

No. 150

AN ACT

HB 154

Amending the act of June 14, 1961 (P.L.324), 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 the distribution of State publications; imposing additional powers and duties on the Advisory Council on Library Development and on the Joint Committee on Documents requiring participation in a certain program as a prerequisite to State-aid; providing for a referendum in certain cases and changing mail requirements.

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

Section 1. Clause (4) of section 201, act of June 14, 1961 (P.L.324), known as "The Library Code," is amended to read:

Section 201. State Library and State Librarian; Powers and Duties.—The Department of Public Instruction shall have the power, and its duty shall be—

\* \* \*

(4) To receive [at least fifty] copies of all [Commonwealth] publications [for the documents collection and for exchange with other libraries.] *of all agencies of the Commonwealth in order to maintain a definitive, organized collection of all such publications by the State Library and to provide for the distribution of such publications to other libraries. The State Librarian shall also designate selected academic or public libraries within the Commonwealth to be State government document depository libraries under criteria and regulations approved by the Advisory Council on Library Development and, in the case of documents published pursuant to the act of July 31, 1968 (Act No. 240), known as the "Commonwealth Documents Law," by the Joint Committee on Documents.*

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Section 2. Section 204 of the act is amended by adding, at the end thereof, a new clause to read:

Section 204. Powers and Duties.—The Advisory Council on Library Development shall have the power, and its duty shall be—

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(6) *To approve or disapprove the library district designations and alignments which are recommended by the State Librarian.*

Section 3. Sections 211, 304 and 425 of the act are amended to read:

Section 211. District Library Centers.—The State Librarian, *with the approval of the Advisory Council on Library Development,* shall

designate up to thirty libraries throughout the Commonwealth as District Library Centers which may include any local library, any State College library, the Pennsylvania State University library and any privately supported college or university library which may agree to serve as a District Library Center District. Library Centers shall have the power to contract with any city, borough, town, township, school district, county or board of trustees or managers of any local library, which wishes thereby to become part of the District Library Center system of such district. Any District Library Center shall have the power to provide direct library service to persons residing within the district, to provide supplementary library services to all local libraries within the district, and to exchange or provide services with other District Library Centers or contract for the provision of library services with other District Library Centers.

Section 304. State Librarian to Approve Plans; *District Library Center Cooperative Program; Referendum.*—(a) Each library desiring to receive State-aid under this act shall submit to the State Librarian a plan for the use of the funds and no payments of State-aid shall be made until such plan is approved by the State Librarian in accordance with rules and regulations approved by the Advisory Council on Library Development. Subsequent changes and modifications in a library plan may be submitted at any time for approval by the State Librarian. Libraries qualifying for aid shall have five years to achieve applicable standards. Further extensions of time may be permitted with the approval of the State Librarian acting under regulations made by the advisory council.

(b) *No State-aid shall be given to any library unless the local library board commits the library to participation in the District Library Center Cooperative Program including attendance at district meetings and the use of interlibrary loans and interlibrary references.*

(c) *If the local library board does not act to participate in the District Library Center Cooperative Program, upon petition of three per cent of the total number of persons voting in the last preceding general or municipal election, the question of participation shall be submitted to the qualified electors of the municipalities in the direct service area. The petition shall be circulated within and signed by a sufficient number of electors in the direct service area. The persons circulating the petition shall present it to the municipal officers who shall forward the petition to the County Board of Elections. The County Board of Elections shall, after determining that the petition contains a sufficient number of signatures, place the question of participation in the District Library Center Cooperative Program on the ballot in the municipalities comprising the direct service area from which the petition was submitted. If a majority of the persons voting on the question vote in the affirmative, the local library board shall participate in the District Library Center Cooperative Program.*

Section 425. Libraries to Receive Commonwealth Publications.—

[Each library established and maintained under the provisions of this act shall certify by its proper officers that it comes within its provisions, which certificate shall be filed with the Department of Property and Supplies. Such certificate shall be accompanied by a statement of the publications or type of publications which the library desires to receive.] The Department of Property and Supplies shall, as soon as practicable after publication, forward to [each library such publications as it selects: Provided, however, That it] *those libraries designated by the State Librarian as State documents depository libraries, a copy of every publication of every department, board, commission or agency of the Commonwealth. The Department of Property and Supplies shall direct each such department, board, commission or agency to supply it with the number of copies, if any, of each publication remaining after regular distribution according to existing allocations, but in no case to exceed two hundred fifty copies, and upon receipt thereof shall notify the State Librarian who shall then designate the libraries to which the publication shall be forwarded. Any public library, school library, junior college or community college library, university library or historical society library in the Commonwealth shall be eligible to receive free copies of the publications. It shall be the privilege of the state to recall any or all of the said publications in the event of the loss of their own files by fire or other casualty.*

*The provisions of this section shall not apply to the distribution of documents published pursuant to the Commonwealth Documents Law. The State Librarian, with the approval of the Advisory Council on Library Development, shall make recommendations from time to time to the Joint Committee on Documents concerning criteria for the distribution to libraries of documents published pursuant to the Commonwealth Documents Law.*

APPROVED—The 1st day of December, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 150.

A handwritten signature in cursive script, reading "C. McLaughlin Tucker".

Secretary of the Commonwealth.