

# ENGROSSED

COMMITTEE SUBSTITUTE

FOR

## H. B. 2766

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(BY DELEGATE(S) IAQUINTA, FRAGALE, BOGGS,  
ELLINGTON, POLING, M., PETHTEL, FERRO, MILEY,  
PERDUE, EVANS, A., AND PERRY)

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(Originating in the Committee on Finance)

[March 26, 2013]

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

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

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

ARTICLE 1E. HEALTHY WEST VIRGINIA PROGRAM.

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

1       (a) In addition to the powers and authority conferred upon  
2 the Office of Healthy Lifestyles by the provisions of section  
3 three of this article, the Office of Healthy Lifestyles shall  
4 establish a program of specific athletic and cultural events to be  
5 known as “West Virginia Winner” to promote healthy living and  
6 improve life style and increase longevity of West Virginia  
7 residents by competing in various athletic and cultural events.

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

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

23       (2) The local government entity may submit a proposal and  
24 bid to the Office of Healthy Lifestyles and Governor's office to  
25 host a specific athletic or cultural event or events. Bid proposals  
26 should include categories of participation for the event, such as  
27 age divisions, if applicable, and open or individual, small  
28 business, corporate, collegiate, and fraternal organization or non-  
29 profit team divisions. A proposal to host an event may include  
30 regional athletic or cultural qualifiers to be held prior to the  
31 primary event proposed, with the winners of each regional  
32 qualifier competing at the primary event. Other counties or  
33 municipalities that did not submit winning bids or bids at all may  
34 be used as regional hosts. Local government entities submitting  
35 bids to host an event may enlist the assistance of other groups,  
36 such as local parks and recreation commissions, public schools  
37 and colleges and universities in a bid proposal.

38       (3) Bids shall be opened by the Office of Healthy Lifestyles  
39 on July 1, and must be submitted on or before January 1 of the

40 following year, for events to be held during that year. The Office  
41 of Healthy Lifestyles shall notify the local government entity  
42 with the winning bid of the event or events the entity will host.  
43 The local government entity will then remit the bid amount to  
44 the Office of Healthy Lifestyles to be deposited in the Healthy  
45 Lifestyles Fund created under section five of this article. The  
46 Office of Healthy Lifestyles shall use the bid proceeds to  
47 publicize the event. The local government entity hosting the  
48 event is responsible for costs such as trophies or prizes, officiat-  
49 ing and judges, and any venue rental costs. The hosting entity  
50 may solicit donations, hold fundraisers, or apply for grants to  
51 assist with the costs of hosting the event.

52 (c) Each participant or team shall pay to the Office of  
53 Healthy Lifestyles a fee to participate in each event. The fees  
54 may be collected by the hosting local government entity and  
55 remitted to the Office of Healthy Lifestyles to be deposited in the  
56 Healthy Lifestyles Fund. The participation fee schedule is as  
57 follows: (1) individual or open division, \$10 per person; (2)  
58 corporate division (corporations with more than two-hundred  
59 fifty employees), \$1,000 per team: *Provided*, That if a corporate

60 team consists of more than one hundred participants, the  
61 corporate team shall pay \$10 per additional person over one  
62 hundred in addition to \$1,000; (3) small business division  
63 (businesses with two-hundred fifty or fewer employees), \$200  
64 per team: *Provided*, That if a small business team consists of  
65 more than twenty participants, the small business team shall pay  
66 \$10 per additional person over twenty in addition to \$200; (4)  
67 collegiate division (sponsored by an instate college or univer-  
68 sity), \$1,000: *Provided*: That if a collegiate team consists of  
69 more than one hundred participants, the collegiate team shall pay  
70 \$10 per additional person over one hundred in addition to  
71 \$1,000; and (5) fraternal organization or non-profit division,  
72 \$125 per team: *Provided*, That if a fraternal or non-profit team  
73 consists of more than thirteen participants, the fraternal or non-  
74 profit team shall pay \$10 per additional person over thirteen in  
75 addition to \$125.





