WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986

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ENROLLED

HOUSE BILL No. 1230

(By Mr. Del. Kidd)

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Passed February 21, 1986

In Effect Ninety Days From Passage
ENROLLED

H. B. 1230

(By Delegate Kidd)

{Passed February 21, 1986; in effect ninety days from passage.}

AN ACT to amend section five, article one, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended relating to determination by the archives and history division as to the whereabouts of furnishings missing from the capitol; prohibiting the sale or disposal of such furnishings through means other than surplus state property sales; requiring the return of any such located furnishings; and providing for reimbursement to current owners.

Be it enacted by the Legislature of West Virginia:

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

CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.

ARTICLE 1. DEPARTMENT OF CULTURE AND HISTORY.

§29-1-5. Archives and history division; director.

1 (a) The purposes and duties of the archives and history division are to locate, survey, investigate, register, identify, excavate, preserve, protect, restore and recommend to the commissioner for acquisition historic, architectural, archaeological and cultural sites, structures, documents and objects worthy of preservation, relating to the state of West Virginia and the territory
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8 included therein from the earliest times to the present, 9 upon its own initiative or in cooperation with any private 10 or public society, organization or agency; to conduct a 11 continuing survey and study throughout the state to 12 determine the needs and priorities for the preservation, 13 restoration and development of such sites, structures, 14 documents and objects; to direct, protect, excavate, 15 preserve, study, and develop such sites, structures, 16 documents, and to operate and maintain a state library 17 for the preservation of all public records, state papers, 18 documents and reports of all three branches of state 19 government including all boards, commissions, depart-
20 ments and agencies as well as any other private or public 21 papers, books or documents of peculiar or historic 22 interest or significance; to preserve and protect all battle 23 or regimental flags borne by West Virginians and other 24 memorabilia of historic interest; to designate approp-
25 riate monuments, tablets or markers, historic, architec-
26 tural and scenic sites within the state and to arrange for 27 the purchase, replacement, care of and maintenance of 28 such monuments, tablets and markers and to formulate 29 and prepare suitable copy for them; to operate and 30 maintain a state museum; to cooperate with the state 31 geological and economic surveys in the survey's archaeo-
32 logical work; to edit and publish a quarterly historical 33 magazine devoted to the history, biography, bibliography 34 and genealogy of West Virginia; and to perform such 35 other duties as may be assigned to the division by the 36 commissioner.

(b) With the advice and consent of the commission, in 38 addition to the duties above set forth, the division shall 39 determine the whereabouts of and require the return of 40 furnishings missing from the capitol building, including, 41 but not limited to, furnishings chosen or purchased for 42 the capitol by its architect, Cass Gilbert. No furnishings 43 from the capitol may be sold or disposed of except under 44 the direction of the director of surplus state property 45 pursuant to section three-a, article eight, chapter five-a 46 of this code. If furnishings originally designated as 47 capitol building furnishings have been sold or otherwise 48 disposed of without the requisite sale procedures, such 49 furnishings shall be returned to the capitol and, upon
presentation of proof of the amount paid, the current
owner shall be reimbursed for the cost of the furnishing
less any appropriate depreciation or wear and tear.

(c) With the advice and consent of the archives and
history commission, the commissioner shall appoint a
director of the archives and history division, who shall
have: (1) A bachelor's degree in one of the social sciences,
or equivalent training and experience in the fields of
West Virginia history, history, historic preservation,
archaeology, or in records, library or archives manage-
ment; or (2) three years' experience in administration in
the fields of West Virginia history, history, historic
preservation, archaeology, or in records, library or
archives management. Notwithstanding these qualifica-
tions, the person serving as the state historian and
archivist on the date of enactment of this article shall
be eligible for appointment as the director of the
archives and history division. The director of the
archives and history division shall serve as the state
historian and archivist.

(d) With the approval of the commissioner, the
director shall establish professional positions within the
division. The director shall employ the personnel within
these professional positions for the division.

(e) The director may promulgate rules and regulations
concerning the professional policies and functions of the
archives and history division, subject to the approval of
the archives and history commission.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within Approved this the 25th day of March, 1986.  

Governor
PRESENTED TO THE
GOVERNOR

Date 3/6/86
Time 12:31 p.m.