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HOUSE BILL NO. 749

AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the Senate Committee on Privileges and Elections
 on February 22, 2000)

(Patron Prior to Substitute—Delegate Howell)

A BILL to provide for the submission to the voters of a proposed amendment to the Constitution of Virginia by adding in Article X a section numbered 7-A, relating to the distribution of lottery revenues and to amend the Code of Virginia by adding a section numbered 58.1-4022.1, relating to lottery proceeds.

Be it enacted by the General Assembly of Virginia:

1. § 1. It shall be the duty of the officers conducting the election directed by law to be held on the Tuesday after the first Monday in November 2000, at the places appointed for holding the same, to open a poll and take the sense of the qualified voters upon the ratification or rejection of the proposed amendment to the Constitution of Virginia, contained herein and in the joint resolution proposing such amendment, to wit:

Amend the Constitution of Virginia by adding in Article X a section numbered 7-A as follows:

ARTICLE X**TAXATION AND FINANCE**

Section 7-A. Lottery Proceeds Fund; distribution of lottery revenues.

The General Assembly shall establish the Lottery Proceeds Fund. The Fund shall consist of the net revenues of any lottery conducted by the Commonwealth. Lottery proceeds shall be appropriated from the Fund to the Commonwealth's counties, cities and towns, and the school divisions thereof, to be expended for the purposes of public education.

Any county, city, or town which accepts a distribution from the Fund shall provide its portion of the cost of maintaining an educational program meeting the standards of quality prescribed pursuant to Section 2 of Article VIII of this Constitution without the use of distributions from the Fund.

The General Assembly shall enact such laws as may be necessary to implement the Fund and the provisions of this section.

The General Assembly may appropriate amounts from the Fund for other purposes only by a vote of four-fifths of the members voting in each house, the name of each member voting and how he voted to be recorded in the journal of the house.

§ 2. The ballot shall contain the following question:

"Question: Shall the Constitution of Virginia be amended to provide for a Lottery Proceeds Fund and the distribution of net lottery revenues to the localities to spend for public education purposes?"

The ballots shall be prepared, distributed and voted, and the results of the election shall be ascertained and certified, in the manner prescribed by § 24.2-684 of the Code of Virginia. The State Board of Elections shall comply with § 30-19.9 of the Code and shall cause to be sent to the electoral boards of each county and city sufficient copies of the full text of the amendment and question contained herein for the officers of election to post in each polling place on election day.

The electoral board of each county and city shall make out, certify and forward an abstract of the votes cast for and against such proposed amendment in the manner now prescribed by law in relation to votes cast in general elections.

The State Board of Elections shall open and canvass such abstracts and examine and report the whole number of votes cast at the election for and against such amendment in the manner now prescribed by law in relation to votes cast in general elections. The State Board of Elections shall record a certified copy of such report in its office and without delay make out and transmit to the Governor an official copy of such report, certified by it. The Governor shall, without delay, make proclamation of the result, stating therein the aggregate vote for and against the amendment.

If a majority of those voting vote in favor of the amendment, it shall become effective on July 1, 2001.

The expenses incurred in conducting this election shall be defrayed as in the case of election of members of the General Assembly.

2. That the Code of Virginia is amended by adding a section numbered 58.1-4022.1, as follows:

§ 58.1-4022.1. Lottery Proceeds Fund.

For purposes of any appropriation act enacted by the General Assembly and for the purposes of the Comptroller's preliminary and final annual reports required by § 2.1-207, all deposits to and appropriations from any Lottery Proceeds Fund, established pursuant to Section 7-A of Article X of the Constitution of Virginia, shall be accounted for and considered to be a part of the general fund of the state treasury.