

2025 SENATE STATE AND LOCAL GOVERNMENT

SB 2219

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

SB 2219
1/23/2025

Relating to disbursement of surplus library materials and the eligibility of public libraries to receive financial aid.

9:00 a.m. Chair Roers called the meeting to order.

Members Present: Chair Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Disbursement of library materials
- Financial aid

9:00 a.m. Senator Cleary, District 35, testified in favor and submitted testimony #30710.

9:03 a.m. Mary Soucie, State Librarian ND State Library, testified in favor and submitted testimony #30619.

9:08 a.m. Chair Roers closed the hearing.

9:09 a.m. Senator Barta moved a Do Pass.

9:09 a.m. Senator Castaneda seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

Senator Barta will carry the bill.

Additional written testimony:

Cindy Aaser, Hazen Public Library, submitted testimony #30586 in favor.

Senate State and Local Government Committee

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Madeline Cummings, Library Director Lake Region Public Library, submitted testimony #30601 in favor.

9:12 a.m. Chair Roers closed the meeting.

Susan Helbling, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2219 ([25.0943.01000](#))

State and Local Government Committee (Sen. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2219 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

SB 2219

- Testimony in favor for this bill. This will allow smaller libraries, with smaller budgets the opportunity to benefit from surplus materials



Phone:
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Devils Lake, ND 58301



Email:
maddie@lrpubliclibrary.org



January 21, 2025

Chairman Roers and members of the State and Local Government Committee:

My name is Maddie Cummings, and I am the Library Director of the Lake Region Public Library in Devils Lake, North Dakota. I am writing today to express my support for SB 2219, which will allow for the disbursal of surplus library materials to libraries throughout the state, as well as annual reports required by public libraries in the state to be eligible to receive financial aid from the State.

The Lake Region Public Library is a city-county library, serving both Devils Lake and Ramsey County as a whole, and despite the fact that we are technically in the top ten largest public libraries in the state, nationally we would be considered small and rural. The financial State Aid our library receives annually very literally makes or breaks our budget when it comes to keeping up a 20-year-old building that has not been touched in its entire existence, expanding staff and resources to keep up with growing visits, programs, and initiatives, and all the other services our library offers. In regards to surplus library materials, I have made personal trips to libraries across the state to take advantage of used materials for our library, and having a formalized program to allow this to happen would alleviate the pressure this puts on our resources.

Given how much this bill will aid the Lake Region Public Library, I can only imagine the immense benefits the passage of this legislation will have on the dozens of smaller, even more rural libraries in North Dakota. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Maddie Cummings".

Maddie Cummings
Library Director



**TESTIMONY ON SB2219
SENATE STATE AND LOCAL GOVERNMENT
MARY J. SOUCIE, STATE LIBRARIAN
JANUARY 23, 2025**

Chairman Roers and members of the committee,

For the record, I am State Librarian Mary Soucie. I would like to provide information and support for SB2219. SB2219 provides clarification related to surplus library materials and the State Aid for Public Libraries grant program.

The State Library has over 300,000 physical items in our collection and almost 1 million electronic materials. Library collections are dynamic entities. To ensure that a library collection is relevant, current, and accessible, regular weeding is essential. Weeding is the process of systematically reviewing and removing library materials that are no longer relevant, have been damaged beyond repair or are not being utilized. When the State Library weeds our collection, we assess if the materials would have value to a local library in their collection. For many years, the State Library has offered weeded materials to North Dakota public and K-12 school libraries through a lottery system. We have refined that process to streamline it for the libraries and for NDSL staff to administer. We are seeking an exemption that would allow us to send materials directly to libraries without providing the information to state surplus.

Per §54-24-03, the State Librarian shall provide and care for all library materials in all collections of the state library and work to focus the collections. Ensuring that library materials that should be shared with the broader North Dakota library community is in line with that duty. The State Library used to have an exemption to dispose of surplus library materials when we were part of a different agency structure, and the exemption is similar to an exemption that the State Historical Society has.

The second section of the bill seeks to provide clarification regarding the requirement for the State Aid for Public Libraries grant program. Section §54-24.2-06 requires that public libraries complete the annual public library report and submit it to the State Library. The additional language to be added to Century Code makes it clear to libraries that if they do not complete the annual report the library will not receive State Aid the following year. In the past, the State Library believed that we had the authority to not award State Aid to a library that did not complete the PLS. When we were reviewing the statutes that our agency operates under with a new Assistant Attorney General

assigned to our agency in 2023, the recommendation was to seek language clarifying that the requirement impacted eligibility.

Madame Chair and members of the committee, this concludes my testimony. Thank you for your time. I am happy to answer any questions.

To: Chair Roers and Members of the Senate Committee on State and Local Government;
From: Senator Sean Cleary, District 35 — Bismarck, Bill Sponsor
Date: 1/23/2025
Subject: Testimony in Support of SB 2219

Dear Chair Roers and Members of the Committee:

I am here to present SB 2219 for your favorable consideration. I worked with the State Library on the two changes in this bill, which aim to improve the library's ability to better serve North Dakotans.

Proposed Changes

- 1. Surplus Library Materials:** Grant the State Library an exemption to distribute materials directly to local public and K-12 libraries without involving state surplus.
 - The state library used to have the authority to do this, and it is what the State Historical Society currently does.
 - Streamlined distribution of surplus materials will provide timely resources to local libraries.
- 2. State Aid for Public Libraries:** Amend §54-24.2-06 to clarify that public libraries must complete the annual report to qualify for State Aid the following year.
 - Clear eligibility requirements for State Aid will promote compliance and ensure the appropriate distribution of funds.

These two changes would allow the State Library to better serve North Dakotans with more accountability.

Thank you for considering this legislation. **I respectfully ask for a "Do-Pass" recommendation.**

I am available to provide additional information or answer any questions. Mary Soucie, the state librarian, will be presenting further testimony on these changes.

Sincerely,

Sean Cleary
State Senator
District 35 -- Bismarck
C: (701) 426-4618

2025 HOUSE POLITICAL SUBDIVISIONS

SB 2219

2025 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

SB 2219
3/6/2025

A BILL for an Act to create and enact a new subsection to section 54-24-03 and a new subsection to section 54-24.2-01 of the North Dakota Century Code, relating to disbursement of surplus library materials and the eligibility of public libraries to receive financial aid.

2:58 p.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Hager, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie, Warrey

Members Absent: Representatives Davis, Toman

Discussion Topics:

- Public library surveys
- Process of disbursing surplus materials
- North Dakota gifting clause

2:59 p.m. Senator Sean Cleary, North Dakota Senator for District 35, introduced the bill and provided testimony #38493.

3:01 p.m. Danielle Kappel, North Dakota State Library, testified in favor and provided testimony #38557.

3:09 p.m. Representative Heilman moved a Do Pass.

3:09 p.m. Representative Ostlie seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	A
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	A
Representative Jonathan Warrey	Y

3:10 p.m. Motion passed 11-0-2

3:10 p.m. Representative Motschenbacher will carry the bill.

3:10 p.m. Unanimous decision to be placed on the Consent Calendar.

Additional written testimony:

Cindy Aaser, Hazen Public Library, submitted testimony in favor #38594.

Mary Soucie, North Dakota State Library, submitted testimony in favor #38822.

Kerrienne Boetcher, Library Director for the Ward County Public Library, submitted testimony in favor #38876.

3:11 p.m. Chairman Longmuir closed the hearing.

Wyatt Armstrong, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2219 ([25.0943.01000](#))

Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2219 was placed on the Tenth order on the calendar.

To: Members of the House Committee on Political Subdivisions
From: Senator Sean Cleary, District 35 — Bismarck, Bill Sponsor
Date: 2/28/25
Subject: Testimony in Support of SB 2219

Mr. Chairman and Members of the Committee:

I am here to present SB 2219 for your favorable consideration. I worked with the State Library on the two changes in this bill, which aim to improve the library's ability to better serve North Dakotans.

Proposed Changes

- 1. Surplus Library Materials:** Grant the State Library an exemption to distribute materials directly to local public and K-12 libraries without involving state surplus.
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- 2. State Aid for Public Libraries:** Amend §54-24.2-06 to clarify that public libraries must complete the annual report to qualify for State Aid the following year.
 - Clear eligibility requirements for State Aid will promote compliance and ensure the appropriate distribution of funds.

These two changes would allow the State Library to better serve North Dakotans with more accountability.

Thank you for considering this legislation. **I respectfully ask for a "Do-Pass" recommendation.**

I am available to provide additional information or answer any questions. Staff from the State Library, will be presenting further testimony on these changes.

Sincerely,

Sean Cleary
State Senator
District 35 -- Bismarck
C: (701) 426-4618



**TESTIMONY ON SB2219
HOUSE POLITICAL SUBDIVISIONS
MARY J. SOUCIE, STATE LIBRARIAN**

Chairman Longmuir and members of the committee,

For the record, I am State Librarian Mary Soucie. Library Services Director, Dani Kappel, will provide in person testimony and be available to answer any questions you may have on the bill. I would like to provide information and support for SB2219. I to SB2219 provides clarification related to surplus library materials and the State Aid for Public Libraries grant program.

When the State Library weeds, or removes, materials from our collection, we assess the items and share any that are still usable with the North Dakota Library Community. This bill will make that process more efficient by allowing us to send the materials directly to libraries without having to notify state surplus, as we have used to do under a previous exemption that the State Library had when we were part of a different structure.

Section §54-24.2-05 of Century Code requires libraries that receive funds under the chapter to submit an annual report detailing the expenditure of funds. This bill will clarify that the report must be submitted to be eligible to receive State Aid.

SB2219 will align current practices with Century Code and will improve processes and create efficiencies for the disposal of surplus library materials as well. It will also provide clarity to North Dakota Public Libraries that apply for the State Aid for Public Libraries program.

Chairman Longmuir and members of the committee, this concludes my testimony.
Thank you for your time.

SB 2219

- Testimony in favor for this bill. This will allow smaller libraries, with smaller budgets the opportunity to benefit from surplus materials



**TESTIMONY ON SB2219
HOUSE POLITICAL SUBDIVISIONS
MARY J. SOUCIE, STATE LIBRARIAN**

Chairman Longmuir and members of the committee,

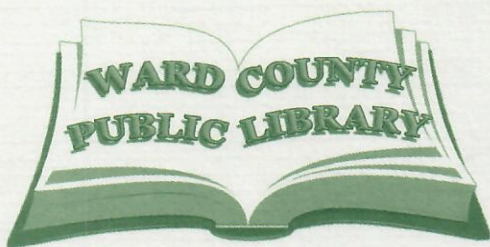
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SB2219 will align current practices with Century Code and will improve processes and create efficiencies for the disposal of surplus library materials as well. It will also provide clarity to North Dakota Public Libraries that apply for the State Aid for Public Libraries program.

Chairman Longmuir and members of the committee, this concludes my testimony. Thank you for your time.



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March 5, 2025

Chairman Longmuir and the Members of the House Political Subdivisions Committee,

My name is Kerrienne Boetcher, and I am the Ward County Public Library director in Minot, North Dakota. I am writing today to express my support for SB 2219, and I am joining my fellow librarians in asking you to do so.

The first section of this bill relates to the disbursement of surplus library materials throughout the state under section 54-24-03 of the North Dakota Century Code. On the national scale, Ward County is considered a small and rural library like most North Dakota libraries. At the state level, we do not rank among the largest libraries but are not among the smallest. This exemption would allow the State Library to offer weeded materials to our public and K-12 school libraries through a lottery system without providing the information to the state surplus. An exemption like this is similar to one already utilized by other state agencies. These materials can support our smaller libraries and help make them a central part of our communities without burdening the local community.

The second section discusses the requirement to complete and submit an annual report under section 54-24.2.06 of the North Dakota Century Code. The clarification will make the requirements for State Aid to Public Libraries more straightforward and give our libraries a clearer picture of what is needed.

Libraries are vital to North Dakota and our small communities, and this bill will have a tremendous impact on and benefit them. I ask that you support libraries in North Dakota and vote in favor of SB 2219 as proposed.

Respectfully,

Kerrienne Boetcher

Library Director
Ward County Public Library kboetcher@wardnd.gov
701-857-6471