

LEGISLATIVE COMMITTEE MINUTES

SB23

Bill as Introduced

SB 23 - AS INTRODUCED

2021 SESSION

21-0611
08/06

SENATE BILL **23**

AN ACT changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

SPONSORS: Sen. Sherman, Dist 24; Sen. French, Dist 7; Sen. D'Allesandro, Dist 20; Rep. Leishman, Hills. 24

COMMITTEE: Ways and Means

ANALYSIS

This bill requires a member of the sponsoring charitable organization to be present during games of chance at least once during the contract period.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

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

1 1 Operation of Games of Chance; Charitable Organization Personnel. Amend RSA 287-D:14, XI
2 to read as follows:

3 XI. A member of the sponsoring charitable organization shall be present and on site [~~at least~~
4 ~~once per day~~] during the operation of any game of chance *at least once within the contract*
5 *period* and shall file with the lottery commission an affidavit attesting to the member's presence at
6 the site during the operation of any games of chance. The sponsoring charitable organization
7 member shall not be employed by the game operator.

8 2 Effective Date. This act shall take effect 60 days after its passage.

SB 23 - AS AMENDED BY THE SENATE

02/04/2021 0033s

2021 SESSION

21-0611
08/06

SENATE BILL **23**

AN ACT changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

SPONSORS: Sen. Sherman, Dist 24; Sen. French, Dist 7; Sen. D'Allesandro, Dist 20; Rep. Leishman, Hills. 24

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill repeals the requirement that a member of the sponsoring charitable organization be present during games of chance at least once during the contract period.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 23 - AS AMENDED BY THE SENATE

02/04/2021 0033s

21-0611

08/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

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

- 1 1 Presence of Charitable Organization Members; Cross Reference Removed. Amend RSA 287-
2 D:23, IX(b)(3)-(5) to read as follows:
3 (3) Operating a game on a different date than licensed without approval of the
4 lottery commission; *or*
5 (4) Committing 3 or more minor violations within 2 years[; ~~or~~
6 (5) ~~Knowingly operating a game of chance without a representative of the charitable~~
7 ~~organization present as specified in RSA 287-D:14, XI].~~
8 2 Repeal. RSA 287-D:14, XI, relative to the requirement that a member of the sponsoring
9 charitable organization be present during certain games of chance, is repealed.
10 3 Effective Date. This act shall take effect 60 days after its passage.

SB 23 - VERSION ADOPTED BY BOTH BODIES

02/04/2021 0033s

2021 SESSION

21-0611

08/06

SENATE BILL **23**

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4 lottery commission; *or*

5 (4) Committing 3 or more minor violations within 2 years[~~;~~ *or*

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7 ~~organization present as specified in RSA 287-D:14, XI].~~

8 2 Repeal. RSA 287-D:14, XI, relative to the requirement that a member of the sponsoring
9 charitable organization be present during certain games of chance, is repealed.

10 3 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 99
SB 23 - FINAL VERSION

02/04/2021 0033s

2021 SESSION

21-0611
08/06

SENATE BILL **23**

AN ACT changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

SPONSORS: Sen. Sherman, Dist 24; Sen. French, Dist 7; Sen. D'Allesandro, Dist 20; Rep. Leishman, Hills. 24

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill repeals the requirement that a member of the sponsoring charitable organization be present during games of chance at least once during the contract period.

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CHAPTER 99
SB 23 - FINAL VERSION

02/04/2021 0033s

21-0611
08/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

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

1 99:1 Presence of Charitable Organization Members; Cross Reference Removed. Amend RSA
2 287-D:23, IX(b)(3)-(5) to read as follows:

3 (3) Operating a game on a different date than licensed without approval of the
4 lottery commission; *or*

5 (4) Committing 3 or more minor violations within 2 years[~~5~~]

6 ~~(5) Knowingly operating a game of chance without a representative of the charitable~~
7 ~~organization present as specified in RSA 287-D:14, XI].~~

8 99:2 Repeal. RSA 287-D:14, XI, relative to the requirement that a member of the sponsoring
9 charitable organization be present during certain games of chance, is repealed.

99:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 01, 2021
Effective Date: August 30, 2021

Amendments

Senate Ways and Means
January 20, 2021
2021-0033s
08/06

Amendment to SB 23

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

2
3 1 Presence of Charitable Organization Members; Cross Reference Removed. Amend RSA 287-
4 D:23, IX(b)(3)-(5) to read as follows:

5 (3) Operating a game on a different date than licensed without approval of the
6 lottery commission; *or*

7 (4) Committing 3 or more minor violations within 2 years[~~;~~ *or*

8 ~~(5) Knowingly operating a game of chance without a representative of the charitable~~
9 ~~organization present as specified in RSA 287-D:14, XI].~~

10 2 Repeal. RSA 287-D:14, XI, relative to the requirement that a member of the sponsoring
11 charitable organization be present during certain games of chance, is repealed.

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

2021-0033s

AMENDED ANALYSIS

This bill repeals the requirement that a member of the sponsoring charitable organization be present during games of chance at least once during the contract period.

Committee Minutes

SENATE CALENDAR NOTICE
Ways and Means

Sen Bob Giuda, Chair
Sen Lou D'Allesandro, Vice Chair
Sen Gary Daniels, Member
Sen Erin Hennessey, Member
Sen Cindy Rosenwald, Member

Date: January 7, 2021

HEARINGS

Wednesday

01/13/2021

(Day)

(Date)

Ways and Means

REMOTE 000

1:00 p.m.

(Name of Committee)

(Place)

(Time)

1:00 p.m.	SB 25	relative to charity gaming licenses.
1:15 p.m.	SB 23	changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.
1:30 p.m.	SB 22-FN	relative to the sale of Lucky 7 tickets.
1:45 p.m.	SB 27	relative to the sale of lucky 7 tickets.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/95146713952>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 19292056099,,95146713952# or 13017158592,,95146713952#
4. Webinar ID: [951 4671 3952](https://www.zoom.us/j/95146713952)
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWRA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 25

Sen. Morse

SB 23

Sen. Sherman

SB 22-FN

Sen. French

SB 27

Sen. Giuda

Sen. French

Sen. Reagan

Sen. D'Allesandro

Sen. Hennessey

Rep. Leishman

Sen. Gannon

Sonja Caldwell 271-2117

Bob J. Giuda
Chairman

Senate Ways and Means Committee

Sonja Caldwell 271-2117

SB 23, changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

Hearing Date: January 13, 2021

Members of the Committee Present: Senators Giuda, D'Allesandro, Daniels, Hennessey and Rosenwald

Members of the Committee Absent : None

Bill Analysis: This bill requires a member of the sponsoring charitable organization to be present during games of chance at least once during the contract period.

Sponsors:

Sen. Sherman

Sen. French

Sen. D'Allesandro

Rep. Leishman

Who supports the bill: Sen. Sherman, Rick Newman (NH Charitable Gaming Operators Assoc.), Janice Severance, Michael Lupoli, Francine Wendelboe

Who opposes the bill: No one

Who is neutral on the bill: Valerie King (NH Lottery Commission)

Summary of testimony presented:

Sen. Sherman

- He said this was filed last session but tabled due to COVID-19.
- Current law mandates that when you sign up for charitable gaming, someone from the organization must show up every day to show they are active with the gaming parlor and sign an affidavit that you're there.
- The Lottery Commission said this dated back to days when charitable organizations did their own gaming, and the requirement is outdated.
- The Lottery Commission asked if he wanted to get rid of it altogether.
- Sen. Sherman decided to draft the bill such that if a charity signs up for five days in a row of gaming, someone from the charity should only have to show up one of those days.
- Many of these are small organization where the principles have full time jobs.
- The lottery commission does support this.

Sen. Daniels asked if there is a necessity for somebody to be there. He questioned what the purpose is in having someone there. He added that he can see value in identifying the charity being sponsored for those days but suggested that could be done with a banner or handouts.

Sen. Sherman said the only purpose is to verify the connection between the facility and the charity. The charities market the fact that their charity is being featured at a facility, and this has nothing to do with that. Its an old requirement. This is burdensome. The only benefit of having the requirement that they show up once during the contract period is that it assures a documented connection between the facility and the charitable organization.

Sen. Daniels asked Sen. Sherman if he would object to an amendment that would not require a person to sign in but would require identification of the charity being sponsored.

Sen. Sherman said he would not object.

Rick Newman

- He supports the bill.
- He would support the amendment suggested by Sen. Daniels.
- The requirement may sound like it is not much of anything, but it does make it difficult for charities who are far away from the game room to get dates.
- They have difficulty getting someone to drive to the game room.
- It can be cumbersome to do at Hampton Beach in the summer.
- The person who does go to show up is not allowed to play. He does not understand that rule.

Sen. Giuda said it seems this is an unnecessary regulation. He asked if it would be appropriate to strike the entire statute.

Mr. Newman said he does not think that would be a problem.

Sen. Giuda asked Sen. Daniels what he thought, and he was fine with the idea.

Janice Severance

- She is a member of two local nonprofit charities who have been recipient of games of chance proceeds, which are beneficial to sustain their organizations.
- They are associated with the game room on Hampton Beach Blvd. and there are traffic issues, plus it is two hours round trip from Concord.
- She noted it is only open in the summer and it is challenging to find volunteers to drive over during 10 game days for a 5-minute sign in process.

Sen. Giuda asked her if repealing the entire provision would be acceptable and she said yes. Ms. Severance also noted that the license is always displayed at the game room, so people know what the charity is that day.

Michael Lupoli

- He echoed Ms. Severance's last statement.
- He is the owner and operator of the casino in Hampton Beach.
- He wants to support Ms. Severance and her statement regarding having the charities come in and sign.

Speakers

Representing

<u>Name</u>		<u>Position</u>	<u>Testifying</u>
Sherman, Senator Tom	SD 24	Support	Yes
Newman, Rick	NH Charitable Gaming Operators Association	Support	Yes
Severance, Janice N.	Myself	Support	Yes
Lupoli, Michael	Myself	Support	Yes
King, Valerie	NH Lottery	Neutral	No
wendelboe, francine	Myself	Support	No

Testimony

GOOD AFTERNOON CHAIRMAN AND MEMBERS OF THE WAYS & MEANS COMMITTEE.

MY NAME IS JANICE SEVERANCE AND I AM A MEMBER OF TWO LOCAL NON-PROFIT CHARITIES WHO HAVE BEEN THE RECIPIENT OF GAMES OF CHANCE PROCEEDS FOR OVER 10 YEARS. THESE PROCEEDS HAVE BEEN BENEFICIAL TO SUSTAIN OUR ORGANIZATIONS AND WE ARE SO APPRECIATIVE OF THIS LOTTERY PROGRAM.

CURRENTLY, WE ARE ASSOCIATED WITH A GAME ROOM ON HAMPTON BEACH BOULEVARD WHICH IS A TWO-HOUR ROUND TRIP FROM CONCORD TO SIGN IN AT THE GAME ROOM, IF THE TRAFFIC IS FLOWING. IF THE TRAFFIC IS BACKED UP GOING INTO THE BEACH, DRIVE TIME IS SO MUCH LONGER AS YOU CAN IMAGINE. THE GAME ROOM IS CURRENTLY ONLY OPEN IN THE SUMMER AND IT IS CHALLENGING TO FIND VOLUNTEERS TO DRIVE OVER FOR THE 10 GAME DAYS EACH CHARITY IS AWARDED DURING THEIR SUMMER VACATIONS FOR A 5-MINUTE SIGN IN PROCESS.

IF THIS BILL WAS PASSED, IT WOULD NOT BE DIFFICULT TO FIND ONE PERSON FROM EACH CHARITY TO SIGN IN FOR OUR CONTRACTED GAME DAYS SAVING SO MUCH TIME, GAS, AND ULTIMATELY OUR ENVIRONMENT. THANK YOU FOR CONSIDERING AND PASSING SB23.

Janice N. Severance, 14 S Spring St., Concord, NH 03301

Voting Sheets

Senate Ways & Means Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # SB23

Hearing date: 1-13-21

Executive Session date: 1-13-21

Motion of: Amend. Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Giuda, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. D'Allesandro, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Daniels	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Rosenwald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP/A Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Giuda, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. D'Allesandro VC	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Daniels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Rosenwald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Giuda, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. D'Allesandro, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Daniels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Rosenwald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Rosenwald

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Wednesday, January 20, 2021

THE COMMITTEE ON Ways and Means

to which was referred **SB 23**

AN ACT

changing the requirement that a member of the
sponsoring charitable organization be present
during certain games of chance.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0033s

Senator Cindy Rosenwald
For the Committee

Sonja Caldwell 271-2117

WAYS AND MEANS

SB 23, changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

Ought to Pass with Amendment, Vote 5-0.

Senator Cindy Rosenwald for the committee.

- It can be a very large burden for charities associated with his room to come into Hampton Beach in the summer.
- He would totally support complete removal of the regulation.

sc

Date Hearing Report completed: January 14, 2021

General Court of New Hampshire - Bill Status System

Docket of SB23

Docket Abbreviations

Bill Title: changing the requirement that a member of the sponsoring charitable organization be present during certain games of chance.

Official Docket of SB23.:

Date	Body	Description
1/5/2021	S	To Be Introduced 01/06/2021 and Referred to Ways and Means; SJ 2
1/27/2021	S	Remote Hearing: 01/13/2021, 01:15 pm; Links to join the hearing can be found in the Senate Calendar; SC 6
1/7/2021	S	Committee Report: Ought to Pass with Amendment #2021-0033s , 02/04/2021; SC 9
2/4/2021	S	Committee Amendment #2021-0033s , RC 24Y-0N, AA; 02/04/2021; SJ 3
2/4/2021	S	Ought to Pass with Amendment 2021-0033s, RC 24Y-0N, MA; OT3rdg; 02/04/2021; SJ 3
3/10/2021	H	Introduced (in recess of) 02/25/2021 and referred to Ways and Means HJ 4 P. 48
3/16/2021	H	Public Hearing: 03/16/2021 09:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/97636968924 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/20/2021	H	Committee Report: Ought to Pass (Vote 24-0; CC) HC 26 P. 13
6/3/2021	H	Ought to Pass: MA VV 06/03/2021
6/22/2021	H	Enrolled (in recess of) 06/10/2021
6/22/2021	S	Enrolled Adopted, VV, (In recess 06/10/2021); SJ 20
7/6/2021	S	Signed by the Governor on 07/01/2021; Chapter 0099; Effective 08/30/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB23

Senate Committee: Ways & Means

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

- amendment # 0033 ___ - amendment # _____
- ___ - amendment # _____ ___ - amendment # _____
- Executive Session Sheet
- Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

- ___ - amendment # _____ ___ - amendment # _____
- ___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

- ___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- ___ Enrolled Bill Amendment(s)
- ___ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

- as amended by the senate as amended by the house
- final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

SLC

Committee Aide

7-14-21

Date

Senate Clerk's Office 