

**PART IX. STATE LIBRARY AND ADVISORY COUNCIL
ON LIBRARY DEVELOPMENT**

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Subpart A. STATE LIBRARY

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CHAPTER 131. GENERAL PROVISIONS; STATE AID

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Authority

The provisions of this Chapter 131 issued under sections 102, 201, 205, 302—304 and 417 of The Library Code (24 P.S. §§ 4102, 4201, 4205, 4302—4304 and 4417) (Repealed; replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code)), unless otherwise noted.

Source

The provisions of this Chapter 131 adopted March 29, 1962, unless otherwise noted.

PRELIMINARY PROVISIONS**§ 131.1. Definitions.**

The following words and terms, when used in this subpart, have the following meanings, unless the context clearly indicates otherwise:

Additional State aid—Aid to be paid in addition to other amounts provided for by The Library Code (24 P.S. §§ 4101—4503), up to 50¢ for each dollar expended by the local library in excess of the financial effort equal to \$.0005 times market value or \$2 per capita for the direct service area, whichever is less. However, total additional State aid may not exceed 25¢ per capita for each person residing in the direct service area.

County library—A local library or division of a local library which derives income from the commissioners of a county for the express purpose of making its resources and services available without charge to all the residents of the county, and to bring direct library service to those county residents not served by other local libraries located within the same county. For the purposes of this subpart, a local library operating a distinct county division shall be considered as two agencies, namely, a local library and a county library which are merged or conjoined.

County library merged or conjoined with a local library—A county library shall be considered merged or conjoined with a local library if one or more of the following conditions exist:

- (i) The county library is operating as a department or division of a local library, and the county library service and the local library service are administered by one head librarian under one board of library directors.
- (ii) The county library and the local library share staff, library collections and physical facilities but have separate library boards which plan to replace themselves by a single board of library directors for the county and the local library services after 5 years of participation in State aid.
- (iii) The county library exists by virtue of a contract for county library service between the county commissioners and a local library board of directors.
- (iv) The county library constitutes the sole local library service in the municipality in which its headquarters is located.
- (v) The county library and the local library have entered into an agreement to merge or conjoin the two library operations and submit for approval by the State Librarian a plan to replace the two library boards by a single library board of directors within 5 years of participation in State aid.

Direct service area—The municipality to which the governing body of a library is responsible for extending its services without charge. The governing

body of a library will be judged to have assumed responsibility for a municipality when it grants free services to the residents of that municipality.

District library center—A library designated as such by the State Librarian and receiving State aid for the purpose of making its resources and services available without charge to all the residents of its district, providing supplementary library services to local libraries within the district, coordinating the services of local libraries within the district which by contract become part of the district library center system, and exchanging, providing or contracting for library services with other district library centers.

Financial effort—The sum expended annually by a local library for the establishment, operation and maintenance of library services in its direct service area, which derives from local taxes, gifts, endowments and other local sources, as may be provided under rules and regulations adopted by the Advisory Council on Library Development, and which is used to determine eligibility for State aid. Local financial effort shall be based upon the last market value figures published by the Pennsylvania State Tax Equalization Board prior to the calendar year in which the library applies for State aid. The use of market value in relation to State aid is intended as an equitable yardstick and may not be construed to mean that a tax on market value, or a property tax of any sort, is a necessary condition for eligibility for State aid. When the population of a municipality changes as a result of a special census the year in which the census was conducted shall coincide with market values issued for that year in determining local financial effort.

Financial effort equal to one-half mill—The financial effort equal to \$.0005 times the market value of taxable property, as determined by the Pennsylvania State Tax Equalization Board, in the direct service area of a local library.

Financial effort equal to one-quarter mill—The financial effort equal to \$.00025 times the market value of taxable property, as determined by the Pennsylvania State Tax Equalization Board, in the direct service area of a local library.

Fiscal year—A library's fiscal year shall end on either December 31 or June 30.

Local library—A free public nonsectarian library, whether established and maintained by a municipality or by a private association, corporation or group, which serves the informational, educational and recreational needs of all the residents of the area for which its governing body is responsible, by providing free access (including free lending and reference services) to an organized and currently useful collection of printed items and other materials and to the services of a staff trained to recognize and provide for these needs.

Municipality—A county, city, borough, town, township or a school district of the second, third or fourth class, which establishes or maintains a local library.

Per capita—Amounts determined on the basis of the latest official United States Census reports. Per capita is a unit of measurement for library expendi-

tures or the payment of State aid derived by dividing a given sum of money by the total population of a municipality. Special census reports of the United States Census Bureau issued between dicennial censuses are also regarded as official.

Per capita State aid—State aid granted at a per capita rate as provided in section 303(1),(3) and (4) of The Library Code (24 P.S. § 4303(1), (3) and (4)).

Percentage State aid—State aid granted to a county library as a percentage of the county appropriation as provided in section 303(2) of The Library Code.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.1 adopted June 21, 1969; amended April 21, 1972, effective April 22, 1972, 2 Pa.B. 721. Immediately preceding text appears at serial pages (3253) to (3255).

§ 131.2. Purpose of State aid.

The purpose of financial assistance to local public libraries by the Commonwealth is to encourage and enable the improvement of public library service throughout this Commonwealth and thereby to fulfill those educational, informational and recreational needs of its residents served by public library agencies. Decisions related to the granting of aid to a given library will be influenced by this objective.

Source

The provisions of this § 131.2 adopted March 29, 1962.

ELIGIBILITY FOR STATE AID

§ 131.11. Local libraries.

(a) To be eligible to receive State aid for any year, a local library shall have made a financial effort for the most recently completed calendar or library fiscal year equal to or exceeding \$.00025 times market value, or \$1 per capita, whichever is less, for the municipalities on behalf of which it applies for State aid.

(b) To remain eligible to receive the full amount of State aid for the years following the first year of participation in State aid, the financial effort of the local library shall increase over a period of 5 years to a sum equal to \$.0005 times market value, or \$2 per capita, whichever is less, for the municipalities on behalf of which it applies for aid. The annual rate of increase shall be at least 20% of the difference between the initial qualifying local financial effort and a financial effort equal to \$.0005 times market value, or \$2 per capita, whichever is less.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.11 adopted March 29, 1962.

Cross References

This section cited in 22 Pa. Code § 131.37 (relating to change of fiscal year).

§ 131.12. Percentage State aid to county libraries.

(a) A local library which is financed all or in part by a county government shall be eligible to receive up to \$8,000 in State aid on a percentage basis as provided in section 303(2) of The Library Code (24 P.S. § 4303(2)). To receive percentage State aid, no specific minimum income from the county government is required, but only those funds appropriated by the county government may be counted.

(b) A formula for the amount of percentage State aid is set forth in section 303(2) of The Library Code, which also provides that no library receiving State aid prior to and at time of approval of The Library Code shall receive less State aid as a result of the provisions therein.

(c) Percentage State aid may be granted to only one library to which the county government has appropriated funds and has delegated the responsibility of providing public library service to the residents of the county not otherwise served.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.12 adopted March 29, 1962.

§ 131.13. Per capita State aid to county libraries.

A county library shall be eligible to receive per capita State aid, in addition to percentage State aid, when it meets the requirements for eligibility set forth for local libraries in section 303(1) of The Library Code (24 P.S. § 4303(1)). The aid shall be based on the county library service area as defined during the year of its application.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.13 adopted March 29, 1962.

§ 131.14. Per capita State aid to county libraries merged or conjoined with local libraries.

(a) A county library merged or conjoined with a local library shall be eligible to receive per capita State aid, in addition to percentage State aid, when the combined financial effort of the two sections of the merged or conjoined library which derives from local sources is equal to or exceeds \$.00025 times market value, or \$1 per capita, whichever is less, for each of its two service areas as provided in section 303(3) of The Library Code (24 P.S. § 4303(3)).

(b) To remain eligible for full per capita State aid, the financial effort for both of the merged or conjoined library sections shall increase to an amount equal to or exceeding \$.0005 times market value or \$2 per capita, whichever is less, for both of its two service areas as provided in section 303(3) of The Library Code.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.14 adopted March 29, 1962.

§ 131.15. Per capita State aid to a county library system.

If a group of local libraries forms a cooperative county library system, they may pool their annual expenditures to qualify themselves and the county library for per capita State aid on behalf of their combined service areas. In such case, one of the local libraries shall be considered merged or conjoined with the county library and both shall be eligible under section 303(3) of The Library Code (24 P.S. § 4303(3)).

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.15 adopted March 29, 1962.

§ 131.16. Per capita State aid to a county library and local library which agree to merge or conjoin.

A county library and another local library may seek State aid as merged or conjoined libraries as provided in section 303(3) of The Library Code (24 P.S. § 4303(3)), if, prior to application for State aid as such, the two library boards of directors enter into an agreement to merge the boards in accordance with section 411 of The Library Code (24 P.S. § 4411) by the end of 5 years of participation in State aid as merged or conjoined libraries. An agreement shall be approved by resolution of the municipal governments involved if the members of one or both of the library boards of directors are appointed by those governments.

(*Editor's Note:* The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.16 adopted March 29, 1962.

§ 131.17. District library centers.

A local library may not receive State aid as a district library center unless it can first qualify in full for State aid as a local library, except that the State Librarian may waive this requirement for no more than 2 consecutive years upon receipt of evidence that the financial ability of the community is substantially curtailed or steps are being taken to become fully qualified during the year succeeding the one in which the library first failed to qualify fully.

Source

The provisions of this § 131.17 adopted March 29, 1962.

§ 131.18. Regional library resource centers.

A library designated by the State Librarian to serve as a regional library resource center shall be eligible to receive State aid annually as provided in section 303(5) of The Library Code (24 P.S. § 4303(5)) when its plan for use of such funds is approved by the State Librarian in accordance with Chapter 141 (relating to plans for the use of State aid).

(*Editor's Note:* The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.18 adopted March 29, 1962.

§ 131.19. Ineligibility for State aid.

(a) *Registration fee.* A library which charges a registration fee for service is not eligible for State aid.

(b) *Annual fee for service.* A library is not eligible to receive State aid on behalf of a municipality the residents of which are required to pay an annual fee for service.

(c) *Plans subject to approval.* Each library desiring to receive State aid shall submit to the State Librarian a plan for the use of the funds and no payment of State aid will be made until the plan is approved by the State Librarian in accordance with Chapter 141 (relating to plans for the use of State aid).

(d) *School-public libraries.* Libraries of elementary and secondary schools, both public and private, and of institutions of higher education, are not eligible to

receive State aid even though the libraries may be rendering services to the general public, with the following exceptions:

(1) College or university libraries designated by the State Librarian as district library centers and eligible for State aid under section 303(4) of The Library Code (24 P.S. § 4303(4)).

(2) The Pennsylvania State University Library which is cited in section 209 of The Library Code (24 P.S. § 4209) as a Regional Library Resource Center and is eligible to receive State aid under section 303(5) of The Library Code.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.19 adopted October 7, 1963.

§ 131.20. Additional State aid.

To be eligible for additional State aid, a local library, county library or county library merged or conjoined must make a minimum financial effort equal to \$.0005 or \$2 per capita for each person residing in the direct service area, whichever is less, during the same fiscal year in which it qualifies for per capita State aid.

Source

The provisions of this § 131.20 adopted April 21, 1972, effective April 22, 1972, 2 Pa.B. 721.

APPLICATION FOR AND PAYMENT OF STATE AID

§ 131.31. Application—general.

Application for State aid shall be made in accordance with instructions provided by the State Library and shall be submitted to the State Library by October 1.

Source

The provisions of this § 131.31 adopted June 10, 1969.

§ 131.32. Proof of eligibility.

To show that the library meets the requirements for eligibility in Article III of The Library Code (24 P.S. §§ 4301—4304), supporting documents shall be submitted as follows

(1) *Percentage State aid documentation.* The library board shall submit two copies of the resolution prepared by a county official certifying to the amount of those funds appropriated by the county government in the current year to the library as a county library. The copies of the resolution shall accompany or precede the application for State aid.

(2) *Per capita State aid documentation.* Per capita State aid documentation shall conform with the following: For expenditures made during a fiscal year completed prior to the October 1 deadline for filing the application for State aid, an independent auditor's report, performed in accordance with generally accepted auditing standards, of the entire operation, which includes income from all sources and related expenditures and fund balances of the library during the fiscal year ending December 31 or June 30 shall accompany or precede the application for State aid. The audit shall be filed every year for libraries which receive annually \$50,000 or more in State income or every third year, with a financial review filed in the years that an audit is not required, for libraries which receive annually less than \$50,000 in State income. Libraries which have total operating expenditures of less than \$50,000 and which receive annually less than \$15,000 in State income shall have 2 years from the effective date of this section to comply. Because State aid and Federal funds do not constitute local financial effort, local financial effort will be determined by subtracting the total amount of State aid and Federal funds paid to the library during its fiscal year from the total expenditures of the library that year. The balance remaining shall be regarded as the local effort of the library for that year, less expenditures that are declared ineligible by this chapter. State aid shall be considered fully spent at the end of each year in which it is received by a library.

(3) *Statistical report.* An annual State statistical report shall be submitted as required by the State Library.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Authority

The provisions of this § 131.32 amended under sections 201(15), 204(5) and 303(b) of The Library Code (24 P.S. §§ 4201(15), 4204(5) and 4303(b) (Repealed; replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code))).

Source

The provisions of this § 131.32 adopted June 10, 1969; amended November 21, 1975, effective November 22, 1975, 5 Pa.B. 3024; corrected April 24, 1981, effective February 14, 1981, 11 Pa.B. 1386; amended January 15, 1993, effective January 16, 1993, 23 Pa.B. 260. Immediately preceding text appears at serial pages (60496) to (60497).

Cross References

This section cited in 22 Pa. Code § 131.63 (relating to income from contracts); and 22 Pa. Code § 141.13 (relating to unexpended balances).

§ 131.33. Plan for use of State aid.

A payment of State aid may not be made until the library submits a plan for its use in accordance with instructions provided by the State Library and until the

plan is approved by the State Librarian. Plans shall be submitted and judged in accordance with Chapter 141 (relating to plans for the use of State aid).

Source

The provisions of this § 131.33 adopted June 10, 1969.

§ 131.34. Payment of State aid.

(a) State aid for a municipality shall be paid only to the library board of directors responsible for service to the municipality, and may be granted only once in any year on the basis of the population of the municipality; provided that, in the case of a municipality served by a library governed, under a home rule charter adopted under the Home Rule Charter and Optional Plans Law (53 P.S. §§ 1-101—1-1309), by an agency other than a library board of directors, the aid may be paid to the municipal government. Except as provided in this subsection, State aid for district library service shall be paid only to the board of directors of the library agency designated as a district library center by the State Librarian.

(b) State aid shall be paid as soon as possible after receipt and approval of the application of the library, verification of eligibility, and approval of the plan of the library for its use.

Source

The provisions of this § 131.34 adopted June 10, 1969; amended March 3, 1978, effective March 4, 1978, 8 Pa.B. 487. Immediately preceding text appears at serial page (24574).

§ 131.35. Sharing by two or more libraries.

Two or more libraries may divide State aid in accordance with section 417 of The Library Code (24 P.S. § 4417), but State aid shall be paid to only one library board of directors upon approval by the State Librarian of the terms of an agreement previously entered into among the boards of directors of the several libraries.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.135 adopted June 10, 1969.

§ 131.36. Reduction of State aid.

The full amount of per capita aid, additional aid, district library center aid and regional library resource center aid authorized by section 303 of The Library Code (24 P.S. § 4303) will be paid if sufficient funds are appropriated by the General Assembly. If an insufficient amount of money is appropriated, each type of aid will be reduced proportionately.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.36 adopted April 21, 1972, effective April 22, 1972, 2 Pa.B. 721.

§ 131.37. Change of fiscal year.

If a library wishes to change its fiscal year from that under which it initially qualified for aid as provided in § 131.11(a) (relating to local libraries), it may do so subject to the following conditions:

(1) Prior to the beginning of the fiscal year which it proposes to adopt, the library must file with the State Librarian a request for approval of the change.

(2) If the change is to a fiscal year ending December 31, the local financial effort during the year ending on the June 30 following the end of the proposed fiscal year must equal or exceed the local financial effort during the proposed fiscal year. If the change is to a year ending June 30, the local financial effort of the library during the fiscal year ending December 31 preceding June 30 of the proposed fiscal year must equal or exceed the local effort of the proposed fiscal year. The aid shall be determined by the local financial effort of the old fiscal year if it is smaller than the local financial effort of the proposed year.

(3) If the local financial effort of the old fiscal year is lower than that of the proposed fiscal year, the library shall file another request and again follow the procedure specified in paragraphs (1) and (2) to achieve the change.

(4) Approval by the State Librarian of a request to change a fiscal year will not be final until the local financial effort of the old fiscal year equals or exceeds the local financial effort of the proposed fiscal year. When the approval is final, the adopted fiscal year must remain unchanged for a minimum of ten years.

Source

The provisions of this § 131.37 adopted October 3, 1980, effective October 4, 1980, 10 Pa.B. 3917.

DETERMINATION OF SERVICE AREA

§ 131.41. Local library.

A local library initially may apply for State aid for the municipality in which it is located, and for as many of the other municipalities in its direct service area on behalf of which it can qualify for State aid with the required local financial effort. After 5 years of participation in State aid, however, the local library may only qualify for State aid with the local financial effort required for all the municipalities to which it offers its services free of charge.

Source

The provisions of this § 131.41 adopted March 29, 1962.

§ 131.42. Expansion of service area.

A local library may expand its direct service area to receive State aid at any time it is able to meet the local financial effort required of \$.00025 times market value of taxable property of the municipality or municipalities added, if it complies with the following conditions:

- (1) The municipality or municipalities for which State aid is sought are contiguous to the existing service area for which State aid is received.
- (2) No other library has a prior claim to the municipality or municipalities in its own direct service area.
- (3) All the municipal authorities affected agree to the inclusion of the municipality in the direct service area of the library.

Source

The provisions of this § 131.42 adopted March 29, 1962.

§ 131.43. Reduction of service area.

A local library may reduce its direct service area by not applying for State aid for municipalities which it plans to exclude from the direct service area to which it gives its services free of charge. The municipal authorities affected shall be so notified.

Source

The provisions of this § 131.43 adopted March 29, 1962.

§ 131.44. Plans for expansion or reduction.

If a library intends to expand or reduce its direct service area it shall perform all of the following:

- (1) Notify the municipal authorities of the municipalities affected.
- (2) Notify the county library board of directors if one exists within the same county.
- (3) Include a description and justification of the action in its plan for the use of State funds submitted for approval by the State Librarian.
- (4) Append to the plan for the use of State funds copies of the notification sent to the municipal authorities of the municipalities affected, and to the county library board of directors, if one exists within the same county, and of agreements received from the municipal authorities or county library board of directors.

Source

The provisions of this § 131.44 adopted March 29, 1962.

§ 131.45. County library.

(a) The direct service area of a county library shall be the whole county less those municipalities which form the direct service areas of other local libraries. If a new local library is legally formed within the county, its service area shall be subtracted from the county library service area. Conversely, if a local library ceases to claim a municipality in its own direct service area, that municipality shall be added to the county library service area and shall be counted when determining the local financial effort required of the county library for receiving State aid.

(b) A county library may only receive State aid on the basis of the whole county library service area as defined during the year of its application.

Source

The provisions of this § 131.45 adopted March 29, 1962.

§ 131.46. Controversies over service areas.

The State Librarian is authorized to act as arbiter in defining the direct service area of a library in the event a municipality is claimed by more than one library as part of any library service area. In such arbitration, opportunity shall be afforded the municipal authorities of the municipality affected to express their wishes with respect to library service.

Source

The provisions of this § 131.46 adopted March 29, 1962.

§ 131.47. Contracts for free library services.

A board of library directors of a local library or district center library may enter into a contract with the officers of a municipality to provide free library service to the residents and the taxpayers of that municipality or with another board of library directors to provide free service to the residents and taxpayers of all or a portion of the service area for which it is responsible. However, before any such contract is negotiated which would result in a library providing free service to residents of a library district other than the one in which it is situated, notice with opportunity to participate in the negotiation shall be given to the head librarians of the two district library centers involved. The contract shall be effective only upon approval of the State librarian.

Source

The provisions of this § 131.47 adopted May 31, 1974, effective June 1, 1974, 4 Pa.B. 1084.

AUTHORIZED COMPONENTS OF LOCAL FINANCIAL EFFORT**§ 131.51. General.**

Cash receipts of a local library, except State and Federal funds that are specifically designated to finance libraries, which are expended for annual public library operating costs shall be allowed as local financial effort, subject to this chapter. Moneys derived from local sources, or from Federal or State sources that are not specifically designated to finance libraries, which are paid directly to employees by a municipal government, or agency thereof, for work in and for a public library shall also be allowed as local financial effort.

Source

The provisions of this § 131.51 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101; amended May 14, 1976, effective May 15, 1976, 6 Pa.B. 1098; amended May 28, 1976, effective May 29, 1976, 6 Pa.B. 1225. Immediately preceding text appears at serial page (24576).

§ 131.52. Tax funds.

(a) Library income expended for public library service which derives from local taxes, whether received through a direct library tax or appropriation from the municipal authorities, may be counted as part of local financial effort, but a local library which receives an appropriation from a county library board of directors deriving from county and State funds may count as local financial effort only that proportion of the county library appropriation which derives from county funds and which excludes the proportion deriving from State funds.

(b) County funds may not be counted as part of the local effort of a local library if they are a component of the local financial effort with which the county library or the county library board qualifies for per capita State aid. Per capita aid will be paid to only one library for the expenditure of a given amount of local money.

Source

The provisions of this § 131.52 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101; amended April 21, 1972, 2 Pa.B. 721. Immediately preceding text appears at serial page (3263).

§ 131.53. Gifts.

Gifts of money which are expended for public library service may be counted as part of local financial effort, and the monetary value of gifts of books, supplies or other operating materials may be included as part of the local financial effort of the library if the items were purchased specifically for the library. In cases where value for the items is claimed, the library shall have available among its records receipts or invoices which clearly show the cost of the items and indicate that the purchase was made specifically for presentation to the library. The value of gifts in kind not specifically purchased for the library is not allowable as a portion of local financial effort.

Source

The provisions of this § 131.53 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101.

§ 131.54. Volunteer labor.

The value of volunteer labor contributed to a library is not allowable as a portion of local financial effort.

Source

The provisions of this § 131.54 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101.

§ 131.55. Endowment and investment income.

Library income expended for public library service which derives from endowments or investments may be counted as part of local financial effort, but no funds invested to increase the endowment or investment income shall be allowable as a portion of local financial effort.

Source

The provisions of this § 131.55 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101.

§ 131.56. Rental fees.

Library income expended for public library service which derives from rental of the library's meeting rooms, part of its facilities or real estate holdings may be counted as part of local financial effort, and a library which charges rental fees for books may count that income as part of its local financial effort only if it makes available to its patrons an equal or larger quantity of new, free, informational and recreational materials of a parallel nature to those in the rental collection, or which duplicate the rental collection.

Source

The provisions of this § 131.56 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101.

§ 131.57. Nonresident fees.

A library may charge an annual nonresident fee to patrons who do not reside in or are not taxpayers to municipalities from which public funds are received and for which State aid is claimed, and the income may be counted as part of the local financial effort of the library.

Source

The provisions of this § 131.57 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101.

§ 131.58. Rented quarters.

Library expenditures for rent paid to a landlord other than the municipal authorities or its own board of library directors may be included as part of the

local financial effort of a library. Local effort credit will not be allowed on the estimated or prorated value of annual rent for library quarters occupied without charge.

Source

The provisions of this § 131.58 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101; amended October 3, 1980, effective October 4, 1980, 10 Pa.B. 3917. Immediately preceding text appears at serial page (24579).

§ 131.59. Shared utilities; janitorial and other services.

In instances where a library shares utilities, supplies, janitorial or other services with a municipality or some other agency, without paying for them, the value of these items may be calculated and included as part of local financial effort. In such instances, however, the statement reporting the value of the items shall be accompanied by a report of the total expenditures by the municipality or other party for the items in which the library shares. The cost of repairs to or alterations of a shared building or to the grounds around it may not be included as local financial effort unless the repairs or alterations are to the part of the building occupied exclusively by the library. The local effort allowed for the shared services covered by the subsection shall not exceed 15% of the library's total allowable local effort.

Source

The provisions of this § 131.59 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101; amended November 21, 1975, effective November 22, 1975, 5 Pa.B. 3024. Immediately preceding text appears at serial page (6899).

§ 131.60. Capital expenditures.

- (a) Capital expenditures shall conform with the following:
- (1) The amount of capital expenditures included within local financial effort may not exceed 10% of the total operating expenditures of the library. The capital expenditures shall include those made for the following:
 - (i) Construction and equipment and furnishings for the construction.
 - (ii) Major renovation which would add to the useable floor space of the library and equipment and furnishings for the added facilities.
 - (iii) Purchase of real estate for new or rehabilitated library facilities.
 - (2) The capital expenditures may not include mortgage payments which amount to less than 10% of the total operating expenditures of the library.
 - (i) The mortgage payments shall be included within the total operating expenditures of the library, but any amount of mortgage payment, other than interest, in excess of 10% of the total operating expenditures of the library shall be counted as capital expenditures and shall not be included when determining local financial effort.

(ii) A portion of a mortgage payment or bond amortization other than interest shall not be included as a component of local financial effort in the case of debt incurred to provide matching funds for a grant under terms of Title II of the Library Services and Construction Act (20 U.S.C.A. §§ 355a—355c).

(b) Construction of a new building or major renovation which adds to the useable floor space shall be considered completed during the reporting year of the library when the space is opened for public use. Except for obligations incurred during the period of construction, expenditures for equipment and furnishing of the new facilities made in the year or years following shall be included within the total operating expenditures of the library. Expenditures made for equipment and furnishing of the new facilities made during a library's reporting year prior to the year construction or renovation begins shall be included within the total operating expenditures of the library.

(c) Interest payments, maintenance of existing library facilities, such as redecoration and repairs, and addition or replacement of equipment and furnishings to be used in existing library facilities shall not be considered capital expenditures but shall be included as operating expenditures when determining local financial effort. Funds expended for the purchase of bookmobiles or amounts set aside annually toward the purchase of bookmobiles, but not both, shall be considered operating expenditures when determining local financial effort.

Source

The provisions of this § 131.60 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101; amended October 3, 1980, effective October 4, 1980, 10 Pa.B. 3917. Immediately preceding text appears at serial pages (24579) to (24580).

§ 131.61. Investments.

Funds invested for library income may not be included as part of local financial effort. The investments include the purchase of stocks, bonds, long and short term notes, real estate acquired for income purposes, deposits in savings accounts or savings and loan associations, or other purchases for income or capital appreciation.

§ 131.62. Repayment of loans.

Funds expended for the repayment of cash loans made to a library against anticipated income may not be included as part of local financial effort.

Source

The provisions of this § 131.62 adopted June 4, 1970, effective June 5, 1970, 1 Pa.B. 101.

§ 131.63. Income from contracts.

(a) A library which receives money from another library by contract to render services may not include the money as part of its local financial effort if the

other library has used it as part of its local financial effort to qualify for per capita State aid or if the money is State or Federal money.

(b) Money paid to and spent by a local library to administer or provide a service outside of its direct service area may not be included as a component of local financial effort.

(c) Income from and expenditures resulting from contracts shall be clearly identified in the report of the auditor or treasurer of the library specified in § 131.32(2) (relating to proof of eligibility) and the statistical report specified in § 131.32(3).

Source

The provisions of this § 131.63 adopted March 29, 1962; amended October 3, 1980, effective October 4, 1980, 10 Pa.B. 3917. Immediately preceding text appears at serial page (24580).

§ 131.64. Cost of raising money.

Funds expended to raise or procure money for the library may not be included as part of local financial effort. The expenditures shall include, but are not limited to, the cost of fund campaigns, prizes for lotteries, maintenance costs of income-producing properties, fees paid to tax collectors and administrators of trusts or endowments, and commissions and taxes on the sale or transfer of property.

Source

The provisions of this § 131.64 adopted November 21, 1975, effective November 22, 1975, 5 Pa.B. 3025.

TERMINATION OR REDUCTION OF STATE AID

§ 131.71. Termination of aid to a local library.

A local library shall cease to qualify for State aid for either of the following reasons:

(1) If, in the sixth year of participation in State aid, the local financial effort has not reached a sum equal to or exceeding \$.0005 times market value, or \$2 per capita, whichever is less. State aid will not be restored until such time as the local financial effort does reach or exceed \$.0005 times market value, or \$2 per capita, whichever is less.

(2) If, after 6 years from the first payment of State aid, a local library is unable to achieve the applicable standards of service because its required local financial effort plus State aid is insufficient. Continuation of State aid in such cases shall be subject to the approval by the State Librarian of an extension of time in which to reach the applicable standards, as provided in section 304 of The Library Code (24 P.S. § 4304).

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.71 adopted March 29, 1962.

§ 131.72. Termination of aid to a county library merged or conjoined with a local library.

A county library which is merged or conjoined with a local library shall cease to qualify for per capita State aid for either of the following reasons:

(1) If the merged or conjoined libraries do not have a single library board of directors after 5 years of participation in State aid.

(2) If, in the 11th year of participation in State aid, the local financial effort has not reached a sum equal to or exceeding \$.0005 times market value, or \$2 per capita, whichever is less. State aid will not be restored until such time as the local financial effort does reach or exceed \$.0005 times market value, or \$2 per capita, whichever is less.

Source

The provisions of this § 131.72 adopted March 29, 1962.

§ 131.73. Reduction of aid to a local library.

State aid to a local library shall be reduced by the formula specified in section 303(1) of The Library Code (24 P.S. § 4303(1)) if the library fails to increase its local financial effort by the scale of increase set forth in that section.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.73 adopted March 29, 1962.

§ 131.74. Reduction of aid to a county library merged or conjoined with a local library.

Per capita State aid to a county library which is merged or conjoined with a local library shall be reduced by the formula specified in section 303(3) of The Library Code (24 P.S. § 4303(3)) if the library fails to increase its local financial effort by the scale of increase set forth in that section.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

Source

The provisions of this § 131.74 adopted March 29, 1962.

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