

March 12, 2023

Dear Chairman Larson and members of the Senate Judiciary Committee,

We write to you as members of the Executive Committee of UND United, the local of ND United (AFT Local #6942) which represents faculty and staff at UND, to express our **opposition to HB 1205**. We have many concerns about HB 1205 and ask your committee to give it a “do NOT pass” recommendation and vote NO on this bill.

Supporters of this bill argue it is needed to protect children. While we agree it is important to protect children, we believe this bill is unnecessary, and as written is likely to have impacts beyond its stated purpose. Collection policies already exist that make libraries accountable to the public and provide ways to challenge the holding of particular materials. Our librarians already work very hard to cultivate age appropriate materials for their patrons. It has not been demonstrated that existing policies are inadequate for reviewing or challenging potentially problematic materials. If someone finds a holding concerning, we would encourage them to utilize existing processes for evaluating and challenging library materials.

While amendments to the bill appear to create exceptions for certain types of educational materials, these materials are limited to a few specific courses and types of classes and thus could be used to censor the holding of materials used in other courses not listed. For this reason, we are particularly concerned about the impact of this bill on our university libraries. In addition, the language of the bill defines public libraries in such a way that would likely have impacts on university libraries because they too are open to members of the general public. As a result, we believe this legislation may have implications beyond its stated intent.

Finally, the bill requires libraries to review library collections and generate a compliance report. Our university libraries are extensive and this requirement would place a substantial burden on our library employees, diverting their time from their primary tasks and creating barriers to retaining library staff. Our campus and community librarians are exceptionally responsive to the needs and concerns of the public they serve and more than willing to work with patrons. Legislation like this is simply unnecessary and creates burdens that may lead our librarians to seek employment elsewhere.

As a result, we respectfully ask your committee to give **HB 1205 a “do NOT pass”** recommendation and encourage committee members to vote NO on this legislation.

Sincerely,

UND United Executive Committee members
Liz Legerski, UND United President
Daphne Pedersen, Secretary-Treasurer
Kristin Borysewicz, Member-at-Large