



Senate Education Committee

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BILL SUMMARY

Senate Bill 1225, Printer's No. 1506

Prime Sponsor: Pileggi

A. SYNOPSIS:

Senate Bill 1225 would codify the Library Code in consolidated statute form to improve the readability of the Library Code and reconcile conflicts between the Library Code and regulations that have been issued under it.

B. BILL ANALYSIS:

As part of codifying the Library Code, Senate Bill 1225 would amend the current library laws to do the following:

- Designate the Deputy Secretary for Libraries as the State Librarian, consistent with current practice. Current law provides for the appointment of a State Librarian, and historically the Deputy Secretary - Office of Commonwealth Libraries has been assigned this role.
- Change the composition of the Advisory Council on Library Development to include more librarians (six) and fewer laypeople (three) in order to provide more experienced leadership. Under current law, the Council consists of three local library trustees, three professional librarians and six laypeople.
- Require the State Librarian to establish service standards that reflect current and evolving technologies. Current service standards speak of specific numbers of periodicals and other materials, some of which are nearly obsolete today, and do not take into account new technology such as e-books and electronic databases.
- Permit all libraries to apply for waivers of standards if faced with a reduction in state funding, and give the State Librarian discretion to formulate waivers to provide for more flexibility in the application and enforcement of standards. Under current law, a library that does not meet standards loses all funding. While current law allows the Department of Education to waive standards, the statute is unclear as to whether a library that receives a waiver is relieved of the requirement to meet all standards.

- Apply the funding formula in the Library Code uniformly from year to year, to assist libraries in performing long-term fiscal planning. Under current and past law, the library funding formula has changed each year.
- Give the State Librarian authority to establish continuing education requirements for all librarians, including library assistants, provisional librarians and professional librarians. Currently, only a library director must complete continuing education in order for a library to qualify for state aid.
- Convert the surplus financial effort required for a library to obtain “incentive for excellence” funding from a dollar amount, as under current law, to a percentage increase in funding to make future adjustments in the required amount of surplus financial effort easier to implement. The bill would not change the *amount* of surplus financial effort required for a library to qualify for aid.
- Permit the State Librarian to promulgate rules and regulations modifying the number of hours a library must be open each week in order to receive aid. Current law sets forth a minimum weekly service hour requirement.
- Reduce the maximum term of imprisonment for the offense of damage to library materials from 15 days in county jail to 10 days, to mirror the maximum imprisonment for the offense of retention of library property as set forth in the Pennsylvania Crimes Code.
- Update terminology and delete outdated language that does not reflect current practice.

C. SUMMARY OF RELEVANT EXISTING LAW:

See section B.

D. SUMMARY OF PROPOSED AMENDMENTS:

1. Amendment A09066 (Piccola):

Amendment A09066 would set forth the manner in which State aid for libraries would be allocated for fiscal year 2012-2013, *which is identical to the manner in which State aid for libraries was allocated for fiscal year 2011-2012*. Specifically, funds appropriated to libraries would be distributed to each library by dividing the amount of funding that each library received in fiscal year 2011-2012 by the total State-aid subsidy for fiscal year 2011-2012 and multiplying that quotient by the total State-aid subsidy for fiscal year 2012-2013. Following the distribution of funds in this manner, any remaining funds could be distributed to libraries at the discretion of the State Librarian. Further, the amendment provides that, if funds appropriated for libraries in fiscal year 2012-2013 are less than funds appropriated in fiscal year 2002-2003, the State Librarian may waive library standards. Finally, the amendment would allow each library system receiving State aid to distribute the local library share of that aid in a manner determined by the board of directors of the library system, provided that this provision would not apply to a library system operating in a county of the second class.

2. Amendment A09367 (Pileggi):

A technical amendment is expected to be offered on behalf of Senator Pileggi.