

STATE OF NEW YORK

2622

2019-2020 Regular Sessions

IN ASSEMBLY

January 24, 2019

Introduced by M. of A. PRETLOW -- Multi-Sponsored by -- M. of A. ENGLE-BRIGHT -- read once and referred to the Committee on Libraries and Education Technology

AN ACT to amend the education law and the state finance law, in relation to establishing the "New Century Libraries: Libraries 2019 act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. It is the intent of the legislature to
2 provide the people of New York with access to the information and
3 library services they need today and will need tomorrow by establishing
4 a New Century Libraries Initiative.

5 § 2. This act shall be known and may be cited as the "New Century
6 Libraries: Libraries 2019 act".

7 § 3. Section 271 of the education law, as amended by section 1 of part
8 0 of chapter 57 of the laws of 2005, is amended to read as follows:

9 § 271. Apportionment of state aid to Indian libraries. Any Indian
10 library chartered by the regents or in the absence of such library any
11 tribal government contracting for service from a chartered and regis-
12 tered library or approved library system, shall be entitled to receive
13 state aid during each calendar year consisting of the following amounts:

14 1. [~~Eighteen~~] Nineteen thousand dollars, and

15 2. The sum of [~~eighteen~~] nineteen dollars and [~~twenty~~] twenty-five
16 cents per capita for persons residing on the reservation served by the
17 Indian library or contract as shown by the latest federal census or
18 certified by the New York state director of Indian services, and

19 3. The sum of one dollar and [~~fifty~~] fifty-five cents per acre of area
20 served by the Indian library or contract.

21 Such sums shall be paid annually to the Indian library board of trus-
22 tees for the use of the Indian library, or in the absence of such a
23 board, to the tribal government for a contract for library service.

24 Nothing contained in this section shall be construed to diminish the

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

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1 funds, services or supplies provided to any Indian library by a library
2 system as defined in section two hundred seventy-two of this ~~[article]~~
3 ~~part~~. Increases in appropriations for such purposes during a calendar
4 year shall be pro rated.

5 § 4. Section 273 of the education law, as amended by section 3 of part
6 0 of chapter 57 of the laws of 2005, subdivision 7 as amended by chapter
7 362 of the laws of 2013, subdivision 11 as added by section 3 of part
8 A-5 of chapter 58 of the laws of 2006 and subdivision 12 as amended by
9 section 3 of part A of chapter 58 of the laws of 2011, is amended to
10 read as follows:

11 § 273. Apportionment of state aid to libraries and library systems. 1.
12 Any public library system providing service under an approved plan
13 during a calendar year shall be entitled to receive during that calendar
14 year state aid consisting of the following amounts:

15 a. An annual grant of:

16 (1) Ten thousand ~~five hundred~~ dollars where the library system serves
17 less than one county, or

18 (2) ~~[Twenty]~~ ~~Twenty-one~~ thousand dollars where the library system
19 serves one entire county, or

20 (3) Where the library system serves more than one county the system
21 shall be entitled to receive ~~[twenty-five]~~ ~~twenty-six~~ thousand ~~two~~
22 ~~hundred fifty~~ dollars for each entire county served and/or ten thousand
23 ~~five hundred~~ dollars for each county, any part of which is served by the
24 library system. If an entire county is served by two or more library
25 systems, each of which serves a part thereof, each of such library
26 systems shall be entitled to receive a grant of ten thousand ~~five~~
27 ~~hundred~~ dollars and in addition, a pro rata share of an additional sum
28 of ten thousand ~~five hundred~~ dollars, such share to be computed in
29 accordance with the ratio which the population of the area of the county
30 served by such library system bears to the total population of the coun-
31 ty, as determined under subdivision one of section two hundred seventy-
32 two of this ~~[article]~~ ~~part~~.

33 b. In a library system which submits a plan for further development of
34 its central library, which plan shall be approved by the commissioner in
35 relation to standards for such central libraries, the amount of central
36 library development aid shall be:

37 (1) ~~[thirty-two]~~ ~~thirty-four~~ cents per capita of the population within
38 the chartered area of service of such library system with a minimum
39 amount of one hundred ~~[five]~~ ~~ten~~ thousand ~~two hundred fifty~~ dollars, and

40 (2) an additional ~~[seventy-one]~~ ~~seventy-five~~ thousand ~~[five hundred]~~
41 ~~two hundred fifty~~ dollars to the library system for the purchase of
42 books and materials including nonprint materials, as defined in regu-
43 lations of the commissioner, for its central library. Ownership of
44 library materials and equipment purchased with such central library aid
45 provided by this paragraph shall be vested in the public library system.

46 c. The sum of ~~[ninety-four]~~ ~~ninety-eight and seven-tenths~~ cents per
47 capita of population of the area served.

48 d. (1) An amount equal to the amount by which expenditures by the
49 library system for books, periodicals, binding and nonprint materials
50 during the preceding fiscal year exceeds forty cents per capita of popu-
51 lation of the area served but the total apportionment pursuant to this
52 subparagraph shall not exceed ~~[sixty-eight]~~ ~~seventy-one and four-tenths~~
53 cents per capita of population served. In the first year in which any
54 library system changes its reporting from the calendar year to a fiscal
55 year other than the calendar year, it shall file any additional report-

1 ing schedules deemed necessary by the commissioner for the purpose of
2 determining state aid for the calendar year.

3 (2) Each public library system with an automation program to support
4 bibliographic control and interlibrary sharing of information resources
5 of member libraries, and to coordinate and integrate the automated
6 system or systems of such member libraries consistent with regulations
7 of the commissioner, shall be eligible to receive an amount equal to
8 seven percent of the amount earned in subparagraph one of this para-
9 graph, or ~~[seventy-six]~~ eighty thousand ~~[five]~~ three hundred twenty-five
10 dollars, whichever is more.

11 e. The sum of ~~[fifty-two]~~ fifty-five dollars and twenty-five cents per
12 square mile of area served by the library system in the case of library
13 systems serving one county or less. Such sum shall be increased by five
14 dollars for each additional entire county served, provided, however,
15 that no apportionment pursuant to this paragraph shall exceed ~~[seventy-~~
16 ~~two]~~ seventy-five dollars and twenty-five cents per square mile of area
17 served. If an entire county is served by two or more library systems,
18 each of which serves a part thereof, each of such library systems shall
19 be entitled to receive, in addition to the aid computed in accordance
20 with the foregoing provisions of this paragraph, a pro rata share of an
21 increase of five dollars to be computed as follows: the sum resulting
22 from the computation of five dollars per square mile of area served by
23 the one of such library systems which would receive the largest amount
24 of aid pursuant to this paragraph shall be pro rated among the library
25 systems serving such county in accordance with the ratio which the popu-
26 lation of the area served by each of such library systems bears to the
27 population of the county as determined under subdivision one of section
28 two hundred seventy-two of this ~~[article]~~ part.

29 f. (1) Local library services aid. Except in cities with a population
30 in excess of one million inhabitants, each chartered and registered
31 public and free association library meeting standards of service promul-
32 gated by the commissioner, and each public or free association library
33 serving a city with a population of one hundred thousand or more which
34 merged with the public library system on or before January first, nine-
35 teen hundred seventy-six and which meets standards of service promulgat-
36 ed by the commissioner, shall be eligible to receive annually ~~[thirty-~~
37 ~~one]~~ thirty-two and fifty-five hundredths cents per capita of the
38 population of the library's chartered service area as on file with the
39 commissioner on January first of the calendar year for which aid is
40 payable, or, ~~[thirty-one]~~ thirty-two and fifty-five hundredths cents per
41 capita of the population of the city with a population of one hundred
42 thousand or more whose public or free association library merged with
43 the public library system on or before January first, nineteen hundred
44 seventy-six, with a minimum amount of one thousand five hundred seven-
45 ty-five dollars, except that no library shall receive less than the
46 amount of local library services aid received in two thousand one. Regu-
47 lations of the commissioner shall provide a method for establishing
48 changes in chartered service areas or determining populations thereof.
49 Local library services aid shall be paid to the system for distribution
50 within thirty days of receipt to its member libraries in accordance with
51 this subdivision. Notwithstanding any contrary provisions of this
52 subparagraph, the commissioner shall establish procedures under which a
53 public or free association library may apply for a waiver of the
54 requirements of the standards of service; provided, however, that any
55 such waivers may only be granted in the same year in which the commis-
56 sioner has apportioned a reduction adjustment.

(2) Local services support aid. Except in cities with a population in excess of one million inhabitants, each public library system operating under an approved plan of service shall be eligible to receive annually local services support aid equal to two-thirds of the total dollar amount paid in local library services aid to the member libraries of the system plus ~~[thirty-one]~~ thirty-two and fifty-five hundredths cents per capita of the system's population who do not reside within the chartered service area of a member library.

(3) Local consolidated systems aid. In cities with a population in excess of one million inhabitants, each public library system operating under an approved plan of service shall be eligible to receive annually local consolidated system aid equal to the sum of (i) ~~[thirty-one]~~ thirty-two and fifty-five hundredths cents per capita of the population served by the system, but not less than the amount of local library incentive aid received in nineteen hundred ninety-one as reported on the library's nineteen hundred ninety-one annual report increased by five percent of that amount; and (ii) an additional amount equal to two-thirds of the total dollar amount computed for the system pursuant to clause (i) of this subparagraph.

g. In addition to the sums otherwise provided in ~~[paragraphs a, b, c, d, e, f, h and i of]~~ this subdivision, the New York Public Library shall receive an amount equal to its actual expenditures for books, periodicals and binding for its research libraries which expenditures are not otherwise reimbursed or ~~[seven]~~ eight hundred ~~[sixty-seven]~~ five thousand three hundred fifty dollars, whichever is less, and the additional sum of five million ~~[six]~~ nine hundred ~~[forty-nine]~~ thirty-two thousand ~~[six hundred]~~ eighty dollars for the general support of such research libraries. In addition to any other sums provided to such library, the sum of two million dollars shall be payable annually to the New York Public Library for the general support of library services provided by the New York Public Library to the students of the City University of New York and the sum of one million dollars shall be payable annually to the New York Public Library for the general support of its science, industry and business library.

h. (1) Coordinated outreach services. Each public library system which provides coordinated outreach services, as defined by regulations to be promulgated by the commissioner, to persons who are educationally disadvantaged or who are members of ethnic or minority groups in need of special library services, or who are unemployed and in need of job placement assistance, or who live in areas underserved by a library, or who are blind, physically disabled, have developmental or learning disabilities, or who are aged or confined in institutions, shall be entitled to receive annually ~~[forty-three]~~ forty-five thousand one hundred fifty dollars and ~~[thirteen]~~ fourteen cents per capita of the total population of the area served.

(2) Adult literacy grants. The commissioner shall award annual grants for approved expenses for library-based programs conducted by public library systems and public and free association libraries which are members of a public library system to assist adults to increase their literacy skills. The commissioner shall award such grants having determined that such programs are being operated in direct coordination with local public schools, colleges and other organizations which are operating similar adult literacy programs. Annual state aid of ~~[two]~~ four hundred sixty thousand dollars shall be awarded for grants in accordance with regulations promulgated by the commissioner. Ninety percent of the amount of any such adult literacy grant shall be payable to the library

1 or system upon approval by the department. The final ten percent shall
2 be payable upon completion of the project.

3 (3) Family literacy grants. The commissioner shall award annual grants
4 for approved expenses for library-based family literacy programs for
5 pre-school and school age children and their parents conducted by public
6 library systems and public libraries and free association libraries
7 which are members of a public library system. Annual state aid of
8 ~~[three]~~ six hundred sixty-five thousand dollars for grants shall be
9 awarded in accordance with regulations promulgated by the commissioner.
10 Ninety percent of the amount of any such family literacy grant shall be
11 payable to the library or system upon approval by the department. The
12 final ten percent shall be payable upon completion of the project.

13 i. In addition to any other sums provided for such purposes, the New
14 York Public Library shall receive annually the sum of seven hundred
15 ~~[thirty-four]~~ seventy thousand seven hundred dollars for the program of
16 the Schomburg center for research in black culture, and the additional
17 sum of ~~[nine]~~ one million three hundred ~~[eighty-four]~~ thirty-three thou-
18 sand two hundred dollars for the program of the library for the blind
19 and physically handicapped.

20 j. In addition to any other sums provided to such library, the sum of
21 two hundred ~~[fifty]~~ sixty-two thousand five hundred dollars shall be
22 paid annually to the New York Historical Society for making its library
23 services available to the public.

24 k. In addition to any other sums provided to such library the sum of
25 three hundred ~~[fifty]~~ sixty-seven thousand five hundred dollars shall be
26 payable annually to the Brooklyn Public Library for its business library
27 for each calendar year.

28 l. In addition to any other sums provided to such library, the sum of
29 ~~[fifty]~~ fifty-two thousand five hundred dollars shall be payable annual-
30 ly to the Buffalo and Erie County Public Library for a continuity of
31 service project approved by the commissioner for each calendar year.

32 m. In addition to any other sums provided to such library system, the
33 sum of ~~[thirty]~~ thirty-one thousand five hundred dollars shall be paya-
34 ble annually to the Nassau library system for a continuity of service
35 project approved by the commissioner for each calendar year.

36 n. In addition to any other sum provided in this subdivision, each
37 public library system with an electronic information program consistent
38 with regulations of the commissioner, shall be eligible to receive annu-
39 ally an amount equal to eight and four hundred and thirty-five one thou-
40 sandth percent of the total amount earned under paragraphs a, c, e and
41 subparagraph one of paragraph d and paragraph o of this subdivision. The
42 minimum grant available shall be sixty thousand dollars.

43 o. The minimum annual grant available to a library system under para-
44 graphs a, c and e and subparagraph one of paragraph d of this subdivi-
45 sion shall be ~~[six]~~ seven hundred ~~[seventy-five]~~ ten thousand dollars.

46 p. (1) In calendar year two thousand nineteen and thereafter, each
47 chartered and registered public and free association library meeting
48 standards of service promulgated by the commissioner and serving a city
49 as defined by the federal census shall be eligible to receive annually
50 urban library services aid equal to one dollar per capita of the popu-
51 lation of the city as determined by the latest federal census, provided
52 that in the case of a city having a population of one million or more,
53 such aid shall be determined based on the population of the borough in
54 which the library is located. This annual state aid shall be awarded in
55 accordance with regulations promulgated by the commissioner. Urban
56 library services aid shall be paid to the library system for distrib-

1 ution within thirty days of receipt to its eligible member libraries in
2 accordance with this subdivision.

3 (2) In the event that the sum total of local sponsor support raised by
4 local taxation exclusive of the sum raised for capital expenditures or
5 debt service in the twelve month period, is less than ninety-five per
6 centum of the average of the amounts raised for such purposes by local
7 taxation for the two preceding twelve month periods, the urban library
8 services aid to which such library would otherwise be entitled shall be
9 reduced by the same ratio.

10 (3) The commissioner may waive the requirements of subparagraph two of
11 this paragraph, if the commissioner determines that the application of
12 such subparagraph would result in excessive hardship for the public or
13 free association library brought about by an extraordinary change in a
14 local sponsor's economic condition, loss by a local sponsor of state aid
15 to local governments provided under section fifty-four of the state
16 finance law, or by a natural disaster. The commissioner may grant such a
17 waiver annually.

18 (4) A "local sponsor" shall mean any municipality, a school district
19 or a district as defined in the general municipal law, or any combina-
20 tion thereof.

21 q. (1) In calendar year two thousand nineteen and thereafter, up
22 through and including calendar year two thousand twenty-three, except in
23 cities with a population in excess of one million inhabitants, the
24 commissioner is hereby authorized to expend each year up to seven
25 million dollars for grants to public library systems operating under an
26 approved plan of service and with an approved program for assisting
27 local communities to create and strengthen local public library
28 districts so that all New Yorkers may live within the boundaries of a
29 local public library district. Such grants shall be awarded for a period
30 of three years, shall be determined on the basis of criteria to be
31 developed by the commissioner and shall assist member public and free
32 association libraries in meeting and exceeding standards established by
33 the regents in accordance with section two hundred fifty-four of this
34 part. Notwithstanding any other provision of law to the contrary, any
35 portion of a grant award that remains unexpended at the end of a state
36 fiscal year shall be carried over to the next fiscal year and shall
37 remain available to the library or library system for expenditure for
38 purposes of this paragraph to the extent there is an appropriation
39 available, provided that the term of the grant has not expired. This
40 state aid shall be awarded in accordance with regulations promulgated by
41 the commissioner.

42 (2) The commissioner shall provide grants to eligible public library
43 systems with a program for assisting libraries and communities in creat-
44 ing and strengthening public library districts in the following manner:

45 (a) an amount of one hundred fifty thousand dollars to each eligible
46 public library system in furtherance of the purposes of this paragraph,
47 and

48 (b) an amount up to one dollar per capita of the library system's
49 population who do not reside within the chartered service area of a
50 member library to each eligible public library system in furtherance of
51 the purposes of this paragraph, and

52 (c) the remainder for incentive and enabling grants to public library
53 districts established on or after January first, two thousand eleven or
54 to those public and free association libraries or public library systems
55 with a plan to assist communities to create, reconfigure or strengthen a
56 local public library district.

1 (3) In calendar year two thousand nineteen and thereafter, up through
2 and including calendar year two thousand twenty-three, the New York
3 state library shall be entitled to receive each year the sum of four
4 hundred thousand dollars for the establishment and implementation of a
5 statewide program for assisting public library systems, public and free
6 association libraries and local communities to create and strengthen
7 local public library districts so that all New Yorkers live within the
8 boundaries of a local public library district. Such statewide services
9 may include, but are not limited to technical assistance and training
10 for libraries and library systems, publications, communications and
11 program planning, implementation and evaluation.

12 r. (1) In calendar year two thousand nineteen and thereafter, except
13 in cities as defined by the federal census, the commissioner is hereby
14 authorized to provide grants to strengthen chartered and registered
15 public and free association libraries meeting standards of service
16 promulgated by the commissioner. Each eligible library shall receive
17 thirty-five and seventy-seven one hundredths cents per capita of the
18 population of the library's chartered service area as on file with the
19 commissioner on January first of the calendar year in which aid is paya-
20 ble. This annual state aid shall be awarded in accordance with regu-
21 lations promulgated by the commissioner. Nonurban library services aid
22 shall be paid to the system for distribution within thirty days of
23 receipt to its eligible member libraries in accordance with this subdi-
24 vision.

25 (2) In the event that the sum total of local sponsor support raised by
26 local taxation exclusive of the sum raised for capital expenditures in a
27 twelve month period, is less than ninety-five per centum of the average
28 of the amounts raised for such purposes by local taxation for the two
29 preceding twelve month periods, the nonurban library services aid to
30 which such library would otherwise be entitled shall be reduced by the
31 same ratio.

32 (3) The commissioner may waive the requirements of subparagraph two of
33 this paragraph, if the commissioner determines that the application of
34 such subparagraph would result in excessive hardship for the public or
35 free association library brought about by an extraordinary change in a
36 local sponsor's economic condition, loss by a local sponsor of state aid
37 to local governments provided under section fifty-four of the state
38 finance law, or by a natural disaster. The commissioner may grant such
39 waiver annually.

40 (4) A "local sponsor" shall mean any municipality, a school district
41 or a district as defined in the general municipal law, or any combina-
42 tion thereof.

43 s. (1) In calendar year two thousand nineteen and thereafter, the
44 commissioner is authorized to expend up to ten million dollars annually
45 to provide local library need-based aid grants to chartered and regis-
46 tered public and free association libraries meeting standards of service
47 promulgated by the commissioner and located in economically disadvan-
48 tagged communities. Local library need-based aid would provide matching
49 grants to raise the total local sponsor support raised by local taxation
50 exclusive of the sum raised for capital expenditures and debt service to
51 a total of twenty dollars per capita of the population of the library's
52 chartered service area as on file with the commissioner on January first
53 of the year in which the aid is payable. Such matching grants shall be
54 determined on the basis of need criteria to be developed by the commis-
55 sioner and shall assist those member public and free association
56 libraries designated by the commissioner as serving economically disad-

1 vantaged communities in meeting and exceeding standards established by
2 the regents in accordance with section two hundred fifty-four of this
3 part. This annual state aid shall be awarded in accordance with regu-
4 lations promulgated by the commissioner. This state aid shall be paid
5 to the system for distribution within thirty days of receipt to its
6 eligible member libraries in accordance with this subdivision.

7 (2) In the event that the sum total of local sponsor support raised by
8 local taxation exclusive of the sum raised for capital expenditures in a
9 twelve month period, is less than that provided to the local library in
10 the fiscal year ending in two thousand eighteen, the local library need-
11 based aid to which such library would otherwise be entitled shall be
12 reduced by the same ratio. In the event that the sum total of local
13 sponsor support raised by local taxation exclusive of the sum raised for
14 capital expenditures in a twelve month period, is more than that
15 provided to the local library in the fiscal year ending in two thousand
16 eighteen, the local library need-based state aid to which such library
17 would otherwise be entitled would remain constant.

18 (3) The commissioner may waive the requirements of subparagraph two of
19 this paragraph, if the commissioner determines that the application of
20 such subparagraph would result in excessive hardship for the public or
21 free association library brought about by an extraordinary change in a
22 local sponsor's economic condition, loss by a local sponsor of state aid
23 to local governments provided under section fifty-four of the state
24 finance law, or by a natural disaster. The commissioner may grant such
25 waiver annually.

26 (4) A "local sponsor" shall mean any municipality, a school district,
27 or a district as defined in the general municipal law, or any combina-
28 tion thereof.

29 t. (1) In calendar year two thousand nineteen and thereafter, the
30 commissioner is hereby authorized to expend up to four hundred thousand
31 dollars annually for statewide reading programs coordinated by the New
32 York state library and conducted by the public library systems and
33 public and free association libraries.

34 (2) For the purposes of this subdivision, the commissioner shall
35 provide grants for participation in statewide reading programs to public
36 library systems operating under an approved plan of service. Such grants
37 shall be determined on the basis of criteria to be developed by the
38 commissioner and shall be awarded as follows:

39 (a) an annual base grant of five thousand dollars to each eligible
40 public library system, plus the sum of five cents per school age child
41 based on the total public and nonpublic school enrollment within the
42 geographic area served by the system; and

43 (b) the remainder shall be provided to the New York state library for
44 establishing and coordinating statewide reading programs, which may
45 include contracting with library systems or other libraries to deliver
46 statewide services for this purpose. Such statewide services may
47 include, but shall not be limited to, training, technical assistance to
48 libraries and library systems, publications, communications and program
49 planning and evaluation.

50 2. Within the amounts appropriated therefor moneys paid out pursuant
51 to this section shall be paid out of the state treasury on vouchers
52 certified by the commissioner after audit by and upon the warrant of the
53 comptroller.

54 3. The commissioner may waive the requirement that a public library
55 system serve an entire county to earn the maximum annual grant under
56 subparagraphs two and three of paragraph a of subdivision one of this

1 section and paragraphs b, c, e and h of subdivision one of this section
2 where the commissioner deems reasonable effort has been made by the
3 system to encourage membership by all libraries in the county.

4 4. Reference and research library resources system. a. Any reference
5 and research library resources system providing service under an
6 approved plan during a calendar year shall be entitled to receive annual
7 state aid consisting of an annual grant of [~~two~~] four hundred [~~seventy~~]
8 thirty-five thousand dollars plus the sum of [~~one dollar and fifty~~
9 ~~cents~~] three dollars per square mile of area served plus the sum of
10 [~~six~~] eleven and seven hundredths cents per capita of the population of
11 the area served. Each system may annually appropriate funds received
12 under this provision to obtain matching funds from the National Endow-
13 ment for the Humanities in the United States Newspaper Program. The
14 annual amount payable to each approved system under this paragraph shall
15 be payable on or before July first, provided that, upon receipt of annu-
16 al system activity reports satisfactory to the commissioner, the commis-
17 sioner shall determine the amount of any under- or overpayments and
18 shall apply such adjustment to the next annual payment due such system.

19 b. [~~The commissioner is hereby authorized to expend up to five hundred~~
20 ~~six thousand dollars annually in each state fiscal year to provide~~
21 ~~formula grants to approved reference and research library resources~~
22 ~~systems for provision of consumer health and medical information~~
23 ~~services for all types of libraries and library systems. Such grants~~
24 ~~shall assist libraries in providing access to timely and accurate~~
25 ~~medical and health information for medical personnel and for the general~~
26 ~~public. In addition to any other sum provided in this subdivision, each~~
27 ~~reference and research library resources system providing service under~~
28 ~~an approved plan with a consumer health and medical library information~~
29 ~~services program for all types of libraries and library systems shall be~~
30 ~~eligible to receive an annual formula grant. Such formula grants shall~~
31 ~~be determined on the basis of criteria to be prescribed by the commis-~~
32 ~~sioner.~~] In addition to any other sum provided in this subdivision, each
33 reference and research library resources system providing service under
34 an approved plan with an electronic information program consistent with
35 regulations of the commissioner, shall be eligible to receive annually
36 an amount equal to thirty-two and five-tenths percent of the amount
37 earned in paragraph a of this subdivision.

38 c. In addition to any other sum provided in this subdivision, each
39 reference and research library resources system providing service under
40 an approved plan with a consumer health and medical library information
41 services program for all types of libraries and library systems shall be
42 eligible to receive an annual base grant of twenty-five thousand dollars
43 plus the sum of one and seven hundred three thousandths cents per capita
44 of the population of the area served. The commissioner shall provide the
45 annual amount payable to each approved system under this paragraph in
46 the following manner:

47 (1) Funds shall be available to each reference and research library
48 resources system in such manner as to insure that the ratio of the
49 amount each system is eligible to receive equals the weighted ratio of
50 the total number of institutions as defined in subparagraph two of this
51 paragraph in the region served by the system to the total number of such
52 institutions in the state.

53 (2) For the purposes of determining the amount of funds available to
54 each system, institutions and their weightings are as follows:

55 (i) not-for-profit hospitals licensed by the New York state health
56 department, with a weighting of two;

1 (ii) for-profit teaching hospitals licensed by the New York state
2 health department, with an additional weighting of one; and
3 (iii) member institutions of a reference and research library
4 resources system, excluding public and hospital libraries, with a
5 weighting of one.

6 ~~[e-]~~ d. (1) The commissioner is hereby authorized to expend up to
7 ~~[one]~~ two million ~~[three]~~ four hundred ~~[ninety-six]~~ sixty-six thousand
8 dollars in each state fiscal year to provide formula grants to approved
9 reference and research library resources systems for provision of
10 services to member hospital libraries in not-for-profit hospitals
11 licensed by the New York state health department, or to member libraries
12 serving such hospitals. Such formula grants shall be determined on the
13 basis of criteria to be developed by the commissioner and shall assist
14 member hospital libraries or member libraries serving hospitals in meet-
15 ing the standards established by the regents in accordance with section
16 two hundred fifty-four of this ~~[article]~~ part. Such formula grants
17 shall support integration of member hospital libraries or member
18 libraries serving hospitals into existing networks.

19 (2) The commissioner shall provide grants to the reference and
20 research library resources systems in the following manner:

21 (a) an amount equal to ~~[seventy-five cents]~~ two dollars per square
22 mile of area served by the reference and research library resource
23 system in furtherance of the purposes of this paragraph, and

24 (b) the remainder for library services to hospitals in accordance with
25 regulations of the commissioner adopted for such purpose.

26 5. Coordinated collection development program for public and nonprofit
27 independent colleges and universities.

28 a. Libraries of public and nonprofit independent colleges and univer-
29 sities are entitled to receive annual funding for a coordinated
30 collection development grant if they meet the following conditions:

31 (1) Membership in a reference and research library resources system,

32 (2) Their resources are made available to the public, through full
33 participation in the interlibrary loan and other resource sharing
34 programs of the reference and research library resources system of which
35 they are members, and

36 (3) They meet the requirements set forth in regulations adopted by the
37 commissioner including but not confined to

38 (a) maintenance of effort,

39 (b) relationships between reference and research library resources
40 systems' programs and the regional higher education master plan,

41 (c) submission of interlibrary loan statistics, and such other reports
42 as may be required by the commissioner.

43 b. Public and nonprofit independent colleges and universities with
44 libraries which meet the criteria of paragraph a of this subdivision are
45 eligible for annual grants as follows:

46 (1) Four thousand ~~[four]~~ six hundred twenty dollars for each institu-
47 tion, and

48 (2) One dollar and ~~[four]~~ nine and two-tenths cents for each full-time
49 equivalent student enrolled in each qualifying institution, in the
50 academic year completed prior to the state fiscal year. For purposes of
51 this section, a full-time equivalent shall be calculated as follows:

52 (i) one full-time undergraduate student shall be considered one full-
53 time equivalent student;

54 (ii) one part-time undergraduate student shall be considered one-third
55 of a full-time equivalent student;

1 (iii) one part-time graduate student shall be considered one full-time
2 equivalent student; and

3 (iv) one full-time graduate student shall be considered one and one-
4 half of a full-time equivalent student.

5 c. Funds for the support of this program shall be appropriated to the
6 department, except that funds for the state-operated institutions of the
7 state university of New York and the senior colleges of the city univer-
8 sity of New York, shall be appropriated to the state university of New
9 York out of any moneys in the state treasury in the general fund to the
10 credit of the state purposes fund not otherwise appropriated, and funds
11 shall be appropriated to the city university of New York out of any
12 moneys in the state treasury in the general fund to the credit of the
13 local assistance fund not otherwise appropriated, and shall be subject
14 to the same distribution formula as provided in paragraph b of this
15 subdivision.

16 d. The New York state library shall be entitled to receive annually
17 the sum of six hundred thousand dollars for the establishment and imple-
18 mentation of a program of statewide access to electronic information by
19 public and nonprofit independent colleges and universities with
20 libraries which meet the criteria of paragraph a of this subdivision.

21 6. Regional bibliographic data bases and interlibrary resources shar-
22 ing. a. The commissioner shall award annually to each of the approved
23 nine reference and research library resources systems, from funds appro-
24 priated by the legislature for an annual grant for an automation program
25 (i) to support bibliographic control and interlibrary sharing of infor-
26 mation resources among all types of libraries and library systems in an
27 area not less than that of a reference and research library resources
28 system, and (ii) to coordinate and integrate the automated systems of
29 the component member public library system or systems, school library
30 system or systems and other automated systems within the area of the
31 reference and research library resources system. Each reference and
32 research library resources system of such region shall be entitled to an
33 annual grant of two hundred ten thousand dollars plus the sum of two and
34 one-tenth cents per capita of the population served.

35 b. To be eligible for a grant, each reference and research library
36 resources system shall meet the requirements set forth in regulations
37 adopted by the commissioner which shall include standards relating to
38 library automation, continuous development of the data base, and updat-
39 ing, access and linking of the data base programs. Each reference and
40 research library resources system shall include in its approved plan of
41 service a description of a regional library automation program, which
42 shall include all library systems in the region that are members of the
43 reference and research library resources system.

44 7. Conservation and preservation of library research materials. a. The
45 commissioner shall award in any state fiscal year, an annual formula
46 grant of one hundred [~~fifty-eight~~] sixty-five thousand seven hundred
47 dollars for a program of conservation and/or preservation of library
48 research materials to each of the following comprehensive research
49 libraries: Columbia university libraries, Cornell university libraries,
50 New York state library, New York university libraries, university of
51 Rochester libraries, Syracuse university libraries, the research
52 libraries of the New York public library, state university of New York
53 at Albany library, state university of New York at Binghamton library,
54 state university of New York at Buffalo library, and state university of
55 New York at Stony Brook library.

b. To be eligible for such formula grants, each such comprehensive research library must submit both a five-year plan and an annual program budget. The plan must satisfy criteria to be established by the commissioner in regulations relating to the identification of library research materials, the need for their preservation, and the means of their conservation.

c. Other agencies and libraries, as defined in regulations promulgated by the commissioner, which are not eligible for funding under paragraph a of this subdivision, may receive separate grants the sum of which shall not exceed five hundred thousand dollars in any state fiscal year to support the preservation and/or conservation of unique library research materials. Such agencies and libraries shall submit project proposals. Approval of such project proposals, and determination of funding level, shall be based upon, but not limited to, factors such as: the research value of materials to be preserved and/or conserved; appropriateness of conservation and preservation techniques in accordance with statewide planning and national standards; institutional capacity for successful completion of the project, including facilities, experience, and technical expertise; availability of staff with appropriate training and expertise; contribution of the institution to the project in matching funds and staff resources; and the volume of interlibrary lending and access to holdings by the public. Ninety percent of each such grant shall be payable upon approval by the department and the remaining ten percent shall be payable upon project completion.

d. Funds made available under the provisions of this section may be used by comprehensive research libraries and other agencies eligible for funding to obtain matching funds from the national endowment for the humanities preservation program and other federal programs.

e. The commissioner shall establish an office for coordination of conservation and/or preservation of library research materials to identify the conservation and/or preservation needs of libraries within the state, to assess the technology available for such conservation and preservation, and to coordinate the conservation and preservation efforts resulting from this legislation. The New York state library shall be entitled to receive annually the sum of fifty thousand dollars for coordination of conservation and/or preservation efforts resulting from this legislation.

8. New York state talking book and braille library. The New York state talking book and braille library shall be entitled to receive annually an amount equal to the product of the aid ceiling multiplied by the number of registered borrowers of such materials of such library as of the November report for the November immediately preceding the state fiscal year for which the payment will be made. Such amount shall be used to improve the quality of services provided to such borrowers. For aid payable in each state fiscal year, the aid ceiling per registered borrower shall be ~~nineteen~~ twenty-seven dollars. Notwithstanding any other provision of law, the New York state talking book and braille library shall be the successor in interest to the New York state library for the blind and visually handicapped for all purposes, or the library for the blind and physically handicapped, and the change in name shall not affect the rights or interests of any party. Except where the context indicates a contrary intent, any reference in any other general or special law to the New York state library for the blind and visually handicapped or the library for the blind and physically handicapped shall be deemed a reference to the New York state talking book and braille library.

1 9. New York online virtual electronic library. The New York state
2 library shall be entitled to receive annually the sum of five million
3 dollars for the establishment and implementation of a statewide New York
4 online virtual electronic library for the people of the state. Of such
5 amount at least four million five hundred thousand dollars shall be made
6 available for statewide access to electronic information by New Yorkers,
7 which may include contracting with library systems or other libraries to
8 deliver statewide services for this purpose; and five hundred thousand
9 dollars shall be made available for strengthening statewide library
10 services that support the development and maintenance of the statewide
11 digital library and electronic access to information. Such statewide
12 services may include, but shall not be limited to, training, help desk
13 support, technical assistance to libraries and library systems, publica-
14 tions, communications, and program planning and evaluation.

15 10. Digitization of library research materials. In addition to any
16 other sums provided for such purposes, the commissioner shall annually
17 award grants for competitive digitization projects conducted by a
18 library system or library, which is a member of a library system.
19 Grants shall be provided for the period commencing July first and ending
20 on the following June thirtieth. Annual state aid of one million dollars
21 for grant awards, including up to fifty thousand dollars to the New York
22 state library for the review of project proposals submitted by libraries
23 or library systems, including peer review, shall be allocated for this
24 purpose. Applications for grants by member libraries must be endorsed by
25 the library system. Such grants shall be awarded on the basis of project
26 proposals in accordance with project proposal guidelines. Criteria for
27 approval of such proposals and determination of funding levels shall be
28 based upon, but not limited to, such factors as:

29 a. the project is being operated by the applicant in direct coordi-
30 nation with one or more of the following institutions: another library,
31 a library system, local public school, a college or university, local
32 government or any other not-for-profit organization providing education,
33 cultural and information services to the community or to the people of
34 the state;

35 b. institutional commitment on the part of the applicant to the devel-
36 opment of a coordinated approach to digitization of materials important
37 to the people of the state;

38 c. appropriateness of planning in relation to national standards or
39 best practices and statewide planning; the project's impact on access to
40 holdings and information by the public;

41 d. contribution of the applicant institution to the project in match-
42 ing funds and staff resources; and institutional capacity for successful
43 completion of the project including facilities, experience, technical
44 capacity and expertise.

45 11. New York state library research collections. In addition to any
46 other sums provided for such purposes, the New York state library shall
47 receive annually for strengthening its research collections an amount
48 equal to six hundred thousand dollars.

49 12. State aid for a coordinated program of library and archival
50 services at The Center for Jewish History, Inc. a. In addition to any
51 other sums provided to The Center for Jewish History, Inc., the commis-
52 sioner shall award in any state fiscal year an annual grant of two
53 hundred thousand dollars for a coordinated program of library and
54 archival services that will increase public access to the library and
55 archival collections of The Center for Jewish History, Inc. and its
56 member institutions.

b. The Center for Jewish History, Inc. is hereby admitted to the University of the State of New York and shall, as a condition of continued receipt of aid, maintain such status in accordance with regulations of the commissioner. Such regulations may include submission of a five-year plan and annual program budget.

~~[10-]~~ 13. State aid for summer reading programs. The commissioner is hereby authorized to expend the funds of the love your library fund, established in section ninety-nine-l of the state finance law, as added by chapter 303 of the laws of 2004, which shall provide grants for participation in statewide summer reading programs as coordinated by the state library to public library systems on the basis of criteria to be developed by the commissioner. Upon a determination by the commissioner that there is adequate revenue available for a grant program in the upcoming fiscal year, grants shall be awarded as follows:

a. sixty percent of the funds appropriated pursuant to this section shall be made available to public library systems for use by member libraries by the commissioner in such manner as to insure that the ratio of the amount received within each system to the whole of the aid made available pursuant to this paragraph is no greater than the ratio of the population served by such system to the population of the state; and

b. forty percent of the funds appropriated pursuant to this section shall be made available to library systems for use by their member libraries within each system by the commissioner in such manner as to insure that an equal amount is received within each system in the state.

~~[11-]~~ 14. Notwithstanding any other provision of law to the contrary, each year commencing with the two thousand six calendar year, no library or library system shall receive less aid pursuant to this section or section two hundred seventy-one or two hundred seventy-two of this part than it would have been eligible to receive for the two thousand one calendar year solely by reason of a decrease in the population of the area served as a result of the latest approved federal census.

~~[12-]~~ 15. The commissioner is hereby authorized to expend funds annually for formula grants to public library systems, reference and research library resources systems, and school library systems operating under an approved plan of service. Such formula grants shall be provided for the period commencing July first and ending on June thirtieth next following. Such formula grants will be distributed in the following manner:

a. Each public library system established pursuant to sections two hundred fifty-five and two hundred seventy-two of this part and operating under a plan approved by the commissioner is entitled to receive annually thirty-nine thousand dollars and an amount equal to ten and ninety-four hundredths percent of the amount of state aid received for the current year by such system under paragraphs a, c, d, e and ~~[A]~~ g of subdivision one of this section;

b. Each reference and research library resources system established pursuant to section two hundred seventy-two of this part and operating under a plan approved by the commissioner is entitled to receive annually thirty-nine thousand dollars and an amount equal to ten and ninety-four hundredths percent of the amount of state aid received for the current year under paragraph a of subdivision four of this section; and

c. Each school library system established pursuant to section two hundred eighty-two of this part and operating under a plan approved by the commissioner is entitled to receive annually thirty-nine thousand dollars and an amount equal to ten and ninety-four hundredths percent of the amount of state aid received for the current year by such system

1 under paragraphs a, b, c~~[d, e]~~ and ~~[f]~~ d of subdivision one of section
2 two hundred eighty-four of this part.

3 § 5. Section 284 of the education law, as amended by section 5 of part
4 0 of chapter 57 of the laws of 2005 and paragraph f of subdivision 1 as
5 amended by chapter 654 of the laws of 2007, is amended to read as
6 follows:

7 § 284. State aid for school library systems. 1. Each school library
8 system established pursuant to section two hundred eighty-two of this
9 part and operating under a plan approved by the commissioner shall be
10 eligible to receive funding under this section consisting of the follow-
11 ing amounts:

12 a. Each school library system with a public and nonpublic school
13 enrollment of less than ~~[one]~~ five hundred thousand students shall
14 receive a base grant of ~~[eighty-three]~~ one hundred twenty-five thousand
15 dollars;

16 b. ~~[Each school library system with a public and nonpublic school~~
17 ~~enrollment of one hundred thousand students but less than two hundred~~
18 ~~thousand students shall receive a base grant of ninety thousand dollars;~~

19 c. ~~Each school library system with a public and nonpublic school~~
20 ~~enrollment of two hundred thousand students but less than five hundred~~
21 ~~thousand students shall receive a base grant of one hundred twenty-three~~
22 ~~thousand dollars; and~~

23 ~~d.]~~ Each school library system with a public and nonpublic school
24 enrollment of more than five hundred thousand students shall receive a
25 base grant of eight hundred ninety-seven thousand dollars~~[-];~~

26 ~~[e-]~~ c. In addition to the base grant provided in paragraph a~~[,]~~ or
27 ~~b[, c or d]~~ of this subdivision, each school library system shall
28 receive annually:

29 (1) ~~[twenty-nine]~~ seventy-five cents per student enrolled in the
30 public and nonpublic schools located within such system, and

31 (2) ~~[five]~~ six hundred dollars per public school district located
32 within such system, and a minimum of ~~[four]~~ five thousand ~~[three~~
33 ~~hundred]~~ dollars per system located within a board of cooperative educa-
34 tional services area, or ~~[five]~~ six thousand dollars per city school
35 district of a city with a population of one hundred twenty-five thousand
36 inhabitants or more, and

37 (3) ~~[two]~~ five dollars ~~[and forty-five cents]~~ per square mile of the
38 school library system~~[-];~~

39 ~~[f-]~~ d. In addition to any other sum provided in this subdivision, any
40 school library system formed through an act of merger since January
41 first, nineteen hundred eighty-four shall receive fifty thousand dollars
42 annually for each approved act of merger, provided, however, that any
43 school library system formed through an act of merger on or after April
44 first, two thousand eight shall receive ninety thousand dollars annually
45 for each approved act of merger~~[-]; and~~

46 ~~[g-]~~ e. In addition to any other sum provided in this subdivision,
47 each school library system with an electronic information program
48 consistent with the regulations of the commissioner shall be eligible to
49 receive annually an ~~[automation grant amounting]~~ amount equal to ~~[ten]~~
50 thirty-eight percent of the total aid produced for that system by adding
51 the base grant provided by paragraph a~~[,]~~ or b~~[, c or d]~~ of this subdivi-
52 sion to the additional aid provided by paragraphs ~~[e and f]~~ c and d of
53 this subdivision.

54 2. Before a school library system shall be entitled to receive operat-
55 ing funds, such system shall submit a plan of library service to the
56 commissioner for approval. The commissioner shall establish standards of

1 service for school library systems by regulation. Such regulations shall
2 contain standards relating to: system staffing; union catalog and data-
3 base development; interlibrary loan; communications and delivery; gover-
4 nance and advisory committees; membership criteria and the means of
5 relating district library resources and programs to those of the system;
6 non-public school participation; and procedures for submission and
7 approval of plans and certification of membership.

8 3. The moneys made available pursuant to this section shall be
9 distributed to each school library system whose plan of service has been
10 approved under the provisions of subdivision two of this section.

11 4. Each school library system receiving state aid pursuant to this
12 section shall furnish such information regarding its library service as
13 the commissioner may from time to time require to determine whether it
14 is operating in accordance with its plan and the standards of service
15 the commissioner has established. The commissioner may at any time after
16 affording notice and an opportunity to be heard, revoke approval of a
17 plan of library service if the commissioner finds that the school
18 library system no longer conforms to its approved plan, the provisions
19 of this section or the regulations promulgated by the commissioner here-
20 under; or, in the case of provisional approval, if such school library
21 system no longer conforms to the agreement, plans or conditions upon
22 which such provisional approval was based. In such case a school library
23 system shall not thereafter be entitled to state aid pursuant to this
24 section unless and until its plan of library service is again approved
25 by the commissioner.

26 § 6. Section 285 of the education law, as amended by section 6 of part
27 0 of chapter 57 of the laws of 2005, is amended to read as follows:

28 § 285. State aid for cooperation with correctional facilities. 1. Each
29 public library system operating under an approved plan of service which
30 has a state correctional facility or facilities within its area of
31 service shall be awarded an annual grant of nine dollars [~~twenty-five~~
32 seventy cents per capita for the inmate population of such facility or
33 facilities to make available to the inmate population of such facility
34 or facilities, in direct coordination with the correctional facilities
35 libraries, the library resources of such system. The commissioner shall
36 adopt any regulations necessary to carry out the purposes and provisions
37 of this subdivision.

38 2. The commissioner is authorized to expend up to one hundred [~~seven-~~
39 ~~ty-five thousand~~] eighty-three thousand seven hundred fifty dollars
40 annually to provide grants to public library systems operating under an
41 approved plan of service for provision of services to county jail facil-
42 ities. Such formula grants shall assist the library system in making
43 available to the inmate population of such facility or facilities the
44 library resources of such system. Such grants shall be available to each
45 public library system in such manner as to insure that the ratio of the
46 amount each system is eligible to receive equals the ratio of the number
47 of inmates served by the county jail facility to the total number of
48 inmates served by county jail facilities in the state as of July first
49 of the year preceding the calendar year in which the state aid to public
50 library systems is to be paid. Inmate populations shall be certified by
51 the New York state commission of correction. The commissioner shall
52 adopt any regulations necessary to carry out the purposes and provisions
53 of this subdivision.

54 § 7. The education law is amended by adding a new section 286 to read
55 as follows:

§ 286. State aid for New York excellence in library services program.
1. In state fiscal year two thousand nineteen--two thousand twenty and thereafter, the commissioner is hereby authorized to expend each year up to two million dollars for grants to public library systems, reference and research library resources systems and school library systems operating under an approved plan of service and with an approved program of excellence in library services, in order to achieve higher quality library service for all New Yorkers. Such grants shall be determined on the basis of criteria to be developed by the commissioner and shall assist member libraries and districts in meeting and exceeding standards of excellence established by the regents. Grants shall be provided for the period commencing July first and ending on June thirtieth next following. The state aid shall be awarded in accordance with regulations promulgated by the commissioner.

2. The commissioner shall provide grants to eligible public library systems, reference and research library resources systems and school library systems for programs of excellence in the following manner:

a. An amount of six hundred fifty thousand dollars for public library systems established pursuant to sections two hundred fifty-five and two hundred seventy-two of this part and operating under a plan approved by the commissioner. Funds shall be available to each system in such manner as to insure that the ratio of the state aid for programs of excellence shall not exceed the ratio of state aid received by each system under paragraphs a, c, d, e and o of subdivision one of section two hundred seventy-three of this part;

b. An amount of four hundred fifty thousand dollars for reference and research library resources systems established pursuant to section two hundred seventy-two of this part and operating under a plan approved by the commissioner. Funds shall be available to each system in such manner as to insure that the ratio of the state aid for programs of excellence shall not exceed the ratio of state aid received by such system under paragraph a of subdivision four of section two hundred seventy-three of this part; and

c. An amount of six hundred fifty thousand dollars for school library systems established pursuant to section two hundred eighty-two of this part and operating under a plan approved by the commissioner. Funds shall be available to each system in such manner as to insure that the ratio of the state aid for programs of excellence shall not exceed the ratio of state aid received by each system under paragraphs a, b, c and d of subdivision one of section two hundred eighty-four of this part.

3. In the state fiscal year two thousand nineteen--two thousand twenty and thereafter, the New York state library shall be entitled to receive each year the sum of two hundred fifty thousand dollars for the establishment and implementation of a statewide program of excellence in library services for library systems and the member libraries and districts of such systems. Such statewide services may include, but are not limited to technical assistance and training for libraries and library systems, publications, communications and program planning, implementation and evaluation.

§ 8. Subdivision 3 of section 99-1 of the state finance law, as added by chapter 303 of the laws of 2004, is amended to read as follows:

3. Moneys of the fund, following appropriation by the legislature shall be expended only for the purposes of providing funding for the statewide summer reading program set forth in subdivision ~~ten~~ thirteen of section two hundred seventy-three of the education law. Moneys shall be paid out of the fund on the audit and warrant of the state comp-

1 troller on vouchers approved and certified by the commissioner of educa-
2 tion. Any interest received by the comptroller on moneys on deposit in
3 the love your library fund shall be retained in and become part of such
4 fund.

5 § 9. This act shall take effect April 1, 2019; provided that in the
6 event this act shall have become a law after such date, this act shall
7 take effect immediately and shall be deemed to have been in full force
8 and effect on and after April 1, 2019, and provided further that for the
9 purposes of computing the apportionments of calendar year state aid,
10 grants or other financial assistance to libraries and library systems
11 for the 2019 calendar year, this act shall take effect immediately and
12 shall be deemed to have been in full force and effect on and after Janu-
13 ary 1, 2019.