

# WEST VIRGINIA LEGISLATURE

## 2021 REGULAR SESSION

Introduced

### House Bill 2658

FISCAL  
NOTE

BY DELEGATE HORNBUCKLE

[Introduced February 23, 2021; Referred to the  
Committee on Health and Human Resources then  
Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
 2 designated §18B-20-1, §18B-20-2, §18B-20-3, and §18B-20-4, all relating to creating the  
 3 Mountaineer Games Sports League; establishing findings; establishing board of directors;  
 4 creating duties and objectives for the board; establishing league affiliates; and creating  
 5 structure for the divisions; creating the Mountaineer Games Governor’s Cup.

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

**ARTICLE 20. MOUNTAINEER GAMES SPORTS LEAGUE.**

**§18B-20-1. Findings.**

1 (a) The Legislature finds that the health of its residents is of paramount importance. The  
 2 Legislature finds that an important component of the health if its residents is linked to physical  
 3 activity. Improving levels of its residents’ physical activity can reduce the direct and indirect costs  
 4 of poor health, which rise as societies become older and healthcare costs grow.

5 (b) The Legislature strives to ensure the State of West Virginia has equitable access to  
 6 health and wellness for all citizens. As such, it is a priority of the West Virginia Legislature to  
 7 promote and support physical activity for all residents, including its adult residents.

8 (c) Therefore, the Legislature finds that it is in the best interests of the state to establish  
 9 opportunities for its residents, specifically adults, to participate in organized sports by creating  
 10 and offering a league at little to no cost to participants.

**§18B-20-2. Mountaineer Games Sports League; board of directors; duties and objectives.**

1 (a) The Mountaineer Games Sports League (“MGSL”) is hereby created. The MGSL shall  
 2 be managed and operated by a board of directors.

3 (b) The board is part-time. Each member shall devote the time necessary to carry out the  
 4 duties and obligations of members on the board.

5 (c) Members appointed by the Governor may pursue and engage in another business or  
 6 occupation or gainful employment that is not in conflict with his or her duties as a member of the  
 7 board.

8 (d) The board shall meet at such times as the chair may decide. Four members of the  
9 board are a quorum for the purposes of the transaction of business and for the performance of  
10 any duty.

11 (e) A majority vote of the members present is required for any final determination by the  
12 board.

13 (f) The Governor may remove any board member for incompetence, misconduct, gross  
14 immorality, misfeasance, malfeasance or nonfeasance in office.

15 (g) The board shall consist of seven members that serve at the will and pleasure of the  
16 Governor and are appointed by the Governor with advice and consent of the Senate.

17 (h) The Governor shall appoint one of the board members to serve as chair of the board  
18 at the Governor's will and pleasure. The board shall annually select one of its members to serve  
19 as vice chair.

20 (i) The members of the board shall serve a term of four years and may serve two  
21 consecutive terms. At the end of a term, a member of the board shall continue to serve until a  
22 successor is appointed.

23 (j) The board shall propose the adoption or amendment of rules to carry out the objectives  
24 of this article.

25 (k) The board shall make determinations regarding the overall structure of the MGSL,  
26 including the scheduling of seasons for its offerings, and any other determination necessary to  
27 the efficient operation of the league.

28 (l) In support of the MGSL, the board's objectives are to:

29 (1) Promote and encourage partnerships across a variety of sectors, including business,  
30 community recreation, education, faith-based, government, health care, media, public health,  
31 sports and technology.

32 (2) Partner with national or local volunteer organizations to recruit coaches, officials and  
33 volunteers to support the league.

34 (3) Develop, or assist the league affiliate in developing, shared use agreements to  
35 increase access to sports facilities at schools and within the community.

36 (4) Locate sports facilities in areas that are safe and accessible via multiple transportation  
37 options, including walking, biking, and public transportation.

38 (5) Disseminate messaging, through a variety of platforms, about the benefits of sports  
39 and availability of opportunities to play sports.

40 (6) Identify grants, funding opportunities, and other resources to support the MGSL.

**§18B-20-3. League composition and league affiliates.**

1 (a) The MGSL shall be comprised of teams affiliated with institutions of higher education  
2 and community and technical colleges, which shall be referred to as "League Affiliates". Other  
3 local organizations, such as labor organizations, may opt into the MGSL upon application to the  
4 board.

5 (b) The MGSL shall offer opportunities for state residents to play the following sports:  
6 basketball, baseball or softball, flag-football, volleyball, tennis, cycling, golf, soccer, and  
7 weightlifting. Upon a showing of interest by the public, the board may, upon a majority vote, add  
8 additional sports activities to its offerings.

9 (c) The board shall work with league affiliates to create a schedule of competitions  
10 between league affiliates, including regional and statewide competitions.

11 (d) Each league affiliate shall designate the staff necessary to perform the business of the  
12 league and be responsible for establishing an internal structure that comports with the board's  
13 decisions regarding the operation of the MGSL.

14 (e) Each League Affiliate shall create multiple divisions of competition, including:

15 (1) A high school division, limited to high school students; and

16 (2) An open division, consisting of adults 18 years of age and over; and

17 (3) A masters division, consisting of adults 50 years of age and over; and

18 (4) A college division, consisting of students of a particular institution of higher education

19 or community and technical college; and

20 (5) Any other division that is supported by public interest and approved by the board.

**§18B-20-4. Mountaineer Games Governor's Cup.**

1 (a) Beginning in the 2021-2022 school year, West Virginia University and Marshall  
2 University shall schedule one game between each school-sponsored athletic team.

3 (b) This series of matchups between the teams shall be referred to as the Mountaineer  
4 Games Governor's Cup, which shall be used as an opportunity to promote the Mountaineer  
5 Games Sports League throughout the state. If the teams are already scheduled to play each  
6 other, no additional game need be scheduled.

7 (c) Whichever school wins the most number of matchups that school year shall be  
8 declared the winner of the Mountaineer Games Governor's Cup and be presented with a trophy  
9 for winning the title that year.

NOTE: The purpose of this bill is to establish the Mountaineer Games Sports League.

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