

This is an emergency amendment to 4.5.9 NMAC, Sections 10, 11 and 14, effective 7/1/2021.

Explanatory note: DCA will be issuing a temporary emergency rule implemented and effective July 1, 2021. DCA is amending the rule in order to expedite funding to tribal libraries for the first summer and fall of a two-year program to develop and staff culturally and linguistically relevant after-school student services and community-based summer programs authorized by the New Mexico legislature. Without the emergency rule, the tribal libraries would lose funding for the first designated summer and fall of the program. DCA is also amending the rule in order to provide an exception to the rule that no more than twenty-five percent of federal funds received by the state library shall be available for special grants. This exception will enable the state library to fully expend federal pandemic relief funds under the special grant rule. This temporary emergency process does not permanently amend or repeal the existing rule. The emergency rule will only remain in effect until a permanent rule takes effect under normal rule making process.

4.5.9.10 FUNDING SOURCE: Special grants may be funded with federal funds, state funds, and any other funds available to the state librarian and not otherwise restricted. Use of state funds for special grants shall not reduce state grants-in-aid. No more than twenty-five percent of federal funds received by the state library shall be used for special grants except where specific federal program funds, such as those from the American Recovery Plan Act (ARPA) are established and provided for pandemic relief.

[4.5.9.10 NMAC - N, 7/1/2015; A/E, 7/1/2021]

4.5.9.11 ELIGIBILITY: Public libraries and developing libraries that are eligible for state grants-in-aid in a given fiscal year are also eligible for special grants, unless the grant guidelines [~~otherwise restrict the library's eligibility~~] provide otherwise.

[4.5.9.11 NMAC - N, 7/1/2015; A/E, 7/1/2021]

4.5.9.14 TRANSFER OF FUNDS: Special grants shall only transfer to the grant recipient after the grant recipient signs a contract, agreeing to the terms applicable to the applicable special library program. [~~The state library will reimburse grant recipients for expenses documented in their state library approved budget for the special library program.~~]

[4.5.9.14 NMAC - N, 7/1/2015; A/E, 7/1/2021]