

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 23-288 of the Code of Virginia, relating to the Jamestown-Yorktown*
3 *Foundation.*

4 [S 542]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 23-288 of the Code of Virginia is amended and reenacted as follows:**

8 § 23-288. Powers and duties.

9 The Foundation shall have the power and duty to:

10 1. Do all things necessary and proper to further an appreciation of the contributions of the first
11 permanent English-speaking settlers and their American Indian neighbors of Virginia and the United
12 States to the building of our Commonwealth and nation, to commemorate the winning of American
13 independence on the battlefield at Yorktown, and to enhance our understanding of the making of the
14 United States Constitution and Bill of Rights, including Virginia's role in shaping the fundamental
15 principles of the American constitutional system.

16 2. Administer, develop and maintain at Jamestown and Yorktown permanent commemorative shrines
17 and historical museums.

18 3. Adopt names, flags, seals and other emblems for use in connection with such shrines and to
19 copyright the same in the name of the Commonwealth.

20 4. Enter into contracts to further the purposes of the Foundation, which have been approved by the
21 Attorney General.

22 5. Establish nonprofit corporations as instrumentalities to assist in administering the affairs of the
23 Foundation.

24 6. With the consent of the Governor, acquire lands, property and structures deemed necessary for the
25 purposes of the Foundation by purchase, lease, gift, devise or condemnation proceedings. The title to the
26 land and property acquired shall be in the name of the Commonwealth. In the exercise of the power of
27 eminent domain granted under this section, the Foundation may proceed in the manner provided by law
28 for the Commonwealth Transportation Commissioner in §§ 33.1-89 through 33.1-132.

29 7. With the consent of the Governor, convey by lease land to any person, association, firm or
30 corporation for such term and on such conditions as the Foundation may determine.

31 8. Receive and expend gifts, grants and donations from whatever source derived for the purposes of
32 the Foundation.

33 9. Employ an executive director and such deputies and assistants as may be required.

34 10. To elect any past chairman of the Board of Trustees to the honorary position of Chairman
35 Emeritus. Chairmen emeriti shall serve as honorary members for life and shall not have voting
36 privileges. Chairmen emeriti shall be elected in addition to the at-large positions defined in § 23-287.

37 11. With the consent of the Governor, to enter into agreements or contracts with private entities for
38 the promotion of tourism through marketing without competitive sealed bidding or competitive
39 negotiation provided a demonstrable cost savings, as reviewed by the Secretary of Education, can be
40 realized by the Foundation and such agreements or contracts are based on competitive principles.

41 12. *To determine what paintings, statuary, works of art, manuscripts, and artifacts may be acquired*
42 *by purchase, gift, or loan, and to exchange or sell the same if not inconsistent with the terms of such*
43 *purchase, gift, loan, or other acquisition.*

44 13. *To change the form of investment of any funds, securities, or other property, real or personal,*
45 *provided the same are not inconsistent with the terms of the instrument under which the same were*
46 *acquired, and to sell, grant, or convey any such property, except that any transfers of real property may*
47 *be made only with the consent of the Governor.*

ENROLLED

SB542ER