

# **WEST VIRGINIA LEGISLATURE**

**2018 REGULAR SESSION**

**Committee Substitute**

**for**

**House Bill 2890**

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[Originating in the Committee on Finance;

February 9, 2018.]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §10-1-24, 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:*

**ARTICLE 1. PUBLIC LIBRARIES.**

**§10-1-24. Library Facilities Improvement Fund.**

1 (a) There is created in the State Treasury a special fund known as the “Library Facilities  
2 Fund”. Expenditures from the fund shall be for the purposes set forth in this section. The fund  
3 shall be administered by the West Virginia Library Commission.

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

5 (1) All appropriations made by the Legislature to the fund;

6 (2) Any moneys available from sources outside the West Virginia Library Commission;

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. The West  
12 Virginia Library Commission shall evaluate potential recipient projects of funds from the fund on  
13 a competitive basis.

14 (1) The West Virginia Library Commission may provide loans to public libraries to support  
15 energy savings and critical maintenance projects with moneys in the fund.

16 (2) With the exception of loans made under this section, the West Virginia Library  
17 Commission may not expend any money from the fund toward a particular project unless the  
18 proposed expenditure is matched on a dollar-for-dollar basis by other sources.

19 (d) The West Virginia Library Commission shall propose a rule for legislative approval in  
20 accordance with §29A-3-1 et seq. of this code to implement the provisions of this section. The  
21 rule shall contain at least the following:

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

23 (2) The content of proposals;

24 (3) Criteria for evaluating proposals; and

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

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

30 (f) In a given year, the West Virginia Library Commission may not allocate an amount in  
31 excess of four percent of the balance of the fund on December 31st of the immediately preceding  
32 calendar year for administrative expenses.

33 (g) The West Virginia Library Commission may invest any or all of the balance of the fund  
34 with the state's Consolidated Investment Fund.