DATE: August 3, 2017

FROM: James W. Kennedy, City Solicitor

SUBJECT: Senate Bill (SB) 191, Keno

Honorable Mayor and Members of the City Council,

Senate Bill (SB) 191, which was signed into law on July 12, 2017, provides funding to school districts that offer full-day kindergarten. Currently, as you may know, the Concord School District does not offer full-day kindergarten.

SB 191 provides that for fiscal year 2019, in addition to any funds received pursuant to RSA 198:40-a, school districts which operate an approved full-day kindergarten will receive funding on a per pupil basis. For subsequent fiscal years, funding may be increased if revenue from keno, defined below, is sufficient to fund the increase.

SB 191 defines keno as "any game where a player purchases a ticket from a field of 80 numbers and selects a specific amount of numbers. A random number generator employed by the lottery commission chooses 20 numbers at random and the player is paid out against his or her original wager."

SB 191 authorizes New Hampshire towns and cities to allow the operation of keno within their boundaries, subject to local approval. In Concord, the City Council may vote to place the question of whether to allow keno in Concord on the municipal election ballot. The question is as follows: "Shall we allow the operation of keno games within the city?" The City Council may vote to place this question on the municipal election ballot with or without a public hearing.

In the event that the City Council votes to place the keno question on the municipal election ballot, it is required to hold a public hearing on the question at least 15 days, but not more than 30 days, before the election.

By way of further information, in municipalities which have voted to authorize keno, SB 191 allows keno in the following establishments:

(1) A restaurant or hotel holding a valid liquor license under RSA 178:20, II, RSA 178:21, II(a) or (b), or RSA 178:22, V(q).

(2) A brew pub holding a valid liquor license under RSA 178:13.
(3) A ballroom holding a valid liquor license under RSA 178:22, V(c).
(4) A veterans' club, private club, or social club holding a valid liquor license under RSA 178:22, V(h).
(5) A convention center holding a valid liquor license under RSA 178:22, V(i).
(6) A hotel holding a valid liquor license under RSA 178:22, V(k).
(7) A racetrack holding a valid liquor license under RSA 178:22, V(n).
(8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).

In the event that the City Council votes to place the keno question on the November 7, 2017 municipal election ballot, the timeline below offers general guidance as to how to proceed.

Keno Timeline

August 14, 2017 (City Council Meeting)

- The City Council may vote to place or not place the keno question on the November 7, 2017 municipal election ballot, or alternatively, Notice a Public Hearing to assist in determining whether the City Council should place the keno question on the ballot.

September 11, 2017 (City Council Meeting) – September 15, 2017

- If applicable, the City Council holds a Public Hearing to determine whether the City Council should place keno on the ballot.

- If applicable, the City Council votes to place, or not place, keno question on the November 7, 2017 municipal election ballot.

September 18, 2017

- City Clerk creates November 7, 2017 municipal election ballots with or without keno question depending on Council vote.

October 2, 2017

- If keno question is on ballot, the keno (SB 191) Public Hearing Notice shall be posted in at least 2 public places in the City and published in a newspaper of general circulation at least 7 days before the Public Hearing.

October 9, 2017 – October 23

- Keno (SB 191) Public Hearing must be held on the keno question at least 15 days but not more than 30 days before the November 7, 2017 municipal election.

November 7, 2017

- Election Day