

8199--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

June 11, 2015

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Introduced by M. of A. TITONE, LUPARDO, THIELE, SCHIMMINGER, CERETTO --  
Multi-Sponsored by -- M. of A. HAWLEY, MAGEE -- read once and referred  
to the Committee on Tourism, Parks, Arts and Sports Development --  
recommitted to the Committee on Tourism, Parks, Arts and Sports Development  
in accordance with Assembly Rule 3, sec. 2 -- committee  
discharged, bill amended, ordered reprinted as amended and recommitted  
to said committee

AN ACT to amend the arts and cultural affairs law, in relation to  
providing educational services aid to eligible museums, historical  
societies and other cultural institutions for the provision of curriculum-based  
educational programs for students and teachers in grades  
pre-kindergarten through twelve and adults enrolled in continuing  
education programs

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

1     Section 1. Statement of legislative findings and intent. The legisla-  
2     ture finds and declares that the state of New York has the greatest  
3     museums, historical societies, zoos, botanical gardens, aquariums and  
4     cultural arts institutions in the United States, and that these organ-  
5     izations are major tourism and economic drivers with a wealth of ways to  
6     engage children and adults and instill in them a lasting love of learn-  
7     ing.  
8     The legislature finds and declares that museums, historical societies,  
9     zoos, botanical gardens, aquariums and cultural arts institutions  
10    attract millions of visitors each year and provide vitally important  
11    instructional services to the schoolchildren of this state, and that  
12    children, in grades pre-kindergarten through twelve and adults enrolled  
13    in continuing education programs should have broad and equal access to  
14    such services.  
15    The legislature finds that over 1,300 museums, historical societies,  
16    zoos, botanical gardens, aquariums and cultural arts institutions in

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

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1 this state now provide instruction to over six million children, and  
2 that these institutions now receive no direct state support to initiate,  
3 expand and enhance these educational services through access to museum  
4 collections, scholarship and virtual learning.

5 The legislature finds that museums, historical societies, zoos, botan-  
6 ical gardens, aquariums and cultural arts institutions, in collaboration  
7 with teachers and schools, must design new and innovative museum  
8 programs to address such pressing issues as science, anthropology,  
9 history and arts literacy, and under-resourced schools.

10 It is the intent of the legislature that the state provide financial  
11 assistance to museums, zoos, botanical gardens, aquariums and other  
12 cultural institutions so that these major tourist attractions can extend  
13 their uniquely valuable educational resources to the children and life-  
14 long learners of the state.

15 S 2. Short title. This act shall be known and may be cited as the  
16 "museum education act".

17 S 3. The arts and cultural affairs law is amended by adding a new  
18 section 61.15 to read as follows:

19 S 61.15. EDUCATION GRANTS FOR MUSEUMS. 1. THE COMMISSIONER OF EDUCA-  
20 TION SHALL DEVELOP AND IMPLEMENT, WITH CONSULTATION AND INPUT FROM  
21 REPRESENTATIVES FROM THE MUSEUM AND CULTURAL INSTITUTION COMMUNITY, A  
22 MUSEUM EDUCATION GRANT PROGRAM, AND SHALL AWARD, WITHIN THE AMOUNTS  
23 APPROPRIATED FROM THE GENERAL FUND FOR SUCH PURPOSE, COMPETITIVE GRANTS  
24 IN ACCORDANCE WITH THIS SECTION FOR THE PURPOSES OF ESTABLISHING OR  
25 IMPROVING MUSEUM EDUCATION PROGRAMS IN MUSEUMS DESIGNED TO IMPROVE  
26 STUDENT PERFORMANCE IN PUBLIC AND NONPUBLIC ELEMENTARY, MIDDLE AND  
27 SECONDARY SCHOOLS. SUCH GRANTS SHALL BE EXPENDED TO SUPPORT THE  
28 PRODUCTION OF CURRICULA, ACQUISITION OF SPECIALIZED EDUCATIONAL OR  
29 INTERPRETIVE SKILLS, ACQUISITION AND IMPLEMENTATION OF TECHNOLOGY, AND  
30 PREPARATION OF SPECIALIZED EXHIBITION OR PUBLIC PROGRAMS THAT ARE  
31 TAILORED TO ELEMENTARY, MIDDLE AND SECONDARY SCHOOL STUDENTS; THE DEVEL-  
32 OPMENT AND DELIVERY OF CONTINUING EDUCATION PROGRAMS, PROVISION OF  
33 STUDENT TRANSPORTATION; AND OTHER PROGRAMS THAT SUPPORT THE DEVELOPMENT  
34 AND DELIVERY OF CURRICULUM-BASED PROGRAMS IN MUSEUMS WITH COLLECTIONS.

35 2. AS USED IN THIS SECTION, "ELIGIBLE INSTITUTION" SHALL MEAN: (A) A  
36 NONPROFIT INSTITUTION CHARTERED BY THE BOARD OF REGENTS, OR OTHERWISE  
37 INCORPORATED AS A MUSEUM, HISTORICAL SOCIETY, NATURE CENTER, ZOO, BOTAN-  
38 IC GARDEN, ARBORETUM, OR AQUARIUM, OR A PRIVATELY OR MUNICIPALLY OPER-  
39 ATED INSTITUTION THAT MEETS THE APPLICABLE REGISTRATION STANDARDS ESTAB-  
40 LISHED BY THE BOARD OF REGENTS FOR MUSEUMS OR HISTORICAL SOCIETIES WITH  
41 COLLECTIONS; OR

42 (B) A PRIVATE NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATION, INCLUDING  
43 AN INCORPORATED INSTITUTION THE SOLE OR PRIMARY PURPOSE OF WHICH IS THE  
44 SUPPORT OF MUSEUMS, HISTORIC SITES OR HISTORICAL SOCIETIES; EXCEPT THAT  
45 INSTITUTIONS OPERATED BY STATE OR FEDERAL GOVERNMENT AGENCIES SHALL NOT  
46 BE CONSIDERED ELIGIBLE UNDER THIS SECTION.

47 3. THE GOVERNING BODY OR OFFICER OF AN ELIGIBLE INSTITUTION REQUESTING  
48 A GRANT PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION AT SUCH  
49 TIME, IN SUCH FORM AND CONTAINING SUCH INFORMATION, AS THE COMMISSIONER  
50 OF EDUCATION MAY REQUIRE. SUCH COMMISSIONER SHALL ESTABLISH THE CRITERIA  
51 AND STANDARDS BY WHICH APPLICATIONS FOR GRANTS TO BE AWARDED PURSUANT TO  
52 THIS SECTION WILL BE EVALUATED AND GRANTS MADE TO ELIGIBLE INSTITUTIONS.  
53 THE COMMISSIONER OF EDUCATION IS AUTHORIZED TO PROMULGATE REGULATIONS  
54 FOR THE DEVELOPMENT AND SUBMISSION OF APPLICATIONS FOR COOPERATIVE OR  
55 COLLABORATIVE GRANTS, PROVIDED THAT A SINGLE INSTITUTION SERVES AS THE  
56 APPLICANT FOR SUCH A GRANT AND FOR MULTI-YEAR GRANTS.

1 4. THE COMMISSIONER OF EDUCATION SHALL AWARD GRANTS IN AN AMOUNT NOT  
2 TO EXCEED THE ALLOWABLE COSTS OF THE ELIGIBLE INSTITUTION AS DETERMINED  
3 BY SUCH COMMISSIONER, PROVIDED THAT THE ALLOWABLE COSTS FOR MUSEUM  
4 EDUCATION GRANTS SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS PER YEAR  
5 FOR A MAXIMUM OF THREE YEARS. ALLOWABLE COSTS SHALL INCLUDE, BUT NEED  
6 NOT BE LIMITED TO, THE REASONABLE COST OF SALARIES AND FRINGE BENEFITS,  
7 MATERIALS AND EQUIPMENT. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A  
8 MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH  
9 GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET OF BETWEEN TEN  
10 THOUSAND DOLLARS AND ONE HUNDRED FIFTY THOUSAND DOLLARS PER YEAR. THE  
11 COMMISSIONER OF EDUCATION SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE  
12 PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTI-  
13 TUTIONS WITH AN OPERATING BUDGET OF BETWEEN ONE HUNDRED FIFTY-ONE THOU-  
14 SAND DOLLARS AND FIVE HUNDRED THOUSAND DOLLARS PER YEAR. THE COMMISSION-  
15 ER OF EDUCATION WILL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE  
16 AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN  
17 OPERATING BUDGET OF BETWEEN FIVE HUNDRED THOUSAND ONE DOLLARS AND ONE  
18 MILLION DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A  
19 MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH  
20 GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET IN EXCESS OF  
21 ONE MILLION DOLLARS PER YEAR.

22 5. ON OR BEFORE MARCH FIFTEENTH, TWO THOUSAND EIGHTEEN AND ON OR  
23 BEFORE MARCH FIRST OF EACH YEAR THEREAFTER, THE COMMISSIONER OF EDUCA-  
24 TION SHALL SUBMIT TO THE CHAIRS OF THE SENATE FINANCE AND THE ASSEMBLY  
25 WAYS AND MEANS COMMITTEES, AND THE DIRECTOR OF THE BUDGET, A REPORT  
26 DETAILING THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION, THE  
27 EXTENT OF PARTICIPATION BY ELIGIBLE INSTITUTIONS, THE RELATIONSHIP OF  
28 THE PROGRAMS PROVIDED TO SCHOOL CURRICULA, AND THE GEOGRAPHIC DISPERSION  
29 OF FUNDS AND PARTICIPATING INSTITUTIONS.

30 S 4. This act shall take effect one year after it shall have become a  
31 law.