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H.722

Introduced by Representatives Feltus of Lyndon, Lefebvre of Newark, McCoy
of Poultney, Rosenquist of Georgia, Sullivan of Dorset, and
Townsend of South Burlington

Referred to Committee on

Date:

Subject: Libraries, history, and information technology; Department of
Libraries

Statement of purpose of bill as introduced: This bill proposes to update and
make technical corrections to certain statutes concerning the Vermont
Department of Libraries.

An act relating to the Department of Libraries

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 3 V.S.A. § 260 is amended to read:

§ 260. LOCATION OF OFFICES

* * *

~~(c) The principal office of each of the following boards and divisions~~

~~Division for Historic Preservation shall be located in Montpelier; Division for~~

1 ~~Historic Preservation and Board of Libraries. The principal office of the Board~~
2 ~~of Libraries shall be in Barre.~~

(c) The principal office of each of the following boards and divisions shall be located in Montpelier: Division for Historic Preservation and Board of Libraries. [Repealed.]

3 * * *

4 Sec. 2. 12 V.S.A. § 1699 is amended to read:

5 ~~§ 1699. FOREIGN LAWS AND DECISIONS, DETERMINATION BY~~
6 ~~COURT~~

7 The statutes, laws, and decisions of another state may be evidenced, prima
8 facie, in the courts of this State by a printed copy thereof, which purports to be
9 published by the authority of such other state, or which is kept in the State
10 Library at Montpelier Barre. The determination of ~~such~~ the laws shall be
11 ~~made by the court and not by the jury, and shall be reviewable.~~

§ 1699. FOREIGN LAWS AND DECISIONS; DETERMINATION BY COURT

The statutes, laws, and decisions of another state may be evidenced, prima facie, in the courts of this State by a printed copy thereof, which purports to be published by the authority of ~~such~~ the other state, or which is kept in the State Library at Montpelier. The determination of ~~such~~ the laws shall be made by the court and not by the jury, and shall be reviewable.

12 Sec. 3. 16 V.S.A. § 212 is amended to read:

13 § 212. SECRETARY'S DUTIES GENERALLY

14 The Secretary shall execute those policies adopted by the State Board in the
15 legal exercise of its powers and shall:

16 * * *

(7) Arrange conferences and summer schools for superintendents and teachers and employ suitable speakers, lecturers, and instructors for the same; fix the amount of tuition for the instruction; provide for educational gatherings, institutes, summer schools, and other supplementary educational activities; and provide for cooperation with the ~~Board of Libraries established by 22 V.S.A. § 602~~ *Board of Libraries established by 22 V.S.A. § 602 or the State Librarian.*

1 * * *

2 Sec. 4. 22 V.S.A. § 605 is amended to read:

3 § 605. DUTIES AND FUNCTIONS OF THE DEPARTMENT OF
4 LIBRARIES

5 The duties and functions of the Department of Libraries shall be to provide,
6 administer, and maintain:

7 * * *

8 (2) A collection of ~~State documents and of documents relating to other~~
9 ~~states and local and federal governments~~ documents. It shall arrange for and
10 designate depositories of State documents which designation is to include
11 ~~Bailey Howe~~ Library at the University of Vermont. The Department may
12 acquire reports and documents published by federal agencies and by other
13 states and countries, and may arrange for the exchange of official reports and
14 publications with federal agencies, and with governmental agencies in other
15 states and countries.

16 * * *

17 (4) A general library collection of a sufficient size and scope to
18 reinforce and supplement the resources of local ~~and regional~~ libraries. All

1 materials of the Department of Libraries shall be available for free circulation
2 to all citizens, institutions, and organizations under regulations of the State
3 Librarian except that the State Librarian may restrict rare or reference-type
4 materials to one location. The Department shall arrange, classify, and catalog
5 all materials in its custody and provide for their safekeeping and shall rebind
6 books as needed. The Department shall provide service to other libraries in
7 the State, schools, and individuals and may provide service by mail or book
8 wagon or otherwise.

9 * * *

10 Sec. 5. 29 V.S.A. § 1108 is amended to read:

11 § 1108. ACCEPTANCE OR REJECTION OF BIDS; CONDITIONS OF
12 CONTRACTS

13 The Commissioner of Buildings and General Services may require
14 satisfactory bonds from bidders and contractors, ~~and shall specify in each~~
15 ~~contract for printing that, in case the matter contracted for is not delivered to~~
16 ~~the State Librarian or in accordance with his or her written order to such other~~
17 ~~person as may be specified in the contract, on or before the date specified in~~
18 ~~the contract for such delivery, \$25.00 of the contract price shall be deducted~~
19 ~~for every day such delivery is delayed, and, in case the delay exceeds 10 days,~~
20 ~~there shall be deducted in addition to the above amount \$10.00 for each day's~~
21 ~~delay over 10 days; and he or she shall also specify in each contract that all~~

1 public documents and printed matter shall be delivered to the State Librarian at
2 the State Library unless otherwise directed in writing by him or her or the
3 State Librarian. The provisions of this section and section 1107 of this title
4 relating to advertising and bids shall not apply to a contract for printing where
5 the amount of the contract does not exceed \$50.00.

6 ~~Sec. 6-32 V.S.A. § 163 is amended to read:~~

7 ~~§ 163. DUTIES OF THE AUDITOR OF ACCOUNTS.~~

8 ~~In addition to any other duties prescribed by law, the Auditor of Accounts~~
9 ~~shall.~~

10 * * *

11 ~~(4) From time to time, as audits are completed, report his or her audit~~
12 ~~findings first to the Speaker of the House of Representatives and the President~~
13 ~~Pro Tempore of the Senate, then to the Governor, the Secretary of~~
14 ~~Administration, the Commissioner of Finance and Management, and the head~~
15 ~~of the department, institution, or agency covered by the report. The audit~~
16 ~~reports shall be public records and a copy of each report shall be furnished to~~
17 ~~and kept in the State Library Vermont State Archives and Records~~
18 ~~Administration for public use. Draft audit reports, working papers,~~
19 ~~correspondence, and other materials relied on by the Auditor of Accounts to~~
20 ~~produce the draft audit report shall be confidential and exempt from public~~
21 ~~inspection and copying under the Public Records Act until the audit is~~

1 ~~pleted, but shall be provided to the audited entity upon request unless the~~
2 ~~record is exempt from public inspection and copying under another provision~~
3 ~~of law. Draft audit reports, working papers, correspondence, and other~~
4 ~~materials received by an audited entity prior to completion of the audit shall~~
5 ~~remain confidential until completion of the audit, and shall not be further~~
6 ~~disclosed by the audited entity until completion of the audit~~

Sec. 6. [Deleted.]

* * *

8 Sec. 7. REPEALS

9 The following are repealed:

10 (1) 4 V.S.A. § 16 (briefs and other papers kept in State Library);

11 (2) 29 V.S.A. § 1156 (distribution of documents by State Librarian); and

12 (3) 29 V.S.A. § 1161 (distribution of documents to schools).

13 Sec. 8. EFFECTIVE DATE

14 This act shall take effect on passage.