

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1968

ENROLLED

SENATE BILL NO. 86

(By Mr. Carson, Mr. President, &
and Mrs. Baker)

PASSED February 27 1968

In Effect per Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68

86
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ENROLLED

Senate Bill No. 86

(By MR. CARSON, MR. PRESIDENT, AND MRS. BAKER)

[Passed February 2, 1968; in effect from passage.]

AN ACT to amend and reenact sections one, two and three, article twelve, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the acquisition of historic treasures and sites, granting authority to the antiquities commission to receive grants and funds from any public or private source, and expanding the membership of the commission.

Be it enacted by the Legislature of West Virginia:

That sections one, two and three, article twelve, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 12. WEST VIRGINIA ANTIQUITIES COMMISSION.

§5-12-1. Legislative determination and declaration of policy.

It is hereby declared as a matter of legislative determination:

(a) That the state of West Virginia, being richly endowed with treasures and sites of historic archaeological importance, should explore by excavation or otherwise, and preserve these historic treasures and sites;

(b) That in the past, there has been no systematic and planned development and preservation of treasures and sites of historical and archaeological importance in the state of West Virginia; and

(c) That this article contemplates the establishment of a commission which shall be authorized and empowered to recommend the acquisition, development and preservation of our state's historic archaeological sites and treasures.

§5-12-2. Creation; composition; appointment and terms of members appointed by the governor; reimbursement of expenses; officers; meetings; reports.

There is hereby created the West Virginia antiquities commission, hereinafter referred to as the commission,

3 to consist of nine members, one of whom shall be the
4 chief of the division of parks and recreation of the depart-
5 ment of natural resources, one of whom shall be the state
6 historian and archivist, one of whom shall be the director
7 of the state geological and economic survey, one of whom
8 shall be the state archaeologist, one of whom shall be the
9 president of the West Virginia historical society, and
10 one of whom shall be the president of the West Virginia
11 historical association of college and university teachers.
12 The remaining three members of the commission shall
13 be representative of the public at large and shall be ap-
14 pointed by the governor, by and with the advice of the
15 Senate, for terms of one, two and three years respectively.
16 All the members of the commission shall serve without
17 pay, but shall be reimbursed for any and all reasonable
18 and necessary expenses incurred in the performance of
19 their duties hereunder. The members of the commission
20 shall elect from their own membership the officers of the
21 commission.

22 The commisson will meet at least twice during the year,
23 in May and in November, at a time and place to be de-
24 termined by the chairman.

25 The commission shall transmit an annual report of its
26 activities to the governor, the president of the Senate,
27 and the speaker of the House of Delegates on or before
28 the opening day of each regular session of the Legislature.

§5-12-3. Powers and duties of the commission.

The commission shall be authorized and empowered to
2 locate, identify, and recommend for acquisition historic
3 sites and structures worthy of preservation; to direct
4 and supervise the excavation, study, restoration and
5 development of such sites or structures; to conduct a
6 survey and study throughout the state to determine needs
7 and priorities for the preservation, restoration, and
8 development of sites, buildings, and other objects of
9 archaeological or historic interest, and to receive in the
10 name of the state grants, appropriations, gifts, bequests
11 and funds from any public or private source for the pur-
12 pose of carrying out its powers and duties hereunder. All
13 such funds received by the commission shall be deposited
14 in the special fund provided for in section five of this
15 article and shall be used by the commission in carrying
16 out the provisions of this article.

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

William Tompos
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard Myers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Casson
President of the Senate

H. Laban White
Speaker House of Delegates

The within approved this the 14
day of February, 1968.

Archie C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 2/9/68
Time 11:40 AM

RECEIVED

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OFFICE OF
THE GOVERNOR
STATE OF ALABAMA