

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

Senate Bill 440

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[Originating in the Committee on Government

Organization; Reported on February 7, 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 the Library Facilities Improvement Fund;
3 setting forth general structure of fund and distribution of funds; and providing for
4 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 Improvement Fund. The fund shall be administered by the West Virginia Library Commission and
3 used to effectuate the purposes of this section.

4 (b) The fund consists 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 use 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 use a portion of the moneys in the fund to
14 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 §29A-3-1 et seq. of this code to implement the provisions of this section. The
19 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 do 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 §10-1-24(c) and
32 §10-1-24(e) of this code.

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.