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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO LIBRARIES -- OFFICE OF LIBRARY AND INFORMATION SERVICES --
STATE AID TO LIBRARIES

Introduced By: Senators Gallo, Goodwin, and McCaffrey

Date Introduced: February 18, 2021

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 29-3.1-2.2 of the General Laws in Chapter 29-3.1 entitled "Office of
2 Library and Information Services" is hereby amended to read as follows:

3 **29-3.1-2.2. Library board of Rhode Island established.**

4 (a) There is hereby created the library board of Rhode Island, sometimes hereinafter
5 referred to as the "library board". The library board shall be protected from sudden changes in
6 membership and reversal of policy by having staggered terms for its public members, and is hereby
7 made successor to all powers, rights, duties, and privileges pertaining to public library services and
8 interlibrary cooperation and resource sharing.

9 (b) The library board shall consist of fifteen (15) members appointed by the governor, with
10 the advice and consent of the senate, five (5) of whom shall be representative of general library
11 users. The remainder of the governor's appointments shall be representative of the following:

12 (1) Users of the Talking Books ~~Plus~~ [Library](#), the economically disadvantaged, and
13 corporate or special librarians; school library media specialists;

14 (2) Librarians serving people who are institutionalized;

15 (3) Public library trustees and statewide library advocacy group; and

16 (4) Librarians from small public libraries, librarians from large or medium public libraries,
17 and academic librarians.

18 (c) The commissioner for elementary and secondary education, or a designee, and the

1 commissioner for higher education, or a designee, shall serve as nonvoting ex officio members.

2 (d) The governor shall appoint from the library board's public members a chairperson. The
3 board may elect from among its members such other officers as it deems necessary.

4 (e) Board members shall receive no compensation for their services but shall be allowed
5 travel expenses related to attendance at board meetings.

6 (f) No person shall be eligible for appointment to the board unless he or she is a resident
7 of this state.

8 (g) Members of the board shall be removable by the governor pursuant to the provisions
9 of § 36-1-7 and for cause only, and removal solely for partisan or personal reasons unrelated to
10 capacity or fitness for the office shall be unlawful.

11 SECTION 2. Sections 29-6-2, 29-6-3, 29-6-6 and 29-6-9 of the General Laws in Chapter
12 29-6 entitled "State Aid to Libraries" are hereby amended to read as follows:

13 **29-6-2. Public library services.**

14 (a) For each city or town, the state's share to support local public library services shall be
15 equal to at least twenty-five percent (25%) of both the amount appropriated and expended in the
16 second preceding fiscal year by the city or town from local tax revenues and funds from the public
17 library's private endowment that supplement the municipal appropriation; provided, however, the
18 state in any year shall not be obligated to match any amount from the endowment that exceeds six
19 percent (6%) of the three-year (3) average market value, calculated at the end of the calendar year,
20 of the investments in the endowment. The amount of the grant payable to each municipality in any
21 year in accordance with this section shall be reduced proportionately in the event that the total of
22 those grants in any year exceeds the amount appropriated that year for the purposes of this section.

23 ~~Provided further, however, that the reference year for the state's share of support to be paid in the~~
24 ~~year ending June 30, 2008 shall be the third preceding year.~~

25 ~~(b) Those public libraries that do not qualify for aid pursuant to the provisions of subsection~~
26 ~~(a) of this section may apply for resource sharing grants, to be used exclusively for the purpose of~~
27 ~~payment of the ocean state libraries (OSL) annual assessment charges. Eligible public libraries shall~~
28 ~~apply directly to the office of library and information services for these resource sharing grants,~~
29 ~~and the grants shall be awarded to the libraries individually, rather than to the city or town. Eligible~~
30 ~~libraries must be or become members of the OSL upon receipt of the grant, serve municipalities~~
31 ~~that meet minimum standards for Rhode Island public libraries, and meet standards for member~~
32 ~~libraries of the library of Rhode Island (LORI) network.~~

33 ~~(c) Provided, that notwithstanding any other provisions of this chapter to the contrary, the~~
34 ~~state's share to support local public library services shall also include funding to the Pontiac Free~~

1 ~~Library in the city of Warwick for said library's participation in the ocean state libraries (OSL).~~
2 ~~Such funding shall be provided regardless of whether the city of Warwick appropriates funds from~~
3 ~~local tax revenues to said library. The amount of said state support shall be equal to the average of~~
4 ~~the amount appropriated by the city of Warwick to each library in said municipality for participation~~
5 ~~in the OSL program, in accordance with the provisions of and formulas set forth in subsection (a).~~
6 ~~Provided, further, that in the event the city of Warwick appropriates funds from local tax revenues~~
7 ~~for the Pontiac Free Library, then the amount of the state's share to said library shall be calculated~~
8 ~~in accordance with the provisions of subsection (a) for any year in which such calculation is~~
9 ~~applicable.~~

10 **29-6-3. Eligibility requirements -- Municipalities.**

11 (a) To qualify for state aid under § 29-6-2, a city or town shall:

12 (1) Appropriate from local tax revenues an amount not less than the amount appropriated
13 the previous year from local tax revenues and expended for library operating expenses, ~~except in~~
14 ~~the fiscal years ending June 30, 2009 and June 30, 2010, during which the amount appropriated~~
15 ~~from local tax revenues is not less than eighty percent (80%) of the amount appropriated from the~~
16 ~~previous year from local tax revenues and expended for library operating systems.~~ The
17 appropriation would exclude any state funds received for public library services. Any funds
18 received from the state shall not be used to supplant funds from local tax revenues;

19 (2) In the case of a city or town having more than one free public library therein, submit or
20 cause to be submitted to the office of library and information services a plan for the allotment or
21 division of the proposed state aid among the free public libraries in the city or town. The plan shall
22 be developed by agreement among the free public libraries of the city or town;

23 (3) Submit or cause to be submitted to the office of library and information services
24 evidence that free public libraries in the city or town meet standards of service as set forth in
25 regulations to be made by the chief of library services pursuant to the provisions of chapter 3.1 of
26 this title or that the regulations are inappropriate for that library;

27 (4) Submit or cause to be submitted a plan describing how the public library or libraries
28 plan to address one or more of the priorities established by the office of library and information
29 services.

30 (b) The chief of library services upon application and for cause shown may authorize an
31 annual grant-in-aid under § 29-6-2, or a portion thereof, to a city or town not fully meeting the
32 requirements set forth in subsections (a)(1)-(a)(3).

33 (c) Decisions as to the eligibility of cities and towns for grants-in-aid under this chapter,
34 and the amounts of the grants-in-aid, shall be made by the chief of library services.

1 (d) The chief of library services shall require a preservation plan from any public library
2 which receives an appropriation from the state of Rhode Island which states the preservation needs
3 and objectives of the library for the coming fiscal year. The plan shall include, but not be limited
4 to: condition of materials, assessment of building and environmental controls, and preservation
5 measures to be taken.

6 (e) The chief of library services shall require a disaster preparedness plan from any public
7 library which receives an appropriation from the state of Rhode Island which states the plan of
8 action to be taken in the event of a natural or human made disaster. The plan shall be in accordance
9 with a suggested plan published by the office. The plan ~~shall be submitted no later than January 1,~~
10 ~~1993 and~~ shall be updated yearly.

11 **29-6-6. Construction and capital improvements.**

12 The office of library and information services may cause to be paid to a city or town
13 treasurer, or to any free public library in the state, such a grant-in-aid for the construction and
14 capital improvement of any free public library as the chief of library services may determine is
15 necessary and desirable to provide better free library services to the public, which shall be paid in
16 accordance with the following provisions:

17 (1) No grant-in-aid shall be made unless the city or town receiving the grant-in-aid shall
18 cause to be appropriated for the same purpose an amount from its own funds and not from any
19 federal grant or other federal financial assistance equal to, or more than, the state grant-in-aid, or
20 unless funds from private sources are dedicated for the same purpose in an amount equal to, or
21 more than, the state grant-in-aid, or unless the total of the city or town appropriation and the funds
22 from private sources for the same purpose is equal to, or more than, the state grant-in-aid.

23 (2) The state grant-in-aid may be paid in installments over a period of years up to a
24 maximum of twenty (20) years, beginning in the fiscal year during which the project is accepted
25 by the office of library and information services. Whenever a grant-in-aid is paid on the installment
26 basis permitted herein, there shall be included in the state grant-in-aid the interest cost actually
27 incurred by the city or town, or any free public library, as a result of its having to borrow the state's
28 portion of the total cost of the library project. The amount of this interest cost shall be computed
29 on the actual interest cost paid by the city or town, or free public library, less any applicable accrued
30 interest, premiums, and profits from investments, over the period of time elapsing between the date
31 borrowed funds are made available and the date of the last installment payment of the state grant-
32 in-aid. Interest cost incurred by the city or town, or any free public library, as a result of having to
33 borrow its portion of the total cost of the library project shall not be considered a part of the total
34 cost of the project for the purposes of matching provided for in subdivision (1) of this section.

1 Nothing contained herein shall prohibit the office of library and information services from
2 accelerating the schedule of annual installments, or from paying the balance due of the state's grant-
3 in-aid in a lump sum; provided, however, that the state grant-in-aid in any fiscal year shall include
4 no less than one-twentieth (1/20) of the state's total reimbursable principal obligations.
5 ~~Notwithstanding the provisions of this section, the chief of library services shall not accept any~~
6 ~~applications for library projects until July 1, 2014.~~

7 **29-6-9. Rhode Island library network.**

8 (a) In order to provide each individual in Rhode Island with equal opportunity of access to
9 resources that will satisfy their and society's information needs and interests, the office of library
10 and information services is hereby authorized to establish a Rhode Island ~~Library~~ library network,
11 hereafter referred to as the library of Rhode Island network (LORI), to be administered by the office
12 of library and information services for the purpose of maintaining, promoting, and developing a
13 program of statewide resource sharing and interlibrary cooperation. The office of library and
14 information services shall include, as part of its budget, a budget for the administration and
15 operation of the ~~Rhode Island library~~ LORI network to:

16 (1) Provide central support services for the library of Rhode Island, such as delivery of
17 materials, ~~telecommunications~~, consultant services, resource sharing, and access to bibliographic
18 and other information sources; and

19 (2) ~~Reimburse libraries for the actual cost of providing services to individuals outside the~~
20 ~~library's primary clientele; and~~

21 (3) Support the development, maintenance of, and access to the resource sharing potential
22 embodied in specialized collections and services at the Providence public library and other libraries
23 that can be provided most cost effectively on a statewide basis.

24 (b) By fiscal year 2000, the state shall provide, from state and federal revenue sources, one
25 hundred percent (100%) of the funding for the following statewide library services:

26 (1) Reference resource center located in a public library to be chosen ~~biennially~~ by the
27 office of library and information services from responses to a request for proposals issued by the
28 office of library and ~~informational~~ information services no less than every five (5) years;

29 (2) Interlibrary delivery system;

30 (3) ~~Interlibrary telecommunications system;~~

31 (4) ~~Electronic interlibrary loan system~~ Online resource sharing system to facilitate
32 interlibrary loan; and

33 (5) ~~Statewide catalog of all library holdings~~ A single point of access to all holdings of LORI
34 member libraries.

1 (6) [Deleted by P.L. 1996, ch. 100, art. 29, § 1.]

2 (c) Notwithstanding the provisions of subsection (b), the funding for the ~~statewide library~~
3 ~~catalog and the~~ statewide access to databases shall be subject to appropriation by the general
4 assembly. The duty imposed upon the office of state library and information services to create and
5 maintain a statewide ~~library catalog~~ interlibrary delivery and resource sharing system and provide
6 statewide access to databases shall be subject to appropriation by the general assembly.

7 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO LIBRARIES -- OFFICE OF LIBRARY AND INFORMATION SERVICES --
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1 This act would amend various sections relating to libraries to delete outdated provisions
2 and update language to reflect current practices affecting library technology, and would increase
3 from two (2) years to five (5) years the award of the statewide reference resource center contract.

4 This act would take effect upon passage.

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