

Senate Bill No. 537

(By Senators Plymale, Jenkins, D. Hall, Unger, Cann, McCabe and Chafin)

[Introduced March 14, 2013; referred to the Committee on Government Organization; and then to the Committee on Finance.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. PUBLIC LIBRARIES.

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

(a) There is created in the State Treasury a special fund

1 known as the "Library Facilities Improvement Fund". The fund shall
2 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
5 following sources:

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

8 (2) Any moneys available from external sources;

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

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

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

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

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

23 (d) The West Virginia Library Commission shall propose a rule
24 for legislative approval in accordance with article three, chapter

1 twenty-nine-a of this code to implement the provisions of this
2 section. The rule shall contain at least the following:

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

4 (2) The content of proposals;

5 (3) Criteria for evaluating proposals; and

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

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

14 (f) The West Virginia library commission may use up to four
15 percent of the amount provided to the fund for administrative
16 expenses.

17 (g) Fund balances may be invested with the state's
18 consolidated investment fund. Earnings on the investments shall be
19 used solely for the purposes defined in subsections (c) and (e) of
20 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, strike-throughs and underscoring have been omitted.