

PCBL's Testimony on SB1225

Hearing by the Senate Education Committee

Wednesday, September 21, 2011

Testimony for Pennsylvania Citizens for Better Libraries (PCBL) presented by Nan Cavanaugh and Dennis Leeper, both past presidents. Mrs. Cavanaugh is a long time board member and current president of the Friends of Kline Library in Harrisburg. Mr. Leeper is the current vice president of PCBL, and trustee for the Easttown Public Library and Information Center in Berwyn. Also present is Carolyn Pfeifer, Executive Director of PCBL.

Good morning to Chairman Senator Piccola, Democratic Chairman Dinniman, members of the committee and other guests. PCBL is thankful for this opportunity to comment today on this landmark legislation to strengthen and update the Library Code.

As a first step, I will present a brief historical background since everyone may not be familiar with PCBL.

The mission of the Pennsylvania Citizens for Better Libraries is to:

- **Persuade** public officials that libraries are essential community services
- **Collaborate** with other library associations, agencies and community groups
- **Be** a voice for improved library funding and appropriate legislation
- **Lead** efforts to encourage, train and support library Friends

PCBL is an organization of advocates that speaks for libraries throughout Pennsylvania. Membership is open to anyone who wants to see strong and well-funded libraries, and the best possible library service for all of Pennsylvania's citizens. That includes librarians, trustees of libraries, government officials and friends of libraries, as well as the lay citizen-user of libraries.

Currently, PCBL has 108 individual members, 134 organizational members with 113 affiliate members. Affiliate membership is a special status helpful to Friends in their fund raising capacities. Affiliate members are library Friends groups that pay an annual membership fee to receive tax-exempt status as a 501 (c) (3) nonprofit organization. Friends groups save thousands of dollars, including the cost of incorporation, the cost of filing articles of incorporation, and the cost of obtaining IRS tax-exempt status. There are many other benefits. Donors to the Friends receive the right to claim a tax deductible contribution to charity. The Friends also receive an affirmation of exemption from paying IRS taxes and of the right to a PA sales and use tax exemption.

PCBL was founded in 1979 during the administration of Governor Richard Thornburg when there were both state and national conferences on libraries.

In fact, Resolution #1 from the 1979 Pennsylvania Governor's Conference on Library and Information Services states: "The State Librarian and the Bureau of Library Development to provide leadership for the creation of a statewide Friends of the Library Association whose purpose is to foster and promote public awareness programs for all types of libraries, to serve as a sounding board for the citizenry of Pennsylvania on materials pertaining to local and statewide information."

The White House Conference on Library and Information Services was held November 15-19, 1979. The members of the White House Conference delegation from Pennsylvania were designated as the charter members of the Board of Directors for PCBL.

For thirty- two years PCBL has been proud to serve as one of the voices of lay leadership for PA's libraries. Our board is composed of members from across the Commonwealth from libraries large, small or medium sized, from systems that are rural, urban, or suburban or a mixture of all three. It has been our privilege to work with other state-wide library organizations of professionals- especially with The Pennsylvania Library Association and the Pennsylvania School Librarians- on issues and projects of mutual concern. Also, from PCBL's inception, we have valued the association and expertise of the Department of Commonwealth Libraries. Representatives from PaLA, PSLA and Commonwealth Libraries serve ex officio on the board.

Thank you again for offering PCBL the opportunity to give testimony this morning on SB1225.

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The Advisory Council

The Advisory Council should represent the diversity of those who use libraries (customers), those who manage them (librarians) and those who set policy (trustees). The change of composition to six professional rather than six lay persons strikes an even balance, especially as so many issues involve technical expertise and knowledge. In addition, the plan to phase in changes is carefully thought out. PCBL supports the changes to the Advisory Council on Library Development.

Library Districts

Change in the library world takes time and often does not work well from the top down. Allowing state colleges, universities and privately supported institutions to serve as district centers offers more possibilities, encourages cooperation and allows the process of consolidation to move forward. PCBL supports actions that encourage cooperation among libraries of all types that can help PA libraries to function more efficiently and effectively.

Free Service

Establishing free lending and reference services is an appropriate mandate for the Library Code. PCBL supports the concept of free library service for Pennsylvanians of all ages.

State Library as Resource Center

Currently the State Library is not open any evenings or weekend hours, providing limited access. Under the Library Code, the State Library is a resource center to make research collections

available to the public. It seems ironic for Commonwealth Libraries to set mandated standards of operating hours for other libraries, but to lack the funding necessary to operate their one direct public use facility. PCBL supports the Pennsylvania State Library as one of four regional resource centers and respectfully requests the restoration of funding to enable it to be open to the public on evenings and weekends.

Library Referendum

Allowing two methods of placing the library funding issue on the municipal ballot provides both a needed choice and a clear pathway for local library support. Requiring 3% of voters voting in the previous election as the base number for a petition is reasonable. It is especially important that a special tax remain in place until rescinded to avoid additional costs. PCBL supports this clear and reasonable process for taking questions of local library funding to the voters.

Acquisition of Real Property

New libraries should come from a sense of community need and a willingness to support a quality library that will meet standards. The process outlined by SB1225 is clear and reasonable. Priority for state aid should go to an already established library in a municipality. PCBL supports priority funding to already established libraries.

Library boards and municipal officials have expanded opportunities to allow libraries to grow to meet expanded community needs. Taking of adjacent property provides a fair and reasoned process with the right of appeal to protect the property holder while providing cost efficient choices for the community. A special election bond issue to purchase grounds and erect buildings can provide vitally needed funding options for aging infrastructure. PCBL supports section 9316 that offers ways to renovate and relocate libraries.

Board of Library Directors

Board size and term limits are controversial subjects of discussion. A board with an upper limit of nine members can function efficiently and effectively. The ambiguous language on term limits allows for turn-over or retention, as appropriate to the situation. PCBL supports a five to nine member limit for boards and flexible language on term limits.

Annual Report to Municipal Authority.

With an appropriate form for presenting information and statistics developed by the State Librarian, this yearly event can be a win/win opportunity for advocacy. PCBL supports annual reports as a mechanism in section 9318 (h) to improve communication and awareness of important roles libraries play in their communities.

Continuing Education

State standards for library professionals' education and training should be proposed by the State Librarian and approved by the Advisory Council. It is also important to be able to waive standards if state funding is not sufficient to maintain standards. PCBL has been a strong supporter and working partner of the Trustee/Friends Institute where voluntary participation has encouraged Friends, board members and professional staff to come together to work as a team. Interlibrary cooperative programs also encourage teamwork, avoid duplication of effort and are often more cost effective. PCBL supports state standards for training and continuing education.

Waiver of Standards

The State Librarian should set appropriate rules and regulations with the approval of the Advisory Council. However, PCBL strongly supports the waiving of standards process detailed when the Commonwealth's appropriations are less than that of the previous year. The hold harmless provisions are vital to avoid or minimize further catastrophic impact on individual libraries or types of libraries when there is a significant decline in state funding.

Municipal Support for Libraries

PA has a strong tradition of many local government units that cherish their independence and local control. As tempting as it is to contemplate and mandate consolidation into larger municipal units, for example into county level systems similar to neighboring Maryland, it is unlikely to be viewed with enthusiasm by local communities. Therefore, the Library Code, in recognition of this perspective, allows a municipality to opt out of a tax for a county system, but requires that the municipality provide financial support. Also, municipalities may levy a special tax or provide money from a general fund. Income from the special library tax can only be used for the library, important language to assure compliance. There are safeguards and respect for local decision- making. PCBL supports and encourages increased municipal support for libraries.

Popular Subscription

The process for starting a new library should be well defined with proof of community support to both establish and maintain it. The requirement that no more than 2% of the amount raised can come from any one person or company assures that there is broad community support. Also, the requirement that municipal officers shall levy at least 1 1/2 mills of tax to maintain the library assures that it can continue. PCBL supports popular subscription accompanied by yearly maintenance.

Gifts and Donations (S. 9353) - A note of caution on unintended consequences

The proposed statute reads: "*A person wishing to donate **books**, money or real or personal property may vest the title to that property in the municipality...*" It may be unwise to mention books specifically without providing for some mechanism for assuring that the donations are worthwhile, in appropriate condition and present timely information. Municipalities may not wish to become drop off locations for used books. It does not appear that a municipality could refuse a gift that would offer inaccurate information. PCBL suggests that the word "books" be deleted from this section.

Free or Fee

Libraries need to be free to residents of municipalities that support them- a bedrock, essential principle. However, in those places where for whatever reason, the dark side rules and there are no quality libraries, people need a choice. It makes sense to give it to them, but to allow the board of directors the choice of levying a fee. In the best of all possible worlds, all library services to all users should be free. In the reality of limited means, libraries must prioritize.

Exemption from Local Taxes

Libraries need increased financial support from municipalities and municipalities need to be encouraged to accept that financial responsibility. It is counterproductive to tax the buildings, land or property. The trifecta of exemptions from local government taxes, inheritance tax or tax

on interest income is helpful. PCBL strongly supports that public libraries be exempted from local and state taxes.

Local Collections

Decisions about what to include in local collections should be made locally. PCBL strongly supports the principle of local decision making based on local standards. In addition, confidentiality of library records is another core principle. It is important to protect the individual's right to privacy unless the request is a court order in a criminal proceeding. PCBL supports confidentiality of library records.

PCBL commends this legislation and all those who have worked diligently to update the Library Code. SB1225 provides an orderly process of transition, as well as recognizing the important library mission of free basic service. It represents a significant step forward into the twenty-first century. PCBL gratefully appreciates the opportunity to provide testimony here today on SB1225.

However, PCBL would be remiss if it did not mention the need for sustained and dedicated funding. The cut backs in state funding in past years have harmed libraries in Pennsylvania and frustrated citizens who experience fewer open hours, reduced number of materials and fewer staff to help them.

In closing, it is wise to remember what distinguished Pennsylvanian Andrew Carnegie had to say: "A library outranks any one thing a community can do to benefit its people." Lay members, library trustees, friends, library customers and librarians all need to work together to make PA's libraries the best that they can be. Local municipalities, counties and the Commonwealth need to work together to provide dedicated funding for libraries. PCBL is grateful for the opportunity to join in this effort.