

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2971

BY DELEGATES LINVILLE, MAYNARD, BATES, BOGGS,

WILLIAMS, CRISS, GRAVES, HARDY AND PYLES

[Introduced February 11, 2019; Referred

to the Committee on Finance.]

1 A BILL to amend and reenact §10-1-6 of the Code of West Virginia, 1931, as amended, relating
 2 to permitting public libraries to purchase or contract with the most fiscally responsible
 3 Internet service providers.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. PUBLIC LIBRARIES.

§10-1-6. Board of library directors -- Powers and duties.

1 The board of directors of each public library established or maintained under this article
 2 shall:

3 (a) Immediately after appointment, meet and organize by electing one member as
 4 president and one as secretary, and such other officers as may be necessary. All officers shall
 5 hold office for one year and shall be eligible for reelection.

6 (b) Adopt such bylaws, rules and regulations as are necessary for its own guidance and
 7 for the administration, supervision and protection of the library and all property belonging thereto
 8 as may not be inconsistent with the provisions of this article.

9 (c) Supervise the expenditure of all money credited to the library fund. All money
 10 appropriated or collected for public library purposes shall be deposited in the treasury of the
 11 governing authority to the credit of the library fund, to be paid out on the certified requisition of the
 12 library board, in the manner provided by law for the disbursement of other funds of such governing
 13 authority, or shall be deposited as the library's board of directors shall direct and be disbursed by
 14 the officer designated by that board, such officer before entering upon his or her duties to give
 15 bond payable to and in an amount fixed by the board of directors of the library, conditioned for
 16 the faithful discharge of his or her official fiscal duties. The cost of such bond shall be paid from
 17 the library fund. The books, records and accounts of the library board shall be subject to audit
 18 and examination by the office of the State Tax Commissioner of West Virginia.

19 (d) Lease or purchase and occupy suitable quarters, or erect upon ground secured
 20 through gift or purchase, an appropriate building for the use of such library; and have supervision,

21 care, and custody of the grounds, rooms or buildings constructed, leased, or set apart for library
22 purposes.

23 (e) Employ a head librarian, and upon his or her recommendation employ such other
24 assistants as may be necessary for the efficient operation of the library.

25 (f) Notwithstanding any other provision of this code to the contrary, the head librarian of
26 each public library may purchase or contract for Internet service utilizing a statewide contract, WV
27 NET, or any local provider capable of providing Internet service at the location of the library. The
28 head librarian shall choose the most fiscally responsible Internet service provider and obtain
29 approval from the board of the public library prior to starting any new service.

NOTE: The purpose of this bill is to permit public libraries to contract with an Internet provider that is the most fiscally responsible provider.

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