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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1975

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ENROLLED

Committee Substitute for

SENATE BILL NO. 77

(By *Miss Hurdon and Mr. Kusia*)

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PASSED *March 8,* 1975

In Effect *ninety days from* Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 77

(By MISS HERNDON and MR. KUSIC, *original sponsors*)

[Passed March 8, 1975; in effect ninety days from passage.]

AN ACT to amend chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article eleven-a, relating generally to creation of museum commissions; providing authority for municipalities and county commissions to appoint museum commissions by ordinances or orders; specifying provisions of orders or ordinances creating commissions; providing authority for commissions to hire employees; authorizing commission to charge admission fees; granting power of eminent domain to commission; authorizing county commissions and municipalities to make appropriations to museum commissions; authorizing commission to receive funds from other sources; relating to assistance of other governmental agencies; and relating to cooperation and coordination of specified state agencies with commissions.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 11A. MUSEUM COMMISSIONS.

§7-11A-1. County commission or municipality may establish museum commission; cooperation; appointments.

1 Any county commission by order entered of record
2 and any municipality by ordinance or any county and
3 municipality by joint agreement may, if it or they so
4 desire, establish a museum commission hereinafter, in
5 this article referred to as the commission, to consist of
6 not less than five nor more than ten appointees to be ap-
7 pointed by the county court or the mayor, as the case
8 may be, and in the case of cooperative efforts between
9 counties and municipalities, hereby authorized, each au-
10 thority is to have equal appointive power.

§7-11A-2. Provisions of order or ordinance creating commission.

1 In any such order or ordinance, the governing body
2 shall include provisions specifying (1) the terms of the
3 members of such commission; (2) a method of filling
4 vacancies; (3) whether the members of the commission
5 are to be reimbursed for all reasonable and necessary
6 expenses actually incurred in the performance of their
7 duties; (4) the officers of the commission to be elected
8 from the membership thereof; (5) requirements as to
9 meetings of the commission; (6) requirements as to a
10 quorum of the commission; (7) requirements as to voting
11 by members of the commission; and (8) such other mat-
12 ters as may be deemed necessary or desirable for the
13 proper functioning of the commission.

§7-11A-3. Commission empowered to employ personnel and charge admission fees.

1 Any such commission may also be authorized and em-
2 powered by any such ordinance or order to employ, with-
3 in the limits of funds available therefor, such employees,
4 assistants, technical personnel and consultants as are
5 necessary to discharge the duties and responsibilities of
6 the commission which such duties shall be contained in
7 the order or ordinance establishing the commission. Any
8 such commission may, in its discretion, charge admission
9 fees.

10 Any such commission shall have the right and power

11 to exercise eminent domain, with the approval of the
12 county commission wherein the power of eminent domain
13 is sought to be exercised, for the purpose of preserving
14 historical and archeological points of interest in their
15 respective jurisdictions.

§7-11A-4. County commission or municipality may contribute money to commission; commission may receive gifts, etc.

1 Any municipality or county establishing any such com-
2 mission shall have plenary power and authority to ap-
3 propriate and contribute funds to such commission for
4 expenditure by the commission for the purposes of this
5 article and any expenditure and contribution of county
6 commission or municipal funds shall be under this article.
7 Any such commission may receive gifts, grants, dona-
8 tions, bequests or devises from sources other than public
9 funds.

§7-11A-5. County, city and state agencies shall assist commission.

1 Upon the request of any such commission, all agencies
2 of the city, county and state shall assist such commission
3 in the discharge of its duties and functions.

§7-11A-6. Commission must cooperate and coordinate activities with state agencies.

1 Every such commission shall cooperate and coordinate
2 its activities with the West Virginia department of ar-
3 chives and history, the West Virginia historical society
4 and the West Virginia antiquities commission.

PRESENTED TO THE
GOVERNOR

Date 3/14/75
Time 11:45 a.m.