WEST VIRGINIA CODE: §29-1-5

§29-1-5. Archives and history commission.

(a) The archives and history commission which is hereby created shall be composed of thirteen appointed members and six ex officio nonvoting members as provided in this section.

(b) The Governor shall nominate, and by and with the advice and consent of the Senate, appoint the members of the commission for staggered terms of three years. A person appointed to fill a vacancy shall be appointed only for the remainder of that term.

(c) No more than seven of the appointed members may be of the same political party. Members of the commission should be appointed so as to fairly represent both sexes, the ethnic and cultural diversity of the state and the geographic regions of the state. The archives and history commission shall contain the required professional representation necessary to carry out the provisions of the National Historic Preservation Act of 1966, as amended, and shall serve as the "state review board" and shall follow all rules and regulations as specified therein. This representation shall include the following professions: Historian, architectural historian, historical architect, archaeologist specializing in historic and prehistoric archaeology, archivist, librarian and museum specialist.

(d) The commission shall elect one of its members chair. It shall meet at such time as shall be specified by the chair, or in accordance with the provisions of subsection (g) of this section. A majority of the voting members shall constitute a quorum for the transaction of business.

(e) The commission shall be comprised of:

(1) The thirteen appointed, voting members; and

(2) The following six ex officio, nonvoting members:

(A) The Director of the State Geological and Economic Survey;

(B) The President of the West Virginia Preservation Alliance, Inc.;

(C) The State Historic Preservation Officer;

(D) The Director of the Archives and History Section;

(E) The Director of the Historic Preservation Section; and

(F) The Director of the Museums Section.

WV Legislature

(f) The Director of the Archives and History Section shall serve as secretary of the commission.

(g) Notice of each meeting shall be given to each member by the chair in compliance with the open meetings law. The secretary, or a majority of the members, may also call a meeting upon such notice as provided in this section.

(h) Each member or ex officio member of the commission shall serve without compensation, but shall be reimbursed for all reasonable and necessary expenses actually incurred in the performance of the duties of the commission; except that in the event the expenses are paid, or are to be paid, by a third party, the member or ex officio member, as the case may be, shall not be reimbursed by the state.

(i) The commission shall have the following powers:

(1) To advise the commissioner and the directors of the archives and history section, the historic preservation section and the museums section concerning the accomplishment of the purposes of those sections and to establish a state plan with respect thereto;

(2) To approve and distribute grants-in-aid and awards from federal and state funds relating to the purposes of the archives and history section, the historic preservation section and the museums section;

(3) To request, accept or expend federal funds to accomplish the purposes of the archives and history section, the historic preservation section and the museums section when federal law or regulations would prohibit the same by the commissioner or section director, but would permit the same to be done by the archives and history commission;

(4) To otherwise encourage and promote the purposes of the archives and history section, the historic preservation section and the museums section;

(5) To approve rules and regulations concerning the professional policies and functions of the archives and history section, the historic preservation section and the museums section as promulgated by the directors of those sections;

(6) To advise and consent to the appointment of the section directors by the commissioner; and

(7) To review and approve nominations to the state and national registers of historic places.

WV Legislature