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MEMORANDUM

TO: Joint Committee on Government and Finance
FROM: John A. Myers, Director *John A. Myers*
RE: Monthly Report on Lottery Operations
Month Ending March 31, 2023
DATE: April 18, 2023

This report of the Lottery operations is provided pursuant to the State Lottery Act.

Financial statements of the Lottery for the month ending March 31, 2023 are attached. Lottery revenue, which includes on-line, instant, video lottery sales, table games, and historic resort, sports wagering, and interactive gaming was \$121,370,281 for the month of March.

Transfers of lottery revenue totaling \$131,257,558 made for the month of March to the designated state agencies per Senate Bill 160, Veterans Instant Ticket Fund, Racetrack Video Lottery Act (§29-22A-10), and the Racetrack Table Games Act (§29-22C-27). The amount transferred to each agency is shown in Note 12 on pages 20 and 21 of the attached financial statements.

The number of traditional and limited retailers active as of March 31, 2023 was 1,528 and 1,206 respectively.

A listing of the names and amounts of prize winners has been provided to the Clerk of the Senate, the Clerk of the House and Legislative Services.

If any member of the Committee has questions concerning the Lottery, please call me. Also if any members of the Legislature wish to visit the Lottery offices, I would be pleased to show them our facilities and discuss the Lottery with them.

JAM
Attachment

pc: Honorable Jim Justice, Governor
Dave Hardy, Cabinet Secretary – Dept. of Revenue
Riley Moore, Treasurer
J. B. McCuskey, Auditor
Members of the West Virginia Lottery Commission

WEST VIRGINIA LOTTERY

STATE OF WEST VIRGINIA

**FINANCIAL STATEMENTS
-UNAUDITED-**

March 31, 2023

WEST VIRGINIA LOTTERY

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WEST VIRGINIA LOTTERY
STATEMENT OF NET POSITION
(In Thousands)
-Unaudited-

ASSETS	March 31, 2023	June 30, 2022
Current Assets:		
Cash and cash equivalents	\$ 202,131	\$ 281,709
Accounts receivable	41,240	32,032
Inventory	1,531	1,436
Other assets	5,929	5,989
Total Current Assets	<u>250,831</u>	<u>321,166</u>
Capital assets	63,221	62,487
Less accumulated depreciation and amortization	<u>(21,424)</u>	<u>(20,161)</u>
Net Capital Assets	<u>41,797</u>	<u>42,326</u>
Total Noncurrent Assets	<u>41,797</u>	<u>42,326</u>
Total Assets	<u>\$ 292,628</u>	<u>\$ 363,492</u>
Deferred outflows of resources	<u>\$ 2,436</u>	<u>\$ 2,436</u>
Total assets and deferred outflows	<u>\$ 295,064</u>	<u>\$ 365,928</u>
Current Liabilities:		
Accrued nonoperating distributions to the State of West Virginia	\$ 176,384	\$ 240,181
Estimated prize claims	17,905	16,152
Accounts payable	4,132	4,212
Other accrued liabilities	28,256	36,996
Total Current Liabilities	<u>226,677</u>	<u>297,541</u>
Deferred inflows	<u>\$ 7,491</u>	<u>7,491</u>
Net Position:		
Net Investment in capital assets	41,797	42,326
Unrestricted	<u>19,099</u>	<u>18,570</u>
Total Net Position	<u>60,896</u>	<u>60,896</u>
Total net position, liabilities, and deferred inflows	<u>\$ 295,064</u>	<u>\$ 365,928</u>

The accompanying notes are an integral part of these financial statements.

WEST VIRGINIA LOTTERY
STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
FOR THE NINE MONTH PERIOD ENDED MARCH 31, 2023
(In Thousands)
-Unaudited-

	CURRENT MONTH		YEAR TO DATE	
	FY 2023	FY 2022	FY 2023	FY 2022
Lottery revenues				
On-line games	\$ 6,153	\$ 5,669	\$ 76,432	\$ 56,087
Instant games	16,924	16,735	131,249	129,316
Racetrack video lottery	45,473	42,516	372,378	352,566
Limited video lottery	46,550	46,770	369,280	367,187
Table games	3,217	3,167	26,413	27,224
Historic resort	460	446	4,733	6,353
Sports Wagering	470	281	4,369	3,552
Interactive Wagering	2,123	1,355	15,331	9,225
	<u>121,370</u>	<u>116,939</u>	<u>1,000,185</u>	<u>951,510</u>
Less commissions				
On-line games	434	397	5,351	3,932
Instant games	1,185	1,171	9,187	9,052
Racetrack video lottery	21,956	20,515	196,100	186,816
Limited video lottery	22,809	22,917	180,947	179,922
Table games	1,368	1,343	11,226	11,536
Historic resort	270	216	2,397	3,196
	<u>48,022</u>	<u>46,559</u>	<u>405,208</u>	<u>394,454</u>
Less on-line prizes	3,184	2,761	39,088	28,336
Less instant prizes	11,556	11,421	89,453	88,085
Less ticket costs	270	269	1,538	1,482
Less vendor fees and costs	645	1,067	8,869	8,120
	<u>15,655</u>	<u>15,518</u>	<u>138,948</u>	<u>126,023</u>
Gross profit	<u>57,693</u>	<u>54,862</u>	<u>456,029</u>	<u>431,033</u>
Administrative expenses				
Advertising and promotions	542	253	4,671	4,629
Wages and related benefits	936	845	8,745	8,002
Telecommunications	52	68	555	523
Contractual and professional	902	55	8,598	4,342
Rental	24	15	216	198
Depreciation and amortization	141	138	1,263	1,244
Other administrative expenses	363	85	2,001	1,426
	<u>2,960</u>	<u>1,459</u>	<u>26,049</u>	<u>20,364</u>
Other Operating Income	<u>482</u>	<u>659</u>	<u>4,074</u>	<u>3,702</u>
Operating Income	<u>55,215</u>	<u>54,062</u>	<u>434,054</u>	<u>414,371</u>
Nonoperating income (expense)				
Investment income	1,010	38	6,343	(318)
Distributions to municipalities and counties	(912)	(917)	(7,238)	(7,197)
Distributions -capital reinvestment	(931)	(865)	(2,732)	(2,255)
Distributions to the State of West Virginia	(54,382)	(52,318)	(430,427)	(404,601)
	<u>(55,215)</u>	<u>(54,062)</u>	<u>(434,054)</u>	<u>(414,371)</u>
Net income	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net position, beginning of period	<u>60,896</u>	<u>57,032</u>	<u>60,896</u>	<u>57,032</u>
Net position, end of period	<u>\$ 60,896</u>	<u>\$ 57,032</u>	<u>\$ 60,896</u>	<u>\$ 57,032</u>

The accompanying notes are an integral part of these financial statements.

WEST VIRGINIA LOTTERY
STATEMENTS OF CASH FLOWS
FOR THE NINE MONTH PERIOD ENDED MARCH 31, 2023
(In Thousands)
-Unaudited-

	2023	2022
Cash flows from operating activities:		
Cash received from customers and other sources	\$ 995,051	\$ 951,806
Cash payments for:		
Personnel costs	(8,745)	(8,002)
Suppliers	(16,458)	(12,403)
Other operating costs	(545,033)	(519,110)
Cash provided by operating activities	<u>424,815</u>	<u>412,291</u>
Cash flows from noncapital financing activities:		
Nonoperating distributions to the State of West Virginia	(494,224)	(403,228)
Distributions to municipalities and counties	(7,088)	(7,074)
Distributions to racetrack from racetrack cap. reinv. fund	(8,690)	(5,309)
Cash used in noncapital financing activities	<u>(510,002)</u>	<u>(415,611)</u>
Cash flows from capital and related financing activities:		
Purchases of capital assets	<u>(734)</u>	<u>-</u>
Cash flows from investing activities:		
Investment earnings received	<u>6,343</u>	<u>46</u>
Cash provided by investing activities	<u>6,343</u>	<u>46</u>
Increase (decrease) in cash and cash equivalents	(79,578)	(3,274)
Cash and cash equivalents - beginning of period	<u>281,709</u>	<u>198,583</u>
Cash and cash equivalents - end of period	<u>\$ 202,131</u>	<u>\$ 195,309</u>
Reconciliation of operating income to net cash provided by operating activities:		
Operating income	\$ 434,054	\$ 414,371
Adjustments to reconcile operating income to cash provided by operating activities:		
Depreciation and amortization	1,263	1,244
Changes in operating assets and liabilities:		
(Increase) decrease in accounts receivable	(9,208)	(3,406)
(Increase) decrease in inventory	(95)	(433)
(Increase) decrease in other assets	60	(35)
Increase (decrease) in estimated prize claims	1,753	826
Increase (decrease) in accounts payable	(80)	(929)
Increase (decrease) in other accrued liabilities	(2,932)	653
	<u>\$ 424,815</u>	<u>\$ 412,291</u>

The accompanying notes are an integral part of these financial statements.

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 1 - LEGISLATIVE ENACTMENT

The West Virginia Lottery (Lottery) was established by the State Lottery Act (Act) passed April 13, 1985, which created a special fund in the State Treasury designated as the "State Lottery Fund." The purpose of the Act was to establish and implement a state-operated lottery under the supervision of a state lottery commission (Commission) and a director. The Commission consisting of seven members and the Director are appointed by the Governor. Under the Act, the Commission has certain powers and the duty to establish rules for conducting games, to select the type and number of gaming systems or games and to enter into contracts and agreements, and to do all acts necessary or incidental to the performance of its duties and exercise of its power and duty to operate the Lottery in a highly efficient manner. The Act provides that a minimum annual average of 45% of the gross amount received from each lottery shall be allocated for prizes and also provides for certain limitations on expenses necessary for operation and administration of the Lottery. To the extent available, remaining net profits are to be distributed to the State of West Virginia. As the State is able to impose its will over the Lottery, the Lottery is considered a component unit of the State and its financial statements are presented in the comprehensive annual financial report of the State as a blended proprietary fund component unit.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A summary of the significant accounting policies of the Lottery is presented below.

BASIS OF PRESENTATION – The West Virginia Lottery is a component unit of the State of West Virginia, and is accounted for as a proprietary fund special purpose government engaged in business type activities. In accordance with Governmental Accounting Standards Board (GASB) Statement No. 34, "Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments," and with accounting principles generally accepted in the United States of America, the financial statements are prepared on the accrual basis of accounting which requires recognition of revenue when earned and expenses when incurred. As permitted by Governmental Accounting Standards Board (GASB) Statement No. 20, "*Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*," the Lottery has elected not to adopt Financial Accounting Standards Board (FASB) statements and interpretations issued after November 30, 1989 unless the GASB specifically adopts such FASB statements or interpretations.

The Lottery is included in the State's basic financial statements as a proprietary fund and business type activity using the accrual basis of accounting. Because of the Lottery's presentation in these financial statements as a special purpose government engaged in business type activities, there may be differences in presentation of amounts reported in these financial statements and the basic financial statements of the State as a result of major fund determination.

USE OF ESTIMATES – The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make certain estimates and develop assumptions that affect the amounts reported in the financial statements and related notes to financial statements. Actual results could differ from management's estimates.

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

LOTTERY GAME OPERATIONS – The West Virginia Lottery derives its revenues from four basic types of lottery games: instant, on-line, video type games, and table games. The Lottery develops multiple game themes and prize structures to comply with its enabling legislation, including aggregate annual minimum prize provisions. All bonded retailers and agents comprised principally of grocery and convenience stores serve as the primary distribution channel for instant and on-line lottery sales to the general public.

The Lottery has contracted with a private vendor to manufacture, distribute, and provide data processing support for instant and on-line games. Under the terms of the agreements, the Lottery pays a percentage of gross revenues or gross profits for the processing and manufacture of the games.

Revenue from instant games is recognized when game tickets are sold to the retailers, and the related prize expense is recorded based on the specific game prize structure. Instant ticket sales and related prizes do not include the value of free plays issued for the purpose of increasing the odds of winning a prize.

Sales of on-line lottery tickets are made by licensed agents to the public with the use of computerized terminals. On-line games include POWERBALL®, a multi-state “jackpot” game; Mega Millions®, a multi-state “jackpot” game; Cash25 “lotto” game; Daily 3 and 4 “numbers” games; and Travel, a daily “keno” game. Revenue is recognized when the agent sells the tickets to the public. Prize expense is recognized on the basis of actual drawing results.

Commissions are paid to instant game retailers and on-line agents at the rate of seven percent of gross sales. A portion of the commission not to exceed one and one quarter percent of gross sales may be paid from unclaimed prize moneys. The amount paid from unclaimed prize moneys is credited against prize costs. In addition, retailers and agents are paid limited bonus incentives that include prize shares on winning tickets they sold and a ticket cashing bonus on winning tickets they cash. On a weekly basis, retailers and agents must remit amounts due to the Lottery. Retailers may not be able to order additional instant tickets if payment has not been made for the previous billing period, while an agent’s on-line terminal may be rendered inactive if payment is not received each week. No one retailer or agent accounts for a significant amount of the Lottery’s sales or accounts receivable. Historically credit losses have been nominal and no allowance for doubtful accounts receivable is considered necessary.

Video lottery is a self-activated video version of lottery games which is operated by an authorized licensee. The board-operated games allow a player to place bets for the chance to be awarded credits which can either be redeemed for cash or be replayed as additional bets. The coin operated games allow a player to use coins, currency, or tokens to place bets for the chance to receive coin or token awards which may be redeemed for cash or used for replay in the coin operated games. The video lottery games’ prize structures are designed to award prizes, or credits, at a stipulated rate of total bets played, and prize expense is netted against total video credits played. The Lottery recognizes as video lottery revenue “gross terminal income” equivalent to all wagers, net of related prizes. Amounts required by statute to be paid to the private and local government entities are reported as commissions. WV Lottery statutes have established specific requirements for video lottery and imposed certain restrictions limiting the licensing for operation of video lottery games to horse and dog racetracks in West Virginia (subject to local county elections permitting the same), limited licensed retailer areas restricted for adult amusement, and licensed historic resort hotels as defined by WV Code.

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

The legislation further stipulates the distribution of revenues from video lottery games, and requires any video lottery licensee to be responsible for acquiring the necessary equipment and bearing the risk associated with the costs of operating and marketing the games.

Table games are lotteries as each game involves consideration, the possibility of a prize, and their outcome is determined predominantly by chance, which the common law of West Virginia has long held are the three essential elements of a lottery. Table games are the exclusive intangible intellectual property of the state of West Virginia. Table games legislation has established specific requirements for table games and imposed certain restrictions limiting the licensing for operation of table games to horse and dog racetracks in West Virginia (subject to local county elections permitting the same), and licensed historic resort hotels as defined by WV Code. Each licensee as an agent of the Lottery Commission to operate West Virginia table games shall have written rules of play for each table game it operates which must be approved by the Commission. All wagers and pay-offs of winning wagers shall be made according to those rules of play. For the privilege of holding a table games license, there is levied a privilege tax of thirty-five percent of each licensee's adjusted gross receipts for the operation of West Virginia Lottery table games. Amounts required by statute to be paid to private and local government entities are reported as commissions. The legislation further stipulates the distribution of revenues from West Virginia table games, and requires any licensee to be responsible for acquiring the necessary equipment and bearing the risk associated with the costs of operating and marketing the games.

CASH AND CASH EQUIVALENTS – Cash and cash equivalents primarily consist of interest-earning deposits in an external investment pool maintained by the West Virginia Board of Treasury Investments (BTI). The BTI pool is a 2a-7 like pool carried at amortized cost which approximates fair value of the underlying securities.

INVENTORY – Inventory consists of instant game tickets available for sale to approved Lottery retailers and is carried at cost as determined by the specific identification method.

OTHER ASSETS – Other assets consist of deposits restricted for payment of certain Multi-State Lottery Association activities and prepaid expenses.

CAPITAL ASSETS – The Lottery has adopted a policy of capitalizing assets with individual amounts exceeding \$25,000. These assets include leasehold improvements and purchased equipment, comprised principally of technology property, office furnishings and equipment necessary to administer lottery games, are carried at cost. Depreciation is computed by the straight-line method using three to ten year lives.

ADVERTISING AND PROMOTIONS – The Lottery expenses the costs of advertising and promotions as they are incurred.

COMPENSATED ABSENCES – The Lottery has accrued \$755,071 and \$835,830 at June 30, 2022 and 2021, respectively, for estimated obligations that may arise in connection with compensated absences for vacation at the current rate of employee pay. Employees fully vest in all earned but unused vacation. To the extent that accumulated sick leave is expected to be converted to benefits on termination or retirement, the Lottery participates in another postemployment benefits plan.

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

NET POSITION – Net position is presented as restricted, unrestricted and net investment in capital assets which represent the net book value of all property and equipment of the Lottery. When an expense is incurred for purposes for which both restricted and unrestricted net position are available, restricted resources are applied first.

OPERATING REVENUES AND EXPENSES – Operating revenues and expenses for proprietary funds such as the Lottery are revenues and expenses that result from providing services and producing and delivering goods and/or services. Operating revenues for the Lottery are derived from providing various types of lottery games. Operating expenses include commissions, prize costs, other direct costs of providing lottery games, and administrative expenses. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

NOTE 3 - CASH AND CASH EQUIVALENTS

At March 31, 2023 the carrying amounts of deposits (overdraft) with financial institutions were \$493 thousand with a bank balance (overdraft) of \$524 thousand. Of this balance \$250 thousand was covered by federal depository insurance with the remaining balance collateralized with securities held by the State of West Virginia’s agent in the State’s name.

A summary of the amount on deposit with the West Virginia Board of Treasury Investments (BTI) is as follows (in thousands):

	March 31, 2023	June 30, 2022
Deposits with financial institutions	\$ 493	\$ 459
Cash on hand at the Treasurer's Office	7,930	24,722
Investments with BTI reported as cash equivalents	193,708	256,528
	\$ 202,131	\$ 281,709

The deposits with the BTI are part of the State of West Virginia’s consolidated investment cash liquidity pool. Investment income is pro-rated to the Lottery at rates specified by the BTI based on the balance of the deposits maintained in relation to the total deposits of all state agencies participating in the pool. Such funds are available to the Lottery with overnight notice.

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 4 – CAPITAL ASSETS

A summary of capital asset activity for the month ended March 31, 2023 is as follows (in thousands):

Capital Assets:

	Historical Cost At June 30, 2022	Additions	Deletions	Historical Cost At March 31, 2023
Construction in Progress	1,564	553	-	2,117
Buildings	48,243	-	-	48,243
Land	1,681	-	-	1,681
Equipment	10,999	181	-	11,180
	<u>\$ 62,487</u>	<u>\$ 734</u>	<u>\$ -</u>	<u>\$ 63,221</u>
Accumulated Depreciation:				
	Historical Cost At June 30, 2022	Additions	Deletions	Historical Cost At March 31, 2023
Buildings	\$ 11,398	\$ 925	\$ -	\$ 12,323
Equipment	8,763	338	-	9,101
	<u>\$ 20,161</u>	<u>\$ 1,263</u>	<u>\$ -</u>	<u>\$ 21,424</u>

NOTE 5 - PARTICIPATION IN THE MULTI-STATE LOTTERY

The Lottery is a member of the Multi-State Lottery (MUSL), which operates the semi-weekly POWERBALL® jackpot lotto game, the LOTTO AMERICA® game, and the MEGA MILLIONS® jackpot game on behalf of participating state lotteries. MUSL is currently comprised of 33 member state lotteries, including the District of Columbia and the United States Virgin Islands. MUSL is managed by a Board of Directors, which is comprised of the lottery directors or their designee from each of the party states. The Board of Directors' responsibilities to administer the Multi-State Lottery Powerball, Lotto America, and Mega Millions games are performed by advisory committees or panels staffed by officers and independent contractors appointed by the board. These officers and consultants serve at the pleasure of the board and the board prescribes their powers, duties and qualifications. The Executive Committee carries out the budgeting and financing of MUSL, while the board contracts the annual independent audit. A copy of the audit may be obtained by writing to the Multi-State Lottery Association, 1701-48th Street, Suite 210, West Des Moines, Iowa 50266-6723.

Each MUSL member sells game tickets through its agents and makes weekly wire transfers to the MUSL in an amount equivalent to the total prize pool less the amount of prizes won in each state. Lesser prizes are paid directly to the winners by each member lottery. The prize pool for POWERBALL®, LOTTO AMERICA®, and MEGA MILLIONS® is 50% of each drawing period's sales, with minimum jackpot levels. The Lottery's revenues and expenses from MUSL games participation for the month ended March 31, 2023 and fiscal year-to-date is as follows:

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 5 - PARTICIPATION IN THE MULTI-STATE LOTTERY (continued)

<u>Revenues</u>	<u>Month</u>	<u>Y-T-D</u>
Powerball	\$ 1,815,785	\$ 31,068,687
Lotto America	729,468	5,964,701
Mega Millions	1,436,603	21,428,273
Total	\$ 3,981,856	\$ 58,461,661

<u>Expenses (Prizes)</u>	<u>Month</u>	<u>Y-T-D</u>
Powerball	\$ 911,569	\$ 15,563,314
Lotto America	364,744	2,975,001
Mega Millions	718,355	10,679,469
Total	\$ 1,994,668	\$ 29,217,784

MUSL places a percentage of game sales from each game in separate prize reserve funds that serve as a contingency reserve to protect the respective MUSL Product Groups from unforeseen prize liabilities. These funds can only be used at the discretion of the respective MUSL Product Group. Once the prize reserve funds exceed the designated limit, the excess becomes part of that particular prize pool. Prize reserve fund monies are refundable to MUSL Product Group members if the MUSL disbands or, after one year, if a member leaves the MUSL. The applicable sales percentage contribution as well as the reserve fund limit for the MUSL games is as follows:

	<u>PowerBall</u>	<u>Lotto America</u>	<u>Mega Millions</u>
Required Contribution (% of sales)	2%	3%	1%
Reserve Fund Cap	\$132,000,000	\$12,000,000	\$110,000,000

At March 31, 2023, the Lotteries share of the prize reserve fund balances were as follows:

<u>Game</u>	<u>Total Prize Reserve</u>	<u>Lottery Share</u>
Powerball	\$ 126,441,425	\$ 1,306,448
Lotto America	8,445,253	647,334
Mega Millions	95,560,205	796,995
Total	\$ 230,446,883	\$ 2,750,777

Lottery prize reserves held by the MUSL are invested according to a Trust agreement the Lottery has with MUSL outlining investment policies. The policies restrict investments to direct obligations of the United States Government, perfected repurchase agreements, and obligations issued or guaranteed as to payment of

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 5 - PARTICIPATION IN THE MULTI-STATE LOTTERY (continued)

principal and interest by agencies or instrumentalities of the United States Government, and mutual funds of approved investments. The average portfolio maturity is never more than one year, except that up to one third of the portfolio may have an average maturity of up to two years. The maximum maturity for any one security does not exceed five years.

The interest earned on prize reserve fund monies is used to pay MUSL operating expenses and any amounts over and above that are credited to an unreserved fund. The Lottery records this as interest when earned. This fund had a balance of \$18,568,643 at March 31, 2023, of which the Lottery's share was \$1,416,443.

NOTE 6 - RACETRACK VIDEO LOTTERY

The Racetrack Video Lottery legislation stipulates the distribution of racetrack video lottery revenues. This legislation has been amended since inception to restate revenue distribution based on revenue benchmarks and has been amended again by HB 101 as passed during the first extraordinary session of 2014. For a complete summary of the impacts of HB 101, see Note 11 titled "Summary Impact of Recent Legislation." Initially, four percent (4%) of gross terminal revenue is allocated for lottery administrative costs. Sixty-six percent (66%) of net terminal revenue (gross less 4%) is allocated in lieu of commissions to: the racetracks (46.5%); other private entities associated with the racing industry (8.7%); and the local county and municipal governments (2%). The remaining revenues (42.8%) of net terminal revenue is allocated for distribution to State as specified in the Racetrack Video Lottery Act or subsequent State budget, as described in the Note 11 titled "Nonoperating Distributions to the State of West Virginia."

The first benchmark occurs when the current year net terminal revenue meets the fiscal year 1999 net terminal revenue. The counties and incorporated municipalities split 50/50 the two percent (2%) net terminal revenue.

The second benchmark occurs when the current year gross terminal revenue meets the fiscal year 2001 gross terminal revenue. The four percent (4%) is no longer allocated for lottery administrative costs; instead the State receives this for distribution as specified by legislation or the State budget.

The final benchmark occurs when the current year net terminal revenue meets the fiscal year 2001 net terminal revenue. At this point a 10% surcharge is applied to net terminal revenue, with 58% of the surcharge allocated for distribution to the State as specified by legislation or the State budget, and 42% of the surcharge allocated to separate capital reinvestment funds for each licensed racetrack.

After deduction of the surcharge, 49% of net terminal revenue is allocated in lieu of commissions to: the racetracks (42%); other private entities associated with the racing industry (5%); and the local county and incorporated municipality governments (2%).

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 6 - RACETRACK VIDEO LOTTERY (continued)

The remaining net terminal revenue (51%) is allocated for distribution to the State as specified in the Racetrack Video Lottery Act or subsequent State budget, as described in Note 12.

Amounts from the capital reinvestment fund may be distributed to each racetrack if qualifying expenditures are made within the statutory timeframe; otherwise, amounts accumulated in the fund revert to the state excess lottery revenue fund.

A summary of racetrack video lottery revenues for the month ended March 31, 2023 and fiscal year-to-date follows (in thousands):

	Current Month		Year-to-Date	
	2023	2022	2023	2022
Total credits played	\$ 542,413	\$ 480,320	\$ 4,328,327	\$ 4,032,485
Credits (prizes) won	(488,414)	(431,549)	(3,891,507)	(3,622,508)
Promotional credits played	(8,526)	(6,255)	(64,442)	(57,411)
Gross terminal income	45,473	42,516	372,378	352,566
Administrative costs	(833)	(774)	(12,026)	(11,756)
Net Terminal Income	44,640	41,742	360,352	340,810
Less distribution to agents	(21,956)	(20,515)	(196,100)	(186,816)
Racetrack video lottery revenues	<u>\$ 22,684</u>	<u>\$ 21,227</u>	<u>\$ 164,252</u>	<u>\$ 153,994</u>

A summary of video lottery revenues paid or accrued for certain state funds to conform to the legislation as follows (in thousands):

	March 31, 2023	Year-to-Date
State Lottery Fund	\$ 5,999	\$ 87,788
State Excess Lottery Revenue Fund	15,791	74,014
Capital Reinvestment Fund	894	2,452
Total nonoperating distributions	<u>\$ 22,684</u>	<u>\$ 164,254</u>

NOTE 7 - LIMITED VIDEO LOTTERY

Limited video lottery legislation passed in 2001 has established specific requirements imposing certain restrictions limiting the licensing for the operation of limited video lottery games to 9,000 terminals placed in licensed retailers. These licensed retailers must hold a qualifying permit for the sale and consumption on premises of alcohol or non-intoxicating beer. The Lottery has been charged with the administration, monitoring and regulation of these machines. The legislation further stipulates the distribution of revenues from the limited video lottery games, and requires any licensees to comply with all related rules and regulations of the Lottery in order to continue its retailer status. The Limited Video Lottery legislation

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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NOTE 7 - LIMITED VIDEO LOTTERY (continued)

stipulates that 2% of gross terminal income be deposited into the state lottery fund for administrative costs. Then, the state share percentage of gross profit is to be transferred to the State Excess Lottery Revenue Fund. This percentage is 50 percent. Two percent is distributed to counties and incorporated municipalities in the manner prescribed by the statute. The remaining amount of gross profit is paid to retailers and/or operators as prescribed in the Act, and is recorded as limited video lottery commissions in the financial statements. Municipal and county distributions are accounted for as nonoperating expenses.

A summary of limited video lottery revenues for the month ended March 31, 2023 and fiscal year-to-date follows (in thousands):

	Current Month		Year-to-Date	
	2023	2022	2023	2022
Total credits played	\$ 624,873	\$ 611,372	\$ 4,882,880	\$ 4,776,095
Credits (prizes) won	(578,323)	(564,602)	(4,513,600)	(4,408,908)
Gross terminal income	\$ 46,550	\$ 46,770	\$ 369,280	\$ 367,187
Administrative costs	(931)	(935)	(7,386)	(7,344)
Gross Profit	45,619	45,835	361,894	359,843
Commissions	(22,809)	(22,917)	(180,947)	(179,922)
Municipalities and Counties	(912)	(917)	(7,238)	(7,197)
Limited video lottery revenues	<u>\$ 21,898</u>	<u>\$ 22,001</u>	<u>\$ 173,709</u>	<u>\$ 172,724</u>

NOTE 8 – TABLE GAMES

Table Games legislation passed in 2007 per House Bill 2718. Table games include blackjack, roulette, craps, and various types of poker. Each racetrack licensee is subject to a privilege tax of thirty five percent (35%) of adjusted gross receipts which will be deposited weekly into the Racetrack Table Games Fund.

From the gross amounts deposited into the Racetrack Table Games Fund, the Commission, on a monthly basis shall:

Retain 3% of the adjusted gross receipts for administrative expenses of which at least \$100,000 and not more than \$500,000 annually will be transferred to the Compulsive Gambling Treatment Fund. Transfer two percent of the adjusted gross receipts from each licensed racetrack to the county commissions of the counties where racetracks with West Virginia Lottery table games are located. Transfer three percent of the adjusted gross receipts from each licensed racetrack to the governing bodies of municipalities within counties where racetracks with West Virginia Lottery table games are located as prescribed by statute. And transfer one-half of one percent of the adjusted gross receipts to the governing bodies of municipalities in which a racetrack table games licensee is located to be divided equally among the municipalities. The commission will distribute the remaining amounts, hereinafter referred to as the net amounts in the Racetrack Table Games Funds as follows:

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 8 – TABLE GAMES (continued)

- 1) Transfer four percent into a special fund to be established by the Racing Commission to be used for payment into the pension plan for all employees of each licensed racing association;
- 2) Transfer ten percent, to be divided and paid in equal shares, to each county commission in the state where table games are not located;
- 3) Transfer ten percent, to be divided and paid in equal shares, to the governing bodies of each municipality in the state where table games are not located; and
- 4) Transfer seventy-six percent to the State Excess Lottery Revenue Fund.

The cash transferred to the State Excess Lottery Revenue Fund in the current month is included in Note 12- Nonoperating Distributions to the State of West Virginia. The table games adjusted gross receipts for the month and year ended March 31, 2023 were \$9,190,958 and \$75,465,393, respectively. The following table shows the month and year totals of the privilege tax and the accrued distributions (in thousands) to be transferred in the subsequent month:

	Current Month		Year-to-Date	
	2023	2022	2023	2022
Table Games Privilege Tax	\$ 3,217	\$ 3,167	\$ 26,413	\$ 27,224
Interest on Table Games Fund	22	1	143	2
Administrative costs	(276)	(271)	(2,264)	(2,333)
Total Available for Distribution	<u>2,963</u>	<u>2,897</u>	<u>24,292</u>	<u>24,893</u>
<u>Less Distributions:</u>				
Racetrack Purse Funds	207	204	1,698	1,750
Thoroughbred & Greyhound Development Funds	165	163	1,358	1,400
Racing Association Pension Plan	82	80	670	685
Municipalities/ Counties	914	896	7,500	7,701
Total Distributions	<u>1,368</u>	<u>1,343</u>	<u>11,226</u>	<u>11,536</u>
Excess Lottery Fund	<u>\$ 1,595</u>	<u>\$ 1,554</u>	<u>\$ 13,066</u>	<u>\$ 13,357</u>

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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NOTE 9 – HISTORIC RESORT HOTEL

In 2009, the Legislature passed Senate Bill 575 which permits video lottery and table games at a licensed historic resort hotel which is defined as “a resort hotel registered with the United States Department of the Interior as a national historic landmark in its National Registry of Historic Places having not fewer than five hundred guest rooms under common ownership and having substantial recreational guest amenities in addition to the gaming facility.”

Historic Resort Video Lottery

According to Senate Bill 575, thirty six percent (36%) of gross terminal income is allocated to Historic Resort Hotel Fund and seventeen percent (17%) of gross terminal income is allocated to the Human Resource Benefit Fund. The remaining forty-seven percent (47%) of gross terminal income is then subject to a ten percent (10%) surcharge which is allocated to separate capital reinvestment funds for each licensed historic resort hotel. The remaining forty-two and three-tenths percent (42.3%) of gross terminal income is retained by the historic resort hotel.

A summary of historic resort hotel video lottery revenues for the month ended March 31, 2023 and fiscal year-to-date follows (in thousands):

	2023	2022	2023	2022
Total credits played	\$ 4,818	\$ 4,282	\$ 48,818	\$ 59,679
Credits (prizes) won	(4,349)	(3,933)	(44,883)	(54,831)
Promotional credits played	(66)	(74)	(771)	(638)
Gross terminal income	403	275	3,164	4,210
Capital reinvestment	(19)	(13)	(149)	(198)
Excess Lottery Fund	(4)	(2)	(28)	(38)
Administrative costs	(22)	(15)	(171)	(227)
Hotel commissions	(170)	(116)	(1,338)	(1,780)
Net terminal income	188	129	1,478	1,967
Historic Resort Hotel Fund	120	82	940	1,251
Human Resource Benefit Fund	68	47	538	716

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
-Unaudited-

NOTE 9 – HISTORIC RESORT HOTEL (continued)

Historic Resort Table Games

Each historic resort hotel licensee is subject to a privilege tax of thirty five percent (35%) of adjusted gross receipts, of which thirty percent (30%) is deposited directly into the Historic Resort Hotel Fund and five percent (5%) is deposited directly into the Human Resource Benefit Fund. The historic resort hotel table games adjusted gross receipts for the month and year ended March 31, 2023 were \$163,491 and \$4,483,876 respectively.

The following table shows the month and fiscal year -to- date totals of the privilege tax and the accrued distributions (in thousands) to be transferred in the subsequent month:

	<u>2023</u>	<u>2022</u>	<u>2023</u>	<u>2022</u>
Table games privilege tax	\$ 57	\$ 171	\$ 1,569	\$ 2,143
Administrative Costs	<u>(7)</u>	<u>(22)</u>	<u>(202)</u>	<u>(276)</u>
Total Available for Distribution	50	149	1,367	1,867
Historic Resort Hotel Fund	42	125	1,143	1,561
Human Resource Benefit Fund	8	24	224	306

Historic Resort Hotel Fund

Of the monies deposited into the Historic Resort Hotel Fund, fifteen percent (15%) is allocated for lottery administrative costs. The remaining Historic Resort Hotel Fund net income (gross deposits less 15%) is distributed as follows:

- 1) Eighty-six percent (86%) is paid to the State Excess Lottery Revenue Fund;
- 2) Four percent (4%) is paid to the county where the gaming facility is located;
- 3) Two and one-half percent (2.5%) is paid to the municipality where the gaming facility is located as prescribed by statute;
- 4) Two and one-half percent (2.5%) is divided and paid in equal shares to the remaining municipalities in the county where the gaming facility is located;
- 5) Two and one-half percent (2.5%) is divided and paid in equal shares, to each county commission in the state where the gaming facility is not located;
- 6) Two and one-half percent (2.5%) is divided and paid in equal shares, to each municipality in the state not already receiving a distribution as described in item five (5) or item six (6) above.

A summary of Historic Resort Hotel Fund revenues and related distributions is as follows (in thousands):

	<u>Current Month</u>	<u>Year-to-Date</u>
Historic Resort Hotel Video Lottery	\$ 120	\$ 940
Historic Resort Table Games	42	1,143
Interest on Historic Resort Hotel Fund	<u>5</u>	<u>35</u>
Historic Resort Hotel Fund Net Income	167	2,118
Municipalities/ Counties	24	297
Excess Lottery Fund	<u>143</u>	<u>1,821</u>
Total Distributions	<u>\$ 167</u>	<u>\$ 2,118</u>

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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NOTE 10– SPORTS WAGERING

Sports Wagering legislation passed in 2018 per Senate Bill 415. Each racetrack and historic resort hotel licensee is subject to a privilege tax of ten percent (10%) of adjusted gross wagering receipts which will be deposited weekly into the Sports Wagering Fund.

From the privilege tax deposited into the Sports Wagering Fund, the Commission, on a monthly basis shall:

Retain 15% for administrative expenses of which any surplus in excess of \$250,000 shall be reported to the Joint Committee on Government and Finance and remitted to the State Treasurer.

After the reduction for administrative expenses, the net profit shall be deposited into the State Lottery Fund until a total of \$15 million is deposited. The remainder of net profit shall be deposited into the Public Employees Insurance Agency Financial Stability Fund.

The Sports Wagering adjusted gross wagering receipts for the month and year-to-date periods ended March 31, 2023 were \$4,703,212 and \$43,691,478, respectively. The following table shows the month and year-to-date totals of the privilege tax and the accrued distributions (in thousands) to be transferred in the subsequent month:

	Current Month		Year-to-Date	
	2023	2022	2023	2022
Sports Wagering Privilege Tax	\$ 470	\$ 281	\$ 4,369	\$ 3,552
Interest on Sports Waging Fund	-	-	-	-
Administrative Costs	(70)	(42)	(655)	(533)
Total Available for Distribution	<u>400</u>	<u>239</u>	<u>3,714</u>	<u>3,019</u>

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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NOTE 11– INTERACTIVE WAGERING

Interactive Wagering legislation passed in 2019 per House Bill 2934. Each racetrack and historic resort hotel licensee is subject to a privilege tax of fifteen percent (15%) of adjusted gross interactive gaming receipts which will be deposited weekly into the Interactive Wagering Fund.

From the privilege tax deposited into the Interactive Wagering Fund, the Commission, on a monthly basis shall:

Retain 15% for administrative expenses of which any surplus in excess of \$250,000 shall be reported to the Joint Committee on Government and Finance and remitted to the State Treasurer.

In each fiscal year, the Lottery Commission shall deposit one-quarter of a percent of the net profit into each of the four special funds established by the Racing Commission, pursuant to §29-22A-10 and §29-22C-27 to be used for payment into the pension plan for the employees of the licensed racing associations in this state.

After the reduction for administrative expenses and the pension plans for the racing associations, the net profit shall be deposited into the State Lottery Fund.

The Interactive Wagering adjusted gross interactive gaming receipts for the month and year-to-date periods ended March 31, 2023 were \$14,154,222 and \$102,207,981 respectively. The following table shows the month and year-to-date totals of the privilege tax and the accrued distributions (in thousands) to be transferred in the subsequent month:

	Current Month		Year-to-Date	
	2023	2022	2023	2022
Interactive Wagering Privilege Tax	\$ 2,123	\$ 1,355	\$ 15,331	\$ 9,225
Interest on Interactive Wagering Fund	23	-	137	2
Administrative Costs	<u>(318)</u>	<u>(203)</u>	<u>(2,300)</u>	<u>(1,384)</u>
Total Available for Distribution	1,828	1,152	13,168	7,843

A summary of Interactive Gaming Fund related distributions is as follows (in thousands):

	Current Month	Year-to-Date
Pensions	18	131
Lottery Fund	1,810	13,037
Total Distributions	<u>\$ 1,828</u>	<u>\$ 13,168</u>

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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NOTE 12- NONOPERATING DISTRIBUTIONS TO THE STATE OF WEST VIRGINIA

The Lottery periodically distributes surplus funds, exclusive of amounts incurred and derived from limited video lottery and a portion of racetrack video lottery funds, to the State of West Virginia in accordance with the legislation. For the year ending June 30, 2023 the State Legislature budgeted \$134,132,030 of estimated profits of the Lottery for distributions to designated special revenue accounts of the State of West Virginia. With regard to the State Lottery Fund, legislation stipulates that debt service payments be given a priority over all other transfers in instances where estimated profits are not sufficient to provide for payment of all appropriated distributions. Debt service payments of \$1,800,000, \$1,000,000, and \$500,000 per month for the first ten months of each fiscal year currently have such priority. Transfers made pursuant to the State Excess Lottery Revenue Fund have similar requirements; currently payments are \$6,536,696 per month for the first ten months of each fiscal year. In addition, Legislation provides that, if in any month, there is a shortage of funds in the State Excess Lottery Revenue Fund to make debt service payments, the necessary amount shall be transferred from the State Lottery Fund to cover such shortfall, after the State Lottery Fund debt service payments have been made. Repayments to the State Lottery Fund are required to be made in subsequent months as funds become available. For the month ended March 31, 2023 the Lottery has accrued additional distributions of \$176,383,974. The Lottery is a non-appropriated state agency and therefore does not have a legally adopted annual budget.

A summary of the cash distributions made to certain state agencies to conform to the legislation follows (in thousands):

<u>BUDGETARY DISTRIBUTIONS</u>	<u>March 31, 2023</u>	<u>Year-to-Date</u>
<u>State Lottery Fund:</u>		
Community and Technical College	\$ 499	\$ 4,492
Bureau of Senior Services		69,950
Department of Education		14,372
Library Commission		11,514
Higher Education-Policy Commission		7,351
Tourism		6,844
General Revenue	21,550	21,550
Natural Resources		3,591
Division of Culture & History		7,374
Economic Development Authority	1,000	8,996
School Building Authority	1,800	16,200
Total State Lottery Fund	<u>\$ 24,849</u>	<u>\$ 172,234</u>

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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State Excess Lottery Revenue Fund:

Economic Development Fund	\$ 2,101	\$ 18,911
Higher Education Improvement Fund	1,500	13,500
General Purpose Account	8,968	55,816
Higher Education Improvement Fund	4,001	24,902
State Park Improvement Fund	208	1,293
School Building Authority	26,897	42,070
Refundable Credit	1,915	4,720
WV Racing Commission	276	2,518
WV Department of Health and Human Resources		
Teacher's Retirement Savings		
Department of Education	15,000	15,000
Division of Human Services		16,200
WV Lottery Statutory Transfers	8,419	52,400
Economic Development Authority	439	3,951
General Revenue Fund	30,500	30,500
Office of Technology		
Excess Lottery Surplus		
West Va. Infrastructure Council	6,119	39,748
Total State Excess Lottery Revenue Fund	<u>\$ 106,343</u>	<u>\$ 321,529</u>
Total Budgetary distributions:	<u>\$ 131,192</u>	<u>\$ 493,763</u>
Veterans Instant Ticket Fund	\$ 66	\$ 461
Total nonoperating distributions to the State of West Virginia (cash basis)	\$ 131,258	\$ 494,224
Accrued nonoperating distributions, beginning	(253,260)	(240,181)
Accrued nonoperating distributions, end	<u>176,384</u>	<u>176,384</u>
	<u>\$ 54,382</u>	<u>\$ 430,427</u>

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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NOTE 13 – LEASES

The Lottery leases, under a cancelable operating lease, its office and warehouse facilities. The Lottery also leases various office equipment under agreements considered to be cancellable operating leases. Rental expense for the fiscal year-to-date ended March 31, 2023 and March 31, 2022 approximated \$216,292 and \$198,399 respectively.

The Lottery leases office space under the terms of a non-cancellable operating lease to various tenants. Rental revenues for the fiscal year-to-date ended March 31, 2023 and March 31, 2022 approximated \$805,430 and \$809,542 respectively.

NOTE 14 – COMMITMENTS

For the year ended June 30, 2022 the Lottery Commission has designated \$4,512,722 of unexpended administrative funds for the acquisition of capital assets. As of June 30, 2022 and 2021, \$7,151,954 and \$7,612,621, respectively, are included in unrestricted net position and net investment in capital assets for this purpose.

NOTE 15 - RETIREMENT BENEFITS

All full-time Lottery employees are eligible to participate in the State of West Virginia Public Employees' Retirement System (PERS), a cost-sharing multiple-employer defined benefit public employee retirement system. The PERS is one of several plans administered by the West Virginia Consolidated Public Retirement (CPRB) under the direction of its Board of Trustees, which consists of the Governor, State Auditor, State Treasurer, Secretary of the Department of Administration, and nine members appointed by the Governor. CPRB prepares separately issued financial statements covering all retirement systems it administers, which can be obtained from Consolidated Public Retirement Board, 4101 MacCorkle Ave. S.E., Charleston, West Virginia 25304-1636.

Employees who retire at or after age sixty with five or more years of contributory service or who retire at or after age fifty-five and have completed twenty-five years of credited service with age and credited service equal to eighty or greater are eligible for retirement benefits as established by State statute. Retirement benefits are payable monthly for life, in the form of a straight-line annuity equal to two percent of the employee's average annual salary from the highest 36 consecutive months within the last 10 years of employment, multiplied by the number of years of the employee's credited service at the time of retirement.

Covered employees hired prior to July 1, 2015 are required to contribute 4.5% of their salary to the PERS. Covered employees hired on or after July 1, 2015 will contribute 6.0% of their salary to the PERS Tier II. The Lottery is required to contribute 10% of covered employees' salaries to the PERS. The required employee and employer contribution percentages have been established and changed from time to time by action of the State Legislature. The required contributions are not actuarially determined; however, actuarial valuations are performed to assist the Legislature in determining appropriate contributions. The Lottery and employee contributions, for the month ending March 31, 2023 and fiscal year-to-date are as follows (in thousands):

	March 31, 2023	Year-to-Date
Employee contributions	\$ 34	\$ 336
Lottery contributions	62	622
Total contributions	\$ 96	\$ 958

WEST VIRGINIA LOTTERY
NOTES TO FINANCIAL STATEMENTS
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NOTE 16 - RISK MANAGEMENT

The Lottery is exposed to various risks of loss related to torts; theft of, or damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Lottery participates in several risk management programs administered by the State of West Virginia. Each of these risk pools has issued separate audited financial reports on their operations. Those reports include the required supplementary information concerning the reconciliation of claims liabilities by type of contract and ten-year claim development information. Complete financial statements of the individual insurance enterprise funds can be obtained directly from their respective administrative offices.

WORKERS' COMPENSATION INSURANCE

The Lottery carries workers compensation insurance coverage through a commercial insurance carrier. The commercial insurance carrier is paid a monthly rated premium to provide compensation for injuries sustained in the course of employment.

PUBLIC EMPLOYEES' INSURANCE AGENCY (PEIA)

The Lottery participates in the Public Employees' Insurance Agency which provides an employee benefit insurance program to employees. PEIA was established by the State of West Virginia for State agencies, institutions of higher education, Boards of Education and component units of the State. In addition, local governmental entities and certain charitable and public service organizations may request to be covered by PEIA. PEIA provides a base employee benefit insurance program which includes hospital, surgical, major medical, prescription drug and basic life and accidental death. Underwriting and rate setting policies are established by PEIA. The cost of all coverage as determined by PEIA shall be paid by the participants. Premiums are established by PEIA and are paid monthly, and are dependent upon, among other things, coverage required, number of dependents, state vs. non state employees and active employees vs. retired employees and level of compensation. Coverage under these programs is limited to \$1 million lifetime for health and \$10,000 of life insurance coverage.

The PEIA risk pool retains all risks for the health and prescription features of its indemnity plan. PEIA has fully transferred the risks of coverage to the Managed Care Organization (MCO) Plan to the plan provider, and has transferred the risks of the life insurance coverage to a third party insurer. PEIA presently charges equivalent premiums for participants in either the indemnity plan or the MCO Plan. Altogether, PEIA insures approximately 205,000 individuals, including participants and dependents.

BOARD OF RISK AND INSURANCE MANAGEMENT (BRIM)

The Lottery participates in the West Virginia Board of Risk and Insurance Management (BRIM), a common risk pool currently operating as a common risk management and insurance program for all State agencies, component units, and other local governmental agencies who wish to participate. The Lottery pays an annual premium to BRIM for its general insurance coverage. Fund underwriting and rate setting policies are established by BRIM. The cost of all coverage as determined by BRIM shall be paid by the participants. The BRIM risk pool retains the risk of the first \$1 million per property event and purchases excess insurance on losses above that level. Excess coverage, through an outside insurer under this program is limited to \$200 million per event, subject to limits on certain property. BRIM has \$1 million per occurrence coverage maximum on all third-party liability claims.

**SCHEDULE OF REVENUES AND NET REVENUES OF THE
 LOTTERY FUND AND EXCESS LOTTERY FUND
 FOR THE NINE MONTH PERIOD ENDED MARCH 31, 2023
 (In Thousands)**

	Current Month		FISCAL YEAR	
	Actual	Projected	Actual	Projected
Gross Revenues				
Instant games	16,924	9,584	131,249	86,251
On-line games	6,153	5,833	76,432	52,500
Racetrack video lottery	45,473	40,015	372,378	331,454
Limited video lottery	46,550	36,477	369,280	280,679
Racetrack table games	3,217	2,225	26,413	18,722
Historic resort	460	381	4,733	4,543
Sports wagering	470	209	4,369	1,876
Interactive wagering	2,123	291	15,331	2,624
Total gross revenues	<u>121,370</u>	<u>95,015</u>	<u>1,000,185</u>	<u>778,649</u>
Net Revenues - Lottery Fund and Excess Lottery Fund				
Lottery Fund				
Instant games	1,850	1,122	14,267	10,094
On-line games	1,770	1,674	21,777	15,068
Racetrack Video Lottery	6,117	5,151	89,060	81,397
Sports wagering	404	177	3,737	1,593
Interactive wagering	1,810	245	13,037	2,208
Total Lottery Fund net revenues	<u>11,951</u>	<u>8,369</u>	<u>141,878</u>	<u>110,360</u>
Excess Lottery Fund				
Racetrack Video Lottery	16,076	14,078	75,166	61,225
Limited Video Lottery	22,263	17,159	176,395	132,032
Limited Video Lottery Fees	2	-	1,099	-
Racetrack table games	1,595	1,091	13,066	9,184
Historic resort	147	143	1,850	1,702
Total Excess Lottery Fund Net Revenues	<u>40,083</u>	<u>32,471</u>	<u>267,576</u>	<u>204,143</u>
Total Net Revenues	<u>52,034</u>	<u>40,840</u>	<u>409,454</u>	<u>314,503</u>