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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



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COMMITTEE SUBSTITUTE
FOR
House Bill No. 4425

(By Delegates Martin, Givens, Varner, Stemple,
Cann, Mattalliano and Coleman)



Passed March 11, 2000

In Effect Ninety Days from Passage

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FOR

H. B. 4425

(BY DELEGATES MARTIN, GIVENS, VARNER, STEMPLER,
CANN, MATTALIANO AND COLEMAN)

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to amend article twenty-two, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nine-a, relating to lottery; providing for a scratch-off game to benefit veterans for a limited time; creating a special fund within the state treasury; authorizing the Legislature to appropriate the special lottery funds to construct skilled nursing beds for veterans; requiring lottery commission to change design or theme of game on a regular basis; requiring the health care authority to conduct a survey to determine need for skilled nursing beds for veterans; requiring authority to report its findings to the joint committee on government and finance.

Be it enacted by the Legislature of West Virginia:

That article twenty-two, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section nine-a, to read as follows:

ARTICLE 22. STATE LOTTERY ACT.

§29-22-9a. Veterans instant lottery scratch-off game.

1 (a) Beginning the first day of September, two thousand, the
2 commission shall establish an instant lottery scratch-off game
3 designated as the veterans benefit game, which shall be offered
4 by the lottery. The lottery shall offer the veterans benefit game
5 until the amount of money in the veterans lottery fund created
6 under this section reaches six million dollars.

7 (b) Notwithstanding the provisions of section eighteen of
8 this article, and subject to the provisions of subsection (d) of
9 this section, all net profits received from the sale of veterans
10 benefit game lottery tickets, materials and games shall be
11 deposited with the state treasurer into the veterans lottery fund
12 created under this section, and the Legislature may make
13 appropriations from this fund for the construction of skilled
14 nursing beds for veterans of the armed forces of the United
15 States military.

16 (c) Before appropriation of any of the net profits derived
17 from the veterans benefit game for the uses set forth in this
18 section, the Legislature shall first determine that the state has
19 met all debt obligations for which lottery profits have been
20 pledged for that fiscal year.

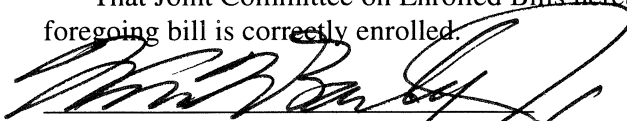
21 (d) There is hereby created in the state treasury a special
22 revenue fund designated and known as the veterans lottery fund
23 which shall consist of all revenues derived from the veterans
24 benefit game, any appropriations to the fund by the Legislature,
25 and all interest earned from investment of the fund and any
26 gifts, grants or contributions received by the fund. Revenues

27 received by the veterans lottery fund shall be deposited in the
28 West Virginia consolidated investment pool with the West
29 Virginia investment management board, with the interest
30 income a proper credit to all such funds.

31 (e) The commission shall change the design or theme of the
32 veterans benefit game regularly so that the game remains
33 competitive with the other instant lottery scratch-off games
34 offered by the commission. The tickets for the instant lottery
35 game created in this section shall clearly state that the profits
36 derived from the game are being used to benefit veterans in this
37 state.

38 (f) The health care authority created under section five,
39 article twenty-nine-b, chapter sixteen of this code, shall conduct
40 a survey to determine the need for skilled nursing beds for
41 veterans in this state. The survey shall determine the number of
42 veterans in existing nursing homes in this state; the number of
43 nursing homes collecting reimbursement from the veterans
44 administration; where the veterans are located within this state;
45 the number of skilled nursing beds that currently exist in the
46 areas in which the veterans are located; and any other informa-
47 tion necessary to determine the need for skilled nursing beds for
48 veterans in this state. The authority shall also determine the
49 manner in which federal reimbursement may be maximized for
50 these skilled nursing beds: *Provided*, That the authority, when
51 determining the best method of maximizing reimbursement,
52 shall consider the requirement that veterans pay a fee for
53 residing in the nursing homes through a sliding fee scale based
54 upon ability to pay. The authority shall also determine the
55 benefits of locating the skilled nursing beds adjacent to existing
56 veterans administration medical facilities as a means of
57 minimizing the cost of construction and to avoid duplication of
58 services. The authority shall report its findings to the joint
59 committee on government and finance by the first day of
60 November, two thousand.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

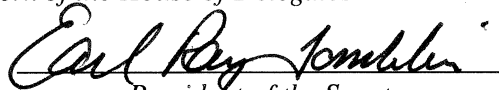

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

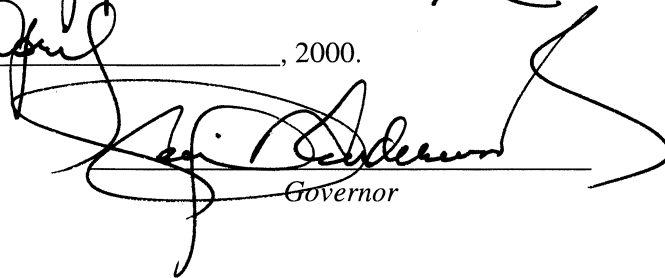

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 4th
day of April, 2000.


Governor

PRESENTED TO THE

GOVERNOR

Date 3/31/10

Time 2:25 pm