

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2890**

BY DELEGATES LOVEJOY, SOBONYA, ROMINE, C.,  
ROHRBACH, HORNBUCKLE, CANESTRARO, THOMPSON,  
HICKS, ISNER AND BALDWIN

[Introduced March 9, 2017; referred  
to the Committee on Finance.]

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

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

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

**ARTICLE 1. PUBLIC LIBRARIES.**

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

1 (a) There is created in the State Treasury a special fund known as the "Library Facilities  
 2 Fund". The fund shall be administered by the West Virginia Library Commission and used to  
 3 effectuate the purposes of this section.

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

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

6 (2) Any moneys available from external sources;

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

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

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

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

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

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

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

21 (2) The content of proposals;

22 (3) Criteria for evaluating proposals; and

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

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

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

30 (g) Fund balances may be invested with the state's Consolidated Investment Fund.  
31 Earnings on the investments shall be used solely for the purposes defined in subsections (c) and  
32 (e) of this section.

NOTE: The purpose of this bill is to establish a Library Facilities Improvement Fund that will serve to support library facilities construction, maintenance and improvement projects; and set forth general structure of fund and distribution of funds; and providing for rulemaking.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.