

No. 2004-6

AN ACT

SB 748

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," providing for fiscal year 2003-2004 waiver of standards and for temporary emergency aid to local libraries.

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

Section 1. The act of June 14, 1961 (P.L.324, No.188), known as The Library Code, is amended by adding sections to read:

Section 103. Fiscal Year 2003-2004 Waiver of Standards.—(a) *If the Commonwealth's appropriation for libraries in fiscal year 2003-2004 is less than that provided in fiscal year 2002-2003, the following conditions shall apply: during the fiscal year beginning July 1, 2003, and ending June 30, 2004, the State Librarian may, upon application by the board of directors of a local library, waive standards contained in this act or 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.*

(b) (1) The board of directors of a local library may adopt a resolution to apply for a waiver to any standards contained in this act or regulations promulgated under this act if meeting those standards places an economic hardship on the library's operating budget. The application for waiver shall be in a manner and in a form developed by the State Librarian and shall specify the need for the waiver and provide supporting data and information to explain the benefits to be obtained by the waiver.

(2) The application for a waiver shall be adopted by a resolution of the board of directors at a regularly scheduled meeting of the board. Prior to the board of directors adopting policies or procedures for which a waiver is being sought, approval of the department shall be required.

(c) The State Librarian shall have thirty days from receipt of an application submitted under this section to approve, disapprove or request modifications to the application. If the State Librarian fails to act within the time period, the waiver shall be deemed approved. If the State Librarian disapproves the application for waiver, the basis for the State Librarian's disapproval shall be transmitted to the board of directors of the local library. The board of directors may submit a revised application for waiver to the State Librarian.

Section 303.13. Temporary Emergency Aid to Local Libraries.—Notwithstanding any provision of law to the contrary, each library shall be eligible for temporary emergency aid for fiscal year 2003-2004 to be calculated as follows:

(1) Divide the amount of funding that the library received in fiscal year 2002-2003 under section 303.8 by \$13,018,810 and multiply the quotient by \$6,509,405.

(2) Divide the sum of the amount of funding that the library received in fiscal year 2002-2003 under sections 303.2, 303.5, 303.7, 303.9, 303.10 and 303.11 by \$62,270,190 and multiply the quotient by \$41,279,595.

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

Section 2. This act shall take effect immediately.

APPROVED—The 5th day of February, A.D. 2004.

EDWARD G. RENDELL