

Appendix I

AN ACT CREATING THE VIRGINIA OUTDOORS FOUNDATION

Sec.	Sec.
10-159 Declaration of policy.	10-162. Chairman of board; quorum.
10-160 Foundation created.	10-163. General powers of Foundation.
10-161 Administration of Foundation; appointment, terms, oath, etc., of board of trustees.	10-164. Annual report.
	10-165. Gifts, devises and bequests.
	10-166. Cooperation of State agencies, etc.

§ 10-159. Declaration of policy.—It is hereby declared to be the public policy of Virginia that the preservation of open-space lands is in the public interest and is to be encouraged. (1966, c. 525.)

The numbers of §§ 10-159 to 10-166 were assigned by the Virginia Code Commission, the 1966 act having assigned no numbers.

Legislative findings.—Section 1 of Act 1966, c. 525, provides: "The General Assembly finds that the State's population is increas-

ing rapidly and becoming concentrated in urban and suburban areas; that the open space available for parks as well as natural, scenic, historic, scientific and recreational areas is being diminished constantly and it is in the public interest that preservation of open space be encouraged."

§ 10-160. Foundation created.—In order to promote the public policy above declared, and to encourage private gifts of money, securities, land, or other property of whatever character for the purpose of preserving the natural, scenic, historic, scientific, and recreational areas of the State, there is hereby created the Virginia Outdoors Foundation, a body politic to be organized and to have such powers as hereinafter provided. (1966, c. 525.)

§ 10-161. Administration of Foundation; appointment, terms, oath, etc., of board of trustees.—The Virginia Outdoors Foundation shall be governed and administered by a board of trustees composed of the State Treasurer to serve ex officio, and six trustees from the State at large to be appointed by the Governor. Initially the trustees-at-large shall be appointed for the following terms: two for a term of four years, two for a term of three years, and one for a term of two years. The sixth trustee-at-large shall be appointed initially for a term of two years. Thereafter, successors to trustees-at-large whose terms expire shall be appointed for terms of four years. Vacancies shall be filled for the unexpired term. No trustee-at-large shall be eligible to serve for more than two successive terms, but appointment to fill a vacancy shall not be considered as one of the two terms. All trustees-at-large shall take the oath of office as prescribed by law and post bond in the penalty of five thousand dollars with the State Comptroller prior to entering upon the functions of office. No compensation shall be paid to any trustee for his service, but each trustee shall be reimbursed for travel and expenses incurred by him in the performance of his duties on behalf of the Foundation. (1966, c. 525; 1970, c. 757.)

§ 10-162. Chairman of board; quorum.—The Governor shall appoint a chairman of the board, from among the six trustees-at-large. A majority of the members of the board serving at any one time shall constitute a quorum for the transaction of business. (1966, c. 525; 1970, c. 757.)

§ 10-163. General powers of Foundation.—To enable it to carry out its functions, the Virginia Outdoors Foundation shall have the following general powers:

(a) To have succession until dissolved by Act of Assembly, in which event title to the properties of the Foundation, both real and personal, shall, insofar as consistent with existing contractual obligations and subject to all other legally enforceable claims or demands by or against the Foundation, pass to and become vested in the Commonwealth of Virginia;

(b) To sue and be sued in contractual matters in its own name;

(c) To promulgate such rules and regulations, not inconsistent with the laws of the State, as it deems necessary for the administration of its functions under chapter 1.1 (§ 9-6.1 et seq.), Title 9, of the Code of Virginia, including among other matters, administration of funds, and the organization and procedure of the board of trustees;

(d) To accept, hold, and administer gifts and bequests of money, securities, or other property of whatsoever character, absolutely or in trust, for the purposes for which the Foundation is created. Unless otherwise restricted by the terms of the gift or bequest, the Foundation is authorized to sell, exchange, or otherwise dispose of and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property given or bequeathed to it. The principal of such funds, together with the income therefrom and all other revenues received by it from any source whatsoever, shall be placed in such depositories as the Foundation shall determine and shall constitute a special fund and be subject to expenditure by the Foundation for its purposes without further appropriation. The Foundation shall not engage in any business except in the furtherance of its objectives;

(e) To acquire by gift, devise, purchase, or otherwise, absolutely or in trust, and to hold and, unless otherwise restricted by the terms of the gift or devise, to encumber, convey, or otherwise dispose of, any real property, or any estate or interest therein, as may be necessary and proper in carrying into effect the purposes of the Foundation.

(f) To enter into contracts generally and to execute all instruments necessary or appropriate to carry out its purposes;

(g) To appoint and prescribe the duties of such officers, agents, and employees as may be necessary to carry out its functions, and to fix and pay such compensation to them for their services as the Foundation may determine; and

(h) Generally to do any and all lawful acts necessary or appropriate to carry out the purposes for which the Foundation is created. (1966, c. 525.)

§ 10-164. Annual report.—The Foundation shall, on or before the first day of November in each year, transmit to the Governor a report of its proceedings and activity for the preceding fiscal year, including a full and complete statement of its receipts and expenditures. (1966, c. 525.)

§ 10-165. Gifts, devises and bequests.—Gifts, devises or bequests, whether personal or real property, and the income therefrom, accepted by the Foundation, shall be deemed to be gifts to the Commonwealth of Virginia, which shall be exempt from all State and local taxes, and shall be regarded as the property of the State for the purposes of all tax laws. (1966, c. 525.)

§ 10-166. Cooperation of State agencies, etc.—All State officers, agencies, commissions, departments, and institutions are directed to cooperate with, and assist, the Virginia Outdoors Foundation in carrying out its purpose, and to that end may accept any gift or conveyance of land or other property in the name of the Commonwealth from the Foundation. Such property shall be held in possession or used as provided in the terms of the trust, contract, or instrument by which it is conveyed. (1966, c. 525.)

TRUSTEES OF THE VIRGINIA OUTDOORS FOUNDATION

TERM ENDING:

Revised 9/16/92

6/30/93	*Mrs. Helen Turner Murphy King Copsico Farm Route 3, Box 440 Montross, Va. 22520	H: 804/472-3094
6/30/96	*Mr. Robert B. Lambeth, Jr. Attorney-at-law P. O. Box 236 Bedford, Va. 24523	O: 703/586-8621
6/30/96	*Mr. James W. Symington Attorney-at-Law 1919 Pennsylvania N.W. Suite 800 Washington DC 20006	O: 202 887-1400
6/30/93	*Mr. Scott Reynolds AFL/CIO 3315 W. Broad Street Richmond, Va. 23230	O: 804/355-7444
6/30/94	*Mrs. Laura Ross Miller Suite 1108 400 Madison Street Alexandria, Va. 22314	O: 703/549-2015
6/30/94	*Mr. Edward E. Clark, Jr. Wildlife Center of Virginia P.O. Box 98 Wyers Cave, Va. 24486	O: 703/234-9453 FAX 703/234-0804
	Ex Officio Member	
	Mr. Eddie N. Moore, Jr. Treasurer of Virginia Monroe Office Building 3rd Floor Richmond, Va. 23219	O: 804/225-2142

* Denotes that the Trustee is eligible for reappointment