

1 **H. B. 2592**

2  
3 (By Delegates Morgan, Lynch, Stephens, Craig, Reynolds,  
4 Stowers, White, Sobonya and Miller)

5  
6 [Introduced February 21, 2013; referred to the  
7 Committee on Education and Finance.]

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9  
10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §10-1-23, relating to  
12 establishing a Library Facilities Improvement Fund that will  
13 serve to support library facilities construction, maintenance  
14 and improvement projects; setting forth the general structure  
15 of fund and distribution of funds; and providing for  
16 rulemaking.

17 *Be it enacted by the Legislature of West Virginia:*

18 That the Code of West Virginia, 1931, as amended, be amended  
19 by adding thereto a new section, designated §10-1-23, to read as  
20 follows:

21 **ARTICLE 1. PUBLIC LIBRARIES.**

22 **§10-1-23. Library Facilities Improvement Fund.**

23 (a) There is created in the State Treasury a special fund  
24 known as the "Library Facilities Improvement Fund". The fund shall  
25 be administered by the West Virginia Library Commission and used to

1 effectuate the purposes of this section.

2 (b) The fund shall consist of moneys received from the  
3 following sources:

4 (1) All appropriations provided by the Legislature to support  
5 library facilities improvements;

6 (2) Any moneys available from external sources;

7 (3) Repayment of loans made by the West Virginia Library  
8 Commission pursuant to this section; and

9 (4) All interest and other income earned from investment of  
10 moneys in the fund.

11 (c) The West Virginia Library Commission shall utilize moneys  
12 in the fund to support public library facilities construction,  
13 renovation, maintenance and improvement projects. Projects shall  
14 be evaluated on a competitive basis.

15 (1) The West Virginia Library Commission may utilize a portion  
16 of the moneys in the fund to provide loans to public libraries to  
17 support energy savings and critical maintenance projects.

18 (2) With the exception of loans under this section, all moneys  
19 expended from the funds shall be matched on at least a  
20 dollar-for-dollar basis from funds obtained from other sources.

21 (d) The West Virginia Library Commission shall propose a rule  
22 for legislative approval in accordance with article three, chapter  
23 twenty-nine-a of this code to implement the provisions of this  
24 section. The rule shall contain at least the following:

1       (1) A process for submitting and reviewing proposals;

2       (2) The content of proposals;

3       (3) Criteria for evaluating proposals; and

4       (4) Other provisions the West Virginia Library Commission  
5 considers necessary to administer the program in accordance with  
6 this section.

7       (e) Any balance, including accrued interest and any other  
8 returns, in the Library Facilities Improvement Fund at the end of  
9 each fiscal year will not expire to the General Revenue Fund but  
10 remain in the fund and be expended for the purposes provided by  
11 this section.

12       (f) The West Virginia Library Commission may use up to four  
13 percent of the amount provided to the fund for administrative  
14 expenses.

15       (g) Fund balances may be invested with the State's  
16 Consolidated Investment Fund. Earnings on the investments shall be  
17 used solely for the purposes defined in subsections (c) and (e) of  
18 this section.

NOTE: The purpose of this bill is to create a Library Facilities Improvement Fund, to set forth its general structure and provide for rulemaking.

This bill is new; therefore, it has been completely underscored.