WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED
SENATE BILL NO. 82

(By Mr. Calperin and Mr. Palumbo)

PASSED FEBRUARY 15, 1972
In Effect FROM Passage
ENROLLED

Senate Bill No. 82
(By Mr. Galperin and Mr. Palumbo)

[Passed February 15, 1972; in effect from passage.]

AN ACT to amend and reenact section three, article five, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the educational broadcasting authority, powers of the authority and the right to enter into royalty agreements or receive moneys for the use of programs by stations outside this state.

Be it enacted by the Legislature of West Virginia:

That section three, article five, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:
ARTICLE 5. EDUCATIONAL BROADCASTING AUTHORITY.


1 The authority shall have the power:

2 (1) To act as advisor and consultant to television and radio stations concerning noncommercial educational pro-
3 grams supported by federal, state, county, city or private funds.

4 (2) To cooperate with and assist all local and state educational institutions in planning and development of the use of educational radio, television and related media.

5 (3) To promote and coordinate the use of these media for noncommercial educational purposes.

6 (4) To construct, maintain and operate educational broadcasting, closed circuit or related facilities located at a suitable site or sites within this state including, without limitation thereby, production centers, broadcasting stations and a broadcasting network connecting such communities or stations as may be designated by the authority.

7 (5) To acquire in the name of the state for the use
and benefit of the authority by purchase, lease or agreement, any property, both real and personal, and any interest in such property necessary to carry out the provisions of this article.

(6) To apply for and receive any license from the appropriate federal agency necessary to operate any educational broadcasting, closed circuit or related facility.

(7) To supervise and approve the origination and transmission of all noncommercial educational radio, television and related media programs in this state which would be carried through the facilities of a state network.

(8) To employ such personnel as may be necessary to operate and maintain any facility created under the provisions of this article.

(9) To lease from communications common carriers and use such transmission channels as may be necessary or, if it determines it could more economically construct and maintain such transmission channels, it may design, construct, maintain and operate the same, including a television microwave network.

(10) To sue and be sued, plead and be impleaded.
(11) To contract and be contracted with, including the power to enter into contracts with any person, firm or corporation, including any like authority of neighboring states; and shall have the authority, within state regulations, to enter into program royalty and distribution contracts and receive moneys for these purposes: Provided, That such contracts shall be for noncommercial purposes only.

(12) To have and use a corporate seal.

(13) To promulgate reasonable rules and regulations to carry out the provisions of this article in accordance with the provisions of article three, chapter twenty-nine-a of the code.

(14) To perform such other services in behalf of non-commercial educational radio, television and related media as it may consider to be in the best interest of the state.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take 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, 1972.

Governor
PRESENTED TO THE GOVERNOR

Date 2/16/72
Time 4:20 p.m.

Feb 21 3 43 PM '72

OFFICE OF SECRETARY OF STATE
STATE OF WEST VIRGINIA