
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 408

Session of
1977

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

REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 2, 1977

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

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

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

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

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

30 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

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

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

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