WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988

ENROLLED

SENATE BILL NO. 453

(By Senators Tourovich, MR. PRESIDENT (BY REQUEST)

AND HARMAN)

In Effect 90 days from Passage

ENROLLED Senate Bill No. 453

(By Senators Tonkovich, Mr. President (By Request) and Harman)

[Passed March 12, 1988; in effect ninety days from passage.]

AN ACT to amend and reenact section nine, article one, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to changing the name of the West Virginia arts and humanities commission to the West Virginia commission on the arts.

Be it enacted by the Legislature of West Virginia:

That section nine, 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:

ARTICLE 1. DEPARTMENT OF CULTURE AND HISTORY.

§29-1-9. Commission on the arts.

- 1 The West Virginia arts and humanities commission
- 2 established by article seventeen, chapter twenty-nine of
- 3 this code shall hereafter be known as the commission on the
- 4 arts which is hereby created and which shall be composed of
- 5 fifteen appointed members.
- 6 The governor shall nominate, and by and with the advice
- 7 and consent of the Senate, appoint the members of the
- 8 commission for staggered terms of three years. A person
- g appointed to fill a vacancy shall be appointed only for the
- 10 remainder of that term. Each person serving as a member of

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the West Virginia arts and humanities commission, for a term which has not expired on the effective date of this article, shall be appointed by the governor without Senate confirmation to the commission on the arts as one of the fifteen appointed members, for the term ending the thirtieth day of June in the year in which his term would expire as a member of the West Virginia arts and humanities council.

Effective the first day of July, one thousand nine hundred eighty-eight, no more than eight members may be of the same political party. Members of the commission shall be appointed so as to fairly represent both sexes, the ethnic and cultural diversity of the state and the geographic regions of the state.

The commission shall elect one of its members chairman. It shall meet at such time as shall be specified by the chairman. Notice of each meeting shall be given to each member by the chairman at least five days in advance of the meeting. A majority of the members shall constitute a quorum for the transaction of business. The director of the arts and humanities division shall be an ex officio nonvoting member of the commission and shall serve as secretary. The director or a majority of the members may also call a meeting upon such notice as provided in this section.

Each member or ex officio member of the commission shall serve without compensation, but shall be reimbursed for all reasonable and necessary expenses actually incurred in the performance of his duties; except that in the event the expenses are paid, or are to be paid, by a third party, the member or ex officio member, as the case may be, shall not be reimbursed by the state.

Upon recommendation of the commissioner, the governor may also appoint such officers of the state as may be appropriate to serve on the commission as ex officio nonvoting members.

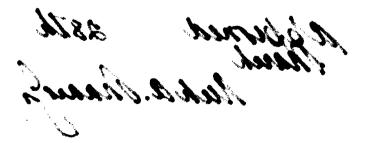
The commission shall have the following powers:

- 48 (1) To advise the commissioner and the director of the 49 arts and humanities division concerning the 50 accomplishment of the purposes of that division and to 51 establish a state plan with respect thereto;
 - (2) To approve and distribute grants-in-aid and awards

- 53 from federal and state funds relating to the purposes of the arts and humanities division;
- (3) To request, accept or expend federal funds to 56 accomplish the purposes of the arts and humanities division 57 when federal law or regulations would prohibit the same by 58 the commissioner or division director, but would permit the same to be done by the commission on the arts; 59
- (4) To otherwise encourage and promote the purposes of 61 the arts and humanities division;

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- (5) To approve rules and regulations concerning the 62 63 professional policies and functions of the division as promulgated by the director of the arts and humanities 65 division; and
- (6) To advise and consent to the appointment of the 66 67 director by the commissioner.



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.

In effect ninety days from passage.

Clerk of the Senate

Sonald I Kopp

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

PRESENTED TO THE
GOVERNOR
Date 3/8/88
Time 4:36 p.m.

RECEIVED

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OFFICE OF WEST VIRGINIA
SECRETALY OF STATE