

Madam Chair and members of the committee,

Thank you for hearing from your constituents today. My name is Lindsey Bertsch and I am a district 3 resident, and I am the manager of Main Street Books in Minot, North Dakota. In addition to being the only locally owned bookstore in Minot, we are one of the few remaining locally owned bookstores in the state. Today, I am primarily concerned with some of the language of the bill as it would affect my bookstore. In 2023, I testified twice against SB2123 and its later version 2360. I brought up very similar concerns then as I will today. In 2023, one of the sponsors of these bills mentioned that they would have no effect on businesses, but at both hearings I attended, no one could articulate how my business would not be affected. I will read the parts of proposed senate bill 2307 that concern me.

A person is guilty of a Class B misdemeanor if the person willfully displays at newsstands *or any other business establishment frequented by minors or where minors may be invited as part of the general public, any book.... The available content of which "is explicit sexual material"*

Sexual material referring to anything that is:

Patently offensive under prevailing standards in the adult community

Taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

The words "business establishment" are already used in this part of the century code, but the proposed editions do not sufficiently clarify what is considered a misdemeanor and what is not. I believe Main Street Books would be considered a "business establishment," so I am not sure how the proposed additional language would not affect us. Currently at Main Street Books, we do have books in our stock that are not appropriate for minors but we keep them in the adult sections. We have different sections for young children through teenage readers. I believe we do a good job at knowing the intended audience for our books. I am curious if we would be expected to take all books with any explicit sexual material and place them in a section where customers need to show an ID before they can even browse. I don't want me or any of my store's employees to be arrested simply for not having 50 Shades of Grey under lock and key, rather than in the adult romance section where it normally belongs.

Speaking of specific book titles, one that I brought up in 2023 at the hearings I attended was Slaughterhouse Five. There's actually precedent for this book being removed from North Dakota schools, when in the 1970s a superintendent of Drake Public Schools had all 30 something copies removed from the library and classrooms claiming a violation of obscenity standards. Those books were then burned in the high school furnace. This prompted Kurt Vonnegut himself to write a letter to the Drake superintendent. After mentioning that Slaughterhouse Five could be interpreted as a violation of SB 2123 & 2360 last legislative session, a representative told me that of course would not be at risk if the bills passed, as it is a serious piece of literature. So that brings me to my next point: who gets to decide what has serious literary, artistic, political, or scientific value for minors? What makes the content of Slaughterhouse Five more suitable for minors than other books of today? I would like to know who will be tasked with this decision if this bill passes. Will it be Attorney General Drew Wrigley? Will it be the senate and house? North Dakota parents as a whole? Or will the task of gauging appropriate age levels for books

go to those of us who work with books every day in our career fields - librarians and booksellers?

Finally, I would like to express my support for North Dakota librarians and schools, and I trust the protections they already have in place for their technology. SB2307 is a redundant waste of time and resources, and would put myself and my fellow bookstore employees in unnecessarily confusing and potentially costly situations. For these reasons I urge you to give a Do Not Pass recommendation to SB 2307. Thank you.