

The regular 60-day session of the West Virginia Legislature ended at midnight, Saturday, April 11, and all bills that were not passed by that time died.

I. BILLS WE BECAME ACTIVELY INVOLVED IN STOPPING OR AMENDING.

Here are some highlights of bills we became directly involved in, that were under active consideration and would have hurt the industry if enacted as proposed:

- **EARLY CLOSING TIME IN CERTAIN COUNTIES. SB 535.**

We worked to help stop the bill, and it died.

Senator Ed Bowman (D-Hancock) originated this bill in the Senate Governmental Affairs Committee. It would have allowed six counties (Jefferson, Morgan, Berkeley, Hancock, Brooke and Ohio), and the cities within those counties, to establish a 2 a.m. closing time for ABCC licensees, with the exception of racetracks. The bill died.

- **RESTRICTIONS ON CASHING CHECKS. SB 227.**

We worked to have the rule amended so that it will be workable and have limited effect.

Delegate Bill Wooton (D-Raleigh) offered an amendment to this bill, which contains rules for the Tax Department and related agencies, meaning it would have to pass for government to continue operating without interruption. The amendment stated no LVL retailer could cash a check for a person who intended to use the money to play LVL.

We were unable to stop the amendment outright, but worked to rewrite the amendment to add two necessary components. The bill was passed with our changes.

The rule does not automatically go into effect. After the Governor receives and signs the bill the Lottery Commission will have until June 10 to issue the rule.

Here is how it will read:

§179-5-35. Prohibition Against Extending Credit..

35.1. A video lottery retailer shall not extend credit, in any manner, to a player to enable the player to play a video lottery game.

35.2.. For purposes of this rule, a video lottery retailer shall be deemed to be extending credit when he or she knows or has reason to know that the proceeds of the check will be used solely to play or continue to play a video lottery game.

- **INCREASE IN LVL TAX RATE TO FUND TRAUMATIC BRAIN INJURY SERVICES COMMISSION: HB 2354.**

We worked to help stop the bill and it died.

This bill would have funded a new Brain Injury Services Commission by imposing an additional one percent tax on all LVL terminals. We met with the staff of the Veterans Affairs Committee to show how the bill was unworkable. The bill was pulled from the agenda and never considered again.

II. A SAMPLING OF BILLS WE MONITORED TO INSURE THAT LVL WAS NOT HARMED.

- **GREENBRIER HOTEL GAMING. SB 575.**
This bill amends the law on slots at the Greenbrier hotel and permits free play at the tracks. It has been passed and sent to the Governor for his approval.
- **RETAIL LIQUOR LICENSE RE-BID. SB 282.**
This bill would have established a procedure for the 10-year re-bid of retail liquor licenses, and would have allowed some current retailers to permanently keep their licenses. The bill was amended to allow Sunday liquor sales, which in part caused the bill to die.
- **GAMING COMMISSION TO REPLACE LOTTERY COMMISSION, RACING COMMISSION, ETC. SB 401/HB 2882.**
Although introduced on behalf of the Governor, this bill was never reported from committee and died.
- **GIVING GREATER PERCENTAGE OF LVL TAX TO RETAILERS AND CITIES. HB 2117.**
This bill would have given eight percent more in LVL tax distribution to retailers, and four percent more to cities and counties. It was never reported from committee and died.
- **ALLOWING COUNTIES TO REGULATE AND RESTRICT LVL LOCATIONS. SB 48.**
This bill was never reported from committee and died.
- **BANNING SALES OF CERTAIN RAFFLE BOARDS AND GAMES. SB 52.**
This bill was never reported from committee and died.
- **BANNING ATMs IN LVL LOCATIONS. SB 101/HB 2351.**
This bill was never reported from committee and died.
- **LIMITING PROMISE SCHOLARSHIP. SB 373.**
This bill changed the amount a person receiving a Promise scholarship could receive toward tuition. Because it is partially funded by LVL, we kept a close watch that nothing in the bill would harm the industry. The bill was proposed by the Governor and passed, and has been sent for his approval.
- **SUSPENDING FUTURE LVL LICENSES. HB 2725.**
This bill was never reported from committee and died.
- **REQUIRING LOCAL BOARD OF HEALTH APPROVAL FOR SMOKING BANS. HB 2885.**
This bill was reported from the House Political Subdivisions Committee but was never considered in the Judiciary Committee and died. We closely monitored it and other smoking and tobacco related bills to be sure none would adversely affect LVL locations.