

PUBLIC HEARING
Special Joint Subcommittees
of the
House General Laws Committee
and the
Senate General Laws & Technology Committee
Studying Charitable Gaming Laws

Monday, August 24, 2009

6:00 p.m. - 7:50 p.m.

Northern Virginia Community College

Annandale Campus

Richard J. Ernst Cultural Center

McCoy Court Reporting
703-280-4422

P R O C E E D I N G S

1
2 MS. EVERETT: We do appreciate you being
3 here.

4 My name is Maria Everett, and to my
5 left is Amigo Wade. We are both staff attorneys
6 with the Division of Legislative Services, we are
7 counsel for the two committees in the General
8 Assembly that look at charitable gaming laws.

9 Downstairs, you may have met her,
10 blonde hair, Christine is the Committee Clerk for
11 this special study.

12 And, for those of you who may not know,
13 the General Assembly, the two general law
14 committees with the House and Senate got together
15 this spring, throughout the fall, to look at
16 charitable gaming laws in Virginia.

17 And, they are very concerned
18 (inaudible), and if you do have prepared remarks
19 that you brought copies of, please hand them to
20 her as you make your remarks.

21 We want to hear from you.

22 The legislators of various, you know,

1 they don't have any preconceived notions of which
2 way these law may necessarily need to go. But,
3 want to hear from the players, the organizations,
4 the charities, the people who poll and conduct
5 charitable gaming. So, this is sort of your
6 opportunity.

7 We are going to run this public hearing
8 for about two and a half hours if it needs to go
9 that long. We don't feel any need to limit how
10 long you speak.

11 Usually we do about three to five
12 minutes, but the idea here is to allow everybody
13 an opportunity to speak.

14 And the goal after these public
15 hearings, they'll be three, tomorrow we'll be in
16 Roanoke and then September 3rd we'll be in Virginia
17 Beach/Norfolk doing the same thing.

18 We have a Court Reporter here and we
19 ask that when you do come to the mic to speak,
20 that you identify yourself as well as the
21 organization, if any, that you represent.

22 And, if you, like I said, if you have

1 comments, please turn them in so that we can make
2 that part of that record.

3 And what we'll do is, the subcommittees
4 will be meeting on September 15th, on a Tuesday,
5 and we will bring all the comments together for
6 them to review and that's the whole purpose of
7 their meeting.

8 It's to see what commonality, what
9 things, and we want to hear from you what is
10 working and what is not working. What is it that
11 you want to see for the future of charitable
12 gaming in Virginia. Any comment you need to make
13 or feel you want to make about how it's working in
14 Virginia, what suggestions for improvement, that's
15 the kind of stuff we want to hear.

16 We do have a website for the study, it
17 was in the press release and I'll give that to you
18 if you want to check that because you can always
19 see the meeting schedules, the meeting summaries
20 and any material that gets posted will be posted
21 likewise to the website.

22 I just feel like saying that what the

1 General Assembly and the committees specifically,
2 as I said, they don't have a preconceived notion
3 of which way to go and as Delegate Albo from
4 Springfield mentioned at our last meeting, they're
5 legislators, they want to go where you want to go.
6 So, they want us to somehow have a market survey
7 if we could and this was as opposed to hearing
8 what people who actually do this, participate,
9 operate, the charities that receive the proceeds
10 have in mind. So, they're not structured one way
11 or the other to have a specific result.

12 But, it has been a long time, 14 years
13 since the charitable gaming was controlled at the
14 local level to the state level. It's all about
15 the balance between public safety and welfare
16 because in Virginia gambling is illegal except for
17 lottery, horse racing and charitable gaming.

18 So, there's a balance here about the
19 need to protect public welfare, as you all know
20 charitable gaming is a cash business. So, the
21 idea is to mesh the division of charitable gaming
22 with the authority it needs to run a clean game

1 and make sure that charities receive the proceeds
2 that are dictated in the law. But, it is an
3 exception to the general rule of gambling is
4 prohibited in Virginia.

5 Secondly, I think what I want, the
6 members of the subcommittee asked me to convey is,
7 again, no preconceived notions, tell us what you
8 think. It is about striking a proper balance.

9 If you all have any questions of how
10 we'll proceed tonight, feel free to ask them at
11 any time. But, I think -- have you have seen the
12 press release, I assume you're seen some version
13 where we gave guidance about public hearings.
14 Just come up to the mic, again, identify who you
15 are and what organization you represent, if any,
16 and tell us your remarks.

17 The transcript will be provided to the
18 subcommittee at the next meeting.

19 So, we do ask that, if you're in
20 agreement with what has just been said, that you
21 note that instead of just to keep repeating the
22 same things. But, again, I don't think we have as

1 much time constraint on us here this evening. So,
2 as I said, we're not going to limit the time you
3 speak.

4 And, if you do have any questions,
5 Amigo and I and I think Chris will leave our cards
6 on the table. That will also indicate what the
7 website is so that you can track the
8 subcommittee's actions in the future.

9 So, with that, whoever wants to go
10 first please stand at the mic.

11 MR. DECKER: Ken Decker, Franconia
12 Volunteer Fire Department. I haven't written down
13 my remarks.

14 But, essentially, the positions that
15 we're interested in -- our department is made up
16 of younger people who have families and who still
17 work.

18 I'm not sure if I'm the only retired
19 member of the department, but these volunteers
20 have to, in addition to their personal lives and
21 their work lives, have to attend regular upgrades,
22 I guess you would call them in a general sense, of

1 their skills for EMTs and for paramedics. They
2 have to be continuing education for such a long
3 time. And firefighters have to do monthly drills.

4 So, you can see -- and then there are
5 requirements of course that the county has for the
6 number of hours that we have to (inaudible) and be
7 out there available for service. So, you can see
8 that there is very little time that these people
9 have to adjust, not to adjust but to get to what
10 are essentially bookkeeping activities.

11 And so, the first thing that we want to
12 talk about is the amount of paperwork involved
13 here.

14 When many of the forms came out from
15 the agency they had meetings to explain them to
16 us. When objected to certain provisions in
17 certain forms we were told, well, this is what the
18 legislature mandated.

19 I doubt that the legislature is
20 spending it's time saying that this form has to
21 contain this, that, and the other.

22 And the agency has been very

1 unresponsive in fixing this problem. They seem to
2 not be interested in the way we would prefer to do
3 things to make it easier for us. So, we're
4 spending a lot of time on paperwork which we don't
5 want to spend.

6 We've also had some problems in the
7 gaming area. For example, there's a game called
8 Green Acres, which is a progressive game in which
9 the winner of a game got a chance at a board which
10 would have given them an extra amount of money.
11 And the prize is progressive, every time it wasn't
12 won it would rise.

13 They told us that we had to put out a
14 new board every game. So, that meant that our
15 players could only have one chance in 30 of
16 winning that same price. We wanted them playing
17 on the same board until it was won so that they
18 would have an increasing chance to win, and that's
19 what the players wanted to. But, they were denied
20 that.

21 So, our second issue is, the way in
22 which games are conducted.

1 I guess that's all of my issues I have.
2 Thank you.

3 MS. EVERETT: Thank you very much.

4 You just reminded me, and I don't mean
5 to signal anyone out, please silence your cell
6 phones so that one doesn't ring.

7 MR. LUTTRELL: Otis Luttrell with the
8 Manassas Elks and I'm also somewhat representing a
9 lot of the other Elks in the state of Virginia.

10 MS. EVERETT: Please step a little
11 closer to the mic.

12 MR. LUTTRELL: Surely.

13 MS. EVERETT: Thank you.

14 MR. LUTTRELL: Basically our concerns
15 are that the gaming commission is doing a
16 relatively acceptable job of getting everything
17 done they have to do with the limited resources
18 that they have available.

19 However, all these proposed changes,
20 some of which I understand have gone by the
21 wayside, but anyway, we are of the opinion that if
22 the wheel isn't broken, don't replace it.

1 Some of the concerns are that the \$250
2 per game, which is totally unattainable for 90
3 percent of the games in the state of Virginia
4 because you can't get enough patrons in your hall
5 to substantiate the \$250 prize.

6 And the other which we would object to,
7 the four nights a week bingo, because I think
8 everyone in this hall would agree, it's virtually
9 impossible to get enough people to warrant two
10 nights a week. You're talking about people
11 working four nights a week, I think you're talking
12 about somebody getting paid, it's just not
13 feasible for people to substantiate four nights a
14 week.

15 Again, the only people that ultimately
16 benefit from this would be the larger bingo games,
17 larger halls and the commercial halls or major
18 facilities.

19 And again, the small games are 90
20 percent of the ones in northern Virginia where
21 you're talking about 125 people or less. The
22 primary concern of each of those organizations is

1 the charities that they support. And each of the
2 groups have different charities.

3 Basically that's all I have to say. We
4 would prefer that there be no major changes in the
5 current charitable legislation.

6 Thank you.

7 MS. EVERETT: Thank you very much.

8 MR. LESEN: Hello. My name is Chuck
9 Lesen, and I am the legislative director of the
10 Virginia Charitable Bingo Association and I'm
11 really, as much as speaking to the folks in front
12 of me, I'm also speaking to the folks behind me.

13 A number of months ago a few charities
14 got together and decided that it was probably a
15 good idea for the Virginia charities that are
16 conducting bingo to band together and to begin
17 chatting about ways to improve charitable bingo in
18 Virginia.

19 We have since formed the Virginia
20 Charitable Bingo Association.

21 We have many members, we're having
22 interest on a daily basis, either from our website

1 or by telephone.

2 And what I would like to encourage the
3 folks that are behind me now to do is to join our
4 website, Vcbingo.org.

5 And I suppose it would be most simply
6 summed up to say the purpose of the Virginia
7 Charitable Bingo Association is single fold.

8 We would like to figure out a way for
9 the charities in Virginia that are playing bingo
10 to make more money at the end of each session.

11 It is tougher than it has ever been,
12 our charity in particular has been playing bingo
13 for 25 years, and our direct contributions are
14 down significantly over the past 12 months. Our
15 attendance is down significantly over the past 18
16 to 24 months.

17 And, we thought it would be a good
18 idea, and it looks like the idea is gaining steam,
19 for charities to regularly communicate, again, by
20 website, we're going to very quickly begin a blog,
21 we're going to be sending out quarterly
22 newsletters and we're going to be announcing

1 summaries of meetings like this and others so that
2 with one voice the charities can come together and
3 say the following.

4 We would like to make more money in
5 this environment and we would like to do so not at
6 the expense of any groups. We realize that there
7 are divergent issues, some things help larger
8 games and some things help smaller games and some
9 things help the medium sized games.

10 And it could be that when we meet as a
11 group that we can not come to consensus on many
12 issues. But, we believe those of us that are
13 already members, that there will always be a few
14 issues that we can come to agreement on. And
15 those are the issues that we would like to work on
16 and see if we can, together as a group, build the
17 industry and help make it stronger.

18 As you said, Maria, it's been years and
19 years since there's been a full review of
20 charitable bingo in Virginia.

21 And what a number of the charities have
22 said to me is that it seems as though for the

1 years that many of us have been doing it, we sort
2 of have reacted to what's happened. And somebody
3 used the example of Lucky Seven games.

4 When Lucky Seven was approved it turned
5 out to be a wonderful addition to most everybody's
6 program. Some of us had never heard about it, we
7 just read one day in the newspaper or someplace
8 else, hey, there's a new game that we're going to
9 now be allowed to play.

10 Rather than reacting and having these
11 things just happen, again, we think that it's a
12 great idea that we ban together as a group. The
13 membership dues are \$100 in a calendar year, and
14 that we pool this money and that we use it so that
15 our voice is heard together.

16 Again, not at the expense of any
17 groups, we are very sensitive to the fact that big
18 game, little game, could be one against the other,
19 we're not in any -- we have no interest to do
20 that. We want to simply come together and agree
21 when we can and see if we can increase everybody's
22 bottom line.

1 So, again, our website, Vcbingo.org,
2 I've got cards and applications with me tonight
3 and we're going to go to all the hearings and
4 we're going to do our very best to sign up every
5 charity in the state that we can and make
6 available and improve things for all the
7 charities. Thank you.

8 MS. EVERETT: Thank you very much.
9 Robert Gulrick.

10 MR. GULRICK: My name is Robert Gulrick.
11 I'm with the Arlington Fairfax Elks Lodge. Our
12 lodge actually is only about two miles from here.
13 I am the government relations director for our
14 lodge and our bingo chairman, Mr. Peter Marshall,
15 is in the back of the room.

16 Our bingo is a small game, even smaller
17 than I think Mr. Luttrell talked about. We
18 average between 90 to 100 customers and conduct
19 bingo two nights a week, Mondays and Thursdays.

20 The point of my getting up here to talk
21 to you is to say that we are relatively well
22 satisfied with the current bingo system involved

1 in the regulations. We think that on a whole they
2 are running smoothly, as best can be given the
3 economic circumstances. We're all losing
4 customers, but that's not the fault of the laws or
5 the regulations.

6 I heard floating around, some rumors
7 about possibly that bingo prize limits being
8 raised, and we are opposed to that. We think it
9 is a losing proposition for small games. It would
10 diminish the number of customers. Obviously if
11 you raise the prizes you've got to raise the cost,
12 that's the case. You've got to raise the cost to
13 the customers.

14 Our customers, and I think most bingo
15 customers come to the bingo games for
16 entertainment and socialization. They're not out
17 to make a killing. If they just wanted to do that
18 they could play the stock market.

19 To start raising the prizes, even, I
20 think I heard it stated as \$250. You're moving up
21 towards high stakes bingo, which is Indian bingo.
22 You go into a number of states where the Indians

1 have reservations that are allowed to gamble as
2 they all practically are, they have \$500, \$1000,
3 \$2000 bingo prizes. That's high stakes bingo.

4 Now, you might say, well, \$250 isn't
5 that high a stake, but it's still a lot of money
6 for our customers, many of whom are retired
7 people, elderly people, who are on a tight budget.
8 So, we would oppose that.

9 And I do have a written statement on
10 that point that I would hand up at the conclusion
11 of my remarks.

12 My other remarks, I think the gentleman
13 from the Franconia Fire Department may have pre-
14 empted me on that because we have some of the same
15 problems with reports.

16 Now, we don't have EMTs and firemen, we
17 aren't that busy, but we do not have accountants
18 who are doing our paperwork. And the paperwork
19 quite frankly is just too complicated.

20 I've had the same experience as the
21 gentleman from Franconia has had, not being able
22 to get a response to simplification of the

1 paperwork. The paperwork simplification is a wave
2 now in many state governments and the federal
3 government. I don't think these forms have been
4 revised for 10 years and I doubt that they've ever
5 been looked at by some sort of expert in
6 simplified paperwork, efficient simplified
7 paperwork.

8 We know you have to have to have
9 business systems and we know you have to have
10 business records. But, quite frankly these
11 records are too complicated, and I think it merits
12 some sort of a review, maybe by some experts in
13 forms, to try to get some that satisfy the needs
14 of the department of charitable gaming but at the
15 same time would be simple because we don't have
16 people that, many of our people just can not
17 understand these forms.

18 My final point is a technical matter,
19 but, I think a couple of years ago the law was
20 amended to provide the \$1000 jackpot game, prizes
21 up to \$1000 maximum of jackpot games could be
22 played per session.

1 Now, at that point, we were -- our
2 lodge was complying with the \$1000, but we were
3 doing it in two \$500 games, \$500 here and \$500
4 later. And it added up to \$1000. Now, our bingo
5 people were told by the Department of Charitable
6 Gaming inspector, I guess, that we couldn't do
7 that. We had to have one game of \$1000.

8 And, that basically we had to do that
9 and that basically reduced our -- we still got
10 some sale for the games, but it reduced the amount
11 of sales, and it reduced the interest in the
12 games. And that's just a technical point, but I
13 would like to see that changed, as long as we
14 don't pay out over \$1000 in jackpot prizes, it
15 shouldn't make any difference how we pay it out.
16 Thank you for your attention.

17 MS. EVERETT: Thank you very much. Now
18 we don't have anybody else who has signed up, so
19 the next person up, please come forward. Don't be
20 shy.

21 MR. BYLER: Hi, Ms. Everett.

22 MS. EVERETT: Hi.

1 MR. BYLER: Gary Byler from the Virginia
2 Bingo Group. As you know I represent a group of
3 bingo hall owners, larger games in the Tidewater
4 area.

5 We commend the subcommittee and the
6 staff for going around the state and getting the
7 opinions. I'm here mostly to listen. While we're
8 interested in hearing what the folks in Roanoke
9 have to say, having heard from the folks in
10 Tidewater and Richmond and now Northern Virginia,
11 there does seem to be some sort of consensus I
12 think coming around the issues.

13 Number one is that the system by and
14 large works pretty well, which we believe very
15 strongly, as I've noted on previous occasions,
16 Virginia ranks third in the nation for net
17 proceeds going to the actual charities, which
18 we're very proud of.

19 I will say that those who are concerned
20 about the prize limit being raised to \$250, I
21 think that my clients used to be the only people
22 in favor of that, they're not any more because

1 we've heard from the other groups. So, the large
2 games are prepared to throw that away.

3 Quite frankly the FOP has had a strong
4 view on that as well and as they are customers of
5 ours as well as the other charitable gamings, I
6 don't think there is any support for raising the
7 limits, so I think everybody can feel secure in
8 that.

9 I think there is a consensus by
10 regulation to shorten the hour delay between
11 games, between sessions. Right now there needs to
12 be an hour break to clear everything out and I
13 believe that the staff didn't have much objection
14 and all the charities that I've spoken to would
15 appreciate that being cut to half an hour.

16 The idea is that would help increase
17 the percentages going to charities both by
18 increasing revenue by having a lower drop off
19 between the sessions and by reducing the security
20 costs.

21 The other thing that I hear, some
22 anecdotal tonight, and also in the other areas, is

1 for those groups that are having trouble meeting
2 the 10 percent threshold for use of proceeds, that
3 perhaps an adjusted figure that would exclude
4 prize money, I've also heard prize money and bingo
5 materials or supplies. And somebody suggested
6 security would be appropriate.

7 As we've seen, some of the halls that,
8 some of the games don't have to rent a hall but
9 own their own building, sometimes they get more
10 prize money than they do in what they take in, so
11 obviously they don't make the 10 percent use of
12 proceeds.

13 I would be remiss if I didn't point out
14 from my client's standpoint, that we were very
15 pleased to discover in Ms. Bowman's statistics
16 that those who use the larger halls are more
17 likely to meet their 10 percent user proceeds and
18 it's because of the larger number of people that
19 congregate.

20 So, even though there are additional
21 expenses, the 10 percent percentage wise, that is
22 to say, fewer of the customers of the larger halls

1 fail to meet the 10 percent. Now we feel for all
2 the groups, and we think that there is much --
3 pretty much a consensus.

4 The other thing I would note is, the
5 other gentleman has noted, I think it was Otis, is
6 that there seems to be some concern about the four
7 day expansion, which, I think my clients share
8 some of that concern, although they don't have a
9 real firm view.

10 We also are guided by the clients, but
11 I think there is a consensus that generally the
12 system works pretty darn well.

13 Two, (inaudible) the prize limits,
14 because nobody wants to. And again, it comes
15 around to the issues, we could make it a little
16 easier to comply, perhaps using an adjusted gross
17 method and short of the time, I think we make a
18 very good system even better.

19 MR. BRINKLER: My name is James
20 Brinkler, I represent the Front Royal Elks Lodge.
21 And most of the people here have covered
22 everything I was going to jump up and run my mouth

1 about.

2 I think he just covered a good part of
3 it here on our 10 percent that we have to pay on
4 the full amount. And we'd like to have out of it,
5 before we pay our expenses out, before we put our
6 10 percent in there.

7 The Elks club donates all their money
8 any way, and it just makes it kind of hard trying
9 to get that in there because if you don't make any
10 you can't give it out, on that part --

11 Four nights you're talking about, I
12 don't know what that is. One night's enough for
13 us. I don't have anything else to say.

14 MS. WOODWARD: We have enough trouble
15 getting one night --

16 MR. BRINKLER: Yes, we do. She's with
17 the Elks.

18 MS. WOODWARD: I'd Doris Woodward and
19 I'm from the Front Royal Moose Lodge. I work for
20 them, I'm the secretary, bookkeeper and I also do
21 the bingo reports for the Moose and Front Royal
22 Elks Lodge.

1 The papers, forms and everything were
2 very hard to understand at first, but I think I've
3 got them down pat now, but nobody else will
4 attempt them because they are complicated.
5 They're very complicated.

6 And the Elks, we usually have anywhere
7 from 90 to 110 people nightly. And we have a lot
8 of trouble out there getting people to work the
9 floor. And in order to make money you have to
10 sell your sheets. That's where your money comes
11 in.

12 Now the Moose, we have a lot of help
13 there and we usually run from 110, maybe 130
14 people and we've never had any trouble meeting our
15 10 percent the way it is now. So, I can't
16 complain on the Moose.

17 But, the Elks, I don't think we've
18 really had any trouble meeting the 10 percent
19 there either.

20 MR. BRINKLER: No.

21 MS. WOODWARD: Yeah, we've always met
22 it. And the Moose also, we pay even more than 10

1 percent. We've done that numerous years, maybe 15
2 percent or so. So, we're doing good there.

3 And the forms, like I said, I don't
4 know who's going to do it when I stop doing it.
5 They'll have to learn. But, they could be made
6 easier I think.

7 But, the \$250 prize would not work, we
8 don't have enough people.

9 MS. EVERETT: Thank you very much.
10 Okay, the mic is open. I mean, I know I said I'd
11 rather not repeat but because this is a smaller
12 crowd, feel free, I think it's important here how
13 many people feel on a particular issue.

14 MR. CRANIAM (PH): My name is Michael
15 Cranium with the Occoquan Woodbridge Volunteer
16 Fire Department. I've been with the department
17 for 16 years. In the last year I've gotten into
18 the bingo and I'm the bingo manager now.

19 Looking over all the policies that I've
20 seen that are being looked at by the committee, I
21 understand it's been 14 years since we've done
22 anything. But, I also agree with the Elks, the

1 Moose, pretty much everybody who has spoken. The
2 system that we have that we're dealing with right
3 now seems to work, is working really well.

4 Being that I've been doing it for less
5 than a year, I've been working real hard to get
6 into the paperwork and understand the paperwork
7 and I see the issues that numerous people have had
8 with getting into the paperwork. But, once you
9 get into the paperwork, it seems like it's not
10 really that bad. But, initially -- and there are
11 plenty of people who don't want anything to do
12 with the paperwork because it really is
13 complicated from the get go.

14 And surely there's got to be somebody
15 who can figure out a way to make it better, like
16 the gentlemen earlier said.

17 Getting into the prize money, we have
18 \$100 games, we have a \$1000 game. At the end of
19 every night depending on how much money we made
20 and how much we profited and regularly over the
21 last months I can easily say that the \$1000 games,
22 we're losing money off of it because we're just

1 not selling enough for that jackpot, even though
2 we have, our bingo hall usually runs 120 to 200
3 people. So we have, not that huge size, but
4 substantial for the northern Virginia area. But,
5 at the \$1000 game we're usually losing about \$150
6 to \$250 in the game itself, which we're covering
7 through everything else.

8 But, the thought of increasing the
9 games to \$1500, or the games, the single \$100
10 games to \$250 would do nothing for us.

11 Obviously we'd have to figure out a way
12 to compensate, which as everybody else has
13 referenced, would be to increase the cost of the
14 bingo and that would cut into our customers.

15 As they already allotted earlier, our
16 customers, our regular customers are usually
17 elderly people on a limited budget who pretty much
18 help our fire department run along.

19 To the extent to -- our fire department
20 depends on our bingo. Even though we get fire tax
21 levies, we get between half a million to a million
22 dollars annually which we put right back into our

1 fire department. Without that we wouldn't have
2 ambulances. Without that we wouldn't have stuff
3 that we need, the uniforms, the gear and
4 everything. It's iffy covered by the fire tax
5 levy, that the county can't take care of because
6 they have limited tax budgets.

7 We, as a volunteer fire department, can
8 take that money on the side and use that and keep
9 the community safer because we have the
10 opportunity. Though we are a volunteer fire
11 department just like Franconia, just like
12 Arlington, Fairfax, we are one of the largest in
13 the area. We have just shy of 300 members. And,
14 it's a substantial thing that we do with three
15 fire departments that we run daily. Six crews,
16 that are Monday through Friday six to six, on
17 weekends 24-7, 24 hours on weekends. And all this
18 money that we get out of bingo is how we maintain
19 everything.

20 We have boats at each firehouse. We
21 have an engine plus at each firehouse, an
22 ambulance at each firehouse, specialty pieces at

1 each fire house.

2 With all of our members doing this, the
3 last thing I am going to do is complain and say
4 that we don't have time for bingo. So, our
5 members do training just like the other fire
6 departments do with the size that we have. We
7 have time to get bingo taken care of two nights a
8 week. Three or four, we would never even look
9 into that. If the opportunity presented itself we
10 would say thanks, but no thanks. It's not
11 necessary and wouldn't benefit us because I
12 believe all it would do would make people decide
13 which night they could afford to go to. And it
14 would also cut into the other departments, the
15 other charitable organizations that have worked
16 their nights that are anti our nights, so we're
17 not beating each other up by doing it on the same
18 evenings.

19 Everybody has allotted the economy is
20 limiting how much money is out there that people
21 can give to charities. And we appreciate people
22 coming in and giving the money to the volunteer

1 fire department and we thank them and we let them
2 know that we really appreciate it. But, they
3 still have to decide who they're going to give
4 their money to and they're going to have to decide
5 if it's worth their time.

6 One time we went to an electronic
7 gaming, tried to go that direction and everything
8 that I've heard from the patrons and from the
9 other people that did it, it didn't go well for
10 us.

11 That's something I've seen on the
12 legislation as you discussed, tried to get into
13 electronic gaming, to me it seems like it's kind
14 of exactly what older people reference to the
15 computers, it's gotten away from the hands on,
16 it's gotten away from the enjoyment and it's not a
17 business that we're trying to sell to people.
18 It's a game and it draws a crowd for people to
19 come and share it with us and to donate for us and
20 we call it bingo.

21 If we turn it into a big computer game,
22 a lot of people are going to walk away because

1 that's not what they're there for. They're there
2 for interactive, they're there for spending the
3 evening, the hour on time.

4 Jumping over to the hour gap between
5 games, we have one game on Wednesday, one game on
6 Saturday. The time difference between it wouldn't
7 matter to us because we're not going to add a
8 game.

9 Like I said, we have two games a week,
10 that's what benefits us.

11 I believe it's beneficial for the state
12 to look at everything across the board to find out
13 what the issues are, but as everybody has
14 referenced earlier, most of the speakers have said
15 it's working, it works really well, it's something
16 that someone can look at, say, okay, this is where
17 the money is coming from, this is where the money
18 is going to.

19 The problems they seem to be
20 referencing in my view is the people who are
21 making the 10 percent. Well, electronically
22 monitoring that doesn't change who is going to be

1 doing the 10 percent. It's not that people aren't
2 reporting 10 percent, it's just that they're not
3 able to meet the 10 percent.

4 So, maybe we should address that issue
5 rather than trying to figure out a way on how to
6 report better because I don't believe the issue is
7 that the charitable people that are doing the
8 bingo and everything in the state of Virginia are
9 not reporting what they're doing, it's just the
10 ability for the smaller departments and smaller
11 charities to put their money together to come out
12 with the proper way that meets the legal needs.
13 And maybe that's where we need to find a little
14 bit more security, which we have to pay for, we're
15 large in size, we don't have as much at issue. We
16 have our own bingo hall attached to our firehouse.
17 We don't pay for that. All these monies that we
18 don't worry about, the smaller departments have
19 to. They would rent out a hall or have to use
20 rented security. They are the ones having a
21 problem trying to meet the 10 percent. So rather
22 than trying to figure out how we turn in the

1 paperwork and show you how much money we have and
2 make sure that it meets the 10 percent, figure out
3 what their issues are and why they're not meeting
4 it.

5 Ask the charitable gaming enforcement
6 that comes out and sees the problem what they
7 believe the change should be because they're the
8 ones who can see where the gap is and how it can
9 be fixed easier than we can.

10 I appreciate your time and I'm glad
11 that you all are showing an effort towards our
12 community and we definitely want you guys to step
13 up and let us know how everything is going on our
14 end.

15 MS. EVERETT: Thank you very much.

16 I just want to take a moment, the
17 reference to the four games a week, there was
18 legislation in the '09 session that, which got
19 defeated, which was part of the reason, I have to
20 tell you, was if you owned your own building, you
21 could play for -- the charity or organization that
22 owned its own facility could do four games. Right

1 now if you own your own, you can do four days,
2 but, two is for renting it out and two can be
3 used, or you can use all four of those days for
4 yourself or you can rent it out. I just wanted to
5 clarify that, that is no longer on the table.

6 Next, anybody else, please come
7 forward. You're a friendly bunch, we need to hear
8 from you.

9 MR. LUTTRELL: Can I ask you a question?

10 MS. EVERETT: Yes, absolutely. I was
11 about to turn this into sort of like a town hall,
12 but we can have some dialog.

13 MR. LUTTRELL: I was wondering about why
14 all the reporting has been so (inaudible). I
15 mean, is it (inaudible) --

16 MS. EVERETT: Well, so everybody can
17 hear the question, it's why all this reporting.

18 Betty Bowman, who is the executive
19 director of the division of charitable gaming this
20 year, and I'm happy to give her the opportunity to
21 answer that question. As a staff attorney who has
22 been doing charitable gaming for 19 sessions now,

1 and did for three years starting in the mid-90s,
2 that took political control of charitable gaming
3 to the state level. My understanding is, the
4 necessity for the paperwork is because this is a
5 cash business.

6 And, I can point back to reports that
7 arose in the mid-90s about the horror stories
8 about people, I remember in the newspaper or in
9 the tv station that covered it, when they were
10 selling instants, you know, they would fold the
11 bills longways and held them in their two fingers.
12 And, as they kept selling instants, when your hand
13 got too big, it went in your pocket and it came
14 out of there again, and it started -- and started,
15 and there was lots of instants and I'm not
16 signaling out anybody, I don't remember the
17 organizations, but there were times where that
18 money would just stay in pockets. Cash has an
19 interesting ways of getting lost and not under
20 reporting.

21 So I think that's the biggest reason
22 from my perspective of why we -- why we have every

1 t crossed, every i dotted is because it's a cash
2 business.

3 MR. LUTTRELL: In the 11 years that I've
4 been in the department, we've had one instance of,
5 and this was before one of these forms, of a
6 member skimming money.

7 We caught him, and we dealt with it
8 through the normal channels. But, my response to
9 that is to put in cameras. We now have cameras
10 everywhere that money is being handled including
11 the treasurer's office. And, since then we've
12 caught two players with their hands in the til
13 when somebody was distracted, but we haven't had
14 any more trouble with the members.

15 And, it seems to me a simple way to do
16 it, so you can monitor it yourself, you don't have
17 to have somebody looking over your shoulder.

18 MR. GULRICK: If I could address that
19 briefly.

20 Of course, they had a real victory, ask
21 Ms. Robb (ph) how that worked, she's serving hard
22 time for the \$47,000 and I think (inaudible).

1 There was a problem when they first
2 started, I know in Chesapeake, in my area, 14
3 years ago, a guy did hard time. But, of course
4 these games are prosecuted by Commonwealth
5 Attorneys and trained law enforcement officials.
6 So it's appropriate for the statute to give them a
7 heads up. It's not realistic to say no matter how
8 many regulations we make or how many people we
9 hire in the department of charitable gaming, that
10 they could take over the law enforcement and that
11 aspect of it, the Commonwealth Attorney's office,
12 I think does pretty well.

13 The other genius of the Virginia system
14 which is why it's so minimal, is because of the
15 volunteer intensive hours. The volunteers don't
16 put up with that nonsense and that's why it really
17 is self policing in the law's -- lawyer's way.
18 But, the few bad apples (inaudible) the whole
19 system, but I think you're exactly right, between
20 self policing and the fact that -- the other thing
21 is that, it's a federal crime for any charities to
22 over pay for materials or to overpay for any

1 services, to grease somebody's palm, that's a
2 federal crime if you've got a tax exempt status.
3 And of course it's a crime to embezzle.

4 So the Commonwealth attorney and the
5 Feds are well suited for that and I would suggest
6 no matter how many regulations or employees we
7 hired, they could never take the place of trained
8 law enforcement personnel because of course, Ms.
9 Bowman's staff is I don't think generally so
10 trained.

11 But, like I said, I had Ms. Robb (ph)
12 doing hard time and it still goes on occasionally,
13 but the volunteers involvement of it is I think is
14 what makes Virginia almost unique and makes it, to
15 a large degree self policing.

16 MS. EVERETT: I remember when we did the
17 study in the mid 90S that at the time, there were
18 no serial numbers required to be on instants and
19 then serials -- there was no tracking way to know
20 how many you sold and things like that. So, that
21 was part of how the law changed. So you had a way
22 to compare what was sold and what you took in and

1 things like that.

2 Betty, if you'd like, you're welcome to
3 come and address it. I'm not trying to put you on
4 the spot. You don't have to come up and nobody
5 would infer anything bad from that.

6 MS. BOWMAN: As Maria has said, I'm the
7 division director --

8 MS. EVERETT: You don't have to turn
9 around, that's fine.

10 MS. BOWMAN: I'm the division director,
11 in case you all didn't know, when the paperwork
12 got changed, we are with the department of
13 agriculture (inaudible) and so we're a division
14 now, division of charitable gaming.

15 I came to the commission four months
16 before it became a department. You've got to keep
17 up now, it keeps moving. You have to keep up with
18 the name change.

19 So, we were the department of
20 charitable gaming and now we're a division of
21 charitable gaming with the department of
22 agriculture.

1 But, as Maria just said, I know, you
2 are all looking at me, I'm the government and I'm
3 here to help you. Don't laugh.

4 You've got to understand something.
5 All right. The General Assembly says the division
6 of charitable gaming commission department when it
7 started off, is responsible for the integrity of
8 charitable gaming. That also means that we don't
9 allow things -- I don't know if you remember the
10 story of Ken Graham in Richmond. He was helping
11 the charitable organizations. He was a landlord.
12 And the organization happened to be blind,
13 visually impaired, several of them -- hearing or
14 whatever. Well, we got them, one hand this way,
15 one hand over here. Most of it went his way.
16 Okay.

17 And it wasn't until the organization
18 had to ultimate (inaudible), they don't have a lot
19 of money in their checking account.

20 The audit manager, we try to get to
21 every charitable organization, every three weeks.
22 Now, did you hear what I said, (inaudible) until

1 something comes up. They call, I can't, there's
2 550 of them and there were three or four of them
3 (inaudible). We get to you, that comes up in the
4 computer and --

5 (Inaudible portion - participants
6 talking over one another.)

7 But in that particular situation, they
8 volunteered, they called and said something's not
9 right. There's a lot of people coming in our
10 bingo hall, but we looked and there's only X in
11 the checking account. How could that be? We said
12 well --

13 MR. LUTTRELL: We put in cameras.

14 MS. BOWMAN: Well, you're fortunate.

15 When we sit here and we hear about
16 small organizations, do they all have the money to
17 put in cameras.

18 Can you imagine what you'd do to me if
19 I told you to put in a camera.

20 MR. LUTTRELL: That may be, but it pays
21 for itself.

22 MS. BOWMAN: Well, this is the business

1 office, back to the Ken Graham story, he stole
2 money. Anybody also know that he was on America's
3 Most Wanted, nobody know where he went, he was
4 supposed to go to jail and he ran off. Blame the
5 Henrico commonwealth attorney and cops for that.
6 Nobody knows where he is. But, that money he
7 stole because an organization put a lot of faith
8 and confidence in somebody that said they were
9 going to help them and he did. (inaudible) a
10 thousand dollars. But that was gone, and he never
11 paid it back.

12 We're talking cash laying in the middle
13 of your table. You know that.

14 MR. LUTTRELL: That's why the
15 cameras --

16 MS. BOWMAN: Again, Sir, that's fine,
17 I applaud you for doing that.

18 But this gentleman here represents a
19 lot of people and landlords. It's up to them if
20 they want to do that. I can't make you do that.
21 This is a business and you really do have to run
22 it that way. If you're out here, and we get

1 reports from all the suppliers, okay. So, I know
2 what you bought and then you turn in that report I
3 say okay, I know what you bought from all these
4 suppliers. So then where's your documentation
5 that I bought this and I don't have anything
6 coming in. So, if there is something terrible
7 going on, we'll see it.

8 But, that's not what we're all about
9 either. Regardless of what you think, we're the
10 government here to help you. I know, stop
11 laughing. But, we are there to help you. And
12 when you say the forms are confusing, it is. I
13 didn't say government forms or any forms is always
14 easy. But, the purpose of this is not to get you,
15 if you don't leave here tonight with anything that
16 I say, they're not to get you, they are to help
17 you.

18 Are we open to anything that you want
19 to do to change -- but, let's just remember one
20 thing, there's got to be a standard that somebody
21 has got to have to make sure that --

22 (Inaudible portion - participants)

1 talking over one another.)

2 MS. BOWMAN: All right -- but, there are
3 many organizations that will not keep up with it.
4 I'm old, but I ain't this old. If you didn't keep
5 up with your lessons in school, then when it came
6 time to get that paper done, what did you do, you
7 crammed for it. And you hurried up and got it
8 done. Do you all think running these games once a
9 week, twice a week, you can cram and hurry up and
10 get those reports filled out on a annual basis and
11 keep up with it.

12 MR. UNIDENTIFIED: But you're missing
13 something --

14 MS. BOWMAN: Hang on, if we don't have
15 some conformity, I didn't say that we would not be
16 willing to sit down and have it all over about
17 what to change. But there's got to be some
18 conformity of keeping up with this cash because
19 there are many of you out there, Ms. (inaudible)
20 will tell you, and so will Ms. (inaudible),
21 inspection manager. We go out to make sure
22 organizations are keeping up with what you're

1 doing. Because if you don't, that money is going
2 to be gone. If you're not putting it in the bank
3 timely, if you're not keeping up with these
4 records, you don't know what's going on with your
5 organization. You don't know if you're running
6 out of supplies. You don't know if somebody --

7 UNIDENTIFIED: Wait a minute.

8 (Inaudible portion - participants
9 talking over one another.)

10 UNIDENTIFIED: There's a whole bunch of
11 stuff out here. And this is one of the problems
12 that I have with the agency, the division or
13 whatever it is it.

14 MS. BOWMAN: Go ahead with your
15 argument.

16 UNIDENTIFIED: I've always been told the
17 same answer when I've complained about some form,
18 this is what the legislature mandated, talk to
19 your delegate. Now, that's crazy. I served 25
20 years in the federal government and I know that a
21 regulatory -- in a regulatory agency -- and I know
22 that a legislature doesn't waste it's time saying

1 this form has to be this way.

2 MS. BOWMAN: So, you think it's --

3 UNIDENTIFIED: I'm saying this --

4 MS. BOWMAN: The legislature says that
5 form has to be that way?

6 UNIDENTIFIED: Right.

7 MS. BOWMAN: Well, did you come back
8 with the suggestion, have you given us --

9 UNIDENTIFIED: My suggestion was
10 there's nothing like a lynching to clear the air.

11 (Inaudible portion - participants
12 talking over one another.)

13 UNIDENTIFIED: I don't remember who the
14 fellow was, but he kept giving me that answer.

15 MS. BOWMAN: Well I'm sorry, that's not
16 the answer.

17 UNIDENTIFIED: And that was the only
18 answer he would give.

19 MS. BOWMAN: If you both remember, go
20 back and look at the regulations, it does say the
21 department approves and will sit down with you.
22 If you've got a better way to figure out how to do

1 what we're asking you to do, bring it on. Have we
2 not approved some people -- I'd like to do it this
3 way. I want it this way. All I want to make sure
4 is you're keeping up with it.

5 UNIDENTIFIED: You have the whole county
6 here, everything in Fairfax county was -- the
7 volunteer fire department, we're pretty much using
8 the same software and we're got similar reports to
9 what you asked. That wasn't good enough. So now
10 they've all gone to a different, they've all had
11 to go out and challenge --

12 MS. BOWMAN: Did you bring that stuff up
13 and say --

14 UNIDENTIFIED: Yes, we did.

15 UNIDENTIFIED: Do you remember what year
16 that was?

17 UNIDENTIFIED: Last, what? Three years.
18 Each time we had a visit.

19 MS. BOWMAN: By? Visit by?

20 (Inaudible portion - participants
21 talking over one another.)

22 MR. WALLER: We went through an audit

1 also because of the -- I can only speak for
2 Annandale. Okay, we invest money monthly to buy a
3 commercial program that is used in the Indian
4 gaming halls and everything else for tracking
5 everything.

6 MS. BOWMAN: I'm sorry, the program you
7 bought was used where?

8 MR. WALLER: They use it in the Indian
9 gaming halls and some of the --

10 (Inaudible portion - participants
11 talking over one another.)

12 MS. EVERETT: I'll do the microphone so
13 everyone can hear the comments.

14 MR. WALLER: Well, what I'm saying is
15 that we contract with a company that tracks
16 everything that we sell --

17 MS. BOWMAN: Uh huh.

18 MR. WALLER: It's a point of sale
19 system.

20 MS. BOWMAN: Okay.

21 MR. WALLER: You know, which gives us
22 much better than counting the stack in the

1 beginning, counting the stacks at the end and all
2 of these things because we're tracking it as we
3 sell it, we have cashiers that don't hand out the
4 books. You know, we've built a lot of stuff into
5 our own system, and have for years --

6 MS. BOWMAN: Uh huh.

7 MR. WALLER: Our forms provide exactly
8 the same information but whenever we try to bring
9 that forward it was like, well, that's just too
10 bad, you have to use our forms.

11 MS. BOWMAN: Again, did you send that,
12 did you show that to Wanda and she told you no?

13 MR. WALLER: Yes, every single time
14 over the course of probably three years,
15 absolutely.

16 MR. LUTTRELL: I don't know, it wasn't
17 Wanda, it was --

18 (Inaudible portion - participants
19 talking over each other.)

20 MS. BOWMAN: Okay, that's fine.

21 MR. WALLER: I mean, I wasn't saying it
22 in a bad way because I think all of the stuff that

1 you have input into, actually adds a lot of
2 credibility to you, okay, to the people that are
3 out there. Okay.

4 All I'm saying is that we have been
5 electronic as far as our, I'm sorry, we have been
6 electronic as far as our tracking and everything
7 for probably the last 18 years. Okay. We have a
8 gentleman who created the program, the point of
9 sale program, the excel spreadsheet and everything
10 else.

11 MS. BOWMAN: Uh huh.

12 MR. WALLER: And basically what we've
13 had to do now, because we still want to use ours,
14 is now convert the data over to yours. So when we
15 convert data, there's always the chance that, you
16 know, something happens. I mean, we close our
17 session and we're done playing bingo at 10:00, our
18 deposit is done at 9:50. I mean, that's how fast
19 our system is as far as tracking is concerned.

20 But, again, it's a commercial product,
21 it's a point of sale system from, I don't know if
22 you're familiar with company, but Land or Epic is

1 the system that we use.

2 UNIDENTIFIED: Or Planet bingo.

3 MR. WALLER: Planet bingo, whatever
4 they are. But, this is commercial stuff and, I
5 mean, I'm an IT person, so paper is not what I
6 love. You know, I like to keep it
7 electronically. You know. And to have to sit
8 here and write stuff out instead of having it
9 maintained on the computer where I can back up
10 that data on a regular basis is a little bit
11 different.

12 MS. BOWMAN: And I hear you, state your
13 name for the record.

14 MR. WALLER: I'm sorry, my name is Roger
15 Waller, I'm the chief of the Annandale Volunteer
16 Fire Department. I've been around the bingo there
17 for about 19 years.

18 MS. EVERETT: One of the general
19 government lesson that says none of us learn in
20 school. Which is -- and you intimated from your
21 experience with the federal government, there's a
22 legislative process and in Virginia, the way we do

1 regulation, whether it's cosmetologists, barbers,
2 real estate agents, charitable gaming, we create a
3 board of people to regulate it and we say you've
4 got control. You issue the regulations. So,
5 there's one way of going to the legislature for
6 statutory change. But, when you have a regulatory
7 agency, there's this thing called the
8 administrative process, which allows public
9 comment.

10 And we don't, as citizens, ever learn
11 about this, and that's why they've, what is it,
12 the Virginia Bingo Association?

13 MR. LESEN: The Charitable bingo
14 association.

15 MS. BOWMAN: The Virginia Charitable
16 Bingo Association that -- I'll send a bill. But,
17 the idea is, you have to operate in government on
18 two fronts, a legislative front because for,
19 nobody likes the increase in prizes, but pretend
20 for a minute that we did.

21 Well that would require the legislature
22 to change that because that's where that is. But

1 the process for once the forms are developed is,
2 the charitable gaming board, but you can still
3 participate, and if you have anything to say, did
4 you call us, did you let us know.

5 Because that's another way to
6 participate at the regulatory level with the board
7 that's in charge. And so there's this whole huge
8 process and maybe we all, I mean sure, I mean, I'm
9 a lawyer. I learned this after I entered
10 government about this administrative process that
11 you can participate. You can petition agencies
12 such as Betty to look at specific issues.

13 There are public comment areas that you
14 can give comments to the requisitions they are
15 proposing. And a lot of us never knew it. And
16 it's like, so you, this is America and we're all
17 about citizen involvement, but first of all we
18 have to learn how our government works and
19 participate.

20 So, their website will tell you, and
21 there's this thing called the Virginia register
22 that publishes a C reg, barber reg, if anybody has

1 -- cosmetologist, barber, land surveyor, you name
2 it, there's a whole regulatory process that you
3 can participate in and that's -- I'm just sort of
4 the picture first and then that's why I bring that
5 up.

6 Yes, Sir?

7 MR. KHEMANI: Roger Khemani, Annandale.

8 The next question, show of hands
9 besides me, who has time to keep up with all of
10 this.

11 UNIDENTIFIED: Oh, pick me.

12 MR. KHEMANI: Who has time to keep up
13 with all of this paperwork and the changes and the
14 process? I can't keep up -- you've got to work
15 late, you've got a volunteer, you've got to keep
16 up with all of this stuff.

17 MS. BOWMAN: So, just let me ask you,
18 what is the recommendation, if you don't keep up
19 with something in the paperwork?

20 MR. KHEMANI: Make it simple.

21 MS. BOWMAN: Okay. Well, make a simple
22 suggestion.

1 MR. KHEMANI: I appreciate you giving us
2 the card, reach out to us, but I can tell you
3 every single time when the other departments are
4 sitting here, every single time there's a
5 recommendation made or a phone call made, that's
6 the process, sorry, can't help you.

7 MS. BOWMAN: Well, all I can say is
8 this, I became heir to this in November. So, as
9 they say, a new day. You know -- I'll echo what
10 Maria said, if at any time you send something
11 down, if you have sent something down in a request
12 that said, I want, you know, my forms, would you
13 allow me to have this, since I've been there in
14 November in this capacity, I understand.

15 UNIDENTIFIED: So, do you have people
16 who are presenting your agency, division or
17 department or whatever, (inaudible), can I get
18 past that? Why should I have invest the time to
19 put stuff in writing? So, there is better chance
20 of getting people who work for you --

21 MS. BOWMAN: Well, I can't speak for
22 them, and I know this doesn't make you happy, but

1 I can't speak to the staff, all I can speak to
2 right now is the issue.

3 MR. KHEMANI: I'll show you the pen
4 which helps shape the future.

5 MS. BOWMAN: Well, I hear you. So, the
6 only way we can go about this, if you want to do,
7 if you're, the bureaucratic way to do it, that's
8 fine, but if you want us to look at something to
9 say I really have a better way, I would like for
10 you to consider me, my way, this form, and get the
11 information. And if I see this evidence that
12 you're going to keep up with it that way, I never
13 said I'd rule that out. I didn't hear that you
14 ever asked that.

15 (Inaudible portion - participants
16 talking over one another.)

17 MS EVERETT: They will tell her that
18 because she is the boss. That when you get a
19 comment, you need to document it and move it
20 forward.

21 Number two, my comment to this is --

22 (Inaudible portion - participants

1 talking over one another.)

2 Government is a lot like sales. When
3 you don't get satisfaction at the counter, then
4 ask for the manager. And that would be my advice.

5 Ask for the supervisor and then go on
6 up.

7 Okay -- here --

8 UNIDENTIFIED: Just a quick comment.

9 And this was -- this predates Betty, so
10 none of this is your fault, Betty, but unless
11 everyone is talking about the regulations being
12 adopted under administrative process acts, these
13 forms are not in the regulations, these forms have
14 never been through an administrative process.
15 They were forms that were basically adopted by the
16 staff many years ago, long before Betty got there
17 and they are very resistant to changing.

18 I agree, we don't do all this
19 electronic stuff, but we do have forms that we
20 think are better than the forms -- and easier to
21 use than the forms that the division prescribes,
22 but they insist that we have to use their forms,

1 exactly.

2 So, I agree with the gentleman, and I
3 don't think these forms really are properly
4 labeled because they've never been through an
5 administrative process.

6 (Inaudible portion - participants
7 talking over one another.)

8 MR. LUTTRELL: I'd like to point out
9 that I appreciate that they are bringing out the
10 problems that we have had before, and the
11 statement that was made is that there has been no
12 change in regulation in 14 years and now we're
13 having a statewide meeting saying that we are
14 going to look at the regulations.

15 So, my only thought on that would be
16 everybody needs to put forth their input on the
17 forms. I only know the forms that I have seen. I
18 know the problems that I've had with the forms
19 that I've used in the last year and I can easily
20 say wow, this could be easier somehow. You
21 gentlemen have been doing the forms for 15, 20
22 years, surely you have a lot of input and the

1 gentlemen at the legislative body in Richmond have
2 no way of being able to put that experience
3 without these gentlemen putting it in.

4 We are right in the middle of the
5 process of changing everything and that's what
6 they're asking for. That's why we're here to say
7 what's broke, you're right, if you're willing to
8 listen to the board, they're not here. People
9 aren't listening to what happened before, we have
10 an open forum to say these are our problems right
11 now and we're going to put them forth and then we
12 can discuss them.

13 And it doesn't mean everybody's form is
14 going to be accepted because we're not all right,
15 not all the time.

16 But, if this is the forum that we need
17 and this is the opportunity. So, do me a favor,
18 take everything that you have and give it to them
19 and tell them this is the better way and take a
20 little bit more time and then say, you know what,
21 you're right, nobody listened to me before, but
22 thank you for giving me an opportunity and I have

1 a great idea.

2 Because if you guys think they haven't
3 listened to me yesterday and you stick with
4 history, then we're going to be stuck with what
5 you had then and it won't work the same way. We
6 have an open opportunity and if you present that
7 to them I believe, at worst case you're going to
8 have a much larger argument next year when they
9 didn't listen to you.

10 So, I mean, this is what we need to do.
11 We are here to present it and we have bingo world
12 and we have a group that says they're behind us
13 and what to do what they want to do. But, we
14 still are the ones who are saying this is what we
15 do in our department and this is what I think will
16 work and you guys can put it out there.

17 And if you guys can make these forms
18 easier, I would be more than happy to try what you
19 have and please present it.

20 MS. BOWMAN: When I came to charitable
21 gaming in the legislature and -- it controlled at
22 the local level, there was a form for reporting in

1 the statute that has been done.

2 But, do we really want legislators
3 telling us what's on the form? It's always be
4 careful what you wish for, right?

5 Yes, sir.

6 MR. LUTTRELL: One thing I want to bring
7 up, these gentlemen were talking about all these
8 automated systems they had in their fire
9 departments. I think if you would check, 90
10 percent of the other groups aren't computer
11 literate. So, if you're trying to say this is the
12 system that we're trying to use for all of us, I
13 don't think it's feasible because the people do
14 not have the knowledge and the technology.

15 I'll have to admit that in the
16 Washington area we got a lot of IT people. But if
17 you get out a little bit and you go down in the
18 valley, it ain't there folks.

19 MS. WILLIAMSON: My name is Marla
20 Williamson and I am from the Centreville volunteer
21 fire department. We use the forms and they work
22 fine for us. We had somebody to program them all

1 in -- on the main sheet, when you put everything
2 in, it populates all the rest of the forms, it
3 populates the 105, the 104, it populates all of
4 them. So, we don't have a problem with this, but
5 I feel for everybody else that doesn't have
6 somebody like we have to populate all of those.
7 It is voluminous and it is very time consuming and
8 we were all doing it by hand before and --

9 MS. BOWMAN: Thank you. And for the
10 Court Reporter, if you wouldn't mind stating your
11 name.

12 MR. WALLER: My name is Roger. And I
13 certainly appreciate it. I'm not suggesting that
14 everybody needs to go IT, but I don't, what I
15 think has happened is that some of the folks who
16 want to take that step and move forward like that
17 are held back because, you know, of that.

18 I'm not saying that there couldn't be a
19 way to accommodate it all, but I don't want to
20 keep doing things on paper just because, you know,
21 half of the state doesn't do computers.

22 But, I don't want to force them to do

1 computers either. I'm only suggesting that if
2 there's a better way, and we spend, I don't know,
3 \$400 or \$500 a month for a program that tracks it
4 as we sell it. There's no counting in the
5 beginning and counting at the end and those types
6 of things because it works, it works for us. And
7 I move my people through a lot faster and things
8 of that nature. But, I don't propose that, you
9 know, that everybody do that. It's worked well
10 for us for years. All of our forms are self
11 generated right now. But, what I have to do is
12 take, out of that system that we're using, that is
13 currently available, and translate those numbers
14 over to the Virginia state forms.

15 Now, I can go to this company and pay
16 them probably \$20,000 to make your forms be the
17 forms in that system for us.

18 When they did our audit the last time,
19 which was a couple of years ago, so it will
20 probably be coming up again, we submitted our
21 forms then, this is for your history. And we were
22 flat out told no, you can't use them.

1 It provided all of the same
2 information. So, I'm not going to say any more
3 about that. We'll just let that rest, but I
4 wanted you to know that it had been done.

5 But, we're sitting here in northern
6 Virginia, and I understand that Richmond only
7 likes us when it's tax time. This is where a lot
8 of it comes from. But, we're facing a situation
9 here, and they're going to pass laws right across
10 the river from us shortly.

11 So, we're trying to find a way to be
12 more competitive, I mean, to us here in Annandale,
13 this is a business, it's how we pay for fire
14 trucks.

15 I just had to tell the county recently,
16 your fire truck, ten years ago cost me \$300,000
17 and now it cost me \$540,000, so I can't afford to
18 buy them anymore because I can't increase my bingo
19 income by \$240,000.

20 What we do and I know we're different
21 than most, you know, we have a full marketing
22 campaign, we have (inaudible) clubs, you know, we

1 have scan cards. I can tell you what every single
2 player bought every night she's been here. Okay,
3 because that's how easy our system is. It's just
4 that, what I felt is that we're shut out from
5 being able to utilize some of the marketing
6 techniques that, you know, are out there, and I'm
7 really scared that once they have the slots across
8 the river, that we're going to lose more of our
9 clientele.

10 You know, two years ago, I think it's
11 two, correct me if I'm wrong, but you know, the
12 state approved electronic pull tab machines. It
13 was just waiting for the staff to come up with the
14 rules on implementing them. And we haven't seen
15 any movement on that I'm aware of.

16 Those are the kinds of things that I
17 think we need, at least in northern Virginia, to,
18 you know, surveying different communities, they
19 will address it in different ways. But, we're
20 going to be hurting in part in northern Virginia
21 because we can't compete with the slots. We can't
22 offer any bigger prizes.

1 You know, a lot of people have said
2 they're not interested in bigger prizes, well in
3 northern Virginia I can tell you that we are
4 because we're trying to attract that money that's
5 out there from those folks that only have a
6 limited amount of money to spend on this. You
7 know, am I going to put it in the slots or am I
8 going to put it in bingo? Well, I can only win
9 \$100 at bingo. You know, I can go over there and
10 win whatever I want to.

11 I already know a volunteer fire company
12 in Maryland that has an entire warehouse full of
13 slot machines just waiting for that to happen.
14 And, I'm not saying I want slot machines, and I'm
15 not saying that I have to have electronic pull
16 tabs, it's just that we need to move the game, you
17 know, further into the future than a piece of corn
18 on a hard card. At least in northern Virginia.

19 Because, it's our major source of
20 income. You know, and I can promise you that, you
21 know, I'll dig my heels in, I know Roger will and
22 I know half the other folks here from northern

1 Virginia are willing to work with anybody to get
2 there. You know, legislators, you know, we all
3 know how well that can go sometimes. It doesn't
4 take much because you're spread out throughout the
5 state. But, again, that's working with your
6 staff, you know, we'll certainly be happy to
7 provide some input.

8 But, I wasn't faulting you earlier,
9 okay, it's just that, you know, when you said,
10 just say something. Well we had.

11 MS. BOWMAN: And to also answer the
12 question or respond to the statement rather, the
13 electronic pull tab regulations, electronic pull
14 tab regulations are in draft form, they're making
15 their way through, but they're nowhere near
16 complete.

17 And that has been brought to the board,
18 in fact, we have a board member here tonight, Mr.
19 James Davis. But, we have a whole lot more to do
20 with it such as (inaudible), they didn't give us
21 any of that. So, you know, we're working on it,
22 but you know, that's got a ways to go. It has to

1 be approved by the Attorney General's office and
2 the Governor's office. And I don't have any
3 control over that.

4 MR. WALLER: I understand that, but
5 understand where we are at least in northern
6 Virginia. You know, they're getting ready to open
7 up all these slot halls across the river. You
8 know, within seven or eight miles of us. Okay.
9 And they're going to hurt.

10 UNIDENTIFIED: That's in Maryland isn't
11 it?

12 MR. WALLER: Yeah, but I'm in
13 Annandale, Virginia, it's about seven miles.

14 (Inaudible portion - participants
15 talking over one another.)

16 MR. MARSHALL: I have a -- my name is
17 Peter Marshall, I'm chairman of (inaudible),
18 Fairfax Elk bingo. On our bingo license it states
19 out hours of operation of Monday and Thursday.
20 I'm wondering about if during the winter
21 occasionally we have to eliminate a bingo due to
22 the bad weather, and I just wondering what are the

1 consequences of that, can we have a special make
2 up bingo for that or do we have to stick to our
3 license and hours of operation and just skip it?

4 MS. BOWMAN: Well, many times
5 organizations have weather problems. All you have
6 to do, and all you can do, is call up and say --
7 some people also have issues this time of year
8 that they don't have enough volunteers to work a
9 game, they're on vacation. Just because you have
10 it down, we expect you to be playing unless you
11 notify us. I will bring you a card where you can
12 see -- where you can notify us. And then there's
13 also in the regulations, I think it's in the
14 statute too, if there is times when you have a
15 fair, many of you I think, a lot of the fire
16 departments get in on when there's fairs, the
17 Eastern Shore has a lot of those fairs and there
18 is a section that says you can have special games
19 for those particular situations.

20 Does that help?

21 MR. MARSHALL: Yeah, I just want to make
22 sure, you know, because, with the holidays --

1 we're pretty much open year round, the only days
2 we take off is Christmas day, New Years day and
3 Thanksgiving day.

4 MS. BOWMAN: And when you turn your, you
5 know, permit in, go ahead and tell them in
6 advance, if your closing day is on Christmas or
7 Thanksgiving, let us know, we'll put it on there,
8 except, you know, so and so day.

9 MR. MARSHALL: Okay. Thank you very
10 much.

11 UNIDENTIFIED: Well this is just a
12 funny story, okay.

13 (Inaudible portion - participants
14 talking over one another.)

15 UNIDENTIFIED: Listen to this, the
16 forms, there's a place for some information --
17 each time I fill out a form and I send that, 3
18 weeks later I get a phone call. Well, you don't
19 have this information that you provided us, so we
20 cannot (inaudible) permit. How about changing the
21 form and ask me what information that you require.

22 UNIDENTIFIED: Are you talking about

1 being called and asked for additional information
2 that is not requested on the form.

3 UNIDENTIFIED: Every single time on that
4 form.

5 I got your phone number and --

6 (Inaudible portion - participants
7 talking over one another.)

8 MS. BOWMAN: It's on your permit now,
9 right?

10 UNIDENTIFIED: It's on our permit now,
11 but each single time --

12 MS. BOWMAN: So you put it on the
13 application I guess when you sent it in.

14 UNIDENTIFIED: There's no blank there
15 for it.

16 UNIDENTIFIED: Well, the first two times
17 I did --

18 MS. BOWMAN: We can talk afterwards, but
19 I think there's a line that says hours.

20 (Inaudible portion - participants
21 talking over one another.)

22 UNIDENTIFIED: No, I have it down, I do

1 it electronically, I faxed them and I email them
2 also. My point being, you say we don't listen, we
3 don't listen, I want you to know that we tried
4 repeatedly.

5 (Inaudible portion - participants
6 talking over one another.)

7 MR. LESEN: Chuck Lesen again. I wanted
8 to -- I know Maria, I was sort of pitching for the
9 Virginia charitable bingo organization, I want to
10 take the chance to just address the obvious and
11 that is that, there's probably some continuity at
12 some level about these forms, and I can tell my
13 own story.

14 Our charity has been gaming for 25
15 years and after 22 years the folks said you can't
16 use your own forms any more, you have to use the
17 state forms.

18 The end of the story got to be a
19 different one than yours because after about three
20 months I realized, you know, you know what, it's
21 just a different form. I got used to it, I got
22 over it, I'm okay with it now.

1 But, I hear your point. What I'd like
2 to say now though is, can you imagine none of us
3 called the division or maybe we did and we didn't
4 get an answer or whatever. Imagine what it would
5 be like if our organization called the division of
6 charitable gaming and said we have 27 charities in
7 the state who have met and are all frustrated with
8 the forms and we had a meeting.

9 And that's precisely why we formed the
10 Virginia charitable bingo association. Instead of
11 six different charities calling and everybody
12 wanting the form their way, I mean, to a certain
13 degree we probably will all understand that it's
14 easier on the state if everybody is using the same
15 form. I mean, there's somebody in the office and
16 they're looking at a bunch of these forms and
17 they're trying to make it uniform. We get that.

18 Should there be exceptions, maybe there
19 should be. I don't know, I'm not down there.
20 But, we understand the need for some uniformity
21 and so if there are enough charities that really
22 want a change in whatever that uniform form is

1 going to look like, then I think we have a lot
2 more impact if we call down as a group and say can
3 we have a meeting and maybe talk about changing
4 the form.

5 So, that's the main thing I wanted to
6 say. So, with everybody's permission I'd like to
7 sort of change the subject and talk about
8 something that I'd have a number of charities talk
9 to me about in the past month or so, it is an idea
10 that a few charities had from different areas of
11 the state, we're getting just an inordinate amount
12 of phone calls and emails. And this is something
13 that is sort of bottom line, if you will, it would
14 change the way we're gaming, and I don't know if
15 it's a good idea or bad idea, but I'd like to just
16 take two minutes.

17 I talked to two groups tonight about
18 it, it's interesting, it might be bad, it might be
19 really good. When lucky seven was introduced
20 again two or three years ago, whenever, I had no
21 idea, we didn't even start playing it right away,
22 I didn't even know it happened. But, when we

1 realized that other charities were playing it, we
2 decided that we would do it.

3 It turned out statistically that that's
4 the most profitable game in our bingo program, in
5 a session of bingo. And I think, if we look
6 around the state it's probably the most profitable
7 game in everybody's session, those that are
8 playing it. In fact, we have a game of 120 to 130
9 folks a session and we play twice a week and we
10 calculated out the last quarter. We average
11 around \$303 profit on that game after we add to
12 the progressive part of it and after we pay the
13 game out.

14 And these charities came to me to get
15 me to evaluate my own work, numbers, and they said
16 you know, it's fascinating, if you look at the
17 winner take all games, many charities are playing
18 two a session, that most charities are making zero
19 money on the winner take all. So, if you pay out
20 827 on a night and you're playing a winner take
21 all game, you've taken 827 off the floor that
22 theoretically if all the money was put into

1 instants, it would make 27 percent, 30 percent,
2 whatever that number is. If they bought extra
3 jackpot sheets or whatever that is, it's money
4 that the charity could obtain some kind of profit
5 from. But, we're paying it in winner take all and
6 the charities are making nothing as opposed to
7 once again, the lucky seven game where everybody
8 is making more money on that game than anything
9 else in the program.

10 So, the idea came to me was the
11 following. Why don't we all together as charities
12 say the following, we don't want to play the
13 winner take all game any more because almost none
14 of them are making a penny on them. We know that
15 it is a big draw, and it is a big draw. You can
16 pay close to \$1000, people want to come into those
17 games.

18 What if we play more than one lucky
19 seven game, say three lucky seven games in a
20 session. And what if we could change the rules
21 and regs so that instead of starting it at \$500
22 and you win it in 16 numbers or less, what if we

1 started it at \$1000 and 16 numbers or less. Stop
2 playing winner take all games, play two or three
3 of those games in a session. Somebody else came
4 to me and said, you know what, you wouldn't
5 necessarily play three in a session. You wouldn't
6 introduce all three of them the first night.
7 You'd stagger them in over a 30 day period. So,
8 any night that your charity is playing you might
9 have a lucky seven that's at \$1400 and one of them
10 that's at \$2000 and one of them that's \$2200. And
11 you're advertising really significant games,
12 bigger than the winner take all games, but games
13 that we're making money on every single time we
14 play them.

15 Now, you can play them electronically
16 in machines. If your charity chooses to not use
17 portable machines in the way that others do, then
18 fine, you can sell the lucky seven on paper, or
19 you can do both, which a lot of charities do.

20 Now, once again, I haven't really
21 thought through it to a great extent, but I did do
22 enough to crunch the numbers. And I looked again

1 at my own charity and I recall we made almost no
2 money in the past 90 days on winner take all. And
3 it's painful because there are plenty of nights we
4 were \$870, \$920, and you couldn't get over that
5 \$1000 mark. And we're making lots of money on the
6 lucky seven games.

7 So, is it a good idea? I think it's a
8 conversation that we should have as a group of
9 charities. We could have it in Roanoke and here
10 and Tidewater and Richmond and get the charities
11 to come together as a group and say you know, this
12 is a fascinating idea because it doesn't
13 negatively impact the small game versus the big
14 game. This directly could positively impact all
15 the games, small medium and large, let's do it.

16 Then we can go to the appropriate
17 (inaudible), whether that would be a legislative
18 change. So, that could be a legislative change,
19 but we would still have to deal with the division
20 of charitable gaming when they begin to implement
21 the rules and regulations. And perhaps at the
22 same time we're talking to the legislative body

1 and saying let's do it, we could be talking to
2 this group saying how did you do it and we'd have
3 some ideas and some input.

4 So, that is what our group is, I guess
5 bottom line what we are attempting to do. If
6 these forms are an issue, we should be addressing
7 the forms. We should be addressing everything
8 that impacts our charity.

9 But, I think at the heart of this is,
10 while some of the charities sound like they're
11 fine, and I understand many people think the
12 process isn't broken, well, a lot of the charities
13 in the state are struggling. Attendance is down
14 and the bottom line is down. And what I would
15 like to see us do is to focus every year, every
16 quarter on what we do to improve this. How can we
17 advertise in a different way.

18 I remember the days where you could
19 only advertise in a very specific way. And now
20 that's been opened up. Well, that was a lot of
21 conversation. We advertise on television now and
22 recently in the past month have a 50 percent

1 increase in attendance in the Richmond market from
2 six different stations on Comcast.

3 But, in any case, there are many ideas
4 which I think as a group we should be talking
5 about.

6 And at the heart of it again, how do
7 you make more money. It's a lot, five hours is a
8 long time. To get there before the game starts,
9 set up and then clean up and do paperwork at the
10 end, be there for five or six hours in a smoke
11 filled room is a lot of work. And how do we make
12 more money from all of that, blood, sweat and
13 tears that we're all putting in week after week
14 after week. That's what I want to see us focus on
15 and I really do believe if we do it in a large
16 group, as many charities as we can get, and then
17 we go to the legislative body and to Betty's
18 office and say, look, we've got a lot of people
19 here from a lot of charities and we all feel the
20 same way, we want an audience, let's talk, let's
21 try to work it out.

22 So, that's my pitch. I hope everybody

1 joins in, I think it's the right way to go.

2 MR. WALLER: Anything to make it more
3 marketable, okay, is definitely a positive. If
4 there is anything that you can go out there and
5 say this is why you want to come to my game.

6 (inaudible) In order to have that we also have to
7 have the ability to have three or four games --

8 MR. LESEN: Well, you gave me the idea
9 to mention that Pete, it is going to be a hard
10 sell here if Maryland blows up those 15,000 slot
11 machines. May be a multiple (inaudible) program
12 is a way to combat that. But I got -

13 (Inaudible portion - participants
14 talking over one another.)

15 MR. LESEN: But, that's the magic of
16 the lucky seven, from my perspective, and I've
17 looked at the charities from every end of the
18 spectrum, the magic of the games like that is that
19 it can be productive and successful with small
20 games, medium games and the large games. And
21 that's the problem, we can't introduce things that
22 really only help bigger games and then the little

1 games get edged out. And that's what we don't
2 want.

3 MR. WALLER: That's one of the bad
4 things, quite honestly, that (inaudible) the
5 ability to do the lucky seven, that is a cash cow
6 for most games as well, you know, as opposed to
7 some of the other things. Sort of a creative --

8 MS. EVERETT: Okay, I'm going to
9 interject here. You all can talk afterwards. I
10 just want to give everybody the opportunity,
11 because you see, there are good ideas that are
12 coming out.

13 Anybody else have -- let me just throw
14 this out. Chuck mentioned electronic games, yes
15 there is something in the regs going on in the
16 legislature, fair small words that said,
17 electronic games approved by the commission,
18 counsel, division, whatever. Those few words
19 carry a lot of impact. Now, there's a lot of
20 pressure from what I've heard on the legislative
21 side of, you know, they want slot machine looking
22 things, bells and whistles that attract players.

1 Now, the electronic version can go from
2 just bending a pull tab to opening a pull tab and
3 it's just sort of -- what do you see for every
4 person -- some people talk about, well, you know,
5 the older people don't care for the electronic
6 version.

7 Okay. But, can we just have a little
8 dialog about what the sense of people here is
9 about video games, if you will, for lack of a
10 better term. Good thing, bad thing and why.
11 Does anybody want to comment on that. Whether you
12 think it would work for you, just anything on the
13 electronic game aspect because just to answer your
14 question or comment, nobody is putting corn on
15 cards any more. We're in the doppler world, but
16 still it isn't grandma's bingo.

17 MS. WOODWARD: I'm Doris Woodward
18 representing the Moose and the Elks. The Elks, we
19 had an electronic bingo there for probably, what,
20 two or three years I guess. And they liked it,
21 but I don't know why they decided to stop them.
22 But, they stopped, so we don't have that any more.

1 But, we made, they took a vote twice
2 and nobody wanted them. So, we didn't even try
3 that at the Moose. So, I don't know what the
4 answer is there. I couldn't keep up with both the
5 paper and the electronic.

6 MS. EVERETT: Okay, anybody else on
7 the dos and don'ts, electronic game?

8 MR. WALLER: Having just spent a couple
9 of nights working in the bingo hall out in that
10 gambling place out west, out there they play
11 electronic and paper, you have a choice, you don't
12 have to pick one over the other. But, our view of
13 the whole electronic is that we're trying to also
14 attract a younger crowd, we're not trying to push
15 the older crowd out, you know, we want to be able
16 to provide everything for everyone.

17 But, your people that are in their 30s,
18 40s, and even younger, they are not into the
19 dominos, they're the generation of they want to
20 play with the phones and the wiis and that stuff.
21 So, if you're also providing that opportunity for
22 them, and I know there are some games, one night

1 where they do nothing but electronic. And another
2 night where they do nothing but the other. So,
3 you can accommodate the entire region sometimes.

4 But, to become more marketable to
5 everyone, to be able to provide both is the right
6 thing as far as I'm, you know, the way I see it.
7 We don't do electronic yet. We are in the process
8 of moving to the electronic bingo.

9 But, I put electronic bingo and
10 electronic, or as you put it, video, you know, in
11 a totally different world because one is there to
12 attract and excite, the other is there so they can
13 actually play more and be more relaxed at what
14 they do.

15 But, you know, the other stuff is just
16 more of an attractant. So, our full intention is,
17 if we ever get there, is that we'll have them.

18 MS. EVERETT: Anybody else have any
19 comments on that?

20 MS. JECKLE: I'm with the Occoquan
21 Woodbridge volunteer. My name is Sandra Jeckle.
22 And, I am the bingo manager. And I listen to a

1 lot of people coming in to our bingo hall and
2 they, a lot of the women and men love bingo
3 machines, changing as electronic ones. And you're
4 saying that A, now one lady that comes in, she's
5 about 88. She plays electronic bingo. So, it's
6 not age. But, it is, they do enjoy them. And, we
7 have paper, three or four rounds of other bingo
8 halls that do have the electronic and they go
9 there. These ladies and men play five and six
10 nights a week. So, and they do like electronic.
11 There's quite a few of them and they do enjoy
12 them.

13 MS. EVERETT: Thank you very much,
14 anything else.

15 All right, is there a topic in the
16 charitable gaming world that we haven't covered
17 tonight that anybody would like to talk about?

18 Going once, going twice, gone.

19 MR. FLEMING: What about the new
20 regulation in the state about the smoking and non-
21 smoking. How is that going to effect the bingo
22 halls?

1 MS. EVERETT: December 1 of this year,
2 no smoking in restaurants is the law. And it's a
3 general law.

4 MR. BYLER: For what it's worth, my
5 group hired me separately to answer that. Every
6 locality has to deal with the local health
7 official, although any law enforcement issue can
8 write the ticket, what we're doing in our area,
9 since the hall is so big, we're being proactive,
10 we're inviting the health inspector in saying
11 okay, what do you need.

12 If you're serving any kind of prepared
13 food, you're running a restaurant. And there are
14 some exemptions, perhaps, for the small Elk
15 places, but your local health department official,
16 I understand Ms. Bowman figures her plate is full
17 and the charitable gaming folks are not looking to
18 hassle you on that. But, I'd say contact your
19 local.

20 I think we're most concerned about
21 spending -- some of these are big halls, so, 25 to
22 50,000 for the renovation. My guys figured

1 another year from now they're going to ban all the
2 smoking. So, they'd just as soon they do away
3 with all of it as opposed to this mixed -- but,
4 everybody's got their own views.

5 As long as I've got the floor, on the
6 electronic versus paper, my people say let a
7 thousand flowers bloom, let everybody have the
8 option to decide what they want to do.

9 MS. EVERETT: To go back on the
10 smoking, the bill addresses smoking in
11 restaurants. But, the definition of a restaurant,
12 and you can call me and I can point you to the law
13 and answer your questions about it, it defines
14 restaurants pretty broadly, not just as Gary
15 indicated, where food is prepared.

16 Basically, so unless you're coke cans
17 and that, if you're preparing food on premises,
18 you're going to come under the regulations or the
19 state law that prohibits -- now this is Virginia,
20 a tobacco state -- so the way, it's called the
21 clean indoor air act. I never get that exactly
22 right. But, because it's a tobacco state, the

1 idea was, you can smoke anywhere you want, welcome
2 to Virginia, but you have to have enough no
3 smoking areas. That has been turned on it's head.
4 In fact, in fact December 1, which is no smoking
5 is allowed in restaurants. Bars and lounges that
6 are contained in restaurants are likewise
7 considered a restaurant, so are the restrooms, so
8 they have to be smoke free.

9 But, you can have a structurally
10 separated room where you can allow smoking, but it
11 has to be separately vented. It's not a different
12 HVAC, but you can't recirculate in that smoking
13 room. It's got to be glass walls, stud walls, no
14 more putting lattice up and saying smoking here,
15 non-smoking.

16 But, because a lot of bingo halls
17 prepare burgers and soft drinks and other things,
18 they're going to come under the definition of a
19 restaurant.

20 Now, it was a hard fought battle about
21 this, with the whole smoking, as you can imagine,
22 so there are certain exceptions and the one

1 exception is if you have a structurally separate
2 room where smoking can be permitted.

3 But then the entrance, at least one
4 entrance has to be through the non-smoking
5 segment. So, you can't make them go through the
6 smoking section. And like I said the bathrooms are
7 non-smoking as well.

8 So yes, it may impact you, and you need
9 to take a look at the definition. That would be a
10 regulatory change. I don't know that anybody has
11 the intent to capture bingo halls, they just
12 wanted to capture anytime people are sitting down
13 because at bingo nobody takes time to, like at a
14 bowling alley, for instance, the dining area is
15 sort of the snack bar, it's over on one side and
16 not as easy to wall off.

17 But, in a bingo hall nobody stops for a
18 minute to go have a bite and then come back to the
19 game. So, that's another issue ripe for
20 legislative changes because it will impact,
21 December 1, if you're defined as a restaurant, and
22 like I said, any food preparation, anywhere food

1 is prepared and served to the public, you are a
2 restaurant and you will not be allowed to smoke
3 except unless you do a specially separated room.

4 UNIDENTIFIED: We you still have to go
5 through the --

6 MS. EVERETT: It's all part of their
7 food regulations, as part of their regulations,
8 they're inspecting, if you prepare food, they're
9 going to be dealing with the smoking sort of law
10 too.

11 (Inaudible portion - participants
12 talking over one another.)

13 MS. EVERETT: So, it's quarter to eight
14 and to be respectful of everybody's time, again,
15 I'll give you a couple of minutes to think about
16 is there any other issues that you want to bring
17 up that relate to charitable gaming, because we
18 are going to get a transcript that will go back to
19 the subcommittee. And as Delegate Albo said,
20 their job as legislators is not to find the
21 answer, the answer comes from you. They don't
22 know it as well as you. So, if there's consensus

1 on a point, they will do what you want if there is
2 consensus. I've seen it over and over and I've
3 talked about that issue, how important legislation
4 -- but over and over again, it's about consensus.
5 If there's a consensus among interested parties.

6 UNIDENTIFIED: I've got a question. Do
7 you keep statistics on when and where the last
8 bingo hall has been robbed, armed robbery?

9 MS. EVERETT: I think that's -- check
10 with your local police -- you can make a freedom
11 of information request and say, ho many arrests
12 were made in this location and under the law
13 they're to provide those records to you.

14 (Inaudible portion - participants
15 talking over one another.)

16 MS. EVERETT: Amigo and I are leaving
17 cards and I know you're not as interested in us as
18 you are in Betty Bowman. But, that's okay. We
19 want to hear from you. If you didn't get that
20 point, she wants to hear from you. She's going to
21 instruct her staff, I'm not telling her what to
22 do, but she's hearing me, it's a different day

1 dawning, she wants things to work.

2 Anybody else? Anything else?

3 Going once --

4 (Whereupon, the meeting was adjourned
5 at 7:50 p.m.)

CERTIFICATE OF COURT REPORTER/NOTARY PUBLIC

I, Peggy A. Lyons, Notary Public/Court Reporter, do hereby certify that the foregoing proceedings were taken by me at the time, place, date and for the purposes stated herein.

Further that the foregoing transcript is a true and accurate record of the proceedings to the best of my knowledge and ability.

Inaudible portions because of participants talking over each are noted as such. Inaudible words were also noted as such. Participants not identifying themselves were noted as unidentified.

Given under my hand this 7th day of September 2009.

Peggy A. Lyons
Notary Registration #162703

PEGGY A. LYONS
NOTARY PUBLIC
REGISTRATION # 162703
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
SEPTEMBER 30, 2011

