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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 408

Session of  
1977

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INTRODUCED BY O'KEEFE, D. S. HAYES, NOYE, MILLIRON, ZEARFOSS,  
J. L. WRIGHT JR., ZORD, HOPKINS, TRELLO, ZELLER, COLE,  
PANCOAST, YAHNER, LETTERMAN, M. M. MULLEN, KNEPPER, REED,  
TADDONIO, DOYLE, SIRIANNI, W. D. HUTCHINSON, VROON,  
STAPLETON AND LYNCH, MARCH 2, 1977

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REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 2, 1977

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AN ACT

1 Amending the act of June 14, 1961 (P.L.324, No.188), entitled  
2 "An act relating to the establishment, operation and  
3 maintenance of the State Library and public libraries in the  
4 Commonwealth; amending, revising, consolidating and changing  
5 the laws relating thereto; imposing duties upon public  
6 officers; providing for State and local cooperation and  
7 assistance in the establishment and maintenance of libraries;  
8 prescribing penalties; and repealing existing laws,"  
9 authorizing additional State aid.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. Section 303, act of June 14, 1961 (P.L.324,  
13 No.188), known as "The Library Code," clauses (1) and (4)  
14 amended December 29, 1971 (P.L.656, No.172) and clause (2)  
15 amended June 24, 1968 (P.L.246, No.116), is amended to read:

16 Section 303. State-aid.--State-aid shall be paid when a  
17 library achieves the applicable standards determined by  
18 counselling with the State Librarian pursuant to the advice and  
19 recommendations of the Advisory Council on Library Development,  
20 or submits plans as set forth in section 304 of this act leading

1 to the achievement of such standards, and makes a minimum  
2 financial effort as follows, except that no library receiving  
3 State-aid prior to and at time of the approval of this act shall  
4 receive less State-aid as a result of the provisions hereof  
5 notwithstanding that such library has not accepted the  
6 provisions of this act:

7 (1) Local Libraries. In the case of a local library which  
8 makes a minimum financial effort equal to one-half mill or two  
9 dollars (\$2) per capita for each person residing in its direct  
10 service area, whichever is less, it shall receive in State-aid  
11 an amount not exceeding twenty-five cents (25¢) for each person  
12 residing in its direct service area: Provided, That in the first  
13 year in which a library applies for State-aid it shall qualify  
14 therefor by making a minimum financial effort equal to one-  
15 quarter mill, or one dollar (\$1) per capita for each person  
16 residing in its direct service area, whichever is less.

17 In each of the succeeding five years, such library shall  
18 qualify for maximum State-aid only when it increases its  
19 financial effort by the following scale of percentages of the  
20 difference between the financial effort with which such library  
21 initially qualified for State-aid and a financial effort equal  
22 to one-half mill, or two dollars (\$2) per capita for each person  
23 residing in its direct service area, whichever is less:

24 1st succeeding year--20 percent,  
25 2nd succeeding year--40 percent,  
26 3rd succeeding year--60 percent,  
27 4th succeeding year--80 percent,  
28 5th succeeding year--100 percent.

29 But where the increase in any year is less than the percentage  
30 specified above, the amount of State-aid shall be reduced by a

percentage equal to one-fifth of the percentage which the difference between the required increase and the actual increase bears to the required increase multiplied by the number of years of participation in State-aid beyond the first year.

After the fifth succeeding year, a local library shall not be eligible for further State-aid unless it makes a financial effort equal to one-half mill, or two dollars (\$2) per capita for each person residing in its direct service area, whichever is less. A local library shall not be eligible for any State-aid unless it makes a financial effort equal to one-quarter mill or one dollar (\$1) per capita for each person residing in its direct service area, whichever is less.

In the case of a local library which makes a minimum financial effort equal to one-half mill, or two dollars (\$2) per capita for each person residing in the direct service area, whichever is less, it shall receive, in addition to other amounts provided for herein, up to fifty cents (50¢) for each one dollar (\$1) expended by the local library in excess of the one-half mill or two dollars (\$2) per capita whichever is less, but this total additional State-aid shall not exceed [twenty-five cents (25¢)] fifty cents (50¢) per capita for each person residing in the direct service area.

(2) County Libraries. In the case of a county library of a second, second A, third, fourth, fifth, sixth, seventh or eighth class county, State-aid shall be given in an amount measured by the amount appropriated by the county commissioners from county moneys, either from the General Fund or a special library tax or other sources, for the support and maintenance of the county library, and shall be determined as follows:

Percentage of Aid Calculated

|   |                 |                         |
|---|-----------------|-------------------------|
| 1 | Class of County | on County Appropriation |
| 2 | 2               | 15%                     |
| 3 | 2A and 3        | 20%                     |
| 4 | 4               | 25%                     |
| 5 | 5               | 33%                     |
| 6 | 6               | 50%                     |
| 7 | 7               | 75%                     |
| 8 | 8               | 125%                    |

9 The amount to be paid by the Commonwealth for the maintenance  
10 of any county library under this subsection shall not, in any  
11 year, exceed [eight thousand dollars (\$8,000)] one million  
12 dollars (\$1,000,000), and such payment shall be made to the  
13 board of trustees in charge of the county library. A report of  
14 the expenditure of such State moneys shall be made annually to  
15 the county commissioners and the State Librarian in such form as  
16 may be required. County libraries may also apply for additional  
17 amounts of State-aid under subsection (1) above, or subsection  
18 (3) following.

19 (2.1) Libraries of Cities of the First Class. In the case  
20 of a library in a city of the first class, State-aid shall be  
21 given in an amount measured by the amount appropriated by the  
22 city council either from the General Fund or a special library  
23 tax or other sources, for the support and maintenance of the  
24 library. State-aid under this clause shall not exceed ten  
25 percent of the amount appropriated by the city council or one  
26 million dollars (\$1,000,000).

27 (3) County Libraries Merged or Conjoined with Local  
28 Libraries.--In the case of a county library which is merged or  
29 operating in conjunction with another local library, it shall  
30 receive in State-aid an amount not exceeding twenty-five cents

(25¢) for each person residing in its direct service area, if, in the first year, the merged or conjoint libraries in the aggregate make a financial effort equal to one-quarter mill, or one dollar (\$1) per capita for each person residing in the direct service area of the county library, whichever is less.

In each of the succeeding five years, such county library shall receive the maximum amount of State-aid only when it increases its financial effort, exclusive of the amount expended by the library with which it is merged or conjoined, by the same scale of percentages stated for local libraries in subsection (1) above, but based upon the difference between the financial effort with which such county library initially qualified for State-aid, exclusive of the amount expended by the library with which it is merged or conjoined, and a financial effort equal to one-quarter mill, or one dollar (\$1) per capita for each person residing in the direct service area of such county library, whichever is less; and where the increase is less than that specified, the amount of State-aid shall be reduced in like manner as that stated for local libraries in subsection (1) above.

In each of the next succeeding five years, where such county library has achieved a minimum financial effort equal to one-quarter mill, or one dollar (\$1) per capita for each person residing in its direct service area, whichever is less, it shall continue to qualify for maximum State-aid only when it increases its minimum financial effort to a financial effort equal to one-half mill, or two dollars (\$2) per capita for each person residing in its direct service area, whichever is less, in like manner as that specified for local libraries in subsection (1) above, and it shall also be subject to the same formula of

1 decrease of State-aid if it fails to achieve this prescribed  
2 rate of increase of financial effort.

3 After the tenth succeeding year, a county library shall not  
4 be eligible for further State-aid under this subsection unless  
5 it makes a financial effort equal to one-half mill or two  
6 dollars (\$2) per capita for each person residing in the county  
7 library service area, whichever is less. During the second five-  
8 year period of participation, a county library shall not be  
9 eligible for any State-aid under this subsection in any year in  
10 which it makes a financial effort less than a financial effort  
11 equal to one-quarter mill, or one dollar (\$1) per capita for  
12 each person residing in such county library's direct service  
13 area, whichever is less.

14 Any local library which is providing the sole, direct, free  
15 library service in a county, and any county division of a local  
16 library operating under a written agreement with a board of  
17 county commissioners, shall qualify for State-aid on the same  
18 terms and conditions set forth in this subsection for merged or  
19 conjoint libraries.

20 After the first six years of participation in State-aid, such  
21 merged or conjoint libraries shall not qualify for State-aid  
22 unless such libraries are governed by a common board of library  
23 directors, and when such merged or conjoint libraries receive  
24 public funds from any municipality, said municipality shall be  
25 represented on such board of directors. However, a written  
26 agreement between a single board of library directors and the  
27 municipal officers of a county, city, borough, town, township or  
28 school district, shall be equivalent to such common board of  
29 library directors and such representation.

30 Provided, however, that the local library which merged with

1 or conjoined a county library shall, in the first year in which  
2 it applies for State-aid, include within its financial effort  
3 the amount expended by the county library with which it is  
4 merged or conjoined and shall qualify for State-aid if the  
5 merged or conjoint libraries in the aggregate make a financial  
6 effort equal to one-quarter mill, or one dollar (\$1) per capita  
7 for each person residing in its own direct service area  
8 (exclusive of the service area of the county library with which  
9 it is merged or conjoined), whichever is less. In each of the  
10 succeeding ten years, such local library shall receive the  
11 maximum amount of State-aid only when it increases its financial  
12 effort, exclusive of the amount expended by the county library  
13 with which it is merged or conjoined, by the following scale of  
14 percentages of the difference between the financial effort used  
15 in combination with the financial effort of the county library  
16 with which it is merged or conjoined to qualify initially for  
17 State-aid and a financial effort equal to one-half mill, or two  
18 dollars (\$2) per capita for each person residing in such direct  
19 service area, whichever is less:

20 1st succeeding year--10 percent,  
21 2nd succeeding year--20 percent,  
22 3rd succeeding year--30 percent,  
23 4th succeeding year--40 percent,  
24 5th succeeding year--50 percent,  
25 6th succeeding year--60 percent,  
26 7th succeeding year--70 percent,  
27 8th succeeding year--80 percent,  
28 9th succeeding year--90 percent,  
29 10th succeeding year--100 percent.

30 But where the increase is less than that specified above, the

1 amount of State-aid shall be reduced by a percentage equal to  
2 one-tenth of the percentage which the difference between the  
3 required increase and the actual increase bears to the required  
4 increase, multiplied by the number of years of participation in  
5 State-aid beyond the first year.

6 The provisions of the foregoing paragraph relating to local  
7 libraries merged or conjoined with county libraries shall also  
8 apply to local libraries which operate a county division under a  
9 written agreement with a board of county commissioners.

10 This subsection shall not be construed to prohibit any county  
11 library from receiving an additional or substitute amount of  
12 State-aid, if it qualifies under the provisions of the preceding  
13 subsection (2) as a county library. However, a local library  
14 which is merged or conjoined with a county library may apply for  
15 State-aid either under subsections (1) or (3) but shall not be  
16 eligible for State-aid under both these subsections.

17 (4) District Library Centers. In the case of a library  
18 designated by the State Librarian to serve as a district library  
19 center, an additional sum of State-aid shall be given in an  
20 amount not exceeding twenty-five cents (25¢) for each person  
21 residing in the entire district except that in the case of any  
22 State College library, the Pennsylvania State University Library  
23 and any privately supported college or university library  
24 designated as a district library center, the amount of State-aid  
25 shall not exceed twelve and one-half cents (12 1/2¢) for each  
26 person residing in the entire district.

27 (5) Regional Library Resource Centers. In the case of a  
28 library designated by the State Librarian to serve as a regional  
29 library resource center, additional annual State-aid in an  
30 amount not to exceed [one hundred thousand dollars (\$100,000)]



1 one hundred fifty thousand dollars (\$150,000) shall be paid to  
2 such library.

3 (6) Equalization Aid. Where a library qualifies for State-  
4 aid with a financial effort of less than [one dollar and twenty-  
5 five cents (\$1.25)] one dollar and seventy-five cents (\$1.75)  
6 per capita for each person residing in the direct service area  
7 of such library, additional State-aid shall be given such  
8 library in an amount which shall [equal] not exceed the  
9 difference between the per capita value of one-half mill times  
10 the market value of taxable property, as determined by the State  
11 Tax Equalization Board, in the direct service area of such  
12 library and [one dollar and twenty-five cents (\$1.25)] one  
13 dollar and seventy-five cents (\$1.75) per capita for each person  
14 residing in its direct service area.

15 (7) Adjustments Necessitated by Appropriation. If the sums  
16 appropriated for any fiscal year for making payments provided in  
17 this act are not sufficient to pay in full the total amounts to  
18 which all qualified libraries are entitled to receive under this  
19 act for such year, the allocations to such libraries, subject to  
20 the adjustments under the next sentence, shall be ratably  
21 reduced to the extent necessary to bring the aggregate of such  
22 allocations within the limits of the amount appropriated. The  
23 allocation of a qualified library which would be reduced under  
24 the preceding sentence to an amount less than its allocation for  
25 fiscal year 1975-1976 shall be increased to such amount, the  
26 total of the increases thereby required derived by  
27 proportionally reducing the allocation of the remaining  
28 qualified libraries under the preceding sentence, but with such  
29 adjustments as may be necessary to prevent the allocation to any  
30 remaining qualified library from being thereby reduced to an

1 amount less than its allocation for fiscal year 1975-1976.

2       Section 2. This act shall take effect immediately.