



North Dakota  
State Library

Testimony on SB2307  
State Librarian Mary Soucie  
Senate Judicial Committee

Chair Larson and members of the committee,  
For the record, I am State Librarian Mary Soucie, and I am providing neutral testimony on SB2307.

The State Library has a physical collection that includes just under 300,000 items. Just over 265,000 physical items are housed in the Liberty Memorial Building with 2,200 items housed in the book vending machines that are located throughout the state.

In addition, we are a member of the North Dakota *Library2Go* e-materials consortium, along with 62 North Dakota public libraries, which provides 65,000 e-books, e-audiobooks, and e-magazines. There is a shared collection that all public libraries contribute to through their licensing fee which all patrons have equal access to. Individual libraries can add additional materials that their local patrons have priority for. The State Library's role within this consortium is to fill gaps in series, lower the holds wait time on the most popular titles, and to assist with general collection development. While the State Library controls the titles that we purchase directly, we have no authority over the titles that are purchased by other members of the consortium.

The State Library has a collection development policy that assists us in managing our collection. That policy includes a request for reconsideration process. We received a request for reconsideration in 2021; it was the first request for reconsideration that our institution had received in at least 25 years. The title was *If I Ran the Zoo* by Dr. Seuss. The book was removed from the collection due to the fact that it had not been checked out in over five years. We have no record of any requests prior to that timeframe.

The State Library conducted a survey of the library community to gather information on the number of reconsideration requests received during the last three calendar years for public libraries and school years for school libraries. The survey collected the total number of titles that they received reconsideration requests for. 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. Seven 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, 17 of them were for two titles at two libraries - one library received 12 requests for one book and another library received 5 requests for a different book. Several of the libraries reported having conversations with concerned parents or

patrons but were able to resolve the concern without utilizing the formal reconsideration process.

Section 2 of the bill states that “as used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.” The Assistant Attorney General for the State Library has advised that our agency would meet this definition due to both our physical and e-materials collection. Section 4.1(b) references Century Code §40-38 to define a public library, which would not include the State Library. Section 6 specifically exempts the State Library from that section of the bill. We request clarification on which parts of the bill apply to our agency.

I would like to provide information on the Online Library Resources or databases that North Dakota students and citizens have access to. The State Library purchases 7 Online Library Resources directly. 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.

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 or geographic location (GEO IP, based on the licensing requirements of the various vendors. Currently, the software being utilized does not provide the ability to authenticate at a more granular level such as patron category (adult, juvenile, etc.. Some of the 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.

Section 7 of the bill requires that if the Attorney General determines that a public library has violated this chapter of Century Code that it must be reported to the treasurer. 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.

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



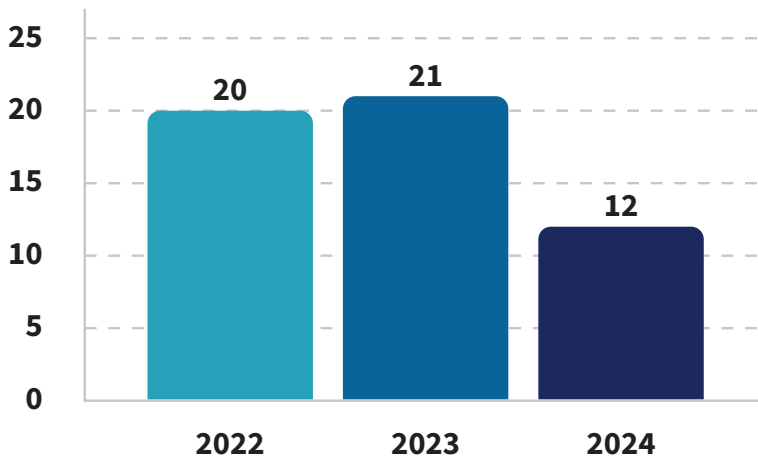
# Reconsideration Requests

## North Dakota Libraries

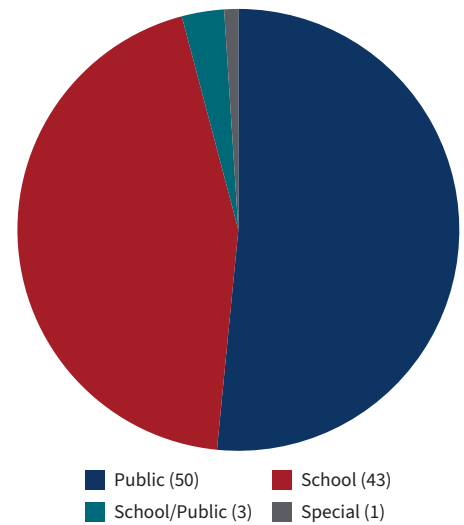


97 libraries, including school, public, combined school/public, and special libraries filled out a survey in regards to the number of reconsideration requests their libraries received. Out of the 97 responses, 86 have not received a single reconsideration request in the last three calendar years for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

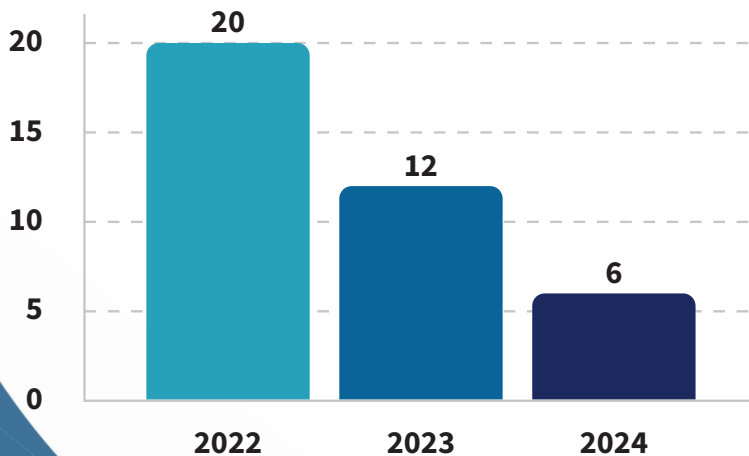
### Number of Reconsideration Requests



### Survey Respondents



### Number of individuals who submitted reconsideration requests



# 95%

of responding libraries have a collection development policy in place

# 89%

of responding libraries have a reconsideration request policy in place