

proceeding before any justice of the peace, alderman or magistrate in the county in which the offense was committed, be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs, and not more than three hundred dollars (\$300) and costs, to be paid to said county, or in default thereof, shall be confined in the county jail for a period of not more than thirty days.

Section 13. Severability Clause.—The provisions of this act are severable and if any provision or part thereof shall be held invalid or unconstitutional or inapplicable to any person or circumstances, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of the act.

Section 14. Repealer.—All acts or parts thereof inconsistent with the provisions of this act are repealed.

Section 15. Effective Date.—This act shall take effect July 1, 1967.

APPROVED—The 24th day of January, A. D. 1966.

WILLIAM W. SCRANTON

No. 538

AN ACT

HB 1312

Creating a Commonwealth of Pennsylvania Council on the Arts, for the encouragement and development of the various arts, and making an appropriation therefor.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. There is hereby created in the State of Pennsylvania, the Commonwealth of Pennsylvania Council on the Arts. The council shall be responsible directly to the Governor. The council shall consist of fifteen members who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate. The members of the council shall be broadly representative of all fields of the performing and visual arts and shall be appointed from among private citizens who are widely known for their competence and experience in connection with the performing and visual arts.

Two members of the Senate, one of the majority party and one of the minority party of that body, appointed by the President Pro Tempore of the Senate and two members of the House of Representatives, one of the majority party and one of the minority party of that body, appointed by the Speaker, shall be voting members of the council

and shall meet with, and participate in, the work of the council. The members of the Legislature appointed to the council shall serve at the pleasure of the appointing power, but not beyond their term of office in the General Assembly. For the purposes of this act, such members of the Legislature shall constitute a joint interim legislative committee on the subject of this act.

Section 2. (a) In addition to the legislative members five members of the council shall be appointed to serve until July 1, 1966; five members shall be appointed to serve until July 1, 1967; and five members shall be appointed to serve until July 1, 1968. Thereafter, all members shall be appointed for a term of three years. All members shall hold office until their successors have been appointed and qualified. Any vacancies other than legislative members shall be immediately filled by the Governor for the unexpired portion of the term in which they occur. Vacancies among the legislative members shall be filled by the appointing power which made the appointment to the office in which the vacancy exists. No member of the council shall be eligible for re-appointment during a one-year period following the expiration of his second successive term.

(b) Members of the Commonwealth of Pennsylvania Council on the Arts shall serve without compensation, but each member shall be reimbursed for his necessary traveling and other expenses incurred in the performance of his official duties.

(c) The Governor shall appoint a chairman and vice chairman of the council to serve at his pleasure.

Section 3. All meetings of the council shall be open and public and all persons shall be permitted to attend any meetings of the council.

Section 4. The council shall have the powers and authority necessary to carry out the duties imposed upon it by this act including the power, but not limited to the following:

(1) To adopt rules and regulations necessary for proper execution of the powers and duties granted to and imposed upon the council by this act.

(2) To employ such administrative, technical and other personnel as may be necessary for the performance of its powers and duties.

(3) To fix the salaries of the personnel employed pursuant to this section.

(4) To hold hearings, make and sign any agreements and to do or perform any acts which may be necessary, desirable or proper to carry out the purposes of this act.

(5) To request from any department, board, bureau, commission, or

other agency of the State such assistance and data as will enable it properly to carry out its powers and duties hereunder.

(6) To appoint such advisory committees as it deems advisable and necessary to the carrying out of its powers and duties hereunder.

(7) To accept any Federal funds granted, by act of Congress or by executive order, for all or any of the purposes of this act.

(8) To accept any gifts, donations, or bequests for all or any of the purposes of this act.

Section 5. The council shall:

(1) Make a comprehensive survey of public and private institutions engaged within the State in artistic and cultural activities, including but not limited to music, theater, dance, painting, sculpture, architecture and allied arts and crafts and of such other cultural resources in the State as are contemplated by this act.

(2) Determine the legitimate needs and aspirations culturally and artistically of our citizens in all parts of the State.

(3) Ascertain how these resources, including those already in existence and those which should be brought to existence, are to serve the cultural needs and aspirations of the citizens of the State.

(4) Assist the communities within the State in originating and creating their own cultural and artistic programs.

(5) Submit a report to the Governor and to the Legislature not later than ten calendar days following the commencement of each regular session of the Legislature concerning such studies it has made and such actions it has taken and recommending such legislation and other action as is necessary for the implementation and enforcement of this act. The council shall submit a first report to the Governor and the Legislature at the 1966 regular session.

Section 6. Nothing contained in this act shall be construed as limiting or vesting power in the council to encroach upon or usurp the power vested in any other commission or agency heretofore created under the laws of this Commonwealth.

Section 7. In the course of carrying out its powers and duties under this act, the council shall avoid any actions which would interfere with the freedom of artistic expression or with the established or contemplated cultural programs in any local community.

Section 8. The sum of twenty-five thousand dollars (\$25,000) is hereby appropriated for the expenses of the council.

Section 9. This act shall take effect immediately.

APPROVED—The 25th day of January, A. D. 1966.

WILLIAM W. SCRANTON