

2856--A

2013-2014 Regular Sessions

I N S E N A T E

January 24, 2013

Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the conservation and preservation of library research materials program

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

1 Section 1. Subdivision 7 of section 273 of the education law, as
2 amended by section 3 of part O of chapter 57 of the laws of 2005, is
3 amended to read as follows:
4 7. Conservation and preservation of library research materials. a. The
5 commissioner shall award, BY JULY FIRST in any state fiscal year, an
6 annual FORMULA grant of one hundred [twenty-six] FIFTY-EIGHT thousand
7 dollars for a program of conservation and/or preservation of library
8 research materials to each of the following comprehensive research
9 libraries: Columbia university libraries, Cornell university libraries,
10 New York state library, New York university libraries, university of
11 Rochester libraries, Syracuse university libraries, the research
12 libraries of the New York public library, state university of New York
13 at Albany library, state university of New York at Binghamton library,
14 state university of New York at Buffalo library, and state university of
15 New York at Stony Brook library.
16 b. To be eligible for such FORMULA grants, each such comprehensive
17 research library must submit both a five-year plan and an annual program
18 budget. The plan must satisfy criteria to be established by the commis-
19 sioner in regulations relating to the identification of library research
20 materials, the need for their preservation, and the means of their
21 conservation.
22 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE ANNUAL APPROPRIATION
23 PROVIDED BY THE STATE UNDER THE PROVISIONS OF PARAGRAPH A OF THIS SUBDI-

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

LBD06736-02-3

1 VISION FOR THE NEW YORK STATE LIBRARY IN THE STATE OPERATIONS BUDGET
2 SHALL BE EQUAL TO AND NOT LESS THAN THE APPROPRIATION AMOUNT PROVIDED
3 FOR EACH OF THE OTHER COMPREHENSIVE RESEARCH LIBRARIES IN THE STATE
4 LOCAL ASSISTANCE BUDGET.

5 c. [Additional grants, the sum of which shall not exceed three hundred
6 fifty thousand dollars in any state fiscal year, may be made to any or
7 all of the eleven comprehensive research libraries for preservation
8 and/or conservation of library research materials on the basis of
9 project proposals. Approval of such proposals, and determination of
10 funding level, shall be based upon their contribution to development of
11 cooperative programs and/or facilities for conservation and/or preserva-
12 tion works in the state, including but not limited to such factors as:
13 institutional commitment to development of a collective capacity and
14 coordinated approach to conservation and preservation of research mate-
15 rials important to the people of the state; research value of materials
16 to be preserved and/or conserved; appropriateness of conservation and
17 preservation techniques in accordance with statewide planning and
18 national standards; institutional capacity for successful completion of
19 the project, including facilities, experience, and technical expertise;
20 availability of staff with appropriate training and expertise; contrib-
21 ution of the institution to the project in matching funds and staff
22 resources; and volume of interlibrary lending and access to holdings by
23 the public. Ninety percent of each such grant shall be payable upon
24 approval by the department and the remaining ten percent shall be paya-
25 ble upon project completion.

26 d.] Other agencies and libraries, as defined in regulations promulgat-
27 ed by the commissioner, which are not eligible for funding under para-
28 graph a of this subdivision, may receive separate grants the sum of
29 which shall not exceed five hundred thousand dollars in any state fiscal
30 year to support the preservation and/or conservation of unique library
31 research materials. Such agencies and libraries shall submit proposals
32 which shall be evaluated and determinations of approval and funding
33 shall be made [on the same basis set forth in paragraph c of this subdi-
34 vision]. Ninety percent of each such grant shall be payable upon
35 approval by the department and the remaining ten percent shall be paya-
36 ble upon project completion.

37 [e.] D. Funds made available under the provisions of this section may
38 be used by comprehensive research libraries and other agencies eligible
39 for funding to obtain matching funds from the national endowment for the
40 humanities preservation program.

41 [f.] E. The commissioner shall establish an office for coordination of
42 conservation and/or preservation of library research materials to iden-
43 tify the conservation and/or preservation needs of libraries within the
44 state, to assess the technology available for such conservation and
45 preservation, and to coordinate the conservation and preservation
46 efforts resulting from this legislation.

47 S 2. This act shall take effect immediately and shall be deemed to
48 have been in full force and effect on and after April 1, 2013; provided,
49 however, that the amendments made to paragraphs a and c of subdivision 7
50 of section 273 of the education law by section one of this act shall
51 take effect April 1, 2014.