



STAFF REPORT
Public Hearing 2/18/2020

AGENDA ITEM #: 20-13
COUNCIL MTG OF: February 4, 2020
FROM: David Caron, Town Administrator
OFFERED BY: Administration
PREPARED BY: Administration
SUBJECT: To Determine Whether a Question Allowing Sports Retail Betting in Derry Should be Placed on the Official Ballot in March 2020.

PURPOSE

The purpose of this report is to provide information to the Town Council for the Council to determine whether to place a question before the voters at the March 10, 2020 regular municipal election to allow sports betting retail locations in Derry.

TOWN ADMINISTRATOR COMMENTS

The Council is encouraged to conduct a public hearing and subsequently vote whether to place the issue before the voters.

BACKGROUND

The State Legislature recently passed HB 480, which created RSA 287-I, allowing sports betting in New Hampshire. With the passage of this law, mobile sports wagering and participation through traditional lottery retail locations are authorized throughout the State. The third platform to participate is at up to ten sport book retail locations throughout the State; these locations would be developed by the Lottery Commission's selected vendor(s). However, unlike mobile sports wagering or retail lottery locations, local approval is needed to allow sports book retail in a municipality.

DISCUSSION

The local approval process is similar to the Keno approval process from 2018; state law requires that cities either 1) vote of its governing body to place the issue before the voters at a regular municipal election or 2) allow placement of the matter before the voters upon receipt of a petition signed by not less than 5% of the community's registered voters. (The statute sets forth a mechanism for towns with a town meeting and cities, with no mention of town council communities; NHMA advises that Town Council communities should follow the procedure established for cities.)

Upon receiving voter approval, the Lottery Commission's selected retail sports betting vendor(s) are authorized to locate a facility in Derry; the Council recently passed a Zoning Ordinance which identifies which zones now allow this use. Similar to other forms of gambling, the State Lottery Commission would be responsible for regulating and enforcing applicable laws and regulations.

FISCAL IMPACT

There are no direct payments or costs to the community as a result of this action, although it is anticipated that this use will generate additional commerce to the community.

RECOMMENDED ACTION BY COUNCIL

It is recommended that the Council conduct a public hearing and then vote to 1) place on the Official Ballot on March 10, 2020 or 2) Vote not to place, after which a citizens' petition can require placement on the ballot at a future date.

RECOMMENDED MOTIONS:

See Resolution #2020-08