

Senate Judiciary Committee
SB 2123
23 January 2023

Chair Larson. Vice Chairs Paulson and Sickler, and members of the Committee

I submit testimony in opposition to SB2123

My name is Mike Fladeland. I'm a Bismarck resident and a member of the Board of Trustees of the Bismarck Veterans Memorial Public Library (VMPL). I oppose HB 1205 and SB2123 for several reasons, including references in HB 1205 to "maintaining or promoting certain books," pertaining to certain subjects listed under Section 2. However, my primary objection is to censorship of the collections of the state's public libraries. While the House Bill concentrates more so on censorship, the Senate Bill goes further and provides for a penalty, namely a class B misdemeanor, and removes an exclusion for public libraries, as well as other institutions and organizations. Regarding the Senate Judiciary Committee's consideration of SB2123, I request a Do Not Pass

The VMPL has a Collection Development Policy that includes sections addressing Principles of Selection

and Reconsideration of Library Materials. As stated in our principles, "The Library makes available, as the budget allows, a wide range of ideas and viewpoints in a variety of formats in support of an informed citizenry. It supports the individual choice and judgment of library users in seeking information and upholds the freedom of users to read, view, and listen, even though the content may be controversial, unorthodox, or unacceptable to others."

The Reconsideration section provides for "a process whereby opinions and/or complaints from Burleigh County citizens or individuals with current non-resident Library cards regarding materials selection can be voiced," and acted upon.

That's how the VMPL approaches censorship as well as, more specifically, "book banning." At the national level, the American Library Association affirms in the Library Bill of Rights, that "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment." Further, the Association, in a Freedom to Read Statement, states "**The freedom to read is essential to our democracy.**"

These bills represent an insidious and dangerous attempt to limit the people's freedom of choice. The action of censoring the state's public library collections and establishing a penalty, which would essentially be directed at the library directors, is onerous. These bills are solutions in search of a problem and need to be rejected.