WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2003

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2835

(By Delegates Ennis, Manchin, Poling, Shelton Tucker, Smirl and Wakim)

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Passed March 8, 2003

In Effect Ninety Days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2835

(BY DELEGATES ENNIS, MANCHIN, POLING, SHELTON TUCKER, SMIRL AND WAKIM)

[Passed March 8, 2003; in effect ninety days from passage.]

AN ACT to amend article one, chapter nine-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section eleven; and to amend and reenact section nine-a, article twenty-two, chapter twenty-nine of said code, all relating to establishing a special revenue fund to receive gifts and donations for the support of veterans facilities; authorized expenditures; renaming a special revenue fund and clarifying its purpose; and removing a statement implying restraints on funds to repay bonds.

Be it enacted by the Legislature of West Virginia:

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

CHAPTER 9A. VETERANS AFFAIRS.

ARTICLE 1. DIVISION OF VETERANS AFFAIRS.


1 There is hereby created in the state treasury a special revenue fund to be designated and known as the veterans facilities support fund. All interest or other returns earned on the investment of the moneys in the fund shall be credited to the fund. Funds paid into the account shall be derived from the following sources: (1) Any gift, grant, bequest, endowed fund or donation which may be received by any veterans facility created by statute from any governmental entity or unit or any person, firm, foundation or corporation; and (2) all interest or other return on investment accruing to the fund. Moneys in the fund are to be used for the operational costs of any veterans facility created by statute or as otherwise designated or specified by the donor. Any balance including accrued interest or other earnings in this special fund at the end of any fiscal year shall not revert to the general revenue fund but shall remain in the fund for use by the director of the division of veterans affairs for any operational costs of any veterans facility created by statute or as otherwise designated or specified by the donor.

CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.

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 commission shall establish an instant lottery scratch-off game
designated as the veterans benefit game, which is offered by the lottery.

(b) Notwithstanding the provisions of section eighteen of this article, and subject to the provisions of subsection (c) of this section, all net profits received from the sale of veterans benefit game lottery tickets, materials and games are deposited with the state treasurer into the veterans lottery fund created under this section, and upon the effective date of the enactment of this section in two thousand two, the Legislature may make appropriations from this fund for architectural and other project costs associated with construction, operational costs, and for payment of principal and interest for revenue bonds issued under provisions of section seven, article twenty-nine-a, chapter sixteen of this code: Provided, That once the payment of the principal and interest, any required operational costs, and architectural and other project costs associated with construction are paid in full for the construction and operation of the initial veterans skilled nursing facility, the Legislature may appropriate from the fund created under this section moneys for the construction, including the architectural fees and other associated costs, equipping and operation of additional skilled nursing facilities for veterans of the armed forces of the United States military: Provided, however, That after the payment of the above-mentioned items, the Legislature may appropriate any excess funds to the general revenue fund.

(c) 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, and any appropriations to the fund by the Legislature and all interest or other returns earned from investment of the fund.

(d) There is hereby created in the state treasury a special revenue fund designated and known as the veterans nursing
home building fund which shall consist of all funds for the architectural and other project costs related to the construction of the veteran’s nursing home. These funds shall be transferred from the veterans lottery fund to the veterans nursing home building fund upon written request of the director of the division of veterans affairs to the investment management board and the state treasurer. Following the selection of the architect, the director shall certify the estimated total cost of the architect and associated costs to the joint committee on government and finance prior to the transfer of funds. If funds transferred exceed the estimated costs certified to the joint committee, the director shall certify the additional costs to the joint committee.

(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.
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 is approved this the 2nd day of April, 2003.

Governor