

HB 2046

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WEST VIRGINIA STATE HOUSE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995

— ● —

## ENROLLED

Com. Sub. For  
HOUSE BILL No. 2046

(By Delegate *Mr. Spraku, Mr. Chambers,  
and Delegate Ashley*)

— ● —

Passed *March 10,* 1995

In Effect *Ninety Days From* Passage



**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**  
**H. B. 2046**

(BY MR. SPEAKER, MR. CHAMBERS, AND DELEGATE ASHLEY)

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[Passed March 10, 1995; in effect ninety days from passage.]

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AN ACT to amend article one, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section eighteen-a, relating to establishing a state publications clearinghouse for libraries throughout the state in order to facilitate public access to publications issued by state agencies.

*Be it enacted by the Legislature of West Virginia:*

That article one, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section eighteen-a, to read as follows:

**ARTICLE 1. PUBLIC LIBRARIES.**

**§10-1-18a. Establishment of state publications clearinghouse; definitions; powers of West Virginia library commission; designations by state agencies.**

- 1 (a) There is hereby established the state depository
- 2 library clearinghouse which shall be under the direction of
- 3 the state library commission.

4 (b) As used in this section, the following terms have  
5 the following meanings:

6 (1) "Public document" means any document, report,  
7 directive, bibliography, rule, newsletter, pamphlet, bro-  
8 chure, periodical, request for proposal, or other publica-  
9 tion, whether in print or an unprinted format, that is paid  
10 for, in whole or in part, by funds appropriated by the  
11 Legislature and may be subject to distribution to the pub-  
12 lic;

13 (2) "Depository library" means a library designated to  
14 collect, catalog, maintain and make available all or particu-  
15 lar selected state publications to the general public; and,

16 (3) "State agency" means any state office, whether  
17 legislative, executive or judicial, including, but not limited  
18 to, any constitutional officer, department, division, bureau,  
19 board, commission or other agency which expends state  
20 appropriated funds.

21 (c) The state library commission shall establish a state  
22 depository library clearinghouse to receive and distribute  
23 all state public documents to the depository libraries  
24 around the state.

25 (d) The commission shall designate a state library  
26 staff member as director of the state publications clearing-  
27 house for librarians. The director shall hold a graduate  
28 degree in library science from an accredited institution of  
29 higher learning. The clearinghouse shall establish require-  
30 ments for eligibility to become and remain a depository  
31 library.

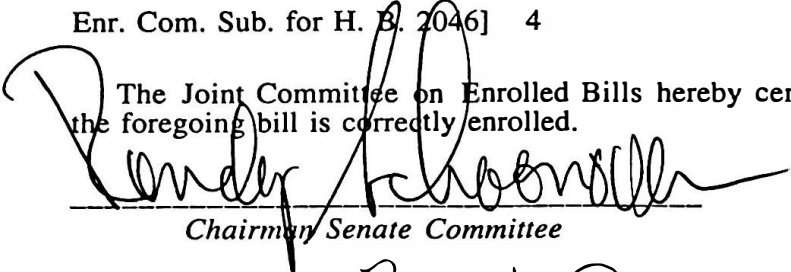
32 (e) In designating a library as a depository library the  
33 clearinghouse shall consider the geography of the state  
34 and the existing federal depository libraries. West Virginia  
35 University library, Marshall University library and the state  
36 department of archives shall be designated as complete  
37 depository libraries that shall receive two copies of all  
38 public documents. The clearinghouse shall also, pursuant  
39 to the requirements it establishes hereunder, designate

40 other libraries around the state as depository libraries,  
41 upon request from a library.

42 (f) Each state agency shall designate one person as its  
43 documents officer while notifying the clearinghouse of his  
44 or her identity. The documents officer shall, prior to the  
45 public release of any state public document, deposit with  
46 the clearinghouse a minimum of fifteen copies as required  
47 to meet the needs of the depository library system. If  
48 fewer than forty copies of a public document are pro-  
49 duced, no more than two such copies are required to be  
50 deposited with the clearinghouse.



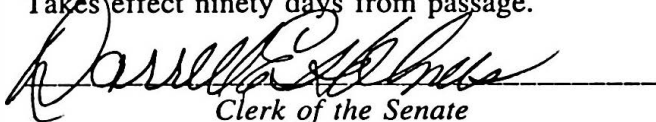
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
Chairman Senate Committee

  
Chairman House Committee


Originating in the House.

Takes effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 23rd  
day of March, 1995.

  
Governor



PRESENTED TO THE

GOVERNOR

Date 3/22/95

Time 3:30 pm