

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1627 Session of  
1989

INTRODUCED BY VAN HORNE, ALLEN, TANGRETTI, KUKOVICH AND  
PETRARCA, JUNE 5, 1989

REFERRED TO COMMITTEE ON APPROPRIATIONS, JUNE 5, 1989

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," further  
9 regulating equalization aid to libraries.

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

12 Section 1. Section 303(b)(6) of the act of June 14, 1961  
13 (P.L.324, No.188), known as The Library Code, amended July 10,  
14 1985 (P.L.195, No.50), is amended to read:

15 Section 303. State-aid.--\* \* \*

16 (b) Subject to the limitations in subsection (a), State-aid  
17 shall be paid when a library achieves the applicable standards  
18 determined by counselling with the State Librarian pursuant to  
19 the advice and recommendations of the Advisory Council on  
20 Library Development, or submits plans as set forth in section  
21 304 of this act leading to the achievement of such standards,

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

6 \* \* \*

7 (6) Equalization Aid. Beginning in the 1985-1986 fiscal  
8 year, in each year that the Commonwealth's total annual  
9 appropriation for the system of State-aid established by section  
10 equals or exceeds seventeen million five hundred thousand  
11 dollars (\$17,500,000), two and three-quarters percent (2.75%) of  
12 said appropriation shall first be allocated as equalization aid.

13 Any local library or library system which achieves or exceeds  
14 applicable basic standards, maintains or exceeds its financial  
15 effort of the preceding year and is supported by a municipality  
16 that is economically distressed by any one or more of the  
17 following criteria shall qualify for equalization aid. For  
18 purposes of determining eligibility for equalization aid, an  
19 economically distressed municipality shall be: (i) a city,  
20 borough, town or township having a market value per capita below  
21 the fifth percentile of all such cities, boroughs, towns and  
22 townships, as certified annually by the State Tax Equalization  
23 Board; (ii) located in a county having a personal income per  
24 capita below the fifteenth percentile of all counties, as  
25 certified annually by the Department of Revenue; or (iii)  
26 located in a county having an annual average unemployment rate  
27 above the seventieth percentile of all counties, as determined  
28 annually by the Department of Labor and Industry. Population  
29 data to be used for determining market value per capita and  
30 personal income per capita, as provided for in this clause,

1 shall be the latest available data from the Federal Bureau of  
2 Census for the direct service area of the local library or  
3 library system.

4 In the case of a library or library system that fulfills the  
5 requirements for equalization aid but did not maintain its  
6 financial effort of the preceding year, the State Librarian may  
7 grant a waiver to the maintenance of effort requirement and  
8 allow the library or system to qualify for such aid if evidence  
9 is presented that indicates the decrease in financial effort was  
10 not the result of replacing local funding with equalization aid.

11 Beginning in the 1985-1986 fiscal year, twenty percent (20%)  
12 of the annual allocation for equalization aid shall first be  
13 distributed in equal amounts to all local libraries and members  
14 of library systems which qualify for such aid, as determined in  
15 accordance with the provisions of this clause. The remainder of  
16 the annual allocation shall be distributed on a per capita basis  
17 to each local library and library system which qualifies for  
18 such aid, as determined in accordance with the provisions of  
19 this clause, by dividing the number of persons residing in the  
20 direct service area of each such local library or library system  
21 by the total number of such persons residing in the direct  
22 service areas of all qualifying local libraries or library  
23 systems, and multiplying the result by the amount of the  
24 allocation to be distributed on a per capita basis.

25 No local library or library system shall, as a result of the  
26 provisions of this clause, receive in any year more than one-  
27 third of the total annual appropriation for equalization aid.  
28 During the 1985-1986 fiscal year and each fiscal year thereafter  
29 that the Commonwealth's total annual appropriation for the  
30 system of State-aid established by section 301 exceeds seventeen

1 million five hundred thousand dollars (\$17,500,000), no local  
2 library or library system shall receive less equalization aid as  
3 a result of the provisions of this clause than such local  
4 library or library system received for equalization aid during  
5 the 1984-1985 fiscal year.

6 \* \* \*

7 Section 2. This act shall take effect in 60 days.