



Senate Education Committee

Senator Jeffrey E. Piccola
Chairman

Dave Transue
Executive Director
dtransue@pasen.gov

Matt Azeles
Deputy Executive Director
mazeles@pasen.gov

Karen Seivard
Committee Counsel
kseivard@pasen.gov

Room 173 Capitol Building, Senate Box 203015, Harrisburg, Pennsylvania 17120-3015 • 717-787-6801 • 717-783-3722

PUBLIC HEARING:
Senate Bill 1225/Library Code Reform Legislation
Wednesday, September 21, 2011 at 10:30 a.m.
Hearing Room #1/North Office Building

AGENDA

-
- | | |
|-------------------------|--|
| 10:30 a.m. – 10:40 a.m. | Opening Remarks
Senator Jeffrey E. Piccola (R-15), Majority Chairman
Senator Andrew Dinniman (D-19), Minority Chairman |
| 10:40 a.m. – 10:50 a.m. | Senator Dominic F. Pileggi
Majority Leader and Prime Sponsor of Senate Bill 1225 |
| 10:50 a.m. – 11:20 a.m. | Clare Zales
Deputy Secretary for Commonwealth Libraries,
Pennsylvania Department of Education |
| 11:20 a.m. – 11:50 a.m. | Glenn Miller
Executive Director, Pennsylvania Library Association |
| 11:50 a.m. – 12:20 p.m. | Pennsylvania Citizens for Better Libraries
Dennis Leeper, Vice President, Pennsylvania Citizens for
Better Libraries

Nan Cavenaugh, Board Member, Pennsylvania Citizens for
Better Libraries |
| 12:20 p.m. – 1:30 p.m. | David Belanger
Library Director, Delaware County Library System
Member, Governor's Advisory Council on Library
Development |

Kate Geiger
Library Director, Indiana Free Library

Bill Hudson
Acting Administrator, Lancaster Library System

Molly Rodgers
Library Director, Wayne County Public Library

Rob Leshner
Library Director, Adams County Library System
2011 President, Pennsylvania Library Association



pennsylvania
DEPARTMENT OF EDUCATION

Testimony
Senate Education Committee
Pennsylvania Library Code
Mary Clare Zales
Deputy Secretary, Office of Commonwealth Libraries
September 21, 2011

Good morning, Chairman Piccola, Chairman Dinniman and distinguished members of the Senate Education Committee. My name is Clare Zales and I am the Deputy Secretary for the Office of Commonwealth Libraries in the Department of Education. Thank you for the opportunity to discuss the Library Code and to highlight the condition of the greater library community of Pennsylvania – its successes, its struggles and the possibilities that lie ahead as the library community strives to provide services to and meet the needs of Pennsylvania's citizens.

The current code – Library Code of 1961 – was the outcome of significant academic study, public deliberation and professional assessment in the late 1950s. At the passage of PL24, Pennsylvania was acclaimed as a national leader as we were only the third state to make the legislative connection between literacy and learning – between the role of the book and lifelong education.

The Library Code celebrated its golden anniversary this year – June 14, 2011. The Library Code has served Pennsylvania well during the past 50 years. It established a managerial structure to govern public libraries, the authority for local government support and introduced a comprehensive distribution formula to meet the needs of small struggling libraries, to encourage the development and establishment of new libraries and to provide research resources to every Pennsylvanian.

The thinking of the “founding fathers” of the Library Code was simple and profound: Make public library service available within one-hour of every Pennsylvanian and advanced research resources within a single day's round-trip. It also charged the state librarian and the Advisory Council on Library Development to develop regulations and thereby establish eligibility standards for state funding. These eligibility standards became part of Pennsylvania Code Title 22. In this way, all Pennsylvanians could expect a common denominator of service from every public library anywhere in the Commonwealth. The standards were challenging for their time pertaining to the number of books, the hours of service, staffing and the composition of a voluntary board of directors.

The Library Code reflected the philosophy and conditions of its day factoring in accessibility to automobiles, public transportation, telephones and the cost of providing a public service to meet the information, education and enrichment needs of a growing Commonwealth. Over the years, amendments were made to expand the reach of state funding, to recognize the development of county-based systems, the contribution of technology, increased accountability, reciprocal borrowing and others.

We appreciate Senator Pileggi and this committee's interest in our public libraries and for recognizing the positive influence an updated Library Code can have for the Commonwealth. We thank the Joint State Government Commission that, in response to Senate Resolution 343 of 2010, conducted a thorough review of the Library Code and studied the intricacies of public library service.

With emerging technology, changing demographics and historic economic challenges, it is time again for Pennsylvania to have a Library Code that reflects these significant influences and to tap the energy and capacity of the library community.

I would like to offer you a glimpse into the current condition of our libraries. Our libraries are busy community centers. Between 2007 and 2009, library visits increased by 2.5 million, and nearly 850,000 patrons accessed the Internet, an increase of 22 percent. The economic challenges of Pennsylvania have had direct and immediate impacts on Pennsylvania's public libraries. This is most evident in the rapidly increased number of unemployed and underemployed who poured into our libraries.

This has shifted the attention of public library staff as they are spending an increased amount of their time teaching and assisting displaced workers with few or no computer skills on how to complete online job applications, use word processing to write letters of application, develop resumes, research the job market and prepare for interviews using available technology in the library. In a growing number of locations, libraries are partnering with the Department of Labor and Industry's CareerLink staff by offering programs and making their materials more widely available. Our libraries are also able to expand the reach of CareerLink services into evenings and weekends. Since 2008, libraries throughout the state have aided 303,000 individuals in their employment search.

Families also rely on the availability of computer and Internet access at local libraries. Parents often come to the library to seek medical and financial information online, as well as to access e-government services. Students have always used the library to do homework, but now we see increasing numbers of students utilizing the technology available at libraries to complete their homework and assignments.

Additionally, public libraries have redirected their approach to infant, toddler and pre-school programming and resources to provide positive early literacy experiences for children. We can be proud of the work our libraries have done in creating positive early literacy experiences in maximizing our window of opportunity as very young minds are still developing. Programs such as Family Place, Pre-School Connections and Mother Goose on the Loose are making an impact by reaching more and more children, their parents and caregivers.

Services to our seniors have been equally impressive. Study after study recognizes seniors who are engaged in their community and have a strong social network remain physically and mentally healthy longer. Programs such as Senior Spaces are catching the attention of communities across the Commonwealth with glowing reviews from our seniors who are developing friendships and overcoming their apprehensions about technology.

Our public libraries serve the small business and business start-up communities, provide programming and materials of specific interest to teens, serve the visually and physically challenged and continue the time-honored tradition of responding to the curious. In short, our public libraries strive to meet the changing needs of all our residents from infancy throughout their lives.

The Commonwealth's investment in public libraries has a long history of a strong return to the community. The largest investment is made in the form of the Public Library Subsidy which supports all types and levels of library service and reaches libraries through a distribution formula which is detailed and clarified in SB 1225.

Our libraries are rising to the challenge of meeting community need and providing a high level of value. Those of you who know about the workings of your local public libraries also know no public service squeezes more out of every dollar.

Given this context, the administration recognizes the need for a redesign of the Library Code and the benefits to aligning the various components of library management, local funding and the statewide system of service the Commonwealth supports. Furthermore, it would be very constructive to place it into a more logical framework and understandable language.

Additionally, the administration also agrees with the importance of recognizing emerging technologies, the necessity for professional development and inclusion of subsidy language in the Library Code, as well as flexibility in the enforcement of eligibility standards.

We see in this recodification of the Library Code an opportunity to address additional areas of need. There are three in particular:

1. Redesign of the distribution formula of the Public Library Subsidy;
2. Restructuring the hierarchy of library service; and
3. Provide assistance to public library boards of trustees.

Senate Bill 1225 recognizes that the distribution formula for the public library subsidy underwent a redesign beginning in 1999-00. Of the seven categories, five were redesigned. We would welcome the opportunity to work with the General Assembly and the library community in completing this redesign and incorporating the influence of technology, demographics and economics into concepts represented in the formula.

The current hierarchy of library services was based on the road system and communication of the day. Today, many library resources are available online 24 hours a day, seven days a week. This and other factors will allow us to improve upon the traditional hierarchy of county library systems and district library centers with a resulting increase in services and resources and a decrease in administrative costs. There are practical benefits when libraries cooperate in purchasing, programming and resource sharing.

Public libraries' boards of trustees perform better when they are better educated about their role and responsibilities. The agency is developing a voluntary program to help trustees learn more about their role and the resources available to them to maximize the library's contribution to the community.

The Department looks forward to the opportunity to work with the General Assembly to enhance our public library system and better serve Pennsylvanians. Today's generation will see the full capacity of the public library community of Pennsylvania realized to the tangible advantage of our children, students and lifelong learners, parents and seniors, job seekers, small businesses and all those who turn to their public library in need and those who simply seek a comfortable, safe place to enjoy the pleasure of a good book. Thank you for the opportunity to address this committee and I welcome any questions.

Testimony of

Glenn R. Miller
Executive Director
Pennsylvania Library Association

Senate of Pennsylvania / Education Committee
Hearing on Senate Bill 1225
Wednesday, September 21, 2011

Good morning, Chairman Piccola, Democratic Chairman Dinniman, and members of the committee. Thank you for this opportunity to offer testimony on behalf of the Pennsylvania Library Association on the bill before the committee, Senate Bill 1225. We are grateful for this time to share our perspective on the ways in which this bill helps to move library services forward, and ways that the bill may be strengthened.

I would also like to thank Senator Pileggi for helping to lead us to this point, first through his resolution that directed a review of the Library Code by the Joint State Government Commission, and subsequently through his sponsorship of S.B. 1225. We applaud his initiative, and we applaud the vision shown by the full Senate in supporting the call for a review of the Library Code, and now through this hearing process in this committee, Mr. Chairman.

Senate Bill 1225 improves the Library Code which, we believe, will help to improve library services for all Pennsylvanians. Among the positive aspects of S.B. 1225:

1. Consolidating the Library Code into one statute so that the Code is easier to understand, revise, and keep current;
2. Strengthening the role of the Advisory Council on Library Development by involving more professional librarians as members;
3. Modernizing service standards to reflect the increased role of technology and electronic resources;
4. Formalizing the role of Deputy Secretary for Libraries as the State Librarian, and empowering the State Librarian to enforce standards in a more flexible manner including moving away from an all-or-nothing option related to the distribution of state funding;
5. Bolstering professionalism by enabling the State Librarian to broaden continuing education requirements for library employees.

These provisions should help to improve and modernize the structure of library services at the state level.

As members of this committee know, the hard work of the Joint State Government Commission is reflected throughout SB 1225. On a very demanding timeline, the Commission's staff did an excellent job reviewing the Library Code and presenting their findings and recommendations. We were pleased to see that many of the recommendations in the JSGC's report have been included in SB 1225.

In addition to their primary recommendations, the Commission added some recommendations in areas that they believed require further deliberation by the General Assembly. We commend these ideas to your attention and find them to be greatly in harmony with values that our association shared with the Commission during their review of the Code. It is the hope of our membership that a modernized Library Code will:

1. Establish clearly the primary responsibility for funding, either state or local;
2. Expand local revenue options beyond the property tax alone;
3. Maximize state dollars by using them to leverage greater local funding;
4. Expand state funding to insure basic services as well as the most cost-effective resources statewide; and
5. Encourage local library consolidation as well as a greater focus on county-based and regional cooperation.

Some of these issues—and others beyond this list—may be appropriate to include in a modernized Library Code, or they may be more appropriately addressed through regulations. In either case, the Pennsylvania Library Association and our 1600 members stand ready to provide any expertise and assistance that the Senate may require.

Mr. Chairman, as you know, Pennsylvania's libraries are a tremendous asset to the Commonwealth. Nearly 6 million of our fellow citizens hold library cards. But they don't just hold them. They use them. Our public libraries welcomed more than 40 million visitors and the number of virtual library customers—those who use libraries over the Internet—exceeded 13 million, and that was several years ago. In just one year, our libraries conducted more than 179,000 programs, engaged the minds of 260,000 kids who participated in library summer reading programs, and assisted more than 303,000 jobseekers.

Senate Bill 1225 takes some positive steps toward improving Pennsylvania's library services. We are grateful for this first step and pledge to work closely with you, Mr. Chairman, and with all of your colleagues to craft the best possible bill that will lead to the best possible library services for all of your constituents.

But, in conclusion, I would be remiss if, on behalf of our members, I did not briefly communicate to this committee the most serious problem faced by libraries—inadequate and unpredictable funding. We agree that the Library Code needs to be modernized and we support this effort. But make no mistake; our most severe problem continues to be funding, particularly poor local funding in too many places across Pennsylvania.

Just consider: On a per capita basis, Pennsylvania ranks 39th **nationally** in overall funding. But when you break this number down, you quickly see the root of our problem: we rank 47th in the country in local funding for libraries. The state's investment in library services remains high—fourth in the nation on a per capita basis—but state cuts in 2009 and 2010 totaling more than 37%, and deep cuts dating back to 2003 have meant that the library funding formula in the Library Code has been frozen since 2003. This formula includes incentives to improve local funding—our most serious problem—but such incentives have been off-line for nearly a decade now.

I call this problem to the committee's attention with the hope that as we make improvements to the Library Code through Senate Bill 1225, we'll also move as quickly as possible to restore state funding which, in turn, will revitalize services and resources that are most cost-effectively purchased at the state level, and will also restore badly needed incentives for local funding.

Mr. Chairman and members of the committee, Pennsylvania's libraries have moved far beyond just being book repositories. They're agile institutions serving real-life needs. Libraries can be key to powering progress, improving literacy, and elevating the quality of life all across Pennsylvania. A modernized Library Code—and restored funding—can help move us in the right direction.

Thank you again for this opportunity to testify, and I'd be happy to try and answer any questions you may have.

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.

PCBL's Testimony on SB1225

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.

Testimony of David Belanger

To: Senate Education Committee

Re: SB 1225 – The Library Code

Wednesday, September 21, 2011

Mr. Chairman and members of the Senate Education Committee, I would like to thank you for the opportunity to comment on Senate Bill 1225 the proposed revision to the Library Code and congratulate you on your decision to undertake this important task. I would also like to thank Senator Pileggi for his leadership in this revision.

My name is David Belanger and I have been an employee of the Delaware County Library System in Media for 25 years. For the past 18 years I've been the director. The Delaware County Library System is a department of county government that provides support services to 26 independent public libraries. We provide such centralized services as technology, delivery and promotion of libraries. In addition to my formal job responsibilities I have served on many committees for the Pennsylvania Library Association and for the past four years I've been a member of the Governor's Advisory Council on Library Development.

The work contained in this legislation and the report from the Joint State Government Commission is impressive. Just consolidating the statutes and the regulations will make it much easier for libraries and their supporters to understand the framework in which libraries function. This is an important first step and I hope that as this legislation progresses we are able to take many more steps toward providing the citizens of the Commonwealth with the quality libraries they expect.

I would like to focus my comments on two areas; flexibility and efficiency. The new code needs to be flexible enough to adapt to rapid changes in library services, and have the capability to provide services through larger regions to realize greater efficiency.

When the original library code was developed in 1961, technology was covered in the code with the standard that the library needed to have a telephone listed in the phonebook; and the most exotic thing lent by a library was a phonograph LP. As you are well aware, that is not the case today and what is typical now could be obsolete in five years. Libraries now lend everything from books to ebook readers. They also provide virtual library services, such as access to downloadable ebooks and sending notices by text messaging. It's hard to image what will be next and the rate of change is increasing. The new code should provide for expanded flexibility by strengthening the powers of the State Librarian and the Advisory Council to more easily update standards of library service and enforcement of standards. The legislation does

reconfigure the Council to include more professional librarians which will increase its ability to deal with more technical matters. Having the ability to easily promulgate rules and regulations in response to state-wide needs will result in more relevant standards for current library service.

The new technologies that are now available and other changes in how libraries operate allow for options for increased efficiency. The proposed legislation could benefit from providing more avenues for libraries to cooperate and consolidate services, particularly on a regional level. The State Library has encouraged regional cooperation and a formal regional structure was part of the second tier of the Joint State Government Commission's report. In the southeast region we have already been able to negotiate excellent pricing cooperatively and we have been able to hold more extensive training for our staff due to our regional cooperation. Formalizing this regional structure would help increase this efficient use of tax dollars. Other options for consolidating physical libraries should also be considered.

The current library code has helped formalize library service in Pennsylvania. It has taken us from loosely structured organizations to libraries that provide quality modern services. At this point it is making it difficult to move forward. This legislation is an important part of that progress, and I hope you will consider my comments and those of my colleagues today as you fine tune SB 1225.

I thank you for your time and attention.

**Testimony of
Kate Geiger
Director, Indiana Free Library**

**Senate Education Committee Hearing on Senate Bill 1225
Wednesday, September 21, 2011**

Good afternoon. My name is Kate Geiger and I am the Director of the Indiana Free Library located in the borough of Indiana. I am honored to speak before the committee and I appreciate the sensitivity you have shown working with the Library Code to understand the issues faced by Pennsylvania librarians. Thank you for undertaking this task.

The Library Code is 50 years old. Over these past 50 years, libraries have made significant changes, and will continue to do so. Our library laws will need to change with us.

For the past six years, I have served as Director of a library at the county seat of Indiana County with a service area of 32,000 residents, basically the four municipalities within the Indiana School District at the heart of the county. Beyond my library, there are just two additional small libraries at the southern tip of my county that serve around 3,000 residents each. The remainder of our county's 47,407 residents is in the category of "unserved" or those who pay an annual fee for access to a library. The county next to us faces the same situation and, together, we represent the largest unserved population in the state. Today, I would like to speak for those who live in Pennsylvania and do not have access to a public library.

Last spring, I attended a conference in Georgia and spoke with many who are working with a statewide catalog project like one that we hope to create here in Pennsylvania. What most impressed me was not their knowledge of the software, but that they were able to stand and say that every resident who worked, lived or owned property in Georgia was eligible for a Library Card. That is my goal for Pennsylvania too!

But in counties like ours, this is a huge challenge. Indiana is the sixth poorest county in Pennsylvania with a median household income under \$30,000 per year. Given this reality, I believe that access to a public library, no matter how small or underfunded, is critical for our citizens who have nowhere else to turn. We do not have a quality bookstore and access to technology such as a Kindle isn't an option for many needy families and displaced workers. Our residents need access to high-quality, reliable resources found in a library, and that is our mission.

Unfortunately, as things stand now with the Library Code, funding efforts would remain on the annual roller coaster of seeking funds from municipal governments. Without strong county

direction and coordination, local libraries are left to seek support from our 38 municipalities, some that may or may not want—or have the ability—to support library services.

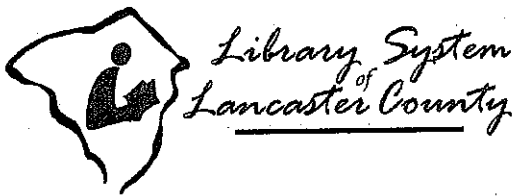
For starters, my hope for SB 1225 is that a new Library Code would clarify definitions and lines of responsibility so that there is no confusion between municipality and county; no confusion between district service areas and direct service; no confusion over funding responsibility.

I believe that a system of library services based at the county level would simplify the whole system, focusing on service, reducing time and money spent with multiple-levels of government, meeting time, statistic gathering, audits, and many back-office procedures. Streamlining all of these efforts through a system of only 67 counties, as opposed to 2568 municipalities, just makes good sense, reducing the time and money expended and creating a solid and more visible structure which would focus all of our efforts. Our neighbors to the south in Maryland use a county-based system and the wisdom of this system insures that all residents would have access to library resources. Ohio to our west also offers service to all residents. There is no need to reinvent the wheel with good models nearby that could be examined and adopted in Pennsylvania.

In addition to county-based funding, I would like to ask you to focus your attention on a second issue, flexibility or “scalability” to encourage the growth and development of libraries. All of the residents in my county need access to library services yet, without a county system or county library in Indiana County, thousands of residents remain unserved. My hope is that SB 1225 will include language that allows some scalability as our county moves from unserved to served. We know there is growing need for library service and the surveys we have done show that there is growing support for expanding library services. But it becomes nearly impossible if the funding formula in the current Library Code remains frozen. This means that there is no way for a new library to enter the state aid program, a clear disincentive for growing library services at a time when more service is needed.

Likewise, fixed-dollar per capita standards make it more difficult for poor counties like ours to participate in the state aid program. I would encourage the committee to look at ways to add greater flexibility to the existing fixed dollar per capita standard, perhaps moving to a standard that starts lower and grows as the local support grows. The Library Code should be the instrument for development and should insure efficient, high-quality operations even in tough times.

I congratulate this committee for responding to the need to support libraries through a modernized Library Code. I appreciate your consideration for the two issues that I have raised here—stronger emphasis on county-based services and greater flexibility in standards that will encourage future growth. Thank you for this opportunity today and for listening.



Good Afternoon,

My name is Bill Hudson. I am currently the acting administrator for the Library System of Lancaster County. I want to thank the members of the committee for the invitation here today. I also want to thank you for initiating the process to update the library code for Pennsylvania. Senate Bill 1225 represents an excellent beginning to the task of bringing the code into line with the needs of today.

My colleagues and I are sharing with you today a significant number of code related changes that we think will help the public libraries in Pennsylvania become more successful in serving their communities. Members of my library system have their own list of concerns, examples of which are put forth in the attached letter. But my topic today is term limits and continuing education for library trustees. These issues are not addressed in SB 1225 but I hope that at some point they will make it into a revision of the Library Code.

Trustee term limits may sound like a minor issue, out of place with the larger issues of funding, standards and regionalization. But the topic of term limits leads to the ultimate determining factor in the success or failure of any organization. Whether it's a Fortune 500 company, a government or a public library, the key factor of success is the quality of leadership at the top of the organization. In public libraries, the point from which all leadership flows is the board of trustees. The ultimate responsibility for success in a public library begins and ends with this small group of community volunteers.

New trustees come to the board with a desire to do good. They give up personal time for board meetings, committee meetings, municipal appearances, fund raisers and the list goes on. Each board member comes to the group with his/her own unique set of ideas, perspectives, skills and life experiences. In general, this system works okay and library boards are able to go about the business of providing the governance required for a public library.

The system breaks down though when board members become "lifers." Far too many public libraries have boards with members whose tenure on the board stretches into decades. On one hand, we want to applaud and express deep gratitude for the devotion these individuals have shown to the library and their communities. But on the other hand, like the overprotective parent, this devotion can and does stifle the growth and success of the library.

Effective boards need a constant influx of new ideas, experiences and perspectives to prevent stagnation of both thought and action. Without term limits, boards can become complacent in the recruitment of new members. It is far too easy for members to stay on for ten, fifteen or more years. Most if not all library directors recognize the need for board turnover. But our in smaller libraries, operating on a shoestring budget with less than a skeleton crew, it is frequently on the "when I get time" list. In the most distressing instances, some board members refuse to leave the board, even when it is clear to others that they are no longer effective. In many communities, the confrontation

necessary to remove an ineffective board member would be unthinkable, so the board may continue to function but at less than optimal capacity.

At the suggestion of term limits, many of my colleagues in smaller libraries will cringe and state, truly, that is so difficult to find board members that once they have them, they are loathe to let them go. Term limits could be a real burden for libraries in sparsely populated areas. But as the members of my own library system are quick to remind me, one size does not fit all. Term limits if applied, could be population dependent with longer terms for board members in low population areas and shorter ones for those in more metropolitan areas.

However they are applied, term limits are a necessary component in the revamping of the Library Code. In addition to term limits, I am also advocating for the inclusion in the code, a requirement of continuing education for trustees. The code currently includes continuing education for library directors and in some instances, library staff. Effective governance is a complex endeavor which requires a myriad of skills and areas of knowledge.

While some board trustees may come to the board with the requisite skills and knowledge to be an effective member of the board, the more likely scenario is that they do not. Continuing education requirements will help to ensure that all board members are given the opportunity to improve their ability to provide effective governance. These two suggestions, term limits and continuing education, are in response to economic and technological changes which compel us to strive for new levels of effectiveness.

In closing, let me say thank you once again for both the invitation today and the efforts you are undertaking. Senate Bill 1225 represents a significant step on the behalf of the legislature to modernize the library code. I hope through our collective efforts we ensure that Pennsylvania citizens have the libraries they need for the current and future generations.

Respectfully submitted by:
Bill Hudson
Acting Administrator
Library System of Lancaster County

Testimony on Senate Bill 1225
Senate Education Committee
September 21, 2011

offered by
Molly Rodgers
Administrator
Wayne Library Authority
Honesdale, PA

Good afternoon, Mr. Chairman and members of the committee. Thank you for holding this hearing to discuss Senate Bill 1225 and the Library Code. My name is Molly Rodgers and I am the administrator of a county-based system of seven libraries in Wayne County, which borders the Upper Delaware River. We are rural still, with local farms, fields, and woods. But our rural population represents both those who count generations of their family in the same area and those who have moved in from urban areas, especially New York and New Jersey. In 1999 we were seven local libraries, most were not state aided. We did not share or cooperate with each other. In every library, materials and services were woefully lacking. In 2000 we formed a county system and in the eleven years that we have worked together, we have made great progress. A borrower in even the smallest library has access to over 100,000 items in the county through a delivery system that runs three times a week. By contracting for services we all need, we have become more cost-effective. We share problems, solutions, and expertise among staff. But it hasn't been easy; we had a county library tax for one year, then lost it in an anti-tax backlash. We had state funding that was improving, then faced double digit cuts. Managing to meet a rural community's needs for books, computers, and community space without a stable source of income has been challenging, to put it mildly. Everyone, from individuals and organizations to local and state governments, is challenged now.

I am enormously grateful for your efforts to address the Library Code that will take us forward into our future, and I am grateful for the invitation to speak to you today. From my experience, there are two issues we face as a county system. Both issues I was pleased to see included under "other recommendations" in the Joint State Government Commission's report. Neither is yet addressed in Senate Bill 1225, but they should be.

First, the Bill needs to clarify the primary responsibility for funding public libraries in Pennsylvania. If indeed the primary responsibility is at the local level, then the Library Code needs to spell it out much more specifically. Ironically, the current code requires maintenance of local government support from year to year without actually requiring support in the first place. Moreover, in a state with some 3100 local government entities, it is all too easy for each entity to point the other way when asked for support. The current code uses state funding as an incentive for counties to support their libraries; however, since 2003 the incentive hasn't been available because the level of state funding has been insufficient to run the incentive. Our county funding is, today, exactly the same as it was in 1999. Please consider including in the Bill wording that clearly places responsibility for library funding at the county level and establishes a minimum level of county funding in order to receive state funding.

Secondly, Senate Bill 1225 re-establishes the property tax as the sole basis for local tax support. We need language in the Bill that provides a wider range of revenue options. As I mentioned, we lost our library tax in an anti-tax backlash. At the time, voters were angry at the increases they saw every year in property tax bills. There were many in the community who said they would have voted in favor of supporting the library had they had a choice of something other than property tax. No one likes taxes, and the political climate certainly doesn't favor increases in taxes, but if counties had options in how they raised revenue, they could consider what would work effectively for their region, whether sales, income, per capita, or other basis.

I would like to close by acknowledging the sections of Senate Bill 1225 that grant authority to the Advisory Council and the State Librarian to write rules and regulations guiding our public service in the future. Our business is changing rapidly, and providing for flexibility in the Library Code will help us adapt to our communities' changing needs. I appreciate the opportunity you have given the library community to help the committee shape the best bill possible. Thank you.

Hearing on Senate Bill 1225

Senate Education Committee

Wednesday, September 21, 2011

Testimony of

Robin L. Leshner, Director, Adams County Library System

I would like to thank Chairman Piccola and Minority Chairman Dinniman for holding this hearing today on Senate Bill 1225, revisions to the Library Code. I would also like to thank Senator Pileggi for his efforts leading to a review of the Library Code and, now, the introduction of this legislation.

My name is Robin L. Leshner and I am the Director of the Adams County Library System in Gettysburg, PA, a position that I've held for the past seven years. I should also note that I have the honor of serving as this year's president of the Pennsylvania Library Association, having been elected by a vote of my fellow members.

I'd like to focus my remarks here as the head of the Adams County Library System. Our system consists of six libraries and a bookmobile and we serve about 100,000 residents in south central Pennsylvania. The county is traditionally an agricultural economy which is greatly supplemented by a large number of tourists each year. Also impacting library service is the fact that the county is a fast-growing part of the state. Our population has increased close to 33% in 20 years.

I recognize that S.B. 1225 takes positive steps toward a more modern Library Code for Pennsylvania and this is welcome news in the library community. I also expect that the new Library Code will need to address the formula for distributing state funding for libraries and it is this aspect of the code that I wish to address.

First, some brief background. Adams County residents have library service today because of a dedicated library property tax instituted by the County Commissioners in 1995. Since 1995, the County has been the primary local funder of the library system.

Prior to 1995, the library cobbled together government funding from the 34 municipalities of the county. This piecemeal solution of funding was at best, unequal and always insufficient for the delivery of high-quality library services countywide. Library service was concentrated in three population centers which left large portions of the county underserved. Occasional funding windfalls allowed the library system to take some small steps forward, but not in any sustained nor coordinated way.

But perhaps the worst aspect of this funding system was that it was unpredictable. This unpredictability led to inadequate planning which led to gaps in service and inefficiencies.

My point here is that Adams County is an excellent example of greatly improved library services for the public delivered in a more efficient and cost-effective way. After 1995, the Library System was able to rely on stable local funding which allows a library to better plan for the provision of modern library service. One of the positive outcomes of this planning was that the Adams County Library System refocused library services, right-sizing the Headquarters library in Gettysburg while opening three library facilities in underserved regions of the county.

In no small measure, the success of the library system stemmed from incentive funding within the funding formula in the Library Code. This was especially important to us as a small county, and enabled us to fund and deliver better services on a countywide basis.

I recognize that SB 1225 is just the beginning step in reforming Pennsylvania's Library Code. My hope is that the new code will continue the tradition of providing incentives within the county coordination portion of a distribution formula. An incentive formula is one of the best tools that a public library has

to convince county and local funders to support library services. In a small county such as ours, it makes the most sense to make that case at the county level.

County coordinated funding has provided us with a great opportunity to plan for and improve library service for our residents. Based on our experience in Adams County, I urge the committee to insure that the updated Library Code will also include strong incentives for county-based services. It has served us well and, by strengthening our services, we added strength to the cooperative network of library services across the state.

Thank you for this opportunity to share my perspective on issues related to SB 1255. I believe SB 1225 is a good step toward progress and I look forward to working with this committee and the full Senate to produce the best possible bill to benefit all library users across the Commonwealth.

Thank you.



September 21, 2011

Dear Chairman Piccola and Members of the Senate Education Committee:

Thank you for the opportunity to submit this written testimony on behalf of Carnegie Library of Pittsburgh with regard to Senate Bill 1225. We applaud your efforts to update the language of the Library Code to better reflect modern day library service, gather relevant Library Code language into one consolidated code, and reconcile inconsistent provisions of the statute.

About Carnegie Library of Pittsburgh

Carnegie Library of Pittsburgh (CLP) is among the oldest and largest library systems in the Commonwealth of Pennsylvania. These distinctions mark us as a leadership library in the Commonwealth and in Western Pennsylvania on several different levels. We serve as the local library for the City of Pittsburgh with our 19 neighborhood library locations, including Main Library and the Library for the Blind and Physically Handicapped. We are the designated County Library serving all Allegheny County residents primarily through the extensive collections and resources available at CLP's Main and Downtown & Business libraries. We serve as the District Library Center for Allegheny County, providing library service support to all libraries in Allegheny County including inter-library loan, larger resource collections, and shipping and delivery as well as library development support through professional collections, continuing education training and consulting services for other libraries in the County. We also serve as one of the four statewide library resource centers in the Commonwealth maintaining major research collections that are accessible to everyone in the State. Along with these roles comes great responsibility and a need for additional financial resources in order to meet these obligations successfully.

Overall, we are supportive of the proposed changes reflected in Senate Bill 1225. Maintaining provisions related to state standards, quality and incentive library aid, statewide resource centers, and district library centers are important to Carnegie Library of Pittsburgh given the various roles we play within the City of Pittsburgh, Allegheny County, and across the Commonwealth of Pennsylvania. While the bill in its current form does build in some flexibility that was absent before, including changes to the composition and authority of the Governor's Advisory Council and enforcement of standards, there is a need to consider additional changes that would help improve library service across the Commonwealth. Several of these issues were raised in the Joint State Government Commission's report as recommendations requiring further deliberation by the General Assembly.

Carnegie Library of Pittsburgh
External and Government Relations

4400 Forbes Avenue
Pittsburgh, PA 15213-4080
P 412.622.6276
F 412.688.8617
www.carnegielibrary.org

Mandating Local Funding

Carnegie Library of Pittsburgh is in a unique position in that most of its local funding is derived from the Allegheny Regional Asset District (RAD) which administers the distribution of ½ of the additional 1% sales tax applied to sales in Allegheny County. Prior to the establishment of RAD in 1994, CLP was funded almost evenly by the City of Pittsburgh and Allegheny County, albeit at much lower levels than currently provided by RAD. Even at current levels, CLP is funded by almost 10% less than the national average for local funding. Efforts to use state funding as an incentive for local governments to increase their support for local libraries have not been successful given the fact that the "formula" has not been run due to declining state support. Given Pennsylvania's low ranking on local support of libraries and very uneven provision of library service across the Commonwealth, it is imperative that some mechanism be instituted that encourages reliable, recurring local support for their libraries.

Taxation

Because State sources of revenue have been declining for several years, and RAD funding hasn't kept pace with the rising costs of providing services that today's Library users need, Carnegie Library of Pittsburgh took the unprecedented step of proposing to close several of its library locations in 2009. The community outcry against the plan to close libraries was great, resulting in a formal community engagement process and the formation of a Public Private Task Force on Sustainable Library Funding that was tasked with exploring funding models and sources of funding to sustain Carnegie Library of Pittsburgh's system of neighborhood libraries. Many funding sources were suggested by individuals participating in the community engagement process as well as by the Public Private Task Force. Task Force members researched and discussed close to 20 different opportunities to secure a long-term funding solution. Ultimately, they recommended a six-point plan that included providing the citizens of Pittsburgh with an opportunity to vote on whether dedicated funding support should be provided to Library. This opportunity was made possible by the authority granted in the Library Code Section 9315.

What has resulted is the Our Library, Our Future voter initiative, a community-based effort organized to raise awareness about the need to provide financial support for the Carnegie Library of Pittsburgh. People from around the city have come together to help make sure that Carnegie Library of Pittsburgh can continue to help us strengthen our community by providing much needed services. Supporters of the Our Library, Our Future initiative are asking Pittsburgh residents to vote yes on a referendum on the ballot in November 2011 for a 0.25 mill special tax on all taxable real estate in the City of Pittsburgh to be allocated and used only for the maintenance and operation of Carnegie Library of Pittsburgh. (This is the equivalent of \$25 per year or \$2.09 per month on \$100,000 of assessed value.) If passed, this referendum will help provide Carnegie Library of Pittsburgh with the diverse and sustainable funding it needs to

Page Three
September 21, 2011

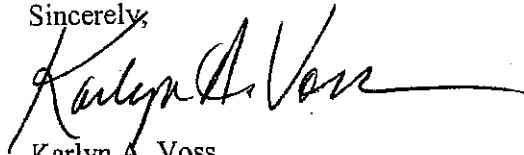
provide the critical services the community wants and needs. This voter initiative is just one of six solutions that will help sustain the Library well into the future.

While the outcome of this voter initiative remains to be seen on Election Day, providing a greater range of revenue raising options beyond property taxes would have been welcome. In this economic climate, there should be additional alternatives to funding libraries other than through property tax increases to secure sustainable funding.

It is our understanding that SB 1225 is just the start of what will likely be a longer effort to improve the Library Code and ultimately improve library service across the Commonwealth. We would be pleased to be involved in future conversations around some of the other recommendations that have been made regarding regional provision of service, professional librarians, continuing education/certification of library trustees, and administrative jurisdiction for oversight of libraries.

Thank you for all of your good efforts and interest in supporting strong and effective library services for all Pennsylvanians. We are grateful for this opportunity to provide testimony in support of your efforts.

Sincerely,



Karlyn A. Voss
Director
Office of External & Government Relations

TO: Members, Senate Education Committee

FROM: Douglas E. Hill, Executive Director

SUBJECT: Senate Education Committee Hearing on SB 1225

DATE: September 15, 2011

The County Commissioners Association of Pennsylvania (CCAP) is a non-profit, non-partisan association providing legislative and regulatory representation, education, research, insurance, technology, and other services on behalf of all of the Commonwealth's 67 counties. I am pleased to provide the Senate Education Committee with our written comments regarding Senate Bill 1225 and counties' perspective on the local library system.

Counties recognize the benefit of a strong local library system as a resource for information and enrichment and as part of the amenities that promote community. In addition to the books, magazines and other reference materials that have long been the staple of local libraries, these facilities are continually updating their services to ensure public Internet access, provide continuing education training, homework help services and workshops, and offer other support services needed in the community. Circulation has skyrocketed, both at bricks-and-mortar branches and through the use of new online resources. Knowledgeable staff and countless volunteers keep the system running smoothly.

Under the current Library Code, where there is a county library system, county officials appoint several members of the board that govern the system. Also, most if not all counties provide some level of financial support to their local library system, and there are incentives in the current funding system to encourage this local funding. In short, counties have a vested interest in seeing the local library system flourish for a wide variety of reasons.

The Association's policy positions, developed and voted on by our membership annually, support improvements in the Commonwealth's system of local libraries. These proposed improvements include:

- Increasing state aid to local libraries
- Maintaining local library operating systems
- Providing incentives for municipalities to maintain or increase their funding share
- Recognizing the varying needs among libraries and library systems
- Allowing libraries to bank funds for planned projects without adversely affecting the state funding share
- Allowing local libraries to accept an increased state funding share without a requirement for additional local match

In addition, this year the Association amended its legislative policy platform to support the elimination of what is currently Section 303.6(1) of the Library Code, which requires library systems to expend 12 percent of their operating budgets on materials. In the face of declining state support over the past decade, this particular section forces county library systems to make needless choices and forces expenditures that might be contrary to true local need, and we would suggest that this provision be replaced with a state incentive program.

Our Association has a close working relationship with the Pennsylvania Library Association as well, and look to their direction for more specific recommendations. As this Committee continues its work on Senate Bill 1225, we would be pleased to be part of that process in collaborating on further reforms, and look forward to working with you.