

**New Hampshire Racing & Charitable Gaming Commission**  
**Commission Meeting**  
**June 29, 2015**  
**15-07**

Present: Timothy J. Connors, Chairman  
Anthony B. Urban, Secretary  
Frederick H. Booth, Member  
Dennis H. Caza, Member  
Michael J. Gatsas, Member  
Lynn M. Presby, Member  
Paul M. Kelley, Director  
Sudhir K. Naik, Deputy Director  
Valerie King, Procedures Administrator  
Stephen Johnston, Supervisor-Gaming Operations  
Suzanne Robidoux, Gaming/Licensing Supervisor  
Stratos Argiras, Auditor  
Linda Darrow, Administrative Secretary

In Attendance: Nick Bonardi, Ryan Gloddy, Ed Callahan, Dick Bouley, Jamie Timbas, Jan DiMarzio, Rick Newman, Stephen Lyman, Nathan Corliss, George Plante, Bill Clinton and others.

Chairman Connors called the meeting to order 10:00 a.m. He called for the scheduled hearing to begin.

**Mr. Nathan Corliss Hearing**

At 10:00 a.m., Chairman Connors opened the hearing for Mr. Nathan Corliss relative to the denial of his application for a Secondary Game Operator license. He swore in those who were to testify:

Mr. Nathan Corliss

After testimony was given, Chairman Connors asked if anyone else had any testimony or evidence to offer. There being none, he closed the hearing at 10:05 a.m.

**Public Hearing - Rules**

At 10:05 a.m., Chairman Connors opened the public hearing regarding the Bingo rule, Chapter Pari 1000. The Chairman asked the public if they had any comments on the proposal.

- Mr. Rick Newman, lobbyist representing the River Card Room, stated that the section that defined a Bingo event as 10 – 12 successive games was a good addition to the rule.
- Mr. Dick Bouley, lobbyist representing several charities, stated that he was neither for nor against the rule at this point. His concern related to whether the solutions to the questions that were raised at the workgroup led by Commissioner Presby on June 18<sup>th</sup> were part of the rule currently in front of the Commission waiting for approval. He suggested the rule be tabled, solutions be added to the rule and another public hearing be scheduled next month.
- Ms. Jan DiMarzio of Community Bingo Center, questioned whether, in the absence of a bingo event, the electronic Lucky 7 tickets could continue to be sold.
- Ms. Jan DiMarzio also asked if winner-take-all games were to be added to the rules.

- Mr. Dick Bouley stated that it is clear in the law that the electronic Lucky 7 machines can only be used in connection with a Bingo event.

At this point, Commissioner Presby provided an overview of the workgroup meeting held on June 18th:

- Everyone at the meeting agreed that a “Bingo event” be defined as a minimum of 10 games.
- It was decided that winner-take-all (WTA) games will not be required for a “Bingo event”. By law, these games are optional, and can be addressed in the house rules.
- The same rules that apply to selling Lucky 7 tickets by hand shall also apply to tickets sold from the electronic dispensing devices.

Discussion ensued regarding the sale of Lucky 7 tickets with or without a Bingo event and how to enforce the rules. Procedures Administrator King noted that the interim rules expire in August (August 25, 2015), and therefore it was crucial that the Final Proposal be submitted in time for the August 20<sup>th</sup> JLCAR meeting. The deadline for submitting the Final Proposal is August 6, 2015.

Commissioner Presby will host another workgroup in order to resolve the remaining issues. He will report back at the July meeting.

The Chairman asked the public if they had anymore comments relative to the proposed amendments to Bingo rule. There being none, Chairman Connors closed the public hearing at 10:40 a.m.

At 10:40 a.m., Chairman Connors opened the public hearing regarding Games of Chance, Chapter Pari 1200. The Chairman asked the public if they had any comments on the proposal.

- Mr. Rick Newman, lobbyist representing the River Card Room, stated that the facility license requirements in the rule will make obtaining the required documentation very difficult for the game operators. Many facilities have multiple owners living outside of NH. Mr. Jamie Timbas express similar concerns.
- Mr. Rick Newman suggested the approval of the rule be delayed until the Games for Charity Study Commission has met and reported back to the governor on December 1.

Procedures Administrator King noted that the interim rules expire in August (August 25, 2015), and therefore it was crucial that the Final Proposal be submitted in time for the August 20<sup>th</sup> JLCAR meeting. The deadline for submitting the Final Proposal is August 6, 2015.

The Chairman asked the public if they had any further comments, for or opposed, to the proposal. There being none, Chairman Connors closed the public hearing at 10:45 a.m.

### **Meeting Agenda**

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to approve and place on file the minutes dated June 10, 2015.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place on file the Racing & Charitable Gaming statistics for the fiscal period of July 1, 2014 – June 18, 2015.

The Games of Chance State and Charity revenue spreadsheets were reviewed and placed on file. Chairman Connors requested some formatting changes to one of the reports. Staff will make the requested changes.

Deputy Director Naik provided an overview of the observations and recommendations issued to the American Legion Post #90 as a result of a recent audit. He thanked Auditor Argiras for a job well done and thanked the members of the organization for their cooperation and commitment to address the audit findings. A review will be scheduled in six months. The audit was accepted and placed on file.

Correspondence:

Summary of RCGC monthly activities for month ended 5/31/15 was accepted and placed on file.

Old Business:

- Director Kelley requested direction from the Commission regarding developing rules for table stakes poker (HB169), which was signed by the Governor, effective 7/1/15. Discussion ensued. On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to request all organizations planning to run table stakes poker to submit their house rules for immediate temporary approval. Staff will review submissions and keep the Commission apprised. Ms. King will add a reference to the GOC rules regarding table stakes poker.
- Commissioner Gatsas noted that the account wagering balance information from Seabrook and Rockingham fall within the required limits.
- Director Kelley updated the Commission on Seabrook Park. The potential buyer received a 30-day extension from the zoning board on the variance he was seeking. However, the potential buyer did not wish to wait and withdrew his offer to purchase.

New Business:

- Director Kelley stated that the governor has vetoed the budget. Until she signs it, the merger with the Lottery Commission is on hold.

**Public Hearing**

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to approve Chapter Pari 1000, Bingo Games, and Chapter Pari 1200, Games of Chance. Procedures Administrator King will prepare the Final Proposal for approval at the July Commission meeting with the expectation that the Final Proposal will be submitted by August 6<sup>th</sup>, to be heard at the August 20<sup>th</sup> JLCAR meeting.

Based on all evidence received and all testimony heard, on a motion by Commissioner Presby, seconded by Commissioner Urban and unanimously voted for the following:

**IN THE MATTER OF**  
**Mr. Nathan Corliss**

**Decision & Order**  
**Appeal of Denial of Games of Chance**  
**Secondary Game Operator License**

**Finding of Facts**

On May 19, 2015, the NH Racing and Charitable Gaming Commission (Commission) received a Secondary Game Operator License Application from Nathan Robert Corliss 125 Perkins Road, Madbury, NH. The applicant requested employment to be a dealer for Seabrook Gaming, LLC.

1. Thereafter, Gaming Licensing Supervisor Susan Robidoux reviewed Mr. Corliss's application for licensure.
2. Mr. Corliss noted on page 2, section 3, item A of his application that he had been convicted of a felony or a misdemeanor, and certified that the information which he provided on the application was true, accurate and complete.
3. Pursuant to a duly executed (by Mr. Corliss) authorization for the release of criminal history record, the Commission received a copy of Mr. Corliss's Criminal History Record from the NH Department of Safety. The report indicated that Mr. Corliss had been convicted of a Class A misdemeanor for Possession of a controlled drug (marijuana) with a violation date of 4/28/2012.
4. On May 28, 2015, after reviewing the application in conjunction with the applicable RSA's and the Criminal History Record, Supervisor Robidoux denied Mr. Corliss's application and notified him of the same via certified mail, return receipt requested. In the letter, Supervisor Robidoux also notified Mr. Corliss of his appellate rights and enclosed an Appeal Form.
5. On June 15, 2015, the Commission received Mr. Corliss's request for an appeal.
6. On June 29, 2015, Mr. Corliss provided testimony at the appeal hearing stating, among other things:
  - a. He was aware that he may have an attorney represent his interests before the Appeal Hearing; however he desired to proceed without a lawyer;
  - b. He was aware that the audio portion of the Appeal Hearing was being recorded;
  - c. He is aware that the denial of his application was based upon his criminal history;
  - d. The charge stemmed from a small amount of marijuana found in his bag after a traffic stop, and that he has not been in any other trouble since;
  - e. He is a full time student in college and this job is needed to help him pay for tuition and living expenses; and
  - e. For the foregoing reasons, he is asking the Commission to reconsider the initial denial of his application.

### **Conclusions of Law**

1. Pursuant to RSA 287-D:2-b VI, "...no person who has in any jurisdiction, been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past shall operate a game of chance licensed under this chapter...".
2. Pursuant to RSA 287-D:8, II, the Commission has the authority to determine eligibility and fitness for licensure.
3. Based on testimony given and information received, the Commission rendered a decision regarding Mr. Corliss's Appeal of Denial for a Secondary Game Operator Games of Chance License.
4. The Commission concludes that each license application/appeal hearing, is separate and distinct from every other application/appeal hearing, and a decision on an application/appeal hearing is based on the information and/or testimony received regarding that specific application/appeal hearing.

5. Based on testimony given and information received, the Commission determines that the issuance of a Secondary Game Operator Licenses would be reversed in this instance.
6. Based on testimony given and information received, the Commission concludes, pursuant to RSA 287-D:8, II, that Mr. Corliss is eligible and fit for licensure at this time.

**Order**

The Racing & Charitable Gaming Commission orders that the denial of Mr. Nathan Robert Corliss request for a Secondary Game Operator License be reversed and a license issued.

There being no questions or comments from the audience, on a motion by Commissioner Presby, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to adjourn the regular meeting:

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

The next meeting is scheduled for Friday, July 17, 2015 at 3:00 p.m. in Room 100 of the Walker Building.

The Chairman closed the public meeting at 11:15 a.m.

Respectfully Submitted,

Anthony B. Urban  
Secretary