WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2000

ENROLLED

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
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.

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

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

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

(d) There is hereby created in the state treasury a special revenue fund designated and known as the veterans lottery fund which shall consist of all revenues derived from the veterans benefit game, any appropriations to the fund by the Legislature, and all interest earned from investment of the fund and any gifts, grants or contributions received by the fund. Revenues
received by the veterans lottery fund shall be deposited in the West Virginia consolidated investment pool with the West Virginia investment management board, with the interest income a proper credit to all such funds.

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

(f) The health care authority created under section five, article twenty-nine-b, chapter sixteen of this code, shall conduct a survey to determine the need for skilled nursing beds for veterans in this state. The survey shall determine the number of veterans in existing nursing homes in this state; the number of nursing homes collecting reimbursement from the veterans administration; where the veterans are located within this state; the number of skilled nursing beds that currently exist in the areas in which the veterans are located; and any other information necessary to determine the need for skilled nursing beds for veterans in this state. The authority shall also determine the manner in which federal reimbursement may be maximized for these skilled nursing beds: Provided, That the authority, when determining the best method of maximizing reimbursement, shall consider the requirement that veterans pay a fee for residing in the nursing homes through a sliding fee scale based upon ability to pay. The authority shall also determine the benefits of locating the skilled nursing beds adjacent to existing veterans administration medical facilities as a means of minimizing the cost of construction and to avoid duplication of services. The authority shall report its findings to the joint committee on government and finance by the first day of 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 40th
day of __________, 2000.