

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 350
House Committee Substitute Favorable 6/28/91

Short Title: State Publication Guidelines.

(Public)

Sponsors:

Referred to:

March 28, 1991

A BILL TO BE ENTITLED

AN ACT TO MODIFY LAWS AFFECTING THE OPERATIONS OF THE STATE
LIBRARY AND THE MUSEUM OF HISTORY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-170.2 reads as rewritten:

"§ 143-170.2. Publication procedure manuals.

(a) ~~The Department of Administration, in consultation with at least the State Librarian and the State Auditor, shall establish, distribute,~~ The State Librarian in consultation with the State Auditor shall administer and periodically revise guidelines to be used by all State agencies and community colleges in developing publication procedures manuals for public documents. The initial guidelines developed by the Department of Administration shall be released no later than December 1, 1989 and shall address at least the following elements of publication production for public documents:

- (1) Bibliographic style, substantially in accord with a recognized style manual approved by the State Librarian; provided, however, the Department shall not develop guidelines concerning the design, layout, size or appearance of publications except as otherwise permitted herein;
- (2) Procedures for the notification of the State Library for title changes in serial publications;
- (3) Pricing of documents for resale;
- (4) Use of publication services at State-operated printing facilities;

- 1 (5) Purchase of commercial publication services; and
2 (6) The distribution of publications.

3 The Department of Administration shall submit the initial guidelines to State
4 agencies for review and comment for a period of 60 days; provided, however, that
5 submission to the University of North Carolina General Administration shall satisfy this
6 requirement with respect to universities. The Department, in consultation with at least
7 the State Librarian and the State Auditor, shall consider the comments of the State
8 agencies before adopting final guidelines. The Department of Administration shall
9 adopt and release the final guidelines no later than four months after the release of the
10 initial guidelines.

11 (b) Upon the adoption and release of final guidelines by the Department of
12 Administration, each State agency and community college shall within four months
13 thereafter adopt a publication procedures manual for public documents consistent with
14 the guidelines established pursuant to subsection (a) of this section and an
15 administrative review and approval process to ensure appropriate review and approval
16 of its public documents.

17 (c) Each State agency and community college shall submit to the ~~Department of~~
18 ~~Administration—State Library~~ for review and retention a copy of its publication
19 procedures manual and its administrative review procedure for public documents. Any
20 revisions made by an agency shall also be submitted to the State Library within 30 days
21 of adoption by the agency. ~~documents, and any revisions thereto, within 30 days of adoption.~~
22 ~~The Department shall retain a copy of each agency's submissions. The publication procedures~~
23 ~~manual, the administrative review procedure, and any revisions shall be implemented upon~~
24 ~~adoption.~~

25 ~~(d) The Department of Administration may revise its final guidelines after July 1,~~
26 ~~1990 in the same manner as provided in this section for the adoption of its initial and~~
27 ~~final guidelines, provided that the period of agency review and comment shall be thirty~~
28 ~~(30) days."~~

29 (d1) The State Library may revise the final statewide guidelines, originally issued
30 April 1, 1990, by the Department of Administration, at any time after July 1, 1990,
31 provided that there be distribution of any proposed revisions to all agencies and
32 institutions subject to these provisions, and that there be a 30-day review period for
33 these agencies to comment."

34 Sec. 2. G.S. 143B-90 reads as rewritten:

35 "**§ 143B-90. State Library Commission – creation, powers and duties.**

36 There is hereby created the State Library Commission of the Department of Cultural
37 Resources. The State Library Commission has the following functions and duties:

- 38 (1) To advise the Secretary of Cultural Resources on matters relating to
39 the operation and services of the State Library;
40 (2) ~~To suggest programs to the Secretary to aid in the development of~~
41 ~~libraries statewide;~~
42 (2a) To work for the financial support of statewide and local public library
43 services;
44 (3) To advise the Secretary upon any matter the Secretary might refer to it;

- 1 ~~(4) To evaluate and approve the State Plan for Public Library~~
 2 ~~Development;~~
 3 (4a) To work for the financial support of statewide interlibrary services;
 4 ~~(5) To evaluate and approve the State Plan for Multitype Library~~
 5 ~~Cooperation;~~
 6 (5a) To aid and advise the Secretary of Cultural Resources in the
 7 development of information services for the promotion of cultural,
 8 educational, and economic well-being of the State.
 9 ~~(6) To evaluate and approve plans for federally funded library programs;~~
 10 ~~(7) To evaluate and approve State Library policies for the acquisition of~~
 11 ~~library materials; and~~
 12 ~~(8) To serve as a search committee to seek out, interview, and recommend~~
 13 ~~to the Secretary one of more experienced and professionally trained~~
 14 ~~librarians for the position of Director of the Division of State Library~~
 15 ~~when a vacancy occurs, and to assist and cooperate with the Secretary~~
 16 ~~in periodic reviews of the performance of the Director and the~~
 17 ~~Division.~~
 18 (8a) To aid and advise the Secretary of Cultural Resources on the
 19 recruitment and appointment of the State Librarian."

20 Sec. 3. G.S. 143B-91 reads as rewritten:

21 "**§ 143B-91. State Library Commission – members; selection; quorum;**
 22 **compensation.**

23 (a) The State Library Commission shall consist of 11-15 members. All members
 24 shall have an interest in the development of library and information services in North
 25 Carolina. Six-Eight members shall be appointed by the Governor. Governor and the other
 26 ~~five members shall be the following officers of the North Carolina Library Association:~~
 27 ~~President; Chairman of the Public Libraries Section; Chairman of the College and University~~
 28 ~~Section; Chairman of the Junior College Section; and Chairman of the North Carolina~~
 29 ~~Association of School Libraries Section. One member shall be appointed by the Lieutenant~~
 30 ~~Governor. One member shall be appointed by the Speaker of the North Carolina House~~
 31 ~~of Representatives. Three members shall be appointed by the North Carolina Public~~
 32 ~~Library Directors Association. Two members shall be the President and the President-~~
 33 ~~elect of the North Carolina Library Association or two appointees as determined by the~~
 34 ~~North Carolina Library Association's Board of Directors. The State Librarian shall be~~
 35 ~~an ex officio member and act as secretary to the Commission.~~

36 ~~Members of the State Library Committee appointed by the Governor shall continue~~
 37 ~~as members of the State Library Commission for the remainder of the terms to which~~
 38 ~~appointed. Thereafter all appointments by the Governor shall be for six year terms. All~~
 39 ~~appointments shall be for four-year terms with eight of the commissioners taking office~~
 40 ~~on the first four-year cycle and seven commissioners taking office on the second four-~~
 41 ~~year cycle. Any appointment to fill a vacancy in one of the positions appointed by the~~
 42 ~~Governor-Governor, Lieutenant Governor, or Speaker of the House of Representatives~~
 43 ~~shall be for the remainder of the unexpired term. Officers of the North Carolina Library~~
 44 ~~Association shall serve as members of the Commission for the duration of their terms as~~

1 ~~officers of the Association. Appointees shall not serve more than two successive four-~~
2 ~~year terms.~~

3 The Governor shall choose a ~~chairman~~ chairperson from among the ~~members of the~~
4 ~~Commission gubernatorial appointees.~~ The ~~chairman~~ chairperson shall serve not more
5 than two successive two-year terms as ~~chairman~~ chair.

6 Members of the Commission shall receive per diem and necessary travel and
7 subsistence expenses as provided in G.S. 138-5.

8 A majority of the Commission shall constitute a quorum for the transaction of
9 business.

10 All clerical and other services required by the Commission shall be supplied by the
11 Secretary of Cultural Resources.

12 The Commission shall meet at least twice a year.

13 (b) There shall be standing committees established to advise the Secretary of
14 Cultural Resources, the Commission, and the State Librarian. These committees shall
15 be: Public Library Development; Interlibrary Cooperation; State Government
16 Information Services; State Library Development; and any other committee deemed
17 appropriate. Each committee shall be composed of a committee chairperson and at least
18 six persons appointed annually by the Secretary of Cultural Resources with the approval
19 of the Commission. At least one of the members of each committee shall be a member
20 of the Commission. Each committee shall report to the Commission at least once a
21 year."

22 Sec. 4. In order to provide for a transition to the new number of
23 commissioners and assure the necessary rotation of members, the following
24 appointment cycle is established:

25 (a) All members of the State Library Commission at the time of the
26 enactment of this bill shall remain on the Commission for the remainder of their terms
27 except Commissioners who are members through election as President of the North
28 Carolina Library Association and Chair of the following sections of the North Carolina
29 Library Association: Public Library Section, College and University Section, Junior
30 College Section, and President of the North Carolina Association of School Librarians.
31 The terms of these Commissioners shall expire June 30, 1991.

32 (b) On July 1, 1991, the Governor shall appoint two persons to full four-year
33 terms and two persons to two-year terms. The Lieutenant Governor shall appoint one
34 person to a full four-year term. The Speaker of the House shall appoint one person to a
35 full four-year term. Two appointees of the North Carolina Public Library Directors
36 Association shall begin a two-year term. One appointee of the North Carolina Public
37 Library Directors Association shall begin a full four-year term. The President and Vice-
38 president of the North Carolina Library Association or two appointees of the North
39 Carolina Library Association shall begin a two-year term.

40 (c) On July 1, 1993, the Governor shall appoint four persons to full four-year
41 terms. Two appointees of the North Carolina Public Library Directors Association shall
42 begin full four-year terms. The President and Vice-president or two appointees of the
43 North Carolina Library Association shall begin full four-year terms.

44 Sec. 5. G.S. 121-4 is amended by adding a new subdivision to read:

1 "(16) To enter into an agreement with a private nonprofit corporation for the
2 management of facilities to provide food and beverages at the North
3 Carolina Museum of History. Any net proceeds received by the private
4 nonprofit corporation shall be devoted to the work of the Department.
5 Any private nonprofit corporation entering into an agreement with the
6 Department with regard to the management of the facilities may enter
7 into further agreements with private persons or corporations
8 concerning the operation of the facilities, providing such agreements
9 are arrived at in a public manner allowing for the submission of
10 proposals or bids by all interested parties regardless of nationality,
11 religion, race, gender, or age. The Department may enter into an
12 agreement in regard to obtaining or installing equipment, furniture and
13 furnishings for such facilities. The operation of food and beverage
14 service shall be subject to the provisions of Article 3 of Chapter 111 of
15 the General Statutes."

16 Sec. 6. This act is effective upon ratification.