

To the legislative body evaluating Senate Bill No. 2307,

I am opposed to this bill. Upon review of the bill as introduced it seems well intentioned to protect minors, but lacks foresight or strong evidence to suggest the bill is necessary to address any sort of existing problem within the library system as it exists today.

Specific issues I see with the bill as written include:

1. Inconsistent use of the label for explicit materials. In most cases it refers to explicit sexual materials, but not in all cases within the text. As such I fear this inconsistency creates a loop hole in which any strong material that may have a negative effect on a minor, be it sexually based or otherwise, can cause the ramifications of this bill to be put into effect. The lack of consistent clarity is important.
2. While generally not expected to be included with a bill, I am unable to find any documented evidence that suggests there is a problem that needs solving here. With the magnitude of implication in a bill such as this I would expect to be able to find referenceable evidence in the form of studies, published surveys or even news articles that indicate there is a large, problem or risk to the public that this bill is intended to solve. At the time of this testimony I can find no such evidence despite my best efforts. Without this information I don't understand how we can attest that this will be a net positive change for a state both from a perspective of impact to our citizens or by knowing we're being fiscally responsible with our state's money.
3. I've read in a recent article about this bill that one of the legislators who introduced it was downplaying the impact, indicating that a moderately sized cabinet would surely be enough for most libraries to contain material that would be impacted by this bill. Having volunteered frequently for program work with my local library, and having associations with others in the library sciences field, I believe this assumption is woefully wrong. I think it more likely that sequestration of these materials would need to be handled via placement within entirely separate rooms for most of our state's public libraries. This is incredibly unfeasible given the low budgets our public libraries often have to work with. In fact, this point may get at the true desire by those pushing this bill which could be to remove such materials entirely and further reduce the value our public libraries bring. If that be the case, it is unacceptable. I do not mean to say with certainty that intention is the root desire behind the bill, but it is certainly food for thought.
4. Finally in terms of consequences for libraries that are noncompliant with this bill. The bill does not clearly indicate who within each library is at fault or provide guidance on how to determine which individual(s) are to be punished for non-compliance. The bill only indicates that Individuals that "display" content are the ones at fault. What does display mean? Is it a display in the main room? Or a bulletin board? Or is it simply for being on a shelf in its correctly categorized location without being prominent? If a library is found to be non-compliant whom is to be punished? Every Staff Member? Leadership? The librarian that last checked in the book? The one that purchased it for the collection? Or the Librarian that added the material into the library's information system? It's unclear to me that this provides clarity that is necessary to adequately enforce anything. The state cannot afford to be so unclear. That sets us up for failure and frankly makes us look of low intelligence. We're better than that.

As stated at the start of this testimony, I am opposed to this bill. Thank you for the time to review these thoughts.

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