



House Judiciary Committee

SB 2307

March 18, 2025

Representative Lawrence Klemin, Chair

**Summary:**

- The City of Bismarck **opposes** SB 2307
- Local issue with existing policies in place
- Confidence in Bismarck Veterans Memorial Public Library Staff and Established Policies

**Testimony:**

Chairman Klemin and Members of the House Judiciary Committee:

On behalf of the City of Bismarck, I am Jason Tomanek, City Administrator and today I offer testimony in opposition to SB2307. The Bismarck Board of City Commissioners has discussed the proposed language in SB2307 and expressed concerns with creating a process governed by State law which would duplicate a local process that is currently, and effectively utilized to address issues related to content of concern identified by library patrons. As a result of HB1205's passage during the 68<sup>th</sup> Legislative Assembly, the Bismarck Veterans Memorial Public Library established a process administered by library professionals, many of whom have a master's degree in library science and related professions. This process ensures patrons in Bismarck are provided the opportunity to have their concerns related to materials and content within the Library's collections considered at the local level by trained and educated professional staff.

Proposed language in SB2307 supporting a "penalty" against a public librarian is concerning as well because it causes additional work for county-level state's attorneys and the potential for a public library employee to be charged with a crime and prosecuted in court. Public library professionals and the municipal government agency that employs them could become engaged a very costly legal matter during a time when local municipal budgets are exceedingly more challenging to manage due to inflationary factors, increased labor rates, and higher utility fees. Despite on-going funding and budget challenges, many libraries throughout North Dakota continue to provide a high-level of customer service to residents, businesses, and library patrons that have grown to expect these services. Further burdening the local jurisdictions with unforeseen legal expenses would jeopardize a local government's ability to continue funding its library, staff, and the programming local residents enjoy, support, and rely upon as a contributing factor to the quality of life in the community.

The City of Bismarck **opposes** SB2307 because it would create an unnecessary burden of redundancy for library patrons; cause an unfunded, and undue workload on county-level legal professionals outside a municipal organization; and eliminate a municipal government's ability to effectively and professionally provide the support and services desired by residents and patrons of the local public library.

Respectfully,

Jason Tomanek, City Administrator  
City of Bismarck  
[jtomanek@bismarcknd.gov](mailto:jtomanek@bismarcknd.gov)  
701.355.1300