

Testimony Before the Select Committee on Gaming

Wednesday, March 3, 2021

Good afternoon Chairman Schuring, Vice Chairman Manning, Ranking Member Thomas and members of the Select Committee on Gaming. I am Merle Pratt, State Legislative Chairman for AMVETS Department of Ohio, Past State Commander of AMVETS Department of Ohio, a 2018 Inductee into the Ohio Veterans Hall of Fame, a retired U.S. Navy Chief and a current board member of the Ohio Veterans and Fraternal Charitable Coalition (OVFCC) and I am here to explain why I should not have had to come here today to testify on electronic pull tabs. They should have already been legalized.

In 2009 members of the OVFCC, consisting of the American Legion, AMVETS, VFW, Eagles, Elks and Moose, met with lobbyists for Penn National Gaming and Rock Gaming. In November of that year, language to legalize for-profit casinos was going to be on the ballot. These casinos' lobbyists wanted our board to support their ballot issue. In exchange for our support and if the issue passed, these for-profit casinos would pay one million dollars to each organization in the OVFCC.

The OVFCC countered with a proposal of its own. It did not want their money, instead the OVFCC told the casinos' lobbyists that it would not oppose their effort to legalize for-profit casinos if they would not oppose our efforts to modernize paper forms of charitable games. The casinos' lobbyists agreed, and from that point forward we had a "gentleman's agreement," an agreement that we assumed all parties would honor. Please make sure that you read the attached email.

Now, fast forward to 2013 when the OVFCC was very fortunate to have Representative Rick Perales introduce HB325, legislation that would modernize our charitable forms of games by allowing for electronic pull tabs. Members of the OVFCC started meeting with legislators to advocate for HB325. I and another member of the OVFCC were waiting outside a representative's office, who is a now a senator, to discuss HB325. As we were entering our meeting, several lobbyists for the for-profit casinos were just leaving. We gave our pitch and explained about the "gentleman's agreement" that we had with the for-profit casinos in 2009. The representative informed us that the casinos' lobbyists just leaving were advocating against HB325. Clearly, the casinos' lobbyists DID NOT honor their end of our agreement and HB325 did not become law. The Navy taught me three important tenets that I live by each day; "Honor, Courage, Commitment."

As we were taught in the military, you may not win all the battles; but you must win the war. So, back we came with HB282 in the 133rd General Assembly. Again, the OVFCC was extremely fortunate to have Representatives Jeff LaRe and Adam Holmes introduce this bill. Just to be safe, the OVFCC had a companion bill, SB345, introduced by Senators Frank Hoagland and Kirk Schuring. HB282 was passed out of the House in May 2020 by a vote of 90-2. It arrived in the Senate in June 2020 and was assigned to a committee in September 2020. After receiving Sponsor, Proponent and Opponent hearings in October 2020, HB282 was not brought up for a vote. Anticipating that may happen, the OVFCC approached the House to amend the language in HB282 into a Senate bill waiting for a committee hearing. The language was amended into SB194, which was passed out of the committee and then the House by a vote of 78-6. SB194 never received a vote in the lame duck session of the Senate. One of the members of the OVFCC was told by a casinos' lobbyist that they would wait until HB282 was in the Senate and then attack it. So much for our "gentlemen's agreement!"

So here we are again. The OVFC is very thankful that Senate President Matt Huffman has formed this committee to vet the gaming issues and that Representatives LaRe and Holmes have introduced HB65 to legalize electronic pull tabs. Already, the OVFC is hearing that the lobbyists for the for-profit casinos are again on the attack spreading untruths about the electronic pull tab games.

Attached to my written testimony, you will see a paper pull tab. Please pick it up and pull the tabs. We are only asking for an electronic version of what you are holding in your hands. And please remember, veteran and fraternal organizations are charitable entities that only sell pull tabs to their members, not to the public. Currently there are electronic pull tabs in Kentucky, Virginia, North Dakota, Mississippi and New Hampshire. Like HB65, these electronic pull tab games in those states can only be sold to members of private, non-profit organizations like the American Legion, AMVETS, VFW, Eagles, Elks and Moose.

In addition, I would like to add that I do not believe that any entity should monopolize any form of gaming in our state, especially sports betting. In the 133rd General Assembly, Substitute HB194 included language to allow veteran and fraternal organizations to have sports betting at their posts and lodges. At first, we were only interested in passing HB282. But after reevaluating the impact that sports betting might have in the recruitment of younger members into our organizations, we are now interested. Unfortunately, the veteran organizations have members dying daily who served during WWII, the Korean War and even my generation, the Vietnam Era. So, any help we can get that to assist us in recruiting new and younger veteran members would be greatly appreciated. As veteran and fraternal organizations, we cannot write checks to campaigns and caucuses. But when each of us raised our right hand, we signed a blank check to give our life, if necessary, to defend this great country. That concludes my testimony and I welcome questions.

Merle Pratt

State Legislative Chairman

AMVETS Department of Ohio