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SENATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2003



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COMMITTEE SUBSTITUTE
FOR

House Bill No. 2835

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



Passed March 8, 2003

In Effect Ninety Days from Passage

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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.

§9A-1-11. Establishment of veterans facilities support fund; authorized expenditures.

1 There is hereby created in the state treasury a special
2 revenue fund to be designated and known as the veterans
3 facilities support fund. All interest or other returns earned on
4 the investment of the moneys in the fund shall be credited to the
5 fund. Funds paid into the account shall be derived from the
6 following sources: (1) Any gift, grant, bequest, endowed fund
7 or donation which may be received by any veterans facility
8 created by statute from any governmental entity or unit or any
9 person, firm, foundation or corporation; and (2) all interest or
10 other return on investment accruing to the fund. Moneys in the
11 fund are to be used for the operational costs of any veterans
12 facility created by statute or as otherwise designated or speci-
13 fied by the donor. Any balance including accrued interest or
14 other earnings in this special fund at the end of any fiscal year
15 shall not revert to the general revenue fund but shall remain in
16 the fund for use by the director of the division of veterans
17 affairs for any operational costs of any veterans facility created
18 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
2 commission shall establish an instant lottery scratch-off game

3 designated as the veterans benefit game, which is offered by the
4 lottery.

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

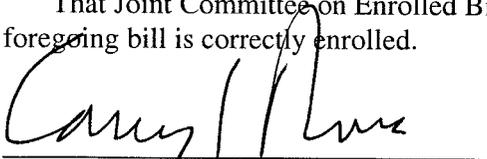
28 (c) There is hereby created in the state treasury a special
29 revenue fund designated and known as the veterans lottery fund
30 which shall consist of all revenues derived from the veterans
31 benefit game, and any appropriations to the fund by the
32 Legislature and all interest or other returns earned from
33 investment of the fund.

34 (d) There is hereby created in the state treasury a special
35 revenue fund designated and known as the veterans nursing

36 home building fund which shall consist of all funds for the
37 architectural and other project costs related to the construction
38 of the veteran's nursing home. These funds shall be transferred
39 from the veterans lottery fund to the veterans nursing home
40 building fund upon written request of the director of the
41 division of veterans affairs to the investment management
42 board and the state treasurer. Following the selection of the
43 architect, the director shall certify the estimated total cost of the
44 architect and associated costs to the joint committee on govern-
45 ment and finance prior to the transfer of funds. If funds trans-
46 ferred exceed the estimated costs certified to the joint commit-
47 tee, the director shall certify the additional costs to the joint
48 committee.

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

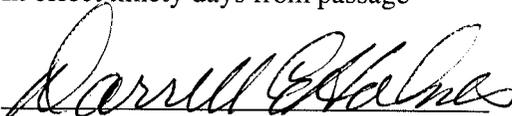
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

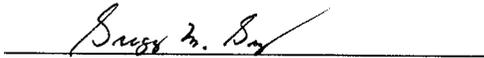

Chairman Senate Committee

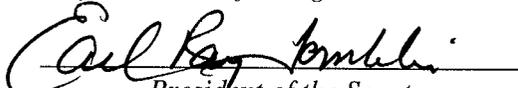

Chairman House Committee

Originating in the House.

In effect ninety days from passage

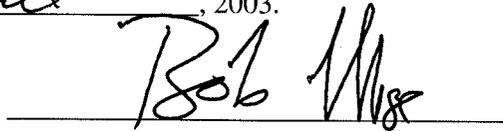

Clerk of the Senate


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

PRESENTED TO THE
GOVERNOR

Date 3/26/03

Time 4:00 pm