

1 Committee of Conference Report on HB 533, establishing a division of investigation and compliance  
2 in the lottery commission.

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4 Recommendation:

5 That the House recede from its position of nonconcurrence with the Senate amendment, and  
6 concur with the Senate amendment, and

7 That the Senate and House adopt the following new amendment to the bill as amended by the  
8 Senate, and pass the bill as so amended:

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

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12 1 New Section; Lottery Commission; Investigation and Compliance Division. Amend RSA 284  
13 by inserting after section 3 the following new section:

14 284:3-a Investigation and Compliance Division.

15 I. There shall be contained within the lottery commission an investigation and compliance  
16 division. The division shall perform such functions as the lottery commission may determine is  
17 necessary in relation to enforcement, including the investigation of all licensees, and proposed  
18 licensees, under this chapter and RSA 287-D.

19 II. The division shall have such civil and administrative powers as are necessary to  
20 effectuate the purposes of this chapter and RSA 287-D, including the power to receive intelligence on  
21 an applicant or licensee under this chapter and under RSA 287-D and to investigate any suspected  
22 violations of this chapter or RSA 287-D or any suspected violations of illegal gambling.

23 III. To further effectuate the purposes of this chapter and RSA 287-D with respect to the  
24 investigation and enforcement of gaming establishments and licensees, the division may obtain or  
25 provide pertinent information regarding applicants or licensees from or to law enforcement entities  
26 or gaming authorities and other domestic, federal or foreign jurisdictions, including the Federal  
27 Bureau of Investigation, and may transmit such information to each other electronically.

28 IV. In addition to fines and penalties as set forth in this chapter and RSA 287-D, the  
29 division may file a petition for equity relief with the superior court seeking to levy upon any person  
30 or entity who meets the requirements for enhanced penalties as defined in administrative rule, a  
31 civil penalty in an amount not to exceed \$50,000 per violation, along with any other injunctive relief  
32 deemed necessary by the court. The proceeds of any civil penalty levied pursuant to this section  
33 shall be deposited in the special fund established in RSA 284:21-j.

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

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4 6 Background Investigations; Expenses. Amend RSA 287-D:11, IV-V to read as follows:

5 IV. The expenses of the office of attorney general *or the lottery commission, if*  
6 *applicable*, in conducting any investigation authorized in this section, including the services of  
7 consultants, experts, accountants, and other assistants, shall be a direct charge against the  
8 applicant or holder. Total expenses for each investigation under this paragraph shall not exceed  
9 \$5,000, except with the approval of the fiscal committee of the general court.

10 V. In any investigation conducted pursuant to paragraph III, the attorney general *or the*  
11 *lottery commission if applicable*, may require, by subpoena or otherwise, the attendance of  
12 witnesses and the production of such correspondence, documents, books, and papers as the attorney  
13 general deems advisable, and for purposes of this section, may administer oaths and take the  
14 testimony of witnesses. No person shall be excused from testifying or from producing any book or  
15 paper in any investigation conducted pursuant to paragraph III upon the ground that such  
16 testimony or documentary evidence might tend to incriminate such person; provided that if, after a  
17 claim of privilege, the attorney general, in writing, orders such person to testify or produce  
18 documentary evidence, that person shall not be prosecuted, punished, or subjected to any penalty or  
19 forfeiture for or on account of any act, transaction, matter, or thing which such person, under oath,  
20 disclosed or produced. No person so testifying shall be exempt from prosecution or punishment for  
21 any perjury committed by such person in such testimony.

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The signatures below attest to the authenticity of this Report on HB 533, establishing a division of investigation and compliance in the lottery commission.

Conferees on the Part of the Senate

Conferees on the Part of the House

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Sen. Giuda, Dist. 2

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Rep. Major, Rock. 14

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Sen. French, Dist. 7

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Rep. McGuire, Merr. 29

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Sen. D'Allesandro, Dist. 20

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Rep. Abrami, Rock. 19

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Rep. Ames, Ches. 9