



TESTIMONY OF PATRICIA A. TUMULTY
EXECUTIVE DIRECTOR
NEW JERSEY LIBRARY ASSOCIATION
BEFORE THE ASSEMBLY ENVIRONMENT COMMITTEE
AUGUST 26, 2010

My name is Patricia A. Tumulty and I am the Executive Director of the New Jersey Library Association (NJLA). Thank you for the opportunity to testify.

The New Jersey Library Association is extremely concerned that municipal library funding has been included on the list of “mandates” as developed by the NJ League of Municipalities. Public libraries in New Jersey are created by the people through a referendum. As such, the required minimum funding for libraries is a tax agreed to by the community which established them. Funding for libraries, therefore, has been chosen by the people and not a state mandate by the legislature. Nothing else on this list was established by a referendum of the public. Library funding is not, therefore, unlike Open Space funding which is also established by referendum.

For over twenty years, municipal free public libraries were exempt from the “cap” legislation. When this legislation was revised in April 2007, municipal libraries were not included as a cap exemption. The 245 municipalities which support municipal and joint libraries were drastically impacted by this action. County library funding, however, has always been considered dedicated tax and listed separately on the homeowner’s tax bill. Dedicated taxes such as Open Space are exempt from the new 2% cap.

The issue, therefore, is not the statutory requirement to fund municipal libraries. The issue is that county libraries and municipal libraries, which were both established by referendum, are being treated very differently by the state. There must be parity in how funding for municipal and county libraries are represented on a tax bill.

This situation must be rectified as quickly as possible. Our goal is not to have another exemption to the “cap” legislation but rather to have funding for municipal libraries listed as a dedicated tax just as the communities which support county libraries do. This would then bring fiscal parity between those communities that support municipal libraries and those that support county libraries. It is about equity for all communities. The process for county library communities and municipal library communities must be the same.

We are extremely fortunate that legislation has already been introduced to provide a dedicated line for municipal library funding. S2068 sponsored by Senator Nia Gill and co-sponsored by Senator Sandra Cunningham passed the Senate 40-0 on June 28th. Companion legislation (A2679) sponsored by Assemblyman Upendra Chivukula is currently in the Assembly Housing and Local Government Committee. I urge this committee to support this legislation and see that it is passed as quickly as possible. It would then bring fiscal parity between those communities that support municipal libraries and those that support county libraries.

Several of you serving on this committee have this disparity in your own legislative districts. You represent communities which support municipal and county libraries. Without this legislative solution the inequities will continue. Let me use Assemblyman Gusciora's district as an example. This inequity is very clear to see- municipal libraries in his district such as Trenton must include library funding under their municipal budget, Princeton and Princeton Twp which have a joint library must include library funding under municipal budgets, however, Ewing Twp, Lawrence and all of the other communities which support the Mercer County Library do not. The reality is that more communities list library funding as a dedicated tax than those who do not.

This is clearly creating an unfair burden for the communities which support municipal libraries. Although library funding is a small percentage of a municipality's budget many towns are feeling tremendous fiscal pressures and are looking to reduce library funding to find relief. That's why, unfortunately, municipal library funding is on this list.

The New Jersey Library Association has been trying for several years to correct this inequity. We have strong support from the New Jersey State Library for our position that municipal library dedicated tax is not an unfunded mandate because voters choose to support them by referendum and that libraries of all types should be treated equitably in how they are represented on tax bills.

In the past the League of Municipalities has also supported our efforts to resolve this issue. I have attended several meetings with League representatives where this was discussed. It is our hope that they, too, can support providing equity for all communities.

The New Jersey Library Association urges you to support this legislative solution as quickly as possible so it can be resolved before the municipal budget process begins.