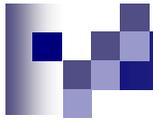


# Public Library Districts and Funding Options



# 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



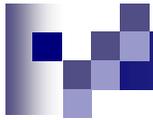
# What Is a Public Library District?

- 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



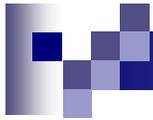
# **Special Legislative District Public Library**

- 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



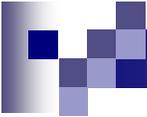
# Steps to a School District Public Library

- 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**

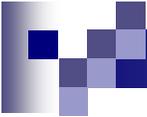
- Funding remains the same until board places new budget before voters
- Library board sets time and place of future board elections and budget votes
- Once created, the library must comply with Civil Service requirements and other laws affecting public entities



# 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



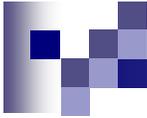
# **Steps to a Special Legislative District Public Library**

- 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



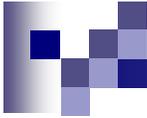
# Steps to a Special Legislative District Public Library

- 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



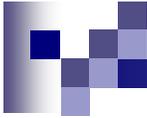
# **Steps to a Special Legislative District Public Library**

- 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



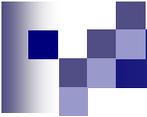
# Common Elements of Legislation

## ■ 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

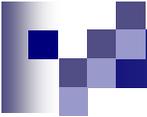
- Specifies that the new district will operate under the Education Laws of New York State and any other applicable New York State laws
- Library is added to the Dormitory Authority of the State of New York list



# 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		



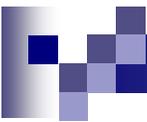
# Steps to an Association Library District

- 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

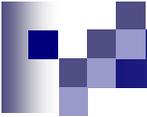
1. Place a proposition on a municipal ballot  
[Chapter 414/Ed. Law 259.1.a.(1)]
2. Place proposition on a school district  
ballot, Ed. Law 259.1



# Steps to a Municipal Ballot

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

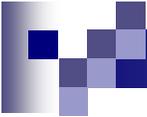
- Confirm petition deadline with local board of elections
  - Start talking to board of elections months in advance
- Petition drive to put budget on ballot
  - Amount of signatures needed is 10% of the number of votes cast in last gubernatorial election
- Review and verify signatures on petitions using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



# **Steps to a Municipal Ballot**

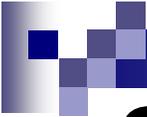
## **[Chapter 414 Ed. Law 259.1.a.(1)]**

- 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



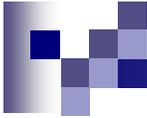
# Steps to a School District Ballot, Ed. Law 259.1

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?



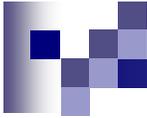
# Questions You May Encounter Along the Way

- 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



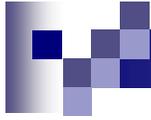
# A Quick Review

- 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](http://www.nysl.nysed.gov/libdev/ldroster.htm#pls)
  - Website
    - [www.nysl.nysed.gov/libdev](http://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



This PowerPoint presentation  
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