

1 ENGROSSED

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 2766**

5 (By Delegates Iaquina, Fragale, Boggs, Ellington, Poling, M.,
6 Pethel, Ferro, Miley, Perdue, Evans, A., and Perry)

7 (Originating in the Committee on Finance)

8 [March 26, 2013]

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11 A BILL to amend the Code of West Virginia, 1931, as amended, by
12 adding thereto a new section, designated §5-1E-6 relating to
13 creating the "West Virginia Winner" program within the Office
14 of Healthy Lifestyles; providing for local government entities
15 to submit bids to host various athletic and cultural events;
16 declaring who may participate; and establishing participation
17 fees.

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

19 That the Code of West Virginia, 1931, as amended, be amended
20 by adding thereto and new section, designated §5-1E-6, to read as
21 follows:

22 **ARTICLE 1E. HEALTHY WEST VIRGINIA PROGRAM.**

23 **§5-1E-6. Additional powers and duties of the office; establishment**
24 **of the West Virginia Winner program for athletic and cultural**
25 **events.**

26 (a) In addition to the powers and authority conferred upon the

1 Office of Healthy Lifestyles by the provisions of section three of
2 this article, the Office of Healthy Lifestyles shall establish a
3 program of specific athletic and cultural events to be known as
4 "West Virginia Winner" to promote healthy living and improve life
5 style and increase longevity of West Virginia residents by
6 competing in various athletic and cultural events.

7 (b) The program will include a plan for competitive bidding by
8 local government entities to host athletic and cultural events for
9 state residents that may be held throughout the state. The athletic
10 events may include, but not be limited to, any of the following
11 participatory athletic events: bowling, tennis, archery, swimming,
12 track and field events, bocce, road bowling, volleyball, three-on-
13 three basketball and golf. The cultural events may include, but
14 not be limited to, dancing, poetry composition and reading,
15 singing, painting and sculpting, academic and historical events,
16 mathematic competitions, chess, checkers, spelling bees and
17 contests, video games and shooting matches.

18 (1) The Office of Healthy Lifestyles shall notify all county
19 commissions and municipalities in the state about the program,
20 including the specific events for bid to host and the type of venue
21 required for the event.

22 (2) The local government entity may submit a proposal and bid
23 to the Office of Healthy Lifestyles and Governor's office to host
24 a specific athletic or cultural event or events. Bid proposals
25 should include categories of participation for the event, such as
26 age divisions, if applicable, and open or individual, small

1 business, corporate, collegiate, and fraternal organization or non-
2 profit team divisions. A proposal to host an event may include
3 regional athletic or cultural qualifiers to be held prior to the
4 primary event proposed, with the winners of each regional qualifier
5 competing at the primary event. Other counties or municipalities
6 that did not submit winning bids or bids at all may be used as
7 regional hosts. Local government entities submitting bids to host
8 an event may enlist the assistance of other groups, such as local
9 parks and recreation commissions, public schools and colleges and
10 universities in a bid proposal.

11 (3) Bids shall be opened by the Office of Healthy Lifestyles
12 on July 1, and must be submitted on or before January 1 of the
13 following year, for events to be held during that year. The Office
14 of Healthy Lifestyles shall notify the local government entity with
15 the winning bid of the event or events the entity will host. The
16 local government entity will then remit the bid amount to the
17 Office of Healthy Lifestyles to be deposited in the Healthy
18 Lifestyles Fund created under section five of this article. The
19 Office of Healthy Lifestyles shall use the bid proceeds to
20 publicize the event. The local government entity hosting the event
21 is responsible for costs such as trophies or prizes, officiating
22 and judges, and any venue rental costs. The hosting entity may
23 solicit donations, hold fundraisers, or apply for grants to assist
24 with the costs of hosting the event.

25 (c) Each participant or team shall pay to the Office of
26 Healthy Lifestyles a fee to participate in each event. The fees may

1 be collected by the hosting local government entity and remitted to
2 the Office of Healthy Lifestyles to be deposited in the Healthy
3 Lifestyles Fund. The participation fee schedule is as follows: (1)
4 individual or open division, \$10 per person; (2) corporate division
5 (corporations with more than two-hundred fifty employees), \$1,000
6 per team: *Provided*, That if a corporate team consists of more than
7 one hundred participants, the corporate team shall pay \$10 per
8 additional person over one hundred in addition to \$1,000; (3) small
9 business division (businesses with two-hundred fifty or fewer
10 employees), \$200 per team: *Provided*, That if a small business team
11 consists of more than twenty participants, the small business team
12 shall pay \$10 per additional person over twenty in addition to
13 \$200; (4) collegiate division (sponsored by an instate college or
14 university), \$1,000: *Provided*: That if a collegiate team consists
15 of more than one hundred participants, the collegiate team shall
16 pay \$10 per additional person over one hundred in addition to
17 \$1,000; and (5) fraternal organization or non-profit division, \$125
18 per team: *Provided*, That if a fraternal or non-profit team consists
19 of more than thirteen participants, the fraternal or non-profit
20 team shall pay \$10 per additional person over thirteen in addition
21 to \$125.