

H. B. 2766

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

[Introduced March 1, 2013; 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, 2013 and opened by the
8 Office of Healthy Lifestyles on July 1, 2013, which shall notify
9 the county commissions of the counties with winning bids and for
10 which events the county will host. During 2014 the Office of
11 Healthy Lifestyles shall develop a plan for competitive athletic
12 and culture events that shall be conducted in each county without
13 the 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, hospitals,
22 corporations, small businesses and different professional entities
23 such as doctors, lawyers, accountants and others. Hospitals would
24 compete in the Corporate Division.

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

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

13 (5) That there is a participation fee with corporations
14 employing fewer than two hundred-fifty people paying \$1,000,
15 corporations employing over two hundred-fifty people \$5,000, small
16 businesses \$200, in-state colleges and universities \$1,000,
17 fraternal organizations and nonprofit organizations \$125. Every
18 individual who participates shall pay a one-time \$10 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.