

H. B. 4423

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(By Delegates Iaquina, Perdue, Crosier, M. Poling, Miley, Boggs, Azinger, Hamilton, Ferro, Walters and Caputo)

[Introduced February 6, 2012; referred to the Committee on Health and Human Resources then Finance.]

**FISCAL  
NOTE**

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 to promote healthy living and improve lifestyle and increase longevity of West Virginia residents by competing in various athletic and cultural events in the fifty-five counties; providing that the program be administered by the Office of Healthy Lifestyles; and declaring who may participate in the events together with 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; sport and cultural events.**

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

8       (b) The program shall develop a plan of competitive bidding  
9 for athletic and cultural procedures and events to be held in each  
10 of the counties of the state which shall provide:

11       (1) That the various athletic events may include, but not be  
12 limited to, any of the following participatory athletic events:  
13 bowling, tennis, archery, swimming, track and field events, boccie,  
14 road bowling, volleyball, three-man basketball and golf. The  
15 various cultural events may include, but not be limited to,  
16 dancing, poetry composition and reading, singing, painting and  
17 sculpting, academic and historical events, chess, checkers,  
18 spelling bees and contests and video games. The Office of Healthy  
19 Lifestyles shall inform the county commission of each county of the  
20 specific events for participant bidding, including the type of  
21 venue required for the event, the minimum bid required for each  
22 such event, the estimated cost of holding the event and that, if a  
23 county has the winning bid for an event, that county may establish  
24 the rules associated with participating in the event, whether

1 athletic or cultural.

2 (2) That the county commission of each county shall determine  
3 in which types of events the county desires to participate and  
4 notify the Office of Healthy Lifestyles. The county commissions  
5 may then submit bids to the Office of Healthy Lifestyles and  
6 Governor's office to host a specific physical or cultural event.  
7 Bids shall be submitted on or before July 1, 2012 and opened by the  
8 Office of Healthy Lifestyles on July 1, 2012, which shall notify  
9 the county commissions of the counties with winning bids and for  
10 which events the county will host. The Office of Healthy  
11 Lifestyles shall develop a plan for competitive athletic and  
12 culture events that shall be conducted in each county without the  
13 necessity of bidding, in addition to those events requiring  
14 competitive bidding. County commissions shall inform all other  
15 groups involved in the county such as parks and recreation, public  
16 schools and schools of higher education of the winning bid. All  
17 in-state colleges and universities may also be included to help  
18 facilitate the different activities that each county would like to  
19 conduct. There may be categories of participation in the various  
20 athletic and cultural events that include federal, state and local  
21 municipalities, in-state colleges and universities, large  
22 corporations, small businesses and different professional entities  
23 such as doctors, lawyers, accountants and others.

24 (3) For winners in each such event from each of the fifty-five

1 counties in different age groups: The plan shall provide for five  
2 districts, composed of eleven counties each, with a winner in each  
3 such event from each district if the county only prefers regional  
4 winners of all counties.

5 (4) For fees to be paid by participants in each event: There  
6 shall be a \$10 participant fee for each event. Counties that win  
7 bids to host events shall send in total of the initial bid. These  
8 counties will be reimbursed fifty percent of their bids. Counties  
9 that do not win bids to host an event will send in one hundred  
10 percent of the participant fee.

11 (5) That there is a participation fee with large corporations  
12 paying \$500, small businesses \$150, in-state colleges and  
13 universities, fraternal organizations and nonprofit organizations  
14 \$100. Every individual who participates shall pay a one-time \$10  
15 entry fee.

NOTE: The purpose of this bill is to create the "West Virginia Winner" program to promote healthy living and improve lifestyle and increase longevity of West Virginia residents by competing in various athletic and cultural events in the fifty-five counties. The bill provides that the program be administered by the Office of Healthy Lifestyles. And, the bill declares who may participate in the events together with participation fees to be paid.

This section is new; therefore, it has been completely underscored.