

**ILA Executive Board Meeting Minutes**  
**Friday, 20 February 2009**  
**Illinois Library Association**

**Present**

Officers

Donna Dziedzic, President  
Bradley F. Baker, Immediate Past President  
Carole A. Medal, Vice President/President-Elect  
Jamie Bukovac, Treasurer

Directors

Betsy Adamowski  
Halle Cox  
Carole Dickerson  
Robyn Hendricks  
Emily Guss  
Dianne Happ  
Tina Hubert  
Theodore Schwitzner  
Christine Stupegia  
Diana Brawley Sussman  
Jocelyn Tipton  
H Dayle K. Zelenka

Ex Officio

Robert P. Doyle  
Anne B. Craig

Guests

Deidre Brennan

The meeting began at 10:07 A.M. via VTEL videoconference at locations at Alliance Library System (Dianne Happ); DuPage Library System (Betsy Adamowski, Halle Cox, and Carole Dickerson); Illinois State Library (Anne B. Craig and Kip Kolkmeier); Lewis & Clark Library System (Tina Hubert); North Suburban Library System (Bradley F. Baker, Dee Brennan, Robert P. Doyle, Donna Dziedzic, Carole A. Medal, and H Dayle K. Zelenka); Metropolitan Library System (Jamie Bukovac and Emily Guss); Rolling Prairie Library System (Robyn Hendricks, Theodore Schwitzner, and Jocelyn Tipton); and Shawnee Library System (Christine Stupegia and Diana Brawley Sussman).

Review of the Agenda

D. Dziedzic reviewed the agenda and it was approved. B. Baker moved, D. Zelenka seconded and it was

Voted, That the Illinois Library Association's Executive Board approve the minutes of the ILA Executive Board Friday, 21 November 2008 meeting. (The motion passed unanimously. C. Dickerson and T. Schwitzner were not present to vote.)

Public Policy Committee

*Legislative Overview*

K. Kolkmeier reported the new session in the Illinois General Assembly began with a wonderful sense of bipartisan cooperation. The recent developments regarding the appointment of Roland Burris as U.S. Senator from Illinois by the former Governor Rod Blagojevich are testing the new cooperative spirit. Moreover, the state is currently projecting a \$9-10 billion deficit, which is further straining relationships.

On Wednesday, 5 February, ILA (D. Dziedzic, D. Brennan, A. Craig, K. Kolkmeier, and R. Doyle) met with the Illinois Secretary of State Jesse White and his staff (director of legislative affairs Dale Swinford, deputy chief of staff programs and policies Terri Coombes, and senior legal adviser Nathan Maddox). White pledged support for: increases rate from \$4.25 to \$7.50 per capita (an estimate of \$400,000 in additional funding); increase minimum grant award to school libraries from \$100 to \$750 (additional \$125,000 in funds); inclusion of library projects in state capital bill; and funding for the Citizens' Library of Illinois-Comprehensive Knowledge Service and Heath-E Illinois funding. White expressed interest in the concept of an Illinois economic stimulus measure, but requested more information.

K. Kolkmeier noted that cash coming in from sales and income taxes has plummeted alongside the national economy, leaving billions in unpaid state bills. The \$9-10 billion deficit dilemma Gov. Pat Quinn inherited will require the governor to propose some form of tax increase, spending cuts, and major reforms. The major income sources are: increasing state income tax or sales tax, expanding gaming, and increasing fees (for example, fees for drivers licenses, license plates, and related fees). Kolkmeier wondered if the association wanted to state a position on how the state should address the deficit dilemma.

D. Zelenka moved, B. Baker seconded and it was

Voted, That the Illinois Library Association's Executive Board request that the Public Policy Committee formulate a position statement addressing the state's deficit dilemma. (The motion passed unanimously.)

*Specific Bills*

- **House Bill (HB) 49**, sponsor: Representative Dan Brady (R-88, Bloomington). Allows for disposal of withdrawn materials from Illinois academic libraries and the Illinois State Library. (This is the same bill as last year's approved by the ILA Executive Board, see p. 1 of board packet.) PPC supports this bill. By consensus, the board voted to support this bill.
- **House Bill (HB) 211**, sponsor: Representative Frank J. Mautino (D-76, Spring Valley). Provides a fair process to dissolve local libraries, which do not provide library service or meet specific criteria such as appropriate funds, elect library board members, or hold meetings. (This is the same bill as last year's approved by the ILA Executive Board, see p. 1 of board packet.) PPC supports this bill. By consensus, the board voted to support this bill.
- **House Bill (HB) 146**, sponsor: Representative Marlow H. Colvin (D-33, Chicago) and **Senate Bill (SB) 103**, sponsor: Senator Donne E. Trotter (D-17, Chicago). These bills allow county boards to authorize an increase in county law library fees to support county law library operations instead of raising property taxes. (This is the same bill as last year's approved by the ILA Executive Board, see p. 1 of board packet.) PPC supports this bill. By consensus, the board voted to support this bill.
- **House Bill (HB) 771**, sponsor: Representative Rich Brauer (R-100, Springfield). Amends the Public Library District Act of 1991. If the City of Springfield annexes territory within the Chatham Area Public Library District for the proposed Hunter Lake and the territory is automatically disconnected from the Chatham Area Public Library District, then all remaining territory of the Chatham Area Public Library District is nevertheless deemed contiguous. Provides that the remaining territory continues to be a part of the Chatham Area Public Library District. R. Doyle contacted the Lincoln Library in Springfield and found out that the library is neutral regarding this legislation. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to monitor this bill.
- **House Bill (HB) 793**, sponsor: Representative Dave Winters (R-68, Rockford). Amends the Open Meetings Act to permit a public body with jurisdiction over more than 4,500 square miles to allow board members to participate in meetings electronically. This allows multi-county library systems to more efficiently meet and conduct business. PPC supports this bill. By consensus, the board voted to support this bill.

- **House Bill (HB) 242**, sponsor: Representative Elaine Nekritz (D-57, Des Plaines). Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that the debt service extension base must be increased each year by the percentage increase, for the previous calendar year, of the Consumer Price Index (CIP). In response to a request from Representative Barbara Flynn Currie (D-25, Chicago), R. Doyle called attorney Roger Ritzman on Thursday, 19 February requesting his assistance in preparing a one-page levy table to demonstrate the impact if the debt service extension base had increased by the CIP since 1994. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to support this bill.
- **House Bill (HB) 817**, sponsor: Roger L. Eddy (R-109, Hutsonville). Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that "extension limitation" means (a) the lesser of 5 percent or the percentage increase in the Employment Cost Index or, upon referendum approval, the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate increase approved by the voters. Defines "Employment Cost Index" as the Employment Cost Index for total compensation for civilian and state and local government workers published by the United States Department of Labor. Sets forth referendum procedures to allow for the calculation of the extension limitation based upon the Consumer Price Index. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to support this bill.
- **House Bill (HB) 671**, sponsor: Roger L. Eddy (R-109, Hutsonville) and **Senate Bill (SB) 1513**, sponsor: Senator James F. Clayborne, Jr. (D-57, East St. Louis). Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that all contributions to a pension fund created under Article 3, Article 4, or Article 7 of the Illinois Pension Code are exempt from the definition of "aggregate extension." Provides that levies by fire protection districts for pension contributions and for tort liability, insurance, and risk-management programs are exempt from the definition of "aggregate extension." No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to support this bill.
- **House Bill (HB) 2502**, sponsor: Representative Arthur L. Turner (D-9, Chicago). Amends the Property Tax Extension Limitation Law in the Property Tax Code. Provides that the extension limitation may not be less than 2 percent. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to support this bill.

- **House Bill (HB) 369**, sponsor: Representative Robert W. Pritchard (R-70, Sycamore). Amends the Criminal Code of 1961. Provides that the exhibition to or depiction to a minor of harmful materials is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense. Provides that the exhibition to or depiction to a minor of a sexually explicit video game is a petty offense in which a \$1,000 fine may be imposed. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to monitor this bill.
- **House Bill (HB) 2513**, sponsor: Representative Robert W. Pritchard (R-70, Sycamore). Amends the Criminal Code of 1961. Provides that the exhibition to or depiction to a minor of harmful materials is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to monitor this bill.
- **House Bill (HB) 1311**, sponsor: Representative Dennis M. Reboletti (R-46, Addison). Creates the Internet Service Provider Anti-Pornography Law as a new Article in the Public Utilities Act. Provides that the Illinois Commerce Commission shall require that all Internet service providers that provide service to customers in the state shall comply with the law concerning the prevention of transmission of child pornography. Provides that the commission shall select a nationwide law enforcement agency to serve as a clearinghouse and compile a continuously updated list of files known to contain child pornography. Provides that the selected law enforcement agency shall inspect the files and makes a judgment that the files are illegal in their jurisdiction before adding them to the registry according to their hash value. Provides that the commission shall require that Internet service providers create and implement software that complies with specified provisions. Provides that an Internet service provider that makes a good-faith effort to comply with the law shall be immune from liability. Provides that the commission may adopt any rules necessary for administration of the law. No recommendation from PPC, the bill was introduced after the last PPC meeting. J. Bukovac moved, C. Medal seconded and it was

Voted, That the Illinois Library Association's Executive Board remain neutral on House Bill (HB) 1311. (The motion passed as follows: Voting to monitor: B. Adamowski, H. Cox, J. Bukovac, C. Dickerson, E. Guss, D. Happ, T. Hubert, C. Medal, T. Schwitzner, D. Sussman, and D. Dziedzic. Voting to oppose: B. Baker, R. Hendricks, C. Stupegia, J. Tipton, and D. Zelenka.)

R. Doyle noted that Utah passed a similar law ([http://news.cnet.com/Utah-governor-signs-Net-porn-bill/2100-1028\\_3-5629067.html](http://news.cnet.com/Utah-governor-signs-Net-porn-bill/2100-1028_3-5629067.html)), which is currently being challenged by the Freedom to Read Foundation. A Pennsylvania law requiring Internet Service Providers to block Web sites identified by the state attorney general as 'child porn' was struck down as unconstitutional (see Center for Democracy and Technology's summary here: <http://www.cdt.org/speech/pennwebblock/>).

- **House Bill (HB) 1312** sponsors: Representative Cross (R-84, Plainfield), Darlene J. Senger (R-96, Naperville), Roger L. Eddy (R-109, Hutsonville), Michael G. Connelly (R-48, Naperville), Renée Kosel (R-81, Mokena), Sandra M. Pihos (R-42, Glen Ellyn) and Raymond Poe (R-99, Springfield). Creates the Social Networking Web site Access Restriction Act. Provides that an owner of a social networking Web site must obtain and maintain in a database the written permission of the parent or guardian of each minor who is allowed access to the social networking Web site. Provides that an owner of a social networking Web site must give each parent or guardian unlimited access to the Webpage profile of the minor under his or her supervision. Provides that an owner of a social networking Web site must implement procedures for verification of the age and information of anyone having a Webpage on the social networking Web site. Provides that an owner of a social networking Web site must also verify the status of the parents or guardians who have granted permission to a minor to host a social networking Web site. Prohibits registered sex offenders from hosting or accessing a social networking Web site. Provides that operators of a social networking Web site must allow the parent or guardian of the minor unrestricted access to the profile Webpage of the minor at all times. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a knowing violation by an owner or operator of the Social Networking Web site Access Restriction Act is an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act. Last year, House Bills (HB) 4874-4880, sponsored by Representative Tom Cross (R-84, Plainfield), were similar bills and the ILA Executive Board directed staff to work on these Social Networking & Sex Offender Bills with the sponsor and other like-minded organizations to make sure that these legislative initiatives do not negatively impact libraries. While the current bill is seemingly directed to commercial vendors, it is overly broad and could impact libraries negatively. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to oppose this bill.
- **Senate Bill (SB) 41**, sponsor: Larry K. Bomke (R-50, Springfield). Creates the Prohibition on University Employment Act. Prohibits a public university or a private university that receives State funds from employing a person who has committed an act of violence against the government of the United States of America or the State of Illinois. No recommendation from PPC, the bill was introduced after the last PPC meeting. By consensus, the board voted to monitor this bill.
- **Senate Bill (SB) 1294**, sponsor: Senator Louis S. Viverito (D-11, Burbank). Amends the Criminal Code of 1961. Provides that it is a Class 4 felony for a child sex offender to knowingly be present at any portion or area of a public library facility designated by the library's governing board of library trustees or by the library commission for use primarily by children under the age of eighteen, as well as any program in the public library facility directed towards children under the age of eighteen. No recommendation from PPC, the bill was introduced on February 10 after the last PPC meeting and has been assigned to Senate Criminal Law Committee.

This bill generated considerable discussion. A librarian in the Metropolitan Library System (MLS) requested the bill and many board members were confused why a librarian was advocating this statewide mandate. Concerns expressed were: it is an administrative nightmare; it poses liability questions; it provides a false sense of security by reinforcing the concept of the library as a safe place to leave children; it should be a matter of local control; it places small libraries (297 Illinois libraries serve populations under 5,000) in a particularly difficult situation; and for large libraries, in particular, it poses an unfunded mandate to monitor or enforce the legislation with additional staff. Others noted that there are many reasons why someone might appear on the sex offenders list. For example, the *Newsweek* article "sexting" (see Exhibit 1, pp. 1 - 2) or some parents who are on the list and would thus be prohibited. Both R. Doyle and K. Kolkmeier said that in the court of public opinion this will be a very difficult bill to defeat. R. Doyle also stated the ILA Executive Board previously determined at the February 23, 2007, ILA Executive Board meeting, the following general principle/operating guideline regarding sex offenders and access to libraries: "All are welcomed in libraries but individuals may be excluded based on individual behavior that violates the law or library policies." ILA shared this information widely to the library community and specifically with the MLS librarian in an e-mail message on March 7, 2008.

D. Zelenka moved, B. Adamowski seconded and it was

Voted, That the Illinois Library Association's Executive Board oppose Senate Bill (SB) 1294 as currently written. (The motion passed as follows: Voting to oppose: B. Adamowski, B. Baker, H. Cox, J. Bukovac, C. Dickerson, D. Dziedzic, E. Guss, D. Happ, R. Hendricks, T. Hubert, C. Medal, T. Schwitzner, C. Stupegia, D. Sussman, J. Tipton, and D. Zelenka. Voting to abstain: H. Cox.)

The board further determined the following: R. Doyle will distill the reasons to oppose the legislation; D. Dziedzic and K. Kolkmeier will inform R. Faklis of the board's decision and ask her to pull the bill; K. Kolkmeier will inform Senator Viverito and ask him to pull the bill; J. Bukovac will contact colleagues in the Metropolitan Library System to discuss the issue and determine a position; R. Doyle will draft a letter to Senator Viverito for the ILA President's signature; D. Dziedzic, if necessary, will present testimony in Springfield; R. Doyle and K. Kolkmeier will list, if necessary, this bill on the 2009 Illinois Library Advocacy Day Palm Card; and R. Doyle will prepare and send, if necessary, an ILA Alert to the membership requesting them to contact their elected officials and requesting our elected officials to vote in opposition to the bill.

- **House Bill (HB) 84**, sponsor: Representative Lou Lang (D-16, Skokie). Makes an appropriation of \$200,000 to the Illinois Secretary of State, as State Librarian, to fund the partnership between Citizens' Library of Illinois-Comprehensive Knowledge Service and Health-E Illinois. No action was taken.

- **House Bill (HB) 547**, sponsors: Representatives Sandra M. Pihos (R-42, Glen Ellyn) and Sidney H. Mathias (R-53, Arlington Heights). Creates the Identity Protection Act. Prohibits a State or local government agency from using an individual's social security number in certain ways, subject to various exceptions. Requires each State or local government agency to develop and implement an identity protection policy. Provides that any employee of a State or local government agency who intentionally violates the provisions of the Act is guilty of a Class B misdemeanor. Preempts the concurrent exercise of home rule powers. Imposes conditions on any rulemaking authority. Amends the State Mandates Act to require implementation without reimbursement by the State. No action was taken.

*Working Cash Funds and Illinois Public Library Districts*

R. Doyle noted that the association might have to revisit this issue again based on conflicting attorneys' interpretations of the law. The purpose of a public library district working cash fund is to enable the public library district to have in its treasury at all times sufficient monies to meet the demands for ordinary and necessary library expenses. Because library revenue is not always received according to schedule, the public library district working cash fund provides the public library district with a source for internal borrowing to meet short-term needs and to reduce the need to borrow from outside sources that generate interest costs to the public library district. Monies lent from the public library district working cash fund must be repaid upon collection of property taxes levied for the borrowing fund of the public library district.

Senate Bill 186 changed the Illinois Public Library District Act's (the "Act") requirements for establishing and maintaining a working cash fund. This legislation became law on October 11, 2007 when the General Assembly overrode the governor's veto. This new law is Public Act 95-0659, and it (a) increases the amount of money that may be accumulated in a public library district's working cash fund, (b) broadens the scope of permitted use of the interest earned on the accumulated monies in the working cash fund, and (c) expressly permits the abolition and re-establishment of the working cash fund.

Because the amendment did not change the provision in 75 ILCS 16/35-35(c) limiting the working cash fund tax levy to four years (not necessarily consecutive years), before any library district decides to abolish its working cash fund and create a new working cash fund, library districts should consult with a qualified library law attorney regarding whether under the Illinois Property Tax Extension Limitation Law ("PTELL") (35 ILCS 200/18-190), this reestablishment constitutes a "new rate" that is subject to direct referendum under the PTELL, despite the amendment's elimination of a direct referendum requirement for the creation of a new working cash fund.

*Illinois Economic Stimulus Package*

D. Brennan, current chair of the Public Policy Committee, presented a proposed grant program of \$12 million, or \$1 per resident, to be funded by an increase in driver's license fees. The program will provide new resources and services to Illinois residents suffering from the current economic crisis and assist libraries straining under the demand for such new services. The Office of the Illinois Secretary of State shall administer the program by application to the director of the state library. No less than 20 percent and no more than 25 percent of grant funds shall be approved for the use of the Chicago Public Library. Grants will range from \$10,000 to \$100,000. Library systems and public, school, and academic libraries are eligible to apply; collaborative applications among eligible entities are strongly encouraged. All applicants are required to include an evaluation component that will track the success and outcomes of projects. This proposal was received favorably by Mary Dempsey, commissioner of the Chicago Public Library, and was received with interest by the Illinois Secretary of State. It seems unlikely the proposal will be funded in light of the state's budgetary situation.

*Federal Economic Stimulus Package*

R. Doyle reported that the American Recovery and Reinvestment Act was signed into law on Tuesday, 17 February. With many opportunities available to libraries through the stimulus bill, the Illinois library community must continue our efforts to educate ourselves about the opportunities and educate our elected officials on the benefits of investing in libraries. The *Illinois Library Shovel-Ready Construction/Renovation Projects Libraries* ([www.ila.org/construction](http://www.ila.org/construction)) is one example of a tool to use with our elected officials. Libraries can benefit from the American Recovery and Reinvestment Act in the following ways:

**\$7.2 billion for Broadband**

This includes \$2.5 billion for Rural Utilities Service and \$4.7 billion for the National Telecommunications and Information Administration's (NTIA) broadband grant program to increase broadband access and usage in underserved areas of the nation. This includes \$200 million in competitive grants for expanding public computer capacity at public libraries and community college libraries. Additionally, this includes \$650 million for DTV, of which \$90 million may be used by organizations, including libraries, for education and outreach to vulnerable populations including one-on-one assistance for digital conversion box installation.

**\$53.6 billion for the State Fiscal Stabilization Fund**

This program includes \$48 billion in block grants allocated among the states. Out of each state's allocation, 81.8 percent is reserved for education and 18.2 percent is reserved for the governor to use as he or she sees fit. \$39.5 billion for education using existing funding formulas, which can be used for preventing cutbacks, preventing layoffs, school modernization (school libraries will benefit from this), or other purposes and \$8.8 billion for state

fiscal relief for high-priority needs such as public safety and other critical services (including public libraries), renovation and repairs of public school facilities and institutions of higher education facilities. Encouraging state officials to invest the funds they receive from Congress in public and school libraries will be critical. It is also important to note that with the billions of dollars states are receiving, there should be no need for drastic state cutbacks in services.

**An additional \$120 million for the Senior Community Service Employment Program**

This funding will provide community service jobs at nonprofit and public facilities, including libraries, for an additional 24,000 older Americans. The Senior Community Service Employment Program is a community service and work-based training program for older workers. Program participants are placed in a wide variety of community service positions at non-profit and public facilities, including daycare centers, senior centers, governmental agencies, schools, hospitals, libraries, and landscaping centers. There are currently 74 grantees. Grant awards are made to 18 national nonprofit organizations and 56 state and territorial governments. In most states, the governor has selected the State Office on Aging to administer the program. The contact information for all existing grantees is available by going to [www.doleta.gov/seniors](http://www.doleta.gov/seniors).

**An additional \$130 million for the Rural Community Facilities Program**

The Community Programs is a division of the Housing and Community Facilities Programs at the United States Department of Agriculture. Community Programs includes the Community Facilities Guaranteed Loan Program, the Community Facilities Direct Loan Program, and the Community Facilities Grant Program. These programs help develop essential community facilities for public use in rural areas. These facilities include schools, libraries, childcare, hospitals, medical clinics, assisted living facilities, fire and rescue stations, police stations, community centers, public buildings, and transportation.

**Illinois will receive \$1 billion 681 million in education block grant funds and \$374 million in flexible block grant funds, total allocated over FY 2009-2010.**

R. Doyle noted that Illinois Governor Quinn launched [www.Recovery.Illinois.gov](http://www.Recovery.Illinois.gov), a tool for every taxpayer interested in the \$787 billion federal stimulus package. This site allows the state to quickly share state-focused information about the American Recovery and Reinvestment Act, collect project ideas from the public, and direct people to relevant state and/or federal agencies and applications.

A key provision of the federal stimulus is regular public reporting of project status, spending, and job creation and retention. Periodic reports on status of federal dollars will be due to Federal agencies, Congress, and [recovery.gov](http://recovery.gov). This reporting will also include announcements for grant competitions, allocations of formula grants, and awards of competitive grants using those funds. The federal Council of Economic Advisors will report quarterly on the estimated impact on employment and economic growth.

The governor is required to report the following to each federal granting agency, Congress and [recovery.gov](http://recovery.gov) before the end of each distribution period:

- How funds will be used
- That funds were used correctly
- Jobs created/sustained by the funds
- Non-federal funding sources used to complete projects

Federal and state accountability and transparency measures will include:

- Oversight of spending to prevent waste, fraud, and abuse
- Reporting compliance
- Competitive awards
- Whistleblower protections

The Illinois federal stimulus team will establish procedures for tracking and reporting on stimulus grants and programs that meet the federal requirements and publish data and reports on [recovery.illinois.gov](http://recovery.illinois.gov).

In addition, the Illinois federal stimulus team is planning to provide the ability to directly download raw data from the state on project/program description, location, status, budget, spending, and job creation.

#### *Illinois Library Day*

B. Baker reviewed the following plans for 2008 Illinois Library Day, Thursday, April 23 in Springfield:

- Wednesday, April 22, 2008, 6:30-9:00 P.M., Northfield Inn, Suites, & Conference Center, 3280 Northfield Drive in Springfield, featuring ILA Legislative Consultant Kip Kolkmeier, a cash bar, and buffet dinner. The cost is \$35, payable to the DuPage Library System.
- \$10 for breakfast at the state library at 7:30 A.M. The legislative breakfast with your state legislator will include coffee, teas, juices, muffins, croissants, fruit, sausage, bacon, hash browns, biscuits & gravy, and an egg and cheese casserole. (Price includes breakfast for your legislator.)
- \$12 for a box lunch, including sandwich selection, chips, apple, a brownie, and bottle of water, that will be available at the state library at 12:30 P.M.

*National Library Legislative Day*

D. Dziejcz reported National Library Legislative Day is Tuesday, May 12, 2009—the day we bring our lobbying skills to the nation’s capitol. ILA has reserved a room block at the Capitol Hill Suites, 200 C St., SW, Washington, DC 20003; phone: 800-619-9468; (202) 543-6000; \$249 single; \$269 double, \$289 triple, and \$309 quad, 14.5 percent sales taxes are not included. On Tuesday, May 11, ILA will host a dinner at the Capitol Hill Club and the featured speaker is yet to be determined.

State Library Report

A. Craig submitted the following written report:

Please spread the word about the "On the Front Lines" conference in Springfield, March 16-18. <http://www.librarylearning.info/events/?eventID=5241>

Please review and comment on the system standards documents on WebJunction Illinois (WJIL). <http://il.webjunction.org/il-systems/resources/discussion>

There is a compilation of the Public Library Per Capita Grant responses to the Illinois State Library's construction survey on WJIL.

[http://il.webjunction.org/publib-percapita/articles/content/43225543?OCLC\\_ARTICLES\\_getContentFromWJ=false](http://il.webjunction.org/publib-percapita/articles/content/43225543?OCLC_ARTICLES_getContentFromWJ=false)

Treasurer’s Report

*Review of Financial Statements*

J. Bukovac reviewed ILA Financial Statements including the Balance Sheet; Summary Income Statement and Detail Income Statement, Seven Months January 31, 2009; Cash Available for Investment; Description of ILA’s Investments and Cash Received by Due Period. J. Bukovac also reviewed the financial projections for FY 2008-2009. R. Doyle noted that ILA had already raised approximately \$33,000 in profits with the Obama plates.

*2008-09 Income & Expense Projections and 2009-10 First Draft Budget*

R. Doyle presented the first draft of the 2009-10 First Draft Budget. The final draft will be presented at the next board meeting for the board’s discussion and action.

**President’s Report**

*Serving Our Public Revision Task Force*

C. Stuegria noted the order form (Exhibit 3, p. 47 of the board’s packet).

*Web site Review Task Force*

T. Schwitzner said that Exhibit 3, pp. 48-49 of the board’s packet contains the latest task force discussions. The task is hoping to conduct a survey about the ILA Web site. T. Hubert stated that Illinois Library Systems Directors Organization (ILSDO) thinks ILA should have a Facebook page.

*Advocacy Committee*

D. Dziedzic noted that the newly formed committee's charge and composition are contained in Exhibit 3, pp. 50-51 of the board's packet.

*Future Cooperation with MySpace*

D. Dziedzic said there was nothing new to report. R. Doyle said that William Guidera, the Minneapolis-based lobbyist for MySpace, called regarding House Bill (HB) 1312. Guidera pledged support to help defeat the bill and restated MySpace's offer of financial support for another ILA educational effort to address the issue.

*LSTA Grant Application*

D. Dziedzic has suggested to the state library that instead of an Outcome Based Evaluation grant proposal, a summit on statewide cooperation might be more beneficial and wiser use of federal funds. Several other states are currently doing this planning. For example, Maureen Sullivan is currently working on this issue in California and Massachusetts.

*Change Intern to One-year Appointment*

J. Bukovac presented the proposal to change "intern" to a one-year term as discussed at the 21 November ILA Executive Board meeting. B. Baker moved, D. Zelanka seconded and it was

Voted, That the Illinois Library Association's Executive Board changes the term intern to one-year appointment. This should be reflected in the *ILA Handbook of Organization* in the following manner:

**Committees**

Committees provide major support services for ILA membership, leadership, special interest groups, and the Executive Board. Committee chairs are appointed by the current ILA president with the approval of the Executive Board. Terms of office vary and include a single one-year term for most committees. This term is designed to provide an avenue for interested members to become easily involved in ILA activities. The hope is that the experience gained will encourage members to continue their involvement in ILA. Some are standing committees with representation from the membership. ILA members may volunteer or be appointed to these committees.

(Current page 8: Guidelines for the Leadership Development Program for ILA Committees)

This paragraph describes the history of the intern program and provides guidelines for the intern program. It is recommended that this section be deleted from the ILA Handbook of Organization.

(Current pages 9-14)

The description of each committee would include the statement "and one member serving a one-year term". For example, Best Practices would read, "The committee will be composed of eight members serving two-year terms and one member serving a one-year term."

Current page 68: Committees

ILA has a number of standing committees to which members are appointed for one- two- and three-year terms.

(The motion passed unanimously. E. Guss was not present to vote.)

### **Executive Director's Report**

#### *2010 iREAD Resource Guide & ALA Annual Conference*

R. Doyle noted that ILA will have a booth at the 2009 ALA Annual Conference and the association will be selling iREAD products and the Obama Special Event License Plates. It is our intention to have the 2010 iREAD Resource guide available for sale. iREAD will be presenting a session at the 2009 Air Force & Navy Librarians Workshop on Thursday, 9 July 2009. Finally, we hope to welcome conference attendees to Illinois with the Art and Architecture exhibit in McCormick Place.

#### *Obama Special Event License Plate*

R. Doyle stated that he is currently exploring a variety of targeted marketing options, for example, to collectors of license plates, to supporters of Barack Obama, and to the African American community, to increase plate sales.

#### *ILA E-newsletter*

R. Doyle noted the E-newsletter seems to be very favorably received by the Illinois library community. As editor, he has a number of content and procedural issues that he is attempting to address with this new free service, which is adding additional work and stress.

#### *2009 Trustee Workshop*

R. Doyle stated that current registration is at ninety registrants.

#### *ILA Awards*

R. Doyle reported no response from C. Berger regarding Librarian of the Year Award (see Exhibit 4, p. 61 of the board's packet).

### **Vice President's Report**

#### *2009 ILA Annual Conference Plans*

C. Medal reported that the 2009 ILA Annual Conference Program Committee met on Thursday, 6 February, to review submitted conference proposals. Technology guru Omar Wasow will present the keynote address. Vicki Myron, author of *DeWey: The Small-Town Library Cat Who Touched the World* will be the featured speaker at the Illinois Authors' Luncheon. The committee will meet to finalize the conference program on Thursday, 6 March.

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#### *Committee Appointments*

C. Medal noted the deadline for all committee appointments is Friday, 1 May 2009 and sought the board's assistance in selecting appropriate individuals for the various committees.

#### *April 23 ILA Executive Board Planning Meeting*

C. Medal is currently planning this meeting.

#### **Past President's Report**

##### *Nominating Committee*

B. Baker reported the ballot preparations are proceeding as planned and on time.

##### *ILA Executive Director Evaluation*

B. Baker noted the documentation in the board packet and said the evaluation will be conducted at the next board meeting.

#### **Committee and Forum Reports**

##### *iREAD*

By consensus, the ILA Executive Board approved the iREAD Committee request for an increase in funding for the 2010 Public Service Announcement (PSA) from \$1,000 to \$1,500-\$2,000.

##### *Public Policy Committee*

D. Dziedzic stated that she wrote to Public Policy Committee member Sherman Pascascio from the Green Hills Public Library District in early November informing him that, "I learned only recently that you are an employee of the Illinois Secretary of State. I was not aware of this when I was making appointments to Illinois Library Association (ILA) committees as President-elect of the Association. Had I realized you were an employee of Secretary White, I would not have appointed you, as a voting member, to the Public Policy Committee (PPC), placing you in such a difficult position.

"We are aware that the Secretary of State's office prohibits employees from involvement in advocacy efforts. It is known, for example, that the Secretary's employees must take a vacation day if they chose to attend Illinois Library Day. It has been made evident that advocacy materials are not allowed on WebJunction or on the statewide delivery system, which are funded through the Secretary's office. The Illinois State Library cannot use federal Library Services and Technology Act funds to support projects related to advocacy.

"Because of the Secretary's policy, you will need to step down from ILA's PPC. Again, I apologize for unwittingly placing you in this awkward position.

"I wish to thank you for interest in Illinois's libraries and your service on PPC to date. As an ILA member, you are always welcome to attend the meetings of any ILA committee, including PPC. There are also other ILA committees on which you could serve and forums which you could join should you be interested."

R. Doyle stated that Pascascio had recently requested travel reimbursement for attending the July 31, 2008 ILA Orientation Session in East Peoria. It was noted that none of the attendees were reimbursed for their attendance.

D. Zelenka moved, C. Stupegia seconded and it was

Voted, That the Illinois Library Association's Executive Board not reimburse Sherman Pascascio's travel expenses to attend the July 31, 2008 ILA Orientation Session. (The motion passed unanimously. H. Cox and E. Guss were not present to vote.)

*ILA Marketing Committee's Go Green @ Your Illinois Library*

B. Adamowski said the ILA Marketing Committee is seeking to implement a campaign making Illinois libraries the source for "green" information, increasing the visibility of all Illinois libraries, increasing perceptions of the library's value, and creating a path for green initiatives across the state and amassing tremendous savings for the people of Illinois. Being the source for "green" is a natural niche as libraries are the original recyclers, loaning the same books and DVDs to millions of customers and sharing resources through interlibrary loan, online reference, and knowledge management. B. Adamowski moved, C. Medal seconded and it was

Voted, That the Illinois Library Association's Executive Board support the ILA Marketing Committee's efforts to submit an LSTA grant application for a Go Green @ Your Illinois Library. According to the state library, the funds "cannot be used towards marketing" and the "term marketing must not be used anywhere in the grant application," rather the grant "must have a programmatic component. A program(s) must be built around kits." ILA should submit the grant and the budget should include some funds for the association to reflect administrative expenses. (The motion passed unanimously. H. Cox and E. Guss were not present to vote.)

The meeting adjourned at 2:55 P.M.

Respectfully submitted,

Robert P. Doyle  
Sunday, 22 February 2008

# Talking Points Against Senate Bill (SB) 1294

**Senate Bill (SB) 1294** was introduced by Senator Louis S. Viverito (D-11, Burbank) on February 10, 2009. The proposed legislation would amend the Criminal Code of 1961. It provides that it is a Class 4 felony for a child sex offender to knowingly be present at any portion or area of a public library facility designated by the library's governing board of library trustees or by the library commission for use primarily by children under the age of eighteen, as well as any program in the public library facility directed towards children under the age of eighteen.

## **Preserve Local Authority**

Freedom to make decisions at the local level is the best way that libraries can fully serve their unique constituencies. If a local library wants to enact a policy against sex offenders that decision should rest with local officials. Statewide mandates constrain the ability of local elected officials to tailor policies to local needs and demands.

## **Creates an Administrative Nightmare and Places Small Libraries in a Particularly Difficult Situation**

Libraries are public facilities providing universal access, which are open nights, weekends, and many holidays. The only way to ensure that no child sex offender is allowed entry would be to check identification of every person entering the children's department or programming area.

297 Illinois public libraries serve populations under 5,000. In most smaller facilities, there is no discernible division between adult and children's areas, which means that a child sex offender would have to be denied use of the entire public library.

There is no statement in this legislation as to the authoritative source for identification of "child sex offenders." Assuming that there is such a list, a staff member would have to compare each person's identification with the most current list.

To monitor access, additional staff would have to be hired at a time when funding is becoming even more scarce.

## **Poses Liability Questions**

This law provides a false sense of security by reinforcing the concept of the library as a safe place to leave children. This legislation indicates to families that their children will be "guaranteed" an environment in which no sex offender will threaten their well-being. If a sex offender is found in the children's department or programming area, it is possible that the library will be held legally responsible for not identifying and denying access to that person. There could be legal challenges by residents who would be required to provide identification in order to enter their own local library.

## **Creating a Higher Level of Felony Will Not Deter Sex Offenders**

This presupposes that they will be aware of the new legislation and fear its

consequences. Without obvious signs or barriers prohibiting sex offenders and the means of enforcement in place, sex offenders will not necessarily avoid the children's areas in public libraries.

### **Reject Unfunded State Mandates**

State policies should not impose new obligations on local governments or increase financial liability without providing adequate funds to reimburse libraries for these new mandates. This legislation poses an unfunded mandate to monitor or enforce the legislation with additional staff.

### **Ignores the Problems/Inadequacies of the Sex Offenders List**

There are inconsistencies and questions about the severity of the behavior that warranted legal action. When a student streaking a school event is considered a sex offender, when two teens having sex on a date are sex offenders, when urinating behind a tree can make label you a sex offender, when children mail nude photos of each other (known as "sexting") are placed on sex offenders list, there are serious constitutional issues involved in legislation that is so broad as to prevent access to tax-funded public libraries.

Convicted sex offenders can be barred from entering the children's department or the entire library even if they are with their own children.

### **No one Wants to be in the Position of Defending Sex Offenders**

It takes considerable courage for a legislature to vote against laws against sex offenders, no matter how blatantly unconstitutional or ineffective it promises to be. (Imagine the attack line: "Representative Jones voted for people who want to molest your children in our libraries.")