

# VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

## CHAPTER 230

*An Act to amend and reenact § 23.1-3207 of the Code of Virginia, relating to the Jamestown-Yorktown Foundation; board of trustees; duties.*

[H 1780]

Approved February 23, 2017

**Be it enacted by the General Assembly of Virginia:**

**1. That § 23.1-3207 of the Code of Virginia is amended and reenacted as follows:**

**§ 23.1-3207. Duties.**

The board shall:

1. Do all things necessary and proper to (i) foster through its living-history museums, Jamestown Settlement and Yorktown Victory Center, an awareness and understanding of the early history, settlement, and development of the United States through the convergence of American Indian, European, and African cultures and the enduring legacies bequeathed to the nation; (ii) commemorate Jamestown as the first permanent English-speaking settlement in the United States and its contributions to the building of the Commonwealth and the nation; (iii) commemorate the winning of American independence on the battlefield at Yorktown; and (iv) enhance our understanding of the making of the United States Constitution and Bill of Rights, including the Commonwealth's role in shaping the fundamental principles of the American constitutional system;

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

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

4. Enter into contracts to further the purposes of the Foundation, *including contracts for the use and rental of agency facilities, structures, spaces, and personal property under the control of the Foundation*;

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

6. With the consent of the Governor, acquire by purchase, lease, gift, devise, or condemnation proceedings lands, property, and structures deemed necessary for the purposes of the Foundation. The title to such acquired land and property shall be in the name of the Commonwealth. In the exercise of the power of eminent domain granted under this section, the Foundation may proceed in the manner provided by Chapter 3 (§ 25.1-300 et seq.) of Title 25.1;

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

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

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

10. Elect any past chairman of the board to the honorary position of chairman emeritus. Chairmen emeriti shall serve as honorary members for life. Chairmen emeriti shall be elected in addition to the at-large positions defined in § 23.1-3206;

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

12. Determine which paintings, statuary, works of art, manuscripts, and artifacts shall be acquired by purchase, gift, or loan and exchange or sell such items if not inconsistent with the terms of such purchase, gift, loan, or other acquisition; and

13. Change the form of investment of any funds, securities, or other property, real or personal, provided the form is not inconsistent with the terms of the instrument under which the property was acquired, and sell, grant, or convey any such property, except that any transfers of real property shall be made only with the consent of the Governor.