**§ 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 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.

b. In a library system which submits a plan for further development of and access to central library services, which plan shall be approved by the commissioner pursuant to the commissioner's regulations, the amount of central library services aid shall be:

(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

(2) an additional seventy-one thousand five hundred dollars.

(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.

c. The sum of one dollar and sixty-two cents per capita of population of the area served.

d. 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 two and nine hundred thirty-eight thousandths percent of the amount earned in paragraph (c) of this subdivision, or seventy-six thousand five hundred dollars, whichever is more.

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

f. (1) Local library services aid. Except in cities with a population in excess of one million inhabitants, each chartered and registered public and free association library meeting standards of service promulgated by the commissioner, and each public or free association library serving a city with a population of one hundred thousand or more which merged with the public library system on or before January first, nineteen hundred seventy-six and which meets standards of service promulgated by the commissioner, shall be eligible to receive annually thirty-one cents per capita of the population of the library's chartered

service area as on file with the commissioner on January first of the calendar year for which aid is payable, or, thirty-one cents per capita of the population of the city with a population of one hundred thousand or more whose public or free association library merged with the public library system on or before January first, nineteen hundred seventy-six, with a minimum amount of one thousand five hundred dollars, except that no library shall receive less than the amount of local library services aid received in two thousand one. Regulations of the commissioner shall provide a method for establishing changes in chartered service areas or determining populations thereof. Local library services aid shall be paid to the system for distribution within thirty days of receipt to its member libraries in accordance with this subdivision. Notwithstanding any contrary provisions of this subparagraph, the commissioner shall establish procedures under which a public or free association library may apply for a waiver of the requirements of the standards of service; provided, however, that any such waivers may only be granted in the same year in which the commissioner 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 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 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; 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 six million four hundred sixteen thousand six hundred dollars for the general support of its 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, or who are at-risk youth from birth to age twenty-one, shall be entitled to receive annually forty-three thousand dollars and thirteen cents per capita of the total population of the area served.

(2) In addition, each system serving a population of two million inhabitants or more shall receive an additional amount of forty-six thousand three hundred thirty-three dollars and each system serving a population of four hundred thousand inhabitants and less than two million inhabitants shall receive an additional amount of twenty-three thousand dollars and each system serving a population of less than four hundred thousand inhabitants shall receive an additional amount of fourteen thousand dollars.

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

j. In addition to any other sums provided to such library, the sum of

two hundred fifty thousand dollars shall be paid annually to the New York Historical Society for making its library services available to the public.

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

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

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

n. The minimum annual grant available to a library system under paragraphs a, c and e of this subdivision shall be six hundred seventy-five thousand dollars.

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

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

4. Reference and research library resources system. a. (1) Any reference and research library resources system providing service under an approved plan during a calendar year shall be entitled to receive

annual state aid consisting of an annual grant of:

(i) Two hundred seventy thousand dollars plus the sum of one dollar and fifty cents per square mile of area served plus the sum of six cents per capita of the population of the area served; and

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

(2) Each system may annually appropriate funds received under this subdivision to obtain matching funds from the National Endowment for the Humanities and other federal programs.

(3) The annual amount payable to each approved system under this paragraph shall be payable on or before July first, provided that, upon receipt of annual system activity reports satisfactory to the commissioner, the commissioner shall determine the amount of any under- or overpayments and shall apply such adjustment to the next annual payment due such system.

b. The commissioner is hereby authorized to expend up to five hundred six thousand dollars annually in each state fiscal year to provide formula grants to approved reference and research library resources systems for provision of consumer health and medical information services for all types of libraries and library systems. Such grants shall assist libraries in providing access to timely and accurate medical and health information for medical personnel and for the general public. In addition to any other sum provided in this subdivision, each reference and research library resources system providing service under an approved plan with a consumer health and medical library information services program for all types of libraries and library systems shall be eligible to receive an annual formula grant. Such formula grants shall be determined on the basis of criteria to be prescribed by the commissioner. The commissioner shall provide the annual amount payable to each approved system under this paragraph in the following manner:

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

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

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

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

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

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

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

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

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

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

a. Libraries of public and nonprofit independent colleges and universities are entitled to receive annual funding for a coordinated collection development grant if they meet the following conditions:

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

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

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

(a) maintenance of effort,

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

(c) submission of interlibrary loan statistics, and such other reports 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. Conservation and preservation of library research materials. a. The commissioner shall award in any academic 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 York university libraries, university of Rochester libraries, Syracuse university libraries, the research libraries of the New York public library, state university of New York at Albany library, state university of New York at Binghamton library, state university of New York at Buffalo library, and state university of 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 academic 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.

7. 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 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.

8. State aid for a coordinated program of library and archival services at The Center for Jewish History, Inc. a. In addition to any other sums provided to The Center for Jewish History, Inc., the commissioner shall award in any state fiscal year an annual grant of two hundred thousand dollars for a coordinated program of library and archival services that will increase public access to the library and archival collections of The Center for Jewish History, Inc. and its 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.

9. 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, 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.

10. 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.

11. 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 n 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 clause (i) of subparagraph one of 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 under paragraphs a, b, c, d, e and f of subdivision one of section two hundred eighty-four of this part.