

No. 2006-97

AN ACT

SB 651

Amending the act of June 14, 1961 (P.L.324, No.188), entitled "An act relating to the establishment, operation and maintenance of the State Library and public libraries in the Commonwealth; amending, revising, consolidating and changing the laws relating thereto; imposing duties upon public officers; providing for State and local cooperation and assistance in the establishment and maintenance of libraries; prescribing penalties; and repealing existing laws," further providing for waiver of standards; providing for standards; further providing for quality libraries aid, for incentive for excellence aid, for district library centers, for county coordination aid, for equal distribution grants to local libraries basic literacy skills, for Statewide library resource centers, for equalization aid and for equal distribution grants to local libraries and library systems; and providing for fiscal year 2006-2007 public library subsidy allocation, for fiscal year 2006-2007 minimum State-aid guarantee and for State-aid for 2006-2007.

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

Section 1. Section 103(a) of the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, amended July 14, 2005 (P.L.304, No.53), is amended to read:

Section 103. Waiver of Standards.—(a) If the Commonwealth's appropriation for libraries in fiscal years 2004-2005 and 2005-2006 is less than that provided in fiscal year 2002-2003, the State Librarian may, upon application by the board of directors of a local library, waive standards contained in this act [or] **and** regulations promulgated under this act relating to hours of operation, continuing professional development, collections expenditures and any other standards related to library operations deemed appropriate by the State Librarian for the fiscal year.

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Section 2. The act is amended by adding a section to read:

Section 104. Standards.—In fiscal year 2007-2008 and each year thereafter, a library shall comply with standards contained in this act and regulations promulgated under this act relating to hours of operation, continuing professional development, collections expenditures and any other standards related to library operations.

Section 3. Section 303.2(a) of the act, added June 22, 2000 (P.L.404, No. 57), is amended to read:

Section 303.2. Quality Libraries Aid.—(a) For fiscal year 1999-2000, qualifying local libraries and library systems shall receive quality libraries aid to be allocated from the sum total of a hold-harmless amount plus an annual supplement, both amounts to be derived from the Commonwealth's annual appropriation for grants to local libraries and library systems. The hold-harmless amount for quality libraries aid shall be the amount allocated

under section 303.1 for basic aid to local libraries for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. For fiscal year 1999-2000, the annual supplement shall be forty-seven percent (47%) of any increase in the Commonwealth's annual appropriation for grants to local libraries and library systems above the amount appropriated for fiscal year 1998-1999. **[For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for quality libraries aid shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]**

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Section 4. Section 303.5(a) of the act, amended June 22, 2001 (P.L.554, No.36), is amended to read:

Section 303.5. Incentive For Excellence Aid.—(a) For fiscal year 1999-2000, qualifying local libraries and library systems shall receive an incentive for excellence aid to be allocated from the sum total of a hold-harmless amount plus an annual supplement, both amounts to be derived from the Commonwealth's annual appropriation for grants to local libraries and library systems. The hold-harmless amount for incentive for excellence aid shall be the amount allocated under section 303.4 for incentive aid to local libraries for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. For fiscal year 1999-2000, the annual supplement shall be fifty-three percent (53%) of any increase in the Commonwealth's annual appropriation for grants to local libraries and library systems above the amount appropriated for fiscal year 1998-1999. **[For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for incentive for excellence aid shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]**

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Section 5. Sections 303.7(a) and 303.8(a) of the act, added June 22, 2000 (P.L.404, No.57), are amended to read:

Section 303.7. County Coordination Aid.—(a) For eligible fiscal years up to and through the 1998-1999 fiscal year, ten percent (10%) of the Commonwealth's total annual appropriation for the system of State-aid established by section 301 shall be allocated as aid to county libraries. For fiscal year 1999-2000, aid to county libraries and county library systems shall be allocated from a hold-harmless amount to equal that amount allocated for aid to county libraries for fiscal year 1998-1999 from the Commonwealth's annual appropriation for grants to local libraries and library systems. **[For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for county coordination aid shall be specified in the Commonwealth's annual appropriation for grants to**

local libraries and library systems within the General Appropriation Act for that fiscal year.]

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Section 303.8. District Library Centers.—(a) For eligible fiscal years up to and through the 1998-1999 fiscal year, thirty percent (30%) of the Commonwealth's total annual appropriation for the system of State-aid established by section 301, or a minimum of twenty-five cents (25¢) per capita, shall be allocated as aid for district library centers. For fiscal year 1999-2000, aid to district library centers shall be allocated from a hold-harmless amount to equal that amount allocated for aid to district library centers for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. **[For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for district library centers shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]** Funds allocated for district library centers shall be distributed according to the provisions of this section.

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Section 6. Section 303.9(b) of the act, amended June 22, 2001 (P.L.554, No.36), is amended to read:

Section 303.9. State-wide Library Resource Centers.—* * *

(b) Any library designated by the State Librarian to serve as a State-wide library resource center shall qualify for additional State-aid. The allocation shall be divided equally among the libraries so designated. For fiscal year 1999-2000, aid to State-wide library resource centers shall be allocated from a hold-harmless amount to equal that amount allocated for aid to State-wide library resource centers for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. **[For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for State-wide library resource centers shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]** Funds allocated for State-wide library resource centers shall be distributed according to the provisions of this section.

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Section 7. Sections 303.10(f) and 303.11 of the act, added June 22, 2000 (P.L.404, No.57), are amended to read:

Section 303.10. Equalization Aid.—* * *

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

five hundred thousand dollars (\$17,500,000), no local library or library system shall receive less equalization aid as a result of the provisions of this section than such local library or library system received for equalization aid during the 1984-1985 fiscal year. For fiscal year 1999-2000, equalization aid shall be allocated from a hold-harmless amount to equal that amount allocated for equalization aid for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. **[For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for equalization aid shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]** Funds allocated for equalization aid shall be distributed according to the provisions of this section.

Section 303.11. Equal Distribution Grants to Local Libraries and Library Systems.—For eligible fiscal years up to and through the 1998-1999 fiscal year, five percent (5%) of the Commonwealth's annual appropriation for the system of State-aid established by section 301, and all funds transferred from the county library allocation after the county libraries have been paid the total amounts for which they qualify, shall be allocated as hereinafter provided: (1) five cents (5¢) per capita for each person residing in the entire district for each district library center which has a population in its direct service area as a local or county library which is twelve percent (12%) or less of the population of the entire designated direct service area; (2) the balance as equal grants to local libraries and library systems which qualify for aid under section 303.1. These grants shall be determined by dividing the total amount of money allocated by the number of local libraries, branch libraries and bookmobiles in the Commonwealth which achieve or exceed the applicable basic standards. Each library system shall receive an equal grant for each qualifying member local library, branch library and bookmobile. Each local library shall receive an equal grant for the central library and each qualifying branch library and bookmobile. For fiscal year 1999-2000, equal distribution grants to local libraries and library systems shall be allocated from a hold-harmless amount to equal that amount allocated for equal distribution grants to local libraries and library systems for fiscal year 1998-1999 from the amount allocated from the Commonwealth's annual appropriation for grants to local libraries and library systems. **[For fiscal year 2000-2001 and each fiscal year thereafter, the amount allocated for equal distribution grants to local libraries and library systems shall be specified in the Commonwealth's annual appropriation for grants to local libraries and library systems within the General Appropriation Act for that fiscal year.]** Funds allocated for equal distribution grants to local libraries and library systems shall be distributed according to the provisions of this section.

Section 8. The act is amended by adding a section to read:

Section 303.16. State-aid for 2006-2007.—*Notwithstanding any other provision of law to the contrary, each library shall be eligible for State-aid for fiscal year 2006-2007 which shall consist of the following:*

(1) Any library that received funding in fiscal year 2002-2003 under sections 303.2, 303.5, 303.7, 303.9, 303.10 and 303.11 shall receive the same amount the library received in fiscal year 2002-2003.

(2) Any district library center that received funding in fiscal year 2002-2003 under section 303.8 shall receive the same amount the library received in fiscal year 2002-2003, except as follows:

(i) Any district library center receiving funding under section 303.14(1) shall receive two hundred ten thousand dollars (\$210,000).

(ii) Any district library center receiving funding under section 303.14(2) shall receive five hundred twenty-nine thousand four hundred and thirty-seven dollars (\$529,437).

(3) The sum of one hundred twenty-six thousand one hundred and forty-one dollars (\$126,141) shall, at the discretion of the State Librarian, be made available as State-aid to be paid to any library that has become eligible to receive State-aid but did not receive funding under clause (1) or (2).

(4) Add clauses (1), (2) and (3) to determine the amount of funding.

(5) After distribution of funds to libraries under clause (4), any remaining unallocated funds may be distributed at the discretion of the State Librarian.

Section 9. This act shall take effect immediately.

APPROVED—The 7th day of July, A.D. 2006.

EDWARD G. RENDELL