

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 57

(By Mr. SPEAKER, MR. PAULEY & MR. SEIBERT)

PASSED Feb 16, 1959

In Effect from Passage

Filed in Office of the Secretary of State
of West Virginia FEB 21 1959

JOE F. BURDETT
SECRETARY OF STATE



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House Bill No. 57

(By MR. SPEAKER, MR. PAULEY, and MR. SEIBERT)

[Passed February 16, 1959; in effect from passage.]

AN ACT creating a “West Virginia Centennial Commission”, providing for its powers and duties, authorizing it to plan and create an appropriate centennial celebration, establishing a special revenue fund entitled “The West Virginia Centennial Fund” to be administered and controlled by the commission, and providing for the acceptance of appropriations, donations, gifts and contributions toward the cost of such celebration.

WHEREAS, West Virginia is one of the later states to be admitted to the Union—only thirteen states having been added since its admission; and

WHEREAS, The State of West Virginia, born of travails of the Civil War, became a state on June 20, 1863, and will therefore reach its 100th anniversary in four years; and

WHEREAS, It is the sense of the Legislature that it is mete

that a centennial celebration be organized and held during the year of 1963, the purpose of which shall be to point up progress during a century of statehood, and to bring favorable attention to the State of West Virginia, its people, its resources, and its potential for the future; now, therefore,

Be it enacted by the Legislature of West Virginia:

Section 1. *West Virginia Centennial Commission Created; Members; Officers and Employees; Members to Be Paid Expenses; Filling of Vacancies.*—There is hereby created a commission to be known as the West Virginia centennial commission, and to be composed of fifteen commissioners, as follows: The governor of West Virginia, the president of the state senate, the speaker of the house of delegates and the director of the West Virginia industrial and publicity commission, ex officio; five persons shall be appointed by the governor, two senators and one citizen, at large, shall be appointed by the president of the senate, and two delegates and one citizen, at large, shall be appointed by the speaker of the house of delegates. The commission is hereby authorized to expand its membership to include other citizens whose positions

16 and enterprises are deemed essential by the executive
17 committee to the success of the centennial and its pro-
18 gram; the total membership, however, never at any time
19 to exceed twenty-five.

20 All members shall be appointed for terms to expire
21 December thirty-first, one thousand nine hundred sixty-
22 four, except those representing the senate and the house
23 of delegates who shall serve as long as they remain a
24 member of their respective body. A vacancy shall be
25 filled by the official authorized to make the original ap-
26 pointment.

27 The members of the commission shall select a chairman,
28 a vice chairman and a secretary from among their number.
29 The commission shall name five of its members to con-
30 stitute an executive committee. The commission shall
31 employ an executive director and other such assistance
32 as shall be required. Salaries shall be set by the com-
33 mission.

34 The members of the commission shall serve without
35 compensation but shall be reimbursed for actual and

36 necessary expenses incurred in the discharge of their
37 duties as members of the commission.

Sec. 2. *Powers and Duties of the Commission.*—It shall
2 be the duty of the commission to plan for the proper ob-
3 servance of West Virginia's first one hundred years of
4 statehood, through an exposition or expositions of its
5 varied resources and products as well as its industrial
6 and cultural achievements, to be held at some point or
7 points where such exposition can best be accommodated
8 and also enjoy easy accessibility; and to plan such other
9 appropriate methods for the observance of this anniver-
10 sary as the commission shall deem suitable and proper.
11 In connection therewith, the commission is authorized to
12 make expenditures for preliminary and final surveys,
13 plans, studies and designs; purchase of supplies and ma-
14 terials; professional fees; personal services and expenses
15 incurred pursuant thereto; rental and purchase of equip-
16 ment; construction and labor costs; advertising and pub-
17 licity; and for all other purposes deemed by it necessary
18 and incidental to the centennial celebration.
19 It shall also be the duty of the commission to cooperate

20 with historical and other groups in the purposes and plans
21 of said celebration; and to give due and proper considera-
22 tion to plans that may be submitted to them; to advise
23 with and encourage local and general celebrations by
24 schools, churches, patriotic organizations, historical so-
25 cieties, business, labor and civic organizations, and to do
26 any and all things proper and practical to make such
27 expositions and celebrations a pronounced success.

28 The commission is hereby authorized to form a non-
29 profit educational, civic and cultural corporation as an
30 instrumentality for assisting in details of the administra-
31 tion of the centennial observance, and all private contri-
32 butions to such funds and/or underwritings, shall be tax
33 deductible.

34 The commission shall make an annual report of its ac-
35 tivities to the Legislature.

Sec. 3. Creation of the West Virginia Centennial Fund.

2 —For the purpose of carrying out the provisions of this
3 act, there is hereby created a special revenue fund en-
4 titled “The West Virginia Centennial Fund,” which fund

5 shall remain in existence only to the end of fiscal year
6 one thousand nine hundred sixty-four.

7 The commission shall have the duty of administering,
8 managing and controlling said fund and shall make ex-
9 penditures therefrom in accordance with the provisions
10 of article three, chapter twelve of the code of West Vir-
11 ginia, one thousand nine hundred thirty-one. Requisi-
12 tions for expenditures from said fund shall be signed by
13 either the chairman or vice chairman of the commission,
14 secretary, treasurer or comptroller. All such requisitions
15 shall require the signature of two such officers.

16 The commission is authorized to receive annual appro-
17 priations from the Legislature of West Virginia and from
18 counties and municipalities within the state which are
19 hereby authorized and empowered to make appropria-
20 tions as a budget expenditure and is empowered to allow
21 such annual appropriations to accumulate until such time
22 as it becomes necessary to make expenditures therefrom.

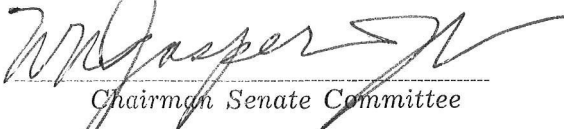
23 The commission is further authorized and empowered to
24 solicit, encourage and request tax-deductible donations,
25 gifts and contributions from any source, both private and

26 public. All such moneys shall be deposited in "The West
27 Virginia Centennial Fund" and expended as provided by
28 this section.

Sec. 4. *Severability*.—If any section, subdivision, clause,
2 sentence or paragraph in this act shall be held to be un-
3 constitutional, the unconstitutionality thereof shall not
4 affect the remaining parts of this act.

Sec. 5. *Act to Be Liberally Construed*.—This act being
2 necessary for the health, welfare and convenience of the
3 citizens of the state, it should be liberally construed to
4 affectuate the purposes thereof.


The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee


Chairman House Committee


Originated in the House of Delegates.

Takes effect from passage.


Clerk of the Senate



Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 21st

day of February, 1959.


Governor