

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2193 Session of
1976

INTRODUCED BY GALLAGHER AND PANCOAST, MARCH 10, 1976

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 10, 1976

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
21 to the achievement of such standards, and makes a minimum
22 financial effort as follows, except that no library receiving

1 State-aid prior to and at time of the approval of this act shall
2 receive less State-aid as a result of the provisions hereof
3 notwithstanding that such library has not accepted the
4 provisions of this act:

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

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

22 1st succeeding year--20 percent,
23 2nd succeeding year--40 percent,
24 3rd succeeding year--60 percent,
25 4th succeeding year--80 percent,
26 5th succeeding year--100 percent.

27 But where the increase in any year is less than the percentage
28 specified above, the amount of State-aid shall be reduced by a
29 percentage equal to one-fifth of the percentage which the
30 difference between the required increase and the actual increase

1 bears to the required increase multiplied by the number of years
2 of participation in State-aid beyond the first year.

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

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

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

| 28 | Percentage of Aid Calculated |
|--------------------|------------------------------|
| 29 Class of County | on County Appropriation |
| 30 2 | <u>15%</u> |

| | | |
|---|----------|------|
| 1 | 2A and 3 | 20% |
| 2 | 4 | 25% |
| 3 | 5 | 33% |
| 4 | 6 | 50% |
| 5 | 7 | 75% |
| 6 | 8 | 125% |

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

17 (2.1) Libraries of Cities of the First Class. In the case
18 of a library in a city of the first class, State-aid shall be
19 given in an amount measured by the amount appropriated by the
20 city council either from the General Fund or a special library
21 tax or other sources, for the support and maintenance of the
22 library. State-aid under this clause shall not exceed ten
23 percent of the amount appropriated by the city council or one
24 million dollars (\$1,000,000).

25 (3) County Libraries Merged or Conjoined with Local
26 Libraries.--In the case of a county library which is merged or
27 operating in conjunction with another local library, it shall
28 receive in State-aid an amount not exceeding twenty-five cents
29 (25¢) for each person residing in its direct service area, if,
30 in the first year, the merged or conjoint libraries in the

1 aggregate make a financial effort equal to one-quarter mill, or
2 one dollar (\$1) per capita for each person residing in the
3 direct service area of the county library, whichever is less.

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

19 In each of the next succeeding five years, where such county
20 library has achieved a minimum financial effort equal to one-
21 quarter mill, or one dollar (\$1) per capita for each person
22 residing in its direct service area, whichever is less, it shall
23 continue to qualify for maximum State-aid only when it increases
24 its minimum financial effort to a financial effort equal to one-
25 half mill, or two dollars (\$2) per capita for each person
26 residing in its direct service area, whichever is less, in like
27 manner as that specified for local libraries in subsection (1)
28 above, and it shall also be subject to the same formula of
29 decrease of State-aid if it fails to achieve this prescribed
30 rate of increase of financial effort.

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

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

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

28 Provided, however, that the local library which merged with
29 or conjoined a county library shall, in the first year in which
30 it applies for State-aid, include within its financial effort

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

18 1st succeeding year--10 percent,
19 2nd succeeding year--20 percent,
20 3rd succeeding year--30 percent,
21 4th succeeding year--40 percent,
22 5th succeeding year--50 percent,
23 6th succeeding year--60 percent,
24 7th succeeding year--70 percent,
25 8th succeeding year--80 percent,
26 9th succeeding year--90 percent,
27 10th succeeding year--100 percent.

28 But where the increase is less than that specified above, the
29 amount of State-aid shall be reduced by a percentage equal to
30 one-tenth of the percentage which the difference between the

1 required increase and the actual increase bears to the required
2 increase, multiplied by the number of years of participation in
3 State-aid beyond the first year.

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

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

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

25 (5) Regional Library Resource Centers. In the case of a
26 library designated by the State Librarian to serve as a regional
27 library resource center, additional annual State-aid in an
28 amount not to exceed [one hundred thousand dollars (\$100,000)]
29 one hundred fifty thousand dollars (\$150,000) shall be paid to
30 such library.

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

13 (7) Adjustments Necessitated by Appropriation. If the sums
14 appropriated for any fiscal year for making payments provided in
15 this act are not sufficient to pay in full the total amounts to
16 which all qualified libraries are entitled to receive under this
17 act for such year, the allocations to such libraries, subject to
18 the adjustments under the next sentence, shall be ratably
19 reduced to the extent necessary to bring the aggregate of such
20 allocations within the limits of the amount appropriated. The
21 allocation of a qualified library which would be reduced under
22 the preceding sentence to an amount less than its allocation for
23 fiscal year 1974-1975 shall be increased to such amount, the
24 total of the increases thereby required derived by
25 proportionally reducing the allocation of the remaining
26 qualified libraries under the preceding sentence, but with such
27 adjustments as may be necessary to prevent the allocation to any
28 remaining qualified library from being thereby reduced to an
29 amount less than its allocation for fiscal year 1974-1975.

30 Section 2. This act shall take effect immediately.