

to and shall apply to the voters, inspectors, judges, and clerks voting at and in attendance upon elections held under the provisions of this act.

Section 6. The clerk of the court shall make a return of the vote cast upon such question, as filed in his office, to the board of directors of the school district, and the same shall be placed on record among or upon the minutes thereof. Return.

Section 7. If at such election a majority of the electors shall vote in favor of using said borrowed, or authorized to be borrowed, money for the purpose other than that for which it was originally authorized, the said money shall thereafter be used for such new purpose in the same manner as if it had originally been authorized and borrowed for such purpose. Affirmative vote.

APPROVED—The 13th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 93

AN ACT

To amend section two, section four as amended, sections five, six, and seventeen, and to repeal section fifteen, of the act, approved the twentieth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred forty-three), entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowment for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," excepting cities, boroughs, towns, and townships, where libraries are maintained, from county library districts unless such libraries are merged with the county library, and providing for taxation in such cases.

Section 1. Be it enacted, &c., That section two of the act, approved the twentieth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred forty-three), entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property,

Libraries.

Free, public nonsectarian.

Section 2, act of July 20, 1917 (P. L. 1143), amended.

and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," is hereby amended to read as follows:

"Municipal authorities," defined.

Section 2. The term "municipal authorities," wherever used in this act, shall be interpreted as meaning the mayor and council of any city, the burgess and council of any borough or town, the *commissioners* or supervisors of any township, or the commissioners of any county, as the case may be.

Section 4, as amended by act of May 4, 1927 (P. L. 724), further amended.

Section 2. That section four of said act, which was amended by section one of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, seven hundred twenty-four), entitled "An act to amend sections, four, twelve, and sixteen of an act, approved the twentieth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred forty-three), entitled 'An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects,' extending the referendum process; validating elections heretofore had, and taxes heretofore levied; and extending provisions relating to making reports, and auditing the same," is hereby further amended to read as follows:

Municipal authorities to submit to electors question of establishing libraries.

Section 4. The municipal authorities of any municipality may submit to the qualified electors of such municipality at any general or [special] *municipal* election, the question of establishing, [or] maintaining *and/or* [both] *aiding in maintaining* a free, public, nonsectarian library, and must submit such question, if petitioned for by three per centum of the voters at the last preceding general election. At such election the question of establishing an annual tax at a certain rate, not ex-

ceeding two mills on the dollar, on all taxable property of the municipality, shall [also] be submitted. [and voted upon.]

When questions may be submitted.

*In cases where such questions are submitted to the voters of a county, they shall not be submitted to the voters residing in cities, boroughs, towns and townships in which there is then being maintained a free, public, nonsectarian library, whether by the city, borough, town, township or school district, or otherwise, unless the municipal authorities, the board of school directors, or the board of trustees or managers of any endowed library or association library in such municipality shall have, previous to such submission, signified their intent, by ordinance or resolution, to become a part of the county library district, and to merge any existing library in such municipal district, if the same can legally be done, with the county library. Any city, borough, town, township, school district or any board of trustees or managers of any endowed library or association library, maintaining such a free, public, nonsectarian library, shall have power to contract with the county commissioners, before the submission of such questions, upon the terms and conditions under which it will become a part of such county library district. Title to the books and other property of said municipally supported library, school district library or other library shall remain in the said municipality, school district, board of managers or trustees, but the books and other property shall be used by the county library in accordance with the terms of a written agreement between the county commissioners and the said municipal authorities, board of school directors, or board of trustees or managers of any endowed library or association library: Provided, however, That title to such books and other property may be transferred to the county library district if the same may be legally done.*

Power to contract upon terms and conditions of joining.

Title to books, etc.

Use of books, etc.

Proviso.

*But where a county library district is established and a municipality has not joined in said establishment, it may, nevertheless, thereafter join said county library district if the municipal authorities, school district, or any board of trustees or managers of any endowed library or association library in such municipality enter into an agreement with the county board of library directors to merge its facilities with the county library in the manner herein provided.*

Municipality may join district later.

Section 3. That section five of said act is hereby amended to read as follows:

Section 5 amended.

Section 5. If the majority of votes cast upon this question shall be in favor of establishing such tax rate, the municipal authorities, at the first meeting following the official announcement of the result of such election, shall take the necessary steps to levy and collect the tax so levied, and shall appoint a board of library di-

Tax levy.

rectors as provided in section nine of this act. Said board shall have exclusive control of the library so established or maintained, or both, and shall be governed as provided in other sections of this act. *In the case of a county tax, no tax shall be levied on any property in cities, boroughs, towns or townships where free, public, nonsectarian libraries are being maintained, and which have not elected, up to the time of such tax levy, to join the county library district.*

When county tax shall not be levied.

Section 6 amended.

Section 4. That section six of said act is hereby amended to read as follows:

Annual tax rate.

Section 6. The rate of tax so voted shall be an annual tax rate until another vote is taken changing the same. [Provided, That the municipal authorities may increase said rate, not to exceed two mills on the dollar, on all taxable property of the municipality, without submitting the question to a vote.] The tax shall be levied and collected in like manner as other taxes in the municipality, and shall be in addition to all other taxes, *except where included within the general levy*, and shall be used for no other purpose than that of establishing or maintaining, or both, a free public, *nonsectarian* library. The money so raised shall be under the exclusive control of the board of library directors provided in section nine of this act.

Levy and collection of tax.

Control.

Section 5. That section seventeen of said act is hereby amended to read as follows:

Section 17 amended.

Section 17. The annual report required by the last preceding section shall cover the fiscal year of the municipality. Said report shall contain an itemized statement of all receipts from whatever source and expenditures, and shall show the condition of the library and any branches thereof; the number of volumes, maps, pamphlets, and other material; the number added by purchase, gift, or otherwise; the number lost or withdrawn; the number of registered borrowers and readers; a classified statement of the circulation of material, with such other information and suggestions as may seem desirable. A copy of each report made to the municipal authorities shall be sent to the State [Free] Library, [Commission] *at Harrisburg.*

Details of report.

Copy to be sent to State Library.

Section 15 repealed.

Section 6. That section fifteen of said act is hereby repealed.

APPROVED—The 13th day of May, A. D. 1931.

GIFFORD PINCHOT