WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED
SENATE BILL NO. 168

(By Mr. Kassper and Mr. Huford)

PASSED
March 19, 1967

In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67
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...
for the remainder of such term. Each member shall serve until the appointment and qualification of his successor. No member shall receive any salary for his services, but each shall be reimbursed for actual and necessary 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:

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

(b) To make such surveys, as may be deemed advisable, of public and private institutions within the state engaged in the performing and creative arts, and to make recommendations for appropriate action to enlarge the state's resources in the performing and creative arts.

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

(d) To encourage the use of local resources for the development and support of the arts.
(e) To promote and stimulate public understanding and recognition of the importance of West Virginia cultural institutions.

(f) To encourage and foster the growth and development of local cultural institutions and agencies, both public and private.

(g) To stimulate and facilitate the touring of professional and non-professional performances and exhibits to local communities.

(h) To encourage and develop performances and exhibits of the arts by teachers and students, and to encourage the practice as well as the teaching of the arts.

The council shall report in writing to the governor as soon as possible after the close of each fiscal year. The report shall contain a summary of the council’s proceedings and activities during the preceding fiscal year, and such other information as may be deemed necessary and useful.

§29-17-3. Council administrative personnel.

The council may employ an executive director and such other personnel as may be deemed necessary to ac-
§29-17-3. **Hearings; power of council to contract and accept funds.**

The council shall be authorized and empowered to hold public and private hearings and to enter into contracts with individuals, organizations, and institutions for services or endeavors furthering the objectives of the council's programs; to accept gifts, grants and bequests of funds from individuals, foundations, corporations, governmental agencies, and other organizations or institutions; to make and sign any agreements and to do and perform any acts that may be necessary to carry out the purposes of this article. The council may request and shall receive from any department or agency of the state government such assistance, information and advice as will enable it to 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 receive and disburse all funds made available to the state
§29-17-6. Rules and regulations.

The council shall adopt rules and regulations concerning the operation of the council, the functions and responsibilities of its officers and employees and such other matters as may be necessary to carry out the purpose of 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 in this state and fostering public interest therein, the council is hereby authorized, within the limits of available funds, to make awards as premiums or prizes for exhibits in either the performing or creative arts. Such awards may be made either directly to the performer or artist, or may be made in the form of grants to public or private corporations or associations, local or otherwise, whose objects and purposes are the encouragement and develop-
10ment of the arts, and which are sponsoring or conducting
11art exhibits, fairs or competition.
12The council shall govern the granting and disposition of
13such grants, premiums or prizes by general rules and reg-
14ulations.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Temple
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

N. H. Neave
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

Howard B. Carraway
President of the Senate

H. Fabian White
Speaker House of Delegates

The within approved this the 17

day of March, 1967.

Hulett B. Brink
Governor
PRESENTED TO THE
GOVERNOR

Date  3/17/67
Time  3:45 p.m.