

No: 453

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988



ENROLLED

SENATE BILL NO. 453

(By Senators TOUKOVICH, MR. PRESIDENT (BY REQUEST)
AND HARMAN)



PASSED MARCH 12, 1988

In Effect 90 days from Passage



E N R O L L E D
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
- 9 appointed to fill a vacancy shall be appointed only for the
- 10 remainder of that term. Each person serving as a member of

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

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

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

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

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

47 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;

52 (2) To approve and distribute grants-in-aid and awards

53 from federal and state funds relating to the purposes of the
54 arts and humanities division;

55 (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
59 same to be done by the commission on the arts;

60 (4) To otherwise encourage and promote the purposes of
61 the arts and humanities division;

62 (5) To approve rules and regulations concerning the
63 professional policies and functions of the division as
64 promulgated by the director of the arts and humanities
65 division; and

66 (6) To advise and consent to the appointment of the
67 director by the commissioner.

Handwritten signatures and initials:
- Top left: "dtes"
- Top right: "hewitt"
- Middle right: "hewitt"
- Bottom left: "R. A. Sch..."

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James O. Williams
.....
Chairman Senate Committee

Bernard V. Kelly
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Todd A. With
.....
Clerk of the Senate

Donald I. Ropp
.....
Clerk of the House of Delegates

Don Touhy
.....
President of the Senate

W. H. P. J.
.....
Speaker House of Delegates

The within *approved* this the *28th*
March
day of 1988.

Hubert H. Hanes
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/18/88

Time 4:36 p.m.

RECEIVED

1988 APR -5 AM 8:47

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE