

LEGISLATIVE COMMITTEE MINUTES

**SB27**

# 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

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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.

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Explanation:     Matter added to current law appears in **bold italics**.  
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## 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           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', or  
9 fraternal or church organization, including police and firemen's organizations which shall have been  
10 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*

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(e)(3),~~  
4 ~~501(e)(4), 501(e)(7), 501(e)(8), 501(e)(10), or 501(e)(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  
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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 81/4 percent

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  
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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  
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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.*

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

SB 27 - AS AMENDED BY THE HOUSE

02/04/2021 0152s  
4Jun2021... 1236h

2021 SESSION

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9 or fraternal or church organization, including police and firemen's organizations *and houses of*  
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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*  
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20 *through activities conducted in the town or city in which the charitable organization is*  
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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  
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SB 27 - AS AMENDED BY THE HOUSE

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2 *veterans'*, ~~[or]~~ fraternal, *or church organization, including police and firemen's organizations*  
3 *and houses of worship* which shall have been registered with the secretary of state for at least ~~[2~~  
4 *years] one year* and in existence and organized under the laws of this state for at least ~~[2-years] one~~  
5 *year* in a town or city in this state~~], and which possesses a tax exempt status under Internal~~  
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31 I. The ~~[lottery]~~ commission on all win, place, and show pari-mutuel pools at tracks or race  
32 meets at which running horse races are conducted for public exhibition shall be uniform throughout  
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SB 27 - AS AMENDED BY THE HOUSE

- Page 3 -

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37 5 Deal; Definition. Amend RSA 287-E:16-a, II to read as follows:

SB 27 - AS AMENDED BY THE HOUSE

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

3 6 New Paragraph; Charitable Organization; Waiver. Amend RSA 287-D:6 by inserting after  
4 paragraph V the following new paragraph:

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

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

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

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

14 7 Effective Date. This act shall take effect 60 days after its passage.

SB 27 - VERSION ADOPTED BY BOTH BODIES

02/04/2021 0152s  
06/24/2021 1979CofC

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 32 meets at which running horse races are conducted for public exhibition shall be uniform throughout  
 33 the state at the rate of 19 percent of each dollar wagered in such pools, and the [~~lottery~~] commission  
 34 on all other pari-mutuel pools at such tracks or race meets shall be at the rate of not less than 26  
 35 percent of each dollar wagered in such pools and not more than 27 percent of each dollar wagered in  
 36 such pools as determined from time to time by the licensee which conducts live running horse races  
 37 after written notice to the lottery commission and, in the absence of written notice, at the rate of 26

SB 27 - VERSION ADOPTED BY BOTH BODIES

- Page 3 -

1 percent of each dollar wagered in such pools. Except as provided in RSA 284:22-a, the amount of the  
2 purse at such tracks or race meets at which running horse races are conducted shall be 81/4 percent  
3 of each dollar wagered in all pari-mutuel pools, said 81/4 percent to be paid by the licensee out of the  
4 lottery commission on such pools. In addition to the above [~~lottery~~] commission, 1/2 of the odd cents  
5 of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple  
6 of 10, known as "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the  
7 use of the state in accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the lottery  
8 commission. The lottery commission shall distribute such breakage to the licensee which paid such  
9 breakage to supplement purses of live races conducted by the licensee at the location from which  
10 such breakage was paid. Each licensee shall pay the tax provided for in RSA 284:23.

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

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

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

37 5 Deal; Definition. Amend RSA 287-E:16-a, II to read as follows:



SB 27 - VERSION ADOPTED BY BOTH BODIES

- Page 4 -

- 1           II. "Deal" means~~[- either a box or bag of lucky 7 tickets, containing a certain count of]~~ *a*  
2    *single game of* uncirculated *Lucky 7* tickets bearing a serial number.  
3           6 Effective Date. This act shall take effect 60 days after its passage.

SB 27 - FINAL VERSION

02/04/2021 0152s  
06/24/2021 1979CofC

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

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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.

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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.

SB 27 - FINAL VERSION

02/04/2021 0152s  
06/24/2021 1979CofC

21-0827  
08/11

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 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 *and houses of*  
10 *worship* which shall have been registered with the secretary of state for at least [~~2 years~~] *one year,*  
11 *and in existence and organized under the laws of this state for at least one year in a town*  
12 *or city in this state. To be eligible for licensure under this chapter, a charitable*  
13 *organization shall do all of the 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:

1 V.(a) "Charitable organization" means any bona fide religious, charitable, civic, [~~veterans~~  
2 *veterans'*, ~~or~~] fraternal, *or church organization, including police and firemen's organizations*  
3 *and houses of worship* which shall have been registered with the secretary of state for at least [2  
4 *years*] *one year* and in existence and organized under the laws of this state for at least [2-years] *one*  
5 *year* in a town or city in this state[, ~~and which possesses a tax exempt status under Internal~~  
6 ~~Revenue Code 501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) or is covered under a~~  
7 ~~group ruling issued by the Internal Revenue Service under authority of those sections]. To be~~  
8 eligible for licensure under this chapter, a charitable organization shall do all of the following:

9 [(a)] (1) Document that [~~it is exempt from federal income tax~~] *the organization has*  
10 *tax exempt status under Internal Revenue Code section 501(c)(3) 501(c)(4), 501(c)(7),*  
11 *501(c)(8), 501(c)(10), or 501(c)(19) or is covered under a group ruling issued by the Internal*  
12 *Revenue Service under the authority of those sections.*

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

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

18 [(d)] (4) Maintain a current list of bona fide members.

19 [(e) ~~Document that the organization has tax exempt status under Internal Revenue Code~~  
20 ~~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~~  
21 ~~issued by the Internal Revenue service under authority of those sections.]~~

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

26 4 Pari-Mutuel Pools; Reference Corrected. Amend RSA 284:22 to read as follows:

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

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

1 percent of each dollar wagered in such pools. Except as provided in RSA 284:22-a, the amount of the  
2 purse at such tracks or race meets at which running horse races are conducted shall be 81/4 percent  
3 of each dollar wagered in all pari-mutuel pools, said 81/4 percent to be paid by the licensee out of the  
4 lottery commission on such pools. In addition to the above [~~lottery~~] commission, 1/2 of the odd cents  
5 of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple  
6 of 10, known as "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the  
7 use of the state in accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the lottery  
8 commission. The lottery commission shall distribute such breakage to the licensee which paid such  
9 breakage to supplement purses of live races conducted by the licensee at the location from which  
10 such breakage was paid. Each licensee shall pay the tax provided for in RSA 284:23.

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

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

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

37 5 Deal; Definition. Amend RSA 287-E:16-a, II to read as follows:

SB 27 - FINAL VERSION

- Page 4 -

- 1           II. "Deal" means~~[either a box or bag of lucky 7 tickets, containing a certain count of]~~ *a*
- 2   *single game of* uncirculated *Lucky 7* tickets bearing a serial number.
- 3           6 Effective Date. This act shall take effect 60 days after its passage.

# Amendments

Amendment to SB 27

1 Amend the introductory paragraph of RSA 287-D:1, IV(a) as inserted by section 2 of the bill by  
2 replacing it with the following:

3

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

10

11 Amend the introductory paragraph of RSA 287-E:1,V(a) as inserted by section 3 of the bill by  
12 replacing it with the following:

13

14 V.(a) "Charitable organization" means any bona fide religious, charitable, civic, [veterans]  
15 **veterans', [or] fraternal, or church organization, including police and firemen's organizations**  
16 **and houses of worship** which shall have been registered with the secretary of state for at least [2  
17 years] **one year** and in existence and organized under the laws of this state for at least [2-years] **one**  
18 **year** in a town or city in this state~~[, and which possesses a tax exempt status under Internal~~  
19 ~~Revenue Code 501(e)(3), 501(e)(4), 501(e)(7), 501(e)(8), 501(e)(10), or 501(e)(19) or is covered under a~~  
20 ~~group ruling issued by the Internal Revenue Service under authority of those sections].~~ To be  
21 eligible for licensure under this chapter, a charitable organization shall do all of the following:



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

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**Senate Ways and Means Committee**  
*Sonja Caldwell 271-2117*

SB 27, relative to the sale of lucky 7 tickets.

**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:

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.

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**Sponsors:**  
Sen. Giuda

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**Who supports the bill:** Rick Newman (NH Charitable Gaming Operators Association), Francine Wendelboe

**Who opposes the bill:** No one

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

**Summary of testimony presented:**

Sen. Giuda

- This was requested by the Lottery Commission to makes some administrative changes.
- The changes include: term of license to expire on Dec. 31<sup>st</sup>, expands definition of charitable organizations for issuing charitable gaming and Lucky 7 licenses, changes definition of a deal in reference to Lucky 7.

Rick Newman

- Represents NH Charitable Gaming Operators Association.

- This is a housekeeping bill of technical corrections.
- The criteria change relative to what kind of charities qualify for games of chance and Lucky 7 makes them the same for both types of gaming.
- It corrects drafting errors in the parimutuel statute.
- It changes the definition of a deal, removing reference to the word bag, relative to Lucky 7.

Sen. Hennessey asked what the list of bona fide members is on line 24 of the bill.

Mr. Newman said that has been on the books for long time and he thinks they do have a list of bona fide members. When little leagues use games of chance, the Lottery Commission requires a list of members, so they give the board of directors. A VFW, for example, would have members.

Sen. Hennessey said the bill indicates it is new wording.

Mr. Newman said that is because the criteria of a charity is being changed.

Sen. Rosenwald noted that in sections 2 and 3 there is distinction made between religious organizations and church organizations. She asked what the difference is and if "church" excludes others like synagogues.

Valerie King

- Mr. Newman is correct that the Lottery Commission is hoping to make the definition of charitable organization consistent across all game types.
- They want to vet a charity once for all game types. That is purpose of this. That is also why it appears as new text. In order to make it the same they had to add it to one or subtract it from another.
- If the legislature wants to remove those requirements that is fine, they just want consistency.
- With regard to Sen. Rosenwald's question, she believes it is an IRS designation, and all religious entities would qualify.

Sen. Rosenwald asked why it references both religious and church organizations.

Ms. King said she cannot answer that as it is old language. She thinks it came from IRS titles.

Sen. Giuda said he would suspect it might be an actual church vs. Knights of Columbus for example.

Sen. Rosenwald wondered if church is too narrow a word to use.

Sen. Giuda agreed and suggested that "houses of worship" would be better.

Ms. King asked that the committee be consistent if it changes that definition.

# Speakers

<u>Name</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>
Newman, Rick	NH Charitable Gaming Operators Association	Support	Yes
wendelboe, francine	Myself	Support	No
King, Valerie	NH Lottery	Neutral	No

# Voting Sheets



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

Bill # SB27

Hearing date: 1-13-21

Executive Session date: 1-27-21

Motion of: Amend. Vote: 5-0

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

Motion of: Consent Vote: 5-0

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Rosenwald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Giuda

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Thursday, January 28, 2021

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, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0152s

Senator Bob Giuda  
For the Committee

This bill changes the term of a charity gaming license from 12 months from the date of issue to annually expiring on December 31; expands the definition of charitable organization for the purpose of issuing charitable gaming, bingo, and Lucky 7 licenses; and makes technical corrections. The committee amendment adds houses of worship under the definition of charitable organization.

Sonja Caldwell 271-2117

**FOR THE CONSENT CALENDAR**

**WAYS AND MEANS**

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

**Ought to Pass with Amendment, Vote 5-0.**

**Senator Bob Giuda for the committee.**

This bill changes the term of a charity gaming license from 12 months from the date of issue to annually expiring on December 31; expands the definition of charitable organization for the purpose of issuing charitable gaming, bingo, and Lucky 7 licenses; and makes technical corrections. The committee amendment adds houses of worship under the definition of charitable organization.

## General Court of New Hampshire - Bill Status System

**Docket of SB27**

Docket Abbreviations

**Bill Title:** relative to the sale of lucky 7 tickets.**Official Docket of SB27.:**

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/6/2021	S	<b>Introduced</b> 01/06/2021 and Referred to Ways and Means; <b>SJ 3</b>
1/7/2021	S	Remote <b>Hearing:</b> 01/13/2021, 01:45 pm; Links to join the hearing can be found in the Senate Calendar; <b>SC 6</b>
1/28/2021	S	Committee Report: Ought to Pass with Amendment <b>#2021-0152s</b> , 02/04/2021; Vote 5-0; CC; <b>SC 9</b>
2/4/2021	S	Committee Amendment <b>#2021-0152s</b> , RC 23Y-1N, AA; 02/04/2021; <b>SJ 3</b>
2/4/2021	S	<b>Ought to Pass with Amendment</b> 2021-0152s, RC 23Y-1N, MA; OT3rdg; 02/04/2021; <b>SJ 3</b>
3/10/2021	H	Introduced (in recess of) 02/25/2021 and referred to Ways and Means <b>HJ 4 P. 48</b>
3/16/2021	H	Public Hearing: 03/16/2021 09:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/97636968924">https://www.zoom.us/j/97636968924</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
4/28/2021	H	Full Committee Work Session: 05/04/2021 09:45 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/92340576130">https://www.zoom.us/j/92340576130</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/5/2021	H	Executive Session: 05/11/2021 09:30 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/91063233087">https://www.zoom.us/j/91063233087</a> / 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	Majority Committee Report: Ought to Pass with Amendment <b>#2021-1236h</b> (Vote 23-1; RC) <b>HC 26 P. 30</b>
5/20/2021	H	Minority Committee Report: Inexpedient to Legislate
6/4/2021	H	Amendment <b>#2021-1236h</b> : AA VV 06/04/2021 <b>HJ 9 P. 34</b>
6/4/2021	H	<b>Ought to Pass with Amendment</b> 2021-1236h: MA VV 06/04/2021 <b>HJ 9 P. 34</b>
6/10/2021	S	Sen. Giuda Moved Nonconcur with the House Amendment; Requests C of C, MA, VV; 06/10/2021; <b>SJ 19</b>
6/10/2021	S	President Appoints: Senators Giuda, Hennessey, D'Allesandro; 06/10/2021; <b>SJ 19</b>
6/10/2021	H	House Accedes to Senate Request for CofC (Rep. Major): MA VV 06/10/2021 <b>HJ 10 P. 17</b>
6/10/2021	H	Speaker Appoints: Reps. Abrami, Doucette, Spilsbury, Almy 06/10/2021 <b>HJ 10 P. 17</b>
6/11/2021	H	Conferee Change: Rep. Ames Replaces Rep. Almy 06/10/2021 <b>HJ 10 P. 22</b>

6/14/2021	H	Conferee Change: Rep. Pearl Replaces Rep. Doucette 06/10/2021 <b>HJ 10</b> P. 22
6/11/2021	S	Committee of Conference Meeting: 06/14/2021, 12:30 p.m., Room 103, SH
6/17/2021	H	Conference Committee Report # <b>2021-1979c</b> Filed 06/10/2021; As Amended by Senate
6/24/2021	H	Conference Committee Report 2021-1979c: Adopted, VV 06/24/2021
6/24/2021	S	Conference Committee Report # <b>2021-1979c</b> , Adopted, VV; 06/24/2021; <b>SJ 20</b>
7/15/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); <b>SJ 20</b>
7/15/2021	H	Enrolled (in recess of) 06/24/2021
8/3/2021	S	Signed by the Governor on 07/30/2021; Chapter 0174; Effective 09/28/2021

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 NH House

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 NH Senate
 

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# Other Referrals

Committee of Conference  
June 15, 2021  
2021-1979-CofC  
08/10

1 Committee of Conference Report on SB 27, relative to the sale of lucky 7 tickets.

2

3 Recommendation:

4 That the Senate recede from its position of nonconcurrence with the House amendment, and

5 That the House recede from its position in adopting its amendment to the bill, and

6 That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on SB 27, relative to the sale of lucky 7 tickets.

Conferees on the Part of the Senate

Conferees on the Part of the House

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Sen. Giuda, Dist. 2

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Rep. Abrami, Rock. 19

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Sen. Hennessey, Dist. 1

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Rep. Pearl, Merr. 26

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Sen. D'Allesandro, Dist. 20

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Rep. Spilsbury, Sull. 8

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Rep. Ames, Ches. 9



# Senate Inventory Checklist for Archives

Bill Number: SB27

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)
- N/A 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 # 0152      \_\_\_ - 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 [Signature]