

NATIONAL ASSOCIATION OF FUNDRAISING TICKET  
MANUFACTURERS

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March 13, 2020

Erin Thompson  
Management Analyst  
New Mexico Gaming Control Board  
4900 Alameda Boulevard NE  
Albuquerque, NM 87113

VIA Email

RE: Proposed changes to NM Rule 15.4.1-15.4.14

Dear Ms. Thompson:

We have taken the opportunity to review the proposed rules as modified by the Board after public comment. We were pleased to see that the Board agreed to clarify “Hybrid games” by adding a definition of those games into the rule draft. However, we would like to see one additional change made to the definition.

In 15.4.1.7 B (1), the Board defines “Bingo” to include certain games of chance “that do not contain an instant win component but contain numbers that must be exposed by the player and the winning combination is exposed by the draw of a bingo ball *or by some other approved specific event*” (emphasis added). The bingo game described could include an event-style game so long as there are no instant winners in the game. The “other approved specific event” is typically a seal card that the manufacturer produces with the game and that is used to determine non-instant winners. The seal card contains the winning number(s) or combination(s) and takes the place of the bingo blower for winner determination.

By comparison, 15.4.1.7 H (3) defines a hybrid game. The primary difference between a hybrid game and a bingo game is that a hybrid game must contain both instant and non-instant winners. However, non-instant winners in a hybrid game may only be determined “using a bingo blower.” We would like to see the definition of “Hybrid game” modified to also permit the use of a seal card for winner determination. We think this can be best accomplished by carrying over the language from the definition of “Bingo.” Accordingly, we suggest that the definition of “Hybrid game” be modified as follows:

**“Hybrid game”** means a bingo event game using pull-tabs as defined in the act which have both instant and non-instant winnings. The non-instant winnings are selected by

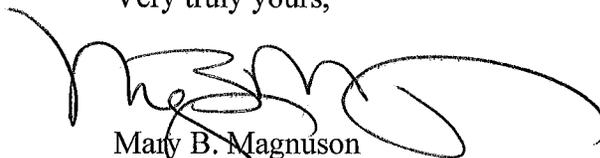
drawing using a bingo blower or by some other approved specific event. This type of game may be referred to as an “event game” or “side game.”

This slight change would give charities the option to offer event games that use a bingo ball draw or a seal card for winner determination. Of course, the Board would have to approve the seal cards prior to use and in so doing, could ensure that the seal cards match the games and all other requirements of law or rule.

Allowing the use of a seal card for hybrid game winner determination will not cause confusion at the game level nor will it cause any regulatory concerns. The distinguishing characteristic between bingo and hybrid games remains the existence (or not) of instant winners. The games are clearly marked so that if there are instant winners in the game, they are identified on the flare, the ticket, or the payout slip (or all of these). Moreover, the vast majority of charities will opt to play hybrid games over similar bingo games to avoid bumping up against the bingo prize limit of \$2500. Having the option of using a seal card or a bingo blower for winner determination in hybrid games will offer players a wider variety of games and, as a result, increase game proceeds for the charitable organizations.

Again, thank you for including a definition of hybrid game in the revised rule draft. We hope you will consider our additional suggestion and revise the definition accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mary B. Magnuson', with a large, sweeping flourish extending to the right.

Mary B. Magnuson  
Executive Director & General Counsel

November 10, 2020

Erin Thompson  
Management Analyst  
NM Gambling Board  
4900 Alameda Blvd. NE  
Albuquerque, NM 87113

Dear Ms. Thompson:

Please accept the following comments on the revised rule draft that was recently made available for review.

1. Hybrid game. We appreciate the Board's decision to add a definition of hybrid game and think it will help clarify some of the confusion around those games. We noticed that for bingo, event-style games are allowed to use *either* a bingo blower or another specific event (basically a seal card) for winner determination. This is great as it gives the operators a wider selection of games from which to choose. However, hybrid games, which are very similar, are limited to the use of a bingo blower to determine winners. We would like to see seal cards also permitted for use with hybrid games. As a result, we encourage the board to modify the definition of hybrid games to include the use of a seal card for winner determination. Please consider the following revision:

**"Hybrid game"** means a bingo event game using pull-tabs as defined in the act which have both instant and non-instant winnings. The non-instant winnings are selected by drawing bingo balls using a bingo blower or by a seal card provided by the manufacturer of the game. This type of game may be referred to as an "event game" or "side game."

2. Pull-tab dispenser. We would like to see the definition of "pull-tab dispenser" modified to permit the dispensing of pull-tab tickets generated by the device at the site. Such a change would eliminate the need for charities to buy and secure rolls of tickets, and it would provide greater accountability and more complete reporting. Please consider the following revision:

**"Pull-tab dispenser"** means a mechanical or electromechanical device that dispenses pull-tabs, printed by a manufacturer off-site or printed on site by the device, or reads a bar-code printed on the ~~exterior of the~~ pull-tab and displays the win or loss status of the pull-tab on a video display.

We hope you will consider our comments and incorporate our suggested changes into the final rule for adoption. If you have any questions, please do not hesitate to contact me.

Regards,

Dale Skitt  
President  
Cactus Bingo Supply  
Cell Phone # 602-320-5975