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January 16, 2023

Chairman Klemm  
and Members of the House Judiciary Committee,

My name is Janet Anderson, and I am speaking to you today as the City Director for the Minot Public Library to urge you to vote against HB 1205.

I will not speak to you about how this bill goes against not only the First Amendment of the US constitution but also Article I, Section 1 of the ND Constitution, which allows the right of "pursuing and obtaining safety and happiness," and Section 3 which provides for religious freedom. Nor will I try to persuade you that this bill is steeped in discrimination and perpetrates the biases that cause so many North Dakotans to leave our state. I'm also not going to describe how public libraries and public librarians are bastions of freedom and democracy. You should each visit your local library and speak with the staff to learn this first-hand. I hope this would have been your first stop once you saw this bill.

No, I'm going to let my highly passionate, dedicated, and knowledgeable colleagues talk to you about these things. I want to address the simple fact that this bill will never succeed. Even if it passes the legislature and is signed by the governor, this bill will face countless challenges and will eventually be struck down as unconstitutional. There is very little doubt that this is not the case.

With that in mind, I see HB 1205 as a massive waste of time, effort, and money. Rather than you spending the time to push this through and us spending our valuable time fighting this, we, as North Dakotans, could be doing so much better.

You could be reviewing bills to help strengthen North Dakota's mental health and addiction services. If, as Representative VanWinkle said, protecting "our dearest and innocent population, our minors" is genuinely one of your goals – you would be focusing on eliminating the deaths of this "vulnerable population" from suicide and overdose rather than writing bills that cause harm.

You could strengthen our schools by providing more funding, supporting a focus on students' mental and emotional health, and finding ways to provide additional services

to struggling families. Perhaps more training for teachers on how to deal with suicidal students, students suffering abuse, and students who become violent? One middle school teacher shared that they often are told to refer these cases to the counselors, but with 800 students and 2.5 counselors, that doesn't meet the many needs of the students. This same school is down 11 Paraprofessionals (key staff who help support students directly) because these positions are not paid enough and often don't receive benefits. If the ND Legislature approved higher salaries and opened more benefits for these positions, teachers wouldn't be using their lunch hours and prep hours to pull double duty. A high school teacher asked me: "What's more important: that kids might read something which a minority of adults are offended by, or that we have a lower standard of learning for our children due to lack of resources?"

You could support our government employees, including police and fire, by finding ways to improve our retirement plans and provide better mental health support. Rather than looking for ways to decrease funding for emergency responders, public works, engineering, airports, etc., you could support existing mill levies and provide additional funding for infrastructure repair and emergency snow removal. Additionally, you could help attract and maintain government employees by avoiding conversations about not funding NDPERS instead of spending this valuable time defining what is meant by "Sex-based classifications."

You could develop ways to fund our university systems better so we can attract more students, especially in fields that suffer so badly, such as school Paraprofessionals, STEM, and nursing. You could also choose to invest in old buildings to make them safer and accessible to all while protecting the salaries of university professors. Furthermore, you could help defray the cost of higher education to make North Dakota universities more affordable instead of focusing on the perceived negative impact of graphic novels.

Finally, you could help keep these students in our state by discussing ways to support Governor Burgum's Energize Our Communities plan. Legislators could be exploring funding for state parks, museums, art events, and other cultural activities and organizations, which will increase our state's quality of life and show others that they can find the good life in ND. Instead, we are here discussing a bill that embarrasses our great state, making us appear backwards, uninviting, and (far worse) willing to embrace a mindset that encourages others to cast some of our "most vulnerable" population as immoral degenerates.

Let's please work together more constructively to truly improve our state.

Respectfully Submitted,

**Janet Anderson**

Library Director

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