

15:21-2.7 Reduction of aid for failure to meet minimum requirements
 (a) Failure to meet the requirements of N.J.A.C. 15:21-2.2 and 2.3 will result in the loss of all per capita State Aid (PCSA).

(b) Failure to meet the requirements specified in N.J.A.C. 15:21-2.4 through 2.6 will result in the loss of [per capita State Aid (PCSA)] by a percentage in proportion to the number of requirements not yet achieved, each requirement to have the following weights (not to exceed 100 percent):

1.-3. (No change.)

15:21-2.8 Use of per capita aid; decision by public library board of trustees or county library officials

(a) State Aid must be used for library purposes. Upon receipt of State Aid checks pursuant to N.J.S.A. 18A:74-3, municipal and county treasurers shall make these funds immediately available to public library trustees, county library commissioners or[, in counties which have reorganized the administrative structure of county government according to N.J.S.A. 40:41A-1 et seq.,] the board of chosen freeholders [as the case may be]. Decisions on the use and expenditures of per capita State Aid rest with the board of trustees of municipal, joint, and association libraries and with the county library commission of the county libraries or the county board of chosen freeholders. The State Librarian may require a certified audit if he or she deems necessary.

(b)-(c) (No change.)

15:21-2.9 Application of special census

An application for the use of a special census for the receipt of aid pursuant to N.J.S.A. 18A:74-3 shall be submitted in writing to the State Librarian for transmittal to the State Treasurer on or before October 15 of the year preceding that in which the special census would be used as a basis for the payment of per capita [aid] **State Aid**. The application must include the new census figure to be used[,] and written verification from the United States Bureau of the Census.

15:21-2.11 Revision of criteria

The State Librarian shall review all State Library Aid rules every [five] **seven** years and recommend appropriate revisions to the Secretary of State to ensure that libraries throughout the State move toward the achievement of national standards and the development of appropriate library service. The State Library Advisory Council may recommend appropriate revisions to the State Librarian.

15:21-2.13 (Reserved)

SUBCHAPTER 3. (RESERVED)

SUBCHAPTERS 6 THROUGH 8. (RESERVED)

SUBCHAPTER 12. MUNICIPAL ANNUAL MANDATORY LIBRARY APPROPRIATION FOR THE MAINTENANCE OF A FREE PUBLIC LIBRARY

15:21-12.6 Ineligible municipal or joint free public library costs that may not be supported with the annual mandatory library appropriation

(a) (No change.)

[(b) Municipal and joint free public libraries that are not in compliance with (a)1, 3, and 4 above on January 16, 2007 may apply by January 16, 2008 to the State Librarian for a limited extension to continue to use the annual mandatory library appropriation for debt or lease payments made to a municipality, capital expenses not meeting the criteria of N.J.A.C. 15:21-12.5(c) and debt service costs. In order to be considered eligible, the applicant must include a plan to phase out the use of the annual mandatory library appropriation for these costs.]

(a)

DIVISION OF THE STATE LIBRARY

Library Network Services

Proposed Readoption with Amendments: N.J.A.C. 15:22

Proposed Repeal: N.J.A.C. 15:22-1.3

Authorized By: Mary L. Chute, State Librarian (with the approval of George A. Pruitt, Ph. D., President, Thomas Edison State University).

Authority: N.J.S.A. 18A:73-35i.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-274.

Submit written comments by February 16, 2018, to:

Bob Keith, Director of Library Law, State Aid & Statistics
 New Jersey State Library
 PO Box 520
 Trenton New Jersey 08625-0520
 Fax: (609) 278-2650
 E-mail: rkeith@njstatelib.org

The agency proposal follows:

Summary

The Division of the State Library (Division) proposes to readopt with amendments and a repeal N.J.A.C. 15:22, Library Network Services, pursuant to Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1.c. The rules in this chapter were scheduled to expire on November 12, 2017. As the Division filed this notice of readoption with the Office of Administrative Law prior to that date, the expiration date is extended 180 days to May 11, 2018.

Pursuant to the authority of N.J.S.A. 18A:73-35i, the Division proposes to readopt the existing rules concerning library network services with amendments and a repeal.

These rules provide for the establishment of a library network for sharing the resources of New Jersey's academic, institutional, public, school, and special libraries using Statewide and regional service vehicles as appropriate.

These rules were first promulgated on February 19, 1985, following the January 17, 1984, enactment of the Library Network Law (P.L. 1983, c. 486). The existing rules at N.J.A.C. 15:22 were readopted and amended on October 17, 1989, to provide for the establishment and operation of Statewide services to maximize the ability of network members to receive and participate in regional and Statewide services. The 1989 amendments were made pursuant to P.L. 1986, c. 174. The rules were readopted with minimal amendments on August 5, 1994. By notice of administrative change published in the March 15, 1999 issue of the New Jersey Register at 31 N.J.R. 776 (a), these rules formerly codified at N.J.A.C. 6:70 were recodified as N.J.A.C. 15:22, effective February 18, 1999. The rules were readopted with amendments again, effective December 13, 2000, June 15, 2005, and November 12, 2010.

An administrative review has been conducted and a determination made that, with the exception of the amendments described below, these rules are necessary, reasonable, and proper for the purposes for which they were originally promulgated as required by Executive Order No. 66 (1978), and the Division is, therefore, proposing them for readoption with amendments and a repeal at this time. Please note that the substantive provisions of the rules proposed to be readopted, amended, and repealed are summarized below. Minor clarifying and/or technical amendments are also proposed that do not change the meaning of the text.

A summary of the sections of N.J.A.C. 15:22 and proposed amendments and repeal follows.

Subchapter 1. General Provisions

N.J.A.C. 15:22-1.1 describes the scope and purpose of the rules, which is to provide a network for sharing the resources of New Jersey's academic, institutional, public, school, and special libraries using

Statewide and regional services vehicles, and is proposed for amendment to reflect the consolidation of multiple regional library cooperatives into one Statewide library cooperative.

N.J.A.C. 15:22-1.2 defines the terms that apply throughout the subchapter, and is proposed for amendment due to the regional consolidation referenced above and to remove the following terms that are defined in existing N.J.S.A. 18A:73-35c: library region, regional contract library, and regional library cooperative.

N.J.A.C. 15:22-1.3 lists the considerations for designation of library regions, as well as review and transfer procedures. The Division proposes to repeal this section as it is no longer required due to the regional consolidation referenced above.

N.J.A.C. 15:22-1.4 describes procedures for the creation of regional library cooperatives, funding, and incorporation requirements. The Division proposes an amendment to this section to reflect the regional consolidation referenced above.

N.J.A.C. 15:22-1.5 describes the organization and eligibility requirements for membership in a regional library cooperative and is proposed for amendment to remove references to a regional library cooperative and responsible staff.

N.J.A.C. 15:22-1.6 describes voting member eligibility for academic, institutional, public, school, and special librarians is proposed for amendment to remove references to a regional library cooperative and to make minor grammatical changes.

N.J.A.C. 15:22-1.7 lists the duties of regional library cooperative council members and is proposed for amendment to remove reference to a regional library cooperative.

N.J.A.C. 15:22-1.8 describes the composition and responsibilities of regional library cooperative executive boards and is proposed for amendment to remove references to a regional library cooperative, the requirement that lay representatives must reside within a designated area, and that the executive board must contract with outer designated regional library cooperatives as necessary.

N.J.A.C. 15:22-1.9 prescribes requirements for executive board terms of office and vacancies and is proposed for re adoption without amendment.

N.J.A.C. 15:22-1.10 lists requirements and responsibilities of regional library cooperative executive directors and is proposed for amendment to remove references to regional library cooperative and to update the name of Thomas Edison State University.

N.J.A.C. 15:22-1.11 describes the responsibilities and services of regional library cooperatives and is proposed for amendment to reflect that library services shall be provided to all residents on a Statewide, rather than regional basis. This section is further proposed for amendment to remove references to regional library cooperative and regional services, continuing education areas, and access of computerized literature citation.

N.J.A.C. 15:22-1.12 describes the process for withdrawal from regional library cooperatives and is proposed for amendment to remove references to regional library cooperative.

N.J.A.C. 15:22-1.13 describes the procedure for dissolving a regional library cooperative and is proposed for amendment to remove references to regional and adjoining regional library cooperative governing body and to make minor grammatical changes.

N.J.A.C. 15:22-1.14 allows any group of libraries to form a local library cooperative and is proposed for amendment to remove references to regional library cooperative and to delete the provision that a library cooperative may include members from more than one regional library cooperative.

N.J.A.C. 15:22-1.15 assures Statewide library services to all State residents.

N.J.A.C. 15:22-1.16 describes the formation duties and membership of a library network review board to advise the State Librarian. The Division proposes to amend this section due to the regional consolidation referenced above and remove reference to regional library cooperative and that one representative serve on the library network review board. The Division proposes to include that the executive board shall appoint up to four members.

N.J.A.C. 15:22-1.17 describes the allocation of funding for Statewide and regional library services. The State Library proposes to amend this

section to remove the references to regional library and the funding allocation formula, which is no longer needed due to the regional consolidation referenced above.

N.J.A.C. 15:22-1.18 describes the appeals and hearing procedure in administering the rules of this subchapter.

As the Division has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The library network provides New Jersey residents with access to nearly all the resources of all the libraries in the State. Since no library can supply all its users' needs within its walls, the goal of the network has been that all users have full and equal access to library materials and programs whether or not they are currently available within one's local library. Because the network provides a means of sharing resources, libraries can control costs of developing and maintaining collections. The network continues to meet the increasingly diverse and specific informational needs of library users.

The proposed re adoption with amendments and a repeal provide internal consistency and reflect current practices. The proposed re adoption with amendments and a repeal will not have any effect on any existing social structures.

Economic Impact

The library network benefits all New Jersey residents through over 4,000 local libraries, be they school, public, academic, or corporate. The network puts citizens in touch with millions of information resources. This saves local libraries the costs of duplicating collections and expertise. A direct benefit to the economy is that over 300 corporate and special libraries receive and share research and development through access to the major research collections in New Jersey.

The fiscal year 2018 appropriation for library network services is \$4,299,000.

The proposed amendments are not economic in nature, will not result in further costs or savings and, therefore, are not anticipated to have any impact.

Re adoption of the rules with proposed amendments and a repeal is necessary for their continued economic viability. If the rules are not re adopted, the cost savings and benefit to the economy will be lost.

Federal Standards Statement

The rules proposed for re adoption with amendments and a repeal are not subject to Federal standards or requirements, therefore, a Federal standards analysis is not required.

Jobs Impact

The Division anticipates that there will be no increase or decrease in the number of jobs resulting from the rules proposed for re adoption with amendments and a repeal.

Agriculture Industry Impact

The rules proposed for re adoption with amendments and a repeal impose no impact upon the agriculture industry.

Regulatory Flexibility Analysis

The rules proposed for re adoption with amendments and a repeal primarily affect the State-funded library cooperative and approximately 4,000 academic, institutional, public, school, and special libraries, some of which are small businesses as defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. However, the rules do not impose any reporting, recordkeeping, or other compliance requirements on libraries and other similar agencies unless they voluntarily elect to participate in the library cooperative under N.J.A.C. 15:22. Libraries seeking to participate in the library cooperative must submit an application form. The library cooperative must submit narrative and financial reports. These reports are required by the Division and are maintained to ensure accountability of public expenditures. The requirement applies to all agencies, regardless of size. Under the rules, paperwork requirements remain the same.

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments and a repeal will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the rules would evoke a change in the average costs associated with housing because the rules proposed for readoption with amendments and a repeal pertain to library network services.

Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments and a repeal will have an insignificant impact on smart growth and there is an extreme unlikelihood that the rules would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan because the rules pertain to library network services.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 15:22.

Full text of the proposed amendments and repeal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL PROVISIONS

15:22-1.1 Scope and purpose

The rules set forth in this chapter provide for the establishment and designation of [regions and regional] **a** library cooperative[s] designed to promote the cooperative use of services and materials of all types of libraries in the State through the provision of library services on a [regional as well as a] Statewide basis, pursuant to the provisions of P.L. 1983, [c.486] **c. 486** (N.J.S.A. 18A:73-35a et seq.), known as the Library Network Law.

15:22-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

...
 "Council of members" means the voting representatives of the members of the [regional] library cooperative.

...
 "Library network" means all libraries in [all regional] **the** library cooperative[s], the State Library, and any other libraries providing services to other libraries.

["Library region" means a multi-county area designated by the State Librarian as the geographic area within which libraries may establish a regional library cooperative.]

...
 ["Regional contract library" means a library, library-related agency, local library cooperative, or commercial vendor with which the regional library cooperative contracts for the purpose of providing regional library services.

"Regional library cooperative" means a membership organization of libraries and library-related agencies within a library region organized as a nonprofit corporation pursuant to N.J.S.A. 15A:1-1 et seq. which has agreed to provide and receive cooperative service and which has been designated a regional library cooperative by the State Librarian.]

"Residents" means persons residing, employed, attending school, or who own property in [the library region] **New Jersey**.

...

15:22-1.3 [Designation of library regions] **(Reserved)**

[(a) The State Librarian, with the approval of Thomas Edison State College, shall designate no more than seven library regions within the State. No county shall be divided among two or more library regions. The library regions shall be established on the basis of, but not limited to, the following considerations:

1. Population;
2. Population density;
3. Number and types of libraries and library-related agencies;
4. Information resources;
5. Marketing and transportation patterns;
6. Contiguity of municipalities.

(b) The State Librarian shall review the designated library regions at least every five years and make revisions if appropriate.

(c) Voting members of a regional library cooperative located within the same county may request that the county be transferred to a different library region when a majority of the members in that county vote for such a transfer.

(d) If a request for a transfer from one library region to another has been denied, the appeals and hearing process as specified in N.J.A.C. 15:22-1.18 shall be followed.]

15:22-1.4 [Regional library] **Library** cooperative; formation

(a) [Upon approval by the State Librarian of the plan for service and the plan and budget for the first year of operation of the regional library cooperative, the] **The** State Librarian shall establish and designate the [regional] library cooperative.

[1. Each duly established and designated regional library cooperative shall be eligible for an initial appropriation to fund the first year of operation of the regional library cooperative, in accordance with a plan and budget submitted to, and approved by the State Librarian.

2. Applicants whose request to be designated as a regional library cooperative has been denied may proceed with the appeals and hearing process described in N.J.A.C. 15:22-1.18.]

(b) The established and designated [regional] library cooperative shall constitute a council of members and shall be incorporated as a nonprofit corporation pursuant to N.J.S.A. 15A:1-1 et seq. The council of members shall organize, elect an executive board, and adopt bylaws within six months.

15:22-1.5 [Regional library] **Library** cooperative; organization and membership

(a) All members of [a regional] **the** library cooperative are members of the New Jersey [Library Network] **library network** and shall be eligible to receive and participate in the [regional and] Statewide services of the [Network] **network**.

(b) To be eligible to become a member of [a regional] **the** library cooperative, a library or library-related agency shall have explicit service objectives, a fixed location, and regular hours of service, an organized collection of information and materials accessible for use by its designated clientele, and qualified [and responsible] staff. Its organizational structure shall be identifiable with a legal basis for operation and an established funding pattern. It shall be willing and able to contribute to the appropriate services and programs as determined by the [regional] library cooperative[,] and mutually agreed upon.

(c) The board of governance or the appropriate administrative authority for each eligible library and library-related agency that wishes to become a member of the [regional] library cooperative shall take official action as specified by the State Librarian to join the [regional] library cooperative.

(d) The executive board of the [regional] library cooperative shall review each application for membership in the [regional] library cooperative and shall take official action by approving or disapproving membership. If an application for membership is disapproved by the executive board, the appeals and hearing process as specified in N.J.A.C. 15:22-1.18 shall be followed.

15:22-1.6 Voting

(a) Each academic library, institutional library, public library, special library, and each library-related agency [which] **that** is a member of [a regional] **the** library cooperative shall have one vote in the council of members except as specified in (a)1 and 2 below. The voting representative shall be appointed by the board of governance or the appropriate administrative authority of the library or library-related agency.

1. The academic libraries [which] **that** are members of [a regional] **the** library cooperative and are located on a single campus shall have one vote in the council of members. The board of governance or the appropriate administrative authority for the campus shall appoint one voting member to the council of members.

2. The institutional libraries [which] **that** are members of the [regional] library cooperative and [which] **that** are part of a single institution shall have one vote in the council of members. The board of

governance or the appropriate administrative authority for each institution shall appoint one voting member to the council of members.

(b) The public school libraries [which] **that** are members of [a regional] **the** library cooperative and are located within a single operating public school district shall be considered a single entity and shall have one vote in the council of members. They shall elect one voting representative from among themselves, whose appointment shall be subject to the approval of the chief school administrator and the district board of education.

(c) The private and parochial school libraries [which] **that** are members of [a regional] **the** library cooperative and are located within a single operating public school district shall be considered a single entity and shall have one vote in the council of members. They shall elect one voting representative from among themselves.

15:22-1.7 Duties of council of members

(a) The duties of the council of members of the [regional] library cooperative shall include, but not be limited to, the following:

1.-4. (No change.)

15:22-1.8 Executive board; organization and duties

(a) The executive board shall be composed of a minimum of nine and a maximum of 15 members to include at least:

1. Five members elected by the council of members of the [regional] library cooperative: one each from an academic library, an institutional library, a public library, a school library, and a special library. If an institutional representative is not available, that position may be filled by an at-large representative;

2. Two members at large elected by the council of members of the [regional] library cooperative;

3. Two lay representatives elected in accordance with the bylaws adopted by the [regional] library cooperative[. Each must reside within the designated area of the regional library cooperative]; and

4. Additional members, up to a maximum of six, who shall be elected in accordance with bylaws adopted by the council of members of the [regional] library cooperative.

(b) The executive board shall be governed by the bylaws adopted by the council of members of the [regional] library cooperative and all board meetings shall be conducted in accordance with the Open Public Meetings Act pursuant to N.J.S.A. 10:4-6.

(c) The duties of the executive board shall be to:

1. (No change.)

2. Develop the three-year plan and submit it to the council of members of the [regional] library cooperative for approval;

3. Develop the annual operating program and budget and any revisions to the three-year plan and submit them in writing to the council of members of the [regional] library cooperative for approval;

4. Contract with libraries, library-related agencies, local library cooperatives, commercial vendors, **or** individuals[, or any other designated regional library cooperative as may be necessary] to implement the three-year plan for the [regional] library cooperative;

5. (No change.)

6. Submit quarterly a written report, either in paper or electronic form, including a financial report to the membership of the [regional] library cooperative and to the State Librarian;

7.-8. (No change.)

15:22-1.10 Executive director; appointment and duties

(a) The executive director hired by the executive board of the [regional] library cooperative shall be eligible for State certification as a professional librarian available through the licensing authority, Thomas Edison State [College] **University**, or educational media specialist by the State Department of Education.

(b) The duties of the executive director shall include, but not be limited to, the following:

1. Coordinate and administer the activities, programs and services of the [regional] library cooperative;

2. Supervise the staff of the [regional] library cooperative;

3. (No change.)

4. Assist in developing the annual program and budget for review by the executive board and approval of the council of members of the [regional] library cooperative;

5. (No change.)

6. Attend meetings of the executive board and of the [regional] library cooperative.

15:22-1.11 [Regional library] **Library** cooperative; responsibilities and services

(a) Within one year following establishment and designation as a [regional] library cooperative and receipt of an initial appropriation, [each regional] **the** library cooperative shall submit for approval by the State Librarian a three-year plan for [regional] library cooperative services and annual program and operating budget in support of the plan.

(b) [Annually thereafter, each regional] **The** library cooperative shall submit **annually** for approval by the State Librarian any revisions to its three-year plan and an annual program and operating budget in support of the plan.

(c) The goals, objectives, programs, and activities specified in a three-year plan for [regional] library cooperative services shall provide that:

1.-2. (No change.)

3. All contract services be provided to member libraries, library-related agencies, and **New Jersey** residents [of the library region] in accordance with the plan.

(d) In order to provide to every resident of New Jersey full and equal access to the collective library resources of the State, the State Librarian shall assure that the following services are provided [in each region]:

1. Information/reference services to supplement those provided by each local library, including interlibrary reference and referral services [to residents of the library region];

2. Interlibrary loan/document delivery services [on behalf of residents of the library region];

3.-4. (No change.)

5. Technical support services for local library staff [to maximize effective use of regional services]; and

6. Continuing education for local library staff[, particularly in areas that will maximize residents' access to information resources].

(e) [Each regional] **The** library cooperative shall include the services listed in [(d)] **(c)** above in its three-year plan and specify how the services will be provided [to residents of the region]. The [regional] library cooperative[s] may contract with libraries, library-related agencies, local library cooperatives, commercial vendors, or individuals for the provision of any or all of these services [on a regional basis].

(f) [A regional] **The** library cooperative may also provide, but not be limited to, the following services:

1.-4. (No change.)

5. Access to [computerized literature citation and] information [data bases] **databases**; and/or

6. (No change.)

(g) The three-year plan for [regional] library cooperative services shall be reviewed and evaluated by the executive board on an annual basis and amended as appropriate to reflect any change approved by the council of members of the [regional] library cooperative, and to provide for an annual program and operating budget. Any amended three-year plan and the annual program and budget shall be submitted to the State Librarian for review and approval.

15:22-1.12 Withdrawal from [regional] **the** library cooperative

Any member may withdraw from [a regional] **the** library cooperative when its board of governance or the appropriate administrative authority determines by resolution or other recorded act to withdraw. Notification of intent to withdraw shall be submitted by the board of governance or the appropriate administrative authority to the executive board of the [regional] library cooperative, with a copy to the State Librarian. The notice shall be filed on or before April 1 of any year, and withdrawal shall take place on or before June 30 of the ensuing year. Upon discontinuing membership, the member relinquishes its rights to any funds, supplies, materials, equipment, or property held by or belonging to the [regional] library cooperative. Upon receipt of such notification and the satisfaction of all obligations by the withdrawing member, the

executive board of the [regional] library cooperative shall officially note the withdrawal and shall file notice of this action with the State Library.

15:22-1.13 Dissolution of [regional] **the** library cooperative

(a) The [regional] library cooperative may submit an application for dissolution to the State Librarian when:

1. (No change.)
2. A petition to dissolve is signed by 40 percent of the council of members of the [regional] library cooperative; and
3. [The governing bodies of a] **A** majority of the council of members approve the dissolution.

(b) The application shall include a plan providing for the payment of all outstanding debts and describing how the obligations of the [regional] library cooperative will be liquidated.

(c) Upon receipt of the application, the State Librarian shall:

1. Determine if the area of service can be allocated to [other adjoining regional] **another** library cooperative[s];
2. Determine whether the assets and liabilities of the [regional] library cooperative can be assumed and absorbed by [adjoining regional] **another** library cooperative[s];
3. Take into consideration any other factors [which] **that** relate to the operation and function of the [regional] library cooperative.

(d) If the State Librarian determines that the [regional] library cooperative must be liquidated and approves the plan for dissolution, the dissolution shall take effect when all the legal and fiscal obligations of the [regional] library cooperative have been satisfied.

(e) [Each] **The** duly established and designated [regional] library cooperative shall remain in existence until such time as the State Librarian either revokes its designation as [a regional] **the** library cooperative as specified in (e)1 below or approves a plan for dissolution of the [regional] library cooperative.

1. Revocation of designation as [a regional] **the** library cooperative will occur when the appeals and hearing process specified in N.J.A.C. 15:22-1.18 has been completed and [a regional] **the** library cooperative's three-year plan, annual revision of the three-year plan, annual program, or annual budget are not approved by the State Librarian due to noncompliance with the provisions of N.J.A.C. 15:22-1.11.

2. Upon revocation of the designation as [a regional] **the** library cooperative the State Librarian will determine [if the area of service can be allocated to other adjoining regional library cooperatives and] whether the assets and liabilities of the [regional] library cooperative can be assumed and absorbed by [adjoining regional library cooperatives or by] a new [regional] library cooperative, and will take into consideration any other factors [which] **that** relate to the operation and function of the [regional] library cooperative.

15:22-1.14 Local library cooperatives

Any group of academic, institutional, public, school, or special libraries or library-related agencies, or any combination thereof, may organize as a nonprofit organization pursuant to the New Jersey Nonprofit Corporation Act, N.J.S.A. 15A:1-1 et seq., and apply for designation to [one or more regional] **the** library cooperative[s] as a local library cooperative for the provision of cooperative or reciprocal library services among themselves on behalf of their collective library patrons. The local library cooperative [may include members from more

than one regional library cooperative and] may receive [regional or] Statewide contracts for services.

15:22-1.16 Library network review board

(a) (No change.)

(b) Composition of the library network review board shall be as follows:

1. [Each regional] **The** library cooperative **executive** board shall appoint [one representative to serve on the library network review board] **up to four members**; and
2. The State Librarian may appoint up to four members[, who may represent a library providing a Statewide service].

(c) Each member of the library network review board shall serve for a term of two years. No member of the library network review board shall serve for more than two consecutive terms. Upon serving two consecutive terms, a member may serve again only after an interim of at least two years. Vacancies shall be filled for the unexpired term only. Vacancies occurring among the members appointed by the [regional] library cooperative[s] shall be filled by the [regional] library cooperative [in which the vacancies occurred]. Vacancies occurring among the members appointed by the State Librarian shall be filled by the State Librarian.

15:22-1.17 Allocation of library network funds

(a) Each year the State Librarian shall determine the amount of the network budget allocation to be expended on Statewide [and regional] library services, **identify the services to be provided, and expend the amount needed for this purpose.** [The State Librarian shall also determine the amounts to be allocated to base funding and program development funding for regional library services.]

(b) Each year the State Librarian shall identify the services to be provided on a Statewide basis and expend the amount needed for this purpose.

(c) Each year the State Librarian shall determine the amount required to provide base funds to each regional library cooperative according to the following formula:

1. Ten percent of the amount allocated shall be distributed equally among the regional library cooperatives;
2. Eighty percent of the amount allocated shall be distributed among the regional library cooperatives based on the population of the region as shown by the latest Federal census effective in New Jersey; provided that upon application by a municipality or county to the State Librarian, any special census of population taken by the United States Census Bureau subsequent to its latest effective census shall determine such number of inhabitants;
3. Ten percent of the amount allocated shall be distributed among the regional library cooperatives based on the number of square miles within the region.

(d) Each year the State Librarian shall determine the amount required to provide program development funds to each regional library cooperative in accordance with requirements established by the State Librarian. However, no program development funding shall be awarded unless each regional library cooperative has received base funds.]