

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1961

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**ENROLLED**

SENATE BILL NO. 173

(By Mr. Smith)

PASSED March 7<sup>th</sup> 1961

In Effect March 10, 1961 Passage

Filed in Office of the Secretary of State  
of West Virginia March 10, 1961  
JOE F. BURDETT  
SECRETARY OF STATE

105

**ENROLLED**

**Senate Bill No. 123**

(By MR. SMITH)

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[Passed March 2, 1961; in effect ninety days from passage.]

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AN ACT to amend chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article designated article twenty-four, relating to the creation of the West Virginia historic commission.

*Be it enacted by the Legislature of West Virginia:*

That chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article designated article twenty-four, to read as follows:

**Article 24. West Virginia Historic Commission.**

Section 1. *Legislative Determination and Declaration of*

2 *Policy.*—It is hereby declared, as a matter of legislative  
3 determination:

4 (a) That the state of West Virginia, being richly en-  
5 dowed in historic achievement, should erect and preserve  
6 adequate markers along its roads and highways pointing  
7 out for future generations the important role played by  
8 our state in the dynamic development of our country.

9 (b) That in the past, some four hundred historic road  
10 markers were placed along the highways; however, since  
11 no agency was designated to preserve and maintain such  
12 markers, they have fallen into a state of disrepair or have  
13 been destroyed.

14 (c) That this article contemplates the creation of a  
15 commission, which shall be authorized and empowered to  
16 place historic road markers at appropriate places and to  
17 preserve and maintain such markers; it is further con-  
18 templated that the necessary appropriation shall be made  
19 so that the commission may accomplish the purposes here-  
20 in set out.

*Sec. 2. West Virginia Historic Commission Created;*

2 *Number of Members; How Appointed; Term.*—There is

3 hereby created the West Virginia historic commission  
4 hereinafter referred to as commission, to consist of five  
5 members, one of whom shall be a member of the West  
6 Virginia historical society, and all of whom shall be ap-  
7 pointed by the governor, by and with the advice and con-  
8 sent of the senate. The term of office for those so ap-  
9 pointed shall be four years. All of the members of said  
10 commission shall serve without pay, but shall be reim-  
11 bursed for any and all actual expenses incurred in the  
12 performance of their duties hereunder. The director of  
13 the department of archives and history shall be the sec-  
14 retary and treasurer of such commission.

*Sec. 3. Powers and Duties of Commission; Assistance of*  
2 *State Road Commission.*—The commission shall be au-  
3 thorized and empowered to purchase new road markers,  
4 replace old road markers, protect, preserve and display  
5 the Fairfax stones, purchase markers for new highways,  
6 and with the consent of the West Virginia turnpike com-  
7 mission, for the West Virginia turnpike, and formulate and  
8 write appropriate copy for such markers. The commission  
9 is authorized to purchase markers from any commercial

10 company dealing in or manufacturing such markers. The  
11 commission shall choose the location of such historic road  
12 markers, and the state road commission shall have the  
13 responsibility for the actual physical placement and re-  
14 painting thereof. The cost of such placement and repaint-  
15 ing shall be paid out of the appropriation of the com-  
16 mission.

Sec. 4. *Special Fund Created.*—For the purpose of carry-  
2 ing out provisions of this article, there is hereby created  
3 a special revenue fund entitled the West Virginia historic  
4 fund. All moneys appropriated by the Legislature for the  
5 purposes set out herein shall be deposited in said fund and  
6 shall be expended therefrom only for the purposes for  
7 which the same are authorized.

8 The West Virginia historic commission shall advise with  
9 the West Virginia centennial commission with respect to  
10 the historic aspects of the centennial.

11 The West Virginia historic commission shall advise in  
12 arranging and equipping the railway car pertaining to the  
13 history of the state that shall be a part of the West Vir-  
14 ginia centennial train.

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

*James Davis, 2<sup>d</sup>*  
Chairman Senate Committee

*Mrs. H. H. Withrow*  
Chairman House Committee

Originated in the Senate.

Takes effect *immediately from* passage.

*Thomas M. Ryan*  
Clerk of the Senate

*W. B. Blankenship*  
Clerk of the House of Delegates

*Howard Carson*  
President of the Senate

*Julius W. Singletary Jr.*  
Speaker House of Delegates

The within *approved* this the *tenth*  
day of *March*, 1961.

*W. W. Barr*  
Governor

