

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 480

BY SENATORS BEACH, ROMANO, JEFFRIES, BALDWIN,
STOLLINGS, OJEDA, UNGER, FACEMIRE, WOELFEL,
PLYMALE, PALUMBO, PREZIOSO, AND CLEMENTS

[Introduced February 5, 2018;

Referred to the Committee on Government
Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §10-6-1 and §10-6-2, all relating to the creation of a West Virginia Sports Hall
 3 of Fame Commission; designating membership and terms of the commission; filling
 4 commission vacancies; establishing the commission’s duties; establishing a foundation;
 5 and requiring the foundation to draft bylaws for adoption and to manage property acquired
 6 by the West Virginia Sports Hall of Fame.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. WEST VIRGINIA SPORTS HALL OF FAME COMMISSION.

§10-6-1. West Virginia Sports Hall of Fame Commission created; membership; terms; qualifications of members; terms of members; appointments of members; vacancies on commission; meetings.

1 (a) The West Virginia Sports Hall of Fame Commission (Commission) is hereby created.

2 The Commission’s physical location(s), if any, shall be within Marion County, West Virginia.

3 (b) The Commission shall be composed of 21 members as follows:

4 (1) One member shall be a Senator of the West Virginia Senate, appointed by the Senate
 5 President. If a vacancy occurs in this membership position, the Senate President shall appoint a
 6 new member to the remainder of the unexpired term;

7 (2) One member shall be a Delegate of the West Virginia House of Delegates, appointed
 8 by the Speaker of the House. If a vacancy occurs in this membership position, the Speaker of the
 9 House shall appoint a new member to the remainder of the unexpired term;

10 (3) Nine members shall be representatives of the Athletic Directors’ offices of the following
 11 institutions: West Virginia University; Marshall University; Fairmont State University; Liberty
 12 University; Shepherd University; West Virginia State University; Concord College; Bluefield
 13 College; and Glenville State College. The president of each institution shall appoint one such
 14 representative from his or her institution and shall appoint a new member to the remainder of the
 15 unexpired term if a vacancy occurs in that membership position;

16 (4) Two members shall be current board members of the Secondary Schools Activities
17 Association (SSAC), appointed by the SSAC's current director. If a vacancy occurs in these
18 membership positions, the SSAC's current director shall appoint a new member to the remainder
19 of the unexpired term;

20 (5) One member shall be a Marion County Commissioner, appointed by the president of
21 the Marion County Commission. If a vacancy occurs in this membership position, the president of
22 the commission shall appoint a new member to the remainder of the unexpired term;

23 (6) One member shall be a member of the Fairmont city council, appointed by the Mayor
24 of the City of Fairmont. If a vacancy occurs in this membership position, the Mayor shall appoint
25 a new member to the remainder of the unexpired term;

26 (7) Three members shall be members of the West Virginia Sports Writers' Association. If
27 a vacancy occurs in these membership positions, the West Virginia Sports Writers' Association
28 shall appoint a new member to the remainder of the unexpired term; and

29 (8) Three members shall be appointed by the Governor of West Virginia, one member
30 from each of the three Congressional Districts of this state. If a vacancy occurs in these
31 membership positions, the Governor shall appoint a new member from the same Congressional
32 District as the vacant member to the remainder of the unexpired term.

33 (c) The Commission members shall be appointed for overlapping terms of six years each,
34 except that the original appointments shall be as follows:

35 (1) The members from the West Virginia Senate, the West Virginia House of Delegates,
36 West Virginia University, Marshall University, Fairmont State University, Liberty University, and
37 Shepherd University for a two-year term;

38 (2) The members from West Virginia State University, Concord College, Bluefield College,
39 Glenville State College, the SSAC, and the Marion County Commission for a four-year term; and

40 (3) The members from the Fairmont city council, from the West Virginia Sports Writers'
41 Association, and as appointed by the Governor for a six-year term. Each member shall serve until

42 the member's successor has been appointed and qualified.

43 (d) Any member may be removed by the Governor in case of incompetency, neglect of
44 duty, gross immorality, or malfeasance in office.

45 (e) The Commission shall elect officers, including a chair, vice-chair, and such other
46 officers as the chair deems appropriate and necessary, from within its membership.

47 (f) The Commission shall meet quarterly and at such other times and places designated
48 by the chair. The Commission's meetings are subject to the provisions of §6-9A-1 et seq. of this
49 code. A quorum of appointed members must be present in order to conduct business. Eleven
50 members of the Commission shall constitute a quorum for the transaction of any business.

§10-6-2. West Virginia Sports Hall of Fame Commission duties; creation of West Virginia

Sports Hall of Fame Foundation; Foundation by-laws.

1 (a) The Commission shall:

2 (1) Establish the criteria upon which members are selected to the West Virginia Sports
3 Hall of Fame;

4 (2) Develop a West Virginia Sports Hall of Fame Foundation (Foundation), which shall be
5 constituted as a not-for-profit organization under Section 501(c)(3) of the Internal Revenue Code,
6 as amended, 26 U.S.C. §501 (c)(3); and

7 (3) Establish a Foundation board for the purpose of raising revenue.

8 (b) The Foundation and its members shall:

9 (1) Draft by-laws for consideration and approval by the Commission; and

10 (2) Manage any property acquired by the West Virginia Sports Hall of Fame related to
11 sports history that shall be held as an archival collection.

NOTE: The purpose of this bill is to create a West Virginia Sports Hall of Fame Commission; designate membership and terms of the commission; establish the Commission's duties; establish a Foundation; and require the Foundation to draft by-laws for adoption and manage Hall of Fame property.

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