

Committee Report

REGULAR CALENDAR

May 11, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Ways and Means to
which was referred SB 27,**

**AN ACT relative to the sale of lucky 7 tickets. Having
considered the same, report the same with the following
amendment, and the recommendation that the bill
OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami

FOR THE MAJORITY OF THE COMMITTEE

MAJORITY COMMITTEE REPORT

Committee:	Ways and Means
Bill Number:	SB 27
Title:	relative to the sale of lucky 7 tickets.
Date:	May 11, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-1236h

STATEMENT OF INTENT

This bill is largely a housekeeping bill filed for the Lottery Commission that has four sections as well as an amendment suggested by the Lottery Commission during committee work sessions. First, the bill changes the term of a charitable gaming license from 12 months from issue to annually expiring on December 31. The majority of the committee agreed this would streamline the charitable gaming licensing process. Second, it makes identical the definition of what a charitable organization is within both the games of chance statutes and the bingo and Lucky 7 statutes. The major changes to actual content are that the bill changes that a charity must be registered with the Secretary of State for at least two years to one year in both sections of the statutes. In addition, the bill adds to the games of chance statutes a requirement that says a charity must be in existence and organized under the laws of the state for at least one year in a town or city in the state as well as amends the identical language in the bingo and Lucky 7 statutes that already exists by changing the two years to one year. The majority of the committee felt that these changes were a positive step forward in unifying these related statutes. Third, the bill corrects a long-standing error in the pari-mutuel pool statutes within RSA 284:22 which nine times refers to the "lottery commission" when it should have read just "commission". In this context "commission" means earnings. These were clearly content errors that needed to be fixed. Fourth, the meaning of a "deal" within Lucky 7 is a single game of uncirculated Lucky 7 tickets bearing a serial number. This was a less clumsy way of defining a Lucky 7 deal. The amendment suggested by the Lottery Commission gives them flexibility to issue a waiver to an organization doing charitable work that may not fit within the current definitions. The majority of the committee felt that the waiver requirements were strict enough to ensure the exception to the rule cannot be abused.

Vote 23-1.

Rep. Patrick Abrami
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Ways and Means

SB 27, relative to the sale of lucky 7 tickets. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for the **Majority** of Ways and Means. This bill is largely a housekeeping bill filed for the Lottery Commission that has four sections as well as an amendment suggested by the Lottery Commission during committee work sessions. First, the bill changes the term of a charitable gaming license from 12 months from issue to annually expiring on December 31. The majority of the committee agreed this would streamline the charitable gaming licensing process. Second, it makes identical the definition of what a charitable organization is within both the games of chance statutes and the bingo and Lucky 7 statutes. The major changes to actual content are that the bill changes that a charity must be registered with the Secretary of State for at least two years to one year in both sections of the statutes. In addition, the bill adds to the games of chance statutes a requirement that says a charity must be in existence and organized under the laws of the state for at least one year in a town or city in the state as well as amends the identical language in the bingo and Lucky 7 statutes that already exists by changing the two years to one year. The majority of the committee felt that these changes were a positive step forward in unifying these related statutes. Third, the bill corrects a long-standing error in the pari-mutuel pool statutes within RSA 284:22 which nine times refers to the "lottery commission" when it should have read just "commission". In this context "commission" means earnings. These were clearly content errors that needed to be fixed. Fourth, the meaning of a "deal" within Lucky 7 is a single game of uncirculated Lucky 7 tickets bearing a serial number. This was a less clumsy way of defining a Lucky 7 deal. The amendment suggested by the Lottery Commission gives them flexibility to issue a waiver to an organization doing charitable work that may not fit within the current definitions. The majority of the committee felt that the waiver requirements were strict enough to ensure the exception to the rule cannot be abused. **Vote 23-1.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

May 11, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Ways and Means to
which was referred SB 27,**

**AN ACT relative to the sale of lucky 7 tickets. Having
considered the same, and being unable to agree with
the Majority, report with the following resolution:
RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

Rep. Susan Almy

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Ways and Means
Bill Number:	SB 27
Title:	relative to the sale of lucky 7 tickets.
Date:	May 11, 2021
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill merges existing bingo and charitable gaming language, expanding the reach of charities able to sponsor the latter's games, and continuing confusing language as to the definition of a charity that the committee hopes will be studied by one of the bills passed to set up a charitable gaming study committee this term. The last section contradicts language in another bill sent to the committee from the Senate which is also being passed. The legislature this term has passed a bill to expand charitable gaming into the most addictive form of gaming, and consideration of its regulation should have awaited the results of the study committee. The bill should have been retained, but that motion is not allowed here.

Rep. Susan Almy
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Ways and Means

SB 27, relative to the sale of lucky 7 tickets. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Almy for the **Minority** of Ways and Means. This bill merges existing bingo and charitable gaming language, expanding the reach of charities able to sponsor the latter's games, and continuing confusing language as to the definition of a charity that the committee hopes will be studied by one of the bills passed to set up a charitable gaming study committee this term. The last section contradicts language in another bill sent to the committee from the Senate which is also being passed. The legislature this term has passed a bill to expand charitable gaming into the most addictive form of gaming, and consideration of its regulation should have awaited the results of the study committee. The bill should have been retained, but that motion is not allowed here.

Original: House Clerk

Cc: Committee Bill File

Amendment to SB 27

1 Amend the bill by inserting after section 5 the following and renumbering the original section 6 to
2 read as 7:

3

4 6 New Paragraph; Charitable Organization; Waiver. Amend RSA 287-D:6 by inserting after
5 paragraph V the following new paragraph:

6 VI. An applicant who does not meet the definition of a charitable organization as set forth in
7 RSA 287-D:1, IV may apply to the executive director of the lottery commission for a waiver of these
8 requirements if it can establish the following:

9 (a) The organization was established with the charitable trusts unit of the attorney
10 general's office, and has been in existence for a period of at least 2 years prior to the application;

11 (b) The charitable works of the organization take place primarily in the state of New
12 Hampshire; and

13 (c) All charitable gaming revenue raised by the organization will be used to benefit the
14 state of New Hampshire and its residents.

Voting Sheets



**STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK
2021 Session - Ways and Means**

Roll Call Committee Registers Report

relative to the sale of Lucky 7 tickets.

Bill #	SB 27
Motion	OTP/A
Amendment #	2021-1236h
Exec Session Date	5/11/21
Consent Calendar?	No

Member	Motion / Seconded	Yea	Nay	NV
Patrick Abrami	Motion	X		
Daw Johnson (for Griffin, Mary)		X		
Jordan Ulery		X		
Russell Ober(R)		X		
Fred Doucette(R)		X		
Alan Bershtein(R)		X		
Robert Elliott(R)		X		
Tony Piemonte (for John Janigian)		X		
Hershel Nunez(R)	Second	X		
Maureen Mooney (for Tim Baxter)		X		
Walter Spilsbury(R)		X		
Paul Tudor(R)		X		
Almy, Susan	Minority Blurb		X	
Richard Ames(D)		X		
Thomas Southworth(D)		X		
Dennis Malloy(D)		X		
Thomas Schamberg(D)		X		
Edith Tucker(D)		X		
Jennie Gomarlo(D)		X		
Tom Loughman		X		
Amanda Gourgue		X		
Mary Hakken-Phillips(D)		X		
James Murphy(D)		X		
Norman Major		X		
Total Vote		23	1	



**STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK
2021 Session - Ways and Means**

Roll Call Committee Registers Report

Amendment

Bill #	SB 27
Motion	OTP
Amendment #	2021-1236h
Exec Session Date	5/11/21
Consent Calendar?	

Member	Motion / Seconded	Yea	Nay	NV
Patrick Abrami	Motion	X		
Daw Johnson (for Griffin, Mary)		X		
Jordan Ulery		X		
Russell Ober(R)		X		
Fred Doucette(R)		X		
Alan Bershtein(R)		X		
Robert Elliott(R)		X		
Tony Piemonte (for John Janigian)		X		
Hershel Nunez(R)	Second	X		
Maureen Mooney (for Tim Baxter)		X		
Walter Spilsbury(R)		X		
Paul Tudor(R)		X		
Almy, Susan		X		
Richard Ames(D)		X		
Thomas Southworth(D)		X		
Dennis Malloy(D)		X		
Thomas Schamberg(D)		X		
Edith Tucker(D)			X	
Jennie Gomarlo(D)		X		
Tom Loughman		X		
Amanda Gourgue		X		
Mary Hakken-Phillips(D)		X		
James Murphy(D)		X		
Norman Major		X		
Total Vote		23	1	

Public Hearing

House Committee on Ways and Means
Public Hearing on: SB 22-FN and SB 27

SB 22-FN Bill Title: relative to the sale of Lucky 7 tickets.
SB 27 Bill Title: relative to the sale of Lucky 7 tickets.

Date: March 16, 2021
LOB Room: remote via Zoom
Time Public Hearing Called to Order: 9:08 AM
Time Public Hearing Adjourned: 10:47 AM

Committee Members: Reps. Major, Abrami, Bershtein, M. Griffin, Ulery, R. Ober, Doucette, Elliott, Janigian, Nunez, Baxter, Spilsbury, Tudor, Almy, Ames, Southworth, Malloy, Schamberg, Tucker, Gomarlo, Loughman, Gourgue, Hakken-Phillips and Murphy

SB 22: SPONSORS: Sen. French, Dist 7; Sen. Reagan, Dist 17; Sen. Hennessey, Dist 1;
Sen. Gannon, Dist 23

SB 27: SPONSOR: Sen. Giuda, Dist 2

TESTIMONY

SB 27 Giuda, Bob, An Elected Official, NH SD 2 (Prime Sponsor) (Support)

- Introduced SB 27
- Primarily, this is a housekeeping bill
- This bill changes the license period for charitable gaming from ending in 12 months to ending each December 31.
- Standardization of language
- Corrects incorrects references to the lottery commission.
- Changes the definition of “the deal” of Lucky 7
 - Almy: Q: The definition of “the deal” contradicts the language in SB 22. Why not just do one bill
 - Guida: A: I have no control over SB 27
- Almy:
 - Q: Does this reduce bingo to a back room in facilities
 - A: I’m not sure how this will play out
- Ames:
 - Q: SB 27 changes registration from two year requirement to one year. Why?
 - A: (Valerie King) This change was proposed by someone outside of lottery. We simply want consistency across licensing requirements
 - Q: Licensure eligibility of maintaining a list of members. Many charities are not membership organizations. How can they fulfill this requirement?

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- A: (Valerie King) We are just trying to match and standardize the language. The list is simply looking for people authorized to participate. We can review the language.
- Q: What is a “single game”?
- A: “A deal” is a single game with a set number of tickets
- Abrami:
 - Q: Please confirm we have not changed the IRS classification of entities eligible?
 - A: (Ames) The statutory language should be reviewed with regard to the use of “member lists”.
- Almy
 - We retained another bill because we are not clear about IRS classifications. We need to look at this language carefully in sections one to four. 501(c)4 is for political PACS.
 - Guida: Listed the definitions of the IRS classifications.
 - Registration with the SoS is a low bar. Anyone can register anything with the SoS.
- Hakken-Phillips
 - Q: Many organizations do not have memberships. Therefore this bill would preclude non-membership organizations from participating.
 - A: (Guida) We can make changes to make this more inclusive.
- Abrami:
 - The registration with the SoS is current law. Does the lottery confirm with SoS?
 - (McIntyre) Yes, we confirm the registration with SoS.
- Almy:
 - Q: Could we talk with SoS to see how they are handling this?
 - A: (Major) A: Yes, we could have someone from SoS at the work session.

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SB27 Newman, Rick, Lobbyist, NH Charitable Gaming (Support)

- Section 1 of the bill is a change to go back the way it used to be, relative to the December 31 expiration of licensing. This is a good housekeeping measure that will save a lot of headaches for people.
- The list of IRS classifications is across several RSAs. These should be consistent across all statutes.
- Regarding Rep. Ames issues with memberships, there are plenty of organizations without members (i.e. little league baseball). This exact language already exists and is not new.
- Ulery:
 - Q: Lists of members are not always available. Also, what about 501(c)(10) organizations like Masons or Knights of Columbus? They do not maintain public lists of members.
- Abrami:
 - Q: Any provision for exceptions to the membership rule?
 - A: Orgs like little league baseball currently participate in charitable gaming.
- Ames:
 - Q: Why the change in registration requirement from two years to one year?
 - A: Not sure
 - Ames comment: Let's review the "membership" language closely so we don't exclude charities that ought to be included.
- Mcintyre: We can review the language and redraft for more clarity.
- Ulery: maybe have a list of authorized persons instead of members. Valerie King: That's correct.

House Committee on Ways and Means
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SB22

Abrami:

- Introduced bill

Schamberg:

- Q: For McIntyre: Can players still get paper tickets?
- A: Yes.

SB22 Newman, Rick, Lobbyist, Grover Gaming (Support)

- This bill deals with a different universe of charities. These charities sell Lucky 7 tickets.
- Current law requires all tickets to be printed. This bill allows the option for tickets not to be printed because the results are displayed on the screen. This saves money for the charities.
- The Senate added the requirement of the option for 25 cents tickets if you want to sell \$1.00 tickets.
- Grover Gaming produces the machines.

SB22 Clark, Tyler, Lobbyist, Diamond Distributors (Oppose)

- Sent testimony via email
- Diamond Distributors is a provider of paper Lucky 7 tickets
- The paper ticket is what differentiates Lucky 7 machines from slot machines. Without the machines dispensing paper, they are indistinguishable from slot machines.

House Committee on Ways and Means
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-
- Machines cause charities to only get 10% of revenue where paper tickets allow for 25% for charities.
 - Abrami:
 - Q: Do you favor adding 25 cent tickets?
 - A: We are neutral on that aspect of the bill.

Almy: Q for McIntyre:

- The law requires the machines to dispense paper tickets. Is that currently the case? Answer: Yes, all machines dispense paper tickets.

SB 22 Fran Wendelboe, Lobbyist, Powerhouse Gaming (Support)

- COVID put many charities behind with regard to fundraising. This legislation will help those charities.
- Electronic machines save charities a lot of money because they have to pay for the paper.
- Ames:
 - Q: regarding the loss of revenue for charities due to COVID, please quantify?
 - A: Wendelboe: I defer to Valerie King.
 - A: King:
 - Games of Chance is doing fine
 - Bingo has taken a dip
 - Lucky 7 has also taken a hit.
 - She'll email W&Ms numbers

Respectfully submitted,
Rep. Alan Bershtein, Clerk

House Remote Testify

Ways and Means Committee Testify List for Bill SB27 on 2021-03-16

Support: 2 Oppose: 0 Neutral: 0 Total to Testify: 2

[Export to Excel](#)

<u>Name</u>	City, State <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Giuda, Bob	Warren, NH bob.giuda@leg.state.nh.us	An Elected Official	NH Senate District 2 - PRIME	Support	Yes (3m)	3/11/2021 10:45 AM
Newman, Rick	Nottingham, NH rick@ricknewman.com	A Lobbyist	Grover Gaming	Support	Yes (0m)	3/14/2021 7:56 PM

Testimony



Over \$2 Billion and Counting for our Schools

THE EFFECTS OF COVID-19 ON CHARITABLE GAMING REVENUE

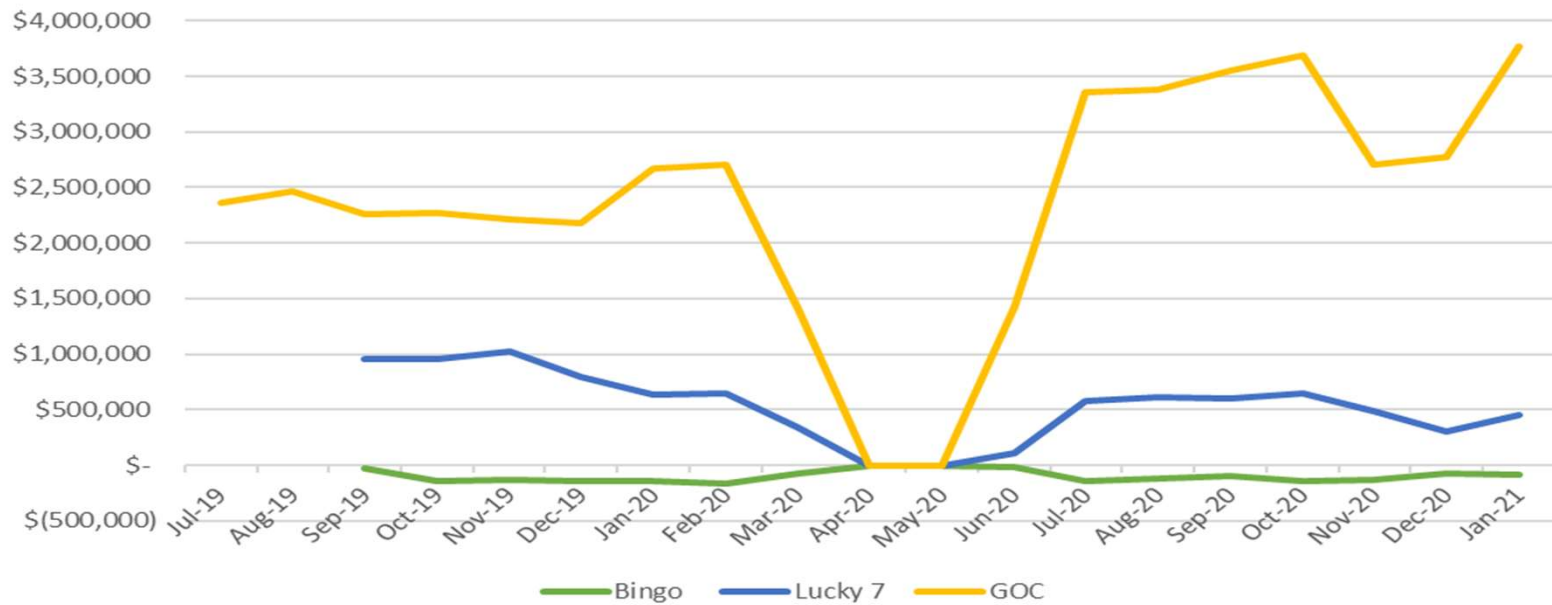
3/19/21



Over \$2 Billion and Counting for our Schools

Total Revenue by Game Type June 2019 - January 2021

(Rooms Closed March 17 - June 15 Due to COVID-19)





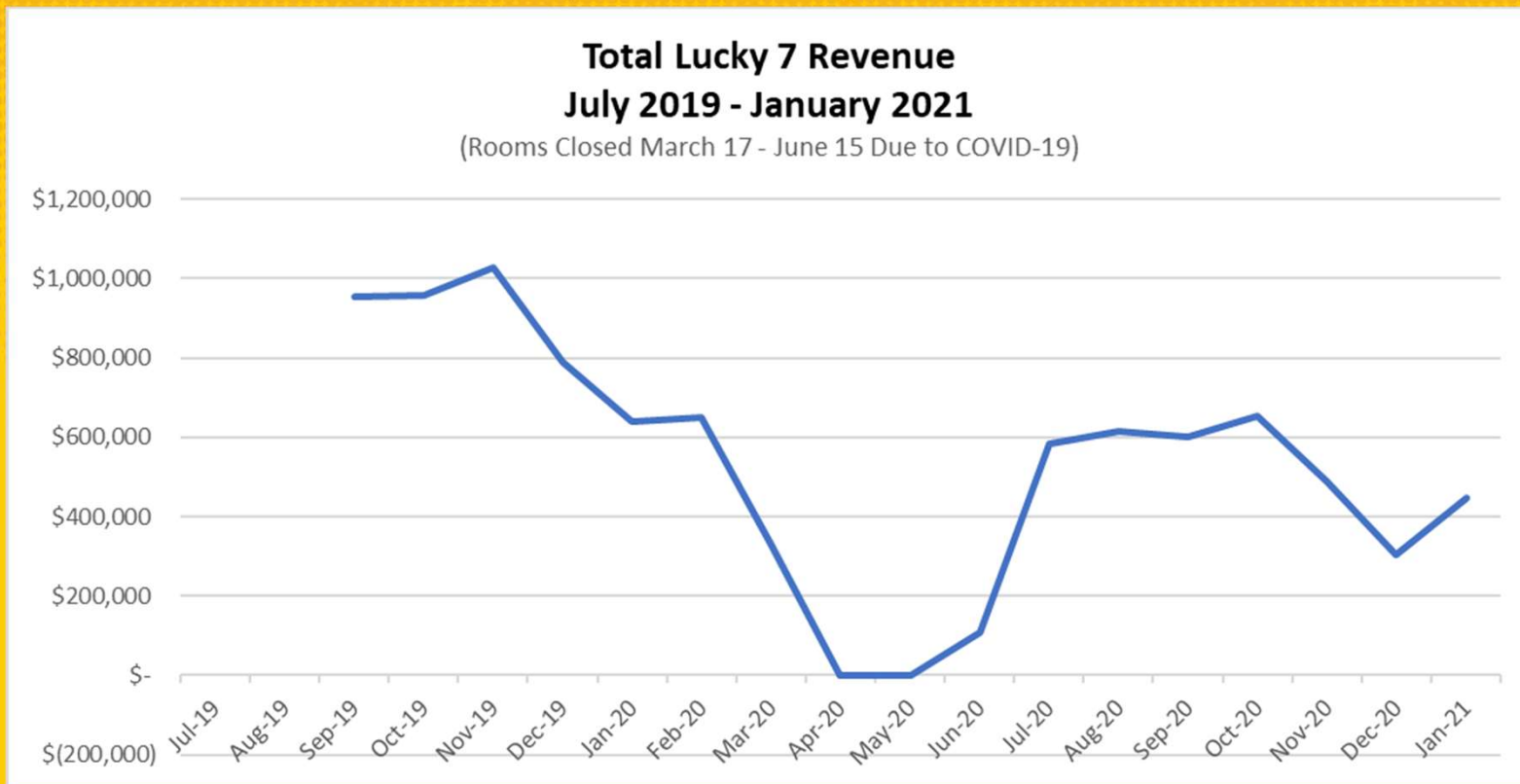
Over \$2 Billion and Counting for our Schools

Total Bingo Revenue
July 2019 - January 2021
(Rooms Closed March 17 - June 15 Due to COVID-19)



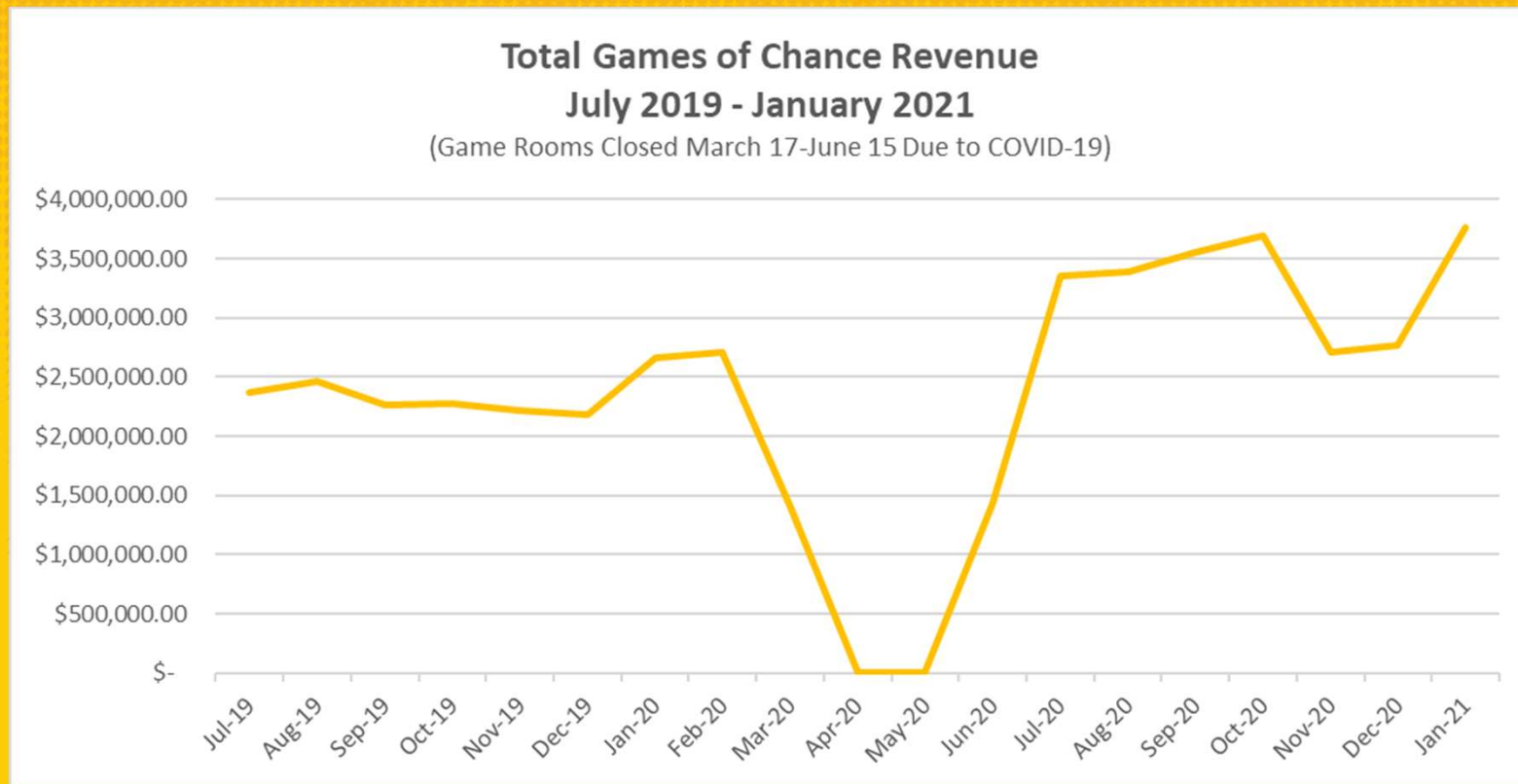


Over \$2 Billion and Counting for our Schools





Over \$2 Billion and Counting for our Schools



THE EFFECT OF COVID-19 ON CHARITABLE GAMING REVENUE

NOTES:

- Revenue data was obtained from Monthly Financial Reports submitted to the agency by the game operators
- Bingo/Lucky 7 data represents net revenue for the charitable organization (after prizes, taxes and expenses were paid)
- Games of Chance (GOC) data represents total net revenue (including charity, state and game operator allocation)
- Per the governor's order, charitable game rooms were closed from March 17 until June 15, 2020 due to pandemic

Karen Karwocki

From: mattwenfran@myfairpoint.net
Sent: Monday, May 10, 2021 4:23 PM
To: ~House Ways & Means Committee
Subject: Comment on SB22 and SB27
Attachments: Gaming Revenue Graphs.pptx

Dear Committee Member,

You will exec SB22 and 27 Tuesday in committee and I urge you to support both bills. While it seems that charity gaming has been enhanced in many ways recently, not so for those charity entities like the service clubs—The Legions, VFW’s, Eagles and so on.

They do not have games of chance so enhancement of those do not help them. These charities lost total income for at least 2 months and have been slow in recovering. I have attached a spreadsheet from Lottery.

The savings from wasted paper making paper in electronic machines optional will increase their profits and reduce paper in landfills. I don’t recall anyone testifying against this provision.

Increasing the deal size is revenue neutral but will give the charities the option for a larger deal with more flexibility of prizes. They still must pay out the same total dollar amount as if they were single deals. Again this is an OPTION.

I hear that there may be an amendment to make the 25 cent ticket an option of the charity if they have enough demand. We support an option like this but did not request this change.

We also support SB27.

I will be available by phone if you have any last minute questions. Thank You.

Fran Wendelboe, representing Power House Gaming
(603) 381-7988

Bill as
Introduced

SB 27 - AS INTRODUCED

2021 SESSION

21-0827

08/11

SENATE BILL **27**

AN ACT relative to the sale of lucky 7 tickets.

SPONSORS: Sen. Giuda, Dist 2

COMMITTEE: Ways and Means

ANALYSIS

This bill:

I. Changes the term of a charity gaming license from 12 months from issue to annually expiring on December 31.

II. Expands the definition of charitable organization for the purpose of issuing charitable gaming, bingo, and Lucky 7 licenses.

III. Corrects incorrect references to the lottery commission.

IV. Changes the definition of deal in reference to Lucky 7.

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

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the sale of lucky 7 tickets.

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

1 Charitable Gaming Licenses. Amend RSA 287-D:6, IV and V to read as follows:

2 IV. Only one license shall be issued to each applicant [~~in any 12 month period~~] **per year** to
3 operate games of chance for 10 days, which 10 days need not be consecutive.

4 V. Licenses shall expire [~~12 months from the date of issue or after the completion of the~~
5 ~~tenth game date, whichever comes first~~] **on December 31.**

6 2 Games of Chance; Charitable Organization Definitions. Amend RSA 287-D:1, IV to read as
7 follows:

8 IV.(a) "Charitable organization" means any bona fide religious, charitable, civic, veterans',
9 or fraternal or church organization, including police and firemen's organizations which shall have
10 been registered with the secretary of state for at least [~~2 years~~] **one year, and in existence and**
11 **organized under the laws of this state for at least one year in a town or city in this state.**
12 **To be eligible for licensure under this chapter, a charitable organization shall do all of the**
13 **following:**

14 (1) **Document that the organization has tax exempt status under Internal**
15 **Revenue Code section 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is**
16 **covered under a group ruling issued by the Internal Revenue Service under the authority of**
17 **those sections.**

18 (2) **Establish that the religious, civic, fraternal, veterans, or charitable**
19 **purposes for which it was organized, other than charitable gambling, are furthered**
20 **through activities conducted in the town or city in which the charitable organization is**
21 **organized.**

22 (3) **Document registration with the secretary of state for at least one year**
23 **and, if required under RSA 7:19-32-a, with the director of charitable trusts.**

24 (4) **Maintain a current list of bona fide members.**

25 (b) A charitable organization shall not include auxiliary units, committees, or other
26 entities organized under the auspices of a charitable organization eligible for licensure under this
27 chapter, when such auxiliary unit, committee, or other entity is organized for the primary purpose of
28 conducting games of chance.

29 3 Charitable Organization; Bingo and Lucky 7. Amend RSA 287-E:1, V to read as follows:

30 V.(a) "Charitable organization" means any bona fide religious, charitable, civic, [~~veterans~~]
31 **veterans',** [~~or~~] fraternal, **or church** organization, **including police and firemen's organizations**

SB 27 - AS INTRODUCED
- Page 2 -

1 which shall have been registered with the secretary of state for at least ~~[2 years]~~ **one year** and in
2 existence and organized under the laws of this state for at least ~~[2 years]~~ **one year** in a town or city
3 in this state ~~[- and which possesses a tax exempt status under Internal Revenue Code 501(c)(3),~~
4 ~~501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is covered under a group ruling issued by~~
5 ~~the Internal Revenue Service under authority of those sections].~~ To be eligible for licensure under
6 this chapter, a charitable organization shall do all of the following:

7 ~~[(a)]~~ **(1)** Document that ~~[it is exempt from federal income tax]~~ **the organization has**
8 **tax exempt status under Internal Revenue Code section 501(c)(3) 501(c)(4), 501(c)(7),**
9 **501(c)(8), 501(c)(10), or 501(c)(19) or is covered under a group ruling issued by the Internal**
10 **Revenue Service under the authority of those sections.**

11 ~~[(b)]~~ **(2)** Establish that the religious, civic, fraternal, veterans, or charitable purposes
12 for which it was organized, other than charitable gambling, are furthered through activities
13 conducted in the town or city in which the charitable organization is organized.

14 ~~[(c) Register]~~ **(3) Document registration** with the secretary of state **for at least one**
15 **year** and, if required under RSA 7:19-32-a, with the director of charitable trusts.

16 ~~[(d)]~~ **(4)** Maintain a current list of bona fide members.

17 ~~[(e) Document that the organization has tax exempt status under Internal Revenue Code~~
18 ~~501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is covered under a group ruling~~
19 ~~issued by the Internal Revenue service under authority of those sections.]~~

20 **(b)** A charitable organization shall not include auxiliary units, committees or other
21 entities organized under the auspices of a charitable organization eligible for licensure under this
22 chapter, when such auxiliary unit, committee, or other entity is organized for the primary purpose of
23 conducting bingo games **or Lucky 7.**

24 4 Pari-Mutuel Pools; Reference Corrected. Amend RSA 284:22 to read as follows:

25 284:22 Pari-Mutuel Pools. During the calendar years of 1941-2029, a licensee under this
26 chapter may sell pari-mutuel pools in accordance with this chapter and rules adopted by the lottery
27 commission. Pari-mutuel pools shall be sold within the enclosure of the racetrack where a licensed
28 race or race meet is held or as provided in RSA 284:22-a, and not elsewhere.

29 I. The ~~[lottery]~~ commission on all win, place, and show pari-mutuel pools at tracks or race
30 meets at which running horse races are conducted for public exhibition shall be uniform throughout
31 the state at the rate of 19 percent of each dollar wagered in such pools, and the ~~[lottery]~~ commission
32 on all other pari-mutuel pools at such tracks or race meets shall be at the rate of not less than 26
33 percent of each dollar wagered in such pools and not more than 27 percent of each dollar wagered in
34 such pools as determined from time to time by the licensee which conducts live running horse races
35 after written notice to the lottery commission and, in the absence of written notice, at the rate of 26
36 percent of each dollar wagered in such pools. Except as provided in RSA 284:22-a, the amount of the
37 purse at such tracks or race meets at which running horse races are conducted shall be 8 1/4 percent

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1 of each dollar wagered in all pari-mutuel pools, said 81/4 percent to be paid by the licensee out of the
2 lottery commission on such pools. In addition to the above [lottery] commission, 1/2 of the odd cents
3 of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple
4 of 10, known as "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the
5 use of the state in accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the lottery
6 commission. The lottery commission shall distribute such breakage to the licensee which paid such
7 breakage to supplement purses of live races conducted by the licensee at the location from which
8 such breakage was paid. Each licensee shall pay the tax provided for in RSA 284:23.

9 II. The [lottery] commission on all win, place, and show pari-mutuel pools at tracks or race
10 meets at which harness horse races are conducted for public exhibition, including those conducted by
11 agricultural fairs, shall be uniform throughout the state at the rate of 19 percent of each dollar
12 wagered in such pools, and the [lottery] commission on all other pari-mutuel pools at such tracks or
13 race meets shall be at the rate of not less than 25 percent of each dollar wagered in such pools and
14 not more than 26 percent of each dollar wagered in such pools as determined from time to time by
15 the licensee which conducts live harness horse racing after written notice to the lottery commission
16 and, in the absence of such written notice, at the rate of 25 percent of each dollar wagered in such
17 pools. In addition to the above [lottery] commission, 1/2 of the odd cents of all redistribution based
18 on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as
19 "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the use of the state in
20 accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the lottery commission. The
21 lottery commission shall distribute such breakage to the licensee which paid such breakage. Each
22 licensee shall pay the tax provided for in RSA 284:23.

23 III. For the purposes set forth in this section, an "agricultural fair" means an association
24 which provides for and pays premiums of \$5,000 or more, annually, as is determined by the
25 commissioner of agriculture, markets, and food, in accordance with RSA 284:25.

26 IV. Subject to the provisions of RSA 284:22-a, V, the [lottery] commission on all win, place,
27 and show pari-mutuel pools at tracks or race meets at which simulcast dog races are conducted for
28 public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar
29 wagered in such pools; and the [lottery] commission on all other pari-mutuel pools at such tracks or
30 race meets shall be at the rate of 27 percent of each dollar wagered in such pools. In addition to the
31 above [lottery] commission, 1/2 of the odd cents of all redistribution based on each dollar wagered
32 exceeding a sum equal to the next lowest multiple of 10, known as "breakage," shall be retained by
33 the licensee, 1/4 paid to the state treasury for the use of the state and 1/4 shall be paid to the lottery
34 commission. Each licensee shall pay the tax provided for in RSA 284:23.

35 5 Deal; Definition. Amend RSA 287-E:16-a, II to read as follows:

36 II. "Deal" means ~~either a box or bag of lucky 7 tickets, containing a certain count of~~ **a**
37 **single game of** uncirculated **Lucky 7** tickets bearing a serial number.

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1 6 Effective Date. This act shall take effect 60 days after its passage.