

LEGISLATIVE COMMITTEE MINUTES

SB112

Bill as
Introduced

SB 112 - AS INTRODUCED

2021 SESSION

21-0826

08/10

SENATE BILL **112**

AN ACT relative to historical racing.

SPONSORS: Sen. French, Dist 7; Sen. Daniels, Dist 11; Sen. Cavanaugh, Dist 16; Sen. Hennessey, Dist 1; Sen. Carson, Dist 14; Sen. Soucy, Dist 18; Sen. Giuda, Dist 2; Sen. Bradley, Dist 3; Sen. Sherman, Dist 24; Rep. Abrami, Rock. 19; Rep. Graham, Hills. 7; Rep. Lang, Belk. 4

COMMITTEE: Ways and Means

ANALYSIS

This bill defines and regulates pari-mutuel pools on historic horse racing.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to historical racing.

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

1 1 Limitation; Horse and Dog Racing; Historic Racing Included. Amend RSA 284:1 to read as
2 follows:

3 284:1 Limitation. This chapter shall be construed to apply only to running or harness horse
4 racing, whether live, [~~or~~] simulcast **or historic**, or simulcast dog racing.

5 2 Racing and Charitable Gaming; Lottery Commission; Historic Racing. Amend RSA 284:6-a,
6 VI to read as follows:

7 VI. The lottery commission shall not authorize the use of any electronic gaming device in
8 connection with the acceptance of wagers on running or harness horse racing, whether live, [~~or~~]
9 simulcast **or historic**, or simulcast dog racing, the type of which was not in use prior to January 1,
10 2011, unless specific authorization for such electronic gaming device is enacted by the general court.
11 Electronic gaming devices shall mean and include all electro-mechanical instruments and devices
12 used for the purposes of gaming, other than wagering on live, [~~or~~] simulcast **or historic** horse racing
13 or simulcast dog racing, whether in physical presence or through the Internet, and such shall
14 include, but not be limited to, video slot machines and other gambling devices which function or are
15 designed to function to emulate a video slot machine [~~or historic racing machine~~]. This section shall
16 not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the conduct
17 of wagering on live, simulcast, horse racing or simulcast dog racing, which type of equipment was in
18 service prior to January 1, 2011, with updated or new equipment which are the functional equivalent
19 of the machines which are being replaced, provided the equipment is not an electronic gaming device
20 as described in the previous sentence. This section shall not be interpreted as prohibiting licensees
21 from accepting account wagers in compliance with applicable rules and regulations.

22 ***VII. Notwithstanding paragraph VI, the lottery commission shall authorize wagers***
23 ***on historic horse races, whether on an electronic gaming device or otherwise, so long as***
24 ***such wagers meet the requirements of this chapter. Historic horse racing machines shall***
25 ***be programmed and operated for pari-mutuel wagering only.***

26 3 Rulemaking; Historic Racing. Amend RSA 284:12, IV to read as follows:

27 IV. The sale of pari-mutuel pools as authorized under RSA 284:22, [~~and~~] RSA 284:22-a, **and**
28 ***RSA 284:22-b.***

29 4 License Required; Investigation Fees. Amend RSA 284:12-a, I to read as follows:

30 I. No person, association, corporation, or any other type of entity shall hold any live running
31 or harness race or meet, ***shall offer wagers on historic horse races***, or shall conduct any

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1 simulcast running or harness horse or dog race or meet, at which pari-mutuel pools are sold without
2 a license from the lottery commission.

3 5 New Section; Pari-Mutuel Pools on Historic Horse Races. Amend RSA 284 by inserting after
4 section 22-a the following new section:

5 284:22-b Pari-Mutuel Pools on Historic Horse Races.

6 I. In this section:

7 (a) "Historic horse race" means:

8 (1) Any horse race whether running or harness, that was previously conducted at a
9 licensed pari-mutuel facility;

10 (2) Concluded with official results; and

11 (3) Concluded without scratches, disqualifications, or dead-heat finishes.

12 (b) "Licensee" means any individual, association, partnership, joint-venture, corporation,
13 or other organization or other entity which holds a game operator employer license under RSA 287-
14 D.

15 (c) "Pari-mutuel method of wagering" means:

16 (1) A method of wagering in which those who wager on horses that finish in the
17 position or positions for which wagers are taken share in the total amounts wagered, plus any
18 amounts provided by a licensee, may include a nonrefundable contribution to serve as a seed or
19 guarantee; and

20 (2) A totalizator or similar mechanical equipment calculates pari-mutuel pools and
21 payouts associated with each winning wager.

22 II. In order to be eligible for a license to sell pari-mutuel pools on historic races, an applicant
23 shall have been a game operator employer licensed under RSA 287-D as of May 1, 2020 and still
24 licensed as of the effective date of this section, provided such sales are within the enclosure of a
25 facility at which the licensee holds its licensed activities under RSA 287-D, and that such facility is
26 located within the city or town in which the licensee held its license on May 1, 2020. An application
27 that is approved by the lottery commission, and a license that is granted shall not be permitted to be
28 transferred or sold.

29 III. In accordance with the provisions of RSA 284:6-a, wagering on historic horse races may
30 take place on electronic gaming devices provided that:

31 (a) All wagers use the pari-mutuel method of wagering.

32 (b) A licensee at all times maintains at least 2 terminals offering the same type of wager
33 on the historic horse races.

34 (c) The terminal makes available true and accurate past performance information on
35 each historic horse race prior to the patron making his or her selection.

1 (d) The terminal shall display a replay of each race, or a portion thereof, whether digital,
2 animated, or by way of a video recording, and the official results of each race. The identity of each
3 race shall be revealed to the patron after the patron has placed his or her wager.

4 (e) The outcome of each wager is based solely on the outcome of the historic horse race or
5 races; no random elements may determine the outcome of the patron's wager.

6 (f) The terminals have been tested by an independent testing laboratory, approved by
7 the commission, to ensure integrity and proper working order.

8 (g) Each terminal makes available pari-mutuel wagering pool amounts that the patron
9 may receive for a winning wager.

10 (h) A terminal shall not accept a wager in excess of \$25.

11 (i) Each licensee shall submit a responsible gaming plan to the lottery commission for
12 review and approval prior to activating any historic horse race terminal, and every year thereafter.
13 Such plan shall include identification of postings and materials related to problem gaming to be
14 made available to patrons expressing concerns about problem gaming, house imposed player limits,
15 and self-exclusion plans.

16 IV. Racing officials or any employee or owner of the entity that provides the totalizator
17 system to the licensee, and any person responsible for the operation of the electronic reproduction
18 equipment which operates the historic horse races and wagering shall be prohibited from
19 participating in wagering, directly or indirectly, on historic horse races offered at the licensee's
20 facility.

21 V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of
22 not greater than 12 percent. In addition to the above commission, 100 percent of the odd cents of all
23 redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10,
24 known as breakage, shall be paid to the lottery commission and used as payment for problem gaming
25 services.

26 VI. The lottery commission shall adopt rules under RSA 541-A governing historic horse
27 racing machines.

28 VII. No historic horse racing machine shall be operated except within the facility of a
29 licensee during the facility's hours of play of charitable games.

30 6 Authorization; Sale of Tickets; Advertising. Amend RSA 284:21-h, VI to read as follows:

31 VI. The commission shall not authorize the use of any electronic gaming device in any game,
32 lottery, or other offering which was not in use by the commission on or before January 1, 2011,
33 unless specific authorization for such electronic gaming device is enacted by the general court.
34 Electronic gaming devices shall mean and include all electro-mechanical instruments and device
35 used for the purpose of gaming and shall include video slot machines and other gambling devices
36 which function or are designed to emulate a video slot machines or other gaming machine, [~~historic
37 racing machine,~~] and computer technology to reveal instant ticket winners. This section shall not be

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1 interpreted to prohibit the commission from replacing offerings, games, or equipment which were in
2 service prior to January 1, 2011 with new offerings, games, or equipment which are the functional
3 equivalent of those offerings, games, or equipment which are being replaced.

4 7 New Paragraph; Authorization; Sale of Tickets; Advertising. Amend RSA 284 by inserting
5 after paragraph VII the following new paragraph:

6 VIII. Notwithstanding paragraph VI, the lottery commission shall authorize wagers on
7 historic horse races, whether on an electronic gaming device or otherwise, so long as such wagers
8 meet the requirements of this chapter. Historic horse racing machines shall be programmed and
9 operated for pari-mutuel wagering only.

10 8 New Subparagraph; Tax; Pari-mutuel; Historic Horse Racing. Amend RSA 284:23, I by
11 inserting after subparagraph (c) the following new subparagraph:

12 (d) Each person, association, or corporation licensed to conduct historic horse race
13 wagering shall collect a sum equal to 25 percent of revenues generated from historic horse race pari-
14 mutuel pools after breakage and payment of winnings to patrons. Each licensee that conducts
15 wagering on historic horse races shall distribute 35 percent of the amount collected under this
16 paragraph to charitable organizations with whom the licensee contracts on each licensed game date.
17 Charitable organizations from within the executive council district where the licensee is located
18 shall be given preference, and no charitable organization shall be eligible for more than 10 dates of
19 revenue under this section, within a 12 month period. Each licensee operating historic horse racing
20 machines must contract with 2 licensed charitable organizations for each game date. The remainder
21 of the total amount collected by the licensee under this paragraph shall be paid to the lottery
22 commission for use according to the special fund established under RSA 284:21-j.

23 9 Unclaimed Ticket Money. Amend RSA 284:31 to read as follows:

24 284:31 Unclaimed Ticket Money. On or before January 31 of each year every person,
25 association, or corporation conducting a race or race meet, whether live racing, [ø] simulcast racing,
26 **or historic horse racing** hereunder shall pay to the state treasurer all moneys collected during the
27 previous year of pari-mutuel pool tickets and vouchers which have not been redeemed. The books or
28 records of said person, association, or corporation, which clearly show the tickets entitled to
29 reimbursement in any given race, live, [ø] simulcast, **or historic**, shall be forwarded to the lottery
30 commission. Such moneys shall become a part of the special fund established in RSA 284:21-j. The
31 state treasurer shall pay the amount due on any ticket or voucher to the holder thereof from funds
32 not otherwise appropriated upon an order from the lottery commission. Pari-mutuel tickets and
33 vouchers which remain unclaimed after 11 months shall not be paid. Vouchers shall be remitted to
34 the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed
35 voucher.

36 10 Licensed Facilities; Eligible in 2024. RSA 284:22-b, II is repealed and reenacted to read as
37 follows:

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1 II. A game operator employee licensed under RSA 287-D may sell pari-mutuel pools on
2 historic horse races provided such sales are within the enclosure of the facility at which the licensee
3 holds its licensed activities under RSA 287-D. A licensee seeking to offer wagers on historic horse
4 races shall apply for a license pursuant to RSA 284. An application that is approved by the lottery
5 commission, and a license that is granted shall not be permitted to be transferred or sold.

6 11 Effective Date.

7 I. Section 10 of this act shall take effect July 1, 2024.

8 II. The remainder of this act shall take effect upon its passage.

Amendments

Sen. Kahn, Dist 10
March 24, 2021
2021-1005s
08/04

Floor Amendment to SB 112

1 Amend RSA 284:22-b, II as inserted by section 5 of the bill by replacing it with the following:

2

3 II. In order to be eligible for a license to sell pari-mutuel pools on historic races, an applicant
4 shall have been a game operator employer licensed under RSA 287-D as of December 31, 2020 and
5 still licensed as of the effective date of this section, provided such sales are within the enclosure of a
6 facility at which the licensee holds its licensed activities under RSA 287-D, and that such facility is
7 located within the city or town in which the licensee held its license on December 31, 2020. An
8 application that is approved by the lottery commission, and a license that is granted shall not be
9 permitted to be transferred or sold.

Floor Amendment to SB 112

1 Amend the bill by replacing section 5 with the following:

2

3 5 New Sections; Pari-Mutuel Pools on Historic Horse Races; Local Option. Amend RSA 284 by
4 inserting after section 22-a the following new sections:

5 284:22-b Pari-Mutuel Pools on Historic Horse Races.

6 I. In this section:

7 (a) "Historic horse race" means:

8 (1) Any horse race whether running or harness, that was previously conducted at a
9 licensed pari-mutuel facility;

10 (2) Concluded with official results; and

11 (3) Concluded without scratches, disqualifications, or dead-heat finishes.

12 (b) "Licensee" means any individual, association, partnership, joint-venture, corporation,
13 or other organization or other entity which holds a game operator employer license under RSA 287-
14 D.

15 (c) "Pari-mutuel method of wagering" means:

16 (1) A method of wagering in which those who wager on horses that finish in the
17 position or positions for which wagers are taken share in the total amounts wagered, plus any
18 amounts provided by a licensee, may include a nonrefundable contribution to serve as a seed or
19 guarantee; and

20 (2) A totalizator or similar mechanical equipment calculates pari-mutuel pools and
21 payouts associated with each winning wager.

22 II. In order to be eligible for a license to sell pari-mutuel pools on historic races, an applicant
23 shall have been game operator employer licensed under RSA 287-D as of May 1, 2020 and still
24 licensed as of the effective date of this section, provided such sales are within the enclosure of a
25 facility at which the licensee holds its licensed activities under RSA 287-D, that such facility is
26 located within the city or town in which the licensee held its license on May 1, 2020, and the city or
27 town has voted to allow wagering on historic races according to RSA 284:22-c. An application that is
28 approved by the lottery commission, and a license that is granted shall not be permitted to be
29 transferred or sold.

30 III. In accordance with the provisions of RSA 284:6-a, wagering on historic horse races may
31 take place on electronic gaming devices provided that:

32 (a) All wagers use the pari-mutuel method of wagering.

Floor Amendment to SB 112

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1 (b) A licensee at all times maintains at least 2 terminals offering the same type of wager
2 on all historic horse races.

3 (c) The terminal makes available true and accurate past performance information on
4 each historic horse race prior to the patron making his or her selection.

5 (d) The terminal shall display a replay of each race, or a portion thereof, whether digital,
6 animated, or by way of a video recording, and the official results of each race. The identity of each
7 race shall be revealed to the patron after the patron has placed his or her wager.

8 (e) The outcome of each wager is based solely on the outcome of the historic horse race or
9 races; no random elements may determine the outcome of the patron's wager.

10 (f) The terminals have been tested by an independent testing laboratory, approved by
11 the commission, to ensure integrity and proper working order.

12 (g) Each terminal makes available pari-mutuel wagering pool amounts that the patron
13 may receive for a winning wager.

14 (h) A terminal shall not accept a wager in excess of \$25.

15 (i) Each licensee shall submit a responsible gaming plan to the lottery commission for
16 review and approval prior to activating any historic horse race terminal, and every year thereafter.
17 Such plan shall include identification of postings and materials related to problem gaming to be
18 made available to patrons expressing concerns about problem gaming, house imposed player limits,
19 and self-exclusion plans.

20 IV. Racing officials or any employee or owner of the entity that provides the totalizator
21 system to the licensee, and any person responsible for the operation of the electronic reproduction
22 equipment which operates the historic horse races and wagering shall be prohibited from
23 participating in wagering, directly or indirectly, on historic horse races offered at the licensee's
24 facility.

25 V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of
26 not greater than 12 percent. In addition to the above commission, 100 percent of the odd cents of all
27 redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10,
28 known as breakage, shall be paid to the lottery commission and used as payment for problem gaming
29 services.

30 VI. The lottery commission shall adopt rules under RSA 541-A governing historic horse
31 racing machines.

32 VII. No historic horse racing machine shall be operated except within the facility of a
33 licensee during the facility's hours of play of charitable games.

34 284:22-c Local Option.

35 I. Any town or city may allow charitable game operators licensed for facilities located within
36 its borders to install and operate electronic historic racing devices, in the following manner:

Floor Amendment to SB 112

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1 (a) In a town, the question shall be placed on the warrant of an annual town meeting
2 under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative
3 body may vote to place the question on the official ballot for any regular municipal election, or, in the
4 alternative, shall place the question on the official ballot for any regular municipal election upon
5 submission to the legislative body of a petition signed by 5 percent of the registered voters.

6 (b) The selectmen, aldermen, or city council shall hold a public hearing on the question
7 at least 15 days but not more than 30 days before the question is to be voted on. Notice of the
8 hearing shall be posted in at least 2 public places in the municipality and published in a newspaper
9 of general circulation at least 7 days before the hearing.

10 (c) The wording of the question shall be substantially as follows: "Shall we allow the
11 operation of historic horse racing devices within the town or city?"

12 II. If a majority of those voting on the question vote "Yes," historic horse racing devices may
13 be operated within the town or city.

14 III. If the question is not approved, the question may later be voted upon according to the
15 provisions of paragraph I at the next annual town meeting or regular municipal election.

16 IV. A municipality that has voted to allow the operation of historic horse racing devices may
17 consider rescinding its action in the manner described in paragraph I of this section.

18 IV-a. An unincorporated place may allow the operation of historic horse racing devices by
19 majority vote of the county delegation, after a public hearing is held.

20 V. The lottery commission shall maintain a list of municipalities where historic horse racing
21 devices are available.

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: March 3, 2021

HEARINGS

Monday	03/08/2021	
(Day)	(Date)	
Ways and Means	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	EXECUTIVE SESSION ON PENDING LEGISLATION	
9:20 a.m.	SB 112	relative to historical racing.
9:40 a.m.	SB 102	adopting omnibus legislation on property taxation.

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/94818129417>
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: 13017158592,,94818129417# or 13126266799,,94818129417#
4. Webinar ID: 948 1812 9417
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtriRnQdmg-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 112

Sen. French
Sen. Carson
Sen. Sherman

Sen. Daniels
Sen. Soucy
Rep. Abrami

Sen. Cavanaugh
Sen. Giuda
Rep. Graham

Sen. Hennessey
Sen. Bradley
Rep. Lang

SB 102

Sen. Perkins Kwoka

Sonja Caldwell 271-2117

Bob J. Giuda
Chairman

Senate Ways and Means Committee

Sonja Caldwell 271-2117

SB 112, relative to historical racing.

Hearing Date: March 8, 2021

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

Members of the Committee Absent : None

Bill Analysis: This bill defines and regulates pari-mutuel pools on historic horse racing.

Sponsors:

Sen. French

Sen. Daniels

Sen. Cavanaugh

Sen. Hennessey

Sen. Carson

Sen. Soucy

Sen. Giuda

Sen. Bradley

Sen. Sherman

Rep. Abrami

Rep. Graham

Rep. Lang

Who supports the bill: 70 individuals in support (sign in sheets available upon request)

Who opposes the bill: 4 individuals in opposition

Who is neutral on the bill: 1 individual

Summary of testimony presented:

Josh Elliott introduced the bill on behalf of Sen. French. This bill defines and regulates pari-mutuel pools on historic horse racing.

Rep. Abrami

- He is the prime sponsor of HB626, which is similar. HB626 version passed house ways and means.
- This bill will add \$12 million to the education trust fund and \$5.8 million would go to charities annually.
- The difference between this year's bill and last year's bill is that we are requiring anyone that has historic racing machines to have two charities that will benefit from any revenues. This opens it up to more charities. This is a new game for charitable gaming.
- We have 16 currently licensed venues, and they will all be able to bring historic racing.
- Historic racing machines are tied to a data base of thousands of horse races that have been run in the past. A player does not see the name of the horse, venue, jockey or date but they do get certain information on the races, such as the record for the horse and jockey.

- This is pari-mutuel betting. They are not slot machines. You are betting against everyone else playing at the same time.

Sen. D'Allesandro asked who owns the machines.

Rep. Abrami said the facilities would likely lease the machines.

Sen. D'Allesandro asked if that cost goes into the game operators cost.

Rep. Abrami said yes.

Sen. D'Allesandro asked what the charity will receive.

Rep. Abrami responded 35%. He went on to explain that the bill requires those with a charitable gaming license to get a pari-mutuel license. Facilities get up to 12%. 25% of this 12% goes to the charities and the state. Of the 25%, 35% goes to the charities. The other 65% goes to the state.

Sen. D'Allesandro asked how much the game operator retains.

Rep. Abrami said of the 12% they retain 75%.

Sen. D'Allesandro asked what the aggregate amount of dollars will be based on any projections he might have.

Rep. Abrami didn't have that information before him.

Sen. D'Allesandro questioned that the maximum wager is \$25.

Rep. Abrami said yes and explained the reason for that is because that's the top lottery bet you can place.

Sen. Hennessey asked for a fiscal note.

Charlie McIntyre – Director NH Lottery Commission

- The operator is the original collector of funds. 88% is the minimum payoff on the machines but it varies day to day. 25% is what the state takes. Of that 25%, 1/3 goes to charities and 2/3 goes to the state. The state will receive \$12.8 million according to their revenue estimates and the charities will receive \$5.7 million. The remainder goes to the operator to operate the facility, pay wages, pay for the machines and the technology. The machine operator and facility operator usually split the proceeds.
- The commission can monitor these on a real time basis.

Sen. Rosenwald pointed out the language on page 4, line 17, that says charities from within the executive council district where the facility is located get preference and asked what the reason is for that and if there are other games where we put that in statute.

Director McIntyre said that was his idea. A complaint they have received in the past is that the charities and reach tend to be localized. They wanted to make sure charities in each council district could access the funds.

Sen. Rosenwald noted that with redistricting, the executive council districts might look different.

Director McIntyre said it was their hope that the funds would be available statewide.

Sen. Rosenwald asked what the background is for the three-year protection of existing operators in the bill. She questioned if the state would be protecting certain businesses and not others.

Director McIntyre said that didn't come from him. It is there to limit the initial spread of the introduction of machines to the state. The folks already licensed are known well by the commission.

Sen. D'Allesandro asked about proliferation of the machines. He asked where they can be placed and how many can be at a site and how often they can function.

Director McIntyre said the original bill requires you to be currently licensed, so you're limited to the 16 places. The bulk would be in the southern tier of the state. They will go through rulemaking as contained in the bill. All details related to technology will be done via rule making.

Sen. D'Allesandro asked how one plays the machine.

Director McIntyre said there is a monitor and an ability to insert funds. You have a race that is coming up that you can review, as well as the odds, and past conditions and you can bet based on that.

Michael Carignan – Chief of Police in Nashua.

- Supports the bill.
- Sits on several nonprofit boards. Those nonprofits have had a tough year and are struggling to raise funds.
- This is a mechanism for them to stay afloat.
- Nonprofits help people in crisis. They need the funds from charitable gaming.

Neil Kurk – former representative

- Opposed to the bill.
- Historic racing machines are video slot machines. There are technical differences in terms of pari-mutuel pools but for the person playing the machine there is no difference.
- Bets take place in seconds.
- The bill cheats the charities. They get 9%, the state gets 16% the operator gets 75%. The charities are seeing their share cut in half.
- There is no local control in the bill.
- There is no limit on the number of machines at any venue.
- This bill is classic crony capitalism. It creates a monopoly for the 16 game operators already licensed for three years.
- The bill has a younger age limit of 18.
- Economic impact on local businesses already suffering from the pandemic.
- Inadequate regulation.
- Gaming on credit is not addressed.
- The bill needs work.

Tina Andrade - Home Health and Hospice Care and Community Hospice House.

- This is important to their agency. They are one of only two hospice houses in the state.
- They lose a lot of money.
- They are a large visiting nurse association.
- Community hospice house is there because sometimes a person at end of life can't get care in a home setting.
- They are an old agency.
- They care for people no matter their financial circumstances.
- This has been a challenging year for their organization. They couldn't have any fundraisers.
- Charitable gaming has been a game changer for them. It allows them to take patients who have no insurance.
- Several hundred thousand dollars are received from charitable gaming. The money goes directly to taking patients.
- The casino parlor is a neighborhood gathering place. It is not like a big casino. It is run by good people. The owners come to their events and help support their patients.

Sen. Giuda asked how much money charitable gaming brings them.

Ms. Andrade said \$58,000 was raised the last week they had charitable gaming. It raises more money than they can get from grants.

Patrick Neely – Exacta Systems.

- Largest horse racing system in the country.
- Historic racing is a pari-mutuel wager on the outcome of a horse race.
- Pari-mutuel means all players are wagering against each other.
- The operator takes their commission and the rest of the money in that pool is distributed to winners.
- You win or lose based on the outcome of a horse race.
- There are no random number generators like a slot machine.
- Their system has a database of 100,000 historic horse races.
- You put money in the machine, not a credit card. It must be cash or a voucher. You are presented with three horse races and handicapping information (statistics). You hit play. You see a recreation of the end of the race you are wagering on.
- It is easily auditable.
- Historic racing is legal in 6 other states. NH's tax rate of 25% would be the highest.
- They are a heavily regulated industry. Reports are sent daily to regulators. Every penny can be tracked.
- Historic horse racing has been operating for 16 years. No instances of fraud.

Sen. D'Allesandro asked him to give an overview of the pari-mutuel system. He said once you place a bet, you lose a percentage off the top.

Mr. Neely said that is correct. You're not betting against the house so when you put a dollar into a pool, the operator takes a commission.

Sen. D'Allesandro asked him to explain what breakage is.

Mr. Neely said this is a pari-mutuel concept. It is the way live and simulcast racing works. The take-out is taken from the wager. Breakage is a racing concept. They pay to the nickel. If the result of your wager is that you should win \$2.12, they won't pay you \$2.12, they round down to \$2.10. That 2 cents left over is called breakage. It goes into various accounts. It is usually a small number and results in a few hundred dollars a month.

Rick Newman – NH charitable gaming operators assoc.

- They support the bill.
- Their primary focus is to give NH charity gaming facilities an electronic game to offer patrons to compete with out of state casinos that surround NH.
- Very aggressive marketing comes into NH to attract NH dollars out of state and that has impacted charity gaming in NH.
- This is an excellent opportunity for NH to continue its unique approach to gaming.
- With regard to the three-year protection – it originated in a house committee a few years ago. A committee member said that an out of state casino was going to open multiple locations and just put historic racing machines in. That is not the intent of this bill. That's why they grandfather in the existing facilities for the first three years and this also gives the state an opportunity to see how it works. Every single one of those charity game operators is known to the commission and has been audited and found to be operating appropriately.

Sen. Hennessey said the committee heard from former Rep. Kurk that payouts would be different than other machines. She asked if the percentages are different.

Mr. Newman said this is a pari-mutuel product. Right now we have table games and poker. That is very different from pari-mutuel. You take the take-out out and then this bill provides that the

charities and state split 25% of the take-out. There are a great deal of expenses that come out of the 75% that the operator retains. The charity does end up getting 35% of the 25%. Charities will get about \$5.7 million in additional revenue under this bill.

Sen. Hennessey asked how this payout is different from machines we have in NH.

Mr. Newman said the only machines we have in NH are lucky 7 machines, which operate very differently. They operate on the basis of a deal. Each deal has 3,500 tickets and each ticket is a dollar. Each deal has 3,500 dollars available, they payout about 90%. The charity pays for the cost of the deal and pays the state 15 dollars, and the rest of the money belongs to the charity.

Peter Bragdon – Churchill Downs Inc.

- Opposed to the bill.
- Churchill Downs is home to the Kentucky Derby.
- They operate a dozen racing and gaming facilities in 9 states. They have thousands of these machines at their facilities.
- They are aware of NH's interest in these machines and the closure of various theatres that would be ideal for a facility.
- Charities only get ¼. It is beneficial for the operator.
- They are opposed because it applies to a small group of hand selected operators. Only operators holding a license in NH on May 1, 2020 would be allowed to operate historic racing machines. This is unconstitutional.
- This head start will make it more difficult for someone new to enter the market. This anticompertitive provision wasn't in previous versions of the bill until 2019 when Churchill Downs voiced their interest.
- You could require them to run table games as well rather than this provision.
- Churchill Downs is publicly traded and open to scrutiny. Perhaps existing operators don't want competition, but the state shouldn't pick winners and losers.

Jerry Stringham – former representative.

- There was a lot of time spent on previous bills.
- These bills are dangerous and a bad deal for NH.
- The machines play like slot machines. The three horse races are concluded within 5 seconds. The screen does not display the horse races. It is just like video gaming.
- This bill is a backdoor effort to infiltrate our state with 16 mini casinos.
- The state gets 16% of the take and the charities 9%. That's a bad deal.
- It allows gambling on a slot like machine for 18-year-olds. In other states, one must be 21 years old so this will attract 18-year-olds to our state to use these machines.
- \$25 limit is too high.

Rep. Fred Doucette

- He is frustrated by any testimony about how this bill affects Churchill Downs.
- This bill helps charities in NH. A lot of work has gone into this bill.
- With regard to 18-year-olds gambling in the state, he noted that 18-year-olds can buy scratch tickets and go to charitable gaming venues.
- This is an additional game that charities can benefit from.
- The \$25 bet was derived from the fact that the highest scratch ticket you can buy is \$25.

Sen. D'Allesandro asked why this shouldn't be an open competition as to who sells the machines. With the executive council areas there will be redistricting, the council districts are gerrymandered. There will be districts where there won't be any demand for this. Rep. Doucette said Charlie McIntyre answered the question about the executive council districts. Going back to why the 16 rooms are grandfathered, the chair of Ways and Means last year had an issue with slot parlors popping up on every corner. That was her amendment.

sc

Date Hearing Report completed: March 11, 2021

Speakers

Mazmanian Nicholas	Boston Billiards	Support	No
Jensen Gary	My American Legion Post	Support	No
Mathias Lindsey	Boston Billiard Club & Casino	Support	No
Chichlowski Deborah	Operation Care for Troops	Support	No
Micklovich Shawn	Helping Our Pupils Excel N.H. Inc.	Support	No
Dickson David F	Hooksett Kiwanis Club	Support	No
Starbuck Valerie	MONADNOCK HUMANE SOCIETY & CHESTERFIELD HISTORICAL SOCIETY	Support	No
Starbuck Jonathan	MONADNOCK HUMANE SOCIETY	Support	No
Hill Greg	Merrimack # 3	Support	No
Nugent David	Nashua Senior Activity Center	Support	No
Doucette Fred	Myself	Support	No
Mathias Kurt	Myself	Support	No
Nevins Chris	Myself	Support	No
Theberge Cindy	New England Parkinson's Ride	Support	No
KANN GREGORY	Myself	Support	No
Walton Pam	Myself	Support	No
Giuda Bob	NH Senate District 2	Support	No
Blackwood Kevin	Myself	Support	No
Lemire Dennis	Myself	Support	No
Howard Kayla	Myself	Support	No
Fitzpatrick Diane	Myself	Support	No
Eddy Tiffany	Myself	Support	No
Rafferty Jim	Myself	Support	No
Ithier Ed	Webster House	Support	No
LECIUS Ed Lecius	Myself	Support	No
REams Dawn	Bridges: Domestic & Sexual Violence Support Services Inc.	Support	No
Hudachek John	Myself	Support	No
Eriquizzo Jon	Myself	Support	No
Ricupero Celeste	Myself	Support	No
Valiquet James	NH Police Fire and EMS Foundation	Support	No
Goldberg Steven	Seacoast SCORE	Support	No
Casserly Christiane	Myself	Support	No
Meltzer Alison	Wilton Main Street Association	Support	No
Zanchuk Val	New Hampshire Philharmonic Orchestra	Support	No

Name	Representing	Position	Testifying
Abrami Patrick	State Rep Rock 19	Support	Yes
Newman Rick	NH Charitable Gaming Operators Association	Support	Yes
Neely Patrick	Exacta Systems	Support	Yes
French Senator Harold	Senate District 7	Support	Yes
Andrade Tina	Home Health & Hospice Care	Support	Yes
Fortin Remi	Myself	Support	Yes
Stringham Jerry	Myself	Oppose	Yes
McIntyre Charlie	Lottery Commission	Neutral	Yes
Bragdon Peter	Churchill Downs Inc.	Oppose	Yes
kurk neal	Myself	Oppose	Yes
Carignan Michael	Myself	Support	Yes
Hennessey Erin	SD1	Support	No
Shea Paul	Myself	Support	No
Almy Susan	Myself	Oppose	No
Preston Alicia	NHCGOA	Support	No
Carson Sharon	SD 14	Support	No
Winterton Don	Myself	Support	No
Drapaniotis Karen	Myself	Support	No
Conroy Patricia	Myself	Support	No
Bonilla Giovanna	Myself	Support	No
Bizeur Jane	Myself	Support	No
Daniels Senator Gary	SD 11	Support	No
Lowney Richard	Myself	Support	No
Smith Brian	Myself	Support	No
Jutras Natalie	Myself	Support	No
ROSCOE Donna	CHESTERFIELD HISTORICAL SOCIETY	Support	No
Supplee Andrew	World Affairs Council of NH	Support	No
Zyxnfryx Brandon	Myself	Support	No
Malone Harry	Boys & Girls Club of Manchester	Support	No
Wilmot Donald	Boston Billiard Club & Casino	Support	No
Neil Kenneth	Myself	Support	No
Winterton Donald	Myself	Support	No
Thorne Lisa	Myself	Support	No

Kankowski Stanley	Myself	Support	No
Lloyd Paul	Myself	Support	No
Davis Glenn	New Hampshire State Fireman's association	Support	No
D'Angelo Lynda	Myself	Support	No
Henderson Justin	Myself	Support	No
Robert Desrochers	Catholic war vererans of n.h.	Support	No
Berry Anna	Noah's Ark Childcare Center	Support	No
Tomaszewski James	Lil' Iguana's Children's Safety Foundation	Support	No
Luszey Jr Thaddeus	Myself	Support	No

Testimony

Sonja Caldwell

From: Jerilee Zezula <elderpet@gmail.com>
Sent: Friday, February 5, 2021 3:55 PM
To: ~House Ways & Means Committee; Bob Giuda; Lou D'Allesandro; Erin Hennessey; Cindy Rosenwald; Gary Daniels; Sonja Caldwell
Subject: Please support HB 626 and SB 112 Historic Horse Racing

Hello Committee Members:

I am writing to support HB 626 and HB 112 relative to historic horse racing on behalf of ElderPet, one of the 500+ charities that receive funding through NH Charitable Gaming.

ElderPet, a 501c3, is an all-volunteer organization (no paid employees), with little overhead. The majority of our funding goes to our outreach services. We depend on the income from Charitable Gaming to be able to accomplish our community service mission of supporting low income seniors and those with disabilities to keep their much loved pets happy and healthy in their homes. We purchase and deliver pet food to income qualified pet owners, provide rides for pet related appointments, give no-interest loans for unexpected veterinary care and provide the cost of long term medications and prescription diets for pets with chronic diseases. We provide these services in Strafford and Seacoast Rockingham counties of New Hampshire.

The quantity and the amount of loans and medication assistance we give is entirely dependent on the income we receive from private donations, business donations and Charitable Gaming – basically community support. We count on our Charitable Gaming income! Because of our all-volunteer status we are able to do very little active fundraising and must adjust our services to accommodate our income.

As with other charities, 2020 brought us greatly decreased income and we are struggling to meet our mission. Our outstanding loan payments are very slow to come in and many are in default because of the financial impact of the Covid 19 pandemic. Any boost in our donations, as would occur with the addition of historic horse racing to Charitable Gaming, will allow us to serve our financially needy pet owners now and in the foreseeable future.

ElderPet hopes we can count on your support of HB 626 and SB 112.

Thank you!

Jeri Zezula

Jerilee Zezula
ElderPet Treasurer and Service Coordinator
www.elderpet.org

Community Partner of Pet Partners
603-767-6856
PO Box 624
Durham, NH 03824



Services provided throughout Hillsborough County

March 6, 2021

Meals on Wheels
Community Dining
Support Services

Senate Ways and Means Committee
c/o sonja.caldwell@leg.state.nh.us

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Roger R. Dionne, M.D.

Re: SB112, AN ACT Relative to Historical Racing

Dear Committee Members,

I write to you in SUPPORT of SB112.

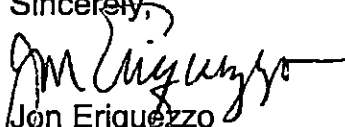
St. Joseph Community Services is a nonprofit organization that operates the largest Meals on Wheels service in the state of New Hampshire, and we serve some of our most isolated and vulnerable citizens in Hillsborough County.

Being one of the few "threshold" services that continued operations all throughout the COVID-19 pandemic, we were not only able to provide nutritious meals to our clients, but we also provided much needed *wellness checks* to make sure that they were alright.

St. Joseph Community Services, and those we serve, benefit from charitable gaming. Every year, in order to serve all who are in need, we raise nearly 1/3 of our budget through fundraising efforts.

Last year, proceeds from charitable gaming subsidized more than 15,000 home delivered meals. With the growing senior population in our state, additional revenue will be required in order to meet this need. *With the passing of HB112, we estimate that an additional 6,000-7,000 meals could be provided.*

Please vote to pass SB112. Our seniors and homebound adults all across Hillsborough County will certainly reap the rewards of your actions.

Sincerely,

Jon Eriquezzo
President

P.O. Box 910
395 Daniel Webster Hwy.
Merrimack, NH 03054

www.MealsOnWheelsNH.org

Phone: 603-424-9967



St. Joseph Community Services fosters independence and life enrichment for seniors and other qualified adults through nutrition, social engagement and community services

Supported in part by the Bureau of Elderly and Adult Services and



Sonja Caldwell

From: Glenn Davis <glenn@lakesfire.com>
Sent: Friday, March 5, 2021 1:48 PM
To: Sonja Caldwell
Subject: Charitable Gaming SB112

Good afternoon,

I am the President on New Hampshire State Fireman's association which maintains the NH Fallen Fire fighters memorial located on the grounds of the NH Fire Academy. We have been fortunate to have been the recipient of funds coming from the charitable gaming for two years in a row. The additional funds that this provides is crucial to our keeping the eternal flame burning and providing additional funds for some much needed maintenance while honoring our fallen firefighters. The LODD memorial is available to any firefighter that dies in the line of duty whether a member or not of the NHSFA. We are currently the sole entity providing the funding to keep the memorial up and running and the outside funding from charitable gaming has proven to be a godsend. This year after careful planning and the funds from charitable gaming we are finally after its inception in 1996 able to complete a much needed refurbishment. In closing I am sure there are many non-profits that compete for this additional much needed funding. Expansion of the charitable gaming would ensure additional funding for other non-profits as well as ours.

Thank you for taking the time to review my opinion

Have a great Day!
Thanks,

Glenn

Glenn Davis
President
New Hampshire State Firemen's Association
Email: glenn@lakesfire.com
Phone: 603.520.0520



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March 14, 2021
NH Senate Ways & Means Committee
Senator Giuda, Chair

Dear Senator Giuda, and members of the Senate Ways & Means Committee,

Great American Downtown is a 501c3 nonprofit organization that operates in Nashua, NH, and has a mission centered around building and highlighting the vibrancy in our Downtown district. Our board of directors has recently discussed SB 112 on expanding charitable with Historic Horse Racing, and so moved to express our support. We've been working with Boston Billiards Club & Casino here in Nashua for the past 4 years to host charitable gaming, and it has been a big part of our ability to expand our farmers market, present free music festivals and other programming that stimulate visits to the heart of our city, and grow our staff to continue to build our capacity and serve our mission to greater effect.

If it weren't for gaming this past year, we would have needed to cut staff - and we wouldn't be in nearly as strong a position, and ready to get back out there with the full gamut of programs that we've been building as soon as it is safe to do so. We see this expansion as a great way to bring additional support to NH non-profits like ours, as well as keep gaming money here in NH, create and maintain jobs - and prevent losses for charities from gaming consumers going to nearby places like Encore Boston. The bill would achieve this by allowing for a comparable set of games to what is offered over the border in other states.

We are reaching out to you today with a letter of encouragement in support of this bill, with the hopes that you'll understand the good NH Charitable Gaming does for hundreds of non-profits like ours here in NH, and be in support as you make your decision as to how you will vote on the bill. Locally owned and operated facilities like Boston Billiard's and The River Casino have had such a major impact on Greater Nashua's charitable organizations over the last 5 years or so - and we would love to see them have the opportunity to do more of that. Thank you for your time, and thank you for all you do every day to support good policy that makes both our quality of life and an ability to do good business better for all of New Hampshire. If you have any questions on our experience with charitable gaming, and would like further insight on the positive impact it has had on our work and our community, I would invite you to reach out at the contact information below and I would be glad to connect with you.

Sincerely,

Paul Shea, Executive Director
Great American Downtown Inc
Hunt Memorial Building
6 Main Street
Nashua, NH 03064
603.883.5700
PaulWShea@downtownnashua.org

Great American Downtown, Inc is a 501(c)(3) Nonprofit Organization, donations to which are tax deductible to the fullest extent allowed by law. Our mission is centered around promoting and building upon the economic and cultural vibrancy of Downtown Nashua through creative marketing and great community events.

Sonja Caldwell

From: arattlesnake@tds.net
Sent: Saturday, March 6, 2021 11:00 AM
To: Sonja Caldwell
Subject: Senate Ways & Means re: SB 112

ANDREW R. SUPPLEE
603-927-4647
arattlesnake@tds.net

P.O. BOX 86, NORTH SUTTON, NEW HAMPSHIRE 03260
(341 BAKER ROAD)

March 6, 2021

Re: SB 112 Expansion of Charitable Gaming

Senate Ways & Means Committee

Dear Members of the Senate Ways & Means,

As a board member of The World Affairs Council of New Hampshire I urge you to support SB 112 to allow Historic Racing in New Hampshire.

The non-partisan Council presents films, discussions, and lectures addressing world affairs at events around the Granite State. We also host more than 275 emerging leaders each year through the International Visitors Leadership Program in partnership with the U.S. State Department and engage the next generation in global issues through the annual NH Academic WorldQuest competition.

We are pleased to be beneficiaries of Charitable Gaming which has been critical to our organization. The unrestricted funds have been essential in helping us to fulfill our mission and continue to provide our important services that *Bring the World to Granite Staters*.

This past year because of COVID we have struggled to fundraise. The revenue from charitable gaming we received is among the largest contributions we receive in a year. Charitable Gaming has given us a lifeline, without it we would have been in serious jeopardy.

Please help us get much needed additional dollars and pass HB 626 to allow Historic Racing in New Hampshire without delay.

These funds will be critical especially during these difficult times to helping support hundreds of other New Hampshire nonprofits, providing critical services to some of our state's most vulnerable populations. I hope we can count on your support.

Thank you!

Andrew

Sonja Caldwell

From: Bernerabel <bernerabel@aol.com>
Sent: Sunday, March 7, 2021 7:16 PM
To: Sonja Caldwell
Subject: Written testimony opposing SB112

Could you please enter my testimony into the record tomorrow morning? I am unable to provide testimony during the hearing.

Testimony in Opposition to SB112
Roberta Berner, West Lebanon, NH

My preference would have been to provide testimony today in your hearing, but I have another commitment this morning and will be unable to attend. Please accept these written remarks in my absence.

I am providing personal testimony in opposition to SB112. I am testifying as a private citizen, but I have had years of experience working with low-income populations and I previously lived in Mississippi, a state that depended heavily on gambling to fund public services. There I saw first-hand how destructive and addictive gambling could be, particularly for those who had few options for making a living wage. I worked directly with families that suffered the effects of gambling addiction--meager family assets gambled away, parents who left young children at home while they gambled, families torn apart and in crisis because of the addiction.

I am personally concerned as a resident of Lebanon that the likely commercial site for these highly addictive machines will be in the downtown area, a neighborhood surrounded by housing and nonprofit organizations that serve low-income older adults, formerly homeless adults now in transitional apartments, and those struggling with substance abuse.

Could you consider offering a local option to towns and cities, if this bill is passed?

While I realize that a percentage of the proceeds is intended to address gambling addiction and that nonprofit organizations could potentially benefit from some of the proceeds, I believe that on balance, the downside of approving this bill greatly outweighs the pluses.



SB 112, HISTORIC HORSE RACING WHERE THE MONEY GOES

ON \$100 OF WAGERS...

- \$2.00
Charity/State
- \$2.50
Machine Costs
- \$2.40
Operator Expenses
- \$1.10
*Operator Share



*Operator share includes capital improvement costs.

PLEASE VOTE YES ON SB 112

Sonja Caldwell

From: SUSAN ALMY <susan.almy@comcast.net>
Sent: Sunday, March 7, 2021 7:47 PM
To: Sonja Caldwell; Bob Giuda; Lou D'Allesandro; Erin Hennessey; Gary Daniels; Cindy Rosenwald
Cc: Suzanne Prentiss
Subject: SB112 request for a local option
Attachments: HB 626 - 2021-0547h local option.pdf

Charitable gaming operators have organized very thoroughly this year, and it looks like machine gambling will be implanted into the charitable gaming statute - as well as in the racing statute. I am asking you to please consider adding a local option. I have attached the amendment I wrote for House Ways and Means, which is adapted from the keno statute; it was voted down solely on the grounds that historic racing machines have been put in the charitable gaming statute. Without a local option, after the end of the three-year monopoly, there may be a machine gambling site (with a single poker game) in most of the towns around New Hampshire.

Some communities are comfortable with machine gambling, and others are not. Some of the poker palaces are in sites at a distance from low-income housing, subsidized housing for seniors, recovering substance abusers and recently homeless - Lebanon's is smack in the middle of ours. Machine gambling is particularly addictive to people who are lonely and have a lot of time on their hands.

These machines are slower than slot machines - you can only bet about 15 times a minute in Autocad mode - but otherwise indistinguishable to the player. In the original, horse racing mode, they are very very slow, and unprofitable, and in some states they have allowed the machine distributor and software operator to gimmick the horse-racing option so the individual does not have enough time to pick horses except blindly. The Autocad button is prominently displayed, and once you have clicked on it the horse racing is moved to a small part of the screen and shows intermittently as the normal display of a slot machine takes over the rest. Winning and the amount won are calculated using the odds available at the start of the past horse race, and since this takes longer, you can only bet half as fast as a traditional slot machine. When these machines were new, the manufacturer's website actually said that the machines were meant to circumvent a common ban on slot machines.

They are not normal charitable gaming, which consists of games you play with a group, not a machine - with one exception to allow the dispensing of Lucky 7 tickets. Keno and sports betting parlors are by local option, and the historic racing machines are at least as addictive as keno and in-situ sports betting, I would say more so.

In regular casinos, the operators can use economies of scale to set up software that allows them to identify and refer problem gamblers - the addicts - to various sources of help. These cannot be set up that way. The regulation that will be in place is concentrated only on assuring that the state and charities get their 25% of the profit. The charities will get 8.75%, because the "35%" promised them is of the 25% that does not go to the operator's profit and expenses, which includes their contract with Exacta Systems, distributor and programmer of the machines. At 92% of the money going back in prizes, the average annual payment to each charity will be about \$3300, although it will be higher in the charities lucky enough to get nights in the high-density parts of the state and lower for the rest.

Please at least allow communities to decide whether they want this or not.

Rep. Susan Almy, Lebanon

Amendment to HB 626-FN

1 Amend the bill by replacing section 5 with the following:

2
3 5 New Sections; Pari-Mutuel Pools on Historic Horse Races; Local Option. Amend RSA 284 by
4 inserting after section 22-a the following new sections:

5 284:22-b Pari-Mutuel Pools on Historic Horse Races.

6 I. In this section:

7 (a) "Historic horse race" means:

8 (1) Any horse race whether running or harness, that was previously conducted at a
9 licensed pari-mutuel facility;

10 (2) Concluded with official results; and

11 (3) Concluded without scratches, disqualifications, or dead-heat finishes.

12 (b) "Licensee" means any individual, association, partnership, joint-venture, corporation,
13 or other organization or other entity which holds a game operator employer license under RSA 287-
14 D.

15 (c) "Pari-mutuel method of wagering" means:

16 (1) A method of wagering in which those who wager on horses that finish in the
17 position or positions for which wagers are taken share in the total amounts wagered, plus any
18 amounts provided by a licensee, may include a nonrefundable contribution to serve as a seed or
19 guarantee; and

20 (2) A totalizator or similar mechanical equipment calculates pari-mutuel pools and
21 payouts associated with each winning wager.

22 II. In order to be eligible for a license to sell pari-mutuel pools on historic races, an applicant
23 shall have been game operator employer licensed under RSA 287-D as of May 1, 2020 and still
24 licensed as of the effective date of this section, provided such sales are within the enclosure of a
25 facility at which the licensee holds its licensed activities under RSA 287-D, that such facility is
26 located within the city or town in which the licensee held its license on May 1, 2020, ~~and the city or~~
27 ~~town has voted to allow wagering on historic races according to RSA 284:22-c.~~ An application that is
28 approved by the lottery commission, and a license that is granted shall not be permitted to be
29 transferred or sold.

30 III. In accordance with the provisions of RSA 284:6-a, wagering on historic horse races may
31 take place on electronic gaming devices provided that:

32 (a) All wagers use the pari-mutuel method of wagering.

1 (b) A licensee at all times maintains at least 2 terminals offering the same type of wager
2 on all historic horse races.

3 (c) The terminal makes available true and accurate past performance information on
4 each historic horse race prior to the patron making his or her selection.

5 (d) The terminal shall display a replay of each race, or a portion thereof, whether digital,
6 animated, or by way of a video recording, and the official results of each race. The identity of each
7 race shall be revealed to the patron after the patron has placed his or her wager.

8 (e) The outcome of each wager is based solely on the outcome of the historic horse race or
9 races; no random elements may determine the outcome of the patron's wager.

10 (f) The terminals have been tested by an independent testing laboratory, approved by
11 the commission, to ensure integrity and proper working order.

12 (g) Each terminal makes available pari-mutuel wagering pool amounts that the patron
13 may receive for a winning wager.

14 (h) A terminal shall not accept a wager in excess of \$25.

15 (i) Each licensee shall submit a responsible gaming plan to the lottery commission for
16 review and approval prior to activating any historic horse race terminal, and every year thereafter.
17 Such plan shall include identification of postings and materials related to problem gaming to be
18 made available to patrons expressing concerns about problem gaming, house imposed player limits,
19 and self-exclusion plans.

20 IV. Racing officials or any employee or owner of the entity that provides the totalizator
21 system to the licensee, and any person responsible for the operation of the electronic reproduction
22 equipment which operates the historic horse races and wagering shall be prohibited from
23 participating in wagering, directly or indirectly, on historic horse races offered at the licensee's
24 facility.

25 V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of
26 not greater than 12 percent. In addition to the above commission, 100 percent of the odd cents of all
27 redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10,
28 known as breakage, shall be paid to the lottery commission and used as payment for problem gaming
29 services.

30 VI. The lottery commission shall adopt rules under RSA 541-A governing historic horse
31 racing machines.

32 VII. No historic horse racing machine shall be operated except within the facility of a
33 licensee during the facility's hours of play of charitable games.

34 284:22-c Local Option

35 I. Any town or city may allow charitable game operators licensed for facilities located within
36 its borders to install and operate electronic historic racing devices, in the following manner:

1 (a) In a town, the question shall be placed on the warrant of an annual town meeting
2 under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative
3 body may vote to place the question on the official ballot for any regular municipal election, or, in the
4 alternative, shall place the question on the official ballot for any regular municipal election upon
5 submission to the legislative body of a petition signed by 5 percent of the registered voters.

6 (b) The selectmen, aldermen, or city council shall hold a public hearing on the question
7 at least 15 days but not more than 30 days before the question is to be voted on. Notice of the
8 hearing shall be posted in at least 2 public places in the municipality and published in a newspaper
9 of general circulation at least 7 days before the hearing.

10 (c) The wording of the question shall be substantially as follows: "Shall we allow the
11 operation of historic horse racing devices within the town or city?"

12 II. If a majority of those voting on the question vote "Yes," historic horse racing devices may
13 be operated within the town or city.

14 III. If the question is not approved, the question may later be voted upon according to the
15 provisions of paragraph I at the next annual town meeting or regular municipal election.

16 IV. A municipality that has voted to allow the operation of historic horse racing devices may
17 consider rescinding its action in the manner described in paragraph I of this section.

18 IV-a. An unincorporated place may allow the operation of historic horse racing devices by
19 majority vote of the county delegation, after a public hearing is held.

20 V. The lottery commission shall maintain a list of municipalities where historic horse racing
21 devices are available.

UNAPPROVED

Sonja Caldwell

From: Kyle Fisher <Kyle@listencs.org>
Sent: Monday, March 8, 2021 7:31 AM
To: Sonja Caldwell
Cc: Suzanne Prentiss; Bob Giuda; Lou D'Allesandro; Erin Hennessey; Gary Daniels; Cindy Rosenwald
Subject: Requesting a Local Option for SB112

Dear Senator Caldwell,

It is my strong hope that you will **consider a local option for SB112**. I am the Executive Director of a human services nonprofit in Lebanon called LISTEN Community Services. We serve the Upper Valley of New Hampshire and Vermont with critical needs such as utility assistance, housing grants, a soup kitchen, food pantry, representative payee services, clothing and furniture vouchers, gasoline vouchers, and more. Our program offices are directly across the street from the Lebanon Poker Room. I am concerned about the effect that machine gambling would have on our community and in particular the low-income community. This particular site in our community is surrounded by low-income, senior and subsidized housing.

My lived experience prior to moving to the Upper Valley from Detroit, Michigan is that machine gambling is particularly problematic for our low-income neighbors. I witnessed such devastation to families, that one of my attractions in relocating to New Hampshire was the lack of casino gambling available. I would witness first hand that the three Detroit casinos would be packed on days where social security checks were issued and saw the despair on many people's faces as they succumbed to their addiction, hoping to double the money they had for rent and would instead leave broke. Machine gambling is particularly addictive and is an easy dopamine hit for those with addictive tendencies. It felt like it was so easy for people to lose the value of money when they were at a machine and seemingly mindlessly keep feeding the machine. A big win would just keep people cemented in front of the machine in future sessions searching for the larger payout they now knew possible. Machine gambling was particularly problematic for the local charities who experienced incredulous increases in demand for their services when the casinos opened.

Recognizing that it may in fact be too late to stop this machine gambling from entering the state, I am hopeful that you will consider a local option that would put it before communities to decide if they would like this in their back yards. In my mind, this local option would function similarly to the keno permissions that were granted a few years ago.

Machine gambling can cause such despair for local families and has a magnified effect on our low-income neighbors. Please allow us to opt out.

Thank you for your consideration,
Kyle Fisher

Kyle Fisher
LISTEN Community Services – Executive Director
603.448.4553 | Kyle@listencs.org
60 Hanover St | Lebanon, NH 03766-1228

Partial list of charities that benefit from Charitable Gaming

Charity	Location
(Keystone Hall)	
NH Partnership Organization	River Casino
2020 Vision Quest	Boston Billards
A Londonderry Emergency Response Team (ALERT)	Keene Casino
A.L. Post#51 R.A. Mitchell AUX	Governors Inn
Adult Learning Center	Boston Billards
Advocates Building Lasting Equality in NH (ABLE NH)	River Casino
AIDS RESPONSE SEACOAST	Oceanfront Casino
American Legion - Berlin	Northwoods Casino
American Legion - Groveton	Northwoods Casino
American Legion - Littleton	Northwoods Casino
American Legion Auxiliary - Berlin	Northwoods Casino
American Legion Auxiliary - Gorham	Northwoods Casino
American Legion Auxiliary Post #22	Lebanon Poker Room
American Legion Post #10 Bent-Burke (Wilton)	River Casino
American Legion Post #24 The Croteau Coutts	Keene Casino
AMERICAN LEGION POST #35 THE HAMPTONS	Oceanfront Casino
American Legion Post #54 Stevens-Buswell (Bedford)	River Casino
American Legion post 103	The Brook Casino
American Legion Post 22 Guyer-Carignan	Lebanon Poker Room
American Legion Post 41	Northwoods Casino
American Legion Post 61 Milton	Lakes Region Casino
American Legion Post 88, Loudon	Lakes Region Casino
Amy's Treat	The Brook Casino
Androscoggin Valley Hospital Inc	Northwoods Casino
Animal Rescue League of NH	River Casino
Assumption Greek Orthodox Church	Manchester Poker Room
AV Home Care	Northwoods Casino
Basil Woods Trout Unlimited	Lakes Region Casino
Bedford Bulldogs Booster Club	Manchester Poker Room
Bedford Education Foundation	Keene Casino
Bedford Football and Spirit Association BYFA	Keene Casino
Bedford Friends of Recreation	Lebanon Poker Room
Bedford Men's Club	River Casino
Bedford Parent Teacher Group	Keene Casino
BEKTASH SHRINERS AAONMS	Oceanfront Casino
Belknap Mill	The Brook Casino
Belmont Elementary Support Team (Best)	Lakes Region Casino
Belmont Gilford Varsity Hockey Boosters	Lakes Region Casino
Belmont Rotary	Lakes Region Casino
Berlin & Coos County Historical Society	Northwoods Casino
Berlin Main Street Program	Northwoods Casino
Betenu Congregation	Concord Casino
Big Bro Big Sis	The Brook Casino
Blue Ocean	The Brook Casino
Bobby Stephen's St. Patrick's Day Fund for Education	Manchester Poker Room
Bow Community Mens Club	Concord Casino
Boys & Girls Club of Manchester	Boston Billards
Boys & Girls Club of Nashua	Boston Billards
Boys and Girls Club of Souhegan Valley	River Casino
BPO Elks #1393 Rochester	Governors Inn

Partial list of charities that benefit from Charitable Gaming

BPO ELKS #146 - MANCHESTER	Oceanfront Casino
Brain Injury of NH	The Brook Casino
Bridges: Domestic & Sexual Viloence Support	Boston Billards
Bridging the Horizon	Concord Casino
Brookline Lions Club	River Casino
BYFA, Inc. (Bedford Youth Football Association Inc.)	Lebanon Poker Room
Camerata New England	Lebanon Poker Room
Camp Allen	Manchester Poker Room
Candia Youth Athletic Association	Manchester Poker Room
Canine Commitment	Concord Casino
Capital Region Habitat for Humanity	Boston Billards
Carter Community Building Association	Lebanon Poker Room
CASA NH	Boston Billards
Catholic Daughters of the Americas #1773	Keene Casino
Catholic War Veterans of NH	Manchester Poker Room
Cats	The Brook Casino
Central Crew Club	Manchester Poker Room
Champs	Lakes Region Casino
Charlestown Memorial Post #8497	Lebanon Poker Room
Cheshire County Shooting Sports Education Foundation	Keene Casino
Cheshire TV	Keene Casino
Chesterfield Historical Society	Keene Casino
CHILDREN'S DYSLEXIA CENTERS, INC.	Oceanfront Casino
CHOOSE Foundation	Manchester Poker Room
Chucky's Fight	Hampton Casino
Chucky's Fight	Hampton Casino
Citizens Count	Manchester Poker Room
City Arts Nashua	Boston Billards
CMAR Scholarship Fund	Concord Casino
COASTAL ECONOMIC DEVELOPMENT CORPORATION	Oceanfront Casino
Community Caregivers of Greater Derry	Manchester Poker Room
Community Home Solutions	The Brook Casino
Concord Coach Society	River Casino
Concord Little League	Concord Casino
Connor's Climb	Concord Casino
Core PTO	The Brook Casino
Cornish Fair Association Inc.	Lebanon Poker Room
Corpus Christi Food Pantry & Assistance	River Casino
Cottage Hospital	Manchester Poker Room
Cross Roads	The Brook Casino
Derry Football Association	Keene Casino
Derry Friendship	The Brook Casino
Dunbarton Historical Society	Concord Casino
Easter Seals NH	Lakes Region Casino
Educational Farm at Joppa Hill	Concord Casino
Elderpet	Governors Inn
Ellen Lambert Murphy Memorial Association	Keene Casino
Epsom Youth Athletic Organization	Lakes Region Casino
Etz Hayim Synagogue	River Casino
EXETER AREA CHARITABLE FOUNDATION	Oceanfront Casino
Exeter Area GFWC	The Brook Casino

Partial list of charities that benefit from Charitable Gaming

EXETER NH ROTARY SCHOLARSHIP & CHARITABLE FOUNDATION, INC.	Oceanfront Casino
EXPERIENCE HAMPTON, INC.	Oceanfront Casino
Fall Mountain Educational Endowment Association	Keene Casino
Family Promise	Concord Casino
Family Promise of Greater Nashua	Boston Billards
Farmington 500 boys and girls club	Governors Inn
Farmington Fireman's Relief Association	Governors Inn
Farmsteads of New England	The Brook Casino
Feeding Tiny Tummies	Keene Casino
Feminist Health Center	The Brook Casino
FIT/NHNN	Manchester Poker Room
FOE Post 2629	Northwoods Casino
Franco-American	The Brook Casino
Friends of Benson Park	River Casino
Friends of Cashin Senior Activity Center	Manchester Poker Room
Friends of Hampton Falls Free Library	Lebanon Poker Room
Friends of Mascoma Foundation	Lebanon Poker Room
Friends of Pisgah	Keene Casino
Friends of Recovery NH	Manchester Poker Room
FRIENDS OF THE EAST KINGSTON PUBLIC LIBRARY	Oceanfront Casino
FRIENDS OF THE HAMPTON MOUNTED PATROL INC.	Oceanfront Casino
Friends of the Manchester Animal Shelter	Boston Billards
Friends of the Manchester Animal Shelter	Hampton Casino
Friends of the Manchester Animal Shelter	Hampton Casino
FRIENDS OF THE WEEKS LIBRARY	Oceanfront Casino
Front Door Agency	Concord Casino
Fueled by Kids, Inc.	Manchester Poker Room
Future In Sight \$750 per day	The Brook Casino
GFWC Concord Contemporary Club	Concord Casino
Gilford Youth Center	Lakes Region Casino
Gilsum Recreation Committee	Keene Casino
Girls Inc. NH	Boston Billards
Girls Incorporated of New Hampshire	Lebanon Poker Room
Granite State Destroyers	Concord Casino
Granite State Independent Living	Keene Casino
Granite State Senior Games Inc.	Manchester Poker Room
Granite United Way - Berlin	Northwoods Casino
Great Bay Kids' Company	Hampton Casino
Great Bay Kids' Company	Hampton Casino
Great Bay Services	The Brook Casino
Greater Manchester Colt League	Manchester Poker Room
Green Mountain Children's Center	Lebanon Poker Room
GREENGARD CENTER FOR AUTISM	Oceanfront Casino
Greyhound Pets of America	The Brook Casino
Grizzly Gridiron Club	Manchester Poker Room
Hampstead Lions	Concord Casino
Hampton Child & Family Program Inc	Hampton Casino
Hampton Child & Family Program Inc	Hampton Casino
HAMPTON HISTORICAL SOCIETY	Oceanfront Casino
Harbor Homes, Inc.	Manchester Poker Room

Partial list of charities that benefit from Charitable Gaming

Harley Sanford VFW Post #4368 (Milford)	River Casino
Haven	The Brook Casino
Hellenic Orthodox Community of St. George	Manchester Poker Room
Helping Our Pupils Excel NH (Hope NH)	River Casino
High Hopes Foundation	Boston Billards
Hillside Middle School PTO	Manchester Poker Room
Hinsdale Commercial & Industrial Development Corp	Keene Casino
Hinsdale Historical Society	Keene Casino
Historical Society of Cheshire County	Keene Casino
Hollis Beaver Brook Association	Boston Billards
Holy Trinity School	Lakes Region Casino
Home Health & Hospice Care	Boston Billards
Hooksett Kiwanis Foundation	Lebanon Poker Room
Hooksett Youth Athletic Association	Manchester Poker Room
Housing BeneFITS	Manchester Poker Room
Hudson Lions Club	River Casino
Humane Society of Nashua	Boston Billards
IGYB (I've Got Your Back)	Concord Casino
Independent Karate School Scholarship Foundation	River Casino
Isaiah 58	Boston Billards
Joseph Sell Into the Light	Concord Casino
Keene Baseball Club	Keene Casino
Keene Elks Lodge 927	Keene Casino
Keene Elks Lodge 927 Past Exalted Rulers	Keene Casino
Keene Kiwanis Foundation	Keene Casino
Knights of Columbus #140 Portsmouth Council	Lebanon Poker Room
Knights of Columbus #819	Keene Casino
Knights of Columbus Marian Council #5748	Manchester Poker Room
Kremple's	The Brook Casino
Laconia VFW Post 1670	Lakes Region Casino
Lakes Region Youth Hockey	Lakes Region Casino
Lane Library	The Brook Casino
Lebanon Little League	Lebanon Poker Room
Lebanon Outing Club	Lebanon Poker Room
Liberty House	Boston Billards
Lil Iguanas	The Brook Casino
Lions Club of Hinsdale	Keene Casino
Lions Club of Seabrook	The Brook Casino
Littleton Elks 1831	Northwoods Casino
Loudon Lions	Concord Casino
Main Dunstable Elementary PTO	Boston Billards
Make a Wish \$750 per day	The Brook Casino
Make A Wish NH	Boston Billards
Make It Labs	Boston Billards
Manchester Historic Association	Manchester Poker Room
Manchester Kiwanis Children's Fund	Manchester Poker Room
Manchester Little League	Manchester Poker Room
MANCHESTER PERFORMING ARTS ASSOCIATION	Oceanfront Casino
Manchester Police Athletic League	Manchester Poker Room
Marguerite's Place	Boston Billards
MARION GERRISH COMMUNITY CENTER	Oceanfront Casino
Marlow NH Historic Society	Keene Casino

Partial list of charities that benefit from Charitable Gaming

Meals On Wheels	Boston Billards
Merrimack Concert Association	Lebanon Poker Room
Merrimack Friends & Families	River Casino
Merrimack Valley SCORE	Boston Billards
Merrimack Lions Club	River Casino
Milford Area Seniors	River Casino
Milford Lions Charities	River Casino
Milford Rotary Foundation	River Casino
Miss Bedford Scholarship Inc.	Manchester Poker Room
Miss Berlin-Gorham Scholarship Program	Manchester Poker Room
Miss Capital Area Scholarship Program	Manchester Poker Room
Miss Exeter Scholarship Organization	Manchester Poker Room
Miss Gate City Scholarship Program	Manchester Poker Room
Miss Greater Plaistow Scholarship Program	Keene Casino
Miss Kingston-Seacoast Scholarship Program	Manchester Poker Room
Miss Lakes Region Scholarship Program	Manchester Poker Room
Miss Londonderry Scholarship Program	Manchester Poker Room
Miss Manchester Scholarship Program	Manchester Poker Room
Miss Merrimack Scholarship Program	Keene Casino
Miss NH Scholarship Program	Manchester Poker Room
Miss Strafford County Scholarship Program	Manchester Poker Room
Monadnock Humane Society, Inc.	Keene Casino
Moultonborough Historical Society	Lakes Region Casino
Mount Washington Observatory	Concord Casino
MY BREAST CANCER SUPPORT	Oceanfront Casino
Nam Knights of America - White Mt	Concord Casino
Nansen Ski Club	Northwoods Casino
Nashua Area Artists Association	River Casino
Nashua Center	Boston Billards
Nashua Chamber	Boston Billards
Nashua Childrens Home	River Casino
Nashua Community Music School	River Casino
Nashua Education Foundation	Boston Billards
Nashua Fire Relief	Boston Billards
Nashua Habitat For Humanity	Boston Billards
Nashua Lions Club	River Casino
Nashua NH Rotary Club	Boston Billards
Nashua P.A.L.	Boston Billards
Nashua PD / Marguerites Place	Boston Billards
Nashua Police Patrolman Assoc	Boston Billards
Nashua Senior Center	Boston Billards
Nashua Soup Kitchen & Shelter	Boston Billards
Nashua VFW	Boston Billards
NE Deaf & Hard of Hearing	Concord Casino
NE Masters Ski Racing Foundation	Lebanon Poker Room
NE Motorsports Museum	Concord Casino
NE Parkinsons Ride	Boston Billards
New Boston 4th of July Association	Keene Casino
New England Diamond Gems	River Casino
New England Fusion Fastpitch	River Casino
New England Healing Sports Association	River Casino

Partial list of charities that benefit from Charitable Gaming

New Generation	Concord Casino
New Searles PTO	Boston Billards
Newport Montessori School	Lebanon Poker Room
NH Alliance for Public Charter Schools	Concord Casino
NH Capital Region Habitat for Humanity	Concord Casino
NH Coalition to End Homelessness	Manchester Poker Room
NH Comets	Lakes Region Casino
NH Fire Service Committee of Merit	Manchester Poker Room
NH JAG	Manchester Poker Room
NH Legal Assistance	Boston Billards
NH Musculoskeletal Institute	Manchester Poker Room
NH News, Views, & Blues	Boston Billards
NH North Country Veterans Inc	Northwoods Casino
NH PHIL*	The Brook Casino
NH Philharmonic Orchestra	Northwoods Casino
NH Police Pipes & Drums	Boston Billards
NH Police, Fire, and EMS Foundation	River Casino
NH Rugby Football Foundation	River Casino
NH School of Ballet Booster Club	Lebanon Poker Room
NH State Firemen's Assoc. LODD (Line of Duty Death) Memorial Fund	River Casino
NH STORIES, INC.	Oceanfront Casino
NH THEATRE PROJECT	Oceanfront Casino
NH Wildlife Federation	Lakes Region Casino
NH Wings	The Brook Casino
Noah's Ark Child Care Center	Lebanon Poker Room
NORTH HAMPTON YOUTH ASSOCIATION	Oceanfront Casino
Northeast Deaf and Hard of Hearing	Concord Casino
One Sky Community Services Inc.	Hampton Casino
One Sky Community Services Inc.	Hampton Casino
Operation Care For Troops	River Casino
Operation Santa Clause	Lakes Region Casino
Opportunity Networks	River Casino
ORDER OF DAEDALIANS GRANITE STATE FLIGHT #53	Oceanfront Casino
Our Lady of the Cedars Church	Manchester Poker Room
OYSTER RIVER WOMENADE	Oceanfront Casino
OYSTER RIVER YOUTH ASSOCIATION	Oceanfront Casino
Pace Career Academy	Concord Casino
Parent Information Center	The Brook Casino
Pembroke Football	Concord Casino
Personal Responsibility Organization	Manchester Poker Room
Peterborough Rotary Charitable Fund	River Casino
PHILLIPS POND ASSOCIATION	Oceanfront Casino
Polaris Charter School	Lebanon Poker Room
Polaris Education Foundation	Lebanon Poker Room
Pope Memorial Humane Society	Governors Inn
Pope Memorial SPCA	Lakes Region Casino
Positive Street Art	Boston Billards
Power Knights Booster Club	Concord Casino
PROFESSIONAL FIREFIGHTERS OF NH - FALLEN FIREFIGHTER FAMILY FUND	Oceanfront Casino

Partial list of charities that benefit from Charitable Gaming

Quarterback Club	Concord Casino
RANNIE WEBSTER FOUNDATION	Oceanfront Casino
Raylynmor Opera	Keene Casino
Raymond Youth Services	The Brook Casino
Redhawks Football	Concord Casino
Regenerative Roots	Boston Billards
Revive Recovery, Inc.	Manchester Poker Room
Richie McFarland	The Brook Casino
RICHIE MCFARLAND CHILDREN'S CENTER	Oceanfront Casino
Rochester Atheletic Association	Governors Inn
ROCHESTER CHILD CARE CENTER, INC.	Oceanfront Casino
Rochester Historical Society	Governors Inn
Rochester Knights of Columbus	Lakes Region Casino
Rochester Main Street	Lakes Region Casino
Rochester Opera House	Governors Inn
Rochester Rotary Charities	Governors Inn
Rochester Rotary Club	Governors Inn
ROCKINGHAM COUNTY LAW ENFORCEMENT OFFICERS ASSOCIATION	Oceanfront Casino
Rockingham Meals on Wheels	The Brook Casino
Roger Allen Recreation Association	Governors Inn
Rotary Club of Lebanon NH Charities Inc.	Lebanon Poker Room
Rotary Club of Nashua	Boston Billards
Rotary Club of North Conway	Northwoods Casino
Ruck Up	Boston Billards
RUN FOR THE FALLEN NH, INC.	Oceanfront Casino
RYE LIONS CLUB	Oceanfront Casino
SACRED HEART SCHOOL	Oceanfront Casino
Safe*	The Brook Casino
Salem Basketball Organization	Hampton Casino
Salem Youth Baseball, Inc	Hampton Casino
Samantha Smith	The Brook Casino
SCORE	The Brook Casino
Seabrook Historical Society*	The Brook Casino
Seacoast Charter School	Governors Inn
SEACOAST CHILD ADVOCACY CENTER, INC.	Oceanfront Casino
seacoast outright	The Brook Casino
Seacoast Rail Trail	The Brook Casino
SEACOAST UNITED FOUNDATION	Oceanfront Casino
Seacoast Youth Services	The Brook Casino
Second Chance Ranch Rescue	Hampton Casino
Second Chance Ranch Rescue	Hampton Casino
SEEDS OF FAITH, INC.	Oceanfront Casino
SHARE Fund, Inc	Governors Inn
SISTERS OF HOLY CROSS	Oceanfront Casino
Souhegan Scholarship Foundation	Concord Casino
Souhegan Valley Dollars for Scholars	Manchester Poker Room
Souhegan Valley Happy Hour Rotary	Boston Billards
Southern NH Skating Club	Manchester Poker Room
Southern NH Youth Ballet	Lebanon Poker Room
Spark! Community Center, Inc.	Lebanon Poker Room
Spartans Drum & Bugle Corps	Boston Billards

Partial list of charities that benefit from Charitable Gaming

Special Olympics NH	Concord Casino
St Vincent	The Brook Casino
ST. ELIZABETH SETON SCHOOL	Oceanfront Casino
St. Kieran Arts Center	Northwoods Casino
St. Mary's Assembly #1445	Keene Casino
Sunapee Heritage Alliance	Lebanon Poker Room
Suncook Valley Chorale	Hampton Casino
Swimming With a Mission	Manchester Poker Room
Symphony NH	Boston Billards
Synchro Stars Skating	Concord Casino
TASC	The Brook Casino
The Bridge House Inc.	Lebanon Poker Room
The Chesterfield Library Endowment Fund	Keene Casino
The Foundation of Birches Academy	Concord Casino
The Front Door Agency	Boston Billards
The Great American Downtown	Boston Billards
The Greater Nashua Dental Connection	Boston Billards
The Hundred Club of NH	Manchester Poker Room
THE JAMES HOUSE ASSOCIATION, INC.	Oceanfront Casino
The Muchachos	Manchester Poker Room
The Plus Company	Boston Billards
The Skyes the Limit Foundation, Inc.	Manchester Poker Room
The Upper Room	Manchester Poker Room
The Wildlife Heritage Foundation	Boston Billards
The Youth Coucil	Boston Billards
Thompson Ames Historical Society	Lakes Region Casino
Tilton Northfield Little League	Lakes Region Casino
Timber Rattlers Youth Lacrosse	Concord Casino
Touchstone Farm	Concord Casino
Triangle Club Inc.	Keene Casino
Uncanoonuc Mountaineers	Lakes Region Casino
United Way of Nashua	Boston Billards
VFW Auxilliary Post 2520	Northwoods Casino
VFW Post 2520	Northwoods Casino
VFW Post 816	Northwoods Casino
VFW Post 8401 Bedford	Manchester Poker Room
VFW State	Manchester Poker Room
Victim's Inc. Joan Ellis Victim's Assistance Fund	Keene Casino
Voiture Nationale 158 Coos County	Northwoods Casino
Waypoint	The Brook Casino
Waypoint-(same license as above)	The Brook Casino
Webster House	Manchester Poker Room
Webster School Parent Teacher Organization	Lebanon Poker Room
Wentworth Sr Living	The Brook Casino
West High Blue Knights Foundation	Manchester Poker Room
White Mountain Rotary	Northwoods Casino
Wilton Main Street Association	River Casino
Winchester Learning Center	Keene Casino
Windham Endowment	Concord Casino
Winnecunnit Alumni Association	The Brook Casino
Womenade	The Brook Casino
Wood Guarino Memorial Post 9552	Lebanon Poker Room

Partial list of charities that benefit from Charitable Gaming

Workforce Housing Coalition	The Brook Casino
Working Dog (also Aug 21)	The Brook Casino
World Academy Alumni Association	River Casino
World Affairs Council of NH	Manchester Poker Room
Zonta Club of Concord	Hampton Casino

Jim Donchess

Mayor • City of Nashua

March 6, 2021

Senate Ways and Means Committee
New Hampshire Statehouse
107 N. Main Street
Concord, NH 03301

RE: Senate Bill 112

Mr. Chairman and Members of the Committee,

As the Mayor of the City of Nashua, I am writing to you in support of SB 112. Authorizing historic horseracing in the State would be good for Nashua's small businesses game operators, and for the City's charitable and non-profit organizations who benefit from charitable gaming.

Allowing for pari-mutuel pools on historic horseracing will greatly benefit Nashua's small business game operators. Expanded gaming options will help drive patrons to these businesses, helping to increase their food and drink sales as well as the small commission the operator will receive on each race. Employees of these operators could have more opportunities for hours, and could see an increase in their tipped income with more people patronizing these operators.

Historic horseracing will also be important for Nashua's charitable organizations. The funds these groups receive from charitable gaming help them provide the services people in our community need. Expanding the options for charitable gaming by allowing historic horseracing should increase the income of these groups at a time when their services are greatly needed.

As we look toward our economic recovery from Covid-19, which has negatively impacted gaming operators in particular, enabling operators to offer historic horseracing games will help as they are able to bring more people in as we slowly begin to reopen. I ask the committee to give SB 112 a recommendation of Ought to Pass for the benefits that it will provide to our small game operators and the charitable organizations who benefit from charitable gaming.

Thank you for your consideration.

Sincerely,



Jim Donchess, Mayor
City of Nashua



March 8, 2021

VIA ELECTRONIC MAIL

The Honorable Bob Giuda
Chairman, Senate Ways & Means Committee
State House
107 North Main Street, Room 302
Concord, NH 03301

Dear Senator Giuda and Members of the Senate Ways and Means Committee,

On behalf of the New Hampshire Alliance of Boys & Girls Clubs, I am writing to express our support for SB 112, *relative to historical horse racing*. The Alliance is comprised of seven Clubs across the state of New Hampshire, providing over 32,000 kids a safe place to go afterschool and in the summer.

Charitable gaming has provided several hundred participating non-profits in the state with funding that allows the continuance of crucial programming. The Alliance is no exception, with five of the seven Boys & Girls Clubs receiving proceeds from gaming operators. Our group traditionally relies on a small amount of governmental funding and like many others, looks to fundraising as one of our main sources of revenue. Unfortunately, due to the COVID-19 pandemic, the Clubs had to forego a majority of fundraising events but were able to benefit from the generosity of the partnerships they had with charitable gaming facilities.

Expanding charitable gaming in New Hampshire to include Historical Horse Racing will allow additional proceeds to be available for non-profits like ours across the state. The Lottery Commission has projected that Historical Horse Racing will generate additional funding for both participating organizations as well as the Education Trust Fund. These monies will serve to assist in the continuation of non-profit services and provide much needed revenue to the state.

The New Hampshire Alliance of Boys & Girls Clubs appreciates your consideration and asks for your support on SB 112. Thank you for the opportunity to provide comment and for your attention on this important issue.

Best regards,

Richard V. Lowney
President, New Hampshire Alliance of Boys & Girls Clubs

GREAT FUTURES START HERE.



"Communicate ~ Educate ~ Legislate"

110 Stark Street • Manchester, New Hampshire 03101-1977

Tel: (603) 669-9333 • Fax: (603) 623-1137

E-mail: service@grocers.org

Web Site: www.grocers.org

The Honorable Bob Giuda
Chairman, Senate Ways and Means Committee
107 North Main Street, Room 302
Concord, NH 03301

Dear Chairman Giuda and Members of the Senate Ways and Means Committee:

The New Hampshire Grocers Association is writing today to express our support for SB 112, *relative to historical horse racing*. The NHGA represents approximately 1,400 food stores in the state of New Hampshire, from small independent mom-and-pop establishments and convenience stores to large chain operated supermarkets. Our membership also includes numerous categories of suppliers and several craft beer and wine manufacturers, with close to 100,000 full and part-time employees. In addition to our for-profit ventures, the Association supports and manages a 501(c)3 non-profit charitable organization named New Hampshire Food Industries Education Foundation (NHFIEF). NHFIEF was formed to assist graduating seniors and students already enrolled in higher education institutions in pursuing their dreams of success, with a post-secondary education.

Charitable gaming has provided participating non-profits across New Hampshire with a tremendous financial boost. Traditionally, our Foundation has relied on its own in-person fundraising events to support scholarships for New Hampshire students. Unfortunately, most of those revenues were eliminated with the arrival of the COVID-19 pandemic. While the Foundation was still able to award a significant number of scholarships, we must find new fundraising prospects to continue to support these initiatives.

By expanding charitable gaming opportunities to include Historical Horse Racing, more revenue will be available to charities like ours that benefit communities across the state. In fact, the New Hampshire Lottery Commission has projected that Historical Horse Racing will generate an additional \$5.5 million for non-profits per year, a significant sum that will assist in providing services to many of New Hampshire's citizens.

The New Hampshire Grocers Association appreciates your consideration and urges your support on SB 112. Thank you for your time on this important issue.

Sincerely,

John Dumais

President

New Hampshire Grocers Association

Sonja Caldwell

From: SUSAN ALMY <susan.almy@comcast.net>
Sent: Monday, March 15, 2021 11:34 AM
To: ~Senate Ways & Means Committee
Subject: Written version of testimony on HB112 local option, zoning and # of machines

Importance: High

The principal problem for my community is the site, and the legal fact that we cannot rezone that area to move any charitable gaming to a commercial part of town after that establishment is in place.

The operator moved in to Lebanon three years ago into an abandoned flower shop at the end of our two-block pedestrian mall full of small shops and restaurants. It is closely surrounded by low-income senior and disabled housing, a substance abuse treatment shelter, and housing wrapped with services for recovering addicts and recently homeless. City Hall is a half block from the other end of the mall.

As an indicator of community opposition, besides the emails you have received, I offer what I was told by one of the leaders of Rotary - when the poker room moved in, Rotary had a major argument about whether to sponsor some nights. Half - even poker players - felt it was wrong to support a commercial gambling organization. Half said it was there anyway, and so they ought to get some benefit from it for the area. This was poker - they will feel very differently about machine gambling, as do the school board members and others I talked to at the polls last week.

Machine gambling is most addictive when you can visit it every day without major difficulty, and to people with a lot of free time. This site can be walked to, even with a walker, in 5-10 minutes, from all those residences. Charitable gaming regulation only addresses problem gambling in that regulations require a notice on the wall about where you can get help. Lebanon and our non-profits will be saddled with large welfare costs as well as social damage, and the law does not allow us to zone to another area a business already in this one.

And this problem, after three years, will be faced by any town or city in the state that does not yet have a charitable gaming facility, which either former Sen Bragdon's employers or a local operator decides can support anywhere from 3 to 100 or more machines. There is no local option for towns when a charitable gaming operator moves in, only zoning, if they had thought to do it and if the population accepts zoning. This bill has the potential to add casino-style gaming in the form of slightly slowed slot machines to every town center in New Hampshire, with or without the consent of the town.

As an aside: it is expected that the Brook in Seabrook will be putting in over 100 machines, because it caters to Massachusetts. The machine distributors recommend 50 machines as basic.

Voting Sheets

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

Bill # SB112

Hearing date: 3-8-21

Executive Session date: 3-22-21

Motion of: OTP 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 checked="" 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: Consent 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 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 type="checkbox"/>	<input 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: Daniels

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, March 23, 2021

THE COMMITTEE ON Ways and Means

to which was referred **SB 112**

AN ACT relative to historical racing.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Gary Daniels
For the Committee

This bill defines and regulates pari-mutuel pools on historic horse racing. The bill is limited to existing licensed game operators, of which there are 15, for a period of three years. The committee heard support from numerous charities across the state about the positive impact this bill would have on their ability to raise revenue.

Sonja Caldwell 271-2117

FOR THE CONSENT CALENDAR

WAYS AND MEANS

SB 112, relative to historical racing.

Ought to Pass, Vote 5-0.

Senator Gary Daniels for the committee.

This bill defines and regulates pari-mutuel pools on historic horse racing. The bill is limited to existing licensed game operators, of which there are 15, for a period of three years. The committee heard support from numerous charities across the state about the positive impact this bill would have on their ability to raise revenue.

Docket of SB112**Bill Title:** relative to historical racing.**Official Docket of SB112.:**

Date	Body	Description
1/29/2021	S	Introduced 01/06/2021 and Referred to Ways and Means; SJ 3
3/4/2021	S	Remote Hearing: 03/08/2021, 09:20 am; Links to join the hearing can be found in the Senate Calendar; SC 14
3/23/2021	S	Committee Report: Ought to Pass, 04/01/2021; Vote 5-0; CC; SC 17
4/1/2021	S	Sen. Kahn Moved to Remove SB 112 from the Consent Calendar; 04/01/2021; SJ 10
4/1/2021	S	Sen. Prentiss Floor Amendment # 2021-1076s , RC 9Y-15N, AF; 04/01/2021; SJ 10
4/1/2021	S	Sen. Kahn Floor Amendment # 2021-1005s , RC 6Y-18N, AF; 04/01/2021; SJ 10
4/1/2021	S	Ought to Pass: RC 20Y-4N, MA; OT3rdg; 04/01/2021; SJ 10
4/13/2021	H	Introduced (in recess of) 04/09/2021 and referred to Ways and Means HJ 7 P. 100
4/14/2021	H	Public Hearing: 04/27/2021 11:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/95145735422 / 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 10:45 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/92340576130 / 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: https://www.zoom.us/j/91063233087 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/19/2021	H	Retained in Committee
8/18/2021	H	Full Committee Work Session: 09/07/2021 09:30 am LOB 202 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
9/21/2021	H	==RESCHEDULED== Full Committee Work Session: 09/28/2021 11:00 am LOB 202-204 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
10/13/2021	H	Subcommittee Work Session: 11/04/2021 09:30 am LOB 104
10/13/2021	H	Full Committee Work Session: 11/04/2021 10:00 am LOB 202-204
10/20/2021	H	Full Committee Work Session: 11/10/2021 01:30 pm LOB 202-204
11/22/2021	H	Committee Report: Inexpedient to Legislate SB112 10/11/2021 (Vote 20-0; CC) HC 48 P. 19
1/11/2022	H	Inexpedient to Legislate: MA VV 01/05/2022 HJ 1

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB112

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 # _____ ___ - 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 # 1025 ___ - amendment # _____
 - amendment # 1076 ___ - 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:

SJC
Committee Aide

7-16-21
Date

Senate Clerk's Office [Signature]