



Testimony on SB2307
State Librarian Mary Soucie
Senate Judicial Committee

Chairman Klemin and members of the committee,
For the record, I am State Librarian Mary Soucie, and I am providing information on SB2307.

Section 7.2(a) of the bill requires that if a public library is notified of a violation by the state's attorney and fails to comply, it must then be reported to the treasurer to withhold funds until the library complies with the statutory requirements. The State Library initiates payment requests for all library types for grant reimbursements, the State Aid for Public Libraries program, and reimbursements related to lost or damaged library materials. I request that the reports related to public libraries be submitted to the State Librarian. We will work with the Superintendent of Public Instruction to coordinate the sharing of information related to school libraries.

The State Library conducted a survey of the library community in February 2025 to gather information on the number of reconsideration requests received during the last three calendar years for public libraries and last three school years for school libraries. A visual overview of the information collected is attached to my testimony. 92 of the libraries reported that they have a collection development policy, either as a standalone policy or as part of the curriculum policy. 7 libraries reported receiving reconsideration requests for a total of 34 titles in the three years. One thing to note is that in 2022, out of the 20 reconsideration requests, one library received 12 requests for one book and another library received 5 requests for a different book. Several of the libraries that responded to the survey reported having conversations with concerned parents or patrons about specific titles. Most of the concerns were able to be resolved without the citizen utilizing the formal reconsideration process.

HB1205, which was passed during the 68th Legislative Session, required public libraries to adopt policies and procedures to ensure compliance with the new legislation. The bill also required the libraries to submit a report to Legislative Management before May 1, 2024, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section. The State Library collected the reports from the libraries and provided a summary to the Juvenile Justice Committee in May 2024. Most, if not all, of the K-12 schools have either a collection development policy that is specific to the library or include library materials in the curriculum policy.

I would like to provide information on the Online Library Resources, or databases, that North Dakota students and citizens have access to. North Dakota, South Dakota and Minnesota participate in a joint purchase of resources which provides significant savings. We purchase 5 packages or bundles, which include over 50 different resources; local libraries pay a portion of the costs for those resources based on a formula. Minitex, which is part of the University of Minnesota, coordinates the procurement of those resources and holds the contract for them. The Online Dakota Information Network, or ODIN, pays the bill for the resources when it is received from Minitex in July and then collects the library's portion throughout the fiscal year, as determined locally. Additionally, the State Library purchased seven Online Library Resources directly from the vendor; NDSL holds those contracts.

Individual libraries may add additional resources for their local patrons. In 2023, the statewide Online Library Resources had over 12 million searches completed. ODIN provides authentication to access the resources based on library card number. Currently, the software being utilized does not provide the ability to authenticate at a more granular level such as patron category (adult, juvenile, etc.). The included fiscal note will allow for a more robust authentication system to be utilized which will allow verification based on age. Some of the Online Library Resources vendors allow individual libraries to choose to not allow access to individual articles within the database but that removes access for all users, not individuals. The authentication system that is being proposed will allow access to be authenticated for individuals rather than by location.

The Children's Internet Protection Act, or CIPA, was adopted by Congress in 2000 to safeguard minors from harmful online content by requiring schools and libraries receiving federal funding to implement internet safety policies and filtering technologies. All North Dakota schools filter Internet access. Most North Dakota public libraries that offer internet access provide filtered access. Typical basic content filters use Domain Name System (DNS) based filtering, where a custom service is used to redirect traffic. In this case, when a user attempts to access a blocked domain, URL, or IP address, the DNS server responds with an address pointing to a block page instead of the intended site. For more comprehensive filtering, this is achieved at the network level through firewalls and other security appliances that work with cloud environments to continuously update filtering policies and definitions. All publicly funded schools and over half of the public libraries in North Dakota utilize the state's network, StageNet, for internet access. StageNet filtering is very comprehensive.

Chair Klemin and members of the committee, that concludes my testimony, and I will stand for any questions.



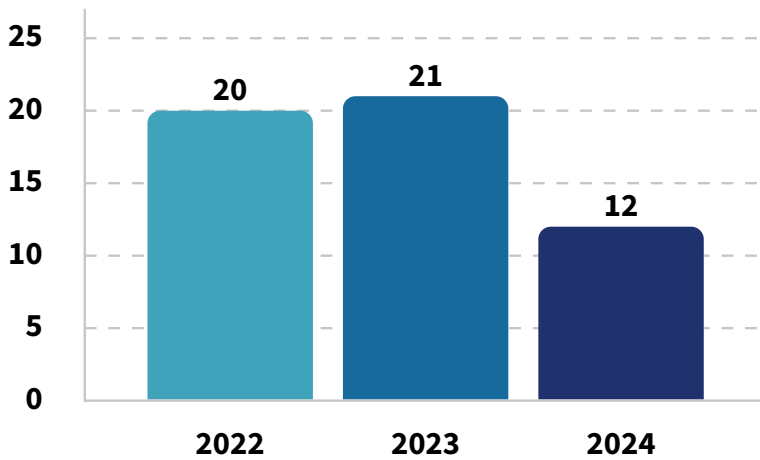
Reconsideration Requests

North Dakota Libraries

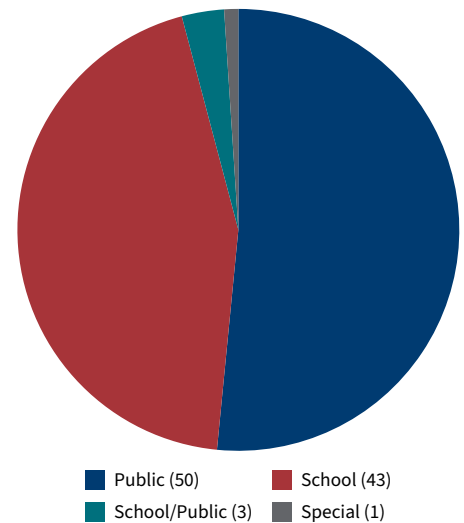


97 libraries, including school, public, combined school/public, and special libraries filled out a survey in regards to the number of reconsideration requests their libraries received. Out of the 97 responses, 86 have not received a single reconsideration request in the last three calendar years for public libraries and school years for school libraries.

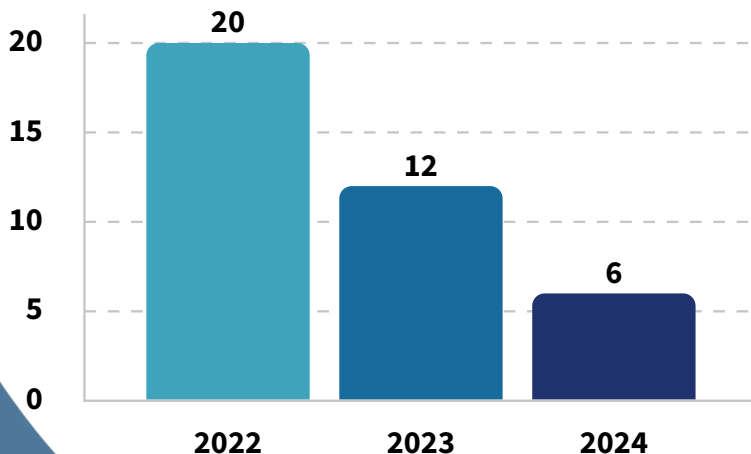
Number of Reconsideration Requests



Survey Respondents



Number of individuals who submitted reconsideration requests



96%

of responding libraries have a collection development policy in place

89%

of responding libraries have a reconsideration request policy in place