

STATE OF NEW YORK

6511

2021-2022 Regular Sessions

IN SENATE

May 4, 2021

Introduced by Sen. RYAN -- (at request of the State Education Department) -- read twice and ordered printed, and when printed to be committed to the Committee on Libraries

AN ACT to amend the education law, in relation to state aid eligibility for library construction, and to streamline and modernize certain library aid formulas and program requirements

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

1 Section 1. Subdivision 1 of section 273-a of the education law, as
2 amended by chapter 120 of the laws of 2020, is amended to read as
3 follows:
4 1. State aid shall be provided for up to fifty percent of the total
5 project approved costs, excluding feasibility studies, plans or similar
6 activities, for projects for the installation and infrastructure of
7 broadband services, and for the acquisition of vacant land and the
8 acquisition, construction, renovation or rehabilitation, including
9 leasehold improvements, of buildings of public libraries and library
10 systems chartered by the regents of the state of New York or established
11 by act of the legislature subject to the limitations provided in subdi-
12 vision six of this section and upon approval by the commissioner, except
13 that state aid may be provided for up to seventy-five percent of the
14 total project approved costs for buildings of public libraries that are
15 located in an economically disadvantaged community and that state aid
16 may be provided for up to ninety percent of the total project approved
17 costs for buildings of public libraries that are located in an econom-
18 ically distressed community. Provided however that the state liability
19 for aid paid pursuant to this section shall be limited to funds appro-
20 priated for such purpose. Aid shall be provided on approved expenses
21 incurred during the period commencing July first and ending June thirti-
22 eth for up to [~~three~~ **four**] years, or until the project is completed,
23 whichever occurs first. Provided, however, that public libraries that

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

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received aid for projects pursuant to this section commencing July first, two thousand seventeen through July first, two thousand nineteen and are unable to complete such projects due to the state disaster emergency declared pursuant to executive order number two hundred two of two thousand twenty, as amended, shall be provided an additional twelve months from the statutory project end date to complete such projects. Fifty percent of such aid shall be payable to each system or library upon approval of the application by the department. Forty percent of such aid shall be payable in the next state fiscal year. The remaining ten percent shall be payable upon project completion.

§ 2. Subdivision 1 of section 273-a of the education law, as separately amended by chapters 381 and 389 of the laws of 2019, is amended to read as follows:

1. State aid shall be provided for up to fifty percent of the total project approved costs, excluding feasibility studies, plans or similar activities, for projects for the installation and infrastructure of broadband services, and for the acquisition of vacant land and the acquisition, construction, renovation or rehabilitation, including leasehold improvements, of buildings of public libraries and library systems chartered by the regents of the state of New York or established by act of the legislature subject to the limitations provided in subdivision six of this section and upon approval by the commissioner, except that state aid may be provided for up to seventy-five percent of the total project approved costs for buildings of public libraries that are located in an economically disadvantaged community and that state aid may be provided for up to ninety percent of the total project approved costs for buildings of public libraries that are located in an economically distressed community. Provided however that the state liability for aid paid pursuant to this section shall be limited to funds appropriated for such purpose. Aid shall be provided on approved expenses incurred during the period commencing July first and ending June thirtieth for up to ~~three~~ four years, or until the project is completed, whichever occurs first. Fifty percent of such aid shall be payable to each system or library upon approval of the application by the department. Forty percent of such aid shall be payable in the next state fiscal year. The remaining ten percent shall be payable upon project completion.

§ 3. Section 273 of the education law, as amended by section 3 of part 0 of chapter 57 of the laws of 2005, subdivision 7 as amended by chapter 362 of the laws of 2013, subdivision 11 as added by section 3 of part A5 of chapter 58 of the laws of 2006, and subdivision 12 as amended by section 3 of part A of chapter 58 of the laws of 2011, is amended to read as follows:

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

a. An annual grant of:

(1) Ten thousand dollars where the library system serves less than one county, or

(2) Twenty thousand dollars where the library system serves one entire county, or

(3) Where the library system serves more than one county the system shall be entitled to receive twenty-five thousand dollars for each entire county served and/or ten thousand dollars for each county, any part of which is served by the library system. If an entire county is

1 served by two or more library systems, each of which serves a part thereof, each of such library systems shall be entitled to receive a grant of ten thousand dollars and in addition, a pro rata share of an additional sum of ten thousand dollars, such share to be computed in accordance with the ratio which the population of the area of the county served by such library system bears to the total population of the county, as determined under subdivision one of section two hundred seventy-two of this article.

9 b. In a library system which submits a plan for further development of ~~[its central library]~~ and access to central library services, which plan shall be approved by the commissioner ~~[in relation to standards for such central libraries]~~ pursuant to the commissioner's regulations, the amount of central library ~~[development]~~ services aid shall be:

14 (1) thirty-two cents per capita of the population within the chartered area of service of such library system with a minimum amount of one hundred five thousand dollars, and

17 (2) an additional seventy-one thousand five hundred dollars ~~[to the library system for the purchase of books and materials including nonprint materials, as defined in regulations of the commissioner, for its central library]~~.

21 (3) Ownership of library materials and equipment purchased with such central library services aid provided by this paragraph shall be vested in the public library system.

24 c. The sum of ~~[ninety-four]~~ one dollar and sixty-two cents per capita of population of the area served.

26 d. ~~[(1) An amount equal to the amount by which expenditures by the library system for books, periodicals, binding and nonprint materials during the preceding fiscal year exceeds forty cents per capita of population of the area served but the total apportionment pursuant to this subparagraph shall not exceed sixty-eight cents per capita of population served. In the first year in which any library system changes its reporting from the calendar year to a fiscal year other than the calendar year, it shall file any additional reporting schedules deemed necessary by the commissioner for the purpose of determining state aid for the calendar year.]~~

36 (2) Each public library system with an automation program to support bibliographic control and interlibrary sharing of information resources of member libraries, and to coordinate and integrate the automated system or systems of such member libraries consistent with regulations of the commissioner, shall be eligible to receive an amount equal to ~~[seven]~~ two and nine hundred thirty-eight thousandths percent of the amount earned in ~~[subparagraph one of this]~~ paragraph (c) of this subdivision, or seventy-six thousand five hundred dollars, whichever is more.

44 e. The sum of fifty-two dollars per square mile of area served by the library system in the case of library systems serving one county or less. Such sum shall be increased by five dollars for each additional entire county served, provided, however, that no apportionment pursuant to this paragraph shall exceed seventy-two dollars per square mile of area served. If an entire county is served by two or more library systems, each of which serves a part thereof, each of such library systems shall be entitled to receive, in addition to the aid computed in accordance with the foregoing provisions of this paragraph, a pro rata share of an increase of five dollars to be computed as follows: the sum resulting from the computation of five dollars per square mile of area served by the one of such library systems which would receive the largest amount of aid pursuant to this paragraph shall be pro rated among

1 the library systems serving such county in accordance with the ratio
2 which the population of the area served by each of such library systems
3 bears to the population of the county as determined under subdivision
4 one of section two hundred seventy-two of this article.

5 f. (1) Local library services aid. Except in cities with a population
6 in excess of one million inhabitants, each chartered and registered
7 public and free association library meeting standards of service promul-
8 gated by the commissioner, and each public or free association library
9 serving a city with a population of one hundred thousand or more which
10 merged with the public library system on or before January first, nine-
11 teen hundred seventy-six and which meets standards of service promulgat-
12 ed by the commissioner, shall be eligible to receive annually thirty-one
13 cents per capita of the population of the library's chartered service
14 area as on file with the commissioner on January first of the calendar
15 year for which aid is payable, or, thirty-one cents per capita of the
16 population of the city with a population of one hundred thousand or more
17 whose public or free association library merged with the public library
18 system on or before January first, nineteen hundred seventy-six, with a
19 minimum amount of one thousand five hundred dollars, except that no
20 library shall receive less than the amount of local library services aid
21 received in two thousand one. Regulations of the commissioner shall
22 provide a method for establishing changes in chartered service areas or
23 determining populations thereof. Local library services aid shall be
24 paid to the system for distribution within thirty days of receipt to its
25 member libraries in accordance with this subdivision. Notwithstanding
26 any contrary provisions of this subparagraph, the commissioner shall
27 establish procedures under which a public or free association library
28 may apply for a waiver of the requirements of the standards of service;
29 provided, however, that any such waivers may only be granted in the same
30 year in which the commissioner has apportioned a reduction adjustment.

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

38 (3) Local consolidated systems aid. In cities with a population in
39 excess of one million inhabitants, each public library system operating
40 under an approved plan of service shall be eligible to receive annually
41 local consolidated system aid equal to the sum of (i) thirty-one cents
42 per capita of the population served by the system, but not less than the
43 amount of local library incentive aid received in nineteen hundred nine-
44 ty-one as reported on the library's nineteen hundred ninety-one annual
45 report; and (ii) an additional amount equal to two-thirds of the total
46 dollar amount computed for the system pursuant to clause (i) of this
47 subparagraph.

48 g. In addition to the sums otherwise provided in paragraphs a, b, c,
49 d, e, f, h and i of this subdivision, the New York Public Library shall
50 receive ~~[an amount equal to its actual expenditures for books, period-~~
51 ~~icals and binding for its research libraries which expenditures are not~~
52 ~~otherwise reimbursed or seven hundred sixty seven thousand dollars,~~
53 ~~whichever is less, and the additional sum of five million six hundred~~
54 ~~forty-nine thousand]~~ six million four hundred sixteen thousand six
55 hundred dollars for the general support of ~~[such]~~ its research
56 libraries. In addition to any other sums provided to such library, the

1 sum of two million dollars shall be payable annually to the New York
2 Public Library for the general support of library services provided by
3 the New York Public Library to the students of the City University of
4 New York and the sum of one million dollars shall be payable annually to
5 the New York Public Library for the general support of its science,
6 industry and business library.

7 h. (1) Coordinated outreach services. Each public library system which
8 provides coordinated outreach services, as defined by regulations to be
9 promulgated by the commissioner, to persons who are educationally disad-
10 vantaged or who are members of ethnic or minority groups in need of
11 special library services, or who are unemployed and in need of job
12 placement assistance, or who live in areas underserved by a library, or
13 who are blind, physically disabled, have developmental or learning disa-
14 bilities, or who are aged or confined in institutions, or who are
15 at-risk youth from birth to age twenty-one, shall be entitled to receive
16 annually forty-three thousand dollars and thirteen cents per capita of
17 the total population of the area served.

18 (2) ~~[Adult literacy grants. The commissioner shall award annual grants~~
19 ~~for approved expenses for library-based programs conducted by public~~
20 ~~library systems and public and free association libraries which are~~
21 ~~members of a public library system to assist adults to increase their~~
22 ~~literacy skills. The commissioner shall award such grants having deter-~~
23 ~~mined that such programs are being operated in direct coordination with~~
24 ~~local public schools, colleges and other organizations which are operat-~~
25 ~~ing similar adult literacy programs. Annual state aid of two hundred~~
26 ~~thousand dollars shall be awarded for grants in accordance with regu-~~
27 ~~lations promulgated by the commissioner. Ninety percent of the amount of~~
28 ~~any such adult literacy grant shall be payable to the library or system~~
29 ~~upon approval by the department. The final ten percent shall be payable~~
30 ~~upon completion of the project.~~

31 (3) ~~Family literacy grants. The commissioner shall award annual grants~~
32 ~~for approved expenses for library-based family literacy programs for~~
33 ~~pre-school and school age children and their parents conducted by public~~
34 ~~library systems and public libraries and free association libraries~~
35 ~~which are members of a public library system. Annual state aid of three~~
36 ~~hundred thousand dollars for grants shall be awarded in accordance with~~
37 ~~regulations promulgated by the commissioner. Ninety percent of the~~
38 ~~amount of any such family literacy grant shall be payable to the library~~
39 ~~or system upon approval by the department. The final ten percent shall~~
40 ~~be payable upon completion of the project.]~~ In addition, each system
41 serving a population of two million inhabitants or more shall receive an
42 additional amount of forty-six thousand three hundred thirty-three
43 dollars and each system serving a population of four hundred thousand
44 inhabitants and less than two million inhabitants shall receive an addi-
45 tional amount of twenty-three thousand dollars and each system serving a
46 population of less than four hundred thousand inhabitants shall receive
47 an additional amount of fourteen thousand dollars.

48 i. In addition to any other sums provided for such purposes, the New
49 York Public Library shall receive annually the sum of seven hundred
50 thirty-four thousand dollars for the program of the Schomburg center for
51 research in black culture, and the additional sum of nine hundred eight-
52 y-four thousand dollars for the program of the library for the blind and
53 physically handicapped.

54 j. In addition to any other sums provided to such library, the sum of
55 two hundred fifty thousand dollars shall be paid annually to the New

1 York Historical Society for making its library services available to the
2 public.

3 k. In addition to any other sums provided to such library the sum of
4 three hundred fifty thousand dollars shall be payable annually to the
5 Brooklyn Public Library for its business library for each calendar year.

6 l. In addition to any other sums provided to such library, the sum of
7 fifty thousand dollars shall be payable annually to the Buffalo and Erie
8 County Public Library for a continuity of service project approved by
9 the commissioner for each calendar year.

10 m. In addition to any other sums provided to such library system, the
11 sum of thirty thousand dollars shall be payable annually to the Nassau
12 library system for a continuity of service project approved by the
13 commissioner for each calendar year.

14 n. The minimum annual grant available to a library system under para-
15 graphs a, c and e [~~and subparagraph one of paragraph d~~] of this subdivi-
16 sion shall be six hundred seventy-five thousand dollars.

17 2. Within the amounts appropriated therefor moneys paid out pursuant
18 to this section shall be paid out of the state treasury on vouchers
19 certified by the commissioner after audit by and upon the warrant of the
20 comptroller.

21 3. The commissioner may waive the requirement that a public library
22 system serve an entire county to earn the maximum annual grant under
23 subparagraphs two and three of paragraph a of subdivision one of this
24 section and paragraphs b, c, e and h of subdivision one of this section
25 where the commissioner deems reasonable effort has been made by the
26 system to encourage membership by all libraries in the county.

27 4. Reference and research library resources system. a. (1) Any refer-
28 ence and research library resources system providing service under an
29 approved plan during a calendar year shall be entitled to receive annual
30 state aid consisting of an annual grant of:

31 [~~two~~] (i) Two hundred seventy thousand dollars plus the sum of one
32 dollar and fifty cents per square mile of area served plus the sum of
33 six cents per capita of the population of the area served[~~-~~]; and

34 (ii) Two hundred thousand dollars plus the sum of two cents per capita
35 of the population of the area served.

36 (2) Each system may annually appropriate funds received under this
37 [~~provision~~] subdivision to obtain matching funds from the National
38 Endowment for the Humanities [~~in the United States Newspaper Program~~]
39 and other federal programs.

40 (3) The annual amount payable to each approved system under this para-
41 graph shall be payable on or before July first, provided that, upon
42 receipt of annual system activity reports satisfactory to the commis-
43 sioner, the commissioner shall determine the amount of any under- or
44 overpayments and shall apply such adjustment to the next annual payment
45 due such system.

46 b. The commissioner is hereby authorized to expend up to five hundred
47 six thousand dollars annually in each state fiscal year to provide
48 formula grants to approved reference and research library resources
49 systems for provision of consumer health and medical information
50 services for all types of libraries and library systems. Such grants
51 shall assist libraries in providing access to timely and accurate
52 medical and health information for medical personnel and for the general
53 public. In addition to any other sum provided in this subdivision, each
54 reference and research library resources system providing service under
55 an approved plan with a consumer health and medical library information
56 services program for all types of libraries and library systems shall be

1 eligible to receive an annual formula grant. Such formula grants shall
2 be determined on the basis of criteria to be prescribed by the commis-
3 sioner. The commissioner shall provide the annual amount payable to each
4 approved system under this paragraph in the following manner:

5 (1) Funds shall be available to each reference and research library
6 resources system in such manner as to insure that the ratio of the
7 amount each system is eligible to receive equals the weighted ratio of
8 the total number of institutions as defined in subparagraph two of this
9 paragraph in the region served by the system to the total number of such
10 institutions in the state.

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

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

15 (ii) for-profit teaching hospitals licensed by the New York state
16 health department, with an additional weighting of one; and

17 (iii) member institutions of a reference and research library
18 resources system, excluding public and hospital libraries, with a
19 weighting of one.

20 c. (1) The commissioner is hereby authorized to expend up to one
21 million three hundred ninety-six thousand dollars in each state fiscal
22 year to provide formula grants to approved reference and research
23 library resources systems for provision of services to member hospital
24 libraries in not-for-profit hospitals licensed by the New York state
25 health department, or to member libraries serving such hospitals. Such
26 formula grants shall be determined on the basis of criteria to be devel-
27 oped by the commissioner and shall assist member hospital libraries or
28 member libraries serving hospitals in meeting the standards established
29 by the regents in accordance with section two hundred fifty-four of this
30 article. Such formula grants shall support integration of member hospi-
31 tal libraries or member libraries serving hospitals into existing
32 networks.

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

35 (a) an amount equal to seventy-five cents per square mile of area
36 served by the reference and research library resource system in further-
37 ance of the purposes of this paragraph, and

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

40 5. Coordinated collection development program for public and nonprofit
41 independent colleges and universities.

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

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

46 (2) Their resources are made available to the public, through full
47 participation in the interlibrary loan and other resource sharing
48 programs of the reference and research library resources system of which
49 they are members, and

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

52 (a) maintenance of effort,

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

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

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

(1) Four thousand four hundred dollars for each institution, and

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

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

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

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

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

c. Funds for the support of this program shall be appropriated to the department, except that funds for the state-operated institutions of the state university of New York and the senior colleges of the city university of New York, shall be appropriated to the state university of New York out of any moneys in the state treasury in the general fund to the credit of the state purposes fund not otherwise appropriated, and funds shall be appropriated to the city university of New York out of any moneys in the state treasury in the general fund to the credit of the local assistance fund not otherwise appropriated, and shall be subject to the same distribution formula as provided in paragraph b of this subdivision.

~~6. [Regional bibliographic data bases and interlibrary resources sharing. a. The commissioner shall award annually to each of the approved nine reference and research library resources systems, from funds appropriated by the legislature for an annual grant for an automation program (i) to support bibliographic control and interlibrary sharing of information resources among all types of libraries and library systems in an area not less than that of a reference and research library resources system, and (ii) to coordinate and integrate the automated systems of the component member public library system or systems, school library system or systems and other automated systems within the area of the reference and research library resources system. Each reference and research library resources system of such region shall be entitled to an annual grant of two hundred thousand dollars plus the sum of two cents per capita of the population served.~~

~~b. To be eligible for a grant, each reference and research library resources system shall meet the requirements set forth in regulations adopted by the commissioner which shall include standards relating to library automation, continuous development of the data base, and updating, access and linking of the data base programs. Each reference and research library resources system shall include in its approved plan of service a description of a regional library automation program, which shall include all library systems in the region that are members of the reference and research library resources system.~~

~~7.]~~ Conservation and preservation of library research materials. a. The commissioner shall award in any state fiscal year, an annual formula grant of one hundred fifty-eight thousand dollars for a program of conservation and/or preservation of library research materials to each of the following comprehensive research libraries: Columbia university libraries, Cornell university libraries, New York state library, New

1 York university libraries, university of Rochester libraries, Syracuse
2 university libraries, the research libraries of the New York public
3 library, state university of New York at Albany library, state universi-
4 ty of New York at Binghamton library, state university of New York at
5 Buffalo library, and state university of New York at Stony Brook
6 library.

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

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

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

35 e. The commissioner shall establish an office for coordination of
36 conservation and/or preservation of library research materials to iden-
37 tify the conservation and/or preservation needs of libraries within the
38 state, to assess the technology available for such conservation and
39 preservation, and to coordinate the conservation and preservation
40 efforts resulting from this legislation.

41 ~~[8-]~~ 7. New York state talking book and braille library. The New York
42 state talking book and braille library shall be entitled to receive
43 annually an amount equal to the product of the aid ceiling multiplied by
44 the number of registered borrowers of such materials of such library as
45 of the November report for the November immediately preceding the state
46 fiscal year for which the payment will be made. Such amount shall be
47 used to improve the quality of services provided to such borrowers. For
48 aid payable in each state fiscal year, the aid ceiling per registered
49 borrower shall be nineteen dollars. Notwithstanding any other provision
50 of law, the New York state talking book and braille library shall be the
51 successor in interest to the New York state library for the blind and
52 visually handicapped for all purposes, or the library for the blind and
53 physically handicapped, and the change in name shall not affect the
54 rights or interests of any party. Except where the context indicates a
55 contrary intent, any reference in any other general or special law to
56 the New York state library for the blind and visually handicapped or the

1 library for the blind and physically handicapped shall be deemed a
2 reference to the New York state talking book and braille library.

3 ~~[9-]~~ 8. State aid for a coordinated program of library and archival
4 services at The Center for Jewish History, Inc. a. In addition to any
5 other sums provided to The Center for Jewish History, Inc., the commis-
6 sioner shall award in any state fiscal year an annual grant of two
7 hundred thousand dollars for a coordinated program of library and
8 archival services that will increase public access to the library and
9 archival collections of The Center for Jewish History, Inc. and its
10 member institutions.

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

16 ~~[10-]~~ 9. State aid for summer reading programs. The commissioner is
17 hereby authorized to expend the funds of the love your library fund,
18 established in section ninety-nine-1 of the state finance law, which
19 shall provide grants for participation in statewide summer reading
20 programs as coordinated by the state library to public library systems
21 on the basis of criteria to be developed by the commissioner. Upon a
22 determination by the commissioner that there is adequate revenue avail-
23 able for a grant program in the upcoming fiscal year, grants shall be
24 awarded as follows:

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

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

35 ~~[11-]~~ 10. Notwithstanding any other provision of law to the contrary,
36 each year commencing with the two thousand six calendar year, no library
37 or library system shall receive less aid pursuant to this section or
38 section two hundred seventy-one or two hundred seventy-two of this part
39 than it would have been eligible to receive for the two thousand one
40 calendar year solely by reason of a decrease in the population of the
41 area served as a result of the latest approved federal census.

42 ~~[12-]~~ 11. The commissioner is hereby authorized to expend funds annu-
43 ally for formula grants to public library systems, reference and
44 research library resources systems, and school library systems operating
45 under an approved plan of service. Such formula grants shall be provided
46 for the period commencing July first and ending on June thirtieth next
47 following. Such formula grants will be distributed in the following
48 manner:

49 a. Each public library system established pursuant to sections two
50 hundred fifty-five and two hundred seventy-two of this part and operat-
51 ing under a plan approved by the commissioner is entitled to receive
52 annually thirty-nine thousand dollars and an amount equal to ten and
53 ninety-four hundredths percent of the amount of state aid received for
54 the current year by such system under paragraphs a, c, d, e and n of
55 subdivision one of this section;

1 b. Each reference and research library resources system established
2 pursuant to section two hundred seventy-two of this part and operating
3 under a plan approved by the commissioner is entitled to receive annual-
4 ly thirty-nine thousand dollars and an amount equal to ten and ninety-
5 four hundredths percent of the amount of state aid received for the
6 current year under clause (i) of subparagraph one of paragraph a of
7 subdivision four of this section; and

8 c. Each school library system established pursuant to section two
9 hundred eighty-two of this part and operating under a plan approved by
10 the commissioner is entitled to receive annually thirty-nine thousand
11 dollars and an amount equal to ten and ninety-four hundredths percent of
12 the amount of state aid received for the current year by such system
13 under paragraphs a, b, c, d, e and f of subdivision one of section two
14 hundred eighty-four of this part.

15 § 4. This act shall take effect April 1, 2021; provided, however, if
16 this act shall become a law after such date it shall take effect imme-
17 diately and shall be deemed to have been in full force and effect on and
18 after April 1, 2021; provided, that the amendments to subdivision 1 of
19 section 273-a of the education law made by section one of this act shall
20 be subject to the expiration and reversion of such subdivision pursuant
21 to section 2 of chapter 498 of the laws of 2011, as amended, when upon
22 such date the provisions of section two of this act shall take effect;
23 and provided, further, that sections one and two of this act shall be
24 deemed to have been in full force and effect on and after April 1, 2020.