S T A T E O F N E W Y O R K

3019

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BENJAMIN -- Multi-Sponsored by -- M. of A. CLARK, GREENE, MILLER -- read once and referred to the Committee on Libraries and Education Technology

AN ACT to amend the executive law, in relation to requiring library collections in all youth centers or facilities for detention; and making an appropriation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The executive law is amended by adding a new section 513-a to read as follows:

S 513-A. LIBRARIES. 1. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES, IN CONSULTATION WITH THE BOARD OF REGENTS AND THE COMMISSIONER OF EDUCATION, SHALL ESTABLISH AND MAINTAIN LIBRARIES IN ALL YOUTH CENTERS OR FACILITIES FOR DETENTION AS DEFINED IN SECTIONS FIVE HUNDRED TWENTY-SEVEN-A AND FIVE HUNDRED TWO OF THIS ARTICLE, AND DETENTION FACILITIES DESIGNATED PURSUANT TO SECTIONS SEVEN HUNDRED TWENTY-FOUR AND 305.2 OF THE FAMILY COURT ACT. THE CONTENT OF SUCH HOLDINGS SHALL CONFORM TO THE FREE PUBLIC LIBRARY PROVISIONS OF PART TWO OF ARTICLE FIVE OF THE EDUCATION LAW. ACCESS TO LIBRARY BOOKS BY DETAINEES SHALL NOT BE INFRINGED BY SUCH TEMPORARY YOUTH DETENTION FACILITY RULES AND REGULATIONS REGARDING PUNISHMENT OF DETAINEES.

2. DEVELOPING AND MAINTAINING LIBRARIES IN SUCH TEMPORARY YOUTH DETENTION FACILITIES AS PROVIDED IN SUBDIVISION ONE OF THIS SECTION SHALL BE CONSIDERED PART OF CARE, MAINTENANCE, AND SUPERVISION EXPENSES DESCRIBED AND INCLUDED IN THE REIMBURSEMENT FORMULAE PROVIDED IN SECTION FIVE HUNDRED THIRTY OF THIS ARTICLE.

3. THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES AND THE COMMISSIONER OF EDUCATION SHALL REPORT, INCLUDING RECOMMENDATIONS, TO THE GOVERNOR AND THE LEGISLATURE ON THE STATUS OF SUCH LIBRARIES IN SUCH COMMISSIONERS' ANNUAL REPORTS.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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S 2. The sum of two million dollars ($2,000,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury in the general fund to the credit of the office of children and family services, not otherwise appropriated for the purposes of carrying out the provisions of this act. Such sum shall be payable on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of children and family services, or such commissioner's duly designated representative in the manner provided by law.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date; provided, further, that such libraries shall be in use on or before one year of the effective date of this act.