

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967

ENROLLED

SENATE BILL NO. 168

(By Mr. Kaufman and Mr. Hubbard)

PASSED March 13 1967

In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67

#168

ENROLLED

Senate Bill No. 168

(By MR. KAUFMAN and MR. HUBBARD)

[Passed March 10, 1967; in effect from passage.]

AN ACT to amend chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article seventeen, relating to the creation of an arts and humanities council; specifying its powers and duties; authorizing the council to employ an executive director and other personnel; and authorizing the council to make cash awards in certain instances.

Be it enacted by the Legislature of West Virginia:

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

**ARTICLE 17. THE WEST VIRGINIA ARTS AND
HUMANITIES COUNCIL.**

§29-17-1. Creation and composition.

There is hereby created within the department of commerce an arts and humanities council to be known as "The West Virginia Arts and Humanities Council", to consist of fifteen members, to be appointed by the governor, by and with the advice and consent of the Senate, from among the citizens of the state. The members of the council shall elect the council chairman and such other officers as it deems necessary. The members shall serve a term beginning the first day of July, one thousand nine hundred sixty-seven, five to serve for a term of one year, five to serve for a term of two years, and the remaining five to serve for a term of three years. The successors of the members initially appointed as provided herein, shall be appointed for a term of three years each in the same manner as the members initially appointed under this article, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed

19 for the remainder of such term. Each member shall serve
20 until the appointment and qualification of his successor.

21 No member shall receive any salary for his services,
22 but each shall be reimbursed for actual and necessary
23 expenses incurred by him in the performance of his duties.

§29-17-2. Powers and duties of the council.

It shall be the duty of the council:

2 (a) To take such steps as may be deemed necessary and
3 appropriate to stimulate and encourage the study and
4 presentation of the performing and creative arts, and to
5 foster public interest in and support of the arts in this
6 state.

7 (b) To make such surveys, as may be deemed advis-
8 able, of public and private institutions within the state
9 engaged in the performing and creative arts, and to make
10 recommendations for appropriate action to enlarge the
11 state's resources in the performing and creative arts.

12 (c) To encourage and assist freedom of expression
13 in the performing and creative arts.

14 (d) To encourage the use of local resources for the
15 development and support of the arts.

16 (e) To promote and stimulate public understanding
17 and recognition of the importance of West Virginia cul-
18 tural institutions.

19 (f) To encourage and foster the growth and develop-
20 ment of local cultural institutions and agencies, both pub-
21 lic and private.

22 (g) To stimulate and facilitate the touring of profes-
23 sional and non-professional performances and exhibits
24 to local communities.

25 (h) To encourage and develop performances and ex-
26 hibits of the arts by teachers and students, and to en-
27 courage the practice as well as the teaching of the arts.

28 The council shall report in writing to the governor as
29 soon as possible after the close of each fiscal year. The
30 report shall contain a summary of the council's proceed-
31 ings and activities during the preceding fiscal year, and
32 such other information as may be deemed necessary and
33 useful.

§29-17-3. Council administrative personnel.

The council may employ an executive director and
2 such other personnel as may be deemed necessary to ac-

3 accomplish its objectives. All persons so employed by the
4 council shall be employed under the state civil service
5 system as provided in article six, chapter twenty-nine of
6 this code.

**§29-17-4. Hearings; power of council to contract and accept
funds.**

The council shall be authorized and empowered to hold
2 public and private hearings and to enter into contracts
3 with individuals, organizations, and institutions for serv-
4 ices or endeavors furthering the objectives of the council's
5 programs; to accept gifts, grants and bequests of funds
6 from individuals, foundations, corporations, governmental
7 agencies, and other organizations or institutions; to make
8 and sign any agreements and to do and perform any acts
9 that may be necessary to carry out the purposes of this
10 article. The council may request and shall receive from
11 any department or agency of the state government such
12 assistance, information and advice as will enable it to
13 carry out its powers and duties hereunder.

§29-17-5. Receipt and disbursement of federal funds.

The council shall be the official agency of this state to
2 receive and disburse all funds made available to the state

3 government by the national endowment for the arts or
4 by any successor agency, or from any other similar federal
5 agency.

§29-17-6. Rules and regulations.

The council shall adopt rules and regulations concern-
2 ing the operation of the council, the functions and re-
3 sponsibilities of its officers and employees and such other
4 matters as may be necessary to carry out the purpose of
5 this article.

**§29-17-7. State aid to arts; monetary and other premiums or
prizes authorized.**

For the purpose of encouraging the arts and humanities
2 in this state and fostering public interest therein, the coun-
3 cil is hereby authorized, within the limits of available
4 funds, to make awards as premiums or prizes for exhibits
5 in either the performing or creative arts. Such awards
6 may be made either directly to the performer or artist,
7 or may be made in the form of grants to public or private
8 corporations or associations, local or otherwise, whose
9 objects and purposes are the encouragement and develop-

10 ment of the arts, and which are sponsoring or conducting
11 art exhibits, fairs or competition.

12 The council shall govern the granting and disposition of
13 such grants, premiums or prizes by general rules and reg-
14 ulations.

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

William Tompkins
Chairman Senate Committee

Clayton C Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Johnnie Meyers
Clerk of the Senate

A Blankenship
Clerk of the House of Delegates

Howard W Carson
President of the Senate

H. Laban White
Speaker House of Delegates

The within approved this the 17
day of March, 1967.

Hullett C. Smith
Governor



**PRESENTED TO THE
GOVERNOR**

Date 3/12/67

Time 3:45 p.m.