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SENATE BILL NO. 381

Offered January 23, 1998

A BILL to amend and reenact §§ 9-96 and 9-97 of the Code of Virginia, relating to the Jamestown-Yorktown Foundation; board of trustees.

Patrons—Holland, Chichester, Gartlan, Norment, Reynolds, Walker and Williams; Delegates: Bloxom, Clement, Councill, Diamonstein, Dickinson, Howell, Moss, Murphy and Van Landingham

Referred to the Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That §§ 9-96 and 9-97 of the Code of Virginia are amended and reenacted as follows:

§ 9-96. Creation; board of trustees, officers and executive committee.

There is hereby created the Jamestown-Yorktown Foundation hereinafter referred to as the Foundation. The Foundation shall be administered by a board of trustees consisting of the following ex officio trustees: the Governor, Lieutenant Governor, Attorney General, Speaker of the House of Delegates, President Pro Tempore of the Senate, Chairman of the House Appropriations Committee, Chairman of the Senate Finance Committee, and the Secretary of Education. In addition, there shall be twelve members appointed by the Governor from the Commonwealth at large for four-year terms; eight members appointed by the Speaker of the House of Delegates from the membership thereof for terms concurrent with the terms for which they have been elected to office; four members appointed by the Committee on Privileges and Elections of the Senate from the membership of the Senate for terms concurrent with the term for which they have been elected to office; and ~~four~~ five members annually elected by the board of trustees, some of whom may be nonresidents of the Commonwealth. *The president of the Jamestown-Yorktown Educational Trust shall also serve as a member of the board of trustees.* Nonresident members of the board of trustees shall serve at no expense to the Commonwealth. Appointments to fill vacancies shall be for the unexpired term. The board of trustees shall elect a chairman, vice-chairman and such other officers as are deemed necessary and seven or more of its members to constitute an executive committee, in addition to the chairman and vice-chairman. Resident members of the board of trustees shall be reimbursed for actual expenses of attending its meetings and shall receive compensation at the per diem rate established for members of the General Assembly.

The Foundation is an educational institution and has the further responsibility to administer certain historical museums and such related programs as may be established as defined from time to time.

§ 9-97. Powers and duties.

The Foundation shall have the following powers and duties:

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

2. To administer, develop and maintain at Jamestown and Yorktown permanent commemorative shrines and historical museums.

3. To enter into contracts to further the purposes of the Foundation, which have been approved by the Attorney General.

4. To establish a nonprofit corporation as an instrumentality corporations as instrumentalities to assist in the details of administering the affairs of the Foundation.

5. With the consent of the Governor to acquire lands, property and structures deemed necessary to the purposes of the Foundation by purchase, lease, gift, devise or condemnation proceedings. The title to land and property acquired 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 law for the Commonwealth Transportation Commissioner in §§ 33.1-89 through 33.1-132.

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

7. To receive and expend gifts, grants and donations from whatever source derived for the purposes of the Foundation.

8. To adopt names, flags, seals and other emblems for use in connection with such shrines and to copyright the same in the name of the Commonwealth.

9. To employ an executive director and such deputies and assistants as may be required.

60 *10. To elect any past chairman of the board of trustees to the honorary position of Chairman*
61 *Emeritus. Chairmen emeriti shall serve as honorary members for life and shall not have voting*
62 *privileges. Chairmen emeriti shall be elected in addition to the at-large positions defined in § 9-96.*