

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 350  
House Committee Substitute Favorable 6/28/91  
Third Edition Engrossed 7/13/91

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;

- 1 (4) Use of publication services at State-operated printing facilities;
- 2 (5) Purchase of commercial publication services; and
- 3 (6) The distribution of publications.

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

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

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

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

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

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

36 **"§ 143B-90. State Library Commission – creation, powers and duties.**

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

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

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

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

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

24 (a) The State Library Commission shall consist of ~~14~~ 15 members. All members  
 25 shall have an interest in the development of library and information services in North  
 26 Carolina. ~~Six~~ Eight members shall be appointed by the Governor. ~~Governor and the other~~  
 27 ~~five members shall be the following officers of the North Carolina Library Association:~~  
 28 ~~President; Chairman of the Public Libraries Section; Chairman of the College and University~~  
 29 ~~Section; Chairman of the Junior College Section; and Chairman of the North Carolina~~  
 30 ~~Association of School Libraries Section.~~ One member shall be appointed by the Lieutenant  
 31 Governor. One member shall be appointed by the Speaker of the North Carolina House  
 32 of Representatives. Three members shall be appointed by the North Carolina Public  
 33 Library Directors Association. Two members shall be the President and the President-  
 34 elect of the North Carolina Library Association or two appointees as determined by the  
 35 North Carolina Library Association's Board of Directors. The State Librarian shall be  
 36 an ex officio member and act as secretary to the Commission.

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

1 ~~Association shall serve as members of the Commission for the duration of their terms as~~  
2 ~~officers of the Association. Appointees shall not serve more than two successive four-~~  
3 ~~year terms.~~

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

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

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

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

13 The Commission shall meet at least twice a year.

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

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

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

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

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

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

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

17           Section 6. G.S. 121-7(b) reads as rewritten:

18           "(b) Insofar as practicable, the North Carolina Museum of History shall accession  
19 and maintain records showing provenance, value, location, and other pertinent  
20 information on such furniture, furnishings, decorative items, and other objects as have  
21 historical or cultural importance and which are owned by or to be acquired by the State  
22 for use in the State ~~Capitol~~-Capitol and the Executive Mansion, and, upon request of the  
23 Department of Administration, any other state-owned building. When any such item or  
24 object has been entered in the accession records of the Museum of History, the  
25 custodian of such item or object shall, upon its removal from the premises upon which it  
26 was located or when it is otherwise disposed of, submit to the Museum of History  
27 sufficient details concerning its removal or disposition to permit an adequate entry in  
28 the accession records to the end that its location or disposition, and authority for such  
29 change, shall be showed therein.

30           Sec. 7. This act is effective upon ratification.