

ASSEMBLY, No. 728

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 16, 1959

By Assemblymen BEADLESTON and HYLAND

(Without Reference)

AN ACT to amend "An act concerning State aid for certain libraries and providing for an appropriation."

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 2 of "An act concerning State aid for certain libraries and
2 providing for an appropriation" is amended to read as follows:

3 2. Definitions. For the purposes of this act, unless the context clearly
4 requires a different meaning:

5 "Annual [appropriation] expenditure for library purposes" shall mean
6 the sum [appropriated] expended by a municipality for library services as
7 certified by the governing body of the municipality to the Commissioner of
8 Education[.], *excluding any sum paid to the municipality under the provi-*
9 *sions of this act.*

10 "Federation" shall mean a group of 2 or more libraries established by
11 contract to provide co-operative library services pursuant to law. *For the*
12 *purposes of this act, members of a joint library shall have the same eligibility*
13 *as though members of a federation.*

14 "Population" shall mean the number of inhabitants of a municipality as
15 shown by the latest Federal census effective in this State. *During the 5 years*
16 *beginning with the year in which each new Federal decennial census becomes*
17 *effective in this State, "population" shall mean the population as shown by*

or minus 1/5, for each year, of the
w census.

ning State aid for certain libraries and
is amended to read as follows:

funds shall be provided annually as follows:

y that supports, in whole or in part, library service
rees pursuant to chapter 33 or 54 of Title 40 of the
all qualify for the sum of \$0.35 per capita of the popula-
eipality provided that:

, annual [appropriation] expenditure for library purposes shall
al to or in excess of the local fair share as determined in section 4
his act; and

2. The municipality shall be a member of a county library system,
or its annual [appropriation] expenditure for library purposes shall not
be less than \$50,000.00, or, if it is a member of a federation, the sum of
14 the annual [appropriation] expenditure for library purposes of the
15 municipalities contracting to form the federation shall not be less than
16 \$50,000.00.

(b) Each municipality that supports, in whole or in part, library services
18 from municipal tax sources pursuant to R. S. 40:33-1 et seq., or R. S. 40:54-1
19 et seq., and does not qualify for aid under subdivision (a) of this section shall
20 qualify for the sum of \$0.05 per capita.

3. Section 7 of "An act concerning State aid for certain libraries and
2 providing for an appropriation" is amended to read as follows:

7. In no event shall the total of the aids accruing to any municipality
4 under sections 5 and 6 of this act be greater than 3 times the equivalent of
5 14 mill per dollar upon the equalized valuation certified by the State Division
6 of Taxation for such municipality for the year in which the calculation is
7 made. *Benefits received pursuant to this act shall not be applied to any*
8 *purpose other than libraries maintained pursuant to chapters 33 and 54 of*
9 *Title 40 of the Revised Statutes.*

1 4. Section 10 of "An act concerning State aid for certain libraries and
2 providing for an appropriation" is amended to read as follows:

3 10. Determination of appropriation. On or before November 15 in each
4 year, the Commissioner of Education shall estimate the amount necessary
5 to be appropriated to carry out the provisions of this act for the succeeding
6 fiscal year and shall determine for budget purposes the amounts estimated to
7 be payable to each of the counties and municipalities under this act for such
8 succeeding year. The commissioner shall make such determination for bud-
9 get purposes upon the basis of the annual appropriations for library pur-
10 poses and the local fair share for the current calendar year.

11 On or before September 15 of each succeeding year, the commissioner
12 shall make his final determination of the payments to be made under this act
13 upon the basis of the annual [appropriations] *expenditures* for library pur-
14 poses and the local fair share for the preceding calendar year.

1 5. Section 11 of "An act concerning State aid for certain libraries and
2 providing for an appropriation" is amended to read as follows:

3 11. Payment of State aid. The sums payable as State aid, as finally de-
4 termined by the commissioner, shall be payable on October 1 *following the*
5 *final determination* in each such year. Payments shall be made by the State
6 Treasurer upon certificate of the Commissioner of Education and warrant of
7 the Director of the Division of Budget and Accounting. Payment shall be
8 made to the governing body of each municipality qualifying for aid under
9 this act provided that it is not a member of a county library system. Pay-
10 ment shall be made to the treasurer of each county for the municipalities
11 qualifying for aid under this act and that participate in a county library sys-
12 tem. Upon resolution of the county library commission these funds may be
13 reallocated to the municipalities in whose name the county receives aid, pro-
14 vided that this reallocation shall not exceed for any 1 municipality \$0.15 per
15 capita of the population of that municipality.

1 6. Section 12 of "An act concerning State aid for certain libraries and
2 providing for an appropriation" is amended to read as follows:

3 12. Regulations. In order to participate in any apportionment made ac-
4 cording to the provisions of this act, municipalities and counties shall com-
5 ply with the regulations and standards which have been, or which may be,
6 prescribed by law or formulated by the Commissioner of Education [or]
7 *subject to the approval of the State Board of Education [pursuant to law]*
8 *for the operation and improvement of free public libraries to provide efficient*
9 *and effective library services, to insure public benefit and convenience there-*
10 *from and to achieve the objects of this act.* The Commissioner of Education
11 is hereby authorized to withhold all or part of such apportionment for fail-
12 ure to comply with any such regulation or standard.

1 7. This act shall take effect immediately but shall remain inoperative
2 until "An act concerning State aid for certain libraries and providing for an
3 appropriation" (being Senate Bill No. 10 of the 1959 session) takes effect.