NYLA 2018 Legislative Session Recap

The 2018 Legislative Session gavelled out on June 20th, as legislators, advocates, and political operatives turned their focus to dissecting the Session that was. Together with library advocates from across New York State, NYLA met this challenging session head-on, and once again emerged with several crucial victories:

- we turned back the Governor’s proposed cuts to two core programs; we secured record funding for the Library Construction Aid program;
- our push for increased focus on the upcoming census resulted in at least one seat on the NYS 2020 Complete Count Commission; and,
- our targeted advocacy around the legislature’s grants-in-aid programs (“Bullet Aid”) facilitated record funding to a record number of libraries.

With great pride in our community’s strong and successful advocacy efforts, I submit this report on the 2018 NYS Legislative Session.

NYS Budget for FY2018-19

Governor Cuomo’s Executive Budget proposed substantial, across-the-board funding cuts to hundreds of state programs, including State Library Aid ($4M cut) and State Library Construction Aid ($10M cut). Through our advocacy efforts, we successfully reversed the Governor’s proposed cuts, and secured increased funding for both programs. Further, our concerted, years-long efforts to connect local libraries to the legislature’s grants-in-aid programs (“bullet aid”) resulted in record funding of nearly $6M. Total appropriations for libraries and library services this year’s enacted state budget and companion legislative resolutions for targeted aid will provide nearly $137M, record single-year funding. This includes approximately $16.9M in new funding for libraries -- the second largest single-year increase in state aid.

- **State Library Aid** $96.6M, +$1M
  
  Funding for the State Library Aid program will be $96.6M in FY2018-19, a $1M increase over last year; this is the program’s largest appropriation in a decade, and the third-largest appropriation in the program’s history.

- **State Library Construction Aid** $34M, +$10M
  
  Funding for the State Library Construction Aid program will be $34M in FY2018-19, a $10M increase over last year; this is the largest appropriation in the program’s history, and the third consecutive year of record appropriations following a decade of stagnant funding. We should be particularly proud of this victory:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Prior Year’s Funding</th>
<th>Proposed Executive Budget</th>
<th>Enacted Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2015-16</td>
<td>$14M</td>
<td>$14M</td>
<td>$14M</td>
</tr>
<tr>
<td>FY2016-17</td>
<td>$14M</td>
<td>$14M</td>
<td>$19M</td>
</tr>
<tr>
<td>FY2017-18</td>
<td>$19M</td>
<td>$14M</td>
<td>$24M</td>
</tr>
<tr>
<td>FY2018-19</td>
<td>$24M</td>
<td>$14M</td>
<td>$34M</td>
</tr>
</tbody>
</table>
Senate & Assembly “Bullet Aid” for Libraries and Library Systems
This year’s budget continued the Senate & Assembly’s grants-in-aid programs, or “Bullet Aid” in Albany parlance. This program pool is available to “certain school districts, public libraries, and not-for-profit institutions.”

Senate Resolution 5101 provided nearly $4.4M in aid to 665 recipients; this represents a highwater mark for number of recipients, and percentage of available funds awarded:

<table>
<thead>
<tr>
<th>Year</th>
<th>Recipients</th>
<th>Total Received</th>
<th>Total Available</th>
<th>% Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>422</td>
<td>$2,565m</td>
<td>$19,050m</td>
<td>13.5%</td>
</tr>
<tr>
<td>2015</td>
<td>460</td>
<td>$3,692m</td>
<td>$15,500m</td>
<td>23.8%</td>
</tr>
<tr>
<td>2016</td>
<td>541</td>
<td>$4,915m</td>
<td>$24,995m</td>
<td>19.7%</td>
</tr>
<tr>
<td>2017</td>
<td>583</td>
<td>$3,745m</td>
<td>$18,579m</td>
<td>20.2%</td>
</tr>
<tr>
<td>2018</td>
<td>665</td>
<td>$4,393m</td>
<td>$17,848m</td>
<td>24.6%</td>
</tr>
</tbody>
</table>

Assembly Resolutions 1424 & 1425, provided more than $1.58M to 63 recipients; this nearly quadruples last year’s funding, to twice the number of recipients.

NYLA Legislative Priorities
NYLA’s legislative priorities are devised by the Legislative Committee and NYLA Council, and set multi-year advocacy goals to benefit each library type. Recent successes have allowed us to focus on more complex, politically difficult issues.

- **Ensure Access to School Libraries and School Librarians** - [A.6023 Solages](#)
  This legislation would require every elementary and secondary school in NYS to provide students with a school library staffed by a certified School Library Media Specialist. Assemblymember Solages continues to champion this legislation despite opposition from other stakeholders, including the NYS School Boards Association & NYS Council of School Superintendents. NYLA, SLSA, and SSL will continue to educate the legislature on this issue and develop the best strategy to advance this important bill.

- **Equitable Access to Public Library Construction Aid Program** - [S.8289B Ritchie/A.10836B Barrett](#)
  This legislation would amend the Public Library Construction Aid law to provide awards of up to 90% of total approved costs for capital projects of libraries located in economically distressed communities; current law provides awards of up to 75% for such projects. This legislation would also make permanent the 75/25 match language and provide a 2025 sunset date for the 90/10 match provision. Currently, the 75/25 match provision requires reauthorization every five years, and is next due to expire in March 2020. This bill unanimously passed the Assembly during the final days of session, but failed to make its way to the Senate floor, despite the Senate including the 90/10 amendment in its one-house budget bills. We will continue targeting the Senate in the event the Governor calls them back.

- **Taxpayer Access to Publicly-Funded Research (TAPR)** - [S.8731 Ritchie](#)
  This legislation would require any New York State-funded research that is published in peer-reviewed journals to be made publicly available online after one year. This bill would bring NYS
in line with the federal standards employed by the National Institute of Health, and the State of California. This bill has faced concerted opposition for several years, which has intensified.

**NYLA-Monitored Legislation**

During each legislative session, NYLA monitors and works on additional legislation that will impact the library community.

- **Centralized Procurement System for Materials & Services** – S.6424A Ritchie / A.7265A Abinanti
  This legislation would authorize the NYS Office of General Services (OGS), in consultation with the State Library, to establish a comprehensive, centralized system to coordinate procurement of books, non-print library materials, and related ancillary services. The legislation explicitly permits SUNY & CUNY to make purchases through the system as an alternative to institutions individually contracting with vendors for print and nonprint materials. *This legislation passed both houses and is waiting to be sent to the Governor; it potentially faces opposition from OGS, and its fate is uncertain.*

- **Application of Net Neutrality Principles to ISPs** – A.8882C Fahy / S.7183C Carlucci
  This legislation would provide the NYS Public Service Commission (PSC) with authority to monitor the practices of ISPs, and restricts state and municipal entities—including public and association libraries—from contracting for broadband internet service with ISPs which have not been certified by the PSC as being in compliance with Net Neutrality principles. *This legislation passed the Assembly largely along party lines but failed to make it out of committee in the Senate.* Governor Cuomo issued a related *Executive Order* in January, though it does not extend to libraries.

- **Prohibits Smoking Within 100ft of Library Entrances/Exits** – S.169B Rivera / A.330B Dinowitz
  This legislation prohibits smoking (including “vaping” & “e-cigarettes”) within 100 feet of the entrances, exits or outdoor areas of any public or association library, and requires the posting of signage to that effect. *This bill has passed both houses and is waiting to be sent to the Governor; we expect this will become law, and it will take effect 180 days after its signed.* Public libraries have been a glaring omission from the *long list of places* in which smoking is prohibited, particularly after elementary and secondary schools were added in 2012.

**Keeping the Fires Burning**

As New York’s library community continues to successfully navigate the political and fiscal challenges in our evolving fight to provide equitable access to libraries and library services for all New Yorkers, we must not lose sight of the stark reality that our challenges will not become fewer, and our fight will not lessen. We must be unrelenting. We must aggressively marshal every resource at our disposal to protect libraries’ unique role as defenders of equality, access, civics, privacy, intellectual freedom, opportunity, and education for all. Our core principles remain under direct attack from an amorphous, evolving enemy. We must continuously and honestly assess whether we are positioned to confront our adversaries in the battles yet to come, because make no mistake—our most difficult days lay ahead.