

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 523**

4 (By Senators Green, D. Hall, Facemire, Laird, McCabe, Miller,  
5 Prezioso, Wells, Plymale, Carmichael, Jenkins, Yost and  
6 Stollings)

7 \_\_\_\_\_  
8 [Originating in the Committee on Military;  
9 reported February 12, 2014.]

**FISCAL  
NOTE**

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12  
13 A BILL to amend and reenact §9A-1-11 of the Code of West Virginia,  
14 1931, as amended; to amend and reenact §16-1B-1, §16-1B-2 and  
15 §16-1B-3 of said code; to amend and reenact §16-29A-3 and §16-  
16 29A-7 of said code; to amend and reenact §19-1-4 of said code;  
17 and to amend and reenact §29-22-9a of said code, all relating  
18 to construction of an additional state veterans' skilled  
19 nursing facility; authorizing Veterans Facilities Support Fund  
20 expenditures; authorizing the issuance of bonds by the  
21 Hospital Finance Authority; authorizing the Secretary of the  
22 Department of Veterans' Assistance and the Commissioner of the  
23 Department of Agriculture to enter into agreement to transfer  
24 certain property; and authorizing expenditures from the  
25 Veterans Lottery Fund, the Veterans Nursing Homes Building  
26 Fund and the Veterans Nursing Homes Debt Service Fund.

1 *Be it enacted by the Legislature of West Virginia:*

2       That §9A-1-11 of the Code of West Virginia, 1931, as amended,  
3 be amended and reenacted; that §16-1B-1, §16-1B-2 and §16-1B-3 of  
4 said code be amended and reenacted; that §16-29A-3 and §16-29A-7 of  
5 said code be amended and reenacted; that §19-1-4 of said code be  
6 amended and reenacted; and that §29-22-9a of said code be amended  
7 and reenacted, all to read as follows:

8 **CHAPTER 9A. VETERANS' ASSISTANCE.**

9 **ARTICLE 1. DEPARTMENT OF VETERANS' AFFAIRS.**

10 **§9A-1-11. Establishment of Veterans Facilities Support Fund;**  
11 **authorized expenditures.**

12       There is hereby ~~created~~ continued in the State Treasury a  
13 special revenue fund to be designated and known as the Veterans  
14 Facilities Support Fund, which shall be administered by the  
15 secretary. All interest or other returns earned on the investment  
16 of the moneys in the fund shall be credited to the fund. Funds paid  
17 into the account shall be derived from the following sources: (1)  
18 Any gift, grant, bequest, endowed fund or donation which may be  
19 received by any veterans facility created by statute from any  
20 governmental entity or unit or any person, firm, foundation or  
21 corporation; and (2) all interest or other return on investment  
22 accruing to the fund. Moneys in the fund are to be used for the  
23 operational costs of any veterans facility created by statute, the  
24 acquisition, design, construction, equipping, furnishing, including,  
25 without limitation, the payment of debt service on bonds issued to

1 finance the foregoing and/or as otherwise designated or specified  
2 by the donor. Any balance, including accrued interest or other  
3 earnings, in this special fund at the end of any fiscal year shall  
4 not revert to the General Revenue Fund but shall remain in the fund.  
5 Funds from the Veterans Facility Support Fund for operational costs  
6 will be distributed by appropriation of the Legislature. Funds from  
7 the Veterans Facility Support Fund for the acquisition, design,  
8 construction, equipping, furnishing, including, without limitation,  
9 the payment of debt service on bonds issued to finance the veterans  
10 nursing home and an additional veterans skilled nursing facility to  
11 be located in Beckley, West Virginia, shall be transferred to the  
12 Veterans Nursing Home Building Fund upon written request of the  
13 ~~director of the division of Veterans Affairs~~ Secretary of the  
14 Department of Veterans' Assistance to the Investment Management  
15 Board and the State Treasurer in accordance with the provisions of  
16 this section. The secretary is authorized to enter into an  
17 agreement with the Commissioner of the Department of Agriculture to  
18 transfer all or part of the approximately seventeen acres of  
19 Department of Agriculture property in Beckley, West Virginia,  
20 located adjacent to the Jackie Withrow Hospital which was formerly  
21 known as Pinecrest Hospital, for construction of a veterans skilled  
22 nursing facility.

23 **CHAPTER 16. PUBLIC HEALTH.**

24 **ARTICLE 1B. SKILLED NURSING FACILITIES FOR VETERANS OF THE UNITED**  
25 **STATES ARMED FORCES.**

1 **§16-1B-1. Legislative findings.**

2       The Legislature finds that the health and welfare of the  
3 veterans of the Armed Forces who are citizens of our state will be  
4 best served by the establishment of one or more skilled nursing  
5 facilities exclusively for these veterans. Furthermore, the  
6 Legislature finds that nearly two hundred thousand veterans in this  
7 state have distinguished themselves with the highest level of  
8 participation per capita of any state in the wars fought by this  
9 nation. Further, an aging veterans' population which suffers from  
10 wartime disabilities and illnesses are, or will be, in need of  
11 skilled nursing care.

12       The Legislature further finds that construction of an  
13 additional 120-bed veterans skilled nursing facility in southern  
14 West Virginia is needed, to be located on Department of Agriculture  
15 property in Beckley, West Virginia, adjacent to the Jackie Withrow  
16 Hospital which was formerly known as Pinecrest Hospital. The West  
17 Virginia veterans skilled nursing facility located in Clarksburg is  
18 currently at its maximum capacity and has a large waiting list for  
19 admission. With a veteran population that has now reached over  
20 220,000, there is an overwhelming need for additional nursing home  
21 beds in other areas of our state to accommodate our veterans as they  
22 become unable to take care of themselves.

23 **§16-1B-2. Construction, staffing and operation of one or more**  
24 **skilled nursing facilities for veterans of the Armed**  
25 **Forces of the United States.**

1       The ~~director~~ Secretary of Veterans ~~Affairs~~ Assistance shall  
2 establish, construct, equip and operate one or more skilled nursing  
3 facilities, including a skilled nursing facility to be located in  
4 Beckley, West Virginia, to serve the needs of citizens of this state  
5 who are veterans of the Armed Forces of the United States. For each  
6 nursing facility established, the director shall appoint a facility  
7 administrator and other employees as are necessary to maintain the  
8 facility and deliver quality care to residents of the facility.

9 **§16-1B-3. Issuance of bonds by the hospital finance authority;**  
10                   **payment of bonds from net profits of the veterans**  
11                   **lottery instant scratch-off game.**

12       The ~~director~~ secretary shall request that revenue bonds, not  
13 exceeding the principal amount of \$10 million, be issued by the West  
14 Virginia hospital finance authority under provisions of section  
15 seven, article twenty-nine-a of this chapter: Provided, That the  
16 secretary shall request that additional revenue bonds, not exceeding  
17 the principle amount of \$15 million, be issued by the West Virginia  
18 hospital finance authority under provisions of section seven,  
19 article twenty-nine-a of this chapter for the construction of a  
20 veterans skilled nursing facility to be located in Beckley, West  
21 Virginia. Net profit from the veterans lottery instant scratch-off  
22 game as authorized by section nine-a, article twenty-two, chapter  
23 twenty-nine of this code and other revenues that the Legislature may  
24 from time to time appropriate shall pay the principal and interest  
25 obligations of the bonds and the architectural and other project

1 costs associated with the construction, reconstruction, renovation  
2 and maintenance of one or more skilled nursing facilities, that will  
3 only serve the skilled nursing needs of West Virginia veterans who  
4 have performed active duty in an active component of the Armed  
5 Forces or performed active service in a reserve component of the  
6 Armed Forces.

7 **ARTICLE 29A. WEST VIRGINIA HOSPITAL FINANCE AUTHORITY ACT.**

8 **§16-29A-3. Definitions.**

9 As used in this article, unless the context clearly requires  
10 a different meaning:

11 (1) "Authority" means the West Virginia Hospital Finance  
12 Authority created by section four of this article, the duties,  
13 powers, responsibilities and functions of which are specified in  
14 this article;

15 (2) "Board" means the West Virginia Hospital Finance Board  
16 created by section four of this article, which shall manage and  
17 control the authority;

18 (3) "Bond" means a revenue bond issued by the authority to  
19 effect the purposes of this article;

20 (4) "Construction" means and includes new construction,  
21 reconstruction, enlargement, improvement and providing furnishings  
22 or equipment;

23 (5) "Direct provider of health care" means a person or  
24 organization whose primary current activity is the provision of  
25 health care to individuals and includes a licensed or certified  
26 physician, osteopath, dentist, nurse, podiatrist or physician's

1 assistant or an organization comprised of these health professionals  
2 or employing these health professionals;

3 (6) "Hospital" means a corporation, association, institution  
4 or establishment for the care of those who require medical  
5 treatment, which may be a public or private corporation or  
6 association, or state-owned or operated establishment and  
7 specifically includes nursing homes which are licensed under chapter  
8 sixteen of this code or those facilities certified under the Social  
9 Security Act as intermediate care facilities for individuals with  
10 an intellectual disability;

11 (7) "Hospital facilities" means any real or personal property  
12 suitable and intended for, or incidental or ancillary to, use by a  
13 hospital and includes: Outpatient clinics; laboratories; laundries;  
14 nurses', doctors' or interns' residences; administration buildings;  
15 facilities for research directly involved with hospital care;  
16 maintenance, storage or utility facilities; parking lots and  
17 garages; and all necessary, useful or related equipment, furnishings  
18 and appurtenances and all lands necessary or convenient as a site  
19 for the foregoing and specifically includes any capital improvements  
20 to any of the foregoing. "Hospital facilities" specifically  
21 includes office facilities not less than eighty percent of which are  
22 intended for lease to direct providers of health care and which are  
23 geographically or functionally related to one or more other hospital  
24 facilities, if the authority determines that the financing of the  
25 office facilities is necessary to accomplish the purposes of this  
26 article;

1           (8) "Hospital loan" means a loan made by the authority to a  
2 hospital and specifically includes financings by the authority for  
3 hospital facilities pursuant to lease-purchase agreements,  
4 installment sale or other similar agreements;

5           (9) "Note" means a short-term promise to pay a specified amount  
6 of money, payable and secured as provided pursuant to this article  
7 and issued by the authority to effect the purposes of this article;

8           (10) "Project costs" means the total of the reasonable or  
9 necessary costs incurred for carrying out the works and undertakings  
10 for the acquisition or construction of hospital facilities under  
11 this article. "Project costs" includes, but is not limited to, all  
12 of the following costs: The costs of acquisition or construction  
13 of the hospital facilities; studies and surveys; plans,  
14 specifications, architectural and engineering services; legal,  
15 organization, marketing or other special services; financing,  
16 acquisition, demolition, construction, equipping and site  
17 development of new and rehabilitated buildings; rehabilitation,  
18 reconstruction, repair or remodeling of existing buildings; interest  
19 and carrying charges during construction and before full earnings  
20 are achieved and operating expenses before full earnings are  
21 achieved or a period of one year following the completion of  
22 construction, whichever occurs first; and a reasonable reserve for  
23 payment of principal of and interest on bonds or notes of the  
24 authority. "Project costs" shall also include reimbursement of a  
25 hospital for the foregoing costs expended by a hospital from its own  
26 funds or from money borrowed by the hospital for such purposes



1 before issuance and delivery of bonds or notes by the authority for  
2 the purpose of providing funds to pay the project costs. "Project  
3 costs" also specifically includes the refinancing of any existing  
4 debt of a hospital necessary in order to permit the hospital to  
5 borrow from the authority and give adequate security for the  
6 hospital loan. The determination of the authority with respect to  
7 the necessity of refinancing and adequate security for a hospital  
8 loan is conclusive;

9 (11) "Revenue" means any money or thing of value collected by,  
10 or paid to, the authority as principal of or interest, charges or  
11 other fees on hospital loans or any other collections on hospital  
12 loans made by the authority to hospitals to finance, in whole or in  
13 part, the acquisition or construction of any hospital facilities or  
14 other money or property which is received and may be expended for  
15 or pledged as revenues pursuant to this article;

16 (12) "Veterans skilled nursing facility" means a skilled  
17 nursing care facility constructed and operated to serve the needs  
18 of veterans of the Armed Forces of the United States who are  
19 citizens of this state, and includes an additional veterans skilled  
20 nursing facility to be located in Beckley, West Virginia.

21 **§16-29A-7. Bonds and notes.**

22 (a) The authority periodically may issue its negotiable bonds  
23 and notes in a principal amount which, in the opinion of the  
24 authority, shall be necessary to provide sufficient funds for the  
25 making of hospital loans, including temporary loans during the  
26 construction of hospital facilities, for the payment of interest on

1 bonds and notes of the authority during construction of hospital  
2 facilities for which the hospital loan was made and for a reasonable  
3 time thereafter and for the establishment of reserves to secure  
4 those bonds and notes.

5 (b) The authority periodically may issue renewal notes, may  
6 issue bonds to pay notes and, if it considers refunding expedient,  
7 to refund or to refund in advance bonds or notes issued by the  
8 authority by the issuance of new bonds pursuant to the requirements  
9 of section thirteen of this article.

10 (c) The authority may, upon concurrent resolution passed by the  
11 Legislature, authorize the issuance of negotiable bonds and notes  
12 in a principal amount which are necessary to provide sufficient  
13 funds for the construction, reconstruction, renovation and  
14 maintenance of one or more skilled nursing facilities, including a  
15 veterans skilled nursing facility to be located in Beckley, West  
16 Virginia, that will only serve the skilled nursing needs of West  
17 Virginia veterans who have performed active duty in an active  
18 component of the Armed Forces or performed active service in a  
19 reserve component of the Armed Forces. These bonds issued by the  
20 authority may not exceed \$10 million. The revenues pledged for the  
21 repayment of principal and interest of these bonds shall include the  
22 net profit of the veterans instant lottery scratch-off game  
23 authorized by section nine-a, article twenty-two, chapter twenty-  
24 nine of this code excluding all architectural fees and associated  
25 project costs transferred pursuant to that section.

26 (d) Except as may otherwise be expressly provided by the

1 authority, every issue of its notes or bonds shall be special  
2 obligations of the authority, payable solely from the property,  
3 revenues or other sources of or available to the authority pledges  
4 therefor.

5 (e) The bonds and the notes shall be authorized by resolution  
6 of the authority, shall bear the date and shall mature at time or  
7 times, in the case of any such note or any renewals thereof, not  
8 exceeding seven years from the date of issue of the original note  
9 and in the case of any bond not exceeding fifty years from the date  
10 of issue, as the resolution may provide. The bonds and notes shall  
11 bear interest at rate or rates, be in a denomination, be in a form,  
12 either coupon or registered, carry registration privileges, be  
13 payable in the medium of payment and at place or places and be  
14 subject to the terms of redemption as the authority may authorize.  
15 The bonds and notes of the authority may be sold by the authority,  
16 at public or private sale, at or not less than the price the  
17 authority determines. The bonds and notes are executed by the  
18 chairman and vice chairman of the board, both of whom may use  
19 facsimile signatures. The official seal of the authority or a  
20 facsimile thereof shall be affixed to or printed on each bond and  
21 note and attested, manually or by facsimile signature, by the  
22 secretary-treasurer of the board, and any coupons attached to any  
23 bond or note shall bear the signature or facsimile signature of the  
24 chairman of the board. In case any officer whose signature, or a  
25 facsimile of whose signature, appears on any bonds, notes or coupons  
26 ceases to be an officer before delivery of the bonds or notes, the

1 signature or facsimile is nevertheless sufficient for all purposes  
2 the same as if he or she had remained in office until the delivery;  
3 and, in case the seal of the authority has been changed after a  
4 facsimile has been imprinted on the bonds or notes, the facsimile  
5 seal will continue to be sufficient for all purposes.

6 (f) A resolution authorizing bonds or notes or an issue of  
7 bonds or notes under this article may contain provisions, which are  
8 a part of the contract with the holders of the bonds or notes, as  
9 to any or all of the following:

10 (1) Pledging and creating a lien on all or any part of the fees  
11 and charges made or received or to be received by the authority, all  
12 or any part of the moneys received in payment of hospital loans and  
13 interest on hospital loans and all or any part of other moneys  
14 received or to be received, to secure the payment of the bonds or  
15 notes or of any issue of bonds or notes, subject to those agreements  
16 with bondholders or noteholders which then exist;

17 (2) Pledging and creating a lien on all or any part of the  
18 assets of the authority, including notes, deeds of trust and  
19 obligations securing the assets, to secure the payment of the bonds  
20 or notes or of any issue of bonds or notes, subject to those  
21 agreements with bondholders or note holders which then exist;

22 (3) Pledging and creating a lien on any loan, grant or  
23 contribution to be received from the federal, state or local  
24 government or other source;

25 (4) The use and disposition of the income from hospital loans  
26 owned by the authority and payment of the principal of and interest

1 on hospital loans owned by the authority;

2 (5) The setting aside of reserves or sinking funds and the  
3 regulation and disposition thereof;

4 (6) Limitations on the purpose to which the proceeds of sale  
5 of bonds or notes may be applied and pledging the proceeds to secure  
6 the payment of the bonds or notes or of any issue of the bonds or  
7 notes;

8 (7) Limitations on the issuance of additional bonds or notes  
9 and the terms upon which additional bonds or notes may be issued and  
10 secured;

11 (8) The procedure by which the terms of a contract with the  
12 bondholders or noteholders may be amended or abrogated, the amount  
13 of bonds or notes the holders of which must consent thereto and the  
14 manner in which the consent may be given; and

15 (9) Vesting in a trustee or trustees the property, rights,  
16 powers, remedies and duties which the authority considers necessary  
17 or convenient.

18 **CHAPTER 19. AGRICULTURE.**

19 **ARTICLE 1. DEPARTMENT OF AGRICULTURE.**

20 **§19-1-4. Duties of commissioner.**

21 The Commissioner of Agriculture shall perform the following  
22 duties:

23 (a) Devise means of advancing the agricultural interests of the  
24 state and, in the performance of such duty, he or she shall have  
25 authority to call upon any state department, or officer of the state

1 or county, to cooperate in promoting the agricultural interests of  
2 the state. It shall be the duty of any such department, or officer,  
3 upon request of the commissioner to render the assistance desired;

4 (b) Promote and encourage the organization of such societies  
5 and associations as have for their object the improvement and  
6 development of the state's agricultural, horticultural and kindred  
7 interests, especially in production, processing for market and  
8 distribution;

9 (c) Conduct cooperative work with the United States Department  
10 of Agriculture in inspecting and determining the grade and condition  
11 of farm produce at collecting centers, receiving centers and  
12 shipping points;

13 (d) Induce the investment of capital in, and immigration into,  
14 this state by the dissemination of information relative to the soil,  
15 climate, health, natural resources, market opportunities and  
16 advantages of the state;

17 (e) Investigate and report upon the kinds, conditions and  
18 extent of the mineral products of the state and their value;

19 (f) Take charge of the museum of the Department of Agriculture,  
20 collect, preserve and exhibit therein specimens of agricultural,  
21 horticultural and kindred products, products of the forests,  
22 minerals, flora and fauna of the state;

23 (g) Publish and distribute, from time to time, such reports and  
24 bulletins concerning agriculture, horticulture and kindred subjects  
25 as may be of value to the farmers of the state and, as conditions  
26 may demand, publish a handbook giving the resources of the several

1 counties of the state, the varieties of soil and products, both  
2 mineral and vegetable, and the adaptability of the different  
3 sections of the state to the different branches of agriculture,  
4 horticulture and kindred interests;

5 (h) Submit a biennial report to the Governor and Legislature  
6 containing such information as to the operations of the department  
7 as may be helpful to the agricultural interests of the state,  
8 together with an itemized statement of all receipts and  
9 disbursements during the biennial period covered thereby and giving  
10 the name of every person employed during such period, the time  
11 employed and the amount paid each employee;

12 (I) Perform such other duties and exercise such other powers  
13 as are provided in this chapter and by general law; and

14 (j) Enter into an agreement with the Secretary of the  
15 Department of Veterans Assistance to transfer all or part of the  
16 approximately seventeen acres of Department of Agriculture property  
17 in Beckley, West Virginia, located adjacent to the Jackie Withrow  
18 Hospital which was formerly known as Pinecrest Hospital, for  
19 construction of a veterans skilled nursing facility.

20 ~~(j)~~ (k) Propose rules, including regulatory standards, for  
21 legislative approval in accordance with the provisions of article  
22 three, chapter twenty-nine-a of this code for the purpose of  
23 carrying out the requirements of this chapter.

24 **CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.**

25 **ARTICLE 22. STATE LOTTERY ACT.**

26 **§29-22-9a. Veterans instant lottery scratch-off game.**

1 (a) Beginning September 1, 2000, the commission shall establish  
2 an instant lottery scratch-off game designated as the veterans  
3 benefit game, which is offered by the lottery.

4 (b) Notwithstanding the provisions of section eighteen of this  
5 article, all net profits received from the sale of veterans benefit  
6 game lottery tickets, materials and games are deposited with the  
7 State Treasurer into the Veterans Lottery Fund created under  
8 subsection (c) of this section. The Legislature may make  
9 appropriations from this fund for operational costs from moneys  
10 remaining in the Veterans Lottery Fund after the acquisition,  
11 design, construction, equipping, furnishing, including, without  
12 limitation, the payment of debt service on bonds issued to finance  
13 the foregoing, have been paid. Funds from the Veterans Lottery Fund  
14 for the acquisition, design, construction, equipping, furnishing,  
15 including, without limitation, the payment of debt service on bonds  
16 issued to finance the construction of ~~a~~ veterans nursing ~~home~~ homes,  
17 including the skilled nursing facility to be located in Beckley,  
18 West Virginia, and/or veterans cemetery, shall be transferred to the  
19 Veterans Nursing Home Building Fund and the Veterans Cemetery Fund  
20 upon written request of the ~~Director~~ Secretary of the ~~Division~~  
21 Department of Veterans ~~Affairs~~ Assistance to the Investment  
22 Management Board and the State Treasurer in accordance with the  
23 provisions of this section. Once the payment of the principal and  
24 interest, any required operational costs and architectural and other  
25 project costs associated with construction are paid in full for the  
26 construction and operation of the initial two veterans skilled



1 nursing ~~facility~~ facilities, including the skilled nursing facility  
2 to be located in Beckley, West Virginia, or veterans cemetery, the  
3 Legislature may appropriate from the fund created under this section  
4 moneys for the construction, including the architectural fees and  
5 other associated costs, equipping and operation of additional  
6 skilled nursing facilities and/or cemeteries for veterans of the  
7 Armed Forces of the United States Military: *Provided,* That in  
8 addition to the payment of the above-mentioned items, funds may be  
9 deposited in the Veterans Cemetery Fund created in section eleven-a,  
10 article one, chapter nine-a of this code and, thereafter, the  
11 Legislature may appropriate any excess funds to the General Revenue  
12 Fund.

13 (c) There is hereby created in the State Treasury a special  
14 revenue fund designated and known as the Veterans Lottery Fund which  
15 shall consist of all revenues derived from the veterans benefit game  
16 and any appropriations to the fund by the Legislature and all  
17 interest or other returns earned from investment of the fund.

18 (d) There is hereby created in the State Treasury a special  
19 revenue fund designated and known as the Veterans Nursing ~~Home~~ Homes  
20 Building Fund which shall consist of all funds for the acquisition,  
21 design, construction, equipping, furnishing, including, without  
22 limitation, the payment of debt service on bonds issued to finance  
23 the foregoing. Following the selection of the architect, the  
24 director shall certify the estimated total cost of the architect and  
25 all construction and associated costs to the Joint Committee on  
26 Government and Finance prior to the transfer of funds for

1 construction. If funds transferred exceed the estimated costs  
2 certified to the joint committee, the director shall certify the  
3 additional costs to the joint committee.

4 (e) There is hereby created in the State Treasury a special  
5 revenue fund designated and known as the Veterans Nursing ~~Home~~ Homes  
6 Debt Service Fund to which the required funding from the Veterans  
7 Nursing ~~Home~~ Homes Building Fund is transferred to refund revenue  
8 bonds to pay the principal, interest, redemption premium and  
9 coverage ratio requirement, if any, on the revenue bonds issued  
10 under the provisions of section seven, article twenty-nine-a,  
11 chapter sixteen of this code. The Veterans Nursing ~~Home~~ Homes Debt  
12 Service Fund has first priority to all funds in the Veterans Nursing  
13 ~~Home~~ Homes Building Fund established herein not otherwise designated  
14 or specified by the donor. Beginning on or before July 28, 2003,  
15 and continuing until June 28, ~~2035~~ 2050, the Treasurer shall  
16 allocate to the Veterans Nursing ~~Home~~ Homes Debt Service Fund from  
17 the Veterans Nursing ~~Home~~ Homes Building Fund, as a first priority,  
18 an amount equal to one tenth of the projected annual principal,  
19 interest, redemption premium and coverage ratio requirement on any  
20 and all revenue bonds and refunding bonds issued, or to be issued,  
21 on or after July 1, 2003, under the provisions of said section in  
22 connection with a veterans nursing home as certified to the  
23 Treasurer and the Investment Management Board by the ~~Director~~  
24 Secretary of the ~~Division~~ Department of Veterans ~~Affairs~~ Assistance.  
25 In the event there are insufficient funds available in any month to  
26 transfer the amount required pursuant to this subsection to the

1 Veterans Nursing ~~Home~~ Homes Debt Service Fund, the deficiency shall  
2 be added to the amount transferred in the next succeeding month in  
3 which revenues are available to transfer the deficiency.

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

NOTE: The purpose of this bill is to provide for construction of an additional 120 bed state veterans skilled nursing facility to be located in Beckley, West Virginia.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.