

(IV) A LOCATION IN ROCKY GAP STATE PARK (ALLEGANY COUNTY) - 1,500 VIDEO LOTTERY TERMINALS; AND

(V) A LOCATION IN WORCESTER COUNTY - 2,500 VIDEO LOTTERY TERMINALS.

(2) THE VIDEO LOTTERY FACILITY LOCATION COMMISSION MAY ALLOCATE VIDEO LOTTERY TERMINALS IN A MANNER THAT IS DIFFERENT FROM THE ALLOCATION PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION ON A DETERMINATION THAT THE MARKET FACTORS AND OTHER FACTORS EVALUATED UNDER SUBSECTION (K) OF THIS SECTION WARRANT THE DIFFERENT ALLOCATION, PROVIDED THAT NO ONE LOCATION MAY BE ALLOCATED MORE THAN 4,750 VIDEO LOTTERY TERMINALS.

(3) (I) BEGINNING WITH THE TERMINATION DATE FOR THE VIDEO LOTTERY FACILITY LOCATION COMMISSION AND EVERY 3 YEARS THEREAFTER, IF ALL OF THE VIDEO LOTTERY TERMINALS AUTHORIZED UNDER THIS SUBTITLE ARE NOT ALLOCATED OR HAVE BEEN ALLOCATED BUT ARE NOT IN REGULAR OPERATION, THE STATE LOTTERY COMMISSION MAY ALLOCATE OR REALLOCATE VIDEO LOTTERY TERMINALS TO VIDEO LOTTERY OPERATION LICENSEES IN A MANNER THAT ENSURES THAT THE HIGHEST POTENTIAL REVENUES ARE ACHIEVED.

(II) IN DETERMINING THE HIGHEST POTENTIAL REVENUES TO BE ACHIEVED BY ADDITIONAL VIDEO LOTTERY TERMINALS AT EACH POTENTIAL LOCATION, THE STATE LOTTERY COMMISSION SHALL CONSIDER THE MARKET PERFORMANCE OF THE EXISTING VIDEO LOTTERY TERMINALS AT EACH LOCATION.

(J) (1) A BID SUBMITTED FOR A VIDEO LOTTERY OPERATION LICENSE AT A VIDEO LOTTERY DESTINATION LOCATION UNDER THIS SECTION SHALL BE SUBMITTED BY FEBRUARY 1, 2009, AND SHALL INCLUDE AN INITIAL LICENSE FEE IN THE BID OF AT LEAST \$3,000,000 FOR EACH 500 VIDEO LOTTERY TERMINALS INCLUDED IN THE BID.

(2) ALL INITIAL LICENSE FEES SUBMITTED UNDER THIS SUBTITLE SHALL ACCRUE TO THE EDUCATION TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THIS SUBTITLE.

(3) A BID SUBMITTED FOR A VIDEO LOTTERY OPERATION LICENSE UNDER THIS SECTION SHALL PROVIDE FOR AT LEAST \$25,000,000 IN DIRECT INVESTMENT BY THE APPLICANT IN CONSTRUCTION AND RELATED COSTS FOR