WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988

ENROLLED

SENATE BILL NO. 453

(By Senators Tom Kovach, Mr. President (by request) and Harmon)

PASSED MARCH 12, 1988

In Effect 90 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.


1 The West Virginia arts and humanities commission established by article seventeen, chapter twenty-nine of this code shall hereafter be known as the commission on the arts which is hereby created and which shall be composed of fifteen appointed members.

2 The governor shall nominate, and by and with the advice and consent of the Senate, appoint the members of the commission for staggered terms of three years. A person appointed to fill a vacancy shall be appointed only for the remainder of that term. Each person serving as a member of
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:
(1) To advise the commissioner and the director of the
arts and humanities division concerning the
accomplishment of the purposes of that division and to
establish a state plan with respect thereto;
(2) To approve and distribute grants-in-aid and awards
from federal and state funds relating to the purposes of the
arts and humanities division;
(3) To request, accept or expend federal funds to
accomplish the purposes of the arts and humanities division
when federal law or regulations would prohibit the same by
the commissioner or division director, but would permit the
same to be done by the commission on the arts;
(4) To otherwise encourage and promote the purposes of
the arts and humanities division;
(5) To approve rules and regulations concerning the
professional policies and functions of the division as
promulgated by the director of the arts and humanities
division; and
(6) To advise and consent to the appointment of the
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

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ............this the 28th

day of ..................1988.

Governor