



# TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

## MEETING INFORMATION

Date Submitted: January 3, 2018

Date of Meeting: January 25, 2018

Submitted by: NH Lottery Executive Director Charlie McIntyre

Department:

Time Required: 15 minutes

Speakers: Charlie McIntyre

Background Info. Supplied: Yes:  No:

## CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input checked="" type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
<i>Public Hearing:</i>	<input type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

## TITLE OF ITEM

KENO 603 Presentation

## DESCRIPTION OF ITEM

Town Council will be presented information about a new lottery game, KENO 603, which can be played exclusively in taverns and restaurants that have an active liquor pouring license.

## REFERENCE (IF KNOWN)

RSA:	Warrant Article:	
Charter Article:	Town Meeting:	
Other:	N/A	

## EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

## CONTACT INFORMATION

Name:	<b>Charlie McIntyre</b>	Address:	<b>14 Integra Drive Concord, NH 03301</b>
Phone Number:	<b>271-3391</b>	Email Address:	

## APPROVAL

Town Manager: Yes  No:  Chair/Vice Chair: Yes  No:



Nearly \$2 Billion and Counting for our Schools

GOVERNOR Christopher T. Sununu  
CHAIRMAN Debra M. Douglas  
COMMISSIONER Paul J. Holloway  
COMMISSIONER David L. Gelinis  
EXECUTIVE DIRECTOR Charles R. McIntyre

December 11, 2017

Diane Trippett  
Town Clerk  
6 Baboosic Lake Rd  
Merrimack, NH 03054

Dear Ms. Trippett,

I'd like to take this opportunity to introduce myself. My name is Charlie McIntyre and I am the Executive Director of the New Hampshire Lottery. This past summer, Governor Sununu signed SB 191 into law which establishes KENO as a revenue source to fund full-day kindergarten in New Hampshire. In response, our agency is launching a new lottery game called KENO 603, which will be played exclusively in taverns and restaurants that have an active liquor pouring license.

The law was written to give municipalities the option to allow KENO in their communities by putting it on city election ballots or as a warrant article for consideration by citizens at annual town meetings. With the passage of KENO in six cities last month, there are already establishments that will be offering KENO 603 beginning later this month, with more signing up each week. Our office is receiving calls from businesses in towns like yours, with owners inquiring about the application process so that they may offer the game to their customers.

Understanding that town meeting deadlines are fast approaching, I offer the support of our staff to answer any questions town administrators, voters, or business owners may have about KENO 603. In some cases, a representative from the Lottery can appear before your Board of Selectmen in January to share a short presentation on the game in advance of the warrant deadline of February 6. Enclosed is a brief question and answer overview of KENO 603 for your reference. Please understand we have had numerous requests to meet with town officials and we will do our best to accommodate as many towns as possible. Our staff is limited, so availability will largely be based on a first come first serve basis.

Should the Selectmen decide to place KENO on the town warrant, the suggested language for that warrant article would be: **To see if the town will vote to allow the operation of KENO within the town pursuant to the provisions of NH RSA 284:41 through 51.** (Note that a public hearing on the question must be held fifteen to thirty days prior to town meeting.) Finally, the statute describes the wording to be used for the question on KENO substantially as follows: ***Shall we allow the operation of KENO games within the town?***

In the next two weeks, staff will reach out to you to answer any questions and potentially schedule a time for the KENO 603 presentation in January. Please consider this a request to have the matter of KENO placed on your Town's Legislative agenda at an upcoming meeting. Certainly, please feel free to give us a call Monday through Friday, 8 AM to 4 PM, at 271-3391 if you have questions. Thank you very much for your time.

Sincerely,

Charlie McIntyre  
Executive Director



Live Free or Die

New Hampshire Lottery Commission 14 Integra Drive Concord, New Hampshire 03301  
TEL 603.271.3391 FAX 603.271.1160 TDD 1.800.735.2964 www.nhlottery.com

**Q. How does the new law regarding keno and kindergarten affect municipalities?**

A. From a municipal perspective, the new law does two things: (1) It provides funding to school districts for full-day kindergarten, with the intent that the funding will eventually (but not immediately) come from the proceeds from keno operations in the state. (2) It allows each municipality to vote on whether to allow the operation of keno within the municipality.

**Q. How does the kindergarten funding work, and what is the connection with keno?**

A. Under existing law, state adequate education grants to school districts are based on the “average daily membership in attendance” in each district—essentially, the number of full-time students. The basic grant is \$3,561 per student, subject to certain adjustments. Kindergarten students are counted as “½ day attendance,” even if they attend for a full day. In other words, adequate education grants are provided only for half-day kindergarten—a little under \$1,800 per student. Under SB 191, for fiscal year 2019 only, the state will distribute an additional \$1,100 (for a total of about \$2,900) for each student attending a full-day kindergarten program. These distributions do not depend on keno revenue. For fiscal year 2020 and later years, the state will instead distribute an additional one-half share (approximately \$1,800) so that districts are receiving the full grant of \$3,561 for full-day kindergarten students. *However*, that amount is to be funded by keno proceeds, which will be paid (after certain deductions) into the state’s education trust fund. If the amount of revenue raised through keno is less than enough to fund these additional grants, the grants will be reduced proportionally, but not below \$1,100 per student. Thus, districts will receive a minimum of \$1,100 and a maximum of (roughly) \$1,800 per full-time student, depending the amount of keno revenue.

**Q. Must a municipality allow keno in order to receive the full-day kindergarten funding?**

A. No. There is no connection between a municipality’s allowance (or disallowance) of keno and its receipt of kindergarten funding. If the school district provides full-day kindergarten, it will receive the funding, both for fiscal year 2019 and for later years, regardless of whether the municipality allows keno. The only effect of a given municipality’s allowance of keno is a cumulative one: if a municipality chooses to allow keno, and one or more establishments in the municipality subsequently obtain keno licenses, there may be an increase in the total statewide keno revenue that is available to fund kindergarten beginning in fiscal year 2020.

**Q. Who determines whether a municipality will allow keno?**

A. In a town, the question of allowing keno may be placed on the warrant for an annual town meeting, “and shall be voted on by ballot.” If a majority of those voting on the question vote in the affirmative, keno games may be operated within the town.

**Q. May the question be submitted at a special town meeting?**

A. No, the law specifically says “an annual town meeting.”

**Q. How does it work in a town that doesn’t have town meetings?**

A. Unfortunately, the legislature appears to have overlooked that question. The legislation provides for placing the question on the warrant for a town meeting. No provision is made for a town that does not have a town meeting. Because those towns are governed much more like cities, it would make sense to put the question on the ballot at a regular town election—but the statute does not say that, and we are not prepared to opine that this would be legal. We urge towns without a town meeting to consult with their legal counsel before taking action. In the meantime, an amendment to clarify the law seems in order.

**Q. What is the process for getting the question onto the ballot or warrant? Is it up to the governing body, or can citizens petition to have it included?**

A. The short answer is either one. Here is the longer answer:  
For towns: The new law says the question “shall be placed on the warrant of an annual town meeting under the procedure set out in RSA 39:3.” That is the statute that authorizes citizens to submit a warrant article by petition (signed by at least 25 voters or two percent of the registered voters), so one might conclude that *only* the citizens, not the selectmen, may initiate the warrant article. However, RSA 31:131 states, “Any question which an enabling statute authorizes to be placed in the warrant for a town meeting by petition may also be inserted by the selectmen, even in the absence of any petition.” Thus, the selectmen may place the question on the warrant at their own initiative, and they *must* place it on the warrant if a valid petition is received under RSA 39:3.

**Q. So the governing body is not required to put the question on the ballot unless it receives a citizen petition?**

A. Correct. In the absence of a citizen petition, the governing body *may* place the question on the ballot (or the warrant), in its sole discretion. If a valid citizen petition is received, the governing body *must* submit the question to the voters.

**Q. If the question is placed on the warrant for a town meeting, should it go on the official ballot?**

A. It depends. Of course, if a town has adopted the official ballot referendum (SB 2) form of town meeting, *all* questions must go on the official ballot.

In a town with a traditional (non-SB 2) town meeting, the question *may* be, but is not *required* to be, placed on the official ballot. This is because the new law specifies the form of the question and says that it will be “voted on a ballot,” but does not use the term “official ballot.” Under RSA 39:3-d, II, any law that prescribes the wording of a question, but does not use the term “official ballot,” is deemed to “authorize, but not require, the use of the official ballot for that question, unless a contrary intent is specified.”

RSA 39:3-d, II, goes on to say that if the question is *not* placed on the official ballot, “the prescribed wording shall be placed in the warrant, and may also be placed upon a preprinted ballot to be acted upon in open meeting in the same manner as a secret ‘yes-no’ ballot.” Although the statute says the question *may* be placed on a preprinted ballot, SB 191 says the question *shall* be voted on by ballot, so there is no discretion. Thus, if the question is not placed on the *official* ballot, it must be voted on by “unofficial” written ballot at the open meeting.

In short, non-SB 2 towns have a choice: put the question on the official ballot, or put it on the warrant and vote on it by written ballot at the open meeting.

**Q. What exactly is “the question” that should go on the ballot or warrant?**

A. The law states, “The wording of the question shall be substantially as follows: ‘Shall we allow the operation of keno games within the town?’”

**Q. Must it be stated exactly in that manner?**

A. No, not *exactly*. Note that the law says “substantially.” Further, RSA 31:130 states, “The forms of questions prescribed by municipal enabling statutes shall be deemed advisory only, and municipal legislation shall not be declared invalid for failure to conform to the precise wording of any question prescribed for submission to voters, so long as the action taken is within the scope of, and consistent with the intent of, the enabling statute or statutes.”

**Q. In an SB 2 town, the question would be placed on the warrant that goes to the deliberative session. May the deliberative session amend the question?**

A. No. RSA 40:13, IV(a) states, “Warrant articles whose wording is prescribed by law shall not be amended” at the deliberative session. If the question is placed on the warrant, voters may discuss and debate it as much as they want at the deliberative session, but they may not amend it. The question must go on the official ballot “substantially” as provided in SB 191.

**Q. Can the governing body include an explanation of the issue along with the question on the warrant or ballot?**

A. No. This would be a supplement to the language required by the law, and is likely to be deemed inconsistent with the requirement that the question be “substantially” in the form stated in the law. If the question is going to be submitted, it should be as stated above, without anything extra. The time for explaining the issue to voters is at the hearing that is required before the vote. It also can be explained as part of the discussion at the deliberative session (in a SB 2 town) or at the town meeting (in a non-SB 2 town).

**Q. When is the hearing required to be held?**

A. For either a town, the governing body must hold a hearing “at least 15 days but not more than 30 days before the question is to be voted on.” Notice of the hearing must be “posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.” In a town, the date of the hearing will depend on the session at which the vote will be taken. In an SB 2 town, because the question will be on the official ballot, the hearing must be held 15 to 30 days before the second (voting) session—*not* before the deliberative session. In a town with a traditional town meeting, if the question is going to be on the official ballot, the hearing must be held 15 to 30 days before the voting session. If, instead, it is going to be voted on by written ballot at the open meeting, the hearing must be held 15 to 30 days before the meeting.

**Q. Does the governing body need to hold a hearing before voting to put the question on the ballot or warrant?**

A. No, unless the municipality has a charter or rules of procedure that require such a hearing.

CHAPTER 229  
SB 191-FN - FINAL VERSION

03/30/2017 1190s  
4May2017... 1516h  
1Jun2017... 2022h  
06/22/2017 2369CofC

2017 SESSION

17-0138  
04/06

SENATE BILL ***191-FN***

AN ACT establishing keno and relative to funding for kindergarten.

SPONSORS: Sen. Watters, Dist 4; Sen. D'Allesandro, Dist 20; Sen. Feltes, Dist 15; Sen. Hennessey, Dist 5; Sen. Kahn, Dist 10; Sen. Lasky, Dist 13; Sen. McGilvray, Dist 16; Sen. Reagan, Dist 17; Sen. Soucy, Dist 18; Sen. Ward, Dist 8; Sen. Woodburn, Dist 1; Rep. Gile, Merr. 27; Rep. Grenier, Sull. 7; Rep. Bates, Rock. 7

COMMITTEE: Education

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AMENDED ANALYSIS

This bill establishes keno in New Hampshire and establishes a program to provide grants to kindergarten students.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struckthrough.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 229  
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03/30/2017 1190s  
4May2017... 1516h  
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17-0138  
04/06

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seventeen*

AN ACT establishing keno and relative to funding for kindergarten. .

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

1 229:1 New Subdivision; Keno. Amend RSA 284 by inserting after section 40 the following new  
2 subdivision:

3 Keno

4 284:41 Definition. In this subdivision, "keno" means any game where a player purchases a  
5 ticket from a field of 80 numbers and selects a specific amount of numbers. A random number  
6 generator employed by the lottery commission chooses 20 numbers at random and the player is paid  
7 out against his or her original wager.

8 284:42 Administration and Enforcement. The lottery commission shall administer and enforce  
9 this subdivision in any town or city that has voted to allow such gaming.

10 284:43 Rulemaking. The lottery commission shall adopt rules, pursuant to RSA 541-A, relative  
11 to:

12 I. The application procedure for keno licenses.

13 II. Information to be required on license applications.

14 III. Procedures for a hearing following the revocation of a license.

15 IV. The operation of keno games, including types and amounts of wagers.

16 V. Information required and forms for submission of financial reports.

17 VI. Guidelines for licensees under this subdivision to set transaction limits for daily,  
18 weekly, and monthly play of keno for individual keno players.

19 284:44 License Fees.

20 I. The license fee for a commercial premises keno license issued under RSA 284:46 shall be  
21 \$500 per year. Such fee shall be submitted to the lottery commission at the time the application is  
22 made and shall be refunded if the application is denied.

23 II. All net proceeds collected by the lottery commission under this section shall be deposited  
24 in the education trust fund established in RSA 198:39.

25 284:45 License Applications.

26 I. Applications shall be submitted to the lottery commission by the licensee. Proof of  
27 authority to submit the application on behalf of the licensee may be required.

28 II. Applications shall be made only on the forms supplied to the licensee by the lottery

**CHAPTER 229**  
**SB 191-FN - FINAL VERSION**  
**- Page 2 -**

1 commission.

2 III. The application form shall be fully completed by the licensee.

3 IV. Applicants for commercial premises keno licenses shall be submitted at least 30 days  
4 before the first game date.

5 V. The applicant shall certify under oath that:

6 (a) The information provided on the application is accurate.

7 (b) Neither the applicant nor any employee will operate keno games if such person has  
8 been convicted of a felony within the previous 10 years which has not been annulled by a court, or a  
9 misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been  
10 annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any  
11 state.

12 (c) The applicant and any employee who will be participating in the operation of the  
13 keno games is aware of all statutes and rules applicable to the operation of keno games.

14 VI. To be eligible for licensure under this subdivision an applicant shall:

15 (a) Document that it is one of the following:

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

18 (2) A brew pub holding a valid liquor license under RSA 178:13.

19 (3) A ballroom holding a valid liquor license under RSA 178:22, V(c).

20 (4) A veterans' club, private club, or social club holding a valid liquor license under  
21 RSA 178:22, V(h).

22 (5) A convention center holding a valid liquor license under RSA 178:22, V(i).

23 (6) A hotel holding a valid liquor license under RSA 178:22, V(k).

24 (7) A racetrack holding a valid liquor license under RSA 178:22, V(n).

25 (8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).

26 (b) Document that the keno games will only be operated in towns and cities that have  
27 voted to allow the operation of keno games pursuant to RSA 284:51.

28 (c) Maintain a current list of employees.

29 (d) Document that no minor under the age of 18 shall be allowed to purchase or redeem  
30 a keno ticket.

31 VII. A suspension or revocation of a liquor license shall result in the immediate suspension  
32 of the keno license issued under this chapter.

33 284:46 License; Issuance.

34 I. Upon receipt of an application under RSA 284:45 the lottery commission shall review the  
35 application and shall, in writing, grant or deny the application within 45 days of receipt.

36 II. The lottery commission shall deny a license application for any one of the following  
37 reasons:

**CHAPTER 229**  
**SB 191-FN - FINAL VERSION**  
**- Page 3 -**

1           (a) The license of the applicant has been previously revoked by the commission.

2           (b) The applicant has been convicted of a crime provided for in this chapter or in any  
3 other chapter for any gaming offense.

4           (c) The applicant loses his or her liquor license after submitting the application.

5           III. No person who has been convicted of a felony or class A misdemeanor within the  
6 previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past  
7 5 years which has not been annulled by a court, or who has violated any of the statutes or rules  
8 governing charitable gambling in the past in this or in any other state shall be licensed under this  
9 subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the  
10 conduct of keno licensed under this subdivision.

11           IV. The lottery commission shall only issue a license for an eligible location where keno  
12 tickets shall be sold and the game played within the area apportioned to distribute beverages  
13 pursuant to RSA 284:45. The lottery commission shall control the installation of the keno ticket  
14 terminals and ensure that the sale of the tickets is limited to the area apportioned to distribute  
15 beverages pursuant to RSA 284:45.

16           284:47 Operation of Keno Games.

17           I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11  
18 p.m.

19           II. A licensee may retain 8 percent of the proceeds from keno games. Of the remaining 92  
20 percent:

21           (a) One percent shall be paid to the department of health and human services to  
22 support research, prevention, intervention, and treatment services for problem gamblers.

23           (b) The remainder, less the administrative costs of the lottery commission and prize  
24 payouts, shall be deposited in the education trust fund established in RSA 198:39.

25           III. No person who has been convicted of a felony or class A misdemeanor within the  
26 previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past  
27 5 years which has not been annulled by a court, or who has violated any of the statutes or rules  
28 governing charitable gambling in the past in this or any other state shall operate a keno game  
29 licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno  
30 paraphernalia for the conduct of keno licensed under this subdivision.

31           IV. No one under the age of 18 years shall be allowed to purchase or redeem a keno ticket.

32           284:48 Financial Reports and Inspection Required.

33           I. Any person which has been licensed to conduct keno games shall submit a complete  
34 financial report to the lottery commission for each license issued under RSA 284:46 within 15 days  
35 after the expiration of each license, provided, however, a complete monthly financial report shall be  
36 submitted in a timely fashion to the commission for each month covered by a license issued under  
37 RSA 284:46 on a form to be approved by the lottery commission.



CHAPTER 229  
SB 191-FN - FINAL VERSION  
- Page 4 -

1           II. All licensees shall maintain a separate checking account for the deposit and  
2 disbursement of all income relating to keno, except cash prizes awarded at the games. All expenses  
3 shall be paid by check, and all prizes of \$500 or more shall be paid by check. No keno funds shall be  
4 commingled with other funds of the licensee. The licensee shall retain all canceled checks for the  
5 payment of expenses and prizes for at least 2 years from the date of the check. The licensee shall  
6 not cash checks which it issues.

7           III. All financial reports filed by the licensee shall be maintained by the lottery commission  
8 for a period of one year from the date of filing and shall be open to public inspection.

9           IV. All financial records pertaining to the operation of keno games shall be maintained by  
10 the licensee and shall be made available to representatives of the lottery commission or of the  
11 commissioner of the department of safety upon request.

12           V. A licensee which has been licensed to conduct keno games shall maintain complete and  
13 accurate documentation of all revenues and expenses contained in the financial reports for at least 2  
14 years from the date the financial report is filed.

15           284:49 Suspension; Revocation. The commission may suspend or revoke the license of any  
16 licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall  
17 not be eligible for licensure for a period of up to one year from the date of revocation.

18           284:50 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny or  
19 revoke a keno license may apply to the commission for a rehearing within 15 business days of the  
20 decision. Rehearings and appeals shall be governed by RSA 541.

21           **284:51 Local Option.**

22           I. Any town or city may allow the operation of keno games according to the provisions of  
23 this subdivision, in the following manner:

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

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

33           (c) The wording of the question shall be substantially as follows: "Shall we allow the  
34 operation of keno games within the town or city?"

35           II. If a majority of those voting on the question vote "Yes," keno games may be operated  
36 within the town or city.

37           III. If the question is not approved, the question may later be voted upon according to the

CHAPTER 229  
SB 191-FN - FINAL VERSION  
- Page 5 -

1 provisions of paragraph I at the next annual town meeting or regular municipal election.

2 IV. A municipality that has voted to allow the operation of keno games may consider  
3 rescinding its action in the manner described in paragraph I of this section.

4 V. The lottery commission shall maintain a list of municipalities where keno is available.

5 229:2 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as  
6 follows:

7 (65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B,  
8 RSA 83-F, ***RSA 284:44 and RSA 284:47***, and from the sweepstakes fund, which shall be credited to  
9 the education trust fund under RSA 198:39.

10 229:3 Education Trust Fund; Keno Profits Added. Amend RSA 198:39, I(k) to read as follows:

11 ***(k) Funds collected and paid over to the state treasurer by the lottery***  
12 ***commission pursuant to RSA 284:44 and RSA 284:47.***

13 ***(l)*** Any other moneys appropriated from the general fund.

14 229:4 New Section; School Money; Kindergarten Grants. Amend RSA 198 by inserting after  
15 section 48-b the following new section:

16 198:48-c Kindergarten Grants.

17 **I.(a)** For fiscal year 2019, in addition to any funds received pursuant to RSA 198:40-a, in  
18 the first year that a school district or chartered public school that operates an approved full-day  
19 kindergarten program, the commissioner of the department of education shall calculate and  
20 distribute a grant of \$1,100 per kindergarten pupil based on the enrollment number of eligible full-  
21 day kindergarten pupils on the first day of the school year. The superintendent, or designee, shall  
22 certify the enrollment number of kindergarten pupils to the commissioner.

23 (b) For fiscal year 2019, once pupils enrolled in an approved full-day kindergarten  
24 program have been counted in the school district's average daily membership in attendance as  
25 defined in RSA 198:38, I, a school district, or a chartered public school based on its kindergarten  
26 average daily membership enrollment number, shall receive, in addition to any funds received  
27 pursuant to RSA 198:40-a, an additional grant of \$1,100 per kindergarten pupil attending a full-day  
28 kindergarten program. The commissioner shall certify the amount of the grant to the state  
29 treasurer and direct the payment thereof from the education trust fund established in RSA 198:39  
30 to the school district or chartered public school.

31 (c) Grants shall be disbursed to a school district pursuant to the distribution schedule in  
32 RSA 198:42 and to a chartered public school pursuant to the distribution schedule in RSA 194-B:11,  
33 I(c).

34 (d) The amount necessary to fund the grants under this section is hereby appropriated  
35 to the department from the education trust fund. The governor is authorized to draw a warrant  
36 from the education trust fund to satisfy the state's obligation under this section.

37 II. A school district or chartered public school that operates an approved full-day

**CHAPTER 229**  
**SB 191-FN - FINAL VERSION**  
**- Page 6 -**

1 kindergarten program for which it receives funding under this section shall permit a pupil to attend  
2 kindergarten for a half-day.

3           III.(a) For fiscal year 2020 and each fiscal year thereafter, in addition to any funds received  
4 pursuant to RSA 198:40-a, the department of education shall distribute a total kindergarten grant,  
5 pursuant to RSA 198:40-a, for the remaining 1/2 of each average daily membership not counted  
6 under RSA 198:40-a to each school district or chartered public school that operates an approved full-  
7 day kindergarten program. If the amount of revenue raised through keno is insufficient to fully  
8 fund the distribution of grants under this section, the revenue shall be prorated proportionally  
9 based on entitlement among the districts entitled to a grant. The prorated portion of this grant  
10 shall not be less than the per pupil amount disbursed under paragraph I(b).

11           (b) Grants shall be disbursed to a school district pursuant to the distribution schedule  
12 in RSA 198:42 and to a chartered public school pursuant to the distribution schedule in RSA 194-  
13 B:11, I(c).

14           (c) The amount necessary to fund the grants under this paragraph is hereby  
15 appropriated to the department from the education trust fund. The governor is authorized to draw  
16 a warrant from the education trust fund to satisfy the state's obligation under this section.

17           229:5 Applicability. Kindergarten grants pursuant to RSA 198:48-c as inserted by section 4 of  
18 this act shall not be disbursed before July 1, 2018.

19           229:6 Effective Date. This act shall take effect July 1, 2017.

Approved: July 12, 2017  
Effective Date: July 01, 2017