

GIMME 5 GAME RULES

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RULE NO. 1 – DEFINITIONS

(a) “Agent” or “Retailer” means a licensed Lottery agent, authorized Lottery sales agent, or licensed sales agent, who is authorized to sell player selection game plays.

(b) “Board” means that area of the bet slip which contains the designated number of squares.

(c) “Commission” means the Tri-State Lotto Commission.

(d) “Director” means the administrative head in charge of day-to-day operations of any party Lottery of the Tri-State Lotto Commission.

(e) “Drawing” means the process which is used to select randomly five (5) winning numbers between one (01) and thirty-nine (39).

(f) “Easy Pick” or “Quick Pick” means a computer-generated random play to be used as a player’s bet.

(g) “Game Ticket(s)” or “Ticket(s)” means an authorized slip of paper produced for a certain date by an authorized draw terminal acknowledging the recording of a legal transaction between the Lottery and the recipient for a certain date.

(h) “Party states,” “party Lottery,” or “Lottery” means the Lotteries of the states of New Hampshire, Vermont and Maine. It may also include other states in the event of expansion of the Tri-State Lotto Compact.

(i) “Person” means an individual, partnership, association, organization, club, company, corporation, limited liability company, limited partnership, limited liability partnership, trust, estate, society, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. “Person” shall also mean agencies and instrumentalities of the state, counties, and municipalities.

(j) “Play,” “Game Play” or “Bet” means the players’ selection or a computer pick of the five (5) numbers between one (01) through thirty-nine (309) which appear on ticket(s) as a single lettered selection for a specific draw(s).

(k) “Play slip” or “Bet slip” means an authorized slip of paper preprinted with numbered and play style blocks completed by the player to designate the numbers and play style to be entered into a drawing. A “bet slip” is not evidence of play.

(l) “Terminal” means a device which is authorized by the Lottery to function in a draw and interactive mode with the central computer system, for the purpose of issuing Lottery ticket(s) and entering, receiving and processing Lottery transactions, including purchases, validating ticket(s) and transmitting reports.

(m) “Top Prize Pool” means the top prize for each drawing.

(n) “Top Prize Winner” means a game play that identically matches all 5 of the winning numbers.

(o) “Tri-State Gimme 5” means a draw terminal game offered for sale by the Commission.

(p) Tri-State Gimme 5 “Winning Numbers” means the five (5) two-digit numbers between one (01) and thirty-nine (39) randomly selected at each official drawing to determine winning plays contained on a game ticket(s) for a specific date.

RULE NO. 2 – TICKET PURCHASE, CHARACTERISTICS AND RESTRICTIONS

(a) A valid Tri-State Gimme 5 shall contain all of the following:

1. The logo or caption “Tri-State Gimme 5”;
2. The drawing date(s);
3. The total ticket price/number of draws;
4. The applicable validation number that corresponds to the party Lottery’s computer data files;
5. A terminal-printed validation bar code;
6. A vendor security-issued number;
7. A ticket(s) stock sequential number;

8. The player's bet(s) each consisting of five (5) two digit numbers;
9. Retailer number;
10. Terminal number;
11. Time stamp/purchase price; and
12. Four text lines available for Lottery messages.

(b) A ticket(s) is subject to the validation requirements of Rule 9 and a play shall be void unless the bet evidenced by the ticket(s) reaches, is accepted by, and is recorded by the central computer.

(c) A bet slip has no pecuniary or prize value and shall not constitute evidence of ticket(s) purchase or numbers selected.

(d) A play is void unless each of the five printed numbers on the Tri-State Gimme 5 ticket has two digits. For example, "03" is a valid number whereas "3" is not.

(e) E. Ticket(s) may be canceled under the conditions established by the Commission in Tri-State Policy No. 9.

(f) In the event that a ticket(s) is invalid in accordance with the provisions of Rule 9, the player shall be entitled to a refund from the party Lottery equal to the price of the ticket.

(g) It shall be the sole responsibility of the player to verify the accuracy of the game plays, amount wagered, and draw day(s). In the event of an error, the player's sole remedy shall be the canceling of the ticket(s), pursuant to Rule 2 (F). The Commission shall not be responsible for tickets printed in error, and its liability shall be limited to the canceling of the erroneous ticket pursuant to Rule 2 (F).

RULE NO. 3 – DESIGN OF THE GAME

(a) The Commission shall determine the amount of numbers which constitute the field of numbers from which a player may select his-her Tri-State Gimme 5 numbers. The Commission may also change the amount of numbers in that field as well as the amount of numbers to be selected from it.

(b) Tri-State Gimme 5 ticket(s) may be offered for sale at a price that has been determined by the Commission.

(c) The Commission may determine, in its sole discretion, to change the design of the game, frequency of play, and the termination date of the game. If the Commission elects to terminate the Tri-State Gimme 5 game, the Commission shall:

1. Publicly announce the final draw date;
2. Determine the method for distribution of the final Tri-State Gimme 5 grand prize pool; and
3. Determine the method for distribution of all Tri-State Gimme 5 prize contingency accounts;

RULE NO. 4 – DETERMINATION OF PRIZE WINNERS

(a) Prizes shall be determined and awarded per \$1 bet on the following basis:

1. Match 5 numbers to win a share of the \$100,000;
2. Match 4 numbers of the 5 numbers to win \$250;
3. Match 3 numbers of the 5 numbers to win \$7;
4. Match 2 numbers of the 5 numbers to win \$2;
5. Odds of winning the top prize: 1:575,757; and
6. Overall odds of winning a prize are 1 in 8.77.

(b) Only the highest prize won per Tri-State Gimme 5 game play will be paid.

1. Top Prize Pool = \$100,000 (see rule 4F);
2. Low Tier Prize Pool (LTPP) = $P * 66.83\%$;
3. Agent Bonus (AB) = 1% of the value of any single winning jackpot ticket, or up to \$1,000; and
4. Prize Pool (P) = 52.36% of Gross Sales for drawing involved.

(c) The formula for determining the top prize and shares of the top prize pool shall be as follows:

(d) A share of the top prize is determined by dividing the Top Prize Pool by the number of Top Prize Winners. Unclaimed shares, after one year, revert to the Expired Unclaimed Prize Pool. Holders of each “share” shall be paid in a one-time lump-sum cash payment.

(e) The excess value of all low-tier prizes for a drawing that is higher or less than expected Low Tier Prize Pool shall be added/deducted from the Tri-State Gimme 5 Low Tier Contingency (G5LTC) Account. At the end of a fiscal year, the Commission shall determine the method to zero balance any shortage in the G5LTC, which may include the transfer of a available funds from the Prize Reserve Account and/or the expired unclaimed prizes. If the G5LTC account has a positive balance at the end of a fiscal year, the Commission shall determine whether or not to disburse the excess balance and the method of disbursement.

(f) Tri-State Gimme 5 top prize winners will receive their share of a \$100,000 grand prize minus state and federal taxes.

RULE NO. 5 – PRIZE STRUCTURE

(a) The prize structure of Tri-State Gimme 5 shall not exceed fifty-three (53) percent of the total amount for which ticket(s) have been sold and shall consist of a prize pool including:

1. Prizes paid or committed to winners;
2. Prizes which are unclaimed for a period of 366 days (see Rule 5 E)) after the drawing date in which the prize was won and voted by the Commission to be included in a designated drawing or promotion;

3. Agent bonuses will be 1% of the value of any single winning top prize ticket(s). Whenever a winning Tri-State Gimme 5 ticket(s) is sold in a New Hampshire State Liquor Store, the agent bonus will be paid to the Liquor Commission employees of that store in a manner decided and managed by the Liquor Commission; and
4. Special prizes or bonuses as specified by the Commission to maintain public interest in the game.

(b) The Commission shall determine the distribution of the prize pool and shall announce the prize structure in appropriate directives.

(c) In the case of an unclaimed jackpot ticket(s), upon the expiration of 366 days (see Rule 5 (E)) after the drawing date in which the prize was won, the prize shall revert to the expired unclaimed prize pool.

(d) At least once a year, the Commission shall be required, no later than September 14, to make a decision as to the disbursement of expired unclaimed prize money.

(e) All prizes must be claimed as directed within 366 calendar days of the drawing in which the prize was won. For purposes of determining the claim period, the first (draw) day shall be excluded, and the last day included. In the event the last day falls on a Saturday, a Sunday, or a legal holiday, the time to claim shall be extended to close of business on the next day thereafter when Lottery offices are open for business. Any prize not claimed within the specified period shall be forfeited.

RULE NO. 6 – DRAWINGS

Drawings shall be conducted in such manner, with such frequency, and at such times and places as the Commission may determine, and shall be announced to the public.

RULE NO. 7 – PRICE

Game plays shall sell for the amount determined by the Commission, who shall make a public announcement of the same. Game plays and ticket(s) may be purchased only through licensed agents.

RULE NO. 8 – TICKET(S) RESPONSIBILITY

(a) Until such time as a signature is placed upon the back portion of a ticket(s) in the area designated therefore, a ticket(s) shall be owned by the physical possessor thereof. When a signature is placed on the back of said ticket(s) in the place designated therefore, the person whose signature appears in such area shall be the owner of said ticket(s) and shall be entitled (subject to the validation requirements of Rule 9) to any prize attributable thereto.

(b) The Lotter shall not be responsible for lost, damaged or stolen ticket(s) prior to validation.

RULE NO. 9 – TICKET(S) VALIDATION REQUIREMENTS

(a) To be a valid ticket(s) and eligible to receive a prize, all the following requirements must be satisfied:

1. The ticket(s) must have been issued by a party Lottery through a licensed agent, via a terminal, in an authorized manner. The ticket(s) must be intact and must not be mutilated, altered, reconstructed, or tampered with in any manner;
2. The ticket(s) date must have been recorded in the central computer system before the draw break and at least five (5) minutes prior to the scheduled drawing; even if it appears that a bet is accepted (by virtue of a printed ticket(s)), any bet not meeting the criteria in this section is void;
3. The information appearing on the ticket(s) must correspond precisely with the party Lottery's computer record;
4. The applicable validation number must appear in its entirety, and correspond, using a computer validation file, to the winning game play or plays printed on the ticket(s). The ticket(s) stock sequential number on the back of the ticket(s) must correspond to the party Lottery's inventory records;
5. The ticket(s) must not be defectively printed, fuzzy, produced in error, counterfeit in whole or in part, altered, unreadable, reconstructed, tampered with in any manner, stolen, blank or partially blank, misregistered or defective;
6. All information appearing on an apparent winning ticket(s) must correspond to the party Lottery's records of winning ticket(s), and another ticket(s) with identical data shall not have been paid;
7. The ticket(s) must be intact, fully legible, complete and not miscut, correspond to the artwork on file at the party Lottery in every respect;
8. The ticket(s) must pass all other security criteria determined by the Commission;
9. The ticket(s) must be validated in accordance with the provisions of these rules relating to the procedures for claiming prizes and for the payment thereof; and
10. An apparent winning ticket(s) shall be void unless the ticket(s) is printed on a paper stock roll which was in use at the time of the bet by, and validly issued to, the agent from whom the ticket(s) was purchased.

(b) In the event that a ticket(s) fails to pass all the criteria set forth in section (a) of this rule, the ticket(s) shall not be paid. In the event of a dispute or other instance of doubt, the decision of the director shall be final and binding. If the director determines that the ticket(s) is not eligible to receive a prize, then the director may, at the director's option, replace an invalid, defective or otherwise erroneous ticket(s) with a ticket(s) of equivalent sales price from any current Lottery game. Replacement of the ticket(s) shall be the bearer or claimant's sole and exclusive remedy.

RULE NO. 10 – CANCELLATION OF DRAWINGS

The Lottery has the right to cancel drawings and/or sales of ticket(s) on holidays, days of special importance, or on days when conditions make conducting the game impractical or inappropriate. The Lottery is authorized to conduct drawings and make-up drawings at times, dates, and pursuant to methods determined by the Lottery.

RULE NO. 11 – PRIZE PAYMENTS AND CERTIFICATION OF WINNERS

(a) All prizes of \$599 or less, or an amount required by an individual party state, may be paid directly by Lottery retail sales agents. The claimant shall present his/her ticket(s) to a Lottery agent, complete the back of the ticket(s), and show identification as required by individual states. The agent, after verifying that the ticket(s) is a winning ticket(s) and examining it for alteration, shall pay the claimant directly or to his/her authorized representative. Prizes are validated in the state of which the ticket(s) is purchased.

(b) Prizes of \$600 or more, or an amount required by an individual party state, will be paid centrally by the party Lottery office or at a location(s) authorized by the individual state's director. A match 5 winning ticket(s) holder(s) shall visit a Tri-State Lottery agent or member state office and present the signed ticket(s) with any required identification. The ticket(s) holder(s) shall complete and sign a claim form, and mail or submit it with the ticket(s), to the applicable state Lottery office. The Lottery office shall then attempt to validate the ticket(s). Upon validation, the ticket(s) holder(s) shall receive a copy of the claim form acknowledging receipt of the claim.

(c) The following shall be supplied by the claimant on the claim form:

1. Name;
2. Address;
3. Telephone number;
4. Social Security number;
5. Date of Birth;
6. Claimant signature and date signed; and
7. Other information as required by each party Lottery.

(d) Claims submitted to the Commission shall be subject to validation.

(e) All prizes shall be claimed within 366 days after the drawing date in which the prize was won. Any prize not claimed within 366 days (See Rule 5 (E)) shall be forfeited.

RULE NO. 12 – SALE BY PARTY STATES DIRECTLY

Any party state may sell Tri-State Gimme 5 ticket(s) at any selling point it establishes in its own state or on state-owned land in other states.

RULE NO. 13 – TRI-STATE GIMME 5 PRIZE DRAWINGS

(a) At least once each week, the Commission shall hold a live drawing of the winning Tri-State Gimme 5 numbers in a location to be determined by the Commission. Drawings shall be open to the public and be open to representatives of the various media.

(b) Open mechanical devices in full view of the public shall be employed to determine Tri-State Gimme 5 winning numbers.

(c) In the event that the mechanical drawing devices are not available, an emergency backup to draw the winning numbers will be instituted.

RULE NO. 14 – SEVERABILITY OF PROVISIONS

The provisions of any rules or regulations contained herein are severable. If any provision of a rule or regulation is invalid, or if any application thereof to any person or circumstance is invalid, the invalidity shall not affect the other provisions or applications which can be given effect without the invalid provision or application.

RULE NO. 15 – EXECUTIVE SESSION

All meetings of the Commission shall be open to the public. The Commission may go into executive session only upon a unanimous vote of its members. The authority to enter into an executive session shall be governed by the statutes of the state hosting that particular meeting of the Commission.

RULE NO. 16 – LEGAL REPRESENTATION OF THE TRI-STATE LOTTO COMPACT

The Tri-State Lotto Compact shall be represented by the Attorney General of the state in which any law suit is filed against the compact or Commissioners.

RULE NO. 17 - AGENTS

All agents agree to abide by these rules and regulations as well as the published or established procedures for the game(s). Agents understand and agree that their license to sell tickets can be suspended or terminated by the party Lottery if they violate these rules and regulations or the procedures for the game(s). Agents, understand and agree that the party Lottery has the right to establish minimum sales levels which must be met in order for the agents to maintain their license to sell tickets.

RULE NO. 18 – PLAYERS

Players understand and agree that by purchasing ticket(s), they shall abide by state law and regulations of the Lottery and, if applicable, the Tri-State Lotto Commission. Applicable regulations are available at party Lottery headquarters.

RULE NO. 19 – UNACCEPTED BETS

If for any reason the player's bet is not accepted, then the liability of the party Lottery and its agent is limited to a refund of the amount wagered subject to the provisions of Rule 2(F).

RULE NO. 20 – SALE OF TICKET(S)

All ticket(s) sales must be made through an authorized draw machine as defined by the party Lottery or the compact.

RULE NO. 21 – COLLECTION AND DISPOSITION OF REVENUE

An agent is entitled to the same commission for Tri-State Gimme 5 ticket(s) sales as is paid for their Tri-State Lottery draw ticket(s) sales.

RULE NO. 22 – RETAILERS' CONDUCT, BULK PURCHASE RESTRICTIONS

(a) A Lottery retailer authorized to sell Lottery tickets for draw games, or an employee of a retailer, may not request, demand, or accept gratuities or additional compensation from any person, or agent thereof, in exchange for the purchase of Gimme 5 Lottery tickets.

(b) A Lottery retailer authorized to sell Lottery tickets for draw games must make Gimme 5 Lottery tickets available for sale to the public during the hours that sale of Gimme 5 tickets are authorized to be sold and that retailer's business is open to the public.

(c) A Lottery retailer authorized to sell Lottery tickets for draw games may only sell Gimme 5 Lottery tickets on the premises described in the retailer's contract, except as specially authorized in writing by the director. No transaction, or any part thereof, for Gimme 5 Lottery tickets may be made at the general corporate office of any retailer unless that office is open to the public and has contracted with the Lottery as a separate Lottery retailer.

(d) A Lottery retailer authorized to sell Lottery tickets for draw games may not enter into any special agreement with any person, group of persons, or agent thereof, for the purchase of over \$5,000 of Gimme 5 Lottery tickets for any one draw.

(e) A Lottery retailer authorized to sell Lottery tickets for draw games must immediately report to the Lottery any attempt made by one person, or group of persons, or an agent thereof, to purchase more than 50% of the number combinations for Gimme 5 for any one draw.

(f) A Lottery retailer authorized to sell Lottery tickets for draw games must obtain the name and address of any person purchasing more than \$5,000 in Gimme 5 Lottery tickets for any one draw and report the information to the Lottery before the sale.

(g) Location and Method of Sales. An offer to buy and an offer to sell a Lottery ticket in a Tri-State draw game shall be made only at a location or only by a method which is licensed, certified, or contracted by the member of the Lottery.

(h) Entry of Plays. Plays may be entered manually using the Lottery terminal keypad or touch screen or by means of a pre-printed play slip provided by the member Lottery. Facsimiles of play slips, copies of play slips, or other materials which are inserted into the terminal's scanner

and which are not printed or approved by the member A Lottery shall not be used to enter a play. No device shall be connected to a Lottery terminal to enter plays, except as may be approved by the Lottery. (Unapproved play slips or other devices may be seized by the Lottery.)

(i) Hand-Marked Play Slips. All plays made in the game shall be marked on the play slip by hand. No machine-printed play slips shall be used to enter plays. (Machine-printed play slips may be seized by the Lottery.)

(j) All Lottery agents who sell Tri-State Gimme 5 tickets must provide service to all customers in a timely manner. One person, or one group of persons, may not approach a Lottery terminal and buy 5,000 or more consecutive tickets. Lottery agents will be required to provide service to other customers wanting to purchase lottery tickets. Any person or persons purchasing 5,000 or more tickets must wait until the Lottery agent can continue the request for 5,000 or more tickets.

(k) The gaming vendor will develop a policy to monitor the system for such a buyout attempt and will notify Lottery officials of such an attempt.