



Public Library Districts and Funding Options



Considerations

- Options
- Other funding options
- Steps to take
- Connections to make



Different Types of Libraries

as of December 31, 2008

- **Municipal Library—197**
 - Trustees are appointed by local municipality
 - Funded by government entity (majority)
 - Funded through public vote (minority)
 - Tax collected by municipality
- **School District Public Library—146**
 - Trustees are elected
 - Funded through public vote
 - Tax collected by school district



Different Types of Libraries

as of December 31, 2008

- Special Leg. District Public Library—46
 - Trustees are elected
 - Funded through public vote
 - Tax collected by local government entity
- Association Library—357
 - Trustees are either appointed or elected
 - Funding varies
 - Annual budget votes (minority)
 - Depend on local funds (majority)
- Other-9



Library Revenue Sources

- Fines and fees
- Private donations
- Endowments
- In-kind services
- Grants
- Local Aid and Public Tax Dollars
 - Contracts and appropriations from local municipalities and school districts
 - Dependent on financial status of those entities
 - Budget propositions through municipalities and school districts
 - State Aid



What Is a Public Library District?

- Any public library that
 - Obtains a substantial amount (60% or higher) of its funding through a direct public vote
 - Has a Board of Trustees that is publicly elected by eligible voters within the library's service area



Benefits of a Public Library District

- Predictable funding stream
- Enables library to secure additional tax support and expand its tax support
- Potential to include unserved areas
- Potential to bond for capital projects
- Increases the library's
 - Autonomy
 - Accountability
 - Community ownership



District Types

- School District Public Library
- Special Legislative District Public Library
- Association Library District



Is It Worth the Risk?

- 90% of public library budgets are approved by voters each year
- Approval rates for creating new public library districts exceeds 50%
- Per capita support for libraries with a public vote on their budgets is twice as high as those that depend on direct appropriations



School District Public Library

- Service area uses the same boundaries as the school district
- Created by school district voters
- School District is taxing agent
- Library and Library Board function independently of school district
- Elected trustees provide “representation” for taxpayers
- Potential to increase tax base and expand library’s programs and services



School District Public Library

- Opportunity to bond for capital projects, place building referendums on the ballot
- Once established, library sets time and place for any and all elections
- Simple process for increasing funding through yearly budget votes
- More stabilized funding



Special Legislative District Public Library

- Service area is determined by existing library board or interested community group in conjunction with the New York State Library and the approval of the Board of Regents
- Based on present patron base and/or unserved neighboring areas
- Municipality is taxing agent
- State enabling legislation includes local election to establish and fund a new library
 - Specifies service area and election process



Special Legislative District Public Library

- Ability to bond for capital projects
- Elected trustees provide “representation” for taxpayers



Association Library District

- Substantial amount of operating budget (60%) must come from municipal or school district ballot
- By-laws or charter state that trustees are elected
- Elected trustees provide “representation” for taxpayers



Association Library District

- Exempt from Civil Service requirements
- May not require a new charter but may require a charter revision
- Library controls budget process
- More stabilized funding



Steps to a School District Public Library

- Board reaches consensus and passes a resolution to move forward
- Board sets timeline for action
- Need 25 signatures of school district residents on a petition filed with the school district calling for the establishment and funding of the library
- Need 25 signatures or 2% of the votes cast in the last school district vote (whichever is greater) on petitions to nominate trustees



Steps to a School District Public Library

- Work with the school board to schedule the election
- Conduct an educational campaign on why and how much
- Conduct vote



Steps to a School District Public Library

- Certify and announce vote results
- If the voters say yes, application for charter is submitted to the Division of Library Development, New York State Library
- Once new charter is approved by the Board of Regents, trustees take the Oath of Office within 30 days
- Old library is dissolved, all assets are transferred
- School district collects taxes for new library



Steps to a School District Public Library

- Funding remains the same until board places new budget before voters
- Library board sets time and place of future board elections and budget votes
- Once created, the library must comply with Civil Service requirements and other laws affecting public entities



Timeline for School District Public Library

- 15 month timeline

Board reaches a consensus and decides to move ahead	2 months	7/XX-8/XX
Reach out to stakeholders, municipal/community leaders for support	2 months	8/XX-9/XX
Work with school district on petition requirements	2 months	9/XX-10/XX
Branding, education/advocacy campaigns	8 months	10/XX-5/XX
Collect petition signatures	3 months	10/XX-12/XX



Timeline for School District Public Library

Branding, education/advocacy campaigns	continuous	10/XX-5/XX
Petitions verified and filed with school board	1 month	1/XX
Collect trustee petition signatures	2 months	1/XX-2/XX
Election held to create district	1 Day	5/XX
Apply for charter, old library dissolved and assets transferred	4 months	6/XX-9/XX
First taxes collected for new district	1 month	9/XX



Steps to a Special Legislative District Public Library

- Board reaches consensus and passes a resolution to pursue Special Legislative District Public Library status
- Establish a timeline for implementation
- Work with local officials, board of elections, library system and state library to facilitate process
- Service area is determined by existing library board or interest community group in conjunction with the Division of Library Development, New York State Library



Steps to a Special Legislative District Public Library

- Work with a state legislator to sponsor and draft appropriate enabling legislation
 - “Home rule” determination if required by legislator
- Bill introduced, co-sponsors recruited
- Once enabling legislation becomes law, a local election is scheduled to
 1. Create district and approve initial budget, and
 2. Elect the trustees



Steps to a Special Legislative District Public Library

- Candidates for trustees must petition and collect at least 25 signatures from qualified voters of the district to be placed on the ballot
- Conduct an education campaign on why and how much
- Conduct vote



Steps to a Special Legislative District Public Library

- Certify and announce vote results
- If the voters say yes, application for charter is submitted to the Division of Library Development, New York State Library
- Once new charter is approved by the Board of Regents, trustees take the Oath of Office within 30 days
- Dissolve old library and transfer assets
- Municipality collects taxes for new library as approved by voter



Steps to a Special Legislative District Public Library

- Annual funding remains the same until board places new budget before voters
- Library board sets time and place of future board elections and budget votes, if not designated in legislation
- Once created, the library must comply with Civil Service requirements and other laws affecting public entities



Common Elements of Legislation

- Section 1. Creation of a Public Library District
 - Designates the official service area and official name of the district
- Section 2. Election
 - Process for scheduling local election to create and fund the district
 - Process for nominating candidates for the board and specifics of how election will be held



Common Elements of Legislation

- Section 3. Organization and Structure
 - Sets board terms
 - Process for establishing initial terms for trustees
- Section 4. Finances
 - Budget Vote Process
 - Tax Collections
 - Bonding Options
 - Handling of Finances



Common Elements of Legislation

- Section 5. Charter, Commencement of operations, transfer of property, employees and dissolution
 - Covers transfer of assets
 - Ensures that staff can continue with same salary and benefits including State Retirement
 - Ensures the library's ability to dissolve old library through its legislations



Common Elements of Legislation

■ Section 6. Ad valorem levy

- Authorizes tax collections for the district to be based on value of property within the district

■ Section 7 Education Law

- Specifies that the new district will operate under the Education Laws of New York State and any other applicable New York State laws
- Library is added to the Dormitory Authority of the State of New York list



Timeline for Special Legislative District Public Library

- 20 month timeline

Board reaches a consensus and decides to move ahead	2 months	7/XX-8/XX
Reach out to stakeholders, municipal/community leaders for support	3 months	7/XX-9/XX
Determine specifics of district	3 months	9/XX-11/XX
Implement legislative work, bill drafted	3 months	10/XX-12/XX
Legislation introduced	2 months	1/XX-2/XX



Timeline for Special Legislative District Public Library

Branding, education/advocacy campaigns	9 months	3/XX-Day of vote
Legislation is passed and signed into law	3 month	4/XX-6/XX
Election held to create district	1 Day	11/XX
Apply for charter, old library dissolved and assets transferred	3 months	11/XX-1/XX
Tax roll for new district established		
First taxes collected for new district		



Steps to an Association Library District

- No public vote is needed to establish district
- Library must change by-laws and perhaps amend charter to call for
 - Trustee elections
- Substantial amount of operating budget (60%) must come from municipal or school district ballot (Ch. 414/Ed. Law 259)



Funding Options

1. Place a proposition on a municipal ballot [Chapter 414/Ed. Law 259.1.a.(1)]
2. Place proposition on a school district ballot, Ed. Law 259.1



Steps to a Municipal Ballot

[Chapter 414 Ed. Law 259.1.a.(1)]

- Confirm petition deadline with local board of elections
 - Start talking to board of elections months in advance
- Petition drive to put budget on ballot
 - Amount of signatures needed is 10% of the number of votes cast in last gubernatorial election
- Review and verify signatures on petitions using voter file from Board of Elections



Steps to a Municipal Ballot

[Chapter 414 Ed. Law 259.1.a.(1)]

- Board passes resolution supporting proposition
- Submit petitions to Board of Elections for approval
- Educate the voters on why and how much
- Vote takes place at next general election (November)
 - Ballot proposition will be in a separate place on machine
- Municipality collects tax money



Steps to a School District Ballot, Ed. Law 259.1

1. Board passes resolution and sends letter directing the school district to place a funding proposition on the ballot
 - Include amount to be voted upon
 - Make sure proper language is on the ballot
 - *“Shall the proposition be approved authorizing the Board of Education of the _____ School District to levy taxes annually in the amount of \$_____ (\$XXX,XXX) and to pay over such monies to the Trustees of the _____ Public Library . . .”*



Steps to a School District Ballot, Ed. Law 259.1

2. School District schedules special election or places proposition before voters at its next annual school district election
3. Library appropriation is a separate proposition
4. Education campaign conducted
5. When measure passes, school district collects taxes for library
6. Funding for library appears as separate line on tax bills



How To Move Forward

- Explore the options and make a decision which must include a clear commitment on the part of the board to move the process forward
- Notify the local Library System and the Division of Library Development, New York State Library
- Put together a team that will guide the process and the project



How To Move Forward

- Develop timeline, work back from the date of the vote
- Determine what legal and other consultant help you'll need
- Develop a budget for the transition project
 - Remember, "Vote Yes" materials can not be paid for out of library funds



How To Move Forward

- Determine the position of the library in the community
 - Are rebranding and marketing to raise the library's identity needed?
 - Is the library positioned as an essential service in the community?
 - Does the library have established partnerships with local elected and appointed officials, community leadership or organizations?



How To Move Forward

- Implement marketing campaign
- Network and solicit support from officials and community groups
- Reach out to state legislators, if necessary
- Implement education campaign to explain the why and how much
- Implement a “Vote Yes” campaign
 - Target, organize and Get Out the Vote



What Are the Potential Costs?

- Legal Counsel
- Library Consultant
- Marketing/Campaign Consultant
 - Marketing campaign costs
 - “Vote Yes” campaign costs
- Asset transfer and dissolution costs



Questions You May Encounter Along the Way

- The library seems OK the way it is, why are you making this change?
- Will this result in an additional or new tax?
- Why are you raising my taxes?
- Will the library tax automatically increase each year?
- Who decides how the money is used?
- What will the library do with the money?



Questions You May Encounter Along the Way

- Is there a plan to use the money for improvements?
- Will my town or village taxes go down if they're no longer paying for the library?
- Why should I support the library if I don't use it?
- Why can't you just charge a fee?
- Why don't you just use volunteers?



Questions You May Encounter Along the Way

- Why don't you spend down your endowment before asking the taxpayers for money?
- How about grants and donations?
- Libraries are supposed to be free, why are you asking for a library tax?
- What happens if the vote fails?
- Why won't the town or village just give you more money?



Preparing for Questions

- Determine which ones are appropriate to your library
- Develop talking points for each question
- Make sure all board members have talking points
- Make sure all board members answer questions the same



A Quick Review

- Three basic public library district options
 - School District Public Library
 - Special Legislative District Public Library
 - Association Library District
- Two funding options
 - Municipal Ballot [Chapter 414/Ed. Law 259.1.a.(1)]
 - School District Ballot, Ed. Law 259.1



A Quick Review

- Once a library becomes a library district, it has autonomous control
 - Determines own budget
 - Sets time and place of budget and trustee votes
 - Is responsible to the taxpayers
 - Has a dedicated community based funding stream



A Quick Review

- School District Public Libraries require petitions and cooperation of local school board
- Once approved, by school district ballot, library is established with initial funding which continues from year to year
 - Library may ask for subsequent annual increases
 - Trustee(s) are elected each year



A Quick Review

- Special Legislative District Public Libraries require enabling legislation from the NYS Legislature
- Once approved by local public ballot, library is established with initial funding which continues from year to year
 - Library can ask for increases in budget
 - Trustees elected every year as well



A Quick Review

- No public vote is needed to establish an Association Library District
- Library must change by-laws and perhaps amend charter to call for
 - Trustee elections
- Substantial amount of operating budget (60%) must come from municipal or school district ballot



Information Sources

- Division of Library Development
 - Contact your regional consultant
 - www.nysl.nysed.gov/libdev/ldroster.htm#pls
 - Website
 - www.nysl.nysed.gov/libdev
 - Click on Public Library District “How to Guide”
- Your Local Library System
 - Contact your local system director
- Reach out to other successful libraries



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