission finds that an individual who is a principal or has an interest in  
29 the applicant does not meet the eligibility requirements of paragraph II, and on this basis the  
30 applicant shall be denied a license, the lottery commission may afford the individual the  
31 opportunity to completely divest his or her interest in the applicant and after such divestiture  
32 reconsider the applicant's suitability for licensure in an expedited proceeding and may, after such  
33 proceeding, issue the applicant a license.

34 VI. No license shall be issued to a gaming applicant unless the applicant has obtained local  
35 approval as provided in RSA 284-B:10.

36 VII.(a) The lottery commission shall approve, approve with conditions, or deny each  
37 application according to the time frames set forth in RSA 284-B:15. Following approval of an

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1 application for a license and receiving notice from the lottery commission that the decision is final  
2 and not subject to an appeal pursuant to RSA 284-B:15, IV, the applicant shall pay any applicable  
3 licensing fee. The applicant shall provide formal notification to the commission as soon as it fulfills  
4 all required conditions for issuance of the license. Upon receipt of such formal notification, and  
5 upon conducting any necessary verification, and payment of the license fee, the lottery commission  
6 shall issue a license to the applicant.

7 (b) No gaming licensee may begin operations until the lottery commission has adopted  
8 final rules. Once final rules have been adopted, a gaming licensee may commence operations in a  
9 temporary gaming location while completing construction of the permanent gaming location. The  
10 gaming licensee shall commence construction of the permanent gaming location within 6 months of  
11 issuance of a license or adoption of final rules by the lottery commission, whichever occurs later.

12 (c) The lottery commission may impose reasonable requirements upon a gaming  
13 licensee with respect to the completion of construction of the permanent gaming location, provided  
14 that the lottery commission may amend, modify, or waive such conditions upon good cause shown  
15 by the gaming licensee and determined by the lottery commission.

16 VIII. The lottery commission shall not consider an incomplete application and shall notify  
17 the applicant in writing if an application is incomplete consistent with RSA 284-B:14, II. An  
18 application shall be considered incomplete if it does not include all applicable application fees and  
19 all information and accompanying documentation required by the commission, including, but not  
20 limited to, a current tax lien certificate issued by the department of revenue administration at the  
21 time of filing the application. Any unpaid taxes identified on the tax lien certificate shall be paid  
22 before the application is considered complete. A notification of incompleteness shall state the  
23 deficiencies in the application that must be corrected prior to consideration of the merits of the  
24 application.

25 IX. The lottery commission shall not consider any application for a license to be complete if  
26 the applicant or any person affiliated with or directly related to the applicant is a party in any  
27 ongoing civil proceeding in which the party is seeking to overturn or otherwise challenge a decision  
28 or order of the lottery commission pertaining to the approval, denial, or conditioning of a license to  
29 conduct gaming. This paragraph shall not be interpreted to affect the rights of applicants to seek  
30 judicial enforcement of mandatory obligations of boards or commissions as may be required by this  
31 chapter.

32 X. Each applicant at all times shall have the burden of establishing its eligibility and  
33 suitability for licensure. If an applicant or licensee does not meet the requirements for licensure,  
34 the lottery commission may deny, revoke, suspend, or condition the license until the applicant or  
35 licensee meets the requirements.

36 XI. During the course of review of any application for a gaming license, the lottery  
37 commission shall take reasonable measures to prohibit and prevent all ex parte communication



1 relating to the merits of such application.

2 XII. No licensee or any person owning an interest in a licensee or affiliated personnel shall  
3 be permitted to make a political contribution as defined by RSA 664:2, VIII.

4 284-B:18 Term of License; Limits on Transfer.

5 I. Any license issued to a gaming licensee pursuant to this chapter and any renewal thereof  
6 shall be valid for 10 years unless earlier suspended or revoked by the lottery commission. Any  
7 license issued to a technology provider pursuant to this chapter and any renewal thereof shall be  
8 valid for 5 years unless earlier suspended or revoked by the lottery commission. The lottery  
9 commission shall adopt procedures for license renewal; provided that such license may be renewed  
10 by the licensee so long as the licensee shall comply with the requirements of the law and continues  
11 to meet the standards for licensure pursuant to this chapter, and so long as the fee for renewal has  
12 been paid pursuant to RSA 284-B:13, III.

13 II. No license issued by the lottery commission may be transferred to a separate person or  
14 entity without the prior approval of the lottery commission consistent with this chapter. Any  
15 proposed transferee of a license issued pursuant to this chapter shall pay an application fee to the  
16 lottery commission and an investigation fee to the attorney general as specified in RSA 284-B:13 or  
17 RSA 284-B:16, as applicable. Any transfer of a license approved by the lottery commission shall be  
18 for the balance of the term of the license. The transferee approved by the lottery commission shall  
19 not pay any additional fee at the time of the approval. The transferee shall be subject to the  
20 provisions of this chapter with regard to renewal of the license.

21 III. For purposes of this section, a transfer includes the transfer of 50 percent or more of the  
22 ownership of the entity which holds the license issued by the lottery commission, whether such  
23 proposed transfer occurs in one transaction or a series of transactions over the course of 12  
24 consecutive months. Any transfer without the approval of the lottery commission shall result in the  
25 immediate and automatic termination of the license. The lottery commission shall adopt rules and  
26 procedures to implement consideration of a proposed transfer of a license.

27 284-B:19 Table Game Operation Certificates.

28 I. The lottery commission shall have general and sole regulatory authority over the conduct  
29 of table games described in this chapter. The lottery commission shall ensure the integrity of the  
30 acquisition and operation of table game devices and associated equipment and shall have sole  
31 regulatory authority over every aspect of the authorization and operation of table games.

32 II.(a) The lottery commission shall:

33 (1) Issue, approve, renew, revoke, suspend, condition, or deny issuance or renewal  
34 of a table game operation certificate permitting a gaming licensee to operate table games at a  
35 gaming location consistent with this chapter.

36 (2) Determine at its discretion the suitability of any person, including technology  
37 vendors not licensed pursuant to this chapter, who furnishes or seeks to furnish to a certificate

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1 holder directly or indirectly any services or property related to the table games or associated  
2 equipment or through any arrangements under which that person receives payment based directly  
3 or indirectly on earnings, profits, or receipts from table games and associated equipment. Any  
4 criminal background checks shall be conducted by the division of state police, gaming enforcement  
5 unit, and any other background investigations shall be conducted by the attorney general's office.  
6 The commission may require any such person to comply with the requirements of this chapter and  
7 the rules of the commission and may prohibit the person from furnishing the services or property.

8 (b) The certificate shall only permit the operation of table games at a gaming location of  
9 a gaming licensee that operates or permits the operation of games of chance for or on behalf of  
10 charitable organizations pursuant to RSA 287-D. The space allocated for games of chance at the  
11 facility of a gaming licensee shall be at least 5,000 square feet within the principal gaming area of  
12 the gaming location, and the number of tables used for table games shall be limited to no more than  
13 150 tables.

14 (c) The certificate shall not be transferable.

15 III. The lottery commission shall only permit the operation of table games and the system of  
16 wagering associated with table games at a gaming location. Authorization to conduct table games  
17 shall be contingent upon the gaming applicant's agreement to conduct table games in accordance  
18 with this section.

19 IV.(a) A gaming licensee may seek approval to operate table games by filing a petition with  
20 the lottery commission consistent with this chapter.

21 (b) A petition shall include the following:

22 (1) An itemized list of the number and type of table games for which authorization  
23 is being sought.

24 (2) The estimated number of full-time and part-time employment positions that will  
25 be created at the gaming location if table games are authorized.

26 (3) Information and authorizations sufficient to allow the commission to confirm  
27 that any person providing services as a table game operator has not, in any jurisdiction, been  
28 convicted of a felony or class A misdemeanor within the previous 10 years which has not been  
29 annulled by a court, or a class B misdemeanor within the previous 5 years which has not been  
30 annulled by a court, or has violated any statutes or rules governing gambling or gaming of any  
31 kind.

32 (4) The details of any financing that will be obtained or has been obtained to  
33 accommodate the operation of table games.

34 (5) Detailed site plans identifying the petitioner's proposed table game area within  
35 the gaming location including reference to the area reserved for charitable games of chance and  
36 affirmation that the petitioner agrees to permit the operation of charitable games of chance  
37 consistent with RSA 284-B:12, II(c)(3). The proposed table game area shall be reviewed by the

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1 lottery commission to determine the adequacy of the proposed internal controls and external  
2 security and proposed surveillance measures and submit a finding regarding adequacy to the  
3 commission.

4 V. The applicant shall certify under oath that:

5 (a) The information provided on the petition is accurate.

6 (b) The applicant who will be participating in the operation of the games of chance is  
7 aware of all statutes and rules applicable to the operation of table games.

8 (c) The proposed internal and external security and proposed surveillance measures  
9 within the petitioner's proposed table game area within the gaming location are adequate.

10 (d) The petitioner's proposed internal controls and audit protocols shall:

11 (1) Safeguard its assets and revenues, including the recording of cash and evidences  
12 of indebtedness related to the table games.

13 (2) Provide for reliable records, accounts, and reports of any financial event that  
14 occurs in the operation of a table game, including reports to the commission related to the table  
15 games.

16 (3) Provide for accurate and reliable financial records related to the table games  
17 operation.

18 (4) Establish procedures for all the following:

19 (A) The receipt, storage, and disbursal of chips, cash, and other cash equivalents  
20 used in table gaming.

21 (B) Check cashing.

22 (C) The redemption of chips and other cash equivalents used in table gaming  
23 and the payoff of jackpots.

24 (D) The recording of transactions pertaining to table gaming.

25 (5) Establish procedures for the collection and security of moneys at the gaming  
26 tables.

27 (6) Establish procedures for the transfer and recording of chips between the gaming  
28 tables and the cashier's cage.

29 (7) Establish procedures for the transfer of drop boxes for table games from the  
30 gaming tables to the count room.

31 (8) Establish procedures and security for the counting and recording of table  
32 gaming revenue.

33 (9) Establish procedures for the security, storage, and recording of cash, chips, and  
34 other cash equivalents utilized in table gaming.

35 (10) Establish procedures and security standards for the handling and storage of  
36 gaming apparatus, including cards, dice, machines, wheels, and all other gaming equipment.

37 (11) Establish procedures and rules governing the conduct of particular games and

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1 the responsibility of non-key gaming employees.

2 (12) Establish procedures for the collection and recording of revenue from poker  
3 when it is a nonlicensee bank game, including the type of rake utilized, the methodology for  
4 calculating the rake, and the amount of maximum permissible rake.

5 (13) Ensure that any wagering governing the operation of a table game is  
6 implemented only in accordance with the management's general or specific authorization, as  
7 approved by the lottery commission.

8 (14) Ensure that there is proper and timely accounting of gross table game revenue  
9 and the calculation of gross table game revenue, fees, and taxes and maintain accountability for  
10 assets.

11 (15) Ensure that recorded accountability for assets is compared with actual assets at  
12 reasonable intervals and that appropriate action is taken with respect to any discrepancies.

13 (16) Ensure that all functions, duties, and responsibilities are appropriately  
14 segregated and performed in accordance with sound financial practices by competent, qualified  
15 personnel.

16 (17) Permit use of its existing onsite facilities by the lottery commission and other  
17 persons authorized by the commission to facilitate their ability to perform regulatory and oversight  
18 functions under this chapter.

19 VI.(a) Each gaming licensee shall, prior to being approved for a table game operation  
20 certificate, submit to the commission a detailed description of its administrative and accounting  
21 procedures related to table games, including its written system of internal controls. Each written  
22 system of internal controls shall include:

23 (1) An organizational chart depicting appropriate functions and responsibilities of  
24 employees involved in the table game operation.

25 (2) A description of the duties and responsibilities of each position shown on the  
26 organizational chart.

27 (3) The record retention policy of the applicant.

28 (4) The procedure to be utilized to ensure that assets are safeguarded, including  
29 mandatory count procedures.

30 (b) Gaming licensees shall maintain a detailed narrative description of the  
31 administrative and accounting procedures which meet the requirements of this section.

32 (c) A gaming licensee with a table game operation certificate may accept a check from a  
33 patron in exchange for cash or chips, provided that each check is deposited with the financial  
34 institution upon which the check is drawn within 10 days of receipt by the gaming licensee.

35 (d) A gaming licensee with a table game operation certificate may make credit card  
36 advances and debit card withdrawals available to table game patrons at a gaming location. All fees  
37 charged for cash advances, check cashing, and debit card withdrawals shall be disclosed.

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1 Notwithstanding any other provision of law, a gaming licensee with a table game operation  
2 certificate may provide credit to patrons for the purpose of playing table games in accordance with  
3 this section. No third party checks shall be permitted.

4 VII. A certificate holder shall maintain all books, records, and documents pertaining to the  
5 certificate holder's table game operation in a manner and location as approved by the lottery  
6 commission. All books, records, and documents related to table game operations shall:

7 (a) Be maintained separately and apart from all books, records, and documents of the  
8 video lottery machine operations;

9 (b) Be immediately available for inspection upon request of the lottery commission, the  
10 state police, or agents of the attorney general during all hours of operation in accordance with rules  
11 adopted by the commission; and

12 (c) Be maintained for a period as the lottery commission, by rule, may require.

13 VIII. A gaming licensee shall distribute its daily gross table revenue as follows:

14 (a) Fourteen percent of daily gross table revenue to the state to be deposited into the  
15 education trust fund under RSA 198:39; and

16 (b) The balance of the daily gross table game revenue shall be retained by the  
17 gaming licensee that operates the table games.

18 IX. The distribution due to the state pursuant to subparagraph VIII(a) shall be due and  
19 payable to the state treasurer on a daily basis and shall be based upon gross table game revenue  
20 derived during the previous day. All funds owed to the state under this section shall be held in  
21 trust by the certificate holder until the funds are paid or transferred and distributed by the  
22 certificate holder. Unless otherwise agreed to by the lottery commission, a certificate holder shall  
23 establish a separate bank account to maintain table gaming proceeds until such time as the  
24 proceeds are paid or transferred under this section.

25 X. Any person seeking to supply table game devices for use at a gaming location shall  
26 obtain approval by the commission for authority to manufacture or supply table games, table game  
27 devices, or other equipment associated with table games, and shall pay such fees as the commission  
28 deems reasonable and appropriate. Upon approval, the manufacturer or supplier shall pay a fee of  
29 \$50,000. A fee of \$25,000 shall be paid for the annual renewal of an approval.

30 XI.(a) No table games shall be conducted with any equipment except such as is owned or  
31 leased from a supplier or manufacturer of such equipment who has been approved by the  
32 commission pursuant to RSA 284-B:19, X and who has registered with the secretary of state in such  
33 manner and on such form as the secretary of state prescribes.

34 (b) All devices and equipment used to conduct table games shall be subject to inspection  
35 by duly authorized law enforcement officials of the commission.

36 (c) The amount of any wager permitted to be played by a player, on any table game,  
37 shall be prominently posted.

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1           284-B:20 Exclusion of Minors.

2           I. No person under 21 years of age shall play a video lottery machine or table game  
3 authorized by this chapter. Each violation of this paragraph shall be punishable by a fine of no  
4 more than \$2,400 and shall be payable by such person who violates this section.

5           II. No gaming licensee shall knowingly permit any person under 21 years of age to play or  
6 participate in any aspect of the play of a video lottery machine or table game. Each violation of this  
7 paragraph shall be punishable by a fine of no more than \$20,000 and shall be payable by the  
8 gaming licensee.

9           284-B:21 Operation of Video Lottery Machines.

10          I.(a) A gaming licensee shall provide to the lottery commission prior to commencing  
11 operations of any video lottery machines, by diagram or narrative, a description of:

12                   (1) The location of each video lottery machine available for play by the public.

13                   (2) The location of all areas for the storage, maintenance, or repair of video lottery  
14 machines.

15                   (3) A description of all security measures to be taken for the safeguarding of video  
16 lottery machines.

17                   (4) The location and security measures taken for the safeguarding of all moneys,  
18 tokens, or other items of value utilized in the use of video lottery machines.

19                   (5) All procedures for the operation, maintenance, repair, and inserting or removing  
20 of moneys, tokens, or other items of value from video lottery machines.

21                   (6) All internal control systems as required by RSA 284-B:12, I(f).

22           (b) The provisions of subparagraphs (a)(1)-(6) shall be approved by the lottery  
23 commission prior to a gaming licensee's commencing the operation of any video lottery machine.

24          II. No video lottery machine shall be possessed, maintained, exhibited, brought into, or  
25 removed from a gaming location by any person unless such machine has permanently affixed to it  
26 an identification number or symbol authorized by the lottery commission and prior notice of any  
27 such movement has been given to the lottery commission.

28          III. Each gaming licensee shall maintain secure facilities for the counting and storage of all  
29 moneys, tokens, or other items of value utilized in the conduct or operation of video lottery  
30 machines.

31          IV. The drop boxes and other devices shall not be brought into a gaming location or  
32 removed from a video lottery machine, locked or unlocked, except at such specific times and such  
33 places and according to such procedures as the lottery commission may require to safeguard such  
34 boxes and devices and their contents.

35          V. No video lottery machine shall be used to conduct gaming unless it is identical in all  
36 electrical, mechanical, and other aspects to a model which has been specifically tested by the lottery  
37 commission and licensed for use by the lottery commission. In conducting such tests, the lottery

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1 commission shall use the services of an independent laboratory, and the cost of such independent  
2 laboratory shall be paid by the technology provider.

3 VI. Video lottery machines in operation at a gaming location shall provide a payoff of an  
4 average of at least 90 percent, except that progressive jackpots shall have a payoff of an average of  
5 at least 85 percent.

6 VII. All tickets given as prizes or winnings from video lottery machines shall be redeemed  
7 for cash within one year after the date of winning. Upon the expiration of such one-year period, the  
8 value of such unredeemed tickets shall be considered net machine income of the issuing gaming  
9 licensee.

10 VIII. A gaming licensee shall not be restricted in the days of operation of video lottery  
11 machines.

12 IX. Video lottery machines shall be operated only at times when the public is allowed access  
13 to the gaming locations.

14 X. No automatic teller machines shall be located within 50 feet of video lottery machines.

15 XI. All table games operated by a gaming licensee shall be approved in advance by the  
16 lottery commission consistent with RSA 284-B:19 and operated consistent with such approval.

17 284-B:22 Distribution of Net Machine Income.

18 I.(a) Notwithstanding any law to the contrary, the net machine income generated by video  
19 lottery machines operated by a gaming licensee shall be paid as follows:

20 (1) Twenty-five percent of the net machine income generated by video lottery  
21 machines shall be paid to the commission from which it shall pay for the costs of regulation,  
22 administration, enforcement of this chapter, and the operation of the central computer system, and  
23 the balance of which shall be paid to the state treasurer to be distributed through the operating  
24 budget as determined by the general court for the following purposes:

25 (A) Forty-five percent shall be appropriated to the department of transportation  
26 to be used to pay the debt service costs on bonds issued after December 31, 2012 for the widening of  
27 I-93. The remainder of this 45 percent shall be disbursed as follows:

28 (i) Notwithstanding the provisions of RSA 235:23 and RSA 235:23-a, the  
29 first 1/6 shall be deposited into the highway and bridge betterment account established under RSA  
30 235:23-a and dedicated to local highway and bridge betterment projects; and

31 (ii) The next 5/6 shall be distributed pursuant to the apportionment formula  
32 in RSA 235:23, I.

33 (B) Forty-five percent shall be appropriated to the university system of New  
34 Hampshire and community college system of New Hampshire higher education fund to provide  
35 additional funding to public institutions of higher education in New Hampshire. There is  
36 established the university system of New Hampshire and community college system of New  
37 Hampshire higher education fund. This fund shall be nonlapsing and continually appropriated for

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1 the purposes of this subparagraph.

2 (C) To be deposited in the north country economic development fund established  
3 in RSA 284-B:29 for the purposes of north country economic development.

4 (2) Three percent of the net machine income generated by video lottery machines  
5 operated by a gaming licensee in any specific municipality shall be paid to the municipality in  
6 which the gaming licensee operates video lottery machines.

7 (3) One percent of the net machine income generated by video lottery machines  
8 operated by a gaming licensee shall be paid in equal portions to each of the municipalities of New  
9 Hampshire which abut the municipality in which the gaming licensee operates video lottery  
10 machines; provided, however, that if a municipality abuts more than one municipality in which a  
11 gaming licensee operates video lottery machines, such municipality shall only receive net machine  
12 income pursuant to this paragraph from the gaming licensee who operates video lottery machines in  
13 the same county as the abutting municipality.

14 (4) One percent of the net machine income generated by all video lottery machines  
15 shall be paid to the state treasurer and credited to the commissioner of the department of health  
16 and human services to support programs established by RSA 172 to treat problem gambling.

17 (b) The balance of the funds from the net machine income from video lottery machines  
18 shall be retained by the gaming licensee that operates such video lottery machines, subject to any  
19 adjusted charitable benefit amount or gaming location charitable benefit amount due to the lottery  
20 commission from the gaming licensee pursuant to RSA 284:6-b, III.

21 II. The gaming licensee shall deliver the amounts payable to the state or municipality as  
22 provided in paragraph I in immediately available funds of the United States on a daily basis. At the  
23 time payment is delivered, the gaming licensee shall provide a written accounting of net machine  
24 income generated from the video lottery machines by the gaming licensee on an aggregate basis and  
25 the calculation of amounts due to the state separately for distribution pursuant to subparagraphs  
26 I(a)(1) and (4), the amount due the municipality pursuant to subparagraph I(a)(2), the amount due  
27 certain municipalities pursuant to subparagraph I(a)(3), and the balance of net machine income  
28 retained by the gaming licensee. The gaming licensee shall pay a penalty of \$1,000 for each day  
29 that payment or the accounting is not delivered on time to the state, and a penalty of \$1,000 for  
30 each day that payment or the accounting is not delivered to the municipality on time.

31 284-B:23 Inspection of Video Lottery Machines; Penalty for Tampering or Manipulating.

32 I. The lottery commission shall periodically test video lottery machines installed at any  
33 gaming location. In conducting such tests, the lottery commission shall use the services of an  
34 independent laboratory, and the cost of such independent laboratory shall be paid by the technology  
35 provider.

36 II. Any person who purposely manipulates the outcome, payoff, or operation of any video  
37 lottery machine or table game by physical, electronic, or mechanical means, shall be guilty of a



1 felony.

2 284-B:24 Presence of the Lottery Commission. The lottery commission and the division of state  
3 police gaming enforcement unit may be present at any gaming location at which video lottery  
4 machines and table games are operated at all times when the gaming location is open to the public.  
5 The gaming licensee may be required by the lottery commission or gaming enforcement unit to  
6 provide such office space and equipment which the commission or unit shall determine is  
7 reasonably necessary or proper.

8 284-B:25 Sanction Powers of the Lottery Commission.

9 I. The lottery commission shall have the sole and exclusive authority following appropriate  
10 hearings and factual determinations, to impose sanctions against any person for any violation of  
11 this chapter or any rule of the commission adopted under the provisions of this chapter as follows:

12 (a) Revocation or suspension of a license.

13 (b) Civil penalties as may be necessary to punish misconduct and to deter future  
14 violations, which penalties may not exceed \$50,000 for each violation.

15 (c) Order restitution of any moneys or property unlawfully obtained or retained by a  
16 person.

17 (d) Issuance of a cease and desist order which specifies the conduct which is to be  
18 discontinued, altered, or implemented by the person.

19 (e) Issuance of letters of reprimand or censure, which shall be made a permanent part  
20 of the file of each person so sanctioned.

21 (f) Imposition of any or all of the foregoing sanctions in combination with each other.

22 II. In determining appropriate sanctions in a particular case, the commission shall consider:

23 (a) The risk to the public and to the integrity of video lottery machine or table game  
24 operations created by the conduct of the person.

25 (b) The seriousness of the conduct of the person and whether the conduct was  
26 purposeful or with knowledge that it was in contravention of the provisions of this chapter or the  
27 rules of the commission.

28 (c) Any justification or excuse for such conduct.

29 (d) The prior history of the person involved.

30 (e) The corrective action taken by the person to prevent future misconduct of a like  
31 nature from occurring.

32 (f) In the case of a monetary penalty, the amount of the penalty in relation to the  
33 misconduct and the financial means of the person.

34 (g) In the event that a person receives 3 civil penalties during the term of such person's  
35 license, the commission may subject such person to enhanced fines or other disciplinary action.

36 284-B:26 Declaration of Limited Exemption from Operation of Provisions of 15 U.S.C. sections  
37 1171-1178. Pursuant to section 2 of an act of Congress of the United States entitled "An Act to

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1 Prohibit Transportation of Gambling Devices in Interstate and Foreign Commerce,” designated as  
2 15 U.S.C. sections 1171-1178, the state of New Hampshire, acting by and through the duly elected  
3 and qualified members of its legislature, does hereby, in accordance with and in compliance with  
4 the provisions of that section 2 of that act of Congress, declare and proclaim that it is in the state’s  
5 best interest to benefit from limiting gambling device revenues but prevent the proliferation of  
6 gambling devices by limiting approved facility locations and therefore that section 2 of that act of  
7 Congress shall not apply to any gambling device in this state where the transportation of such a  
8 device is specifically authorized by and done in compliance with the provisions of this chapter and  
9 any rules adopted pursuant to it, and that any such gambling device transported in compliance with  
10 state law and rules shall be exempt from the provisions of that act of Congress.

11 284-B:27 Legal Shipment of Gaming Devices into New Hampshire. All shipments into this  
12 state of gaming devices, the registering, recording, and labeling of which has been duly made by the  
13 manufacturer or dealer in accordance with sections 3 and 4 of an act of Congress of the United  
14 States entitled “An Act to Prohibit Transportation of Gambling Devices in Interstate and Foreign  
15 Commerce,” designated as 15 U.S.C. sections 1171-1172, shall be deemed legal shipments into this  
16 state.

17 284-B:28 Gaming Study Commission Established.

18 I. There is established a gaming study commission consisting of members as follows::

- 19 (a) Three members appointed by the governor.  
20 (b) One member appointed by the president of the senate.  
21 (c) One member appointed by the speaker of house of representatives.  
22 (d) The commissioner of the department of resources and economic development; or  
23 designee.  
24 (e) The executive director of the lottery commission, or designee.

25 II. The terms of the members shall commence upon their appointment and continue  
26 through the date on which the report of the commission is delivered as provided in paragraph IV.  
27 The commission shall elect a chairperson from its membership. The commission shall meet at the  
28 call of chairperson who may call a meeting as often as necessary. Five commissioner members shall  
29 constitute a quorum and action shall be taken by a majority of the members present when there is a  
30 quorum.

31 III. The commission shall review the operation of the gaming location by the gaming  
32 licensee authorized pursuant to this chapter and shall evaluate the economic and regulatory impact  
33 of such operations and the competitive conditions in the gaming industry then existing. Based upon  
34 such review, the commission may make such findings and recommendations as it determines  
35 appropriate, including with respect to whether additional licenses should be issued for gaming  
36 locations under this chapter and under what conditions.

37 IV. The commission shall make a report, together with its findings and recommendations,

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1 to the governor, the president of the senate, and the speaker of the house of representatives within  
2 2 years of the date on which the gaming location authorized under this chapter becomes  
3 operational.

4 284-B:29 Fund Established.

5 I. There is hereby established a special fund to be known as the north country economic  
6 development fund. The fund shall consist of moneys from the net machine income generated by  
7 video lottery machines as prescribed in RSA 284-B:22. The fund shall be managed by the state  
8 treasurer and the committee in paragraph II, shall be nonlapsing, and shall be continually  
9 appropriated for the purposes of this chapter.

10 II.(a) Use of the fund shall be solely for supporting job creation, economic stability and  
11 other activities which improve the standard of living of residents of the north country. The fund  
12 distribution will be managed by a committee consisting of 3 public members from the north country  
13 appointed by the governor:

14 (b) The members appointed under subparagraph (a) shall serve 2-year terms.

15 III. For the purposes of this section the north country shall consist of the upper 1/3 of the  
16 state of New Hampshire.

17 3 New Section; Lottery Commission; Administration of Video Lottery. Amend RSA 284 by  
18 inserting after section 21-v the following new section:

19 284:21-w Administration of Video Lottery and Table Games. The lottery commission shall  
20 administer and enforce the provisions of RSA 284:B.

21 4 New Sections; Department of Safety; Gaming Enforcement Unit Established. Amend RSA 21-  
22 P by inserting after section 7-c the following new sections:

23 21-P:7-d Division of State Police; Gaming Enforcement Unit.

24 I. There is established within the division of state police a gaming enforcement unit under  
25 the supervision of the commissioner of the department of safety. Notwithstanding RSA 106-B:15,  
26 the unit shall:

27 (a) Investigate violations of RSA 284-B and the rules adopted under the provisions of  
28 RSA 284-B, and initiate proceedings before the lottery commission for such violations. The unit  
29 shall report the results of any investigation conducted to the lottery commission.

30 (b) Participate in any hearing conducted by the lottery commission.

31 (c) Investigate crimes which may involve a violation of RSA 284-B that occur at a  
32 gaming location.

33 II. The commissioner of the department of safety shall organize the unit as the  
34 commissioner deems necessary. The commissioner of safety may employ such state police personnel  
35 as the commissioner deems necessary to fulfill the responsibilities of the unit.

36 21-P:7-e Enforcement Expenditures. The governor and council, upon request from the  
37 commissioner of the department of safety, may authorize the transfer of general funds as necessary

1 to the department of safety to implement and enforce RSA 21-P:7-d and RSA 284-B.

2 5 New Section; Lottery Commission; Duties. Amend RSA 284 by inserting after section 6-b the  
3 following new section:

4 284:6-c Duties of the Lottery Commission. The lottery commission shall:

5 I. Provide to the attorney general or division of state police gaming enforcement unit, all  
6 records pertaining to the licensing of a pari-mutuel licensee to the extent a pari-mutuel licensee is  
7 an applicant or gaming location relevant to the lottery commission's approval process under RSA  
8 284-B within 30 days after the lottery commission receives a request. All records provided to the  
9 lottery commission shall be confidential in accordance with RSA 284-B:16.

10 II. Notice of the contents of any information or data released, except to a duly authorized  
11 law enforcement agency pursuant to paragraph I, shall be given to any applicant, registrant, or  
12 licensee in a manner prescribed by the rules adopted by the lottery commission.

13 III. Any charity that held charitable games in New Hampshire in accordance with RSA 287-  
14 D or RSA 287-E during the fiscal year ending June 30, 2012, ("FY 12") shall be eligible to receive an  
15 adjusted charitable benefit as follows:

16 (a) The lottery commission shall determine the total net revenue awarded to each  
17 charity from charitable gaming events held in accordance with RSA 287-D and RSA 287-E during  
18 FY 12. This amount shall be called the "base charitable benefit."

19 (b) Within 60 days of the close of a fiscal year in which a gaming licensee has operated  
20 video lottery machines and table gaming pursuant to RSA 284-B, the lottery commission shall  
21 determine the total net revenue awarded to each charity from charitable gaming events held in  
22 accordance with RSA 287-D and RSA 287-E for that fiscal year. This amount shall be called the  
23 "annual charitable benefit."

24 (c) For each charity eligible under this paragraph, the lottery commission shall  
25 determine if the base charitable benefit exceeds the annual charitable benefit for the previous fiscal  
26 year. If the base charitable benefit exceeds the annual charitable benefit, the difference shall be  
27 called the "adjustable annual charitable benefit" and the lottery commission shall notify the gaming  
28 licensee of the amount of the adjusted annual charitable benefit.

29 (d) Within 20 days of receipt of such notice, the gaming licensee shall pay the adjusted  
30 annual charitable benefit of each eligible charity to the lottery commission

31 (e) Within 10 days of receipt of the adjusted annual charitable benefit, the lottery  
32 commission shall pay the adjusted annual charitable benefit to each eligible charity.

33 (f) The payment due under this section shall not be subject to offsets or credits.

34 (g) To the extent the gaming licensee has operated video lottery machines and table  
35 games for only a portion of a fiscal year, the adjusted annual charitable benefit amount for that year  
36 shall be proportionally pro-rated.

37 (h) If a charity eligible under this paragraph stops engaging in charitable games under

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1 RSA 287-D and RSA 287-E for over a year any time after the opening of the gaming licensee, such  
2 charity shall no longer be eligible to receive an annual charitable benefit.

3 IV. The lottery commission shall adopt rules, under RSA 541-A, relative to the calculation,  
4 collection, and distribution of the adjusted annual charitable benefit consistent with this section.

5 6 Restriction on Gambling. RSA 284:17-c is repealed and reenacted to read as follows:

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

10 7 New Paragraph; Facility Licensee; Cocktail Lounge License. Amend RSA 178:22 by inserting  
11 after paragraph V the following new paragraph:

12 VI. The commission may issue a special license to a person holding a gaming license under  
13 the provisions of RSA 284-B, provided the gaming location has an existing liquor license. Such  
14 special license shall allow the sale of liquor and beverage within the gaming location, including  
15 dining room, function room, gaming room, lounge, or any other area designated by the commission,  
16 without regard to whether meals are served therein, but only during the time gaming is being  
17 conducted under RSA 284-B.

18 8 New Subparagraph; Authorized Video Lottery Machines. Amend RSA 647:2, V by inserting  
19 after subparagraph (c) the following new subparagraph:

20 (d) Video lottery machines and table games authorized pursuant to RSA 284-B.

21 9 Rehabilitation of Problem Gaming. Amend RSA 172:2-a to read as follows:

22 172:2-a Program Established. The commissioner shall provide for the scientific care,  
23 treatment, and rehabilitation of **gambling**, alcohol and drug abusers, and work towards the  
24 prevention of, and assist in the control of, alcohol and drug abuse within the state through  
25 education, treatment, community organization, and research.

26 10 Rehabilitation of Problem Gaming. Amend RSA 172:8 to read as follows:

27 172:8 Duties of Commissioner. The commissioner shall:

28 I. Study the problems presented by **gambling**, alcohol and drug abuse, including methods  
29 and facilities available for the care, treatment, custody, employment, and rehabilitation of persons  
30 who are **problem gamblers**, inebriates, alcohol abusers, drug dependent, or drug abusers.

31 II. Promote meetings and programs for the discussion of **gambling**, alcohol and drug  
32 dependency and abuse for the guidance and assistance of individuals, schools, courts, and other  
33 public and private agencies.

34 III. Conduct, promote and finance, in full or in part, studies, and other appropriate facilities  
35 dealing with the physical, psychological, and/or social aspects of **gambling**, alcohol and drug abuse.

36 IV. Have the authority to accept or reject for examination, diagnosis, guidance, and  
37 treatment, insofar as funds and facilities permit, any resident of the state who comes to the

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1 commissioner voluntarily for advice and treatment.

2 V. [Repealed.]

3 VI. Render biennially to the governor and council a report of his activities including  
4 recommendations for improvements therein by legislation or otherwise.

5 VII. Coordinate community medical resources for the emergency medical care of persons  
6 suffering acute mental or physical reaction to *gambling*, alcohol or drugs and of persons suffering  
7 from drug dependency.

8 VIII. Employ such assistants as may be necessary to carry out the purposes of this chapter,  
9 in accordance with state personnel regulations, and within available appropriations and funds.

10 IX. Disseminate information on the subjects of *gambling*, alcohol and drug abuse for the  
11 guidance and assistance of individuals, schools, courts and other public and private agencies.

12 X. [Repealed.]

13 11 Problem Gaming Added. Amend RSA 172:8-a to read as follows:

14 172:8-a Confidentiality of Client Records. No reports or records or the information contained  
15 therein on any client of the program or a certified *gambling*, alcohol or drug abuse treatment  
16 facility or any client referred by the commissioner shall be discoverable by the state in any criminal  
17 prosecution. No such reports or records shall be used for other than rehabilitation, research,  
18 statistical or medical purpose, except upon the written consent of the person examined or treated.  
19 Confidentiality shall not be construed in such manner as to prevent recommendation by the  
20 commissioner to a referring court, nor shall it deny release of information through court order  
21 pursuant to appropriate federal regulations.

22 12 Problem Gaming Added. Amend RSA 172:8-b to read as follows:

23 172:8-b Rulemaking. The commissioner shall adopt rules under RSA 541-A relative to the  
24 following:

25 I. The acceptance, care, and treatment of *gambling*, alcohol or drug dependent persons  
26 and alcohol or drug abusers who are clients of the program established under this chapter or a  
27 certified substance abuse treatment facility.

28 II. A fee schedule and collection of fees under RSA 172:14, IV.

29 III. Certification of *such* substance abuse treatment facilities including, but not limited to:

30 (a) Program content;

31 (b) Qualifications of program staff; and

32 (c) Type of substance abuse treatment offered.

33 IV. Certification and recertification of *gambling*, alcohol and drug abuse counselors  
34 including, but not limited to:

35 (a) Peer review of applicants.

36 (b) Minimum qualifications and competency.

37 (c) Education and continuing education.

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1 (d) Experience required.

2 (e) Required knowledge of *gambling*, alcohol and drug abuse counseling.

3 (f) Such other matters as the commissioner may deem necessary to carry out the  
4 purposes of this chapter.

5 V. Voluntary admissions under RSA 172:13.

6 13 Acceptance of Funds; Treatment of Problem Gamblers. Amend RSA 172:9 to read as follows:

7 172:9 Acceptance of [~~Grants~~] *Funds*. The commissioner is authorized to accept in the name of  
8 the state special grants or money or services from the federal or state governments or any of their  
9 agencies and may accept gifts to carry on the functions provided for in this chapter.

10 14 New Subparagraph; Gambling Offenses; Minors. Amend RSA 647:2, I by inserting after  
11 subparagraph (c) the following new subparagraph:

12 (d) Violates the provisions of RSA 284-B:7.

13 15 Education Trust Fund; Proceeds. Amend RSA 6:12, I(b)(65) to read as follows:

14 (65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA  
15 83-F, *RSA 284-B:19, VIII* and from the sweepstakes fund, which shall be credited to the education  
16 trust fund under RSA 198:39.

17 16 New Subparagraphs; Special Funds. Amend RSA 6:12, I(b) by inserting after subparagraph  
18 331 the following new subparagraphs:

19 (332) Moneys received for the university system of New Hampshire and community  
20 college system of New Hampshire higher education fund established under RSA 284-B:22, I(a)(1)(B).

21 (333) Moneys deposited in the north country economic development fund  
22 established in RSA 284-B:29.

23 17 License Proceeds to Lottery Commission. Amend RSA 284:21-j, I to read as follows:

24 I. The state treasurer shall credit all moneys received from the lottery commission under  
25 RSA 284, RSA 287-D, *RSA 284-B:13, I*, and RSA 287-E, and interest received on such moneys, to a  
26 special fund from which the treasurer shall pay all expenses of the commission incident to the  
27 administration of this subdivision and all administration and enforcement expenses of racing and  
28 charitable gaming under RSA 284, RSA 287-D, and RSA 287-E. Any balance left in such fund after  
29 such expenses are paid shall be deposited in the education trust fund established under RSA 198:39.

30 18 Effective Date. This act shall take effect upon its passage.

2016-0961s

AMENDED ANALYSIS

This bill:

I. Allows video lottery machines and table games at one gaming location in the state pursuant to a competitive application process.

II. Distributes proceeds of video lottery machines and table games to the municipalities where the facility is located and abutting communities, to support programs to treat problem gambling, and to the education trust fund. Proceeds will also be distributed for highway and bridge projects, higher education, and north country economic development.

III. Establishes a gaming enforcement unit in the division of state police.

IV. Requires the lottery commission to regulate, license, and enforce the provisions for video lottery and table games operated at a gaming location.

V. Creates a commission to study the operation of the licensed gaming location and its effects on the community, and to make recommendations that may include whether to issue additional licenses.



# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Ways and Means**

Sen David Boutin; Chair  
Sen Lou D'Allesandro; Vice Chair  
Sen Andy Sanborn; Member  
Sen Chuck Morse; Member  
Sen Dan Feltes; Member

Date: February 3, 2016

**HEARINGS**

Tuesday	02/09/2016	
(Day)	(Date)	
Ways and Means	SH 103	9:30 a.m.
(Name of Committee)	(Place)	(Time)

**EXECUTIVE SESSION MAY FOLLOW**

9:30 a.m.      **SB 552-FN**                      relative to expense deductions under the business profits tax.  
9:45 a.m.      **SB 551-FN-A-LOCAL** establishing video lottery and table gaming at one location.

**Sponsors:**

**SB 552-FN**

Sen. Sanborn

Sen. Stiles

Sen. Avard

Sen. Prescott

Sen. Cataldo

Sen. Morse

Sen. Reagan

**SB 551-FN-A-LOCAL**

Sen. D'Allesandro

Sen. Woodburn

Sen. Soucy

Rep. Estevez

Sen. Lasky

Sen. Morse

Sonja Caldwell 271-2117

David R Boutin  
Chairman

**Senate Ways and Means Committee**  
*Sonja Caldwell 271-2117*

SB 551-FN-A-L, establishing video lottery and table gaming at one location.

**Hearing Date:** February 9, 2016

**Members of the Committee Present:** Senators Boutin, D'Allesandro, Sanborn, Morse and Feltes

**Members of the Committee Absent:**

**Bill Analysis:** This bill enables the lottery commission to license one casino providing video lottery machines and table gaming at Rockingham Park in Salem.

This bill also distributes proceeds from gross slot machine income and gross table game income to reimburse the gaming regulatory oversight authority for certain expenses and to pay for the operation of the gaming commission, to the town of Salem, those communities abutting the town of Salem, Rockingham county, the department of health and human services to support addiction programs to cities and towns under the revenue sharing agreement, and the gaming regulatory fund.

**Sponsors:**

Sen. D'Allesandro

Sen. Soucy

Sen. Lasky

Sen. Morse

Sen. Woodburn

Rep. Estevez

---

**Who supports the bill:** Glenn Brackett (NH AFL-CIO), Sen. Lasky, Bill McLaughlin, Sen. Morse, Sen. Boutin

**Who opposes the bill:** Steve Duprey (Casino Free NH), Mike Somers (NH Lodging & Restaurant Assoc.), Elizabeth Sargent (NH Police Chiefs Assoc.), John Tuthill, Sen. Fuller Clark

**Who is neutral on the bill:** Christine Hunt (Live Free or Die Alliance)

**Summary of testimony presented:**

**Sen. D'Allesandro**

- Designates one site for a casino.
- Would enable the Lottery Commission to license one casino at Rockingham Park with video lottery machines and table games.
- Income would be distributed to reimburse the oversight committee, the gaming commission, Salem, abutting communities, Rockingham County, HHS for addiction, cities and towns for revenue sharing and the gaming fund.
- Everything is consolidated under the Lottery Commission. They have full control over technology, and make all decisions regarding the rule making and functioning of the business enterprise.
- We've taken all of the things recommended by previous commissions and

incorporated them into this bill.

- There must be a vote at the local level to accept this. Salem has had a series of votes with as much as 80% supporting it.
- The election would be paid for by the individual seeking the license.
- The cost of the license is \$80 million, and it would be in effect for 5 years. The renewal fee is \$1.5 million.
- A non-refundable application fee of \$400,000 is paid by the applicant.
- The investigation fee is \$100,000 and goes to the Attorney General's Office.
- 35% tax on gross video revenue
- 18% tax on gross table revenue
- 60-70% of people in NH want expansion of gaming. This would create a positive economic situation and jobs for NH.
- We are late in the game. There is gambling around us in states such as Maine and Massachusetts however, what we are not seeing is the revenue from it. What's happening in these surrounding states is evolving rapidly.
- He thinks the operation in NH would still flourish because we're a tourist state. Rockingham Park has been around for 100 years.
- People in Salem have consistently supported this issue.
- We have expanded gaming in NH in the form of charitable gaming, it has proliferated throughout NH.

**Sen. Sanborn** asked if he would consider bringing the application fee down.

**Sen. D'Allesandro** responded that he believes it should be \$100 million, that's how valuable these licenses are. He doesn't think the \$80 million is out of line because it's a sign of financial commitment. If you reduce it, he believes you cheapen the value of it in terms of quality and sustainability.

**Sen. Morse** mentioned that time is getting short, and we have failed to pass multiple locations. He asked Senator D'Allesandro if his ultimate goal is to pass this bill so we can start receiving the revenue that is currently going to every other state but NH.

**Sen. D'Allesandro** said yes, there is a bus driving around Manchester encouraging people to gamble at Oxford casino in Maine.

**Sen. Morse** stated that he had people meet with him wanting to get votes in the House to support it. They want more than just one license.

**Sen. D'Allesandro** responded saying we initially offered four licenses because we wanted to save racing in NH. However, there were complaints that we were promoting proliferation. We tried two licenses and that was problematic as well. Now we are at one in an attempt to get something passed. The last strong effort we had we lost by one vote in the House. We tried to address the concerns that people brought forward and make them feel more comfortable. We can't please everyone, but we're trying to do what's best for NH.

**Christine Hunt - Live Free or Die Alliance**

- The LFDA takes no position on the bill. She is just here to facilitate communication between elected officials and their constituents.
- As a part of it's mission to promote citizen engagement, the LFDA uses social media platforms to encourage NH residents to share their opinions on pending legislation.

- On February 5, 2016, LFDA posed the question “Should NH authorize a single casino at Rockingham Park in Salem?”
- Of the 371 citizens who participated in the survey 59% opposed SB 551, with 41% in favor.
- 23% of those who opposed the bill said they would support a more open casino measure that allowed for multiple or alternative locations.
- 64% of participants are more generally in favor of opening one or more casinos in the state which is in line with past LFDA discussions on this topic.

**Sen. Boutin** mentioned the way the question was asked may have lead to negative responses because some people support gaming, but not at just one location. He asked **Ms. Hunt** if she believed responses would differ if they were to word the question differently.

**Ms. Hunt** said she supposes responses could vary if the question was asked differently.

**Bill McLaughlin – Rochester Fair Association and Eureka Gaming**

- They applaud the bill and Senator D’Allesando’s efforts to make NH the 41<sup>st</sup> state to have gaming however; they are dismayed to learn that the bill is restricted to Salem.
- The success in Maine is so evident that the neighboring state has plans to open another casino in York County.
- York is right near the Portsmouth border therefore, taking advantage of NH’s inaction.
- He suggests an amendment to the bill making it an open bid process for a size appropriate gaming center.
- This would bring jobs, tax dollars, agriculture, and tourism benefits.
- He urges the committee to not restrict communities, like Rochester, who wish to participate in this form of economic development.
- He supports the bill, but wishes it would be amended to create four zones.

**Future Action:** Ought to Pass

# Speakers



# Testimony



**Caldwell, Sonja**

---

**From:** Bill McLaughlin [mclaughlin7000@gmail.com]  
**Sent:** Tuesday, February 09, 2016 7:41 AM  
**To:** D'Allesandro, Lou  
**Subject:** Today

Lou, Sonya

FYI - Just want to give you a heads up to my comments today -  
See you there

Mr. Chairman, Senators

My name is Bill McLaughlin and I am speaking on behalf of the Rochester Fair Association and Eureka Gaming.

While we applaud sb551 and Senator D'Allesandro's continuing effort to make NH the 41<sup>st</sup> state to embrace gaming – we were dismayed to see this bill restricts the economic benefits to only Salem, NH.

We have seen the success our neighbors in Maine have had with their gaming operations in both Bangor and Oxford. So successful, there are plans to put another casino across our border -in York County Maine. Their plans are predicated on luring more tourism to southern Maine and taking advantage of NH's inaction.

We urge you to amend this bill to allow other communities within the State to compete in an open bid process for a size appropriate gaming center if they so desire. Beyond bringing needed jobs and tax dollars, all sectors of NH would benefit from such a plan - in particular the agriculture and tourism sectors.

The bottom line is NH residents are gambling in our neighboring states and those states and communities are reaping the benefits. We believe it is not the time to restrict such communities as Rochester the right to decide if they wish to participate in the selection process of this form of economic development.

I will leave you information regarding our campaign and the benefits it would bring to the Rochester community

Thank you and I would be happy to answer any questions regarding my statement.

2/9/2016

# **Live Free or Die Alliance<sup>SM</sup>**

## **Citizens Count NH**

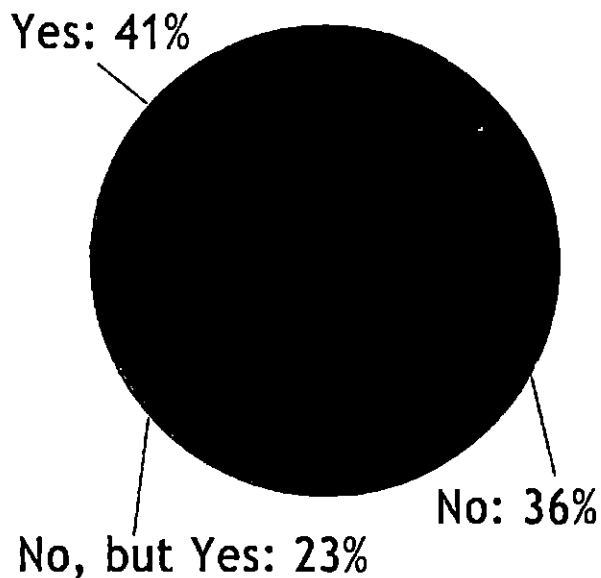


**Should NH authorize a single casino at Rockingham Park in Salem?**

The following is a summary of testimony from a social media discussion of this issue on February 5, 2016.

### **Yes or No Respondents**

- Yes
- No: Against all casinos
- No, but Yes: Anti-Rockingham Park, but pro-casino



**Participation: 317 Citizens, 613 Responses**

# **LFDA PRESENTATION FOR SENATE WAYS AND MEANS HEARING ON SB 551 - TUESDAY, FEBRUARY 9**

## **INDEX OF MATERIALS:**

Cover: Summary of report

Page 1: Index

Page 2: Introduction to LFDA and Materials

Page 3: Full Report

Appendix A: Complete Facebook Discussion

Appendix B: Citizens Voices Methodology

## **TEXT OF FEBRUARY 9 LFDA PRESENTATION: INTRODUCTION TO ORGANIZATION AND MATERIALS**

**Presenter:** Christine Hunt, Live Free or Die Alliance (LFDA)

I'm Christine Hunt, Outreach Coordinator for the Live Free or Die Alliance (LFDA), also known as Citizens Count NH. We are a nonpartisan, nonprofit organization with over 100,000 members created to make it easier for citizens to become informed on the issues, exchange opinions, and communicate with their elected officials.

I'm here today to submit testimony from 317 of our members to the Senate Ways and Means Committee as it considers Senate Bill 551.

As part of its mission to promote citizen engagement, the LFDA uses social media platforms to encourage New Hampshire residents to share their opinions on pending legislation. On February 5, 2016, we posed the question "Should NH authorize a single casino at Rockingham Park in Salem?" to our Facebook community.

The results of the discussion are detailed in the documents I'm submitting today. Please do note that as a nonpartisan organization, the LFDA does not advocate for a particular position on this or any other issue. We are here to facilitate communication between elected officials and their constituents. These materials are presented as citizen testimony.

The LFDA found that a 59% majority of the 317 citizens participating in the February 5 discussion opposed SB 551, with 41% in favor.

However, roughly 23% of respondents who opposed the bill clearly stated they would support a more open casino measure that allowed for multiple or alternative locations. These results indicate that 64% of our New Hampshire participants are more generally in favor of opening one or more casinos in the state.

This result is in line with previous LFDA-hosted discussions of the issue, such as one held in February 2015 on the question "Should NH allow casinos?" which resulted in a 67% majority in favor.

A full report on the discussion, which we call Citizen Voices, as well as a printout of the discussion itself and a description of our methodology, are included in this package.

I encourage you to contact me with any questions you have about this report or our organization. Thank you for your time.

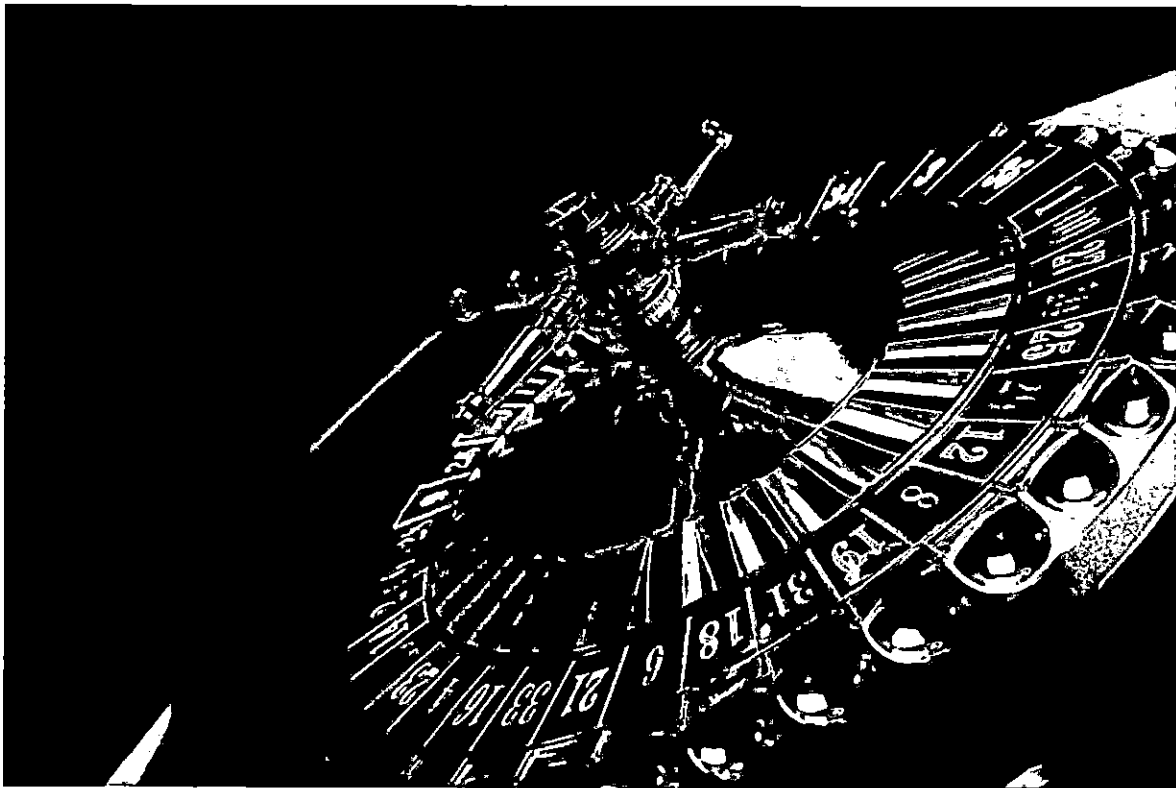
Christine Hunt

Outreach Coordinator  
Live Free or Die Alliance  
CHunt@LiveFreeorDieAlliance.org  
603-341-2600

## **FULL REPORT**

### **CITIZEN VOICES:**

## **CITIZENS DIVIDED ON SINGLE CASINO PROPOSAL (317 PARTICIPANTS, 613 RESPONSES)**

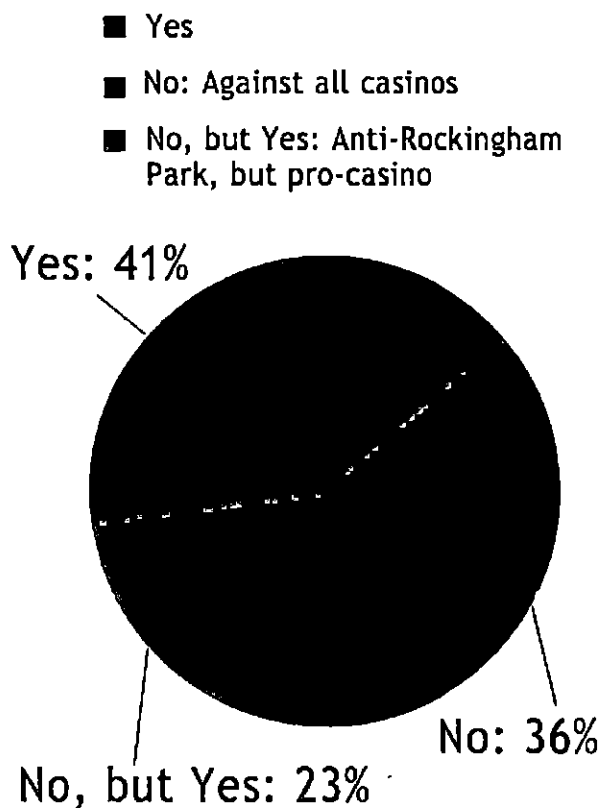


A bill currently being considered by the Senate Ways and Means Committee, SB 551, would create a single casino with video lottery and table gaming, to be located at Rockingham Park in Salem, NH. A tax of 35% of gross slot machine revenue and 18% of gross table game revenue would go to the state, with dedicated portions of the funds going to addiction prevention programs and to Salem and neighboring communities. On February 5, the LFDA decided to put the issue to its Facebook members, posting

the question, "Should NH authorize a single casino at Rockingham Park in Salem?" The results follow.

## "Should NH authorize a single casino at Rockingham Park in Salem?"

### Results: Yes or No Respondents



### Participation:

A total of 93% of those participating gave a 'yes or no' response to the question. The remaining 7% of participants engaged in the discussion but did not give a yes or no response. In total, the LFDA received 613 responses from 317 individuals.

## What Participants Said:

**No:** The majority of 'yes or no' respondents, totaling **59%**, opposed the Rockingham Park proposal. However, these participants were split into two camps.

**36%** of 'yes or no' respondents opposed casinos and gambling entirely.

- "I don't want to see a casino in the state. Gambling addiction is a serious problem."
- "We've missed the tide on casinos. They're not the golden goose they once were."

**23%** of 'yes or no' respondents opposed the Rockingham Park proposal but noted they would support a more open casino bill, such as one that legalized gambling entirely or allowed for proposals for alternative locations.

- "Definitely in favor of casino gambling, just not at Rockingham Park."
- "One license to give one company a monopoly screams corruption. Open the market all the way or don't at all."

**Yes:** **41%** of 'yes or no' respondents supported the Rockingham Park single casino proposal.

- "Every year we waste is more time Maine and Mass get the money from NH residents."
- "It is time for a casino and the area in Rockingham [Park] is perfect."
- "NH could use the revenue plus help unemployment. Money could be used to pave our roads, help the homeless and take care of the drug problem."

**Other:** As noted above, **7%** of those participating did not give a yes or no response, instead addressing their comments to related questions and issues. These included:

- Arguing other issues were higher priority: “Legalize marijuana first here.”
- Discussing what a casino would need to succeed: “We need to ask ourselves, can NH build and support a casino that is has better amenities than what the CT and MA properties offer. We will not be successful if we build properties like the ones in ME.”

#### Additional Notes:

It is worth noting that 23% of respondents indicated that, though they opposed the Rockingham Park proposal, they would support a casino measure that allowed for alternative locations to be proposed or which legalized gambling in New Hampshire. This indicates a 64% majority of our respondents are more generally in favor of casino gambling.

That result is in line with previous LFDA-hosted discussions of the issue, such as one held in February 2015 on the question “Should NH allow casinos?” which resulted in a 67% majority in favor.

*\*Editor selection of actual participant quotes.*



**APPENDIX A:  
FULL FACEBOOK DISCUSSION  
POSTED FEBRUARY 5, 2016**

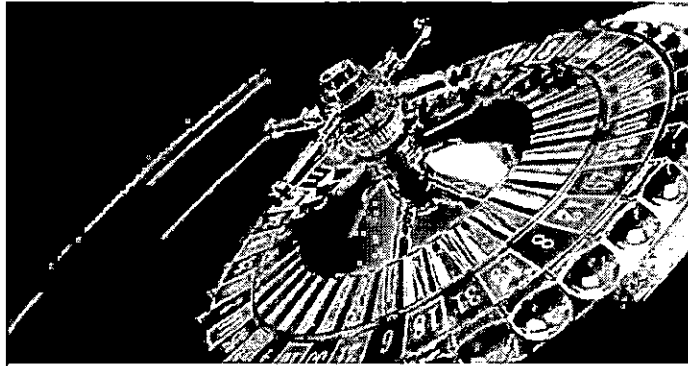
**LFDA** **CCNH** The Live Free or Die Alliance  
Published by Liberty Lane · February 5 at 6:00pm ·

The LFDA kindly requests that only NH residents respond to this question, as the results of the discussion will be presented as testimony at a House committee hearing on the related legislation, to be held on Tuesday February 9. Non-NH residents wishing to participate are welcome to do so, but are asked to identify themselves as #NonNH.

Should NH authorize a single casino at Rockingham Park in Salem?

Use hashtags to register your opinion: #yes #no

Read more at: <http://www.lfda.org/news/casino-nh>



### A casino for NH? | LFDA - Live Free or Die Alliance

Following the defeat of his two-casino proposal last year, Sen. Lou D'Allesandro has sponsored a bill (SB 551) that would create a single casino with video lottery and table gaming, to be located at Rockingham Park in Salem, NH. A tax of 35%...

[LFDA.ORG](http://www.lfda.org)

13,239 people reached

Boosted

Like Comment Share

LFDA CCNH

Peggy Sperrey, Leo Gagne, Erik Comeau and 89 others like this. Top Comments

15 shares 200 comments

**LFDA** **CCNH** Write a comment...

**Emese Varga #NONNH** As a resident of New York with casinos, I can say this: **Chat (Off)** attracts drug trafficking and other criminal behavior. Keep New Hampshire free of gambling halls.  
Like · Reply · Message · 9 · February 5 at 10:42pm

Hide 16 Replies

**Amy Bailey** It says ONLY NH REPLY  
Like · Reply · Message · 3 · February 6 at 8:01am

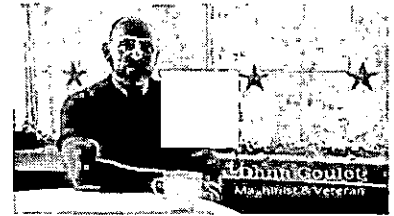
**The Live Free or Die Alliance** It is OK for non NH folks to comment when identified as such as Emese Varga has done  
Like · Reply · 6 · Commented on by Dukas Luki · February 6 at 12:34pm

**Casey Kohut** That's New York that stuff was already there in the masses  
Like · Reply · Message · February 6 at 2:27pm

**Steve Fox N.Y.**, is a bad example of everything. Gun laws are extreme one of the highest gun crime states. Taxes through the roof so high. Its residents drive to nh buy thousands in alcohol and cigarettes and bring them back to ny to sell illegally for profit. Dont deny it we in sales in nh have seen it many times and your fellow new yorks admit to it.  
Like · Reply · Message · February 6 at 3:20pm

**Steve Fox** Just saying that states got more problems than not.

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**New Hampshire for Bernie**  
Listen to Dana Goulet of Nashua explain why he supports Bernie Sanders.




**Bernie Sanders**  
Our economy works for Wall Street because it's rigged by Wall Street. That's the problem.


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
Facebook © 2016

Like · Reply · Message · 1 · February 6 at 3:21pm


 **Steve Fox** Nh biggest problems are to low of pay vrs excessively high cost of living, a corrupt government that takes bribes from Canadian companies to put in the northern pass, that the people voted against. Corporate tax issues. The closing of homeless shelters. Everything else is a minor issue.

Like · Reply · Message · 2 · February 6 at 3:33pm


 **Ben Trick** Lol please don't compare your trash heap of a state to NH.  
Like · Reply · Message · 2 · February 6 at 3:38pm

 **Eric Breslin** I drove by the casino in upstate New York two days ago on my way to Niagara Falls Canada. I guess the drugs, guns and crime must be in camo ... Because it looked quite lovely. And the average age was about 60.


Like · Reply · Message · 2 · February 6 at 5:18pm

 **Michelle Longley Casey & Ben**...OMG, are you kidding? Are you honestly trying to say we don't have our own drug epidemic going on too? Blinders are for horses guys.....


Like · Reply · Message · 2 · February 6 at 6:37pm

 **Bob Robertson** Eric Breslin Yeah, the guns drugs and crime lie is just to scare people into keeping it illegal, and thus the graft and corruption flowing into the pockets of cops and politicians.

Like · Reply · Message · February 6 at 6:39pm

 **Lynda Gayle Hallock** Absolutely right! It sure did not help Connecticut!!! Drugs, prostitutes.sex trade.....we do not need this crap in NH!!

Like · Reply · Message · February 6 at 7:57pm

 **Brandon Worthley** I mean you're expecting a massive building based on gambling to so good for your community. That is not the case. No no and no


Like · Reply · Message · February 6 at 8:47pm

 **Patricia Routhier Fecteau** #yesnh


Like · Reply · Message · February 6 at 9:00pm

 **Steve Fox** Lynda Gayle Hallock nh arleady has all that, casinos wouldn't make it worse

Like · Reply · Message · 1 · February 6 at 10:02pm


 **Roch J Mathiot** I find it funny that ppl think they are safe here in good old NH no matter what they do.... No your not that casino will bring nothing but more trouble and crime.

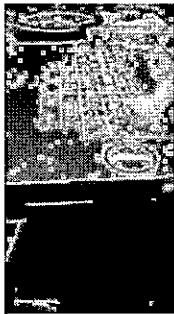
Like · Reply · Message · Yesterday at 5:16am

 **Thomas Carr** no casinos any where in NH it will only bring more crime

Like · Reply · Message · Yesterday at 8:25am

 **LFDA**

 **James H Annis** #yesnh . this picture was taken at Rockingham Park. You already have a mini Casino here, operating for charity. We have \$20 scratch tickets. We have all the Lottery games anyone wishes to spend their \$\$ on. Legalize this for all & stop the money from traveling to Connecticut and beyond.



Like · Reply · Message · 12 · February 6 at 1:06pm


 **Jim U Lacrum** #No.

I am in favor of legalized gambling in New Hampshire, but I am not and never will be in favor of this awful proposal. This isn't a proposal for expanded gaming. It amounts to letting a corporation purchase monopoly power over a whole industry in our state.


The state should allow gaming businesses to operate or not. It should not pass a law that grants one specially chosen business a cornered market in one stroke of a pen. It's unfair and a recipe for failure, not to mention corruption.

Repeal some gambling laws. Open the market so that local NH businesses can independently offer gambling on a smaller scale. Dial back the onerous taxes and "charity" requirements to be more reasonable. Then we'll really be talking about expanded gaming in New Hampshire, in a safer and more sustainable form.

Like · Reply · Message · 19 · February 5 at 8:02pm · Edited

 **Alexandra Boucher** #no for the same reasons stated above legalize it across the board.

Like · Reply · Message · 1 · February 6 at 1:39pm

 Write a reply...




**Bob Robertson** #No Abolish the prohibition against gambling in its entirety. Making one "legal" casino is a bait-and-switch, a way to get lots of graft and corruption, and make more government agencies. It will end up costing taxpayers, while benefiting only the same old vested interests.


Like · Reply · Message · 11 · February 6 at 10:20am

 **Lucinda Hollingsworth Boutin** ^What he said^ and I am a NH resident ^ #NO


Like · Reply · Message · 1 · February 6 at 1:34pm · Edited

 **Bob Robertson** Lucinda, thank you for your kind words.


Like · Reply · Message · 1 · February 6 at 5:57pm

 **Hunter Alex Well** said.  
#no

Like · Reply · Message · 1 · February 6 at 7:20pm · Edited

 **Lester Murphy** I agree. Sounds like the state wants to create another monopoly. #no

Like · Reply · Message · 1 · Yesterday at 10:21am


 Write a reply...




**Samantha Clattenburg** I am not a fan of casinos in NH, or the argument that it is a form of revenue for the state. Control spending first. That said, as a matter of legislation, I am an all or nothing kind of voter. Special interest legislation doesn't quite ring my bell. The will of NH has been habitually that the tourism we want is family oriented visitation of the mountains etc... not people who seek to avoid a sales tax to gamble. The clientele mentality is totally different. Does it make me bias on individual liberty? Arguably so. But, at a states rights level, we in NH keep electing reps that keep voting gambling down. There is a reason for that. Furthermore, I would argue that the assertion of Hassan that legalization of marijuana would somehow increase criminal behavior in NH is contradictory to thinking casinos would not.

People, this is about perpetuating revenue so we can perpetuate government. Casino legalization means more police detail work, thus larger budgets. Marijuana legalization means you can smoke and there ain't a damn thing they can do about it, thereby tightening police budgets. Get it straight. Special interest. Governmental perpetuation of special interest. #no


Like · Reply · Message · 11 · February 5 at 7:01pm · Edited

 **Deb Drown-Lachance** good points

Like · Reply · Message · 1 · February 5 at 7:56pm

 **Eric Breslin** I am sitting at s casino right now ... Can't see a police detail for as far as I can see. Edit - the more I think about it, have you ever even BEEN to a casino in New England? Oxford - no police. Niagara Falls - no police. Foxwoods - no police. The new mass casino - Lord knows, but knowing mass, it's probably a union thing anyway, so it's irrelevant. Man, I've got to say, you are welcome to your opinion on casinos and that's great - but your comment about police is just wrong. Flat wrong.

Like · Reply · Message · February 5 at 10:22pm · Edited

 **Representative Max Abramson** Those are great points. There is another casino bill in this year, though there is less chance of this passing. Regardless of your position, be sure to email the legislators from your town. Most towns and wards have 1-4 state reps and one senator.

Like · Reply · Message · 3 · February 5 at 10:22pm

 Write a reply...



**Robert McAfee** I am a NH resident. I do not support a casino at Rockingham Park but do support one in the North Country, somewhere that is a resort town such as Lincoln where there is lots to do and would draw people through the state benefiting more towns with extra traffic resulting in higher gas station, restaurant and other services revenue traveling to and from a casino.

Like · Reply · Message · 4 · February 6 at 4:15pm



**Scott Godzyk** NH should have a casino. However market forces should dictate who and where. It needs to be more than just a casino. It needs to be a destination like Mohegan sun. It should have a hotel, Conference rooms, Entertainment with theatre, Restaurants and shopping. Legislators should be forced to view the difference of a slot parlor and destination casino. The people who like casinos are already traveling 2 hours to CT, RI or Maine. You are losing that revenue. Salem is a great location but should they get a monopoly. The northcountry is just too far and would take away from other attractions. But putting a destination casino in Salem, Loudon, Or other easy access location would make it a destination.

Like · Reply · Message · Yesterday at 7:15am



**Roseann Blouin Smith** I too would love to leave my money in NH. Unfortunately this one casino for one lucky corporation is not the way to go. How about a State run Casino such as our liquor stores? One located maybe more in the center of NH. Just a thought, #NO as it is right now.

Like · Reply · Message · 1 · February 6 at 4:23pm



**Nancy Golden** #no .. Not at this time. If/when casino is allowed; it shouldn't be in one location to only benefit one business owner. Relax some of the current regulations first. Allow slots at Service Clubs, relax the rules for charities to be able to have games of chance for fundraisers, etc.

Like · Reply · Message · February 6 at 6:33am



**Steve Robbins** NO I think that we missed our chance to be unique in having a casino. Furthermore the plan to allow only a couple of large corporations play is unfair. Rockingham plan will bring jobs to Massachusetts, won't do much for NH in particular, the northcountry which is dying. If I were ever to support one, it would be in the middle of the state where employees have to come from NH

Like · Reply · Message · Yesterday at 6:57am



**Josh Horowitz** #no This proposal is mighty silly. Make gambling legal in NH, so that casinos can compete for their customers, and consumers have a choice.

Taxing gambling at 35% equates to a sin tax. Who cares what consenting adults do in their spare time?

Like · Reply · Message · February 6 at 5:39pm



**Joe Gosseff** #NO if we legalize gambling it should be for any and all who wish to open a casino. NOT. Just Maggie Hassan's cronies

Like · Reply · Message · 5 · February 6 at 12:36pm



**Mark Murphy** #no to what will most likely be a backroom deal allowing a single casino to open. End the state monopoly on gambling, which includes expanding the monopoly to one connected friend of the administration.

If it's all about the money anyway why not just open a state-run casino and perpetuate the theme that gambling is only OK when the state is running it

Like · Reply · Message · 3 · February 6 at 9:46am · Edited



**Mike Mosher** #no. Nashua resident thinks all you have to do is check Atlantic City. Let's pass on this idea. Moving too quickly reminds me of other legislation passed before the electorate truly understood its consequences.

Like · Reply · Message · February 6 at 7:39pm



**Jocelyn Blease** Since there is no proclivity in the state house in Concord for anyone to rein in spending, pipe dreams are dashed for the legislature to do so.

We have expanded Medicaid we have to pay for thanks to the ACA, we have a pension bill looming for state workers that no city can possibly meet and fully fund, there is a drug epidemic running rampant in New Hampshire all of the remedies cost money, our bridges need work, our roads continually need rebuilding. We haven't even touched school issues. The time for casinos is now.

Therefore, YES! it is time for a casino and the area in Rockingham is perfect. Ample parking easy access to the facility. Let's get it done.

Like · Reply · Message · February 6 at 9:22am



**Bob Robertson** Have you ever considered the idea of cutting government, so there's less pension to have a crisis over, less costs, lower taxes?

Like · Reply · Message · 1 · February 6 at 10:21am



**Jocelyn Blease** Where would you cut? Be specific and realistic. WHERE? I'll wait but not forever.

Like · Reply · Message · February 6 at 11:17am



**Mark Scott** There is lots of areas to cut. DOS would be first place to start

Like · Reply · Message · February 6 at 2:52pm



**Bob Robertson** Jocelyn Blease Abolish the liquor commission. Abolish the department of education.

Like · Reply · Message · February 6 at 5:53pm



**Bob Robertson** Jocelyn Blease I found a list of agencies in the state government of New Hampshire. Just inside the As, Abolish ALL OF THESE:

- Acupuncture licensing board
- Agriculture Markets and Food
- Agriculture, Markets, and Food Department
- Air Quality, Environmental Services Department
- Allied Health Professionals, Office of Licensed, see Licensed Allied Health Professionals Office
- Americorps, New Hampshire
- Amusement Ride Safety, see Safety Department
- Animal Cruelty, see Governor's Task Force on the Humane Treatment of Animals
- Architects, see Joint Board of Licensure and Certification
- Arts Council, Cultural Resources Department
- Auctioneer's Board, Secretary of State

<https://www.nh.gov/government/agencies.html>

### NH.gov - New Hampshire State Government Resources - State Agencies

Locate an agency alphabetically. To locate a state employee, please use the State Personnel Directory. Use our State Office Locator to find an agency location.

NH.GOV

Like · Reply · Message · Remove Preview · February 6 at 6:43pm



**Jocelyn Blease** While all of this is wonderful and a dreamscape away, you know I know and the rest of the world knows none of these things are going to be abolished timely because nothing in government is ever abolished. Increasing our revenue is needed NOW.

You have 500 something legislators do you think they're going to abolish any of this stuff because it's their pet project? Casinos casinos for revenue while we simultaneously work to get government out of our lives.

Like · Reply · Message · February 6 at 7:20pm



Write a reply...



**Keith Carlsen** #No Only one monopoly casino is a clear violation of the New Hampshire Constitution. The law would go to court and the casino would be closed by the court. Why waste 25 million building an illegal building?

Like · Reply · Message · 1 · February 6 at 11:59pm



**Richard Fournier** These are the biggest rip off machines in gambling, Lou D'Allesandro will do anything to bring a casino to NH. I would like to have one, but not this kind.

Like · Reply · Message · 1 · February 6 at 8:07pm



**Joshua Tessier** #no NH already has legalized gambling. The only difference that is being proposed is who will get the profits. Right now charities are getting a big cut. Change the rules and big business will profit. What's the point of lining their pockets with more money?

Like · Reply · Message · February 6 at 7:48pm



**Christine Goumas** Gosselin #yes in favor. I agree to have it State run as the liquor stores are. Add jobs and have NH reap all the revenue instead of one monopoly corporation. The north country would be ideal maybe near the new Balsalms under construction. People who commit crimes, & do drugs are going to do this regardless if there is a casino in NH. Why always punish the majority for the minorities actions. I wish we knew how much NH earned \$ goes down to CT casinos each year.

Like · Reply · Message · 1 · February 6 at 2:12pm



**Margaret Julia** And people who do drugs spend their money on drugs. They're not going to risk gambling it away. Alcoholics probably

would though, since (in Vegas) you can drink for free while you gamble. So I can see why an alcoholic might sit and gamble all day, but a junkie or crack head won't.

Like · Reply · Message · February 6 at 8:42pm · Edited



Write a reply...



**Laurie M. Coppola** #YES We need the revenue, and if we draw on the experience if all the other casinos, we shouldn't make the same mistakes. I hope we'll expand from just one casino, and get our share of that revenue.

Like · Reply · Message · February 6 at 9:06pm



**Jim Luz** #livefreeordie don't discuss "allowing" one single instance of something. drop the ban and let us live how WE decide.

Like · Reply · Message · 12 · February 6 at 1:15am



**Ron Villemaire** Would love to see a Full Sized Casino At Rockingham Park.....That would save me the trouble of driving to Foxwoods or Mohegan Sun and also allow my money to stay here in New Hampshire....I would especially be happy if the casino was a Harrah's Property.....

Like · Reply · Message · 1 · February 5 at 8:04pm



**Mary Lou Mahoney** Tanguay YES NH could use the revenue plus help unemployment. Money could be used to pave our roads, help the homeless and take care of the drug problem in NH

Like · Reply · Message · February 6 at 7:31pm



**Rachel C Bakley** #yes Bring revenue and jobs to NH! My husband and I drive all the way to CT to go to Mohegan, because there aren't any good options near here.

Like · Reply · Message · 1 · February 6 at 5:48pm



**Jeff Stephanie Ballard** #no

The only way I'd change my opinion would be a full service resort casino in the north country that would house conference centers, golf courses and other options.

We need something that would attract people to NH for something more than a lame Newport, RI Slot Room.

Like · Reply · Message · 1 · February 6 at 2:42pm



**Alex Martinez** I'm right there with ya 100% and with the legalization of cannabis

Like · Reply · Message · February 6 at 3:56pm



Write a reply...



**Marc Sheehan** Sorry, but unless we build a destination casino similar to Wynn Las Vegas or Bellagio Las Vegas we are too late to the table. We need to ask ourselves, can NH build and support a casino that is has better amenities than what the CT and MA properties offer. We will not be successful if we build properties like the ones in ME. You need to create a reason for people to choose NH over the other established and to be built properties when choosing their gaming destination. This can be done w dining, entertainment and shopping experiences. If you this people will come and the locals will stay just because we build a casino and offer no sales tax, then I'm sorry my friend, you are mistaken.

Like · Reply · Message · Yesterday at 7:56am



**James K Dame** Why not rochester, I heard if they open up a casino in Rochester they will update the fair grounds and restart horse racing,they said they would make it state of the art

Like · Reply · Message · February 6 at 2:44pm · Edited



**Lester Murphy** Both geo and demographically speaking, Rochester is not exactly a "hub".

Like · Reply · Message · Yesterday at 10:25am



**James K Dame** Could it be,??? Called growth

Like · Reply · Message · Yesterday at 10:34am



**James K Dame** I just saw a stand at the Rochester fair in 2015 and I thought it was quite interesting

Like · Reply · Message · Yesterday at 10:35am




Write a reply...



**Simi Amiet** hard to say I'm not against it, I don't gamble if I do like for fun in Vegas I never win.... I think it could be an entertaining spot and perhaps generate NH more money, the only thing is gamble addiction where one could lose his fortune there... but like with any addicts like alcohol or drugs it's unpredictable... perhaps this could increase the tourism traffic as well...


perhaps not inside a city...

Like · Reply · Message · 2 · February 5 at 6:52pm

 **Harry Bennett** Salem is hardly a tourism draw. Personally I think it should be an "all", as in one per country, for each county to decide, or nothing.

A casino in say Berlin, for example, would have people leaking \$\$\$ all the way there and back, not just in the casino.

Like · Reply · Message · February 5 at 7:56pm

 **Robin Bruedle** Salem is a draw for purchasing everything taxable. Over the border shopping

Like · Reply · Message · February 6 at 6:06pm

 Write a reply...



**Bruce Cory** I would like to See 1 Casino in Each Region, in towns that Want it, i think the old Dog Tracks should get 1, and old horse tracks next and if the New Hampshire Republican State Committee was Smart, they would TRADE the Casino's the Hassan wants with Constitutional Carry, you give her 1 casino per region in exchange for 100% constitutional 2nd amendment carry in NH that she will sign.

Like · Reply · Message · February 6 at 7:12pm



**Dave Johnson** I would support such a move. But, I also think there should be a second one nestled in the White Mountains. Or if only one is approved, perhaps aim it toward this area. MA is establishing two and while Rockingham is on the border, it might be too close to compete with MA entities effectively. Just my opinion.

Like · Reply · Message · 2 · February 6 at 7:12am



**Dave Keough** Why Salem? Don't they get enough revenue from the border jumpers trying to get out of paying Mass taxes. Plus fire works and liquor sales. Consider putting in Rochester or Ramond, Epsom is easy to get to from all over the state. Maybe in Rye next to Scott Browns house.

Like · Reply · Message · February 6 at 6:51pm



**Joe Cesarini** #no: one casino in one location is not the answer. Investigate and promote casinos, as a whole, or none at all.

Like · Reply · Message · Yesterday at 6:02am



**Timothy Michael** #No ...A one-casino plan has inept government pick winners and losers. Plus, casinos are a dying breed.

Like · Reply · Message · 1 · February 6 at 8:37pm



**Harold Kozlowski** I don't oppose gambling but I think it's silly to be the last state with a casino. Instead why not legalize marijuana and sell it in the state liquor stores? Be the one of first for once, instead of the last.

Like · Reply · Message · 6 · February 6 at 12:31pm



**Michael Gigas** NO. This Idea is 30 years too late. Move on to more current topics. This was being discussed at the State Capitol in the early '70's. This idea has long past it's usefulness as a money maker for New Hampshire.

Like · Reply · Message · February 6 at 8:52am



**Robert C Rivers** Definitely in favor of casino gambling, just #no not at Rockingham Park. Look at their history.

Like · Reply · Message · February 6 at 12:07pm



**Bob Stawasz** No! I'd rather see a resort convention complex (like the one that was proposed for Hudson). That way it would not be a gambling only, make it or break it venture. I think the state would get more out of a deal like that then they will from the old boy network that's been pushing Rockingham down our throats for the last 30 years like its an entitlement.

Like · Reply · Message · February 6 at 7:54pm



**Brett Fagan** #NO not this way. I agree with most of the points above. One license to give one company a monopoly screams corruption. Open the market all the way or don't at all.

Like · Reply · Message · 3 · February 6 at 12:21pm



**Joseph Mandigo Jr** No. You will see more people needing assistance from the state when they gamble it away. Also, like anything once it starts one place it gives it legs for another area and then you will start seeing more problems than solutions.

Like · Reply · Message · February 6 at 5:09pm



**Mike Munroe** What NH residents have failed to realize, is the damaging affect the outsiders from the Free State Project are having on our State!

Like · Reply · Message · 1 · February 6 at 12:03pm



**George J Ingalls** I'd like at least 1 casino, but in central NH.

Like · Reply · Message · 2 · February 6 at 12:35pm





**Adam Samuels** Here's the other thing...we cannot let the government get its hands on something like this. Free market would always be better (if we ever did it). The reason? It would be like giving Concord some high growth protein. We don't need the government to get bigger.

Like · Reply · Message · February 6 at 7:07pm · Edited



**Denis Corbeil** How many years has this been discussed to many to remember . Open a casino once and for all

Like · Reply · Message · 3 · February 5 at 6:35pm



**Robin Bruedle** Add a hashtag yes

Like · Reply · Message · February 5 at 7:01pm



Write a reply...



**Daniel Day** #no. As a supporter of "Live free or die," you'd think I'd support casinos in New Hampshire, but the reality is, that industry is so corrupt, it could be the end of "Live free or die" as we know it!

Like · Reply · Message · 1 · February 6 at 7:28pm



**Bernard Libby** No! Gambling is a suckers game, Legalize pot and hemp and let New Hampshire citizens grow their economy.

Like · Reply · Message · Yesterday at 2:53am



**Kirsten Larsen Schultz** #no Why should the state be allowed to pick who gets the one casino? Either allow any or allow none! There is no in between!

Like · Reply · Message · Yesterday at 8:19am



**Karyn Maynard** #No they won't view this as tax relief of any sort, it'll be used for more spending and the residents will get screwed

Like · Reply · Message · February 6 at 7:40pm



**Lynn Wyatt** #No We have more crime in NH now than I thought we would EVER see. Why encourage more?

Like · Reply · Message · 1 · February 6 at 2:52pm



**Joe Turcotte** #no

Not in an urban area on the border. A better place would be up in the lakes or mtn region and make it a resort.

Like · Reply · Message · 1 · February 5 at 8:04pm



**David Matthews** Ew. Don't desecrate our home. If anything keep it south.

Like · Reply · Message · 1 · February 6 at 12:02am



**Joe Turcotte** "Desecrate"? Lol

Like · Reply · Message · February 6 at 12:10am



**Larry Hebert** I agree. Rockingham Park is a pit. I'd also like to see a casino in the Lakes Region or the Seacoast.

Like · Reply · Message · February 6 at 12:05pm



Write a reply...



**Mike Burlingame** I watched casino gambling turn two sleepy little towns into a total mess, trash everywhere, pollution, crime drugs. Don't be foolish, what do you really have to gain compared to what you'll lose?

Like · Reply · Message · 2 · February 5 at 6:36pm



**Eric Breslin** What towns?

Like · Reply · Message · February 5 at 6:43pm



**Mike Burlingame** Black hawk and central city Colorado. Two mining towns from the 1800's... Big biz came in and bought all the little homes then turned around and bulldozed them put big giant casinos. Picture North Conway , it's gets some tourism now , you slap a casino up there, and another and another and the little family town you have now will soon have prostitutes walking the streets, drugs violence and people gambling their lives away. It's not that I don't like to gamble I do. But I'd rather hop a plane to Vegas and make it a special trip and walk down to the corner store and drop a buck in the slot machine

Like · Reply · Message · February 5 at 6:49pm



**Eric Breslin** Fair enough Mike - but here in New England, they have brought nothing but prosperity. That is a fact. Period. Sorry.

Like · Reply · Message · February 5 at 10:25pm



**Eric Breslin** Oxford Maine, Foxwoods and Mohegan Sun Connecticut, Niagara Falls Canada, the new casino in Mass ... No prostitutes .. No drugs ... No crime. Just folks with jobs and a nice place to work and live. That's a fact.

Like · Reply · Message · February 5 at 10:26pm



**Mike Burlingame** Ask a cop

Like · Reply · Message · February 6 at 4:20am



**Eric Breslin** my fiancé is a retired Hudson cop ... I was military police. I know dozens of cops. Keep trying. Your argument is rubbish man.

Like · Reply · Message · February 6 at 5:21pm



**Eric Breslin** And again, she lived in Vegas for a few years. So yes, I understand casinos in Vegas have problems. I invite you to educate yourself that casinos in New England. There IS a difference.

Like · Reply · Message · February 6 at 5:22pm



**Mike Burlingame** Yup your right, lol

Like · Reply · Message · February 6 at 5:23pm



Write a reply...



**Ross Terrio** #yes Manchester, NH "Live Free or Die."

Like · Reply · Message · February 6 at 6:33pm



**Al Pat** absolutely. we could use the revenue and the jobs. plus it'd be nice to have ONE place in the state i can have a drink and a smoke at the same time.

Like · Reply · Message · 3 · February 5 at 6:33pm



**Patrick Maloney** I think that it should have passed long ago but our elected officials don't do what we the people want

Like · Reply · Message · February 6 at 1:14pm



**Jarec Rondeau** #no as many others have already stated, it needs to be a loosening of either the gaming laws or the licensing process and not an individual license that essentially grants a monopoly in the state.

Like · Reply · Message · 1 · February 6 at 6:53pm



**Michael D Vellian** Nh shouldn't have the ability to deny casinos. If someone wants to make a casino let them

Like · Reply · Message · 7 · February 5 at 6:09pm



**Shawn Millette** #no I lived in An area with legal casinos. All it brings is a low class of people, hookers, drug dealers and gambling addicts. I'm all set, I rather pay a higher tax rate. I'm already at 3.6%.

Like · Reply · Message · Yesterday at 8:11am



**Alex Martinez** I say no and if money is what you seek legalize cannabis and make it decriminalized and watch that paper roll!

Like · Reply · Message · 2 · February 6 at 3:54pm



**Lucille Lapoint** Yes look at the money going out of state by the busloads. We already have gambling. Lottery tickets and lottery tickets let people decide where they want to spend their money put it to a vote of the people of N.H.

Like · Reply · Message · February 6 at 9:41pm



**Kerri Wells** #YES However, I'd like to make it clear that I'm commenting without reading any proposal. I will read it this evening, when I'm not at work, and update my comments.

Like · Reply · Message · February 6 at 4:37pm



**Paula Consiglio Murphy** NO! Not the way to generate revenue. Fix out of control spending, wasteful spending and lure businesses back to American soil.

Like · Reply · Message · February 6 at 11:25am · Edited



**George Grant** I think it should be in LOUDON, NH.

Like · Reply · Message · February 6 at 4:04pm



**Steve Fox** The majority voted yes for casinos and the legislation of marijuana numerous times, and it came down to the government officials shooting it down at the last minute every time. You ask this question just to get people worked up over something that will or won't happen pending on who bribes who in the state.

Like · Reply · Message · February 6 at 3:17pm



**Zachary George Najarian-Najafi** #No

I don't want to see a casino in the state. Gambling addiction is a serious problem.

Like · Reply · Message · February 6 at 1:32pm



**Larry Colby** No f'ing way. Thank for the chance to comment on the NH way.

Like · Reply · Message · February 6 at 2:46pm



**CJ Willis** #no., as stated above, you've the problem of an individual license, as well as bringing in more crime. Legalize it or don't, don't allow one corporation to build a corrupt monopoly in NH!! Also agree with the other

comments about not being last with something for once; legalize cannabis on a medical and recreational level like Colorado and watch the crime rates drop and the revenue soar! Why are we still living 40 years in the past??

Like · Reply · Message · February 6 at 11:50pm · Edited



**Vernon Jay Klanderud** Go to WND (or my front page..) Presently article reads.. "Americans are being betrayed by their own President". All prior Restrictions have just been lifted by "Ayatollah Obama" - there are none anymore for Illegals leaving the Door Wide-Open at our Southern Border.

Like · Reply · Message · February 6 at 7:04pm



**Michael Farrell** Might as well put it in Mass. A casino, yes, Salem, hell no.

Like · Reply · Message · Yesterday at 9:31am



**Michael Copeland** #YES. Salem voters approved the use of Rockingham Park. All ready to go. Just do it.

Like · Reply · Message · February 6 at 2:39pm



**Eric Breslin** #yes of course. Every year we waste is more time Maine and Mass get the money from NH residents. And spare me the ignorant comments about the lawlessness they bring - it's false.

Like · Reply · Message · 6 · February 5 at 6:43pm



**Brandon Ross** Just say #no to monopolies. But let 'em build it.

Like · Reply · Message · 4 · February 5 at 6:09pm



**Robin Bruedle** Your contradicting yourself, build it then #yes

Like · Reply · Message · February 5 at 7:03pm



**Brandon Ross** The question is whether permission for a single casino should be given. No. Don't give them a monopoly, but let them build.

Like · Reply · Message · 2 · February 5 at 7:09pm · Edited



**Jim U Lacrum** Exactly. The politicians are trying to frame this as expanded gaming vs. no expanded gaming.

Granting monopoly power to a single business is not the only option, nor would it really be an expansion of gaming.

Like · Reply · Message · February 5 at 8:05pm



Write a reply...



**Diane Fontneau** #YES save me some gas \$ from driving to Maine, Mass or Conn. Thanks.

Like · Reply · Message · February 6 at 5:28pm



**Lucinda Hollingsworth** #No New Hampshire needs to generate revenue like Colorado.

Like · Reply · Message · 2 · February 6 at 1:36pm



**Owen Overkill** Martin #no special interest casinos. legalize it or dont.

Like · Reply · Message · 3 · February 5 at 6:22pm



**Bruce MacMahon** More revenue for the state to misappropriate and overspend with? No thanks.

Like · Reply · Message · February 6 at 4:15pm



**Raymond Labonte** #no we have enough problems with crime and drugs this will only add to it

Like · Reply · Message · February 5 at 6:34pm



**Eric Breslin** Huh? You been to Niagara Falls Canada? Oxford Maine? Connecticut? Sheesh ....

Like · Reply · Message · 2 · February 5 at 6:44pm



Write a reply...



**Adam Samuels** Are we asking this again? For the 3rd time, no, and hell no.

Like · Reply · Message · February 6 at 7:04pm



**Scott VanDenBergh** I think that the Balsoms would have been ideal.

Like · Reply · Message · 1 · February 6 at 12:48pm



**Kelly Murray** Desmarais As a resident, I feel as if it's a feeding frenzy for trouble .

Like · Reply · Message · February 6 at 2:00pm



**Ann Morgan** #NO why do we keep beating this dead horse?

Like · Reply · Message · February 6 at 1:44pm



**Alexandra Boucher** #no legalize it across the board for everyone or not at all.

Like · Reply · Message · February 6 at 1:41pm



**Brent Lachs** This is about 10 years too late, that ship has sailed. Let's legalize pot before that ship sails too.

Like · Reply · Message · Yesterday at 1:42am



**Norman Cook #NO** This deal is bad, I am not opposed to casinos but this is not a fair proposal.

Like · Reply · Message · February 6 at 12:23pm



**Teresa Wyman #yes** tired of traveling 3 hours to spend money in another state

Like · Reply · Message · Yesterday at 3:04am



**Margaret Kendrick #Yes**, we have other forms of gambling already in motion.

Like · Reply · Message · February 6 at 4:16pm



**Cindy Thomas** Yes but not the way they are doing selling out to special interests.

Like · Reply · Message · February 6 at 4:38pm



**Allan Pechner Jr. #yes!** New Hampshire should not have to authorize the freedom to gamble!

Like · Reply · Message · February 6 at 12:01pm



**Erik Anderson #yes** a thousand times yes. We lose millions to Mass and Maine. Keep it here.

Like · Reply · Message · February 6 at 9:36pm



**Darryl W. Perry #NO** repeal statutes prohibiting gambling

Like · Reply · Message · 2 · February 6 at 12:41pm



**Karen Crowley NO!** People don't need to spend their hard earned money at Casino's. We need more jobs!

Like · Reply · Message · February 5 at 8:33pm



**John Murphy III # yes**

Like · Reply · Message · February 6 at 12:29pm



**William Dwyer #no** legalize marijuana before Maine or Vermont does

Like · Reply · Message · 1 · February 6 at 1:16pm



**Arthur Harnden** No the out doors is our greatest asset keep casenos south of the border

Like · Reply · Message · February 5 at 7:55pm



**Anthony Drago YES**

Like · Reply · Message · February 5 at 9:56pm



**Jack Daley** NH is fast becoming Massachusetts North.

Like · Reply · Message · February 6 at 6:58pm



**Patty Donovan #yes**NH legalize gambling and marijuana lol

Like · Reply · Message · Yesterday at 8:37am



**John Best** Yes, only if they bring back thoroughbreds with it.

Like · Reply · Message · 2 · February 5 at 6:03pm



**Steven McCormack YES!!!** would love to see horse racing return „thoroughbred meet and a harness meet like the old days,,

Like · Reply · Message · February 5 at 7:06pm



**Dave Keough** John do you feel the Bern? He wants to do what you have been looking for with the banks.

Like · Reply · Message · February 6 at 6:53pm



**John Best** LOL, I want to bomb the Rothschilds' castles.

Like · Reply · Message · February 6 at 7:02pm



**True Ricker #no**

**True Ricker #no**

We've missed the tide on casinos, they're not the golden goose they once were.

Like · Reply · Message · February 6 at 11:39am · Edited



**George Gilman** Yes, I am in favor of it (Bridgewater, N.H.)

Like · Reply · Message · February 6 at 1:30pm



**Heidi McClurkin Pope #no.** I am not convinced that it would be a net LONG TERM positive for us.

Like · Reply · Message · February 6 at 7:57pm



Write a reply...



**Duffy Daugherty** Yes. And a newly revitalized Balsams Resort would be a perfect opportunity.

Like · Reply · Message · February 6 at 3:33pm



**Brian Meyette** He'll yeah why not. What do I care if people want to gamble?

Like · Reply · Message · February 5 at 11:01pm



**Michael Andrews** No the ones around us are loosing money

Like · Reply · Message · February 6 at 11:53am



**Dee Phelps** Sleeper #NO!! It will kill the CHARITABLE bingos!!!

Like · Reply · Message · February 6 at 8:18pm · Edited



**Lynda Gayle Hallock** NO!!!!!!! Are we going to go thru this crap again????????No!!!!

Like · Reply · Message · February 5 at 8:18pm



**John Young** #yes A single casino will not bring forth the apocalypse. You can't legislate morality.

Like · Reply · Message · February 5 at 7:36pm



**Mike Burlingame** No, just brings crime and addiction. Save it for Vegas

Like · Reply · Message · February 5 at 6:34pm



**Eric Breslin** Where? Proven it doesn't here in New England.

Like · Reply · Message · 1 · February 5 at 6:44pm



**Mike Burlingame** Cuz NE is special? Come on man

Like · Reply · Message · February 5 at 6:51pm



**Robin Bruedle** Lol, thanks for the laugh. Revenue can be used to help treat the increased opiate problems

Like · Reply · Message · February 5 at 7:05pm



**Mike Burlingame** Stupid is as stupid does, good luck

Like · Reply · Message · February 5 at 7:07pm



**Eric Breslin** Yes, apparently it is Mike. You are welcome to your opinion ... But the fact of the matter is, you clearly haven't stepped foot in Oxford, Niagara Falls, Mohegan or Foxwoods. That's the facts man ... Period. They aren't Atlantic city. They just aren't.

Like · Reply · Message · February 5 at 10:32pm



**Larry Hebert** Liberals bring crime and addiction, not casino's

Like · Reply · Message · February 6 at 12:06pm



**Mike Burlingame** All I'm saying is that it will change what ever area it's built in, and there will be more crime. Ask any cop that's been working in the areas you mentioned before and during. I've seen it. Lived it. The changes won't be for the good in the long run

Like · Reply · Message · February 6 at 2:51pm



Write a reply...



**Raquel Tomic-Beard** Why should be giving our revenues to other states. Let's keep it in NH # yes

Like · Reply · Message · February 5 at 11:27pm



**Todd Rovinelli** Yes!!

Like · Reply · Message · Yesterday at 7:18am



**Gloria Rowell** They need keno

Like · Reply · Message · February 6 at 9:05pm



**Dennis Coupal** # yes

Like · Reply · Message · February 6 at 4:57pm



**Ann Chiampa** No. None.

Like · Reply · Message · February 5 at 8:47pm



**Chris Belden** Legalize marijuana first here new hampshire.

Like · Reply · Message · Yesterday at 8:02am



**Ben Trick** #yes too many cry babies on this thread

Like · Reply · Message · February 6 at 3:36pm · Edited



**Debbie Sevigny** Yes

Like · Reply · Message · February 6 at 12:33pm



**Joel Price** No...no...no way, no

Like · Reply · Message · February 6 at 7:48pm



**Claire Petuck** If it could cut all property taxes in the state in half .... lol ... I would say yes.

Like · Reply · Message · February 6 at 2:26pm



**Dan Bolduc** Not a chance. It's a terrible idea. Last thing we need is to bring that trouble here.

Like · Reply · Message · February 6 at 2:31pm



**Charlene Kuehl** Yes.They.Should.Do.This

Like · Reply · Message · February 6 at 12:54pm



**Priscilla Levy** No.

Like · Reply · Message · Yesterday at 7:24am



**Nicole Nardello Lawton** YES

Like · Reply · Message · 1 · February 5 at 6:21pm



**William Rogan** #yes. Are we still a free country?

Like · Reply · Message · February 6 at 6:40pm



**Bob Malboeuf** No

Like · Reply · Message · Yesterday at 12:31am



**Farish Lewis** yes

Like · Reply · Message · February 6 at 10:42pm



**David Lawrence** No it just brings trouble

Like · Reply · Message · Yesterday at 12:06am



**Jamie Woods** #yes Revenue, baby!

Like · Reply · Message · February 6 at 10:31am



**Jennifer Benn** No

Like · Reply · Message · February 6 at 1:06am



**Terry Brossard-Rocca** # YES

Like · Reply · Message · February 6 at 2:11pm



**Hud Connery** Yes, Newmarket resident here

Like · Reply · Message · February 6 at 4:17pm



**Kathleen LaBonte LoFaro** No.

Like · Reply · Message · February 6 at 4:40pm



**JJ Centola** Yes!

Like · Reply · Message · February 6 at 9:11pm



**Larry Vigus** #No Bad plan

Like · Reply · Message · February 6 at 6:52pm



**Ben Arthur** #yes

NH Res.  
Like · Reply · Message · February 6 at 5:00am



**Erik Swanson** #no zero casinos

Like · Reply · Message · February 6 at 1:29am



**Pamela Pisano Leask** Yes please.

Like · Reply · Message · February 6 at 2:20pm



**Deborah Rogers** # no.

Like · Reply · Message · February 6 at 11:55am



**Cathleen Converse** #NO, no more cronyism!

Like · Reply · Message · 1 · February 6 at 6:07pm



**Robin Bruedle** #yes lets make it more than one

Like · Reply · Message · February 6 at 6:06pm



**Billy Waitt** Why not live free or die right?

Like · Reply · Message · 1 · February 5 at 6:33pm



**Scott Gaudet** Yes

Like · Reply · Message · February 6 at 4:04pm



**Mike Munroe** Yes! In the North Country!

Like · Reply · Message · 1 · February 5 at 6:05pm



**Mike Burlingame** Ya destroy it.

Like · Reply · Message · February 5 at 7:02pm



**Mike Munroe** Mike Burlingame They need the jobs and money!

Like · Reply · Message · February 5 at 7:09pm



Write a reply...



**Jason Austin** No Casinos.

Like · Reply · Message · February 6 at 8:07pm



**Don Janvrin** Yes, build up one please!!

Like · Reply · Message · Yesterday at 6:48am



**Ashley Tremblay** #NO. Absolutely not. Maybe if it wasn't proposing a monopoly..

Like · Reply · Message · February 6 at 2:49pm



**Andi Card** Yes, we should have one

Like · Reply · Message · February 5 at 7:32pm



**Ronald Lund** No !! Let them louse up Me and Mass !!!

Like · Reply · Message · February 6 at 6:39am



**Reece Maguire** Depends on if I win, or not..

Like · Reply · Message · February 6 at 5:45pm



**Denis Corbeil** Yes

Like · Reply · Message · February 5 at 6:27pm



**Luke Avery** How about a sports book?

Like · Reply · Message · February 6 at 8:47am



**Steve Allen** Not one but atleast two. Yes

Like · Reply · Message · February 5 at 6:56pm



**Margaret Walsh** No!

Like · Reply · Message · February 6 at 9:06pm



**Rick Metts** Yes.

Like · Reply · Message · February 6 at 2:36pm



**Linda Perry** Yes!

Like · Reply · Message · 19 hrs

Write a comment...

# APPENDIX B: CITIZEN VOICES METHODOLOGY

The LFDA's Citizen Voices are a key aspect of our efforts to put the opinions of our community front-and-center when policy decisions are being debated and made.

Six days a week, the LFDA posts a yes-or-no question related to a public policy issue in New Hampshire on our Facebook page, inviting members to join the discussion and share their opinion. Participation in these discussions varies greatly, but often includes hundreds or thousands of individuals from across the political spectrum engaging in lively, thoughtful and civil discourse.

Those discussions which accumulate a sufficient number of responses, and which are generally on-topic, are selected for Citizen Voices reports.

*NOTE: For questions related to bills being considered at upcoming hearings, the LFDA posts a request that only New Hampshire residents participate in the discussion, or that non-New Hampshire residents participating identify themselves as such. Responses from the latter individuals are excluded from our results calculations.*

## How Responses are Counted

The full content of all responses to the discussion is exported into a spreadsheet. LFDA staff members review each response and determine whether it constitutes a 'yes' response, 'no' response, or broader comment on the issue or related topics.

Responses which are not in any way related to the issue or to New Hampshire public policy, such as personal conversations between citizens, are labeled "off-topic".

Participants are requested to use hashtags to clarify their position, but in the absence of a hashtag, staffers will still attempt to classify a response based on its specific content. Each response is reviewed by at least two staffers, who will discuss and resolve any discrepancies in how a response has been categorized.

Concurrences - or "likes" on comments are counted as responses in the same category as the comment "liked". For example, a "like" on a "yes" post is considered an additional "yes" response for quantification purposes.

"Likes" on the LFDA question post itself, or post shares which do not include a comment from the user, are not included in any of the above categories.



Only one response from each individual citizen is counted in this manner. Comments written by the citizen are given priority. If a no “yes” or “no” comment is not available for a particular individual, “likes” on the responses of others are used to establish a position.

## **The Numbers**

The total number of participants listed for each Citizen Voice represents the number of individuals who interact in the discussion, and is therefore sum of the following:

- Individuals giving “yes” or “no” responses.
- Individuals making broader comments on the issue or related policy issues.
- Individuals making off-topic comments.
- Individuals who share the post or “like” the question itself.

The total number of responses listed in the Citizen Voice is the sum of all instances of engagement made with the post, and does count multiple interactions from the same individual. This number is arrived at by adding the following:

- The Facebook-calculated total of “likes”, comments, and shares.
- The LFDA calculated total of “likes” on comments to the post or shared versions of the post. (This number is not included in the Facebook calculation.)

Participation percentages are calculated by comparing the number of citizens who give a “yes” or “no” response with those who instead offer broader comments on the issue. The percentages do not include individuals making off-topic comments or those who only liked the post itself.

The majority/minority percentages are based solely on those individuals who give a “yes” or “no” response to the question.

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, February 9, 2016

THE COMMITTEE ON Ways and Means

to which was referred **SB 551-FN-A-LOCAL**

AN ACT

establishing video lottery and table gaming at one location.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 3-2

Senator Lou D'Allesandro  
For the Committee

Sonja Caldwell 271-2117

**WAYS AND MEANS**

**SB 551-FN-A-LOCAL**, establishing video lottery and table gaming at one location.

Ought to Pass, Vote 3-2.

Senator Lou D'Allesandro for the committee.

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Wednesday, March 9, 2016

THE COMMITTEE ON Finance

to which was referred **SB 551-FN-A-LOCAL**

AN ACT establishing video lottery and table gaming at one location.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-2

AMENDMENT # 0961s

Senator Lou D'Allesandro  
For the Committee

Deb Martone 271-4980

## New Hampshire General Court - Bill Status System

**Docket of SB551**

Docket Abbreviations

**Bill Title:** establishing video lottery and table gaming at one location.*Official Docket of SB551:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
2/2/2016	S	<b>Introduced</b> 01/21/2016 and Referred to Ways and Means; <b>SJ 3</b>
2/3/2016	S	Hearing: 02/09/2016, Room 103, SH, 09:45 am; <b>SC5</b>
2/9/2016	S	Committee Report: Ought to Pass, 02/18/2016; <b>SC6</b>
2/18/2016	S	Sen. Bradley Moved Laid on Table, MA, VV; <b>SJ 6</b>
2/18/2016	S	Pending Motion, Ought to Pass; 02/18/2016; <b>SJ 6</b>
3/3/2016	S	Sen. D'Allesandro Moved to Remove From Table, MA, VV; 03/03/2016; <b>SJ 7</b>
3/3/2016	S	Without Objection, Referred to Finance, MA; 03/03/2016; <b>SJ 7</b>
3/9/2016	S	Committee Report: Ought to Pass with Amendment <b>#2016-0961s</b> , 03/17/2016; <b>SC 10</b>
3/17/2016	S	Sen. D'Allesandro Moved Laid on Table, MA, VV; 03/17/2016; <b>SJ 9</b>
3/17/2016	S	Pending Motion Committee Amendment <b>#2016-0961s</b> ; 03/17/2016; <b>SJ 9</b>
3/24/2016	S	Sen. D'Allesandro Moved to Remove From Table, MA, VV; 03/24/2016; <b>SJ 10</b>
3/24/2016	S	Sen. Sanborn Moved Laid on Table, MF, VV; 03/24/2016; <b>SJ 10</b>
3/24/2016	S	Committee Amendment 0961s, DIV. 11Y-12N, AF; 03/24/2016 <b>SJ 10</b>
3/24/2016	S	Ought to Pass: <b>RC 11Y-13N, MF</b> ; 03/24/2016; <b>SJ 10</b>
3/24/2016	S	Sen. Soucy Moved Laid on Table, MA, VV; 03/24/2016; <b>SJ 10</b>
3/24/2016	S	No Pending Motion; 03/24/2016 <b>SJ 10</b>

NH House

NH Senate

## New Hampshire General Court - Bill Status System

**Docket of SB551**

Docket Abbreviations

**Bill Title:** establishing video lottery and table gaming at one location.*Official Docket of SB551:*

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2/3/2016	S	Hearing: 02/09/2016, Room 103, SH, 09:45 am; <b>SC5</b>
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3/24/2016	S	No Pending Motion; 03/24/2016 <b>SJ 10</b>

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NH House	NH Senate
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# Other Referrals



# COMMITTEE REPORT FILE INVENTORY

SB551 ORIGINAL REFERRAL  
FN-A-LOCAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

- DOCKET (Submit only the latest docket found in Bill Status)
- COMMITTEE REPORT
- CALENDAR NOTICE
- HEARING REPORT
- PREPARED TESTIMONY AND OTHER SUBMISSIONS HANDED IN AT THE PUBLIC HEARING

SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

\_\_\_ - AMENDMENT # \_\_\_\_\_      \_\_\_ - AMENDMENT # \_\_\_\_\_  
\_\_\_ - AMENDMENT # \_\_\_\_\_      \_\_\_ - AMENDMENT # \_\_\_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED      \_\_\_ AS AMENDED BY THE HOUSE  
 FINAL VERSION      \_\_\_ AS AMENDED BY THE SENATE

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

DATE DELIVERED TO SENATE CLERK

10/7/16

BY:

SC

COMMITTEE AIDE

# COMMITTEE REPORT FILE INVENTORY

SB551-F.A. <sup>LOCAL</sup> ORIGINAL REFERRAL

\_\_\_\_\_ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
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DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

\_\_\_\_\_ CALENDAR NOTICE

\_\_\_\_\_ HEARING REPORT

\_\_\_\_\_ PREPARED TESTIMONY AND OTHER SUBMISSIONS HANDED IN AT THE PUBLIC HEARING

\_\_\_\_\_ SIGN-UP SHEET(S)

### ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 09425      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_  
 - AMENDMENT # 09615      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_

### ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED      \_\_\_\_\_ AS AMENDED BY THE HOUSE  
\_\_\_\_\_ FINAL VERSION      \_\_\_\_\_ AS AMENDED BY THE SENATE

\_\_\_\_\_ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

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PLEASE INCLUDE THE COMMITTEE OF CONFERENCE REPORT HERE IF IT IS SIGNED BY ALL.

DATE DELIVERED TO SENATE CLERK

10/31/16

BY:

Debra A. Mantore  
COMMITTEE AIDE