

Testimony in Opposition to SB 2307

Presented by Troy Kuntz

Elementary Library Media Specialist, Dickinson Public Schools

President, Dickinson Area Public Library Board

Chairwoman Larson, members of the committee, my name is Troy Kuntz, and I am a resident of Dickinson, North Dakota. I come before you wearing two hats—both of which would be significantly impacted by SB 2307.

First, I am an elementary library media specialist for Dickinson Public Schools. In this role, I am responsible for curating a collection that is age-appropriate, educationally enriching, and guided by North Dakota law—specifically HB 1205, which already provides a framework for collection development. SB 2307 goes beyond existing legislation by introducing the possibility of a **Class B misdemeanor** for librarians and educators, instilling fear and discouraging professionals from doing their jobs. The weight of this proposed criminal liability could lead to self-censorship, ultimately restricting students' access to valuable literature and educational resources.

Second, I serve as the President of the Dickinson Area Public Library Board, where my responsibility is to establish and oversee policies that ensure access to information while respecting community standards. We already follow existing North Dakota law to develop responsible, well-balanced collections. However, the ambiguous language in SB 2307 could force us into an impossible situation. **Due to the physical limitations of our library and the financial constraints of expansion, one potential consequence of this bill would be restricting access to patrons 18 and older.** I do not want to place the burden of compliance and legal risk onto our library director and staff, who are dedicated professionals working in service to the entire community.

My deepest concerns with SB 2307 lie in its **vague and subjective wording**. The bill states that "whether material or a performance is obscene must be judged with reference to reasonable adults." But who determines which adults are considered "reasonable" enough to make these decisions? Why are trained, certified librarians—who already follow state law and professional policies—not deemed "reasonable" in this context?

Moreover, both the public schools and the public library have **established procedures** for addressing concerns about materials, including a formal reconsideration process that allows community members to voice their concerns. These procedures promote dialogue and thoughtful decision-making rather than immediate legal action. **SB 2307 shifts the conversation away from constructive discourse and toward punitive measures, treating librarians and educators as criminals rather than professionals.**

Policies affecting public education and libraries should be **crafted with care, clarity, and respect for intellectual freedom**. SB 2307, as written, introduces uncertainty, fear, and unnecessary restrictions on access to information. I urge you to **oppose this bill** and instead support local governance and professional expertise in making library collection decisions.

Thank you for your time and consideration. For these reasons, Chairwoman Larson, and members of the committee, I urge a **Do Not Pass** recommendation for SB 2307.

Troy Kuntz

621 27th St W

Dickinson, ND 58601

tdkuntz@gmail.com