

## Health Science Librarians of Illinois Legislative Committee Report, October 2012

**Current Legislation (in reverse chronological order of last major action taken)—unless specifically noted, no vote has been taken**

### **Illinois (97<sup>th</sup> General Assembly)**

#### **HB3859: Municipal Counties CD-Tax Sharing (includes Freedom of Information Act amendments)**

**Sponsors:** House—Representative Carol A. Sente (Democrat—59<sup>th</sup> District), Representative Michael W. Tryon (Republican—64<sup>th</sup> District), Representative Jack D. Franks (Democrat—63<sup>rd</sup> District), and 14 others; Senate—Senator Kwame Raoul (Democrat—13<sup>th</sup> District), Senator Steven M. Landek (Democrat—11<sup>th</sup> District), and Senator Chris Lauzen (Republican—25<sup>th</sup> District)

**Summary:** This bill amends the FOIA (Freedom of Information Act). Specifically, the legislation states that tax-revenue-sharing agreements and reports shall be considered public records. Also, the bill does not change the requirement that library circulation and order records linking library patrons to specific materials (under the Library Records Confidentiality Act) be exempt from inspection and copying.

**Issues:** It is encouraging that government information, especially that concerning an issue as significant as tax revenues, should be made available to the public. More significantly, the continuation of the FOIA provision (barring the inspection and copying of records connecting library patrons to specific materials reflects) at least some commitment to preventing unwarranted access to these records. While the provision clearly does not completely prevent potential abuse of such records, it does convey a message that the expectation of privacy for library users should not be disregarded.

**Status:** Public Act as of August 17, 2012 (passed the House 84-26-2 on March 15, 2012; passed the Senate 49-0-0 on May 25, 2012; signed into law by the governor on August 17, 2012)

#### **HB3782: Right to Privacy—Social Networking**

**Sponsors:** House—Representative La Shawn K. Ford (Democrat—8<sup>th</sup> District), Representative Mike Fortner (Republican—95<sup>th</sup> District), Representative Mary E. Flowers (Democrat—31<sup>st</sup> District), and 10 others; Senate—Senator Christine Radogno (Republican—41<sup>st</sup> District), Senator Don Harmon (Democrat—39<sup>th</sup> District), Senator Jacqueline Y. Collins (Democrat—16<sup>th</sup> District), and 6 others

**Summary:** This bill amends the Right to Privacy in the Workplace Act. Specifically, it shall be illegal for an employer to ask a potential employee for a username, a password, or any additional information that might enable the employer to access the prospective employee's account on a social-networking website. In addition, the legislation stipulates that employers may continue to enforce policies regarding Internet, e-mail, and social-networking site use in the workplace. Employers may also obtain information, about prospective or current employees, that is in the public domain.

**Issues:** It is encouraging that the privacy of potential employees will be protected by the restrictions on providing a password to an account on a social-networking site. This might be especially critical in keeping private the political beliefs, religious affiliations, and other information sometimes displayed on a social-networking page. The enforcement of policies regarding access to certain Internet resources in the workplace, however, is of some concern.

Although it is understandable that employees do not want employers to use employee-provided Internet connections for personal use, and on the employer's time, there may be instances in which accessing personal e-mail, or even a social-networking site, might be necessary for contacting colleagues or family. (This might especially be the case if other options, such as phone, have been exhausted.)

There is also the question of whether this represents a “creeping” employer intrusion on general Internet use by employees.

**Status:** Public Act as of August 1, 2012 (passed the House 78-30-1 on March 29, 2012; passed the Senate 55-0-2 on May 22, 2012; signed into law by the governor on August 1, 2012)

#### **HB4592: Freedom of Information Act—Department of Corrections**

**Sponsors:** House--Representative William Cunningham (Democrat—35<sup>th</sup> District), Representative Richard Morthland (Republican—71<sup>st</sup> District), and Representative Esther Golar (Democrat—6<sup>th</sup> District); Senate—Senator John J. Milner (Republican—28<sup>th</sup> District), Senator Pamela J. Althoff (Republican—32<sup>nd</sup> District), and Senator William E. Brady (Republican—44<sup>th</sup> District)

**Summary:** This bill amends the FOIA (Freedom of Information Act). It exempts from the Act’s copying and disclosure rules certain materials requested by inmates in the Department of Corrections. To be exempted, such material must be available in the library of the correctional facility housing the inmate, include information on staffing (personnel files and staff rosters), or be available via an administrative request sent to the Department of Corrections.

**Issues:** The bill specifies that these exemptions are necessary because of security issues surrounding employees at correctional facilities. It may be true that the safety of those mentioned could be affected by the release and copying of the specified information. Nonetheless, there may also be legitimate reasons that an inmate would need the name of an employee—for example, if the inmate were to file legal action against an employee, then having the name of that employee would be necessary, regardless of whether the inmate’s accusations are legitimate. Even if such materials are available in the library of a correctional facility, not being able to remove it from the library in a copied form restricts long-term access to the material. Any FOIA restriction is cause for concern, given the numerous “security” justifications that have been given on many levels.

**Status:** Public Act as of July 13, 2012 (passed the House 103-3-8 on March 12, 2012; passed the Senate 55-0-1 on May 15, 2012; signed into law by the governor on July 13, 2012)

#### **SR0774--Workforce Development Week**

**Sponsors:** Senator Terry Link (Democrat—30th District) and Senator Pamela J. Althoff (Republican—32nd District)

**Summary:** This resolution designates the week of August 26 – September 1, 2012, as “Workforce Development Week” in Illinois. The legislation notes that the economic recession and high rates of unemployment have affected the country’s competitiveness in the global economy. To reverse these trends, it is necessary to invest in training for jobs in vital industries. Such training should include students at the high school and college levels, and it should involve partnerships with businesses and other private-sector actors (through Local Workforce Investment Boards) to provide both classroom instruction and real-world experience.

**Issues:** The bill does not specify libraries as potential partners, although libraries are part of some of the institutions (high schools, community colleges) included. Despite budget cuts, libraries, both public and private, are more likely to be available to provide long-term training than are many businesses. There is also the question of how much of the training provided by businesses will be for the benefit of students, and how much of it will be for the benefit of the businesses themselves (especially in taking advantage of easy access to a large labor pool). Related to this, will businesses see the training as a civic duty, or will

they see it as an extension of business, meaning that if the training does not prove to be “profitable”, a business will quit providing it?

**Status:** Resolution adopted on May 25, 2012 (approved 7-0 in Labor Committee on May 23)

**HB4616: School Code—Health Education and Sex Education**

**Sponsors:** Representative Camille Y. Lilly (Democrat—78th District)

**Summary:** The bill amends the School Code and the Critical Health Problems and Comprehensive Health Education Act, so that there are changes in what must be covered in sex education classes, specifically those in grades 6 through 12. School districts that do not currently offer sex education are not required to begin doing so. If a district does teach sex education, however, that district has discretion in determining the curricula and materials that it will provide to teachers and students. Abstinence will be included as a method of preventing pregnancy and STDs.

**Issues:** The changes in the curriculum could have an impact on the materials libraries need, especially since some currently-held materials do not specifically mention abstinence. There is also the question of the basis by which some districts may choose not to teach sex education. Is it because of lack of funding, or is it because of community opposition to including sex education in the school curriculum? This would seem to put students in those districts at a disadvantage, not just in acquiring knowledge, but in being able to protect one’s self against the dangers of STDs, which can have serious health and financial consequences down the road.

Even in those districts that do have sex education, the bill allows wide discretion in determining what material is “age-appropriate” and medically accurate; could students in such districts be given incorrect or incomplete material? There is the larger question of how much districts that don’t allow sex education, or that restrict its content, could enforce such a policy in a library, including affecting what is added to or withdrawn from the collection, or to which Internet resources students and instructors may have access.

**Status:** Pursuant to Rule 19(a), the bill was re-referred to the Rules Committee as of March 9, 2012.

**HB3501: Income Tax—Education**

**Sponsors:** Representative Dave Winters (Republican—68th District)

**Summary:** This bill includes, among other items, the Digital Learning Technology Grant Program. The program focuses on “information technology education”, which is defined as instruction in the use, development, maintenance, and application of computers, the Internet, and telecommunications and multi-media devices. School districts (on behalf of individual schools within them) and charters schools are eligible to apply. The grants will be awarded based on need and the willingness to include information technology in a school’s academic programs.

**Issues:** It is encouraging that the grants will be awarded based on need, with the schools currently possessing the least technology being the most likely to receive the grants. Nonetheless, it is possible that some schools that lack technology, but do not have a clear-set information technology curriculum of any kind (and so would be less able to integrate technology into the classroom), would be at a disadvantage. (The libraries of these schools might lack many books or other resources on technology.) In addition, it is unclear if outside consultants would need to be hired for drafting the proposals for technology use; again, this could put the less-affluent schools and districts at a disadvantage. Making charter schools, also, eligible for the grants raises the issue of how much of the grant money would go to schools that are reliant on primarily taxpayer funding, as opposed to private funding.

**Status:** Pursuant to Rule 19(a), this bill was re-referred to the Rules Committee as of March 17, 2011.

**Federal (112<sup>th</sup> United States Congress)**

**H.R.6480—Internet Radio Fairness Act of 2012**

**Sponsors:** Representative Jason Chaffetz (Republican—Utah, 3<sup>rd</sup> District), Representative Gene Greene (Democrat—Texas, 29<sup>th</sup> District), Representative Darrell E. Issa (Republican—California, 49<sup>th</sup> District), and two others

**Summary:** This resolution amends federal copyright law so that the President may appoint, with the permission of the Senate, three Copyright Royalties Judges (CRJs) to serve on the Copyright Royalties Board. (The authority to appoint the judges rests currently with the Librarian of Congress.) The resolution also amends the Digital Millennium Copyright Act, particularly concerning the rules established by CRJs for determining mandatory licensing royalty rates. Essentially, the new rules will replace rates negotiated in the marketplace between a willing buyer and seller, with rates determined by the CRJs.

**Issues:** Internet radio companies have complained for some time that the current system of determining rates—based on market pressures—is unfair, in that it burdens online companies with much higher royalty rates than it does satellite-based radio. The resolution would make the rates more equitable; the CRJs would determine the rates based, in part, on the public’s interest in the production of new sound recordings, and also the contributions made by the online service to the content and value of the programming.

Making online radio available at approximately the same cost as satellite radio would likely increase access to online programming. As a result, it might be easier for libraries to provide access to the content of the programming. Popular demand could still be a factor, however, in determining what rates the CRJs will apply. This rule could limit more “undesirable” content, especially if the broader public might find the content objectionable.

**Status:** As of October 2, 2012, the resolution had been referred to the House Subcommittee on Intellectual Property, Competition and the Internet.

**S.3625—A Bill to Change the Effective Date for the Internet Publication of Certain Information...**

**Sponsors:** Senator Joseph I. Lieberman (Independent—Connecticut) and Senator Susan M. Collins (Republican—Maine)

**Summary:** This bill modifies the effective day for the online publication of particular information about military officers and civilian employees. The information is mostly financial, including disclosure statements. The reason is to protect national security, and also to avoid threatening the well-being of military and civilian workers. Certain officials, including the president and the vice-president, in addition to members of Congress, are exempt from the protections. Within six months of the time that the legislation goes into effect, a report analyzing the effectiveness of these measures must be presented to Congress and the president.

**Issues:** It is understandable that additional efforts to protect information related to certain military officers might be necessary for national security reasons. Nonetheless, the efforts to postpone the publication of this information—to which the tax-paying public is entitled—seems to be applying a double-standard, since other federal officials are exempt from the bill’s requirements. (In other words, the issue is not so much the publication of the information, period, as it is the postponement of publication of the information as it pertains to particular individuals.) Furthermore, the legislation does not give a clear

explanation as for just why the individuals protected under the act must not have their financial information revealed at the same time that it is for other officials. Other possible measures for protecting information from misuse, such as increasing computer security, are not mentioned. The quick turnaround time for the bill (signed into law six days after introduced) implies that not much debate or analysis was given to the issues involved.

**Status:** As of September 28, 2012, the bill had become Public Law No: 112-78. Before being sent to the president, the legislation passed the Senate by unanimous consent, and the House without objection.

**S.RES.584—A Resolution Designating October 4, 2012, as “Jumpstart’s Read for the Record Day”**

**Sponsors:** Senator Patty Murray (Democrat—Washington), Senator Mark Begich (Democrat—Arkansas), Senator Michael F. Bennet (Democrat—Colorado), and five others

**Summary:** This resolution designates October 4, 2012, as “Jumpstart’s Read for the Record Day”. The Jumpstart program is in its seventh year. The program asks adults to collaborate with children in making a substantial shared reading-experience. The resolution also asks adults to demonstrate their support for literacy more generally, as promoted by Jumpstart’s early-education programs in impoverished communities.

**Issues:** Because Jumpstart trains college students to volunteer in low-income communities, there is the potential for collaboration among college and university libraries, and public libraries. This might be especially beneficial if those libraries are in the same community. College and university libraries that support an elementary-education program would be especially well-equipped to provide books and other materials. Public libraries could certainly play a role in promoting reading programs (such as those sponsored by Jumpstart) involving both adults and children. A concern might be the low level of parent participation, in education generally, in some impoverished communities; it is not clear what the program could do to encourage such participation if it is not already present.

**Status:** As of September 22, 2012, this resolution had been passed in the Senate, without amendment, and with a preamble by unanimous consent.

**H.R.6401—A Resolution Requiring the Secretary of Labor to Implement a Pilot Program for Giving Veterans Access, at One-Stop Centers, to Internet Websites for Job Searches and Other Purposes**

**Sponsors:** Representative Patrick Meehan (Republican—Pennsylvania, 7<sup>th</sup> District), Representative Robert E. Andrews (Democrat—New Jersey, 1<sup>st</sup> District), Representative Gus M. Bilirakis (Republican—Florida, 9<sup>th</sup> District), and three others.

**Summary:** This resolution mandates that the Secretary of Labor establish a pilot program for providing veterans with access to Internet websites, for job searches and related purposes. This will be done by setting up “one-stop centers”. Such centers will follow the guidelines in the Workforce Investment Act.

**Issues:** Libraries are not specified as a one-stop center, but they could certainly play that role, given that they already have resources for job searches, and for veterans more generally. Even college and university libraries could provide this service, given that many veterans attend those institutions and may not have ready access to a public library, especially if a veteran is already working during the day. A concern might be that, if libraries are designated as a “one-stop center”, participants in the program may receive the impression that those libraries are not useful for much beyond accessing the Internet for job searches; libraries obviously need to advertise the Internet access as just one among many services.

**Status:** As of September 21, 2012, this resolution had been referred to the House Subcommittee on Economic Opportunity.

### **H.R.6303—Global Science Program for Security, Competitiveness, and Diplomacy Act of 2012**

**Sponsors:** Representative Russ Carnahan (Democrat—Missouri, 3<sup>rd</sup> District), Representative Rush D. Holt (Democrat—New Jersey, 12<sup>th</sup> District), Representative Daniel Lipinski (Democrat—Illinois, 3<sup>rd</sup> District), and Representative James P. Moran (Democrat—Virginia, 8<sup>th</sup> District)

**Summary:** This resolution emphasizes the need for international partnerships in science for addressing international security issues, including disease and global warming. To enable such partnerships, the United States will include under-represented groups, especially women, in addition to innovators, scientists, and engineers. The partnerships will be between countries with economies considered “lower-middle-income” or “low-income; the partnerships will also include countries in the Middle East and sub-Saharan Africa, particularly those with significant Muslim populations.

**Issues:** The resolution specifies that American and foreign universities should be among those actors that form partnerships in science. Similarly, academics at U.S. institutions are mentioned among those who will be the primary participants in the program. Depending on how much of an impact these partnerships have on an institution as a whole (as opposed to individuals representing the institution), libraries may need to enlarge or reorganize their collections to place an emphasis on science and innovation. It is not clear which U.S. colleges and universities would be chosen, although it seems likely that they would be the most prestigious and affluent ones, or those that already have significant overseas ties; these schools would probably need the least support in setting up such programs. Regarding the broader implications of the legislation, it is also not certain how much of this initiative is for the benefit of other countries and their citizens, and how much is for the benefit of the United States, especially in addressing security concerns.

**Status:** As of September 20, 2012, the resolution had been referred to the House Subcommittee on Science, Space, and Technology.

### **H.RES.782—Supporting the Goals and Ideas of National Suicide Prevention and Awareness Month**

**Sponsors:** Representative Leonard Boswell (Democrat—Iowa, 3<sup>rd</sup> District) and Representative Jim McDermott (Democrat—Washington, 7<sup>th</sup> District)

**Summary:** This resolution emphasizes the importance of the principles and goals of National Suicide Prevention and Awareness Month. These include efforts to increase awareness of suicide and to enhance the availability of services to those who are at risk. Among those most vulnerable are veterans. All citizens should educate themselves about the warning signs of suicide and about mental health more generally.

**Issues:** It is encouraging that a resolution emphasizes these issues; too often, they are spoken of only occasionally, if at all. Not addressing suicide, and broader mental-health issues, has had serious consequences for not just individuals, but society as a whole. It is also important that groups, such as veterans, that are particularly vulnerable receive special emphasis. Libraries at both the public and the university levels would be well-equipped to address this issue. Public libraries often have a large number of veterans using computers for job searches. Similarly, university libraries have many students who are veterans. A university library might be able to collaborate with a health-sciences department on campus, in providing information to patrons.

**Status:** As of September 14, 2012, this legislation had been referred to the House Subcommittee on Health.

### **H.RES.756—Designation of the Week of September 10, 2012, as National Adult Education and Family Literacy Week**

**Sponsors:** Representative Jared Polis (Democrat—Colorado, 2<sup>nd</sup> District), Representative John Barrow (Democrat—Georgia, 12<sup>th</sup> District), Representative Michael F. Doyle (Democrat—Pennsylvania, 14<sup>th</sup> District), and 13 others

**Summary:** This resolution declares the week of September 10, 2012, as “National Adult Education and Family Literacy Week”. During this week, people across the country are encouraged to support those who would benefit from adult-education and family-literacy programs. The federal and state governments—in addition to schools, libraries, and other nonprofit and community-based organizations—are requested to back improved access to adult-education and family-literacy programs, in pursuit of a more literate society.

**Issues:** It is encouraging that libraries are specifically mentioned as one of the entities that should play a role in this initiative; this clearly reflects an acknowledgment that libraries can, and should, go beyond their traditional role of providing access to books and other reading material. In addition, libraries, maybe even more so than some of the other institutions mentioned, are equipped to address the issues of adult education and family literacy, given that many library-sponsored programs, including those concerning job searches, are related to goals detailed in the resolution. College and university libraries at institutions with adult-education programs could play a significant role and, at the same time, promote the school’s curriculum.

**Status:** As of August 2, 2012, this resolution had been referred to the House Committee on Education and the Workforce.

### **H.RES.721—Bolstering Literacy Among African-American and Hispanic Males**

**Sponsors:** Representative Hansen Clarke (Democrat—Michigan, 13<sup>th</sup> District) and Representative Tim Scott (Republican—South Carolina, 1<sup>st</sup> District)

**Summary:** This resolution acknowledges illiteracy as a nation-wide problem. Specifically, illiteracy affects Hispanic and African-American males disproportionately. The goal, over the next 10 years, is to decrease illiteracy by 50% in those groups, and to do so by 25% among all people. The resolution calls for literacy initiatives by public and private institutions, and it also promotes the formation of local partnerships to address the requirements of adult learners, in particular.

**Issues:** As the resolution states, illiteracy can be a serious hindrance, not just to obtaining the skills necessary for entering and staying in today’s workforce, but to being a responsible and knowledgeable citizen. The current state of the economy, and the significance of the upcoming presidential election, magnify these issues even more. Libraries are not specifically mentioned, but they could clearly be one of the public and (in the case of private universities and colleges) private entities working to improve literacy, especially because of the emphasis on adult learners. In particular, libraries in urban areas, where there are more likely to be substantial numbers of African-American and Hispanic men, could play a role in such an initiative. This would also present an opportunity for private colleges and libraries to form partnerships with the broader community, which are needed in any case.

**Status:** As of June 29, 2012, the resolution had been referred to the House Committee on Education and the Workforce.

### **H.R.5736—Smith-Mundt Modernization Act of 2012**

**Sponsors:** Representative Mac Thornberry (Republican—Texas, 13<sup>th</sup> District), Representative Dana Rohrabacher (Republican—California, 46<sup>th</sup> District), and Representative Adam Smith (Democrat—Washington, 9<sup>th</sup> District)

**Summary:** This resolution amends the United States Information and Educational Exchange Act of 1948. The changes will allow the Secretary of State and the Broadcasting Board of Governors to prepare and distribute information about the United States that is directed at people in other countries. The information will include the history, population, and government policies of the U.S.; this information will be communicated through the Internet, the print media, radio, movies, social media, and other sources.

**Issues:** It is not entirely clear which countries will be targeted by this effort, and for what purpose. Is the point of communicating the information to educate residents of countries that may not have broad access to such information? If so, will this distribution be effective, given that many residents may lack access to even the most basic electronic communication devices? What if residents do have access to electronic communication and print media, but the government of the country censors information that may portray the country unfavorably (or the U.S. favorably)?

This leads to another question—even if the information that the United States is conveying is accurate, is the purpose not so much to educate as to propagandize, or, at the very least, to offset any negative images of the U.S. that may be circulating in other countries? (Cuba is mentioned as a country that has been targeted by radio broadcasts in the past.) Regardless of the level of information available, and the amount of access to the different media conveying that information, should citizens of other countries be left on their own for acquiring information about the United States and determining what information might or might not be accurate?

**Status:** As of May 10, 2012, this resolution had been referred to the House Committee on Foreign Affairs.

### **H.R.3793—Investing for Tomorrow’s Schools Act of 2012**

**Sponsor:** Representative Heath Shuler (Democrat—North Carolina, 11<sup>th</sup> District)

**Summary:** This resolution gives the Secretary of the Treasury the authority to form cooperative agreements with individual states. The purpose of the agreements will be to set up both state and multi-state infrastructure banks for making loans. These loans will target local educational agencies, public libraries, and charter schools. More specifically, the funding will go towards building or repairing public elementary or secondary schools and, also, public libraries.

**Issues:** The emphasis on funding for public libraries is crucial, given the continued cuts in funding that many libraries have been receiving at the local level. Any support from the state or federal level would rectify, at least somewhat, this situation. That charter schools, which rely more on private funding, however, are included, presents the potential for some funds in the resolution to be diverted from public libraries. Given that many charter schools are relatively new, it is more likely that public libraries and public-school libraries would be in need of repairs (unless a charter school uses an older building or has replaced an older public school).

**Status:** As of March 29, 2012, this resolution had been referred to the House Subcommittee on Higher Education and Workforce Training.

**H.R.4204—A Resolution Requiring Certain Warning Labels to Be Placed on Video Games That are Given Certain Ratings Due to Violent Content.**

**Sponsors:** Representative Joe Baca (Democrat—California, 43<sup>rd</sup> District) and Representative Frank R. Wolf (Republican—Virginia, 10<sup>th</sup> District)

**Summary:** This resolution mandates that the Consumer Product Safety Commission (CPSC) establish regulations that require a warning label be attached to the packaging of certain video games. These games include those in various rating categories, from E (Everyone) to A (Adult), as determined by the Entertainment Software Ratings Board. The label will state that “exposure to violent video games has been linked to aggressive behavior”.

**Issues:** The linking of media to content ratings has been an issue since ratings were applied to videos and DVDs. While the intent is clearly not to censor the material, in the sense of completely barring access to it, there is the possibility that restricting material to only certain viewers could be the start of a “creeping” restriction process. (It is, of course, impossible to prevent minors from accessing age-inappropriate material anyway, especially with so much of that material being available on the Internet.)

Additionally, that ratings have been extended to video games in the first place raises the issue of how much “inappropriate” content someone is actually likely to view. Unlike movies, video games cannot simply be played end-to-end, as they require advancing through levels. What if Level A is not “Adult” material, but Level B, which almost no one reaches, is? Public pressure to restrict access could also be an issue, particularly since some public libraries have been expanding their video-game collections, and public libraries are considered “accountable” to the taxpayers. The overriding issue in all of this is whether the warning label’s claim that video games have been linked to aggressive behavior is even scientifically valid.

**Status:** As of March 19, 2012, the resolution had been referred to the House Committee on Energy and Commerce.

**H.R.2368—Put America to Work Act of 2011**

**Sponsors:** Representative Keith Ellison (Democrat—Minnesota, 5<sup>th</sup> District), Representative Andre Carson (Democrat—Indiana, 7<sup>th</sup> District), Representative William Lacy Clay, Jr. (Democrat—Missouri, 1<sup>st</sup> District), and eight others

**Summary:** The Act instructs the Secretary of Labor to provide grants to the states, local governments, and Indian tribes, for creating employment opportunities targeting unemployed and underemployed residents of impoverished communities. One of the specific grant uses is creating jobs entailing the painting and repairing libraries, in addition to that of schools and community centers. Other employment opportunities will be in projects improving the energy efficiency of public facilities, and also in programs that provide opportunities for education, training, and employment for impoverished youth.

**Issues:** Creating employment opportunities that include the painting and repair of libraries emphasizes the importance of libraries in the community; the physical upkeep of a building is one of the first impressions that visitors receive. The resolution would, presumably, save libraries the cost of having to undertake such repairs, making funds available for other purposes. This might be especially crucial in impoverished communities, in which funding is more likely to be limited in the first place. What types of libraries is not specified, although one would assume that they would be public libraries. Libraries could also benefit from the other job programs, such as the projects for improving energy efficiency in public facilities.

Public libraries, especially, could be a collaborator in the programs that provide education and job training for disadvantaged youth.

**Status:** As of September 8, 2011, the resolution had been referred to the House Subcommittee on Higher Education and Workforce Training.

### **S.1517—21<sup>st</sup> Century WPA Act**

**Sponsors:** Senator Frank R. Lautenberg (Democrat—New Jersey), Senator Mark Begich (Democrat—Alaska), Senator Richard Blumenthal (Democrat—Connecticut), and three others.

**Summary:** The Act creates, within the Department of Labor, a Works Progress Administration (WPA). Eligible departments of the federal government are required to present the WPA with proposals for work projects; these projects should include a large number of employee hours per dollar in the total cost of the project. Such projects will include library, school, and firehouse construction. There will also be weatherization and water-use efficiency-improvement projects for commercial and residential buildings.

**Issues:** The inclusion of library-construction projects is vital at a time of decreasing budgets and, in some facilities, outdated or damaged structures. That the Act considers libraries worthy of construction work also increases the visibility of libraries and emphasizes their importance to the communities they serve. Since the legislation does include other projects, however, it is hard to determine just how much of the funding will go towards libraries. In addition, it is unclear whether the funds will be distributed based on the need for repairs, or the need for employment in a particular community; it is possible that construction could prove “redundant”. An advantage, however, might be that, even if the repairs are not necessary, employment in the community would be increasing, potentially attracting other businesses and residents; in turn, that could increase a library’s tax funding in the long term.

**Status:** As of September 7, 2011, this legislation had been read twice and been referred to the Senate Committee on Finance.

### **H.R.1616—WILL (Workforce Investments Through Local Libraries) Act**

**Sponsors:** Representative Rush D. Holt, Jr. (Democrat—New Jersey, 12<sup>th</sup> District), Representative Robert E. Andrews (Democrat—New Jersey, 1<sup>st</sup> District), Representative Joe Baca (Democrat—California, 43<sup>rd</sup> District), and six others

**Summary:** The resolution amends the Workforce Investment Act of 1998. Member requirements for state and local workforce-investment boards are revised so that individuals and organizations representing public libraries will be included. The purpose of ensuring such representation is to coordinate more efficiently those training, employment, and literacy services implemented by public libraries. Specifically, public libraries will be able to work with one-stop delivery systems to provide training and employment resources for adults, including dislocated workers.

**Issues:** Requiring that libraries be represented on workforce-investment boards raises libraries’ visibility and emphasizes their general importance to the community. The efforts to provide services (especially job-training ones) more efficiently might reduce the resources libraries need to devote to these issues, making more money available for other library needs. The downside is that having libraries coordinate efforts with other local agencies takes away some autonomy; libraries would already be providing these services and would not necessarily need other local agencies to assist them, funding aside. As a result, the role of libraries in providing this specific service could be diminished, which could potentially drive away some patrons.

**Status:** As of May 20, 2011, the resolution had been referred to the House Subcommittee on Higher Education and Workforce Training.

### **H.R.257—United States Library Trust Fund Act**

**Sponsor:** Representative Jose E. Serrano (Democrat—New York, 16<sup>th</sup> District)

**Summary:** This resolution amends the Internal Revenue Code to create the United States Library Trust Fund, as part of the U.S. Treasury. In addition, the resolution amends the Code so that taxpayers may declare part (at least \$1.00) of any tax overpayment to go towards the Fund. Grants from the Fund may be given to public libraries or public-school libraries.

**Issues:** Given that funding for libraries has been cut substantially, especially at the local level, any additional sources of government funding would be clearly beneficial. Nonetheless, a great deal of uncertainty surrounds the idea of a trust fund. Taxpayers may be reluctant to donate part of the overpayment, especially if they feel that they are paying too much in taxes for libraries and public schools already. Even if taxpayers do contribute substantially, the level of funding is not guaranteed to remain the same over time. In deciding which libraries receive the funding, it may be hard to determine financial need, given the unpredictability of funding at the local and state levels; libraries that may be relatively solvent today may be financially unstable in the near future.

**Status:** As of February 25, 2011, this resolution had been referred to the House Subcommittee on Higher Education and Workforce Training.

## **Past Legislation**

### **Update on Legislation from July 2012 Report**

#### **Illinois (General Assembly)**

**HB1466: School Code—Internet Safety Education**—no change

**HB5877: Judicial Privacy Act**—This became a public act as of July 24, 2012. (It was signed into law by the governor on July 24.)

**HB5090: Criminal Code—Indecent Solicitation of a Child**—no change

#### **Federal (United States Congress)**

**H.R.4362: STOP Identity Theft Act of 2012**—As of August 2, the resolution had been received in the Senate and referred to the Senate Commission on the Judiciary. Before arriving in the Senate, the legislation was not put to a vote by the House and was considered “unfinished business” as of August 1.

**H.R.5727: Rebuild America Act**—no change

**H.CON.RES.127: Expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet to has thrived**—As of September 10, the resolution had been received in the Senate and referred to the Senate Committee on Foreign Relations. Before arriving in the Senate, the legislation was not put to a vote by the House and was considered “unfinished business” as of August 2.

**H.R.4846: Senior Financial Empowerment Act of 2012**—no change

**S.3186: Mobile Device Theft Deterrence Act of 2012**—no change

**H.R.5732: Schools of the Future Act**—As of September 26, the resolution had been referred to the House Subcommittee on Early Childhood, Elementary, and Secondary Education.

**H.R.3523: Cyber Intelligence Sharing and Protection Act**—no change

**S.2369: America Innovates Act of 2012**—no change

**S.RES.425: A resolution designating April 23, 2012, as “National Adopt a Library Day”**—no change

**H.R.4351: Let’s Grow Act of 2012**—As of September 26, the resolution had been referred to the House Subcommittee on Early Childhood, Elementary, and Secondary Education.

### **Legislation (from April 2012 Report) the Status of Which has Changed Since July 15**

#### **Illinois**

**SB2545: Internet Dating Safety Act**—This bill became a public act as of August 24. It was signed into law by the governor on that date.

#### **Federal**

**H.R.3605: Global Online Freedom Act of 2011**—As of October 19, joint hearings had been held by the Committee on Commission on Security and Cooperation in Europe.

### **Legislation (from January 2012 Report) the Status of Which has Changed Since April 15**

#### **Illinois**

**SR0435: Celebrates the 2012 Anniversary of the Morrill Land Grant Act**—As of July 1, 2012, the resolution had been re-referred to Assignments, pursuant to Senate Rule 3-9(b).

#### **Federal**

**H.R.2146: The Digital Accountability and Transparency Act, or DATA, Act**—As of April 26, 2012, the resolution had been received in the Senate and referred to the Committee on Homeland Security and Governmental Affairs. Before arriving in the Senate, the resolution, as amended, was passed in the House by voice vote (via a suspension of the rules) on April 25, and the House, without objection, agreed to a motion to reconsider, also on April 25.

## Overview of the Most Significant Legislation from the Current Session (2011-2013)

### Illinois Legislation (97<sup>th</sup> General Assembly)

**HB0148: The Family and Personal Protection Act**-- Anyone seeking to carry a concealed gun in a library will have to obtain the written permission of the library's governing body. Allowing anyone to carry a weapon, even a concealed one, into a library would be very risky, given the large number of especially-vulnerable patrons (children, the elderly). As of March 30, 2012 this legislation had been re-referred to the Rules Committee.

**SB3426: Tort Immunity--Libraries**--The amendment stipulates that neither a local public entity, nor a public employee, is considered legally responsible for injuries, except in the case of negligence. It is not entirely clear what constitutes "negligence". As of March 9, 2012, the bill had been re-referred to Assignments.

**SB3169: Libraries--Cards for Homeless**--This bill amends the Illinois Local Library Act to require the board of trustees for each library covered under the Act to grant library-use privileges to anyone whose residence is a homeless, temporary, emergency, or other type of shelter in the library's public-service district. Given their lack of a permanent address, such patrons would be difficult to track. As of March 9, 2012, this had been re-referred to Assignments.

### Federal Legislation (112<sup>th</sup> U.S. Congress)

**S.RES.425: A resolution designating April 23, 2012, as "National Adopt a Library Day"**— This resolution declares April 23, 2012, to be "National Adopt a Library Day". In particular, the resolution emphasizes the role that libraries play in providing access to books and other materials to the indigent, in addition to providing resources for job-seekers. The resolution emphasizes both the "traditional" and the "less-traditional" roles that libraries play today. As of April 18, 2012, this legislation had passed the Senate.

**S.1125: USA PATRIOT Act Improvements Act of 2011**—This bill restricts access to records identifying library patrons with particular items. This does not completely limit access to such records, however. As of June 6, 2011, this had been placed on the Senate calendar (no vote has been taken)

**H.R.6480: Internet Radio Fairness Act of 2012**--Essentially, this bill establishes new rules replacing rates negotiated in the marketplace between a willing buyer and seller, with rates determined by the CRJs (Copyright Royalty Judges). This will lower royalty rates for Internet radio to the levels paid by satellite-radio companies, removing the unfair advantage satellite

radio has had. As of October 2, 2012, the resolution had been referred to the House Subcommittee on Intellectual Property, Competition and the Internet.

**H.R.1616: WILL (Workforce Investments Through Local Libraries) Act**—The Act revises requirements for state and local workforce-investment boards are revised so that libraries will be guaranteed representation. This enhances the standing of libraries in the community, but it also possibly diminishes library services because of coordination and streamlining with other agencies. As of May 20, 2011, the resolution had been referred to the House Subcommittee on Higher Education and Workforce Training.

**H.R.257: United States Library Trust Fund Act**—The resolution amends the Internal Revenue Code to create the United States Library Trust Fund and gives taxpayers the option of declaring part (at least \$1.00) of any tax overpayment to go towards the Fund. Funding problems for public libraries could be alleviated, but it is unclear just how reliable a source of money the Fund would be over the long run. As of February 25, 2011, this resolution had been referred to the House Subcommittee on Higher Education and Workforce Training.

**October 2012 HSLI Legislative Committee Report Summary  
Federal Legislation (112th U.S. Congress)**

<b>Bill</b>	<b>Main Sponsor(s)</b>	<b>Summary</b>	<b>Issues</b>	<b>Status</b>
H.R.6480--Internet Radio Fairness Act of 2012	Representative Jason Chaffetz (Republican--Utah, 3rd District)	Amends federal copyright law so that Copyright Royalty Judges (CRJs) may determine licensing royalty rates	Changes current system, based on market pressures, which puts Internet radio at disadvantage compared to satellite radio	Referred to House Subcommittee on Intellectual Property, Competition and the Internet, as of October 2, 2012
S.3625--Bill to Change Effective Date for Internet Publication	Senator Joseph I. Lieberman (Independent--Connecticut)	Modifies effective date for online publication of financial information about military officers and civilian employees	Restricts taxpayer access to information about government employees, in interests of security	Public Law as of September 28, 2012 (six-day turnaround time from when first introduced)
S.RES.584--Resolution Designating October 4, 2012, as "Jumpstart's Read for the Record Day"	Senator Patty Murray (Democrat--Washington)	Day emphasizes adult collaboration with children, especially those in low-income communities, to enhance reading and literacy	Jumpstart trains college students to volunteer in impoverished communities, so potential for collaboration between college, public libraries	Had passed Senate as of September 22, 2012
H.R.6401--Resolution Implementing Pilot Program for "One-Stop Centers"	Representative Patrick Meehan (Republican--Pennsylvania, 7th District)	Establishes program for providing veterans with access to Internet websites, for job searches and related purposes	Unclear if libraries would be "one-stop centers", even though already fill that role in many ways	Referred to House Subcommittee on Economic Opportunity as of September 21, 2012
H.R.6303--Global Science Programs for Security, Competitiveness, and Diplomacy Act of 2012	Representative Russ Carnahan (Democrat--Missouri, 3rd District)	Emphasizes need for international partnerships in science, spearheaded by U.S. academics	Potential role for university libraries, although unclear how much program will benefit other countries	Referred to House Subcommittee on Science, Space, and Technology as of September 20, 2012

**October 2012 HSLI Legislative Committee Report Summary  
Federal Legislation (112th U.S. Congress)**

H.RES.782--Supporting the Goals and Ideas of National Suicide Prevention and Awareness Month	Representative Leonard Boswell (Democrat--Iowa, 3rd District)	Month focuses on increasing awareness of suicide and enhancing availability of services to those at risk	Veterans specifically mentioned, so possible role for both college and public libraries	Referred to House Subcommittee on Health as of September 14, 2012
H.RES.756--Designation of the Week of September 10, 2012, as National Adult Education and Family Literacy Week	Representative Jared Polis (Democrat--Colorado, 2nd District)	Week focuses on improving access to adult education and family literacy programs	Libraries, schools, and other nonprofit organizations are mentioned--recognizes potential for libraries to go beyond "traditional" roles	Referred to House Committee on Education and the Workforce as of August 2, 2012
H.RES.721--Bolstering Literacy Among African-American and Hispanic Males	Representative Hansen Clarke (Democrat--Michigan, 13th District)	Acknowledges illiteracy as national problem, with particular impact on Hispanic and African-American males--10-year goal of reducing by 50 % among vulnerable groups and 25% overall	Public and private institutions are asked to play role, especially by forming local partnerships--opportunity for college libraries in urban areas, especially, to participate in community outreach	Referred to House Committee on Education and the Workforce as of June 29, 2012
H.R.5736--Smith-Mundt Modernization Act of 2012	Representative Mac Thornberry (Republican--Texas, 13th District)	Amends United States Information and Educational Exchange Act of 1948--focus on distributing information about the U.S. to people in other countries	Unclear whether purpose is truly to educate or, rather, to propagandize--also uncertain how much of information would reach population in less-democratic countries, due to censorship	Referred to House Committee on Foreign Affairs as of May 10, 2012

**October 2012 HSLI Legislative Committee Report Summary  
Federal Legislation (112th U.S. Congress)**

<p>H.R.3793--Investing for Tomorrow's Schools Act of 2012</p>	<p>Representative Heath Shuler (Democrat--North Carolina, 11th District)</p>	<p>Authorizes Secretary of the Treasury to cooperate with individual states in order to make loans for, among other purposes, repairing public schools and libraries</p>	<p>Might alleviate funding issues for some libraries, but also presents potential for diverting funds from public schools and libraries because of charter-school eligibility</p>	<p>Referred to House Subcommittee on Higher Education and Workforce Training as of March 29, 2012</p>
<p>H.R.4204--A Resolution Requiring Certain Warning Labels to be Placed on Video Games</p>	<p>Representative Joe Baca (Democrat--California, 43rd District)</p>	<p>Mandates that Consumer Product Safety Commission attach warning labels (about link to aggressive behavior) to video games</p>	<p>Potential for justification of censorship, especially in public libraries, where video games becoming more common</p>	<p>Referred to House Committee on Energy and Commerce as of March 19, 2012</p>
<p>H.R.2368--Put America to Work Act of 2011</p>	<p>Representative Keith Ellison (Democrat--Minnesota, 5th District)</p>	<p>Instructs Secretary of Labor to provide grants for assisting unemployed and underemployed, including by creating jobs painting and repairing libraries</p>	<p>Emphasizes the importance of physical upkeep of libraries--saves libraries cost of having to perform repairs</p>	<p>Referred to House Committee on Higher Education and Workforce Training as of September 8, 2011</p>
<p>S.157--21st Century WPA Act</p>	<p>Senator Frank R. Lautenberg (Democrat--New Jersey)</p>	<p>Creates within the Department of Labor a Works Progress Administration (WPA), to which proposals for projects, including library construction, may be presented</p>	<p>Library construction increases visibility and importance of libraries to community--saves costs, presents possibility for increased employment in community, which would increase library's tax base</p>	<p>Referred to Senate Committee on Finance as of September 7, 2011</p>

**October 2012 HSLI Legislative Committee Report Summary  
Federal Legislation (112th U.S. Congress)**

<p>H.R.1616--WILL (Workforce Investments Through Local Libraries) Act</p>	<p>Representative Rush D. Holt, Jr. (Democrat--New Jersey, 12th District)</p>	<p>Amends Workforce Investment Act of 1998 to require that individuals representing public libraries be included on state and local workforce-investment boards</p>	<p>Inclusion on boards clearly raises libraries' visibility and emphasizes their importance--coordinating training, employment, and literacy services with other local agencies, however, possibly decreases library autonomy</p>	<p>Referred to House Subcommittee on Higher Education and Workforce Training as of May 20, 2011</p>
<p>H.R.257--United States Library Trust Fund Act</p>	<p>Representative Jose E. Serrano (Democrat--New York, 16th District)</p>	<p>Amends Internal Revenue Code to create Trust Fund--taxpayers may declare part of any tax overpayment (of at least \$1.00) to go towards Fund</p>	<p>Fund, which will go towards public and public-school libraries, provides much-needed additional source of money--uncertain how willing taxpayers would be to support funding on top of taxes already paying for schools and libraries, however</p>	<p>Referred to House Subcommittee on Higher Education and Workforce Training as of February 25, 2011</p>

**October 2012 HSLI Legislative Committee Report Summary  
Illinois (97th General Assembly)**

<b>Bill</b>	<b>Main Sponsor(s)</b>	<b>Summary</b>	<b>Issues</b>	<b>Status</b>
HB3859--Municipal Counties CD-Tax Sharing (including Freedom of Information Act Amendments)	Representative Carol A. Sente (Democrat--59th District), Senator Kwame Raoul (Democrat--13th District)	Amends FOIA--tax-revenue-sharing agreements and reports considered public records; no change to ban on inspection and copying of library circulation and order records linking patrons to particular items	Broader availability of government information; patron privacy protected by continuation of ban	Public Act as of August 17, 2012
HB3782--Right to Privacy--Social Networking	Representative La Shawn K. Ford (Democrat--8th District), Senator Christine Radogno (Republican--41st District)	Amends Right to Privacy in the Workplace Act--illegal for employer to ask prospective employee for account login information for social-networking sites	Protects privacy of online information, including personal interests and beliefs	Public Act as of August 1, 2012
HB4592--Freedom of Information Act--Department of Corrections	Representative William Cunningham (Democrat--35th District), Senator John J. Milner (Republican--28th District)	Amends FOIA--exempts from copying and disclosure rules certain materials, including materials in correctional library, if an inmate in the Department of Corrections requests the materials	Restricts access to certain records that inmates could need for legal purposes	Public Act as of July 13, 2012
SR0774--Workforce Development Week	Senator Terry Link (Democrat--30th District)	Designates August 26 - September 1, 2012, as "Workforce Development Week", with emphasis on job training provided through partnerships	Targets high school and college students, so possible role for libraries at both levels	Resolution adopted as of May 25, 2012

**October 2012 HSLI Legislative Committee Report Summary  
Illinois (97th General Assembly)**

<p>HB4616--School Code--Health Education and Sex Education</p>	<p>Representative Camille Y. Lilly (Democrat--78th District)</p>	<p>Amends School Code and Critical Health Problems and Comprehensive Health Education Act, to allow districts greater discretion in choosing whether to offer sex ed., and what material to include</p>	<p>Creates potential for censoring information included in sex ed., which could affect school library collections</p>	<p>Re-referred to Rules Committee as of March 9, 2012</p>
<p>HB3501--Income Tax--Education</p>	<p>Representative Dave Winters (Republican--68th District)</p>	<p>Includes Digital Learning Technology Grant Program, focusing on "information technology education"</p>	<p>Unclear whether grants will go to schools that truly lack other resources for educating about information technology</p>	<p>Re-referred to Rules Committee as of March 17, 2011</p>