

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**Committee Substitute**

**for**

**House Bill 2792**

BY DELEGATES ARVON, HILL, WALTERS AND MARTIN

[Originating in the Committee on Government

Organization; March 10, 2017]



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 requiring the Library Commission to survey the libraries  
3 of the state; requiring the Library Commission develop a status report and ten-year plan  
4 for public libraries; requiring a report to the Governor and the Legislature; and posting the  
5 report electronically.

*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 Survey; status report; and ten-year plan.**

1 (a) The Library Commission shall survey the libraries of the state, in consultation with each  
2 library, and other interested parties, in order for the Library Commission to develop a status report  
3 on the conditions and needs of the libraries in this state, and to prepare a ten-year plan for  
4 construction and maintenance needs of public libraries: *Provided*, That the Library Commission  
5 may use information that it has already compiled that it would otherwise be required to survey  
6 pursuant to this subsection. On or before November 30, 2017, the Library Commission shall  
7 conduct a survey of state libraries which shall include, at a minimum:

8 (1) The annual maintenance and utility expenses of each library and satellite location for  
9 the past three years;

10 (2) A status report regarding the condition of all plumbing, electrical, heating, air-  
11 conditioning and ventilation systems of each library and satellite location;

12 (3) Estimated costs for maintenance upgrades or replacement of any plumbing, electrical,  
13 heating, air-conditioning and ventilation systems of each library and satellite location over the next  
14 ten years;

15 (4) A report regarding compliance of the structure of each library and satellite location with  
16 the Americans with Disabilities Act, and any needs for improved access thereof;

17 (5) A report on the technology capabilities of each library and satellite location, including,  
18 but not limited to, telephone and computer systems, telecommunication capabilities, availability  
19 of equipment to facilitate teleconferences or simulcasts, electronic media viewing capabilities, and  
20 any other technology-related information as the Library Commission deems appropriate, along  
21 with a breakdown stating whether such technology is available for public or library staff use;

22 (6) A report on the available public meeting space at each library and satellite location,  
23 and the process by which the public may request the use of the meeting space, and the frequency  
24 of use of such meeting space; and

25 (7) A report on all materials available to the public at each library and satellite location,  
26 including, but not limited to, books and electronic media available for loan, reference materials on  
27 site, access to any online accounts provided by the library that enable research of scholarly or  
28 reference materials, and any other information as the Library Commission deems appropriate.

29 (b) On or before January 31, 2018, the Library Commission shall prepare a report on the  
30 status of the libraries in this state, to be submitted to the Governor and to the Joint Committee on  
31 Government and Finance. The Library Commission report shall include the conditions of the  
32 libraries in this state and a proposed ten-year maintenance and construction plan for the public  
33 libraries, which shall include at a minimum:

34 (1) The name and location of each library and satellite location in this state;

35 (2) The condition of the physical structure of each library and satellite location;

36 (3) A report on the three-year average cost of utilities and maintenance of each library and  
37 satellite location;

38 (4) A cost estimate for structural repairs at each library and satellite location, including  
39 improvements for access for people with disabilities;

40 (5) A cost estimate for upgrades or replacement of any plumbing, electrical, heating, air-  
41 conditioning and ventilation systems of each library and satellite location;

42           (6) A cost estimate for improvements to the technology capabilities and a description of  
43 those needs for each library and satellite location, including, but not limited to, improvements for  
44 telecommunication services, additional computer work stations for public access, technology  
45 needs for library staff, and other technology assessments as the Library Commission deems  
46 appropriate;

47           (7) A report regarding the meeting space available for public use at each library and  
48 satellite location, and the process by which the public may request the use of the meeting room;  
49 and

50           (8) Any other information the Library Commission deems appropriate to propose for the  
51 improvement of library facilities, lending materials and needs of the library system over the next  
52 ten years.

53           (c) The Library Commission shall post a digital copy of the report, as required by this  
54 section, on the Library Commission website to be made available to the public.

NOTE: The purpose of this bill is to require the Library Commission to survey libraries in this state in order to provide a report to the Governor and the Legislature regarding the status of libraries and to propose a ten-year maintenance and construction plan based on the needs of libraries in this state.

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