2025 SENATE JUDICIARY

SB 2307

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2307
2/10/2025

Relating to obscenity control and to provide for a report to the legislative management; and to provide a penalty.

2:59 p.m. Chair Larson opened the hearing.

Members present:
Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

Discussion Topics:

- Book bans
- Process for relocation
- Legal loopholes
- Protections for children
- Penalty phase
- School policy
- Mental health
- Academic performance
- Pornography and sexual predators
- Different types of psychopaths
- The book *Let's Talk About It*
- Community library resources
- Limited budgets
- Library employment

3:01 p.m. Senator Boehm introduced the bill and submitted testimony in favor #36566 and #36567.

3:10 p.m. Senator Robert Erbele testified in favor and submitted testimony #36683 and #36684.

3:17 p.m. Sara Planteen testified in favor and submitted testimony #36623.

3:23 p.m. Neil Planteen testified in favor and submitted testimony #36627.

3:23 p.m. Rozell Unruh testified in favor.

3:26 p.m. Jill Manning, Owner of Dr. Jill Maning PLLC, testified in favor and submitted testimony #36447.

3:32 p.m. Jon K. Uhler, Clinical Therapist & Sex Offender Treatment Provider, testified in favor and submitted testimony #36548.

3:40 p.m. Tom J Tracey, Former Public-School Superintendent, testified in favor and submitted testimony #36767 and #36768.

3:46 p.m. Andrea Placher, President of ND Library Association, testified in opposition and submitted testimony #36297.

3:58 p.m. Gail Reiten, Advocacy Chair of Right to Read ND, testified in opposition and submitted testimony #36384.

4:03 p.m. Julie Reiten testified in opposition and submitted testimony #36356.

4:06 p.m. Carter R. Haas testified in opposition and submitted testimony #36499.

4:11p.m. Amy Guthrie Sakariassen testified in opposition.

4:16 p.m. Chris Larson, Superintendent & Library Board President of Milnor Public School, testified in opposition and submitted testimony #36586.

4:26 p.m. Lindsey Bertsch, Manager of Main Street Books, testified in opposition and submitted testimony #36702.

4:29 p.m. Andrew Alexis Varvel, Member of Friends of the Library, testified in opposition and submitted testimony #36758.

Additional written testimony:

#36083, #36086, #36095, #36107, #36140, #36161, #36164, #36168, #36179, #36188, #36194, #36204, #36209, #36210, #36239, #36240, #36246, #36248, #36250, #36256, #36260, #36269, #36272, #36281, #36283, #36284, #36285, #36286, #36287, #36288, #36289, #36290, #36291, #36293, #36298, #36308, #36311, #36313, #36315, #36317, #36318, #36320, #36323, #36324, #36341, #36350, #36352, #36354, #36360, #36366, #36368, #36369, #36371, #36378, #36379, #36380, #36383, #36385, #36386, #36390, #36391, #36392, #36393, #36394, #36396, #36398, #36399, #36404, #36407, #36409, #36411, #36412, #36413, #36414, #36419, #36421, #36422, #36423, #36424, #36431, #36433, #36436, #36441, #36442, #36443, #36444, #36451, #36459, #36461, #36462, #36468, #36471, #36474, #36476, #36480, #36482, #36483, #36489, #36490, #36496, #36502, #36503, #36509, #36514, #36515, #36519, #36521, #36523, #36524, #36535, #36536, #36539, #36547, #36554, #36558, #36562, #36574, #36578, #36579, #36580, #36583, #36584, #36588, #36601, #36602, #36603, #36612, #36615, #36616, #36620, #36622, #36625, #36626, #36635, #36638, #36639, #36642, #36645, #36649, #36650, #36652, #36653, #36657, #36658, #36659, #36661, #36663, #36664, #36665, #36666, #36671, #36674, #36675, #36677, #36678, #36681, #36682, #36685, #36690, #36694, #36695, #36697, #36712, #36713, #36714, #36715, #36721, #36724, #36725, #36730, #36731, #36733, #36735, #36736, #36738, #36740, #36741, #36742, #36748, #36750, #36751, #36756, #36763, #36764, #36766, #37011.

4:31 p.m. Chair Larson closed the hearing.

Kendra McCann, Committee Clerk

February 6, 2025

TO ND Legislature

FROM Mona Rindy

RE SB 2307---Oppose

I strongly oppose SB 2307 and censorship. Our North Dakota librarians are professionally trained to do their jobs and provide appropriate books for their communities. Our local library boards represent the local community, and they are in the best position to communicate with the local librarian if the local citizens have a concern about certain materials in the library--and together, those at the local level can deal with the issue in the best way for that community.

Legislating censorship at the state level is heavy-handed, intrusive, and NOT conducive to the needs of the local communities. There are local processes already in place to address concerns.

This bill represents government overreach. The legislature should not be involved in trying to restrict individuals' or local communities' choices in reading

Hello

I feel this bill would be a massive waste of time and tax payer money. You have nothing really drawn out on how you plan on implementing this bill. And honestly I've read the list of plan banned books and the reasons why and I feel it would be hypocritical of you to ban Anne Franks diary but you won't ban the Bible which has worst things in it than 99% of the books you'd probably want removed from the library. For many older ching and young adults going to the library and reading is the best way for them to discover themselves and by doing this you would take their opportunities away. A library should be a safe place. Please be smart and do the right thing and do not pass this bill.

I'm writing to provide testimony in opposition to SB 2307. As the bill is currently written, it applies a vague standard to what is considered “obscene” material to a “reasonable person” from contemporary North Dakota. The definition of obscene or inappropriate may vary wildly from person to person, even amongst “reasonable “ people.

Additionally, the restriction on the public libraries states that any access to what is deemed objectionable shall be held in an area inaccessible to minors. Note that minors includes all those up to age 17. Is this bill saying that books that are inappropriate for a kindergarten student are also ALL inappropriate to a high school student? We already have children's sections in public libraries that are checked for appropriate materials for young children. Additionally, there is a young adult section for books deemed too mature for the youngest readers but appropriate to those who are mature enough to handle sensitive content. Why is a state bill trying to supercede the authority of a parent? Is it not a parent's responsibility to decide what is and is not appropriate for their child to read and or listen to? If parents are involved in their child's life, they will be responsible for material their child checks out from a library.

I'm an English teacher in the Bismarck Public School district. Our library has a rigorous process by which they decide which books are appropriate for students. Guidance has already been given at the district level to remove any books considered too mature for 8th grade students based on classification standards from a district approved resource. This process has become more strict in recent years, sometimes to the detriment of students. No one is arguing that explicit sexual material should be made available to middle schoolers. What I am saying is that a too broad definition of obscenity removes classic books and nationally celebrated and recognized books from what may be a student's only way to access them. I can tell you firsthand that students are reading fewer books than they were 20 years ago. Their love and joy in reading is down. Please don't make it more difficult for students to access quality books that may kickstart a love of reading. Respectfully submitted, Erin Quick

Chair Larson and the Senate Judiciary Committee

Dear Chair Larson,

My name is Alex Maitheanas, and I am writing to oppose SB 2307. As a graduate of one of the nation's top ten graduate schools for public policy and public affairs, I know this bill is concerning in multiple ways.

First, the bill is overly, and disturbingly, vague. How is the state defining a "reasonable adult?" How is harm to minors defined under this bill? What are considered to be the "prevailing standards" of offensiveness to adults? What is considered to be offensive to one adult likely isn't going to be the same across the board. Whether or not a book possesses or "lacks serious literary, artistic, political, or scientific value to minors" is entirely subjective and will also vary between individuals. In addition to this vague criteria, there is also a strong lack of guidance of how this bill would be implemented and enforced. Additionally, North Dakota's public library system already has a process to challenge books- a new one wouldn't need to be developed or implemented.

In addition to this already confusing bill, lines 29-31 and lines 1-3 on pages 3 and 4 of the bill are not worded in a clear way. It also raises the question of what would happen if a piece of media does contain something that this bill is trying to limit, but the individual doesn't know about it- what happens then? And again, what is this bill trying to limit specifically? The limitations of content are ill-defined. Are books related to sexual education and anatomy going to be banned for minors? Because under this bill, they could be.

I am curious as to why the North Dakota legislature is so focused on banning access to knowledge and resources. Shouldn't students, teachers, and parents be allowed to work together to find the knowledge a student is seeking? They are the experts on finding the information and whether or not it is appropriate for that specific student. To make a broad, sweeping law that assumes all minor students should not have access to a particular piece of media downplays the roles of these experts in the student's life.

Throughout history, banning books, media, and knowledge has never led to positive outcomes. I urge a DO NOT PASS on SB 2307.

Sincerely,

Alex Maitheanas

Again we are faced with a library censorship bill as we were in 2023! I suspect because of the former legislative action, every library in ND now has both selection and removal policies in place plus the statement that "It is the parent's right and responsibility to choose what their children read, considering their individual values and family dynamics." Apparently because the philosophy that seems to pervade a number of GOP legislators "My way or no way", once again we have attacks on public and school libraries. Libraries respond to the individual needs, desires, wants of the communities they serve. I'm sure that there is probably no desire in eastern ND to have material on cow castration and in western ND on sugar beets. That in elementary schools there is a huge need for easy readers while at the high school level if there, these would be for courses that exist on child care. High schools might have much material on career choices while the material at the elementary shows what these careers do. Apparently the attitude of the legislators, especially those who proposed this censorship bill, is that librarians across the state are there to corrupt their patrons. I challenge you and every legislator to go have

a coffee with those you are attacking. The majority are women, that truly have at heart their community and the needs/desires/wants of those they serve. My personal belief is that the list of objectionable books provided by Moms for Liberty is driving this action. That the majority of the legislators do NOT even use their libraries. That they are driven by an ideology that speaks to their personal beliefs and DOES NOT reflect the users &/or the citizens of the communities that they are attacking. That it is too much work to go and ask for removal of the items/ programs/locations at the library of their community so want a blanket action to affect the total state. Look back two years. Every library in the state responded. What was the cost? What was the action that occurred? What did the individual communities through the later truly convey to you? Continually we are hearing,(from the GOP) state over country, local over state and personal choices over universal. Yet this action is completely the opposite. It appears that instead of doing the work of approaching each library (local) if one has a concern, connecting with the community served by these libraries, connecting with their patrons, those pushing this legislation have

no desire to do that work. or - One wonders IF they did do such. That their community response was not what they desired. So this action is actually a retaliation. PLEASE VOTE NO on any and all censorship bills.

February 7, 2025

TO: Senate Public Hearing members

FROM: Deneen Axtman

RE: SB 2307---Oppose

I strongly oppose SB 2307 and censorship. Our North Dakota librarians are professionally trained to do their jobs and provide appropriate books for their communities. Our local library boards represent the local community, and they are in the best position to communicate with the local librarian if the local citizens have a concern about certain materials in the library--and together, those at the local level can deal with the issue in the best way for that community.

Legislating censorship at the state level is heavy-handed, intrusive, and NOT conducive to the needs of the local communities. There are local processes already in place to address concerns.

This bill represents government overreach. The legislature should not be involved in trying to restrict individuals' or local communities' choices in reading

I am submitting testimony in opposition to SB2307.

The language used in this bill is about protecting children from “sexually explicit materials.” Every librarian, teacher, and parent will agree that protecting children from harm is important, and that it is a practice that librarians, teachers, and parents already engage in. Our librarians and teachers know our kids and care about them deeply. They use that knowledge and personal connection to put books in their hands that will interest them and move them and help them learn and grow. They know that not every child reads at the same level or is ready for the same content or themes, and they use that knowledge when they purchase books and recommend books to kids. Parents are always welcome in that process and in those conversations, and many libraries provide parents with tools to help monitor what their kids are reading. Where you will meet resistance from me and many others, including parents and including the passionate and caring librarians and teachers that I know, is when the government attempts to step in and control those conversations. This bill infringes on the rights of parents, teachers, and librarians to work with their kids and students on choosing reading material that is appropriate and relevant and of interest. It also removes any opportunity we have to trust our kids with those decisions, too.

I acknowledge that nowhere in this bill is the word “censorship.” That may not be the intended purpose of the legislators who introduced this bill. But it will be the result. When a class B misdemeanor can be brought against a teacher or librarian for providing “sexually explicit material” to a minor—that’s a scare tactic and will result in teachers and librarians self-censoring their collections. Another component to consider is that the process of buying and getting books into the hands of a minor is, in many libraries, not the responsibility of a single person. Who will be charged with the misdemeanor if a case is brought forth—the librarian who recommended the book to a patron? Or the part-time circulation assistant who checked the book out to the patron, and who may be a minor themselves? Or the library director who approved the funds to purchase the book? Or all three? I would ask the legislature to consider, how is that sustainable? How is that a responsible use of our justice system and the taxpayer dollars that support it? How does that foster an atmosphere of trust and respect for professional expertise that new teachers and new librarians will want to work in?

Additionally, I am concerned about how libraries will be forced to comply with this bill. If they cannot relocate material to an area that isn’t accessible by kids, some libraries may have to restrict access to their building. I have read about libraries in Idaho that have had to do this and it breaks my heart.

This bill is not going to do anything to protect children. It’s going to stunt their curiosity and their access to books and literature that challenge them, that make them think, and that help them grow.

Please oppose this bill and do not pass it.

Thank you.

To whom it may concern,

I was shocked to learn than North Dakota is considering censoring and banning literature in public libraries. I recently moved with my family from Illinois to North Dakota. I was elected as a Trustee for my local library in Illinois, and recently wrote a section for the library bylaws committing to not ban books. That doesn't mean that the shelves were full of inappropriate books. Librarians keep books for which there is a demand, and do not invest in media that won't be used. Librarians use discretion based on the needs and interests of their local populations. No children were accidentally picking up inappropriate books and reading them.

It's essential for a population to have access to literature and media, without censorship. Libraries and patrons use discretion when choosing their books and media, and they don't need government meddling. Preserve the First Amendment. Allow the Freedom of Speech, and allow libraries to continue stocking their shelves based on the needs and interests of their population. Please don't waste your time censoring and book banning. Those who ban books only create more interest in those books, and create more problems than they solve. Please spend the time, effort, and money on helping North Dakotans with their actual needs, not perceived outrages.

Thank you

My name is Marisha Lunde, I am a resident of Fargo. I have a 15-month-old daughter who I cannot wait to bring to the library with me. Should Senate Bill 2307 pass, there is a possibility she will not even be able to enter the library. Do you hear how ridiculous that sounds? That a child not be permitted to go into a library because it contains books deemed "sexually explicit" by a bunch of legislators with nothing better to do?

This is an unnecessary bill that will cost taxpayers money to revamp libraries throughout the state. Many of the rural libraries simply won't have the funds, and what then? Libraries are *so much more* than just books.

It is also worth noting that each title that gets added to our libraries gets vetted by the editors, publishers, American Library Association, and local librarians. I have endless faith in each of these entities.

The responsibility of shielding our child from content that is not age-appropriate falls to my husband and myself, full stop. If you truly care about protecting the innocence of children, let's spend all this time and energy on common sense gun laws so our kids can feel safe in school.

Opposition to SB2307

This bill is an unnecessary and ill concealed attempt at censorship, promoted by a predominantly conservative Christian agenda that has become prolific in our government at all levels.

3 points stand out to me:

1) there is no explanation of how this bill would be implemented
2) It would be costly to taxpayers.
3) The library community already has a process in place for citizens to challenge materials since the Legislature passed HB 1205 in 2023.

Oppose SB2307

Samantha T Miller
Reynolds ND.

SB 2307

I am writing to ask you to vote in opposition of the SB 2307. This bill is a censorship bill that does not allow libraries to do what they are supposed to do. We are to supply materials to all our community without subjecting our personal opinions on what the public wants to read about and we are to have materials that show all the sides of an issue. This bill will prohibit libraries from following the very bylaws that they were created upon. I have included the material selection policy from our bylaws as well as the form that is required if someone has a complaint to material on the shelf. It is the parents' responsibility to know what their children are looking at or checking out. Just as it is a parent's responsibility to know what the children are looking at on their smart phones. Are you going to go after the internet next to pass laws that this same type of material cannot be posted on the internet? Access to this type of material is blocked on the computers in my library. If this law passes it not only has to do with the ONE book in particular that has come up time and time again during these discussions.

Books that would have to come off our shelves because it states in our bylaws (15.2.9) that we will not have a closed shelf collection, would include the dictionary, the bible – including the bible for teens – all romance novels, inspirational fiction novels, western novels, breast feeding books, midwifery books and any other non-fiction books that talk about the human body. This is way more far reaching and more work than what has been researched before the bill was introduced.

Our library has a very difficult time getting teens between the ages of 13-18 in the library. They have their phones to look everything up on, they do not come into the library until after they are out of high school as it is not a "cool" thing to do. The games they play on the internet are far more graphic than books that are in my library. Are you going to pass laws to keep the teens from accessing those games?

My tax payers will be very upset with myself and my staff if we are sitting at the desk reading every new book that comes into the library for patron checkout to be sure that none of the items listed in this bill are in those books, we have a very short description of the book to go off of when we order books. Once the book is here and being cataloged is when we know what all may or may not be in the book without reading the book in its entirety I would not know if there was any kind of sex, gender identity or anything else prohibited in this bill in these new books. It could be something very subtle in the book but yet then it would be prohibited from going on the shelf. It needs to be left up to the patrons and parents what they want to read and what they want their children reading. What offends one person may not offend another.

Opposition to Senate Bill 2307 2/7/2025

Dear Chairman and Members of the Senate Judiciary Committee,

Disclaimer: I am a member of the Morton Mandan Public Library (MMPL) Board of Trustees. However, the following testimony reflects my personal views and does not represent any official stance of the MMPL or its Board of Trustees. I submit this testimony as a resident of North Dakota, a parent, and a public library patron.

I strongly urge you to give Senate Bill 2307 a **DO NOT PASS**. This is a misguided and unnecessary piece of legislation that poses a direct threat to the operations of North Dakota's public libraries, especially those in our rural communities. This bill seeks to impose broad and vague restrictions on library materials, effectively undermining the very purpose of libraries as places of learning, exploration, and community enrichment. It is a solution in search of a problem—one that will create bureaucratic nightmares, impose undue financial burdens, and limit public access to essential resources.

Public libraries are one of the last true community spaces where people of all ages, backgrounds, and beliefs can come together to learn, explore new ideas, and engage in civil discourse. They are invaluable institutions, especially in our small and rural communities, where access to information and resources is already limited. **SB 2307 threatens the ability of these libraries to function effectively, imposes unnecessary financial and operational burdens, and, most concerningly, opens the door for criminal prosecution of librarians simply for doing their jobs.**

I want you to picture your local public library. Most likely, there's a separate children's section, but it isn't closed off to the rest of the library. This bill would force your library to physically close off from minors any section of the library that contains a book or other materials that has any mention of something sexually explicit. Imagine the logistical nightmare of determining which books or materials fall under this broad and vague restriction. Would young adult sections need to be walled off? Would classic literature be locked away in a restricted area? Would staff be forced to act as gatekeepers, deciding who is allowed access to certain materials? **The sheer cost and impracticality of implementing such measures would devastate small and rural libraries, many of which barely have the resources to remain open as it is.**

This bill, like the similar legislation Governor Burgum wisely vetoed in 2023 (SB 2360), places undue and vague restrictions on what materials can be made available in libraries and exposes librarians and library staff to potential criminal charges. In his veto message for SB 2360, Governor Burgum correctly identified that existing laws already provide pathways for addressing concerns about library materials without the need for additional government overreach. SB 2307, like its predecessor, is unnecessary and counterproductive.

One of my greatest concerns is how this bill will disproportionately harm small and rural libraries. Many of these libraries operate with minimal staff and tight budgets. The added burden of monitoring materials under vague and subjective standards, defending themselves against potential legal challenges, and possibly facing criminal prosecution will create an environment of fear and self-censorship. Librarians should not have to worry about whether selecting a classic novel or an award-winning young adult book might subject them to legal action. These pressures could lead libraries to restrict access to materials simply to avoid controversy, depriving our communities—especially young people—of diverse and meaningful literature.

Speaking of young people, this bill could also prevent teens from working or volunteering at their local library, a formative experience that teaches responsibility, civic engagement, and a love of learning. The possibility of legal repercussions for simply shelving a book deemed inappropriate under broad and unclear guidelines could deter libraries from allowing minors to participate, stripping them of valuable educational and work opportunities.

SB 2307 is not just a burden on libraries—it is an infringement on the fundamental right to access information and ideas. Our democracy depends on the free exchange of ideas, even those that may be controversial or uncomfortable. **Allowing the government to dictate what books and materials are acceptable is a dangerous precedent that undermines intellectual freedom.**

As a parent, I believe it is my responsibility—not the government's—to guide my child's reading choices. Parents already have the ability to supervise their children's library use and discuss with them what materials align with their family's values. We do not need legislation that criminalizes librarians or places excessive burdens on our libraries to do what parents are already capable of doing themselves.

For all these reasons, I urge you to vote DO NOT PASS on SB 2307. Let us trust our librarians, respect parental rights, and uphold the principles of intellectual freedom and access to information that have long been the foundation of our public library system. Thank you for your time and consideration.

Sincerely,

Kara L. Geiger
Mandan

Senate Judiciary Committee

Hearing on SB 2307 relating to obscenity control

Feb. 10, 2025

DO NOT PASS SB 2307

Chairman and members of the committee, my name is Erin Laverdure. I'm a resident of the small town of Stanton, ND.

I'm writing to urge a DO NOT PASS recommendation on SB 2307. I'm a mother of two, and I have seen every reason to trust our librarians. They already do an amazing job of shepherding our young readers to age-appropriate materials. This bill is entirely unnecessary. It addresses a problem that does not exist.

This bill is government overreach and censorship, and overrides our First Amendment rights. It would impact rural communities like ours, which is fortunate to have our very own small, one-room library. Laws like this threaten its existence, as there's no way our tiny town could fund physically separate sections in that small building. This bill would criminalize librarians who would have to navigate this restrictive law; towns like ours will likely see our librarians quit rather than risk lawsuits.

Please make a DO NOT PASS recommendation on SB 2307. Trust librarians and save our small-town libraries.

Respectfully submitted,

Erin Laverdure

Stanton ND

Chair Larson, Vice Chair Paulson, and members of the Committee,

Request: Vote "No" for SB 2307

My name is Mike Fladeland. I'm a Bismarck resident, District 35, and a member of the Bismarck Veterans Memorial Public Library (BVMPL) Board of Directors. The BVMPL Board of Directors unanimously opposes SB 2307 for several reasons, including wording and provisions, but more importantly overall societal implications.

The opening paragraph states the Bill's intent, in part, is "compliance with statutes protecting minors from explicit sexual material[.]" However, nowhere in the newly-proposed language nor in the amended language is there any differentiation provided insofar as materials appropriate for kindergarten-aged minors and high school aged minors. Certainly, there are differences in what is appropriate for a broad range of ages and both age groups should have access to different information.

Section 1 includes the following elements for determining what constitutes "obscene material":

- the average person
- contemporary North Dakota standards
- sexual conduct, whether normal or perverted

These elements are ambiguous and wholly devoid of widely accepted definition. For example, what constitutes "contemporary"? Who is the "average" person? Why are these legislators attempting to categorize some undefined "normal" sexual conduct as "patently offensive"? Further, what constitutes "normal" or "perverted" sexual conduct?

The Section goes further:

- One of the three factors for determining "obscene material" and "objectionable material" is "Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value." Consider the following books that have been banned, censored, or challenged: To Kill a Mockingbird, 1984, The Giving Tree, The Grapes of Wrath, Alice's Adventures in Wonderland, and the Holy Bible. These books, as well as many others, are considered by the general public and scholars to be significant works of literature regardless of efforts by those who wish to impose their values on others.

Section 4 stipulates:

- By January 1, 2026, each public library and school district shall develop a policy that includes a procedure "For the relocation of explicit sexual material in the library to an area in the library inaccessible to minors." The design, implementation, and administration of that policy imposes unreasonable demands on our public libraries, especially with respect to those in smaller communities. This requirement makes public libraries and school districts subject to the whims of a diverse community, which will undoubtedly force librarians into lose-lose scenarios where complying with one request to relocate some particular material will be directly adverse to another request to provide the same material.

For the above reasons and others, speaking on behalf of the BVMPL Board of Directors, we oppose this bill and recommend Do Not Pass.

However, our overall objections go further and pertain to the social implication of the Bill. Surely, the Legislature's intent is not to shift the responsibility of guiding our children's reading habits, learning, access to information, and interests from their parents and caregivers to the State and municipalities who operate libraries? Does the Legislature really believe that SB 2307's policies apply uniformly to 5 and 6-year old children, as well as 16- and 17-year-olds, all by definition, minors? Are we to believe that County and City elected officials, local school boards, and the professional staff of public libraries will accept and appreciate wresting local judgment and control from them? We suspect that parents, civic minded people, and local government officials, after serious consideration would respond with an emphatic no.

BVMPL, along with all ND public libraries, are already in compliance with HB1205, which passed during the 68th Legislative Assembly to address your concerns. BVMPL welcomes over 200,000 visits each year with 570,000 check-outs of material in our collections. In 2024, we received only two requests for reconsideration. This represents .00011% of our collection and .004% of BVMPL cardholders. Our community doesn't have an issue with our library's collection nor the policies already in place to handle feedback about specific titles, and neither should the State of ND. SB 2307 is a gross attempt at censorship with the express purpose of the government imposing the views and opinions of a few on the many. Summarily, it is a solution in search of a problem.

That concludes our testimony. Thank you for your consideration.

Library Board of Directors – Bismarck Veterans Memorial Public Library

President, Dianna Kindseth, retired CPA
Vice President, Mike Fladeland, retired Manager, Energy Business Development
Nancy Guy, retired non-profit Operations Director; former City Commissioner
Justin Hughes, attorney
Mike LaLonde, retired; community volunteer

I am writing in opposition to this bill as a parent and as an educator and as a citizen. I believe any country that begins to ban and restrict literature is on a slippery slope that will be very hard to pull back from once we start going down that road.

You claim you want to limit access of obscene materials to minors. First of all, this is a subjective claim, and what obscene can mean is different to every family. Yes, there are some baseline identifiers of what may or may not be appropriate for a specific age or reading level, but that is not for the government to blanket statement make a ruling on. I do not want my taxes to go to censorship.

And where would it end? Why stop at libraries? Then it would spiral to bookstores, comic shops, retail stores……and then into performances, theater….. It absolutely floors me that the word "ban" is even being used in 2025. You're worried about spicy material in the public library, but did you see what was on the end cap in Target last week? If you haven't read Verity, well…..

This bill violates First Amendment rights, it would be ridiculously expensive to implement, and the people of ND voted a while back and shut down a similar bill that would have limited access to literature. Please vote no.

Testimony of a Family Member of a Trafficked Survivor & Director of Policy, Jaco Booyens Ministries

Honorable Members of the Committee,I stand before you today not just as the Director of Policy for Jaco Booyens Ministries, but as a family member of someone who was trafficked—groomed in school, deceived, manipulated, and stolen from the safety of childhood.

My niece, Dakota, was just a child when she was first exposed to explicit content in school—content that was defended as "educational," "inclusive," and "harmless." But let me tell you the truth—what she saw, what she read, what she was taught was not harmless. It was a gateway.

These materials didn't educate her; they primed her. They opened the door for predators to confirm what she had already been told in school—that her body was for pleasure, that she had the right to explore without boundaries, that secrecy was okay. The very institutions we entrusted to teach her instead gave traffickers the language, the justification, and the permission to manipulate her.

Fifteen years. That's how long she was trapped in the hands of men who used her, sold her, and discarded her. And while Dakota is now free, she will never be the same. The scars are there—seen and unseen. But I refuse to let her suffering be in vain.

I am here today to ask—how many more Dakotas will there be before we finally say enough?

This is not a debate about censorship. This is about **protecting the innocence of children, safeguarding their futures, and dismantling the systems that make them vulnerable to predators.** The pornography, the obscenity, the sexualized curriculum—it must go. And any legislator who defends it must answer this: **What is more important—protecting children or protecting an agenda?**

This is not theoretical. This is personal.

We at Jaco Booyens Ministries work with survivors every day. We know their stories. We hear their pain. And we see, firsthand, how this exposure to graphic, sexualized content in schools, libraries, and online is a critical piece in the grooming process.

If we claim to be a society that protects children, then we must remove the rot that is destroying them. The time for pleasantries is over. The time for action is now. **Pass the laws. Remove the filth. Shut down the access points.**

Because I promise you—if you don't, the traffickers will thank you. And God help us if we continue to let them win.

Thank you,
Tami Brown Rodriquez
TBR@helpjbm.org

Testimony on SB 2307 Submitted February 7, 2025

Chairman Larson and members of the Judiciary Committee, as a retired educator and former Dean of a College of Education I write in opposition to SB 2307 for the following reasons:

1. The bill is totally unworkable. For example, this bill will require the involvement of the Office of the Attorney General, the State Treasurer and the Superintendent of Public Instruction in determining which library books, educational materials, resources, etc. do not comply with this law. Every library and school district in the state will be required to make an **annual** report to "legislative management" to comply with this bill. These busy officials have far better things to do than monitor and implement this misguided bill. Further, "reasonable" people disagree routinely about the merits of books and reading materials. As noted below, there are already in place better ways to address these issues than provided in this bill.
2. In many respects the bill is unnecessary as there are already laws on the books that deal with the possession of pornography and related matters.
3. The bill is a misguided effort by the sponsors to censor books and materials that they may find personally objectionable but that may be regarded as important and even classic literature and legitimate educational materials.
4. Public libraries and school districts already have policies and practices in place to screen books and reading materials for age level appropriateness by people who are qualified do make those decisions. And they have policies and procedures by which citizens may raise objections to books and materials. This bill would create a law with punitive financial penalties in place of these more reasonable and professional practices.
5. The sponsors of the bill are no doubt advocates for limited government and parental authority, yet this bill is an example of "Big Brother" government intrusion into matters better left to trained librarians, educators, and parents.

For all of these reasons, I urge your committee to give this bill a DO NOT PASS recommendation.

Daniel Rice, retired Professor and Dean of Education and Human Development at UND, now residing in Fargo, ND. (The views expressed here are my own and do not necessarily represent those of UND.)

LAKE REGION public library

Phone:
701-662-2220

Address:
423 7th St NE
Devils Lake, ND 58301

Email:
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February 7, 2025

Chairman Larson, Vice Chairman Paulson, and members of the Judiciary Committee:

My name is Maddie Cummings, and I am the Library Director of the Lake Region Public Library (LRPL) in Devils Lake, North Dakota. I am writing today to express my opposition for SB 2307, a bill that would drastically affect the positive impact the Lake Region Public Library has on the daily lives of youth in Devils Lake, Ramsey County, and beyond.

The Lake Region Public Library is a city-county library, serving both Devils Lake and Ramsey County. In 2024 compared to 2023, visits to the library increased by more than the entire population of Devils Lake- nearly 7,500. We offered 232 programs with over 5,000 attendees, with well over 3,500 of said attendees being youths 18 and under. Library usage continues to rise with the information and resources public libraries provide, and we at LRPL are proud to continually listen to our patrons and communities to offer the collection, programs, and services needed in order to promote this increased usage.

SB 2307 is unnecessary, as every public library already has a policy in place to review and reconsider materials considered inappropriate by any person at any time. SB 2307 will essentially bar anyone under the age of 18 from using the Lake Region Public Library, as it will either force us to cut our collection in half in order to comply with the language since we cannot physically or financially sequester the tens of thousands of items containing the words deemed "obscene," or more realistically, it will force us to close our doors to children and only allow adults to procure materials for them. The 232 programs offered in 2024 will drop to double digits, as more than 150 of these programs were geared towards children. SB 2307 is not a bill for North Dakota libraries. Please, stand with North Dakota libraries and librarians and oppose SB 2307.

Sincerely,

Maddie Cummings
Library Director

I am a current High School Librarian raised in North Dakota wholly opposed to SB2307. My former students in Durham, NC and current students in Spencerport, NY are always completely amazed that I grew up across the street from the Heart of America Library in Rugby, ND, but I only had access to a McDonald's hamburger when we would take the 67 mile trip to Minot. The librarians at the Heart of America Library definitely knew me by name, and I grew up thinking that all of the books on display they had selected just for me. I remember the day when I had finally exhausted the collection there. I was just in fourth grade, but I had read nearly every title in the entire children's section. The librarians noticed my frustration and saw me nearly walk out the door empty-handed. They stopped me and asked me what was wrong. When I shared my truth, they said perhaps it was time that I explored what was available on the other side (the adult side). I was a bit overwhelmed and returned home without much luck. When I returned home, my mom called to talk to the librarians and ask for additional assistance in helping me with this transition. Not a lot of ten year olds can read at an adult level and exhaust an entire children's section by age ten. When I returned the next day, the librarians were ready for me. They showed me authors that might interest me and what kinds of covers to look for. I quickly inhaled most of what Bethany House Publishers had put out at that time and now love recommending Janette Oke to my students looking for Christian romance. I enjoyed some Agatha Christie, John Steinbeck, and yes, even a Stephen King or two long before I could possibly understand and fully comprehend everything that was going on. There was no limit put on my reading at The Heart of America Library, but there was at the schools I attended. I read at an adult level, but was only allowed to select books for my grade level. Imagine reading Of Mice and Men at home and then being told to stick to The Boxcar Children at school. Many of our children in North Dakota live in true book deserts. They only have access to what we make available to them in our school and public libraries, yet most of them have no filtering software on their phones, tablets, or home computers. I understand a parent knows their child best and parents certainly should be talking with their children about ALL of their media choices. Parents do NOT understand ALL children best. Our librarians are the experts in books, literature, and information. They know and understand their audiences and their needs. I read between 75 and 500 books a year (depending on which grade and content level I am working with in the given year). I understand how books are published, I understand the Miller Test, and I understand the difference between chronological age and developmental stage. I trust the librarians who raised me in North Dakota do as well. Let them continue to do their jobs and not have to deal with the unnecessary oversight proposed by SB2307. They are far more knowledgeable of what SB2307 is asking for and are already doing it.

February 7th, 2025

To the legislative body evaluating Senate Bill No. 2307,

I am opposed to this bill. Upon review of the bill as introduced it seems well intentioned to protect minors, but lacks foresight or strong evidence to suggest the bill is necessary to address any sort of existing problem within the library system as it exists today.

Specific issues I see with the bill as written include:
1. Inconsistent use of the label for explicit materials. In most cases it refers to explicit sexual materials, but not in all cases within the text. As such I fear this inconsistency creates a loop hole in which any strong material that may have a negative effect on a minor, be it sexually based or otherwise, can cause the ramifications of this bill to be put into effect. The lack of consistent clarity is important.

2. While generally not expected to be included with a bill, I am unable to find any documented evidence that suggests there is a problem that needs solving here. With the magnitude of implication in a bill such as this I would expect to be able to find referenceable evidence in the form of studies, published surveys or even news articles that indicate there is a large, problem or risk to the public that this bill is intended to solve. At the time of this testimony I can find no such evidence despite my best efforts. Without this information I don't understand how we can attest that this will be a net positive change for a state both from a perspective of impact to our citizens or by knowing we're being fiscally responsible with our state's money.

3. I've read in a recent article about this bill that one of the legislators who introduced it was downplaying the impact, indicating that a moderately sized cabinet would surely be enough for most libraries to contain material that would be impacted by this bill. Having volunteered frequently for program work with my local library, and having associations with others in the library sciences field, I believe this assumption is woefully wrong. I think it more likely that sequestration of these materials would need to be handled via placement within entirely separate rooms for most of our state's public libraries. This is incredibly unfeasible given the low budgets our public libraries often have to work with. In fact, this point may get at the true desire by those pushing this bill which could be to remove such materials entirely and further reduce the value our public libraries bring. If that be the case, it is unacceptable. I do not mean to say with certainty that intention is the root desire behind the bill, but it is certainly food for thought.

4. Finally in terms of consequences for libraries that are noncompliant with this bill. The bill does not clearly indicate who within each library is at fault or provide guidance on how to determine which individual(s) are to be punished for non-compliance. The bill only indicates that Individuals that "display" content are the ones at fault. What does display mean? Is it a display in the main room? Or a bulletin board? Or is it simply for being on a shelf in its correctly categorized location without being prominent? If a library is found to be non-compliant whom is to be punished? Every Staff Member? Leadership? The librarian that last checked in the book? The one that purchased it for the collection? Or the Librarian that added the material into the library's information system? It's unclear to me that this provides clarity that is necessary to adequately enforce anything. The state cannot afford to be so unclear. That sets us up for failure and frankly makes us look of low intelligence. We're better than that.

As stated at the start of this testimony, I am opposed to this bill. Thank you for the time to review these thoughts.

Michael Lloyd
Buffalo ND
Cass County

Dear Senator Paulson,

I am writing to express my **strong opposition to SB 2307** and urge you to vote **DO NOT PASS.** As a lifelong supporter of our public library system, I have seen firsthand the invaluable role libraries play in fostering a love of reading, learning, and intellectual freedom. I regularly bring my son (almost 10) to our local library, and he, too, has developed a deep appreciation for the library's resources, books, and the welcoming space it provides for exploration and growth.

SB 2307, however, presents a serious threat to our First Amendment rights. It undermines the very principles that make libraries a cornerstone of our democracy: the free and open exchange of ideas. Libraries provide access to diverse perspectives and materials that empower individuals to make informed decisions, develop critical thinking skills, and engage with the world around them. **A free society does not criminalize our librarians.**

This bill has the potential to censor and restrict access to certain books and materials, which could stifle free expression and limit educational opportunities for my son and others. The chilling effect of such legislation could create a precedent that encourages censorship, making it harder for communities to rely on libraries for unbiased, unrestricted access to knowledge. **The language of this bill essentially makes it impossible for children and minors to be in a library.**

Libraries are places where all ideas can be explored without fear of government interference, and I believe they should remain safe spaces for people of all ages, backgrounds, and beliefs. The freedom to read and learn without censorship is a right that should be protected at all costs.

I respectfully urge you to consider the profound impact this bill could have on our children, our communities, and our fundamental rights. I ask that you oppose SB 2307 and stand up for the values that make our society stronger, more informed, and more united.

Thank you for your time and consideration.

Sincerely,
Erin M. Price, Bismarck, D35

Dear North Dakota Senate Legislators,

Thank you for the work you do to serve our state. I am writing in opposition to SB2307 because it is vague, fraught with government over-reach, and seems to be written by people desiring to be punitive to librarians and libraries. If a bill like this were enacted, it would need taxpayer dollars to make capital expenditures to change buildings across North Dakota which could be much better used for library programs and services developed by the exceptional librarians in the state of North Dakota.

Respectfully submitted,

Michele Anderson

To whom it may concern,

I'm writing to urge you to vote no on SB 2307. This bill is unnecessary. Schools across the state already have in place policies for how librarians select books to add to their collections that as a whole meet the learning needs and interests of students in certain age groups. All North Dakota schools also have in place policies outlining the procedure for when a book's presence in the library is challenged by parents in the school community. This allows parents to tell a librarian they want a certain book removed from the library, or they may discuss with the librarian what books they don't want their children to check out. If they cannot settle the matter at that stage, then it is brought to the attention of the school principal. If they still cannot come to an agreement about the course of action to take in regards to whether to keep a book in the library or not, then it will be discussed with the school board. At that point, it may be decided whether or not a book is taken out of the library. Because of these policies, decisions about books at individual schools in North Dakota can be handled and resolved quicker at the school community level rather than at the state level without having to involve law enforcement. I've been an educator at Flasher Public School for 7 years, and during that time I only know of one instance when a parent confronted the school librarian about a book. It was a nonfiction book about Chucky the doll from the horror movie franchise. Other students have checked out this book and had no problems. However, when the parent read the book to the child, the child got scared, and that made the parent want the librarian to remove that book from the library. When the parent and the librarian met and discussed the matter, though, they came to an agreement that the librarian will not let the child check out any more scary books but instead ones that would be more suited to the child's interests. Not only is SB 2307 unnecessary, it is also extreme. Parents have the right to decide the kind of books they want their own children to read, and they can work together with the librarians on that without having to involve the police.

I am writing this testimony in strong opposition to any efforts to control or restrict what libraries can have available in terms of books and resources that is being attempted with SB 2307. Libraries serve as vital institutions within our communities, providing access to information, literature, and ideas that reflect the diverse interests, values, and experiences of individuals. By restricting access to materials, we not only limit the intellectual freedom of patrons but also undermine the very principles of democracy and free expression that our society is built upon.

The role of libraries is to provide a space where individuals can explore various perspectives, engage with new ideas, and make informed decisions based on the information available to them. The freedom to read, learn, and explore topics without interference is a fundamental human right. Censoring books or resources based on specific viewpoints or moral judgments severely restricts individuals' ability to engage with complex topics in a meaningful way.

Many books that are considered controversial or unpopular have played essential roles in shaping societal change. They challenge prevailing norms, broaden perspectives, and give voice to marginalized groups. These works are often essential for students, researchers, and curious minds who seek to understand the world in a fuller, more nuanced way. When access to such materials is censored, we deny future generations the opportunity to think critically and learn about the diversity of human experiences.

The process of deciding which books and resources should or should not be available in a library should not be influenced by narrow political agendas, religious beliefs, or social pressures. Libraries should remain neutral, providing an inclusive space where all voices, ideas, and viewpoints can be heard and respected. The library's role is not to dictate what people can or cannot read, but rather to empower them to make their own choices. Furthermore, we must consider the long-term implications of controlling library content. Where does it stop? If certain materials are removed today, it sets a dangerous precedent for further censorship in the future. It creates a slippery slope where more and more books could be banned, preventing individuals from accessing vital resources that allow for intellectual growth.

In conclusion, I urge policymakers and community leaders to recognize the invaluable role libraries play in fostering intellectual freedom and creativity. Attempts to control the books and resources available to the public go against the core values of open society and democracy. Let us continue to protect our libraries as spaces of learning, discovery, and unencumbered access to information.

Thank you for considering my perspective.

Shelby Hildenbrand

CITY OF WILLISTON COMMUNITY LIBRARY

REQUEST FOR RECONSIDERATION OF MATERIALS POLICY

The Board of Trustees recognizes the importance of providing a method whereby opinions from the public regarding materials selection can be voiced. Therefore, it has established a policy and procedure which will apply to all requests for reconsideration of materials including:

- Those about materials represented in the collection
- Those about materials not represented in the collection

To comply with this procedure please be advised of the following guidelines:

- A formal request for reconsideration of materials must be made in writing. Forms are available at the circulation desk and upon completion must be delivered in person to the Library Director. Forms must be completed in their entirety.
- One request for reconsideration of materials from a household/organization is accepted at one time.
- Material being challenged must be read/listened to/viewed in full by challenger.
- The Request for Reconsideration of Materials form and its written response becomes part of Williston Community Library's public record.

When a request for reconsideration of library materials is made, the following steps will be followed:

1. Informal:
    a. The reconsideration will be listened to calmly and courteously.
    b. The Library's Materials Selection Policy and commitment to intellectual freedom will be explained, to help the patron understand the value of a diverse library collection and that ownership of an item does not indicate agreement or endorsement of the ideas, values, or principles expressed therein. This will be done respectfully and in a fashion that acknowledges and restates the patron's concerns.
    c. If the patron has recommendations for other materials on the topic, they will be noted, and if appropriate, procured.
    d. If the patron is not satisfied, advise the patron of the library's policy and procedures for handling a reconsideration request, and provide the patron with a copy of the Library's Materials Selection Policy, Request for Reconsideration of Materials Policy, and the Request for Reconsideration of Materials Form.

2. Formal:
    a. If a request for reconsideration of materials form is received, the Library Director will provide a prompt written reply letting the challenger know they have received the request and a decision will be made within 30 business days.
    b. The material shall remain part of the collection until a decision has been made.
    c. Notify the Library Board of the request for reconsideration and assure them the library's procedures are being followed. Present to the Library Board full, written information giving the nature of the reconsideration and identifying the source.
    d. Notify the Chairperson of the North Dakota Library Association's Intellectual Freedom Committee that a reconsideration request has been filed.

e. The Library Director and staff involved in collection development shall review the request for reconsideration. This includes:
    i. Reading/viewing/listening to the challenged material in its entirety.
    ii. Considering the objections in terms of the Library's Materials Selection Policy, the principles of the Library Bill of Rights, and the opinions of various reviewing sources used in materials selection.
f. If the reviewed material does not meet the criteria set forth in the Material's Selection Policy, the Library shall acknowledge that the material is unsuitable, and it will be withdrawn from the collection or, if applicable, moved to an appropriate section of the library.
g. If the material does meet the selection criteria, the material shall remain part of the collection.
h. The Library Director will respond to the request clearly and precisely within 30 business days, stating the reasons the material was withdrawn, moved, or retained. This response will also inform the requestor how to pursue the matter further.

3. Appeal:
    a. If the requestor feels the request for reconsideration of materials has been dealt with inadequately, a final appeal to the Library Board can be made.
    b. A public hearing, to be determined by the Library Board and Library Director, will be conducted with the Board acting as the decision-making body within 30 business days.
    c. The Director will notify the American Library Association Intellectual Freedom Office, and their advice will be enlisted.

4. Hearing:
    a. An open meeting will be held within 30 business days—the location and beginning time of the meeting will be publicized in advance of the meeting.
    b. The meeting will be conducted by the Director.
    c. The Library Board will act as the decision-making body. A quorum must be present.
    d. Persons wishing to speak must register prior to speaking, giving their name, address, and organization represented (if any).
    e. Each speaker will be given four minutes in which to present their point of view. A timekeeper will be appointed prior to the meeting.
    f. Library Board members will be given time to ask questions following each testimony.
    g. Each speaker should present a written copy of their testimony to the Library Board members.
    h. The Board will review the testimonies heard. They will vote at a later date after they have had time to weigh and consider the testimonies. The Board will issue its opinion within ten business days after the hearing.
    i. The Board will make their decision public and the Library will take action in accordance with that decision.
    j. Once a decision has been made, said material cannot be challenged again for three years from final decision date.

Adopted: 7.1.98
Amended: 8.21.18 | 10.20.21 | 9.20.22 | 10.17.22

CITY OF
WILLISTON
COMMUNITY LIBRARY

MATERIALS SELECTION POLICY

Purpose

The purpose of this policy is to guide staff in the selection of library materials, to inform the Library Board and the general public of the principles upon which selections are made, and to declare the library's commitment to the principles of free access to ideas and information.

Definitions

- All Materials are those items considered for addition to the Library's collection.
- All Materials Selection refers to the decision to add material to the collection or to retain materials already in the collection. It neither refers to reader guidance nor details specific types of materials to be added.

Goals of Materials Selection

- Materials selection aims at maintaining a collection of materials for meeting the informational, reference, research, educational and recreational needs of Williams County residents. Budget limitations necessitate the choosing of materials relevant to these needs.
- The Williston Community Library is committed to the principles of intellectual freedom and affirms the American Library Association's Freedom to Read statement and the Library Bill of Rights. As such, materials representing diverse viewpoints on topics, including controversial ones, are actively collected. Selection of an item does not indicate that the Library, its Board, or its Staff agrees with the ideas and viewpoints presented.

Responsibility for Selection

- Final responsibility for materials selection rests with the Library Director who functions within the framework of policy adopted by the Library Board of Trustees. The responsibility for selection may be delegated to other professional members of the staff.
- Suggestions from members of the community concerning materials selection are welcome. Each suggestion will be considered within the framework of this policy.

General Principle

The library is a forum for information and ideas. The following basic principles will guide its materials selections:

- Books and other library resources will be provided for the interest, information, and enlightenment of all people in the community.
- Materials will not be excluded because of the origin, background, or views of those contributing to their creation.
- Materials will not be proscribed or removed because of partisan or doctrinal disapproval. Within reason, materials and information provided will present the various general points of view of current and historical issues.
- Adult responsibility for children's reading rests with parents or legal guardians. Materials selection for the adult collection is intended for mature readers and will not be restricted by the possibility that children may obtain materials which their parents or legal guardians consider inappropriate. Separate collections are available for children and young people.
- Materials unavailable at this library but available through cooperative library networks will be borrowed upon the request of the user. Charges for interlibrary materials may be passed on to the patron.
- Textbooks or other curriculum-related materials are acquired only when they serve the general public.
- Consideration is given to the adequate availability of materials for the visually impaired.

Specific Principles

The following general criteria are considered in selecting materials:

Adult Materials

- Permanent value
- Popular interest
- Widely regarded reputation of the author
- Comprehensiveness and depth of treatment
- Clarity, accuracy, and logic of presentation
- Reputation of publisher
- Date of publication
- Relationship to existing collection
- Artistic merit
- Insight and/or perspective into human and social conditions
- Availability elsewhere in the community
- Price

Children's and Young Adult's Materials

In addition to the criteria for adult materials, consideration is also given to the following:

- Appropriate content
- Appropriate vocabulary for the general age group
- Determined value for stimulating the informational, recreational and cultural reading interest of children and youth

Gifts and Donations

Gifts and donations are always welcome. Acceptance is based on the following criteria:

- All such items must meet the same criteria listed under Specific Principles as purchased items
- Attached conditions of the donor as to use, location or disposition will not be permitted
- Funds may be designated for the purchase of materials by general subject area
- All gifts, when accepted, become the property of the Library and may not be reclaimed by the donor
- Unneeded donations will not be retained
- The receipt of specific items will be acknowledged
- All gifts should be left at the Library or mailed to the attention of the Library Director

De-Selection of Materials

- Shelving space is finite and in order to fulfill our mission and meet the diverse cultural, educational, research and personal enrichment needs of our community, the materials we offer must be current, accurate, relevant and in a useful format and condition. Subsequently, materials that are no longer accurate, used or useful must be withdrawn from the collection. This does not mean that they were a waste of money, just that they have fulfilled their purpose. The CREW (Continuous Review, Evaluation, and Weeding) method is used to aid in de-selection.
- The previous criteria need not be applied to items with local historical value, which typically possess appeal, significance, and scarcity in excess of materials of no cultural relation to the region. Local history materials may be retained indefinitely.

Adopted: July 1, 1998
Amended: August 21, 2018 | October 20, 2021 | September 20, 2022

Senators of the 69th Legislative Session,

My name is Mrs. Montana Ackman. My husband and I live within District 23 - 3710 26th St W over by the highschool to be precise. I am writing to you today to urge you to VOTE NO on SB2307.

My local library provides so much value to my life and to the lives of my family members and friends as well as our community as a whole.

Our local library is busier than it has ever been and offers a wide variety of programs such as:

- Storytimes for the children in our community from birth until preschool where they can enjoy times of reading, play, and friendship. The children's parents can make friends and form community with the other parents in attendance and receive support and connection from others who are going through similar life experiences as themselves.
- Science, Technology, Engineering, Art, and Mathematics(STEAM) programs for school aged children
- Homeschool Hangout times where families who homeschool their children can come together and enjoy STEAM activities and games and exchange ideas and build community
- Teen programs designed to provide teens with a space outside their home and school where they can spend time together building friendships and engaging in individual and team building STEAM activities and
- Adults have the option to attend craft nights and Scrabble clubs where they can get some time outside the home and spend time together. Many of us who attend these programs are parents seeking some time for themselves and a break from the rigorous work of parenting, seniors who rely on group socialization to combat the loneliness epidemic that affects their daily lives, and adult children and their parents who use these programs to spend intentional time together

The Williston Community Library also hosts large annual events such as our town's local Easter Egg Hunt, Summer Reading Programs and free parties that are hosted in conjunction with the Summer Reading Program where children can get their faces painted, families can play mini golf and large yard games together while enjoying complimentary snow cones, and our library's Bookmobile attends many other community events such as local town celebrations throughout our county, our airport's local Airshow and farmer's markets.

Many of the people who visit our local library and Bookmobile would not have the time or money to be able to coordinate or be a part of the community events that the library hosts without the library there to facilitate these programs.

The library offers many services in addition to materials available for checkout that individual citizens might not otherwise have access to or be able to afford such as:

- Public computers and printers where people can create resumes, take online work trainings or work on homework.
- Document scanners and a fax machine where they can send paperwork
- Early Literacy Kits and STEAM Kits that are available for checkout that add value to homeschool curriculums and daycares in addition to parents
- Free check out of board games and movies which can be unaffordable for many people myself included
- Free kits designed to aid caregivers of adults with dementia or Alzheimer's
- Free proctoring services for college students
- Low cost rental of a community room for local gatherings and community events and
- Access to free online resources for learning new languages, continuing education courses, eBooks, eMagazines, and streaming of movies and TV shows

In addition to this, library staff provide assistance to community members who need help navigating through the usage of the computers, printers, scanners, and digital resources available to all patrons.

I was homeschooled through highschool and my parents made use of the Universal Class online resource offered through the North Dakota State Library to supplement my other coursework and to provide me with a way to take classes on typing and the use of Microsoft Office products so that I would be competent in those skills when I entered the workforce. I took those classes on the public computers at the Williston Community Library and the skills that I was able to learn have proved to be valuable beyond measure for me in my adult life and in my career.

I am a caregiver to my elderly grandmother, she lives paycheck to paycheck on social security and the small pension she receives for the many years that my grandfather served in the US Air Force before he passed away. She is able to listen to audiobooks, watch movies and documentaries, check out and read Large Print novels, and attend library craft nights and Scrabble club all of which add immense value to someone who is no longer able to drive herself anywhere due to her age and failing vision. These add so much value to her life as these are things that she could not afford to have in her life otherwise.

All of these amazing things would be in danger of being removed should SB2307 be passed.

Our local library is one large open space. The library would have to construct walls within our library in order to comply with the bill that would make items housed within our adult collection inaccessible to minors.

Parents who bring their small children in for storytimes and STEAM activities would be unable to browse the library for books that they would want to checkout and read for themselves while their children were with them.

Middleschoolers and highschoolers who need access to the nonfiction section of the library for research projects would no longer be allowed to do so.

Patrons who live in more rural areas of North Dakota and have to drive upwards of an hour to reach their local library who make use of the online picture books for their children would not be able to access those resources with their children's library cards thus limiting their access to library services that they pay for with their taxes.

Additionally, I have lived in Williston for over 10 years and have been a very regular user of my local library and not once in all that time have I ever found a material in the children's area of the library that was not age appropriate.

Certainly the adult section of the library has books by Stephen King (who has over 65 published novels), James Patterson (who has published more than 200 novels since 1976), and Danielle Steele (who has over a 140 published novels) that are not age appropriate for children, but these books are in the adult section of the library not the children's section.

Additionally, the Williston Community Library, like the other libraries in North Dakota, has a Material Selection Policy, a Request for Reconsideration of Materials Policy, and an Internet Access and Computer Use Policy and these policies are followed by staff members who have gone through many hours of training and continued education in order to be able to perform their job duties. They adhere to the policies that have been approved by the Library Board of Trustees and are enforced by the Library Director.

I am including these policies with this testimony for you to read.

After reading the policies that can also be found on the Williston Community Library's website under the 'About Us' tab, I hope that you can see that libraries are already doing what this bill would seek to do but are doing so without harming the everyday experience of library visitors and without the unnecessary expense of tax dollars that creating separate but equal sections within the already limited space would cost.

There are other libraries in the state that are even smaller than our library and that would potentially have to become adult only spaces where library goers would have to prove their age before entry thus completely eradicating all the good that libraries do for minors!

Libraries add so much value to our communities and this bill not only would hamper their ability to do the good that they do but it would also cost an imprudent amount of tax dollars to bring this about. Beyond this, it would be overreach for the state government as libraries already receive governance over this by the boards made up of members of the community where each library is located.

In light of all of this, I would strongly urge you to VOTE NO on SB2307!

Sincerely,
Mrs. Montana Ackman

CITY OF WILLISTON COMMUNITY LIBRARY

INTERNET ACCESS AND COMPUTER USE POLICY

General Statement of Internet Access

The Williston Community Library ("WCL" or "Library") provides computers and public access to the Internet in support of its mission to assure equitable access to the Library's resources and services and to affirm its commitment to the principles of intellectual freedom as expressed in the Library Bill of Rights. Internet resources are provided by WCL equally to all of its patrons.

Use of Technology Protection Measures

The Library employs technology protection measures (Internet filters) through the North Dakota state network on all of its computers with Internet access. As required by the Children's Internet Protection Act (CIPA), blocking is applied to visual depictions of materials deemed harmful to or inappropriate for minors, and to maintain the safety and security of minors utilizing the Internet. The Library may provide unfiltered Internet access to adults who request it for uses not in violation of this policy.

Staff Assistance

Staff will provide limited assistance for basic start up procedures. Library staff cannot provide in-depth training due to time and knowledge constraints. (See WCLs **STAFF SUPPORT TO PATRONS POLICY)**

Liability

Because of the vast scope and diversity of information accessible via the internet, the Library accepts no responsibility for:

- Accuracy of information found online
- Debts incurred by users from for-pay services through the Internet
- Damages resulting from loss of connectivity
- Breaches of personal data
- Exposure to or infection by malware

The library accepts no responsibility for lost or misplaced items.
The library accepts no responsibility for what patrons' access online.

Guidelines for Computer Use

Patrons are required to sign in to use the public internet computers. By signing in, patrons agree to the terms of the library policy. Sign in forms will be shredded at the end of each day. The library is not responsible for the content of any materials accessed through the Internet. Parents or guardians, NOT the library or its staff, are responsible for the Internet information selected and/or accessed by their children. Parental supervision of children searching the Internet is advised. Usage may be restricted to one hour if there are patrons waiting to use the computers.

Unpaid fees or overdue library materials can result in restriction of computer privileges. Computer registration is blocked once a user owes $25 or more in fees and/or has materials 90 days or more overdue.

Printing Charges

Patrons will be charged $0.10 for each black & white page printed and $1.00 for every color page printed.

Unacceptable Use

Using Library computers in an unacceptable manner is prohibited. Unacceptable use includes, but is not limited to:

- Public display of obscene material (NDCC 12.1-27.1-03.1)
- Damaging or attempting to damage computer equipment
- Interfering with WCL systems operations, integrity, or security
- Engaging in activities deemed unlawful according to local, state, and federal law
    - Please note: File sharing of copyrighted music/digital content can be illegal
- Disruptive behavior (see WCLs PATRON CONDUCT POLICY)

Enforcement

A patron who is observed using a computer in an unacceptable manner may be subject to:

- Ending the computer session for the day
- Temporary suspension of computer use privileges
- Permanent suspension of computer use privileges based on repeated violations
- Notification of appropriate law enforcement officials if it appears that a violation of state law or City Ordinance has occurred.

Wireless Network Access

The Library and the Williams County Bookmobile both provide a separate Wi-Fi network for personal computer and mobile device connection. These are open Internet connections, with no protection or filtering. All security is the responsibility of the user. All policies regarding legal and acceptable use of the Internet apply. All above stated policies apply to wireless network access as well.

Adopted: July 1, 1998
Amended: June 19, 2018 | January 18, 2022

25.0552.04000

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2307

Introduced by

Senators Boehm, Erbele, Hogue, Weston

Representatives Steiner, Tveit

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the attorney general's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01 and sections 12.1-27.1-03.1, 12.1-27.1-03.5, and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code is amended and reenacted as follows:

5. As used in this chapter, the terms "obscene material" and "obscene performance" mean material or a performance which:
   a. Taken as a whole, the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest;
   b. Depicts or describes in a patently offensive manner sexual conduct, whether normal or perverted; and
   c. Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value.

   Whether material or a performance is obscene must be judged with reference to ~~ordinary~~reasonable adults, unless it appears from the character of the material or the circumstances of its dissemination that the material or performance is designed for minors or other specially susceptible audience, in which case the material or performance must be judged with reference to that type of audience.

SECTION 2. A new subsection to section 12.1-27.1-01 of the North Dakota Century Code is created and enacted as follows:

As used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.

SECTION 3. AMENDMENT. Section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.1. Objectionable materials or performance - Display to minors - Definitions - Penalty.

1. A person is guilty of a class B misdemeanor if ~~he~~the person willfully displays at newsstands or any other business establishment frequented by minors, or where minors are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which either contains explicit material harmful to minors or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.
2. As used in this section:
   a. "Explicit sexual material" means any material that:
      (1) Taken as a whole, appeals to the prurient interest of minors;
      (2) Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors; and
      (3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
   b. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.
   ~~b.~~c. "Where minors are or may be invited as a part of the general public" includes any public roadway ~~or~~, public walkway, public library, or public school library.

~~c.~~d. The above ~~shall~~may not be construed to include a ~~bona fide school,~~ college, university, museum, ~~public library,~~ or art gallery.

SECTION 4. AMENDMENT. Section 12.1-27.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.5. Public libraries and school districts prohibited from maintaining explicit sexual material - Report.

1. As used in this section:
   a. "Explicit sexual material" means any material which:
      (1) Taken as a whole, appeals to the prurient interest of minors;
      (2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and
      (3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
   b. "Public library" means a library established under chapter 40-38.
   c. "School district" includes a school library or classroom library under the control of the school district.
2. A public library or a school district may not maintain in ~~its children's collection inventory books~~an area accessible to minors a book or any other medium that ~~contain~~contains explicit sexual material.
3. By January 1, ~~2024~~2026, each public library and school district shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:
   a. For the ~~removal or~~ relocation of explicit sexual material in ~~the public~~a library to an area in the library inaccessible to minors;
   b. For the development of a book and media collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library or school district;
   c. For the public library ~~to receive, evaluate, and respond to~~or school district to relocate materials to an area inaccessible to minors or refer an individual to the attorney general under section 7 of this Act, upon a request from an individual

~~regarding the removal or relocation of~~to relocate one or more of the books or other ~~materials~~media in the library collection ~~containing~~the individual believes contains explicit sexual material; and

d. To periodically review the library collection to ensure ~~the library collection does not contain explicit sexual material in the children's collection~~compliance with this section.

4. Each public library and school district shall provide a compliance report to the legislative management before May 1, ~~2024~~2026, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

SECTION 5. AMENDMENT. Section 12.1-27.1-11 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-11. Exceptions to criminal liability.

Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall~~may not apply to the possession or distribution of material in the course of law enforcement, judicial, or legislative activities; or to the possession of material by a ~~bona fide school,~~ college, university, museum, or public library for limited access for educational research purposes carried on at ~~such an~~the institution by adults only. Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall also~~may not apply to a person who is returning material, found to be obscene, to the distributor or publisher initially delivering it to the person returning it.

SECTION 6. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Safety policies and technology protection measures required - Report.

1. A school district, state agency, or public library may offer digital or online library database resources to students in kindergarten through grade twelve if the person providing the resources verifies all the resources comply with subsection 2.
2. Digital or online library database resources offered by a school district, state agency, or public library to students in kindergarten through grade twelve must have safety policies and technology protection measures that:

a. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials constituting an obscene performance or explicit sexual material; and

b. Filter or block access to explicit sexual material.

3. Notwithstanding any contract provision, if a provider of digital or online library resources fails to comply with subsection 2, the school district, state agency, or public library shall withhold any further payments to the provider pending verification of compliance.

4. If a provider of digital or online library database resources fails to timely verify the provider is in compliance with the safety policies and requirements of subsection 2, the school district, state agency, or public library shall consider the provider's act of noncompliance a breach of contract.

5. A public school library and a public library shall submit an aggregate written report to the legislative management no later than December first of each year regarding any:

a. Issues related to provider compliance with technology protection measures required by subsection 2; and

b. Incidents of complaints regarding accessible materials.

6. As used in this section:

a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.

b. "Public library" does not include the state library.

c. "State agency" does not include the state library.

SECTION 7. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Attorney general - Obscenity review procedure - School districts - State agencies - Public libraries - Penalty.

1. Any interested person may request an attorney general's opinion to review an alleged violation under section 12.1-27.1-03.5 or section 6 of this Act. Within thirty days of receiving the request, the attorney general shall issue an opinion on the alleged violation to the interested person, the provider of digital or online library database resources, if any, and the school district, state agency, or public library under review.

2. If the attorney general determines a public library or state agency has violated this section, the attorney general shall notify the state treasurer.

3. If the attorney general determines a school district has violated this section, the attorney general shall notify the superintendent of public instruction.

4. After receiving notice under subsection 2 or 3, the state treasurer or superintendent of public instruction may not distribute funds to the school district, state agency, or public library until the attorney general has determined the school district, state agency, or public library is in compliance with the relevant statute and has notified the state treasurer or superintendent of public instruction accordingly.

Leach Public Library

417 2nd Ave N.
Wahpeton, North Dakota 58075
(701) 642-5732
www.leachlibrarywahpeton.org

Your window to the world.

Feb. 7th, 2025

Senator Larson and members of the Senate Judiciary Committee:

I am writing to you in opposition of SB 2307. As a Youth Services Librarian in a small North Dakota community, I am just as concerned as you about inappropriate materials falling into the hands of minors. I work hard to ensure the books and other materials I add to my collections are appropriate for my patrons, as do all public and school librarians around the state. We all take this issue very seriously.

The additions made to NDCC 12.1-27.1-01 during the last legislative session ensured that North Dakota libraries maintain detailed collection development and reconsideration policies, as well as reviewing our collections for explicit materials. Libraries were already doing these things. This bill includes school libraries. You will likely find that most school libraries are also already meeting these requirements. The majority of this bill is redundant.

I am concerned about several aspects of this bill. Librarians could be convicted of a class B misdemeanor for displaying or stocking adult materials in an area that is accessible to minors. Public libraries are not age restricted; minors are allowed in all areas of libraries. At my library, parents bring their children into the Adult Area stacks on a regular basis, mostly so they can monitor their young children. Older teens often cross over to the adult section to find higher level reading materials or find nonfiction titles to help with school work. This is common at most libraries. Who will be charged with the misdemeanor? Is it the librarian who allowed the minor into the adult section or the librarian who purchased the book for that section? Will it be an organizational misdemeanor, charging the library instead? Additionally, section seven allows "any interested person" to make a request to review alleged violations. This vagueness of language makes it possible that person might not even be a North Dakota resident.

According to this bill we are supposed to include procedures to relocate materials to make them inaccessible to minors. My library is lucky enough to have two levels, children on one floor, and teens and adults on the other. Because our building is historically protected, we

are unable to make significant changes to the interior of our library. The only way to separate our teen and adult sections would be to move our teen area to our meeting room. By doing that, we would lose our only activity space. In 2024, we hosted 177 programs with an average of ten participants a session in our meeting room. These programs included weekly story times, STEM programs, and free summer lunch. Our meeting room is also the only free, publicly available meeting space in our community, and it is used frequently. If this bill passes, we would have no space for programs or community groups. This is a problem that this bill creates for many libraries in our state.

Many of the changes between NDCC 12.1-27.1-01 and the language in this bill are redundant. The rest will create a suspicious and hostile environment towards libraries and librarians, and isolate us from our communities by limiting our ability to serve them. I urge you to vote against this bill.

Yours truly,
Rachel Kercher

Erin Saldarini
404 11th St NW
Devils Lake, ND 58301

February 7, 2025

In opposition to SB 2307:

"Don't join the book burners. Don't think you are going to conceal faults by concealing the evidence that they ever existed. Don't be afraid to go into your library and read *every* book." - U.S. President Dwight D. Eisenhower (Rep.)

My name is Erin Saldarini and I have written this letter to convey my opposition to SB 2307. This bill is not only an attack on education and free thinking, but it puts in great jeopardy one of the most important and oft underfunded resources in communities: libraries. While I can appreciate that well-educated and free thinking individuals are threatening to politicians- argue to the contrary though they may, historically there is no better catalyst for societal progress and evolution. I do not believe anyone could argue against the fact that we need to continue to move forward as a society.

Now more than ever, we need to be encouraging education and literacy. Banning or restricting access to books is an affront to the First Amendment and its protections held up by the U.S. Supreme Court. Self-expression is an important milestone in the development of children and teens, and it comes from learning about multiple viewpoints and challenging traditional ways of thinking. Censoring books discourages individuals from thinking critically and freely- robbing young minds of the well-rounded learning they deserve.

Logistically and fiscally speaking, demanding that libraries dedicate what would wind up being a very large portion of their already meager budgets to designing "restricted areas" for said "reasonable person's" designated "lewd and obscene" literature, would be a nightmare. Some of the most vulnerable and underserved in their communities seek refuge in their local libraries. If this bill is allowed to progress, the funding that many libraries utilize to create programs to help their local communities will be stripped away to make room for these sequestered materials. A majority of the libraries housed in larger cities would likely survive, but for those in smaller communities it would be fiscal suicide. The only other option in this scenario would be to ban minors from entering the library without a legal guardian present. I can only postulate that putting such a measure in place would drastically reduce the number of library patrons to a library, which in turn greatly reduces the amount of funding afforded said library. Therefore, this bill leaves libraries in a no-win situation.

"If this nation is to be wise as well as strong, if we are to achieve our destiny, then we need more new ideas for more wise men reading more good books in more public libraries. These libraries should be open to all-except the censor…Let us welcome controversial books and controversial authors." - U.S. President John F. Kennedy (Dem.). Please stand with North Dakota libraries and the patrons that frequent them and oppose SB 2307.

Sincerely,
Erin Saldarini

North Dakota Senate Judiciary Committee
600 E Boulevard Ave.
Bismarck, ND 58505

RE: Strong Opposition to SB 2307

Dear Members of the Senate Judiciary Committee,

As a dedicated member of the West Fargo Library Board, I am writing to express my unequivocal opposition to Senate Bill 2307. This bill is not only unnecessary but poses a significant threat to the fundamental mission of public libraries across North Dakota. Our libraries exist to provide free and equitable access to resources, knowledge, and opportunities that empower individuals, strengthen communities, and promote lifelong learning. SB 2307 seeks to impose undue and costly restrictions that will irreparably harm our ability to fulfill this mission.

The proposed amendments fail to mitigate the damage this bill would cause. If passed, SB 2307 would force drastic and impractical operational changes on our library, including:

- **Elimination of Student Card Partnerships**: Our successful partnership with West Fargo Public Schools, which allows students to access library resources, would be terminated, depriving thousands of children of critical learning materials.
- **Unnecessary Collection Restrictions**: The bill would require physical separation of Young Adult and Adult collections from Children's materials, leading to costly infrastructure changes and a **25% reduction in our Adult collection** to accommodate space constraints.
- **Barriers to Public Access**: The forced relocation of adult materials would necessitate **restricting elevator access**, severely impacting accessibility for elderly patrons and those with disabilities.
- **Severe Program Disruptions**: The bill would prevent youth programs from being held in designated meeting spaces, limiting educational opportunities for children and families.
- **Restroom Inaccessibility for Children**: The bill may leave children without access to a restroom when visiting the library, as the primary restrooms are located on a floor that may become restricted.
- **Financial Burden on Libraries**: Implementing age verification requirements for digital resources such as Libby and ODIN databases would impose significant financial costs, with West Fargo Public Library alone facing thousands of dollars in additional expenses.

These restrictions are not only excessive but also **entirely unnecessary**. Public libraries already have established policies and procedures for collection development and content review. Parents and guardians are responsible for guiding their children's reading choices—not the government. The attempt to legislate content access in this manner is an affront to intellectual freedom and local control.

SB 2307 does nothing to enhance public safety or protect children. Instead, it penalizes libraries, burdens taxpayers, and curtails public access to information. I urge you to reject this harmful bill and uphold the rights of North Dakotans to freely access library resources.

Sincerely,

Dr. Liann M. Hanson
West Fargo Library Board

Please VOTE NO and DO NOT PASS SB 2307.

First of all, public libraries already have policies and procedures in place for citizens to challenge library materials. These have been in place for some time and were reinforced and standardized un HB102 passed by the Legislature in 2023. This is needless redundancy, and already handled.

Secondly, this bill looks like it is meant to promote endless library chaos in communities about whether or not their public or school libraries are still operating. For this bill allows anyone to make a complaint about any library materials and to request an Attorney General's opinion on the materials alleged offending explicit sexual material, with the added penalty that funds may be directed not to be given to the library until the offending material(s) and the complaint are handled and the library is found [once again] to be in compliance with the provisions of this bill. How is the complaint handled? The library is closed while awaiting the AG's opinion? The offending material is removed from public view and availability?

Thirdly, the bill will be costly to taxpayers. Supposed adult-only or non-child-appropriate materials with sexual content that are in the library and are otherwise found to be within library policies are supposed to be put in areas not accessible to children. Libraries and schools typically have open-space architectural designs. Passage to restrooms, circulation, study areas, and library snack bars, for example may in part be through areas where such materials are found. Putting up walls and barriers or checkpoints all would involve expenditures on remodeling and redesigning library space, at great cost to libraries. Also, people under age 17 or 18 typically are among the shelvers in all areas of the library collections. This is a way to give jobs to high-schoolers and a way to promote the library. Who is supposed to shelve these materials if minors no longer may because they will see covers and containers of potentially adult-content, sexually explicit materials? Volunteers of "legal age" may be recruited, but many who are available are retired seniors, many of whom also cannot stand for lengthy periods of time and may have mobility problems; hence, they may not be available as shelvers.

Please VOTE NO and DO NOT PASS SB 2307.

Sincerely, Susan Dingle, District 35, voter in all elections

Testimony on SB2307
State Librarian Mary Soucie
Senate Judicial Committee

Chair Larson and members of the committee,
For the record, I am State Librarian Mary Soucie, and I am providing neutral testimony on SB2307.

The State Library has a physical collection that includes just under 300,000 items. Just over 265,000 physical items are housed in the Liberty Memorial Building with 2,200 items housed in the book vending machines that are located throughout the state.

In addition, we are a member of the North Dakota *Library2Go* e-materials consortium, along with 62 North Dakota public libraries, which provides 65,000 e-books, e-audiobooks, and e-magazines. There is a shared collection that all public libraries contribute to through their licensing fee which all patrons have equal access to. Individual libraries can add additional materials that their local patrons have priority for. The State Library's role within this consortium is to fill gaps in series, lower the holds wait time on the most popular titles, and to assist with general collection development. While the State Library controls the titles that we purchase directly, we have no authority over the titles that are purchased by other members of the consortium.

The State Library has a collection development policy that assists us in managing our collection. That policy includes a request for reconsideration process. We received a request for reconsideration in 2021; it was the first request for reconsideration that our institution had received in at least 25 years. The title was *If I Ran the Zoo* by Dr. Seuss. The book was removed from the collection due to the fact that it had not been checked out in over five years. We have no record of any requests prior to that timeframe.

The State Library conducted a survey of the library community to gather information on the number of reconsideration requests received during the last three calendar years for public libraries and school years for school libraries. The survey collected the total number of titles that they received reconsideration requests for. The information collected is attached to my testimony. 92 of the libraries reported that they have a collection development policy, either as a standalone policy or as part of the curriculum policy. Seven libraries reported receiving reconsideration requests for a total of 34 titles in the three years. One thing to note is that in 2022, out of the 20 reconsideration requests, 17 of them were for two titles at two libraries - one library received 12 requests for one book and another library received 5 requests for a different book. Several of the libraries reported having conversations with concerned parents or

patrons but were able to resolve the concern without utilizing the formal reconsideration process.

Section 2 of the bill states that “as used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.” The Assistant Attorney General for the State Library has advised that our agency would meet this definition due to both our physical and e-materials collection. Section 4.1(b references Century Code §40-38 to define a public library, which would not include the State Library. Section 6 specifically exempts the State Library from that section of the bill. We request clarification on which parts of the bill apply to our agency.

I would like to provide information on the Online Library Resources or databases that North Dakota students and citizens have access to. The State Library purchases 7 Online Library Resources directly. North Dakota, South Dakota and Minnesota participate in a joint purchase of resources which provides significant savings. We purchase 5 packages or bundles, which include over 50 different resources. Local libraries pay a portion of the costs for those resources based on a formula. Minitex, which is part of the University of Minnesota, coordinates the procurement of those resources.

Individual libraries may add additional resources for their local patrons. In 2023, the statewide Online Library Resources had over 12 million searches completed. ODIN provides authentication to access the resources based on library card number or geographic location (GEO IP, based on the licensing requirements of the various vendors. Currently, the software being utilized does not provide the ability to authenticate at a more granular level such as patron category (adult, juvenile, etc.. Some of the vendors allow individual libraries to choose to not allow access to individual articles within the database but that removes access for all users, not individuals.

Section 7 of the bill requires that if the Attorney General determines that a public library has violated this chapter of Century Code that it must be reported to the treasurer. The State Library initiates payment requests for all library types for grant reimbursements, the State Aid for Public Libraries program, and reimbursements related to lost or damaged library materials. I request that the reports related to public libraries be submitted to the State Librarian. We will work with the Superintendent of Public Instruction to coordinate the sharing of information related to school libraries.

Madame Chair and members of the committee, that concludes my testimony, and I will stand for any questions.

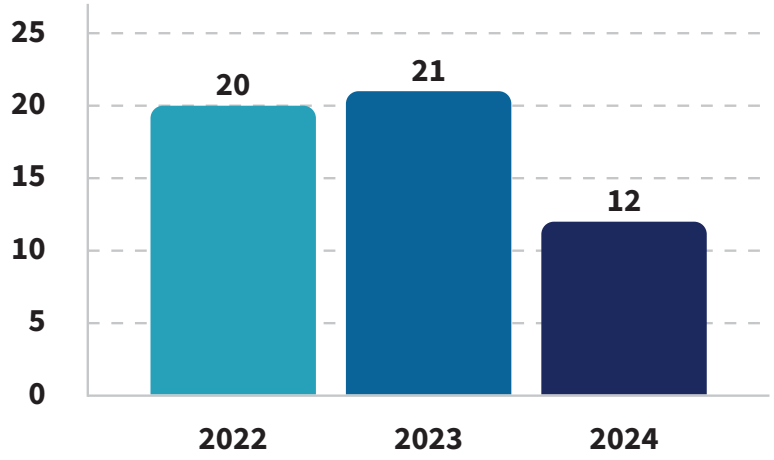


Reconsideration Requests

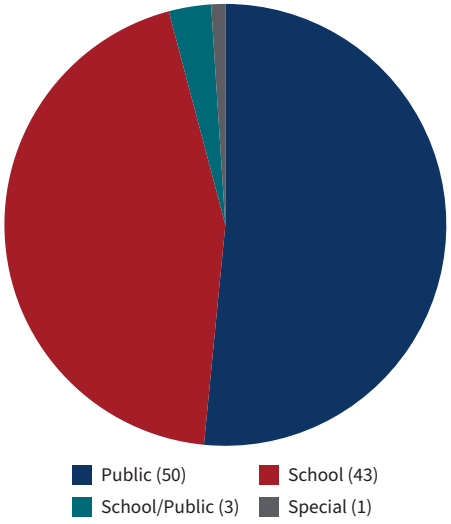
North Dakota Libraries

97 libraries, including school, public, combined school/public, and special libraries filled out a survey in regards to the number of reconsideration requests their libraries received. Out of the 97 responses, 86 have not received a single reconsideration request in the last three calendar years for public libraries and school years for school libraries.

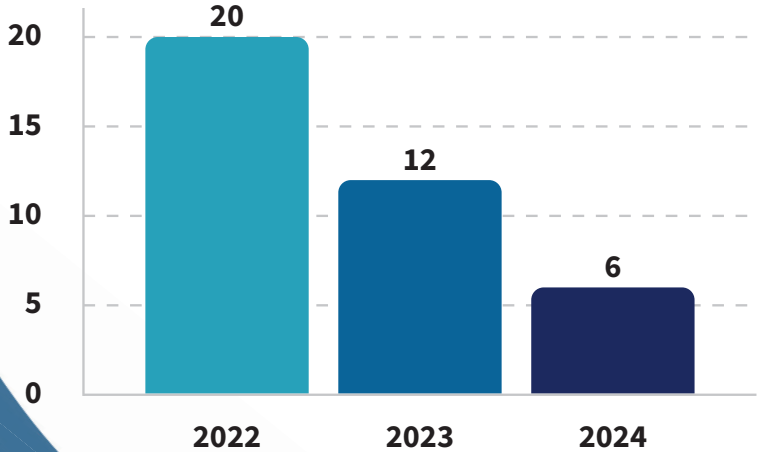
Number of Reconsideration Requests



Survey Respondents



Number of individuals who submitted reconsideration requests



95%

of responding libraries have a collection development policy in place

89%

of responding libraries have a reconsideration request policy in place

NDLA
North Dakota Library Association
Advocacy | Growth | Community

February 7, 2025

Chairwoman Larson and Members of the Senate Judiciary Committee,

My name is Andrea Placher, and I am the President of the North Dakota Library Association(NDLA). The NDLA is a professional organization that represents library employees and supporters from various types of libraries, including school, public, academic, and special libraries throughout North Dakota. Our membership is diverse, comprising librarians, library staff, trustees, and friends from libraries of all types and sizes.

Today, I am testifying on behalf of our association in opposition to SB 2307. This bill is simply unnecessary, and I hope to demonstrate that today. Following the publicity libraries received during the 2023 legislative session, many of our citizens visited their community libraries. They witnessed firsthand what was truly happening and what their libraries were accomplishing. They discovered that North Dakota's libraries are exceptional and provide tremendous value to our communities!

To illustrate the increasing usage of our libraries, I would like to share North Dakota public library statistics from the last three years (2021-2023). As we are still at the beginning of the year, we have not yet gathered complete statistics for 2024. However, I have included data for the libraries for which we do have information (please see attached). This data not only demonstrates that our citizens are actively using their libraries, but also shows that our libraries are responsive to community needs by providing the resources that the public is requesting.

Libraries throughout the state have adopted policies and procedures established by their respective library or school boards. These guidelines help direct our purchasing, cataloging of materials, and provide a means for citizens to actively engage with their library's resources. The mission of libraries is to provide materials that reflect the diverse needs and interests of our communities.

There are several uncertainties in this bill that raise concerns and could result in unintended consequences, significantly hindering library operations in the state. The primary aim of this bill is to establish sections of libraries that are "inaccessible to minors." However, most libraries in North Dakota are smaller, one-room buildings, making it nearly impossible or prohibitively expensive to implement such changes. I would like to highlight our main concerns to help you understand.

Limited Budgets
It is widely recognized that libraries do not generate revenue. Constructing walls, adding extra bathrooms in the children's area, and installing separate entrances will incur costs for the citizens of North Dakota. If these changes cannot be implemented, it may lead to the complete removal of children's materials from libraries.

Staffing
High school-aged employees are usually essential for keeping libraries open during nights and weekends. They typically handle tasks such as shelving books and checking materials in and out for patrons. To comply with this bill, most public libraries in our state would be prohibited from hiring staff aged 17 and under.

Bookmobiles
In addition to its physical library buildings, North Dakota has the benefit of 11 bookmobiles as well as additional outreach vehicles such as vans and book bikes. These resources primarily serve daycares, preschools, rural schools, nursing homes, assisted living centers, and community centers. It would be nearly impossible to carry only adult or children's collections, so we would be faced with the dilemma of choosing one over the other.

Overdrive also known as Libby
The bill also includes online databases, one of the most popular being Overdrive, also known as Libby. This platform provides library users with access to tens of thousands of eBooks and audiobooks. The content available is very similar to what you would find in a physical library, offering a wide range of choices for all users. If this bill is passed, access would be denied to anyone aged 17 and under.

Programming
Programs are essential to library services; however, many libraries lack dedicated programming rooms and instead host Storytimes in the main areas. Consequently, every space within these libraries could be considered “accessible to minors.”

The primary concerns about implementing SB 2307 include several key issues. Notably, parents or guardians will no longer be able to accompany their children while they browse the aisles. Additionally, there are concerns about minors having access to public computers, the necessity for extra staff in the newly constructed areas, and other related matters.

Library staff in North Dakota are dedicated professionals who genuinely care about the communities where they serve and live. We take pride in curating our collections and providing essential resources to our patrons. The increasing numbers in material circulation, program attendance, library card holders, and overall library visits demonstrate that our communities not only use the library but also support them.

Thank you for considering the concerns of the North Dakota Library Association regarding SB 2307.



Andrea Placher

President | North Dakota Library Association

NDLA
North Dakota Library Association
Advocacy | Growth | Community

Year	Physical or Print Circulation	Electronic Circulation	Total Circulation	Total Programs Hosted	Total Program Attendance	Number of Active Card Holders or Registered Users
2021	2,213,733	723,989	2,937,722	6,626	174,875	248,257
2022	2,663,877	778,872	3,442,749	9,111	218,256	239,048
2023	2,718,806	1,023,569	3,742,375	10,324	234,315	253,326

NDLA
North Dakota Library Association
Advocacy | Growth | Community

2024 Calendar Year	Library Visits	Total Programs Hosted	Program Attendance	New Library Card Registrations
Library				
Adams County	4,489	139	2,632	114
Bismarck Veterans Memorial	213,438	826	39,764	N/A
Carrington City	13,900	287	5,454	124
Dickinson Area Public	75,122	525	23,269	1,294
Fargo Public	443,422	1,061	43,421	10,627
Golden Valley County	16,350	27	1,349	47
Grand Fork Public	153,852	973	32,398	3,810
Hazen Library	11,548	114	5,697	83
Heart of America	15,582	126	2,314	92
Lake Region Public	42,204	232	5,043	421
Leach Public	43,477	177	1,714	422
Mayville	2,299	130	1,182	365
McKenzie County Public	27,641	108	1,363	615
Rolla Public	2,708	22	1,145	68
Stanley Public	4,865	34	270	65
Valley City Barnes County Public	21,468	290	5,544	334
Ward County	24,855	161	1,433	605
Washburn Public	6,526	71	2,296	69
West Fargo Public	60,701	569	17,190	4,113
Williston Community	70,570	867	17,578	3,102
TOTALS	1,255,017	6,739	211,056	26,370

My family opposes this bill. Adults should decide what is appropriate. Government censorship isn’t allowed on X or Facebook and shouldn’t happen at our libraries.

February 4, 2025

Chairwoman Larson and Members of the Senate Judiciary Committee:

Thank you for this opportunity to submit testimony online as I'm not able to be there in person. I am reaching out to you on behalf of myself as a citizen of North Dakota and on behalf of my family, to respectfully ask that you do not pass SB 2307. My family and I live in a small community in North Dakota and are all avid library users.

Though we gratefully use our library's physical collection, we also use a variety of databases and digital resources available to us with our library card and SB 2307 has some unclear and potentially alarming language which will impact our use of these library resources.

My family, like many others, use databases provided by my local public libraries and the ND State Library for both entertainment and educational purposes. Section 6 would make libraries have to update their database authentication systems to identify patrons individually rather than by location as they do now. This would significantly reduce access for K-12 students even with the age verification system in place as ALL material would essentially have to be acceptable for kindergarteners. While I'm sure there are ways for vendors to remove specific titles and articles from their online collections, it would remove it for ALL patrons – not just K-12. This would mean that I wouldn't be able to access the latest Colleen Hoover novel from my library's OverDrive account and my child would not be able to use Academic Search Premier to look for information on Ancient Greece culture.

I completely agree with the need to keep small children from seeing inappropriate content, but libraries and schools already have processes in place to do this, so this section of SB 2307 seems unnecessary. It seems that most of Section 6 of SB 2307 is providing a solution to a problem that doesn't exist.

My primary concern with this portion of the bill, and most of this bill, is that my child is 16, but is being lumped into the same group as 7-year olds. He needs to be able to access resources for school projects and his teachers and librarians should not have to worry about fines for breach of contract with vendors as well as financial punishment from the state. This seems especially hard on schools where students from preschool to 12th grade share the same school library.

As a matter of fact, much of SB 2307 seems to mostly punish small towns with K-12 students in one school building and public libraries that are only in one room. Many libraries across the state are just one room and therefore would find it very difficult to keep materials in "an area inaccessible to minors." While some may say that libraries could just put certain items in a cabinet or behind a counter, this is not what patrons like my family want at our public library. We want to be able to browse the shelves to find what interests us and not have to ask someone for permission to get a book.

Please do not pass SB 2307. I know you want to protect children from being sexualized, but I don't think library materials and digital resources do this and I just don't think it's our place to decide what is and isn't right for other people's children. I trust that our library employees are following the necessary laws, policies, and procedures to ensure my children aren't being "sexualized" and I trust that they are reviewing the books they have and which they purchase in order to meet the needs of our community. I ask that you trust them too and do not pass SB 2307.

Respectfully submitted,
Janet Anderson
Burlington, ND

I write in opposition to Senate Bill no. 2307, introduced by Senators Boehm, Erbele, Hogue, and Weston.

This bill is poor legislation.

A "reasonable adult" as described in this bill should see it clearly for what it really is:
- An added burden on Library staff
- An added tool in the belt of those that wish to censor literature
- A waste of time, and therefore a waste in taxpayer money.

I take issue with the vague language of the bill.
It provides no clear actionable steps or requirements, leading to a variety of interpretations.
However, regardless of the interpretation, I oppose the idea none the less.

I have been going to the library since i learned to read. When I was a child, my mother took me every time we went to town. And as an adult, I carry on that tradition with my own child. The library is a place to be exposed to new information, new ideas, and whole new worlds within fantasy, fiction, as well as science and history.

In all my years of visiting the library, not once have i ever come across a book so obscene that i would think it appropriate to be pulled from the shelves.

Are there books I do not like, or do not agree with?
Sure there are, plenty in fact. But that is what the library is for! Being exposed to viewpoints you may not agree with, or are simply unfamiliar with. Or when you find a book that you don't like, so that you know more about what you do like!

Our libraries in North Dakota are already well curated, and well managed. I see no reason why we should expend more time and money imposing additional requirements on them to expend more time REMOVING content from their shelves. Especially since in all my time in the library I have never once found their selections to include any problematic material.

I know that there are many out there that wish to ban specific topics from our libraries, because they see books that do not align with their political or religious views as a threat, or are under some misguided perception that children's authors are sneaking in obscenities into children's books.

To them I say, if a few words on a page are enough to invalidate your politics or religion, then it probably wasn't that strongly held in the first place. And that through the care of our librarians and book classification systems, you can be reasonably assured that the material at the library is stored in it's proper locations.

But to those parents out there still concerned about the content in their kids books,
maybe do what my mother did for me, and what I do for my Son:
Take some personal responsibility and read with your kids. Or at the very least know what they are reading if participating in their growth is too much work for you.

And with what we have on television these days, maybe its better for your kids to have their nose in a book. They might even learn something along the way....

I do not believe that we should leave it up to the government to decide what we or our children can read. And by the letter of this bill, I believe that there is simply too much room for abuse by those who are scared of words they do not like.

Oppose this bill, and bills like it.
We do not need thinly veiled censorship, and we definitely do not need to allocate additional funding to conduct censorship.

I can decide on my own what is suitable for my kids, I do not need the government to help me with making up my mind.

Leave the parenting to parents, and the library-ing to librarians.
I think we can handle this on our own.

Here's an easier solution that won't expend ANY additional resources:
If you don't want to read something, then just don't!
And if you don't want your kids to read something, then tell them to pick a different book.

It really is that simple.

Members of the Senate Judiciary Committee,

My testimony comes to you as a citizen of Grand Forks, ND and parent of two elementary aged children. I am requesting a DO NOT PASS on SB 2307.

In a world where cost of living will only increase, it is imperative that we do not remove those things that educate, entertain, and create community without creating a financial burden. A public library is one of the few places a person can exist for free, especially in a bitter ND winter which prevents spending too much time outside with young children. This bill would increase costs for public libraries by needing the infrastructure to support this locked space and likely decrease patronage, and in turn impact the financial free-ness of these spaces for community members. All members of my family have found a hobby we love, an unending source of learning, and developed friendships based on similar interests through books we access at our school and public libraries.

My children love the public library and we visit as often as we are able. Throughout all of these visits, I have not once been concerned about my children consuming obscene content, because I as their parent am responsible for controlling their sources of entertainment. This means that they are supervised in public spaces, the books they choose to read are shown to and approved by me, and they are not given free reign to make their own decisions about content they consume as a child. In addition to supervision, my children are taught that not all things are for them. They know they have to discuss reading choices with their parents because some books are written for an audience of children their age, some for adults, and some are somewhere in between. They have been taught that books for an adult audience have topics that they are not mature enough to understand. This does not just mean the “obscene language” referenced in this bill but things like abuse, different experiences of death, and historical topics surrounding politics and war that they do not yet have the maturity for. Rather than hiding books containing what has been referred to as obscene content, which will inevitably make it something children more actively seek out, children must be taught appropriate ranges of content and offered sources that reflect their level of maturity. I used this word repeatedly because I want to stress that a readiness to consume this content is based on a person's maturity, which happens at different ages for every person, and should not be assigned a blanket age.

In addition, I want to discuss the section on digital resources, which would effectively remove access for all to resources like Libby and Hoopla. For those who are unfamiliar, these are websites and applications that can be linked to your public library for free access to digital books. For myself and my family of readers, this has been an important resource when we have been unable to go to the library, such as when my vehicle was out of commission or when my child was in a non-local hospital. As it is impossible to truly verify an identity over a digital resource, maintaining these resources would likely become an unfeasible task for school and public libraries causing the elimination of the services. While I hope this would be an unintended consequence stemming from the ignorance of those proposing this bill, I do not doubt that it is another attempt at censorship.

Finally, the expression of the bill relating to books of “serious literary, artistic, political, or scientific value” is subjective at best. No matter the content, all books are educational in the way of teaching language, comprehension, grammatical structure and more. This is what a “reasonable adult,” as referenced in the bill, should be able to identify and acknowledge.

I'll leave you with encouragement to read more. You may find a new hobby to help bring more joy to your life while learning that historically, those who have censored and banned literature do not find themselves on the right side of history, respect, or power.

Sincerely,
Alexis

Against SB 2307

Dear Legislators:

This bill aims to ensure minors don't see inappropriate things, but whose to say what inappropriate? THE PARENTS! It is not my legislators' job to govern what is in my library for my children's perusal. If I feel something's inappropriate, I can put it back and tell my children NO. It's my job as their parent. If I feel it's too mature for an area of my library, I can do a reconsideration and ask librarians to think about moving it. That is the LIBRARIAN's job. Reconsideration policies are in every ND library!

Minors and sex and what is appropriate has been a divisive subject. Some would have that no mention of sex, body parts, or childbirth be mentioned. Let's not ever say the word "period" or especially "menstruation". Others have a more open policy, understanding that our children have eyes and can clearly see their own bodies and have questions about them. This bill makes no allowances for sex education which is gross negligence on the part of any educator. Most parents use a book of some kind to explain sex to kids and teens. This bill makes it impossible for parents to get a book from their library to have this talk about an important part of growing up and how to handle it.

Libraries already have filters prevent explicit sites in the library. This law is adding expense on something that is already taken care of. Why are we wasting tax payer money on this? This money is better spent on a child abuse task force.

Children will not be able to use digital databases like Libby or Hoopla which many of our rural students use as their libraries are some distance away. In a state with struggling reading scores, you are making books more inaccessible. This is not good education.

6 How beautiful you are and how pleasant,
my love, with such delights!
7 Your stature is like a palm tree;
your breasts are clusters of fruit.
8 I said, "I will climb the palm tree
and take hold of its fruit."
May your breasts be like clusters of grapes,
and the fragrance of your breath like apricots.
Song of Songs 7:4-8

Under this bill, the Bible will have to be removed from libraries minor's access. I would hate for that to happen but if you'll actually read the Good Book, you'll find quite a bit of sex, incest, rape, spousal abuse, fratricide, sororicide, genocide, and let's not forget: the Passion of Christ which was a horrific murder. Appropriateness is certainly in the eye of the reader.

This is bad law, plain and simple.

Pam Carswell, Librarian, Mother, Literate North Dakotan, 9/11 Survivor Spouse

127 Wadge Ave S
Park River, ND 58270
7 February 2025

To Whom It May Concern:

I am writing in opposition to SB2307. I am a mother and grandmother, a retired high school English teacher, and the president of our local public library. In those capacities and my own interest, I have innumerable hours in libraries and with librarians.

I believe this bill is unnecessary as there are already guardrails in place to make sure that sexually explicit information is not freely available to young people. The bill will cost money and waste time that could be spent in better ways. Librarians and teachers and parents can be trusted to guide young people toward appropriate reading. Librarians and teachers are also trained to help students identify what is suitable for their interests, age, and reading level.

If access to pornographic material is the concern, and I think it should be, I believe that concern should be directed to pornographic websites. This is an area out of the control of the school faculty, and honestly, most parents. Few parents have the tech knowledge to successfully set up their children's phone to block inappropriate content.

I would love to see a law similar to the Texas law that "mandates adult users of pornographic websites verify their ages - using government identification or other personal documentation." David French wrote an article in the *New York Times* entitled "Texas Has A Point About Online Pornography, " dated Jan. 12, 2025. If you have any doubts about the seriousness of online pornography or questions about the law, I suggest you read it.

Again, this bill is redundant and wasteful and if passed, will do very little if anything to protect children from sexually explicit material. Please consider focusing on the real evil to children.

Sincerely,
Geri Beckman

Senate Judiciary Committee
February 10, 2025
SB 2307 - Testimony in Opposition

Chair Larson and members of the Senate Judiciary Committee, my name is Whitney Oxendahl, and I am writing in opposition of Senate Bill 2307. I oppose this bill because I am a parent of three small children, and this bill aims to limit what books and resources my public library can offer to my family, my children, and my community.

Parents should be in charge of what their kids should check out from the library. Not the state government nor a handful of individuals in our community. I'm glad my kids can see other types of families represented in books, like books with two moms or two dads. Just because someone would disagree with that, does not mean these books should be banned or moved from the children's section.

This bill is not about freedom and liberty, this is about placing restrictions on ideas and information. This bill is about censorship, and I urge you to give Senate Bill 2307 a Do Not Pass recommendation.

Thank you for the opportunity to share my testimony.

Please accept this testimony in opposition to SB 2307. The effort to provide public library services is difficult already, especially in rural areas, sometimes with specific configurations and circumstances for the size of the library. Along with having few details for implementation, this bill is redundant to work done in the last legislative session. Such efforts would be costly and wasteful. A guiding principle in my life—as a student, as a parent, as an educator, as a citizen has been—trust librarians!

My name is Cassey Slater and I am an Elementary Library Media Specialist in Grand Forks, North Dakota. I have worked both in the elementary school system and in the public library system for a total of 9 years. I am writing to you to voice my concerns about the SB 2307 bill. In my professional opinion, I am strongly urging you to deny this bill. In my opinion, his bill is government overreach, as an infringement on freedom of speech and a clear attempt at censorship on any North Dakotan's right to read.

I will start my argument by reminding you that a similar bill - bill HB 1205 - passed legislation in 2023 and has already been enacted. HB 1205 already requires public libraries to comply with policies and procedures that keep only age-appropriate materials in the children's area of the library. Public libraries are also required to file a yearly report that demonstrates compliance with this bill. Elementary school libraries already follow suit with appropriate policies and procedures. Therefore, SB 2307 is a complete overreach for something that has already been done and is working well as it is.

It is also important for me to say that librarians, both in schools and in public libraries, are trained and competent professionals that can indeed be trusted with professional procedures and collection development. Librarians deeply understand the nuance and complexity that is necessary for determining what books should be and should not be housed in a library. To pass bill SB 2307 is not only an insult to parents, it is also an insult to the professionals that keep these vital institutions running.

I would like to explain how this bill would be devastating to both public libraries and school libraries. As previously stated, public and school libraries already have (and have always had) policies and procedures for collection development that are determined by competent, trained professionals. Librarians follow procedures to make sure that materials are in the appropriate place. In order for a public library to comply with this bill, librarians would have to make a choice between the following three options:

1. Minors under the age of 17 would not be welcome in the library, as there wouldn't be a space available that wouldn't have access to "adult" materials. Rural public libraries in North Dakota tend to be in a single room and would not have the money or funds to create a barrier to separate a children's section from an adult's section. Therefore, many children across the state would lose access to the library.
2. Minors would need parental consent or presence to be in the library. This means, for example, that a 16-year-old would not be able to drive themself and visit the library as they choose. It denies access to the library's public services, resources, and materials.
3. The library would have to remove anything deemed "sexually explicit" in order for minors to be welcome. This would require removing huge amounts of material from the adult section, including many, many novels across many different genres. This would obviously be a great loss to our culture's access to art, wisdom, and information.

Librarians would have to make one of these three choices, and any librarian would agree that none of these choices would be more beneficial than our current system. Either minors would not be welcome at all, or adults would lose access to material they should have the freedom to access. Either way, this clearly is inappropriate censorship and works to remove accessibility to public library resources, knowledge, and entertainment.

For our school libraries and classroom libraries, this will affect libraries of all age groups - elementary, middle, and high school. Similar to public libraries, school librarians are professionals and thus provide and follow policy when compiling their collections development. This bill is not only redundant in that regard, but will also be costly for the state and for the school districts.

Another point I would like to make is that the language in Bill SB 2307 is vague and ambiguous, it can easily create confusion and lead to books being removed unnecessarily. How do we define what is “obscene material/performance”? This bill states that an “average” person or “reasonable” adult would be judge of the referenced material. Who decides what “average” or “reasonable” looks like? Who is to say that any adult willing to censor a book is a “reasonable” adult? Who decides what explicit material is harmful to minors and what is valuable and educational? Obviously, librarians are trained and experienced in considering the nuances and complexities of these questions. This job belongs to professional librarians.

This bill also negates any Challenges to Materials policies and procedures that are currently in place when a member of the public has an issue with a book or material located in a public or school library. This bill clearly would allow the censorship of material as it would automatically force librarians to relocate material so that they are inaccessible to the public or students. This doesn't allow the due process of reevaluation of the material by professional librarians and/or administration. According to this bill, the removal of any item would be put into effect at the request of ANY RANDOM individual and purely based on that individual's BELIEF of whether that item contains "sexually explicit material". No one's individual belief should get to determine what another person gets to read. Not one person's voice should have the power to determine what the masses read. That is CENSORSHIP and in all honest truth, it's book banning.
With my final paragraph, I want to tell you all how much I love the library and how much I love books. I was the voracious reader that visited my hometown’s public library and school library every week. I was never without a book and I was never without access to the big wide world, all because of the library, the librarians, and the books they carefully choose to share with their communities. My experience with libraries created a person that has untold depths of empathy and knowledge that is still growing to this day. I am proud that my children get the opportunity to

visit their wonderful public library and that I, as the parent, am responsible for their reading choices. Not the government and not any one individual's beliefs. I haven't even mentioned how this bill would potentially criminalize librarians like me, who are motivated only by a passion to share the love and joy of reading and the library.

Please support and protect our libraries and librarians. SB 2307 would only harm our community, culture, and children. Please vote NO on this unnecessary bill.

SB2307 – Written Testimony in Opposition

SB2307 aims to create an environment of government censorship on library materials. It prevents public libraries from fulfilling their mission. Libraries play a key role in enhancing literacy and promoting a love for reading. They host programs and resources for children, adults, and families to improve literacy and promote lifelong reading and learning.

The vague phrase 'a reasonable person would find lacking in serious literary, artistic, political, or scientific value' allows for subjective interpretations, leading to arbitrary enforcement. This bill enables subjective censorship by government officials. The language also lists "reasonable adults", once again, lending to each government official deciding who they regard as reasonable or not.

If passed, this bill could lead to public libraries closing or restricting access to adults (18+) only, as there would be no foolproof way to prevent minors from encountering materials intended for adults. Even with something as extreme as having a walled off section, with no windows, a security guard, checking IDs, and someone uses a fake ID to gain access it could result in librarians being charged with a crime. Similar laws in Idaho led to libraries becoming for adults only.

Digital materials and databases would be cut as well. With vague language people and companies are not going to put their careers, companies, and livelihoods on the line for a poorly constructed North Dakota bill. In turn, North Dakotans will lose access in their communities for educational, informational, career and entertainment opportunities.

Local libraries have policies in place providing for the needs of their local communities. The local communities of ND should not have their libraries censored by the legislature. Parents are free to choose when and how their children utilize their public libraries, once again, the legislature should not be controlling access to educational opportunities. Lastly, the attorney general has no place being the judge and jury of the public's access to materials in libraries. In Board of Education v. Pico (1982), the Supreme Court ruled that government officials cannot remove books from libraries simply because they disagree with their content. SB2307 could result in such unconstitutional removals.

The present Century Code contained in § 12.1-27.1-03.5 already contains language protecting minors from adult materials and serves its purpose well. Page 2 of this testimony contains the language of the above code for easy reference.

I urge lawmakers to vote against SB2307 to protect intellectual freedom, local decision-making, and educational opportunities in our state's libraries.

Thank you,

Brian Kopp
Dickinson, ND

Section 12.1-27.1-03.5 - Public libraries prohibited from maintaining explicit sexual material - Report

1. As used in this section:

a. "Explicit sexual material" means any material which:

(1) Taken as a whole, appeals to the prurient interest of minors;

(2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and

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

b. "Public library" means a library established under chapter 40-38.

2. A public library may not maintain in its children's collection inventory books that contain explicit sexual material.

3. By January 1, 2024, each public library shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:

a. For the removal or relocation of explicit sexual material in the public library;

b. For the development of a book collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library;

c. For the public library to receive, evaluate, and respond to a request from an individual regarding the removal or relocation of one or more of the books or other materials in the library collection containing explicit sexual material; and

d. To periodically review the library collection to ensure the library collection does not contain explicit sexual material in the children's collection.

4. Each public library shall provide a compliance report to the legislative management before May 1, 2024, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

N.D.C.C. § 12.1-27.1-03.5

Added by S.L. 2023, ch. 131 (HB 1205),§ 1, eff. 8/1/2023, app. to any children's book inventory maintained by a public library beginning 4/1/2024.

Outline - Impact of Porn on the Brain
· How Exposure to Porn Happens
· The Brain and Porn
· Porn Traumatizes Children

Chairman Barta and members of the Industry and Business Committee.

1. How Exposure to Porn Happens

Dr Jay Stringer in his book, "Unwanted", surveyed 3817 individuals with unwanted sexual behavior (Stringer, Colorado Spring). Here are his findings.

1. 50% **Had a peer introduce them to pornography**.
2. 33% Had a peer touch them in a way that made them feel uncomfortable.
3. 32% **Had someone older introduce them to pornography**.
4. 35% Touched another peer or child inappropriately.
5. 21% Had an adult touch them in a way that made them feel uncomfortable.

Stringer writes, "Pornography is introduced in the context of relationships," and the context of those relationship produces long-term emotional, psychological, and sexual attachments for a person. Exposure to porn produces two key bonding hormones called oxytocin and vasopressin which hard wires our brain to those images (Hilton, 2014) This creates what Dr. Patrick Carnes calls an arousal template (Carnes, 2008) This template will guide who an individual is attracted to and what stimulates them sexually for the rest of their life. Researchers now tell us the average of porn exposure is around eight years old with some estimates being even lower.

2. The Brain and Porn

Our brains are hardwired to learn. Dopamine drives learning and curiosity (Weinschenk, 2009) and learning changes our brain (Mengia-S. Rioult-Pedotti, 2000). Human sexuality is an important form of learning (Hilton, 2014). Our brains are highly visual, and we respond to sexual stimuli faster than anything else. This is one reason our eyes can become our own worst enemy because sex is highly visual.

FMRI scans now can show the differences between a healthy brain and an addictive brain. If you compare a cocaine brain with a sexually addicted brain, they look the same (Voon V, 2014) (see graphic 1-2). Why? Because our brains respond the same way to all forms of pleasure regardless of their source. Sexually addicted brains are creating the drug they are addicted to. They have no impulse control. Neuroscientist's can now see a 10-12% reduction in brain matter due to this trauma (Meng, 2016). They become brain damaged over time. Researchers Kuhn and Gallinat study showed a reduction in gray matter with long-term exposure to porn (Kuhn, 2014) (see graphic 3). Gray matter shrinkage makes it difficult for sex addicts to calm themselves down because they rely on porn to do it. Over time, they must increase the kind and type of porn in order to get the needed dopamine high (Negash S, 2016). Each time they come off it, they will hit a lower and lower on the normal baseline and fall into more of a depressive state (See Progressive Drug Tolerance graphic 4).

3.Porn Traumatizes Kids

Sit in any sexual addiction recovery group, and adults will recall the first time they saw porn as a child. Many felt disgust, horror, shame, shocked, excited, confused, aroused, and they didn't know what to do with what they saw. This phenomena is also called like/want split (Anselme, 2016).

In Dr. Bessel van der Kolk's book, *The Body Keeps the Score: Brain, Mind*, and *Body in the Healing of Trauma.* He writes, "Trauma results in a fundamental reorganization of the way mind and brain manage perceptions. It changes not only how we think and what we think about, but also our very capacity to think." And "Being traumatized means continuing to organize your life as if the trauma were still going on—unchanged and immutable—as every new encounter or event is contaminated by the past." This sets us up for shame and bondage.

Ninety percent of critical brain development happens before the age of 5 (First, 2023). Exposure to porn traumatizes kids' brains. Porn stunts a child's emotional growth. A basic definition of trauma is the brain's inability to metabolize an event. Children have no way to process porn. The development of the prefrontal cortex, the front part of our brain behind our forehead that helps with decision making, planning, and impulse control, isn't complete until the age of 25. The brain cannot differentiate between explicit material whether it is in the form of a cartoon, drawings, pictures or video (Hilton, 2014). Our brain sees all sexual material in the same way (Voon V, 2014) (Meng, 2016) (Kuhn, 2014) (Negash S, 2016)

Dr. Caroline Giroux a psychiatrist who specializes in trauma, says "Exposing children to pornography should be forbidden and better regulated, as it is violating their spiritual boundaries and evolving beliefs around body, sexual development and intimate relationships, *in a similar way that direct sexual abuse on their body does. If this trauma is not identified and processed promptly, the survivor runs the risk of reenacting as an attempt to resolve what once left him or her powerless, or of even engaging in similar criminal behaviors* (Giroux, 2021)."

Children will become less empathetic adults and unable to affect regulate over time with exposure to porn (ARIEL KOR, 2021). They will seek out porn and act out the behavior they see with other kids (Ed.D., 2011).

Studies show children who are traumatized by sexually explicit material or sexual abuse are unable to have healthy relationships (Impact of Internet Pornography on Marriage and the Family: A Review of the Research, 2006).

Exposure to sexually explicit material destroys a child's life. I urge a DO PASS on Senate Bill 2380. Thank you. I stand for questions.

I urge a DO PASS on Senate Bill 2380 Thank you. I stand for questions.

References

Anselme, P. &. (2016). "Wanting," "liking," and their relation to consciousness. . *Journal of Experimental Psychology: Animal Learning and Cognition*, 123–140.

ARIEL KOR, A. D.-S. (2021). Alterations in oxytocin and vasopressin in men with problematic pornography use: The role of empathy. *Journal of Behavioral*.

Carnes, D. P. (2008). *Facing the Shadows 3rd Edition: Starting Sexual and Relationship Recovery.* Gentle Path Press.

Ed.D., F. K. (2011, September 23). *The Super-Sexualization of Children: Time to Take Notice*. Retrieved from Psychology Today: https://www.psychologytoday.com/us/blog/what-your-child-needs- know-about-sex-and-when/201109/the-super-sexualization-children-time-take

First, F. T. (2023). *Why Early Childhood Matters - Brain Development* . Retrieved from First Things First: https://www.firstthingsfirst.org/early-childhood-matters/brain-development/

Giroux, D. C. (2021, December 7). *Early exposure to pornography: a form of sexual trauma*. Retrieved from Journal of Psychiatry Reform: https://journalofpsychiatryreform.com/2021/12/07/early- exposure-to-pornography-a-form-of-sexual-trauma/

Hilton, D. D. (2014). Pornography and the Brain: Understanding the Science of Addiction and Recovery. *Youtube*. Portland, Oregon: Northwest Coalition for Healthy Intimacy 2014 Conference.

Impact of Internet Pornography on Marriage and the Family: A Review of the Research. (2006). *Sexual Addiction & Compulsivity*, 131-165.

Kühn, S. &. (2013). Gray matter correlates of post traumatic stress disorder: A quantitative meta- analysis. *Biological Psychiatry*, 70–74.

Kuhn, S. a. (2014). Brain Structure and Functional Connectivity Associated With Pornography Consumption: The Brain on Porn. *JAMA Psychiatry*.

Meng, L. J. (2016). Trauma-specific Grey Matter Alterations in PTSD. 6, 33748 (). *Scientific Reports*.

Mengia-S. Rioult-Pedotti, D. F. (2000). Learning-Induced LTP in Neocortex. *Science*, 533-536.

Negash S, S. N. (2016). Trading Later Rewards for Current Pleasure: Pornography Consumption and Delay Discounting. *Journal of sex Research.*, 689-700.

Stringer, D. J. (Colorado Spring). *Unwanted: How Sexual Brokenness Reveals Our Way to Healing.* 2018: NavPress.

Truth About Porn: John D. Foubert, P. S. (2020). *Media*. Retrieved from Truth About Porn: https://truthaboutporn.org/media/

Voon V, M. T. (2014). Neural Correlates of Sexual Cue Reactivity in Individuals with and without Compulsive Sexual Behaviors. *PLoS ONE*.

Weinschenk, S. (2009, November 7). *100 Things You Should Know About People #8 Dopamine Makes You Addicted to Seeking Information*. Retrieved from The Team W Blog: Behavirol Science, Brain Science, and Desgin, By Susan Weinschenk Ph.D: https://www.blog.theteamw.com/2009/11/07/100-things-you-should-know-about-people-8- dopamine-makes-us-addicted-to-seeking-information/

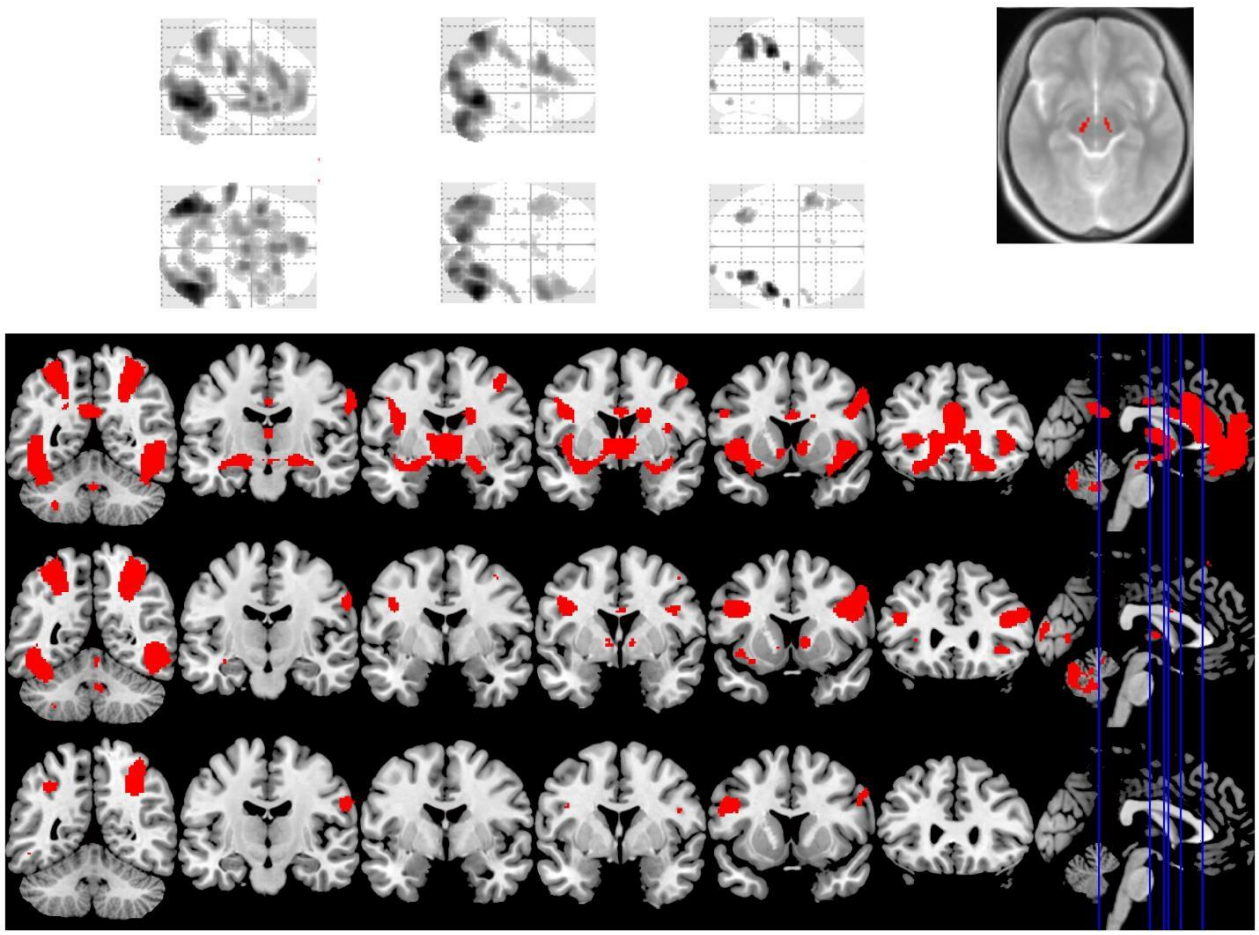


Image 1

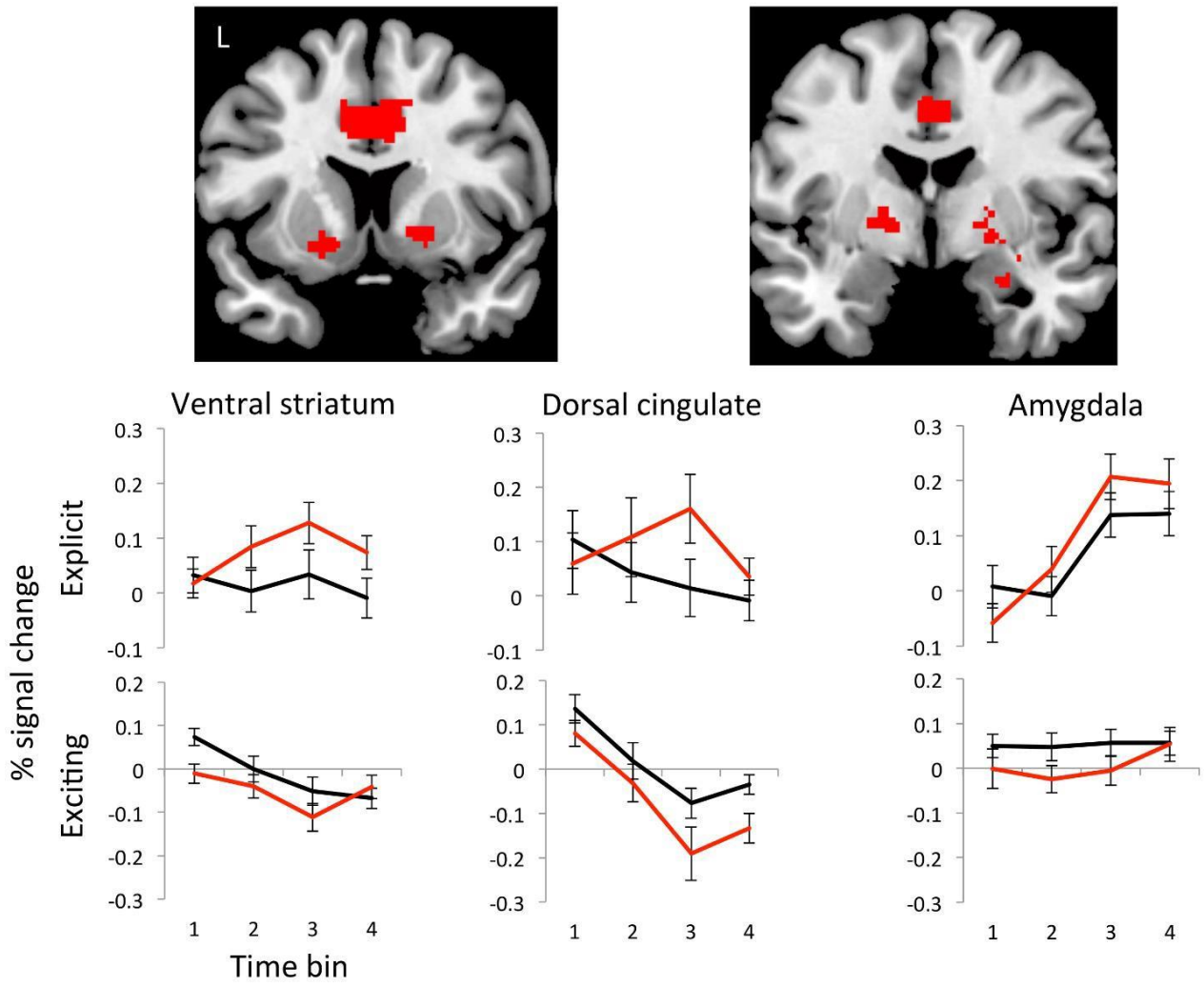

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Image 2

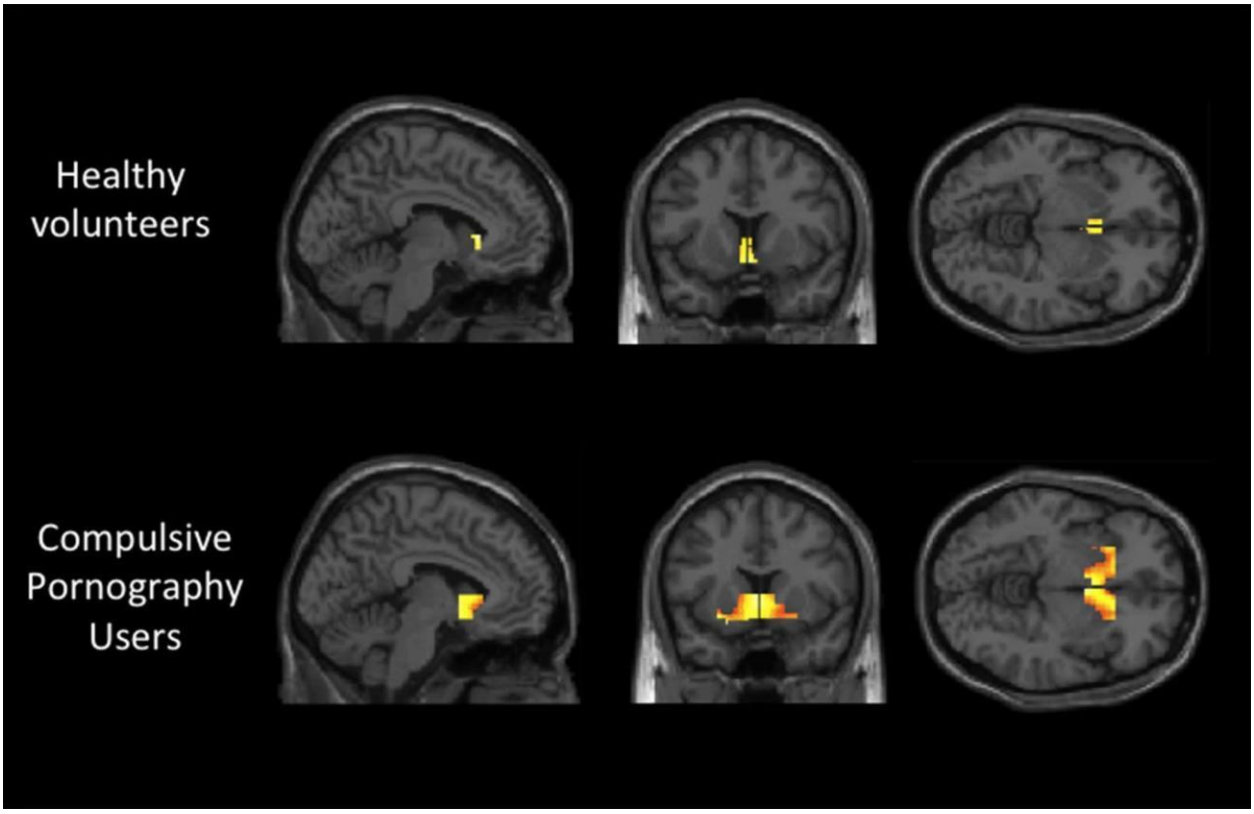
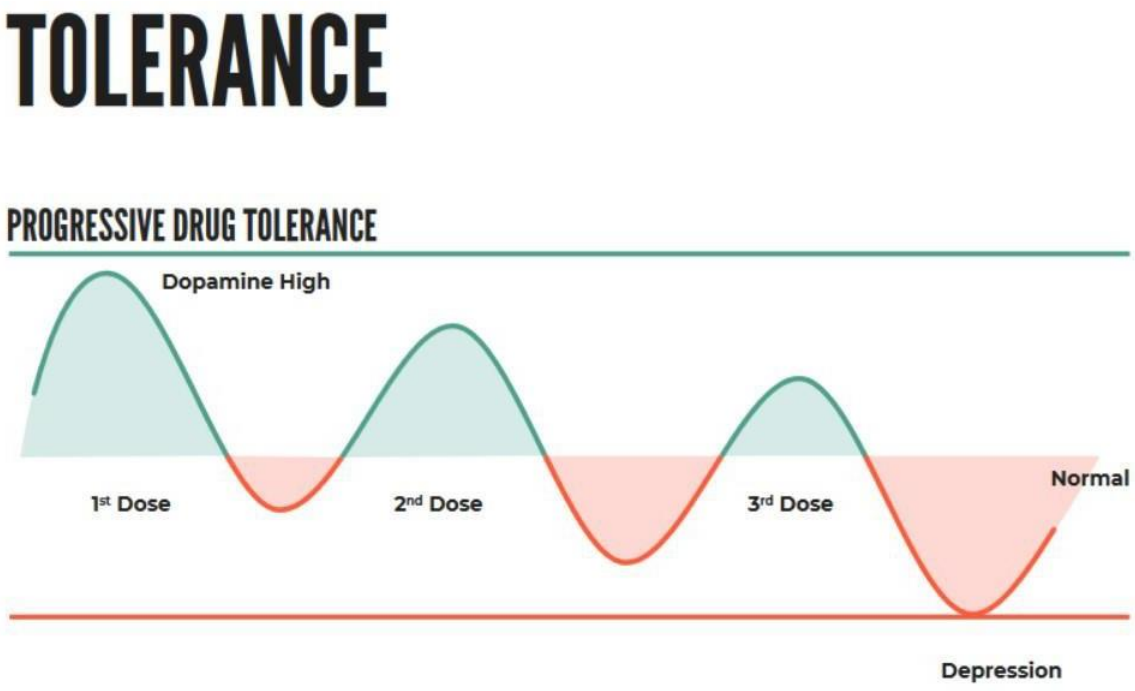


Image 3



Progressive Drug Tolerance

Links to Podcasts and Videos on porn's impact on the Brain.

Valerie Voon Interview at Stanford

https://neuroscience.stanford.edu/videos/valerie-voon-addictions-brain-network-disorder

Effects Of Porn On Your Brain
https://www.youtube.com/watch?v=IzduEttlC_g

Pornography and the Brain: Understanding the Science of Addiction and Recovery -- Dr. Donald Hilton
https://www.youtube.com/watch?v=P2yKslvPfV4

What does porn do to a kid's brain?
https://www.youtube.com/watch?v=UK-kJWc6abI

How Porn Corrupts the Brain's Reward System: Neurosurgeon Explains

https://www.defendyoungminds.com/post/how-porn-corrupts-brains-reward-system-neurosurgeon- explains

John D. Foubert, Ph.D., Simone Kühn, Ph.D., Donald Hilton, M.D.

https://truthaboutporn.org/media/

Chapter 3 - Effects of premature sexualization on child development

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Completed_inquiries/2008-10/sexualisationofchildren/report/c03

I am a retired librarian with 16 years experience as Reference and Teen Librarian at the Bismarck Public Library, 5 as Adult Programming and Collection Development Librarian at the West Fargo Public Library, and now 9 years as a member of the board of the Friends of the Fargo Public Library. In order to work in these job areas I was required to earn a master's degree in library science. I have the highest of respect for the library institution, its employees, and how it operates. Public libraries have procedures in place to examine any books that come under scrutiny, including forms that any member of the public can complete, and a library board for each public library that examines any complaint and acts on it in light of community standards. I highly oppose SB2307 for the fact that it states that the DPI and Attorney General's office will become responsible for handling any complaints. I do not believe that this is in the best interest of our state as it unnecessarily puts more responsibility at state level. At a minimum it will add to the workload in these departments and possibly require additional staff. In light of the fact that communities throughout the state have different views on books, i.e. large vs small communities, east culture vs west culture, I feel it is best to let the library boards themselves handle whatever issues that arise. North Dakotans have almost always expressed desire for local control and this seems to go against that premise. I certainly hope you will give careful consideration to this testimony as SB 2307 travels through the legislative process. Kathy Vander Vorst, 240 Prairiewood Drive South, Fargo

Chairperson Larson and Members of the Senate Judiciary Committee,

I am writing today to support my local library and all North Dakota libraries. I urge you to vote for a DO NOT PASS on SB 2307.

For the last 11 years, myself and my children have utilized our community library and it's programs as often as weekly. Our local community library is a huge part of our lives. As a young child, I was unable to access places like a community library and easy access to reading materials or programs. I feel this negatively impacted my reading skills and comprehension as a person. My goal as a parent was to provide plenty of reading materials and programs to my children to increase their reading skills and comprehension. I whole heartedly believe that this has been a positive impact for them in their public education.

Libraries and their staff bring value to our community.

Thank you for your consideration,
Tyrra Clinkenbeard

Testimony on SB 2307 – In Opposition

February 8, 2025

My name is Jacqueline Beller and I'm a Fargo resident in D46.

I am asking for a Do Not Pass recommendation on this bill.

1. The definition of "explicit sexual material" is simply too vague.
2. It is unclear how the bill would be implemented or how much it would cost to do.
3. It is unclear if the censorship extends to digital materials accessed through local libraries.

When bills are unclear, it isn't possible to properly implement and people could be charged with a class B misdemeanor if they make what one interpretation deems as an error.

Julie Reiten
Minot, ND

I am a North Dakota citizen writing in opposition to SB 2307. First, it isn't clear what is and isn't covered. Second, it assumes that all minors have the same maturity and reading levels and takes the right to determine what a minor should read away from their parents and legal guardians and puts it in the hands of people who may not have even read the books in question. Third, it would require extra funding for security guards and physical barriers, and may compromise libraries' ability to serve either adults or teens adequately. Finally, it would create a barrier to library access for underprivileged and single-parent families.

It is extremely difficult to pin down what materials are and are not covered by this bill. Part of the problem is the addition of "minors" to the definitions. Materials that have "serious literary, artistic, political, or scientific value for minors" are excepted. But what does that include? Does it include materials of value to a 17-year-old advanced reader? If we consider the mature and advanced 17-year-old reader as the metric, we end up with a very different set of books than if we use an immature 17-year-old with average reading skills. If we don't consider the advanced 17-year-olds, than this bill will prevent libraries from properly serving them. They need medical texts written at an adult level to study for taking their pre-med exams, for example. And literature that challenges them. Adding "of minors" to "appeals to the prurient interest" opens up even more space for confusion and debate. I have overheard teenage boys taking a prurient interest in the shapes of certain hills and valleys, for example. This is not simple and clearly definitive.

The problem removing anything that anyone considers explicit is that there can be a huge difference between what one person considers explicit compared to the next person. Books that one or more people have tried to get removed from one or more libraries in the U.S. on the basis of sexual explicitness in the past include *Hunger Games*, *James and the Giant Peach*, numerous dictionaries, most books about puberty, and (possibly as I couldn't confirm the story) *Green Eggs and Ham*. To try to explain why, author Emily Knox theorizes in *Book Banning in 21st Century America* that some readers have very vivid imaginations and visualize explicitly scenes that are not explicitly described in the actual text. Most readers do not, and most minors lack the life experience that would enable them to do so. The book was written in 2015, though, back in the days when most people read books before objecting to them. Now, most people who challenge books in libraries find them on lists distributed online and don't know what the books actually contain. Because the opinion of one person who may or may not have read the book should not be enough to determine what books other people's children can read, libraries have policies in place that call for books to which someone objects to be judged by multiple people, informed by both professional reviews and a close reading of the book itself.

In addition to the problem of funding physical barriers in libraries, there is also the problem of staffing and securing them. Many small libraries just have one or two staff with perhaps a few volunteers. Larger libraries are better staffed but have additional demands on their time. Under this bill, libraries would have to staff both adult and children's libraries and have someone check IDs at the door to the adult library to ensure no mature-looking teenagers get in, basically they would need a security guard. The expenses for both facility changes and employment of security guards would be considerable, and, depending on what other bills pass this year, it may be impossible for cities to fund them.

Likely, a good argument could be made that all adult romance novels, most westerns, a sizable chunk of suspense novels, and a smattering of other fiction plus most medical texts, art books, and other nonfiction written for adults qualify under the bill. Libraries can either try to guess exactly which titles

or they can bar minors from accessing any materials written for adults. For advanced readers, this would be devastating as they usually start reading the numerous books written for adults that don't have adult content sometime during their early to mid teens. (Some, even earlier; my brother read all of the Agatha Christie books (which contain nothing sexual) at the Library by age 11.) For all teens, this would mean that they would lose access to most of the materials they need for research as juniors and seniors. The other alternative is to get rid of most of the adult fiction and non-fiction sections altogether which would be devastating for adult readers and researchers.

Libraries have child supervision guidelines because they neither have adequate staff to provide daycare services nor a legal provision to act in loco parentis. Consequently, in order for both parents and children to use the library, parents would have to take their kids to the children's library, go home, hire a babysitter, and then go back to the library to get books for themselves. The babysitter, the time for multiple trips, and the additional travel expenses would all be a burden on families, especially the underprivileged who often have to use the library for computer access to fill out the many online forms required by modern life (including job applications) and single parents.

All of this is unnecessary. Many parents who are concerned about their children accessing adult materials in the library have used much less drastic methods with great success. These methods allow both adults and children to have access to the materials that are appropriate to their age group without barriers, babysitters, or security guards. They just require a little parenting by each child's parents or other care-givers, rather than the state. Here are some of them:

1. Parents talk to their children about their expectations and the reasons behind their expectations. They explain what is and is not an appropriate reading choice. They also talk to their children about what their children are reading.

2. Parents go to the library with their children and follow the library's child supervision rules. Parents are thus able to monitor which books their children access.

3. Parents and/or children ask librarians for book recommendations. Librarians are trained to ask questions to determine what books are appropriate for a given reader. This includes age-appropriateness in addition to any other particular content the reader (or parent) wants to either find or avoid.

4. Parents and/or children use the library catalog to look at the subject heading for books that they are considering. The subject headings reveal if the books are romance novels or not (and whether or not they have LGBTQTIA+ content, for those who are concerned about that).

5. Parents set an age at which their teenagers are allowed to read books with particular content and follow up with their teens to make sure they are keeping within their limits.

6. Most children and teens who are advanced readers intuitively self-censor their reading by skipping over adult content in books that are otherwise appropriate to their intellectual level, but some parents make a point of encouraging this practice.

We do not need security guards, walls, and gates to protect children from romance novels. Further, a child's parents or legal guardians should be the ones who decide what that child is and is not allowed to read, not the state, not people who post lists of books on the internet, and not anyone else.

My name is Jayda Borah and I am a librarian at the Dickinson Area Public Library. SB 2307 would be detrimental to North Dakota Libraries and I'm sure all Library Professionals would agree with me. There are no sexually explicit materials in the children section of any library and libraries already have policies and procedures to protect children from accessing inappropriate materials. Our library as well as most libraries in North Dakota are seeing a huge rise in library use and this bill would cause so many problems that I don't think people outside of the library profession realize.

Romance Novels, Harlequin novels, psychological thrillers, books about puberty, horror books and more would all have to be kept in a completely separate space from the children's section. This is a large chunk of adult materials. Also, with a very vague definition of "sexually explicit" many books will be pushed to be added to this restricted section based on people's personal beliefs. A lot of libraries in North Dakota do not have the space to have a completely separate section with these books, so many libraries would not be able to allow children in the library. If children are allowed in the library, parents will not be able to have their children with them while they are searching for books for themselves. Teenagers will not be able to check out books from the adult section. Library workers who are under 18 would not be able to work in the adult section. Many libraries rely on Highschool students to work evenings and Saturdays. Children also would no longer be able to use Library apps like Libby or Hoopla. Our library hosts so many amazing programs for kids and family and would likely not be able to anymore if this bill passes. It would be a shame to eliminate a no cost option for families to entertain and/or educate their children.

This bill is censorship and would make it almost impossible for libraries to operate. The bill's definition of "explicit sexual materials" is very vague and would open the door for individuals to place their own standards and morals on library materials. A small group of people shouldn't be deciding what is appropriate to be in the public library based on their personal beliefs. Librarians need to be trusted to the job they were trained to do, not threatened with jail time. Please, do not pass this bill. It will make a vital community resource much less accessible to those who need it.

I am writing in opposition to SB 2307, and I urge you to vote NO. This bill would needlessly put strain on our public libraries. All libraries have established policies and procedures to group materials into age-specific collections.

This bill, if passed, would unfairly force libraries to comb through thousands of existing materials, as well as thousands of new materials each year, to ensure they don't fall under the vague and potentially broad definition of "obscene materials". I'm first concerned with how library workers would be expected to achieve that task, and where that funding might come from.

I'm also concerned as a North Dakota resident with the authority this bill grants the state to decide what materials should and shouldn't be available to its residents.

Shouldn't it be parents' jobs to decide what their child can and can't check out from the library, not the state?

Visit your local library and you will see that books and other materials are on shelves, separated by age and genre, but otherwise open to roam, just like Barnes and Noble or Target does with their books and materials.

However, this bill, if passed, would force libraries to blockade off huge parts of the library, even though any family could take their kids to a department store and browse books or countless other products that this bill would define as "obscene."

To me, the only conclusion is that this bill is entirely unnecessary and seeks to hamper libraries in their mission to provide equitable access and encourage a love of reading.

Testimony in Opposition to SB 2307
Senate Judiciary Committee February 10, 2025

Chair Larson and members of the Senate Judiciary Committee, my name is Randi Monley. I am writing as a private citizen of Minot, ND. I am also a public children's librarian and a co-chair of Right to Read ND.

I urge you to **oppose** Senate Bill 2307 for the following reasons.

1. As someone who helps others find resources that they need in a library, I will never forget my encounter with a foster mother. She was looking for a book for a little girl, no older than seven years old. The caregiver took me aside because she needed my help finding a book that was a low enough level to talk to this child about safe touch and sexual abuse because the girl had experienced this trauma. While some parents may find a book like this to be "too much" for a children's library, I assure you that this book is necessary for that little girl and for other children who have been through such a heartbreaking and traumatising experience.
2. It is my inherent right as a mother of two growing boys that I be able to parent my children as I see fit. I utilize the library's vast resources to educate my children on puberty and sexual health. As a single mother, I need books that include pictures of bodies to show my child that is on the autism spectrum what I am talking about. I certainly do not want to have to resort to filth on the internet for this, which is why I use my library. I know that the books within are vetted and collected by librarians who are trained in their profession.

I urge you all to give Senate Bill 2307 a **do not pass recommendation**. Also, as a North Dakota resident, I urge you to work on bills that will actually help children in North Dakota as opposed to limiting them even more.

Randi Monley
Minot, ND

I oppose SB 2307 and I would ask that you defeat this piece of legislation.

I love libraries. As a child I loved to read and that was something we also gave to our children. This bill would diminish my rights in this realm. Certain materials would be “locked up.”

It is unclear who makes these determinations. Also, there is no information on what exactly libraries need to do to comply. This drives up costs and takes time from library staff. Finally, in the 2023 session a bill was passed that seems to already handle this issue.

I oppose this bill.

Thanks for your consideration

Glenn Muske
419 E Wachter Ave, Bismarck
gamuske@gmail.com

VOTE NO ON SB2037

Criminalizing librarians? Hindering access to online, digital resources? Forcing libraries to bend to the will of a few ill-informed people? Stifling free speech? Is this what North Dakota wants to be known for? Is this what will help us North Dakotans who are looking for economic relief, lower taxes, and freedom to do what's best for us and our families? The answer is a resounding NO.

SB2037 is another attempt to make fear and ignorance legal. There are NO sexually explicit materials in children's sections of public libraries. There are NO librarians who are willfully and gleefully putting any adult material into children's hands. To believe this is patently absurd. Those who do believe this fallacy tells me one thing: hey haven't stepped foot into a public library.

I love my local library. It is a place of cheer, knowledge, welcome, and literacy. Why are elected officials so intent on restricting learning and literacy? What good comes from this?

There are REAL problems us North Dakotans face. I don't want to live in a state where we arrest librarians for simply doing their jobs but let school children go hungry. Please focus your attention on issues that will actually HELP the people who elected you: access to healthcare, child poverty, unmet mental health needs, opioid and fentanyl abuse. I urge you to do the sane, logical thing and vote NO and to speak up and put an end to these nanny-state bills that are a waste of taxpayer money.

Melinda Obach

Dickinson, North Dakota

Senate Bill 2307 would require librarians to remove ill-defined “explicit” materials from our library shelves. The bill’s censorship might extend to digital materials like eBooks and audiobooks that many of us access through our local library.

1) No one can explain how the bill would be implemented.

2) It would be costly to taxpayers. The attorney general would need additional staff to enforce this law.

3) The library community already has a process in place to challenge materials since the Legislature passed HB 1205 in 2023.

4) Let our professional librarians do their jobs. It is a waste of the Legislature’s time to focus on non-issues like this when there are real issues are state is facing.

SB 2307

I urge you to recommend a **do not** pass for SB 2307. Libraries grow curiosity, develop a love of learning, and bring people together. Librarians are not criminals by supporting intellectual freedom. Knowledge is power and access to information is empowering. This bill will unnecessarily restrict more access than it is intending to restrict, by creating barriers to online resources and physical libraries. Possibly children would have to be turned away from the rural libraries without the funds to create a separate area for different aged library users. Our state is very rural and library funds and tax dollars should go to access more information not restrict information. The similar bill was vetoed in 2023 by Doug Burgum because it would have been an enormous burden on public libraries.

Living in an information abundant world with access at our fingertips ND libraries are experiencing increasing usage including visitors, card holders, and program attendees. Libraries provide free accessible information and resources allowing citizens to learn, research and stay informed. A library is a vital center for people to gather, connect and participate regardless of their financial wellness. This bill only pertains to a small amount of information that has been already required by other laws in North Dakota to be removed from areas for minors. Librarians across the state have training on where to place items in their libraries. All libraries have established policies and procedures that make this bill irrelevant.

Access for all users to databases, E-books, informationally books, and even to some physical libraries will cut out users of the library to comply with this bill. This will restrict access to online databases that I used constantly during my undergrad and graduate studies and still from time to time use for my own personal interests. According to the North Dakota State Library and Online Dakota Information Network these restrictions will create parameters to sign in. This will limit student access to online databases, databases designed for students that I use in the classroom for research, and our neighbors use to home school their children. The students love using these databases, they get excited about their own ownership of learning. These databases create an online space without advertisements and external links. Online databases are accessed through our ND state library, no cost to schools, no cost to ND residents that hold a library card.

With wording including school district, how does that affect health and science curriculum and textbooks? This bill can be interpreted to remove books that provide wellness and medical information on how bodies work, health is the whole body, not just what you can see over clothing. Within the bill it’s not clear who would decide what constitutes sexually explicit material, it could mean something different to everyone.

I urge you to stand with North Dakota libraries and the access to information by opposing SB 2307.

-Robin Holt
Grafton, ND

North Dakota Senate Judiciary Committee
600 E Boulevard Ave.
Bismarck, ND 58505

RE: Opposition to SB 2307

Dear Members of the Senate Judiciary Committee,

As the Director of Standards-Based Instruction for Fargo Public Schools, I am writing to express my strong opposition to Senate Bill 2307. This legislation poses significant challenges to our educational mission and threatens the integrity of our instructional resources.

Vague Definitions Leading to Overreach

SB 2307 employs ambiguous terms such as "explicit sexual material," which lack clear definitions. This vagueness could lead to inconsistent interpretations and overreach, resulting in the unnecessary removal or restriction of educational materials that are essential for comprehensive learning. The bill's broad language may inadvertently encompass works of significant literary, artistic, and scientific value, thereby depriving students of a well-rounded education.

Undermining Educational Autonomy

The bill mandates policies and processes for reviewing library collections, effectively transferring decision-making authority from educational professionals to external entities. This undermines the autonomy of educators and librarians who are best equipped to determine age-appropriate and pedagogically sound materials for students. Such overreach could stifle academic freedom and limit students' exposure to diverse perspectives.

Potential for Censorship

By imposing restrictions based on subjective criteria, SB 2307 opens the door to censorship. The bill's provisions could lead to the suppression of materials that address important but sensitive topics, thereby hindering open discussion and critical thinking among students. This runs counter to the fundamental principles of education, which aim to prepare students for informed and engaged citizenship.

Negative Impact on Rural and Underserved Communities

The requirements outlined in SB 2307 would disproportionately affect rural and underserved communities. Many schools in these areas lack the resources to implement the mandated changes, such as segregating library collections or conducting exhaustive reviews of materials. This could lead to reduced access to educational resources for students who are already at a disadvantage.

Conclusion

In light of these concerns, I urge you to reconsider the implications of SB 2307. The bill's vague definitions, potential for overreach, threat to educational autonomy, risk of censorship, and disproportionate impact on rural communities make it a detrimental piece of legislation for our educational system. I respectfully request that you oppose SB 2307 to ensure that our schools can continue to provide diverse and comprehensive educational materials to all students.

Sincerely,

Dr. Liann M. Hanson
Director of Standards-Based Instruction
Fargo Public Schools

Members of the Senate Judiciary Committee,

I am adamantly opposed to SB2307, a bill violating my First Amendment rights to access information and its extreme censorship of books available to all citizens.

Do you really want to deprive your community of the one, last stanchion of altruism? Libraries are for EVERYONE, no matter size, shape, deity choice, racial or ethnic background, age, gender, financial status or any other qualifying label someone wants to slap on every soul who walks this earth. Libraries are safe spaces for so many individuals, where humans can find solace in a story with characters who look just like them; humans who have lived experiences just liked theirs and lived to tell the story; humans who can teach us compassion toward others and help us learn their stories. For when we take the time to do that, we find we are all more alike than different. Isn't that the goal? For a UNITED States of America, again?

The bill's vagueness alone should produce a Do Not Pass recommendation. The repeating questions of:

1. Who decides which books are removed from libraries? Will there be a list published by the North Dakota Legislature? If so, we have entered a Nazi-era of book censorship. If the North Dakota Attorney General has to adjudicate every book challenge, where will the AG have the staff and time to read in entirety any book submitted for review? Will the AG need to convene a review board for every book challenge? This process already exists within the states' libraries. Local Library Boards and library policies provide the opportunity for patrons to challenge materials. A thoughtful process then takes place to review the material based on what was most likely Miller v. California 1973 court ruled structure. Which by the way already exists in ND Century Code.
2. Most libraries do not have the physical space to reconfigure to allow a 21-and-over room. Will there be funding to assist these libraries in renovations, along with staffing to "card" everyone entering the room? What will moms with small children do if they want to enter the "forbidden" room? Will libraries now have to babysitting staff available?
3. By extending the censorship coverage to online materials, you further will deprive students of all ages the opportunity to access research databases. Additionally, for those of us with busy schedules, you will deprive us of the great service of being able to check an electronic book out at 2 a.m., or 1 p.m. or whenever the library is closed. The narrow-minded thinking involved in censoring these materials is fatalistic. We are a global economy and people need to learn how to navigate information in all places and at all times. Everyone with a phone can access materials not curated by a thoughtful collection policy.
4. Is this bill really in reaction to many explicit materials being found in the public and school libraries? Or is it in reaction to a small group of individuals finding the material offensive and using their power to create legislation to mandate removing materials only they oppose? From past research, it can be said about 6% of the Bible contains materials that could not pass the Miller Test.

As for "willfully displaying explicit sexual materials to minors" which is what Miller v. California 1973 sets out to quantify, librarians have been implementing the practice of reviewing materials based on the criteria set forth in that ruling. By the way, during the 2023 session, Rep. Lawrence Klemin R District 47, then chair of the House Judiciary Committee, repeatedly on the House floor during voting referred to Miller v. United States, which is in fact a 1939 gun case. This to me shows a lack of knowledge on exactly what is being voted on and only further proves the lack of understanding of the consequences of this bill.

Again, the best vote on SB2307 when considering the well-being of all North Dakota citizens is DO NOT PASS.

Respectfully,
Sandi L. Bates
Private Citizen

Testimony in Opposition to SB 2307
Senate Judiciary Committee February 10, 2025

Chair Larson and members of the Senate Judiciary Committee, my name is Gail Reiten and I'm the advocacy chair for Right to Read ND. Thank you for the opportunity to submit testimony.

Throughout my life I have seen the power of books and libraries. As a daycare provider, I offered storytimes in my home and volunteered as a library storytime reader. While growing up in Zap, North Dakota, my five siblings and I were so hungry to read that we even exchanged cereal boxes at the breakfast table. Later, I brought my own children to the Minot Public Library, checking out books for them and for myself. The library became such a large influence on our lives that my daughter grew up to be a library director.

That is why I joined Right to Read ND. Right to Read ND is a nonpartisan group of North Dakota citizens concerned about attempts to limit our access to books and materials in libraries across the state. We believe Senate Bill 2307 overrides the First Amendment right of North Dakotans to access materials and books. It will also be costly to our taxpayers and communities, and take local control away from parents, library boards, schools, and communities. It does so in the following ways:

This bill is state government overreach. Parents are responsible for approving content for their own children. However, it is not one family's business to decide what is appropriate for other families to check out. Library challenges should be addressed by local boards and follow the review policies already in place. Local control ensures that library collections will continue to represent our local communities. Under this proposed law, anyone could request an opinion from the North Dakota Attorney General, which could ultimately lead to loss of library or school materials and the withholding of funding.

The bill has vague definitions that are subjective. This bill prohibits libraries from displaying "explicit material harmful to minors." Subjective language such as "harmful to minors" could lead libraries and schools to engage in self-censorship for fear of a criminal Class B misdemeanor. If this bill passes, libraries will likely have to expend time and money defending themselves against challenges and legal charges—either because people don't like the books in the collection, or because they don't like that books were taken out.

No one can explain how the bill would be implemented. Certain ill-defined books would have to be made inaccessible to children. Who would decide which books? To some parents, the Bible is too mature for children to read. For other parents, books about puberty and sex education would be considered explicit. And how inaccessible would they need to be? We have small rural libraries that don't have the space to separate sections, and they may be compelled

to remodel to be in compliance with this law. If they are unable to remodel, would libraries have to pay extra staff members to check IDs to enter certain sections?

The bill would limit access to ebooks, articles, and audiobooks. The bill calls to "filter or block access to" sexually explicit materials in electronic collections. What if our libraries have to shut off access to their database collections because of the slightest chance they "could" include such materials? Students could lose access to the valuable educational e-resources that are currently available to our libraries and schools.

From our understanding, the fiscal burden necessary to upgrade access for age verification is substantial. Libraries and schools already implement filters in compliance with the Children's Internet Protection Act. This ensures they are eligible for the federal E-rate program, which provides needed discounts for libraries and schools in order to fund their internet access and telecommunications. The filtering component of this bill is extreme and could ultimately hurt the academic future of North Dakota's children.

Finally, the North Dakota Legislature already addressed this issue in 2023 with HB 1205, which put the Federal Miller Test for obscenity into state law. This law also requires libraries to file a report yearly so the state can make sure they are complying. Therefore, ND libraries already have age-appropriate materials in children's collections.

As citizens who believe in the right to read we trust our trained professionals to guide library collection development, and we are concerned that librarians would be criminalized under this proposed law. Individual families can make content decisions that fit their personal values and viewpoints. Our libraries are thriving and valued centers that provide a place for community building, early childhood programming, technology access, and continuing education opportunities.

We ask you to protect our First Amendment right—the right to read and access information. We strongly urge you to reject censorship and give SB 2307 a Do Not Pass recommendation.

Thank you for your consideration of our testimony.

Gail Reiten
Right to Read ND, Advocacy Chair
righttoreadnd@gmail.com

Dr. Karyn M. Chiapella
202 3rd St. NW
Hettinger, ND
(586) 596- 5329

RE: SB 2307

Dear Senators;

I am a public school educator and have been for over 20 years. This bill is an insult to ALL educators & media specialists. If you do not trust these people to have appropriate texts in the library, you have not been paying attention.

You have put far too much responsibility upon teachers relieving parents of their parental duties. If a parent does not want their child to read a book for ANY reason, all they have to do is say so.

You have also infringed upon everyone else's right to free speech. What one deems "inappropriate" may not be the same for another. You do not have the right to tell me what my child can and cannot read. I determine that. For a party that preaches to "small government" you sure have discredited yourself.

I suggest SUPPORTING public education. Speak highly of us and our profession. TRUST US to be professionals and experts in our field- because we are. Use your time and money to find ways to encourage young people to enter one of the most rewarding fields in the world.

Please vote NO on this bill.
Respectfully,

Karyn M Chiapella

Dr. Karyn M Chiapella

I am testifying in OPPOSITION of SB 2307.

Libraries, particularly those in small towns, are struggling to survive. Space is limited (most are in a single room) and professional librarians are in short supply. Now, the state wants to make their jobs more difficult by placing random qualifications on the material they MAY possess, costing the taxpayers additional dollars.

Most legislators have a cell phone. Most legislators have internet service and computers. I would bet at least one of these devices is open on your desk now. A vast majority of minors have access to these devices. Most of them OWN their own cell phones. And somehow, legislators have gotten the idea that porn and obscene materials are coming from the library?

Libraries have systems in place to challenge material they consider inappropriate. I asked Sheila Krueger, the librarian in Casselton, how many challenges she had gotten in her 13 years. Two. Just two. And the people initiating the challenge withdrew their challenge when asked to fill out paperwork. The topics? One was a book on North Dakota history—the other a work of "Christian fiction."

Our children are NOT being corrupted by the library.

This bill would also cost the libraries their use of the Libby app, which allows remote users (like myself) to access, read and gather information without having to drive into the "big city" library.

Please use your legislative time and power on things that matter —property taxes, finding workers for jobs that are empty and promoting our great state. The legislature is already attracting national attention with garbage legislation. LET THE PARENTS and FAMILIES do their jobs and not the legislature. If Republicans

are truly interested in small government, why are they trying to legislate morality?

You can look that up on your phone, by the way.

Jan Macdonald Russell

4910 157th Ave SE

Davenport, ND 58021

Vote Do NOT PASS - SB 2307

Dear Senate Judiciary Committee,

My name is Connie Hoffman of Fargo, ND, and lifelong resident of North Dakota. I write in opposition to Senate Bill 2307 which would require librarians to remove ill-defined “explicit” materials from our libraries so they are not accessible to minors.

Do NOT Pass SB 2307 for the following reasons:

1. Libraries in our schools and communities have already complied with HB 1205 passes in 2023.
2. Librarians already follow professional library standards in the selection of age appropriate library materials and appropriate placement within the library setting, also policies if a person requests a book/material be removed from the library collection.
3. Parents, not the government, should supervise reading choices for their own children.
4. Implementation would be costly to taxpayers. In some cases the library directors have stated that they would have to close their local libraries due to the cost of remodeling to accommodate the specifics of this law.
5. Withholding school funding if a potential violation is found is an extreme measure, given that a reported violation could be due to the lack of clarity in the bill.

We trust our teachers and librarians to monitor library collections and provide access to information and books following standardized library policies and practices.

Vote Do No Pass on SB 2307.

Connie Hoffman
Fargo, ND 58104

February 9, 2025

Dear Committee Members,

I am writing to strongly OPPOSE SB 2307.

Frankly, SB 2307 is an insult to parents and librarians in this state. As a parent, it is my role to guide my child to what materials are age-appropriate, no one else should be able to make that choice for me or my child. Furthermore, one must ask who gets to define what is considered "explicit" or "obscene?" Will it simply be up to the whims, beliefs, and personal vendettas of an individual or group? When it comes to censorship, partisanism and neutrality rarely are involved.

I would also like to note that no government that has chosen censorship has ever been on the right side of history. The sign of a secure government is one that encourages the consumption of information, books, and knowledge; it is a sign of an insecure government that discourages and censors information, books, and knowledge. Where does North Dakota stand on this? Are we truly a state of individualism, small government, and personal responsibility, or are we a state of government control and censorship?

This bill would be a waste to taxpayer dollars, a waste to librarian time and efforts, and a waste of resources for the state.

I ask that you vote NO on SB 2307.

Thank you for your consideration,

Casie Davis
District 30
Bismarck

Chairwoman Larson and Members of the Senate Judiciary Committee,

My name is Cindy Thronburg, and I am a librarian at the Dickinson Area Public Library (DAPL). I am writing in opposition to SB 2307. These views are my own, and do not reflect the views of the DAPL or my employer, the City of Dickinson.

The core issue I see with this bill is how the bill instructs that material that "contains explicit material harmful to minors" may not be "where minors are or may be invited as a part of the general public," including public libraries. We all know that some adult library materials may contain what some people may deem "explicit" content, e.g., romance novels, R-rated movies, etc. And while these materials of course would not be deemed obscene by current obscenity laws, this bill states that "'Explicit sexual material' means any material that . . . Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors . . .," the definition of which could be arguable in several different ways.

Restricting these materials to areas where minors cannot go will create logistical issues for libraries to comply. In my opinion, one of three things will have to happen:

1. Libraries will have to make costly renovations to create walls, doors, and separating structures in order to make sure minors cannot enter areas with designated adult materials. They will then have to staff these areas to make sure only adults and minors with accompanying adults are entering.

2. Libraries will have to remove all adult materials. This is what will likely have to happen to bookmobiles. The majority of our patrons on our bookmobile are minors because we stop at their schools.

3. Libraries will have to close their doors to minors who are not accompanied by an adult. This may be the only option for libraries to fiscally survive this bill. Libraries that cannot afford costly renovations and who want to be able to continue to serve their adult patrons by offering them adult materials will have to police their libraries and only allow in adult patrons and minor patrons that have an adult with them. This will drive down library usage. Minors will no longer be able to come to our library after school to play on the computer, etc.

This bill is not only harmful to libraries and their patrons, it is unnecessary. Obscene materials are not being distributed to our patrons. Librarians carefully follow collection development policies to choose materials appropriate for our patrons. If patrons disagree with any materials, there are policies in place, such as Requests for Reconsideration to review the material in question.

I urge you to oppose this bill. The only thing it will achieve is to create costly burdens for libraries and our taxpayers, and drive down library usage.

Thank you,

Cindy Thronburg
Dickinson, ND

Chairwoman Larson and Members or the Senate Judiciary Committee, I am writing as a private citizen in opposition to SB 2307. I am a librarian and have over ten years of experience working in libraries in North Dakota and other states.

SB 2307 is unnecessary. Libraries have collection development policies in place that outline what is and is not purchased. These policies take professional reviews as well as the needs of the community the library serves into account. Once materials arrive, librarians look at them in more depth to determine if the age recommendations from the publisher or reviewer reflect the community culture or if they are more appropriate for a different age group and shelve materials accordingly. There are also reconsideration procedures in place to address concerns patrons have about materials in the collection. These library best practices are ongoing responsibilities that librarians do every day without government mandate.

Parents also make choices about what is best for their children every day. The same books that one family does not want to read are sought out by other families. Libraries reflect the interests of the communities they serve, not just one group or perspective. The bill's vague definition of "explicit sexual materials" would open the door to individuals placing their own morals and standards on library materials. A small group of individuals should not be making decisions about what is appropriate for the broader community to access in public libraries.

In addition to limiting access to physical libraries, this bill could also impact online resources since it would be very difficult to restrict access to these services based on age. One of the most popular online resources is Libby, which provides users with access to tens of thousands of eBooks and audiobooks. The content available in Libby is very similar to the content available in a physical library while offering many features like the ability to change font type and size that physical books do not offer. These features give people of all ages who benefit from things like a larger font, Dyslexic friendly fonts, etc. a much wider selection of books to choose from than they will often find in print at a physical library.

Many parents also enjoy listening to audiobooks with their children. As technology evolves, it is becoming difficult for libraries to purchase books on CD because they are increasingly becoming unavailable to purchase. Without Libby, libraries will eventually not be able to purchase audiobooks for users to enjoy.

Librarians know their communities, and they make materials available that reflect the needs of their community. Not every book is right for everyone, and that is okay. Please trust parents to make choices that are best for their families and trust librarians to make choices that reflect the wide range of needs and interests present in their communities.

Thank you for your time and consideration.

Jennie Archer

Judiciary Committee

Bismarck, ND

February 9, 2025

I am a parent, a grandparent, an officer of the Minot Public Library's Friends group, and a former 40 year Children's Librarian at the Minot Public Library. Today I write to you as a private citizen who has resided in this state for my entire life. I urge you to vote for a DO NOT PASS on SB 2307.

For over 40 years I worked in one of the largest public libraries in the state. We provided access to materials to all of the residents in our city as well as providing materials to schools and citizens of surrounding communities and others in the state. We, also, had databases which could be accessed by anyone who had a valid library card, and we provided programming for virtually all age groups from toddlers to seniors. Participation in programs continued to grow from year to year and registered borrowers rose as well.

This is a very flawed bill. First of all, librarians are very careful with the materials they put in a library. There is something for everyone. Librarians place books for children in a separate area from where adult materials are located. Parents should and need to be responsible for what their OWN child is reading and not worry about what I might let my child read. Now supporters of this bill think that librarians should be responsible for making sure there are no objectional materials that children are exposed to. Now how unrealistic is this I ask? There is no way a librarian in a small town with K-12 students in one school building and public libraries that are only in one room would be able to keep materials in "an area inaccessible to minors" Some say that libraries could just put certain items in a cabinet or behind a counter, but this is not what patrons want. They want to browse the shelves to find what interests them and not have to ask someone permission to get a book. It would cost thousands of dollars if libraries are forced to build barriers so that minors would not have access to materials that are meant for adults.

Let's use a little common sense and let librarians do their jobs without fear of being arrested!!

Sincerely,

Paulette Nelson

UND UNIVERSITY OF NORTH DAKOTA

UND.edu

Chester Fritz Library
Chester Fritz Library
3051 University Ave Stop 9000
Grand Forks, ND 58202-9000

To: Senate Judiciary Committee
Date: February 10, 2023
Re: Testimony on Senate Bill 2307

Chairperson Larson and members of the Senate Education Committee:

My name is Rebecca Bichel, and I am Dean of Libraries at the University of North Dakota (UND). I write to point out concerns that some sections of Senate Bill 2307 as it is currently written will have a harmful impact on universities and colleges, and to seek uniform exclusions for higher education. I urge the Committee to amend the bill to specifically state that libraries, museums, and archives at colleges and universities are excluded from all sections of the bill.

I appreciate that some sections of the bill specifically exclude libraries at colleges and universities. Section 5 of the bill, for example, specifically excludes colleges and universities from impact by sections 12.1-27.1-01 and 12.1-27.1-03. However, Sections 6 and 7 include the phrase "state agency," which would include archives, libraries, and museums at state-funded colleges universities in the scope of the bill. I believe that based on the previous exclusions, colleges and universities were intended to be excluded from these sections as well.

Without an exclusion for higher education for the entire bill, the bill could unintentionally limit students, faculty, staff, and community researchers at UND and other NDUS institutions from accessing critical digital resources. Absent such an amendment, the bill would require significant technology implementations with additional time and financial costs that would negatively impact higher education financially and lead to restrictions of content for all users, not just K-12 students.

Section 6, subsection 6c currently reads, "State agency does not include the state library." I urge the Committee to expand that language to include: "State agency does not include the state library or state-funded institutions of higher learning" in Sections 6 and 7.

Thank you for your time and consideration.

Respectfully,

Rebecca Bichel
Dean of Libraries and Information Resources
The University of North Dakota

Testimony in opposition to SB2307

I want to voice my strong opposition to this library censorship bill. A similar bill was brought during the last legislative session and defeated. I'm feeling like I'm living in the movie Groundhog Day as I see previously defeated bills being brought back again and again. The legislature exists to implement the will of the people, not try and try again to stand against them.

This bill is bad for the same reasons as last time:

- All public libraries in the state have **policies and procedures in place** that **make this bill irrelevant**.
- Library numbers across the state are RISING. Meaning MORE visitors, MORE library cards, MORE program attendance. If the majority of community members were concerned with what is in the library, would this be the case?
- The bill is stating any material deemed "sexually explicit" (harlequin romances, various romance novels, psychological thrillers, books about puberty, etc) must not be in ANY AREA of the library where minors (ages 17 & under) could POSSIBLY be in. Yes, this would also include online databases (aka Libby) This would mean **libraries would have to build walls** to create separate rooms OR **not allow children into the library**.
- Many **small-town libraries do not have the space or money** to create separate rooms for "offensive" books.

- If they can't build the separate rooms:

    - Grownups want to browse the shelves for your next great read while your kiddo is in the stroller? NOPE
    - Anyone under the age of 18 wants to work at the library shelving books? (these kids usually are how libraries can be open during nights and weekends) NOPE
    - Kids need to print their book report or be able to use the computers that already have filters on them? NOPE
    - Want your child to enjoy free audiobooks and eBooks with their library card? NOPE
    - Want children ages 17 & under to have access the library? NOPE

- **The bill would criminalize librarians**. Librarians who display books with nudity on the cover would receive a Class B misdemeanor. Even shirtless men on the cover of romance novels would be a violation of the law if the bill passed.

- **The bill is state government overreach.** The state attorney general would be required to review complaints from individuals about materials in our local libraries and could decide to withhold funding as punishment for not complying. This is censorship, plain and simple. Who decides what is offensive content? History has never, ever favored the book banners.

Sincerely

Alex Deufel District 40

I am writing in strong opposition to SB 2307. As a parent, a library worker, and a citizen of the United States, this bill infringes upon on my rights.

As parents, my husband and I are responsible for what we allow our child to read or not to read. If he is exposed to ideas we don't agree with, it is our responsibility to help him navigate those conflicting ideas. It is not up to other parents or the state government to tell us what ideas are acceptable. I myself am not a child and do not need to be treated as one by this legislation.

As a library worker, the effect this bill will have on my workplace, and the possibility of being criminally charged for simply doing my job, will be profoundly negative. If my library needs to segregate the books, where will the funds come from to ensure we are in compliance? What about the cost of being in digital compliance for online resources? Will library workers lose their jobs? How will libraries continue to serve the public if they don't have enough workers? Is that the point? Libraries already have policies in place for challenging materials, as well as for curating collections on an age-appropriate basis. What will this bill accomplish, other than limiting access to information to people who can't afford it on their own, and instilling fear in North Dakota citizens like myself?

I have rights as a citizen of the United States, granted by the U.S. Constitution. Why do I need to keep fighting legislation like this to keep those rights?

Tonya Palmer
Grand Forks, ND

Please VOTE NO and DO NOT PASS SB 2307. This bill potentially criminalizes librarians for having in their collections any material that any member of the public finds objectionable and "sexually explicit." Libraries internally already have policies and procedures in place for people to share their objections to any materials in the library with library staff, to have that material put aside and reviewed and a decision made on how to handle the complaint. These objections were comprehensively dealt with in HB 1205 passed in the previous legislative session and mostly detailing procedures already in place in libraries.

Some people are overly sensitive [or perhaps themselves are highly sexualized, thinking of most events in the world as having a sexual component], such as the woman who objected to a book on presidents that had been carefully researched and well-reviewed by people knowledgeable about U.S. history and about children's books because it mentioned that one or more presidents and had mistresses. This is sexually explicit? Children have never heard discussions, arguments, or celebrity gossip about people having romantic and sexual relations outside of marriage? They themselves have not experienced parents seeking and/or getting divorced because of relations one or both parents had outside the marriage? This kind of objection and many more could make it very difficult for libraries to hold materials and to offer services, while overly sensitive, or maliciously intended people come in and pull books and other materials off shelves, objecting to anything in them that somehow, maybe references sex, reproduction, or other matters where sex might play a part. Most items in library collections are devoid of any mentions of sex, but no matter to these self-appointed "guardians" and censors.

Is sex education pornography? Is art in which nudes are depicted pornography? What about depictions or descriptions of giving birth? How about natural science books that talk about "mating behavior"? THIS IS RIDICULOUS and potentially harmful interference in how libraries are managed, how collections are gathered, and how libraries handle [with sensitivity and care and concerted listening] complaints from the public.

How about the idea that the library needs separate closed off areas where materials deemed to have adult content or sexual information or the like are housed? Most libraries have open plans, without closed doors and sections. Also, many libraries hire high-school-aged workers to shelve materials. Can they no longer allow people 17 and under to shelve materials? How much additional money will libraries need to spend to remodel libraries to put up walls and doors and reconfigure space to close off adult collections? How much additional money will they need to spend on hiring additional clerical, professional, paraprofessional staff to do shelving they no longer have the lower-paid part-time page staff to do? How many people will seek to work in libraries, knowing that they can be deemed a criminal simply because they work there and there are materials a few people have claimed are harmful, whether or not in fact, these materials are? After the court of public opinion and the haters and stalkers inspired by inaccurate and hate- and fear-mongering language on social media have made it hard for theses people simply to come to work or to be out and about in their communities?

VOTE NO on SB 2307. DO NOT PASS SB 2307.

Sincerely, Susan Dingle, District 35, and a voter in every election

SB 2307 Oppose to

Book banning is a show of gross government overreach, on either aisle, granted we have organizations that monitor and censor works but thats where the line should be not banning information we dont like and want others to see. My philosophy has been and always will be that if you dont like something you dont have to participate in it, but that shouldnt give you the right to ban it for others.

Presented by: Zhaina Moya, MLIS, Minot Resident

Chairperson and Esteemed Members of the Committee,

I stand before you today in vehement opposition to Senate Bill 2307. As a professional librarian, an advocate for intellectual freedom, and a public servant dedicated to ensuring the accessibility of information for all community members, I find this bill deeply troubling. SB 2307 threatens the very foundation of public libraries, undermines professional collection development policies, and sets a dangerous precedent for government overreach into intellectual and educational spaces.

SB 2307 is a Censorship Bill Masquerading as Child Protection

While the bill claims to safeguard minors from exposure to "explicit sexual material," it is, in reality, a sweeping and vague piece of legislation that enables government censorship and restricts access to information. The bill's definition of "explicit sexual material" is dangerously subjective, relying on ambiguous and politically motivated standards rather than professional literary and educational criteria. Such vague terminology allows for the removal of valuable books that serve educational, artistic, historical, and cultural purposes.

Under the bill's language, renowned works such as *The Diary of Anne Frank*, *Beloved* by Toni Morrison, or even *Romeo and Juliet* by Shakespeare could be deemed inappropriate. The chilling effect of such legislation would discourage libraries from carrying essential, diverse, and thought-provoking literature that fosters critical thinking and empathy among young readers.

Libraries Already Have Policies and Professional Standards in Place

Public libraries across North Dakota already follow rigorous collection development policies designed to ensure that materials are age-appropriate and meet the intellectual and educational needs of our communities. These policies are based on professional guidelines from the American Library Association (ALA), the North Dakota Library Association, and other respected organizations. The bill's requirement for additional policies to review and relocate materials is redundant, burdensome, and an unnecessary government intrusion into the professional operations of libraries.

Furthermore, libraries provide parental guidance tools such as book reviews, recommended reading levels, and the ability for parents to monitor their own children's reading materials. If a parent or guardian does not want their child to access certain materials, they have the right to make those choices for their own family. However, they do not have the right to impose their personal values on the entire community.

Empowering the Attorney General to Police Libraries is Government Overreach

The provision allowing any "interested person" to request an Attorney General investigation into a library's materials is an unprecedented overreach. It effectively deputizes individuals to act as moral

gatekeepers, enabling political and ideological groups to weaponize the law against public libraries and educators.

Libraries are institutions of democracy, designed to provide information and resources for all, regardless of political or religious beliefs. SB 2307 opens the door for bad-faith actors to disrupt library operations, intimidate staff, and drain resources through unfounded and frivolous complaints. The threat of losing funding for non-compliance is particularly egregious, as it holds essential community services hostage to ideological censorship.

SB 2307 Disrespects the Expertise of Library Professionals

Librarians are trained professionals who hold degrees in Library and Information Science. We are equipped with the skills and knowledge to curate diverse collections that reflect the informational and cultural needs of our patrons. This bill assumes that politicians and bureaucrats are better suited than librarians to determine what is appropriate for public access, which is both an insult to our profession and a disservice to our communities.

Libraries are among the few remaining institutions where all people—regardless of background—can access information freely. This bill not only undermines that fundamental principle but also places undue administrative burdens on already underfunded and understaffed public libraries.

Conclusion: Protect Intellectual Freedom—Reject SB 2307

Senate Bill 2307 is an attack on intellectual freedom, professional librarianship, and the rights of individuals to access a broad range of literature and ideas. It is a politically motivated attempt to impose restrictive, one-size-fits-all morality on an entire state, ignoring the diversity of thought and values among North Dakotans.

I urge this committee to reject SB 2307 in its entirety. Public libraries are trusted institutions that serve all people, and they should not be subjected to legislative censorship based on arbitrary and subjective standards. Let us instead support policies that uphold intellectual freedom, empower local decision-making, and respect the expertise of library professionals.

Thank you for your time and consideration.

Senate Bill 2307 – Obscene Materials – 2:30 PM- Judiciary Committee
Testimony of Dean Grigg, Director of Government Affairs, Enough Is Enough

Madam Chair Larson and members of the Judiciary Committee,

Thank you for affording me the opportunity to speak to you today about such an important issue. My name is Dean Grigg. I am the Director of Government Affairs for Enough Is Enough, a national, nonpartisan, 501(C)(3) non-profit organization whose mission is to make the internet safer for children and families. EIE has been at the forefront of efforts to combat internet pornography, child sexual abuse material, sexual predation, sex trafficking and cyberbullying since launching America's internet safety movement in 1994.

Protecting children from the dangers of online obscenities, child sex abuse material (CSAM), material harmful to minors, and other exploitative content is of paramount importance and each day that we fail to act is a day that countless children are physically, emotionally, and mentally harmed by this toxic content. Bills like those you are considering today are vitally important to ensure that children are not exposed to the explicit and dangerous content awaiting them with every click of a button.

Since the 1990s, social media has exploded in popularity and accessibility as millions of American children use these platforms for entertainment, education, and communication purposes. As society grows increasingly reliant upon a variety of digital devices including cell phones, tablets, and gaming devices, children grow increasingly vulnerable to online risks. Forty- three percent of kids aged 8-12 own a smartphone (57% a tablet), while 88% of children aged 13-18 own a smartphone (36% a tablet). Ninety- five percent of 13–17-year-olds use social media. With this explosion in the use of such devices, evolving social media and app platforms, and expanded public Wi-Fi availability, children and teens have easy, free and unrestricted access to all kinds of harmful content including prosecutable obscenity like hard-core and extreme content depicting graphic sex acts, rape, strangulation, and violence; even material depicting the sexual abuse or rape of children.

Contrary to what many think, this harmful, explicit, and often illegal material doesn't exist only on the dark web or behind paywalls. Rather, this material is free, unfettered and easily accessible to every child with access to a smartphone, laptop, gaming console, or other internet enabled device. And it isn't just at home. Rather, anytime a child goes to a friend's house, the local coffee shop, restaurants, malls, and anywhere that has public WiFi, they have the potential to be exposed to harmful content. Children even have access to pornography in our schools. In a 2022 Common Sense Media study 31% of the teens surveyed said they watched porn while in school (in person); and 44% said they watched it on a school owned or issued device.

For decades, the pornography industry has been given a free pass to distribute obscene content online accessible to anyone, including children, thus profiting from the knowing distribution of this content; often, blatantly breaking federal obscenity laws. Obscene content that meets the three prong standard pursuant to Miller v. California, 413 U.S. 15 (1973), is illegal under U.S. federal law and has no protection under the First Amendment. Title 18 U.S.C. Chapter 71 §§1460-1470, prohibits distribution of such obscenity, including via the internet and other digital means. In 1998, the Supreme Court affirmed in Reno v ACLU that "[t]ransmitting obscenity and child pornography (CSAM), whether via the internet or other means, is already illegal under federal law for both adults and juveniles." In *Free Speech Coalition v. Paxton*, a more recent argument before the Supreme Court, all parties acknowledged the existence of a "compelling government interest" in protecting the physical and psychological well-being of minors, which includes shielding them from indecent and obscene content. The parties further agreed that even explicit content that is

protected for consenting adults is harmful to minors, and thus, the government's "compelling interest" still exists, leading the attorneys for the adult entertainment industry to recognize the need for implementing filtering and other protective measures to protect minors from such harmful content.

The exposure of children to internet pornography is harming their developing brains. "Pornography consumption is associated with decreased brain volume in the right striatum, decreased left striatum activation, and lower functional connectivity to the prefrontal cortex." (Journal of the American Medical Association Psychiatry – 2014). Peer-reviewed research and medical science shows that internet pornography is a fueling factor in the sexual exploitation and abuse of children. Seventy- three percent of teens age 13 to 17 have watched pornography online. More than half (54%) reported first seeing pornography by the time they reached the age of 13 (Common Sense Media, "Teens and Pornography, 2023). Even more disturbing is the fact that 45% said porn gave them helpful information about sex; while 27% said porn showed an accurate representation of how people have sex.

The necessity of protecting minors from harmful content extends beyond just pornography. While that is certainly hugely important children are also exposed on these platforms to other harmful materials including body shaming, choking challenges, drug use, suicide, cutting and other harmful content, all leading to a mental health crisis in this country. Former U.S. Surgeon General Vivek Murthy recently stated that the risk of potential harm to children from the use of social media is the "defining public health challenge of our times"; a statement clearly supported by copious data. A JAMA Psychiatry 2019 study showed that teens who spend more than 3 hours/day on social media are more likely to suffer from mental health issues like depression, anxiety, aggression, and antisocial behavior. This same study showed teens now spend up to 9 hours/day on social platforms.

Social media sites and web platforms push this information on our youth through algorithms and formulas designed to market this information to children based on searches, "likes", and other data collected on these children by web platforms. In 2022 alone, social media generated $11 billion in ad revenue from U.S. teens aged 13 to 17. Meta assigns a "lifetime value" of $270 per 13-year-old user. With the amount of money these companies make off our children it is no wonder that $90 million has been spent in recent years to block legislation aimed at protecting minors from online harmful content.

Even if there were no national security issues with Tik Tok there would remain the fact that the content on the U.S. based version is not safe for minors. Compare, for example, Douyin, the Chinese version of Tik Tok, versus the U.S. version. Douyin uses age-verification requirements, sets time limits based on age, restricts creation of accounts based on age, shuts down after 10pm, and shows only the very best of Chinese culture, promotes education, and praises the Chinese government. Alternatively, the U.S. version pushes content to teens on how to date an older man, how to turn a super soaker into a bong, or how to use a sex toy. In an interview with 60 Minutes, Tristan Harris, co-founder of Center for Humane Technology, said "It's almost like [Chinese company Bytedance] recognize[s] that technology's influencing kids' development, and they make their domestic version a spinach TikTok, while they ship the opium version to the rest of the world".

Preventing children from accessing such explicit, exploitative, obscene and harmful content whether online, in schools or in libraries is an obligation we can no longer ignore. Or else we will lose an entire generation of children. I urge you to PASS Senate Bill 2307.

Thank you! I stand for questions.

Members of the Senate Judiciary,

I am writing to you in opposition of SB2307. DO NOT PASS SB2307. This bill is an outlandish and absurd waste of time.

It is the parents job to monitor and mentor what their children are reading. Not the states. Libraries are already divided into children, youth, and adult sections. There is no actual plan on how to implement anything suggested in the bill. If it were to be implemented, it would be outrageously expensive. Is the state funding all these new libraries? They should be, if they are that invested in segregating and age restricting them as such.

Are businesses expected to comply with these rules too? Will your local Walmart have to start implementing an “adult room” so that your average-joe can buy a pg-13 or r-rated film? Are you subsidizing the cost to these businesses as well?

Furthermore, the bill as written says this “Whether material or a performance is obscene must be judged with reference to reasonable adults”. Who are these “reasonable adults”? Certainly, proposing this bill already excludes those who wrote it from the label of “reasonable”. No reasonable adult would suggest or write this bill.

For the above reasons, I am strongly asking you to NOT PASS SB2307.

Thank you,

Megan Fuller

Jamestown, ND

February 9, 2025

Chairwoman Larson and Members of the Senate Judiciary Committee,

My name is Renee Newton and I am testifying today in opposition to SB 2307 due to concerns about the loss of local control, the impact on taxpayer services, the overall financial burden of compliance and the implication of limiting access to educational resources.

As a mother and grandmother, I see the library as an integral place for learning and playing for my children and grandchildren. When my children were small, we lived in a community that was serviced by the Dickinson Library's bookmobile. My girls loved climbing the steps into the magical space that held so many books, books they could choose to check out and other books that were not for them at the ages they were. It was an easy thing to do, simply acknowledging that while the book looked like a good one, it was for when they were older.

As a grandmother, I've read many stories to my grandchildren. It is a joy to see them developing their own tastes when it comes to reading. Since they vary in age from 10 years to 2 months old, it's easy to say yes that book does look good, yes your sibling likes it very much, and when you're older you can read it too.

As a librarian, I know that the materials in libraries are selected based on whether they fit the criteria set forth by the library board. The location of materials in the library is based on what age group they are appropriate for. Our library has in place a reconsideration policy patrons can follow if someone is concerned about materials. The policies were developed locally, designed for our community by our library board. Section 7 of SB 2307 would remove local control by allowing any person to submit a request to the attorney general without ever speaking with the library staff, library director, library board or following the reconsideration policies we've had in place for many years.

If SB 2307 comes to pass, our library will need to create a space that is not accessible to minors by making physical changes to the building. These changes will come at a cost. While I am not an expert in construction, I understand that structural changes would involve significant costs, including updates to the fire suppression system, lighting and HVAC which could strain our library's budget. The material cost of making a restricted space as well as staff time to monitor it will require a change to the budgets already set months ago. Our library would experience financial strain which could result in a decrease in services and materials being offered. With a compliance date of January 1st 2026, the only way to build the walls is to take funds previously dedicated to purchasing materials and conducting programs and funnel them into a building project. This would come with a negative impact to taxpayers in our community who have come to expect STEAM and other after school activities for their children. Our STEAM programs are designed to foster creativity and critical thinking, redirecting funding would undermine development of these skills. Saturday Craft Club, a well attended program we offer, that saw 80 participants on February 1st would no longer be held. Readers waiting for the 2025 installment of their favorite book series would have to look elsewhere because the funds to purchase new materials will have been repurposed for an unnecessary building project.

If restricted areas cannot be created, such as on bookmobiles, libraries will be forced to decide who can come in. Right now everyone can freely come into the library or on the bookmobile. Bookmobiles could be forced to choose to service only adults or only children to comply. The challenge of deciding how to limit the access and subsequent decisions will serve to decrease participation by members of our rural communities. By limiting access to only one age group, families or individuals outside that group will be denied access to valuable resources. Being able to offer bookmobile service to rural and home-bound individuals allows them to connect to a larger community enhancing their quality of life.

Online databases and digital access to a variety of material formats including ebooks and eaudiobooks are important services offered by our library. It allows patron access to materials that do not take up physical space on our shelves in the library. Databases such as Ebsco and Gale allow for research to be conducted quickly. The information provided by databases could be for personal learning or for student research for school assignments. The impact of SB 2307 could result in libraries being unable to offer these resources to ensure compliance. This would be a negative impact to taxpayers.

Finally, SB 2307 would undermine the essential role of libraries in our state. Our library services patrons from three counties, Billings, Slope and Stark. By imposing a financial burden, limiting access to educational resources and interfering with local control, SB 2307 negatively impacts all of us. I urge you to oppose this bill.

Sincerely,
Renee Newton

Rebecca Needham
245 5th Ave W
Dickinson, ND 58601

February 8, 2025

Chairwoman Larson and Members of the Senate Judiciary Committee,

My name is Rebecca Needham, and as a resident of the state of North Dakota and a long-time patron to many of the libraries across the state, I am writing in opposition of SB 2307.

I believe the goal of this bill is to create designated sections in libraries that are “inaccessible to minors.” However, many libraries within the state are one-room spaces that house a wide range of books and materials for all age groups. Additionally, there are bookmobiles throughout the state that function as mobile, scaled-down versions of libraries, offering various resources to individuals of all ages. The primary goal of any library, regardless of its size, should be to provide access to educational, recreational, and cultural materials for all members of the community, regardless of age.

If this bill passes and libraries are mandated to “not maintain in an area accessible to minors a book or any other medium that contains explicit sexual material,” how will one-room libraries and bookmobiles continue to serve their communities? Constructing walls or creating separate spaces to segregate materials is costly and often unfeasible for smaller libraries. Should bookmobiles, which serve the entire community, be forced to choose which age group they will cater to, potentially discriminating against others?
Librarians already adhere to established policies and guidelines when selecting materials for their collections, and they take into account the needs and input of the communities they serve. Passing this bill would undermine the expertise of librarians and the value of local input.

Please do not pass SB 2307.

Sincerely,
Rebecca Needham

SB 2307 Testimony
Senate Judiciary Committee
February 10, 2025

Chair Larson and Members of the Senate Judiciary Committee:

My name is Amy Phillips. I am a North Dakota resident, and I am writing to ask you to please give SB 2307 a **Do Not Pass** recommendation.

Public libraries and school libraries have always been important to me. I enjoyed spending time in and selecting books from school libraries in my childhood and youth. I worked in my town's public library as a high school student to make some pocket money. In later years, working at university libraries was one way of supporting myself through graduate school. Today, I continue to utilize public libraries by borrowing books, attending public meetings and educational events, and taking grandchildren to select their own reading materials.

In my many years of exposure to libraries, it has never once dawned on me to mistrust the professionals who worked in the libraries by assuming that they select inappropriate "explicit sexual materials" that might harm library patrons. I have never heard a patron complain about library materials, and I have seen library staff treated *only* as knowledgeable, respectful, and responsive to the legitimate and serious interests of the diversity of people using the library.

SB 2307 is a flagrant and disrespectful disregard for the education, training, experience, and knowledge of the professionals who work in our public and school libraries and who have nothing but the best interests of their constituents in mind.

Please let libraries, and the boards and professional staff responsible for them, do their job, and stop legislative interference in the superb and trust-worthy work of our libraries by giving SB 2307 a Do Not Pass recommendation.

Members of the Senate Judiciary Committee

I oppose SB2307. I have used libraries for many years. Libraries have educated me. Librarians have often helped me find esoteric information I have needed for school and job reports. Libraries have also served my residential communities by providing meeting space for informational group events. This Bill seems to hinder the service that libraries and librarians give to the community. It seems to divert the scant resources that libraries have.

I am offended that this Bill treats libraries like adult book stores. Never, in all my years of library use as neither a child nor as an adult, have I been directly or indirectly exposed to explicit sexual material. It seems to me that if you are truly concerned about childhood exposure to explicit sexual material, your time would be more productively spent focusing on the prosecution of people who distribute child pornography on the internet. I don't see any of that in this Bill.

Sincerely yours.

Cynthia F. Bates

Members of the Senate Judiciary Committee

Re: Senate Bill 2307

I am a former Bismarck resident who enjoys libraries. I am strongly opposed to Senate Bill 2307, which would penalize librarians for simply trying to do their jobs. In all my years of visiting public libraries, I have never seen a section devoted to pornography. This bill is chasing a problem that doesn't exist. But isn't it the job of parents to supervise their children in our libraries? I often see signs in stores that say that children must be supervised or they will be given cappuccino and a puppy to take home. If children must be supervised by parents in retail stores, why should they not be supervised by parents in libraries? Why impose that responsibility on librarians under penalty of law? No librarian can possibly supervise all the people who enter the library doors. They have many other important administrative tasks to fulfill. Further, our libraries already are under-funded.

The First Amendment to the United States Constitution provides: "Congress shall make no law respecting an establishment of religion; or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." This amendment is called the First Amendment for a reason, and it applies to the states as well as the federal government. Senate Bill 2307 is likely unconstitutional.

This bill reminds me too much of the Taliban's form of governance in Afghanistan. Are we going to go down the same road? Please vote against this bill in the name of freedom.

Sincerely,

Gary Wolberg

WARD COUNTY PUBLIC LIBRARY

Phone 701-852-5388
Toll Free 1-800-932-8932
PO Box 5005
Minot, ND 58702
225 3rd St. SE
Minot, ND 58701

February 7, 2025

Chairman Larson and the Members of the Senate Judiciary Committee,

My name is Kerrianne Boetcher, and I am the Ward County Public Library Director in Minot, North Dakota. I am asking you to oppose SB 2307 and join my fellow librarians in asking you to do so.

I have a few areas of concern with this bill. Many of our smaller libraries and mobile libraries are one-room, including all three locations (one being a mobile library) of my library. As such, the entire library is accessible to minors. To comply with this bill, these libraries would need to either build walls and new doorways or not allow minors. Even if we added cupboards for books, obtaining the cabinets and locating them within the library would cost money. A mobile library typically has no space for a cabinet to be added to the space. We would also be removing access to the materials for adults who may not want to ask a librarian's permission to view a book.

Secondly, many of our public and school libraries already have policies for reviewing library collections and for parents to express concerns about available materials. They are part of our policies that are evaluated regularly for consistency and to ensure they are still meeting the needs of our local communities. In short, the processes and procedures are already in place, making this bill unnecessary and redundant.

Thirdly, digital or online library databases could be defined to include our informational databases or our e-book library. Local libraries do not control how books are classified for e-books. That is left up to the distributor. If the distributor refuses to reclassify a book, the North Dakota library could lose access to the e-books. Our older population would also lose access to these materials if libraries were to lose access to the digital library.

If a person were to click on a link that went out of the database, that would be beyond the library's or the database's control. Public Schools and Public Libraries that receive federal funding are already required under the Children Internet Protection Act (CIPA) to have the filters on their school and/or library devices. However, this bill addresses what minors may access on their home computers. In effect, libraries would need to filter internet access for every North Dakota resident at their place of residence to make it possible.

As a library professional, whether a minor should have access to reading a particular subject is best left up to their parents and/or guardians. It should not be left to an outside entity without knowledge of the minor and their development. Libraries are uniquely positioned to serve parents who want their children to access certain books and parents who do not want their children to access certain books. We must serve both populations in the best way possible. My beliefs and viewpoints should not dictate what another person may or may not want to read.

Libraries are vital to North Dakota and our small communities, and it is important that we remain a place where everyone can access the materials they want. Please support libraries in North Dakota and vote in opposition to SB 2307 as proposed.

Respectfully,



Kerrianne Boetcher

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

Testimony Opposing SB 2307

I write in opposition to SB 2307 which seeks to further censor libraries in North Dakota, create more micro-managing and even penalize libraries/librarians.

As a person of the Christian faith, an ordained pastor, I share concern for the well-being and education of our children. Libraries are one safe space where children and youth can explore any variety of topics to supplement their learning and for enjoyment. The library is an essential part of any community.

Since passing HB 1205 in 2023, libraries have had to meet the Federal Miller Test as to which books are placed in the children and youth sections. Librarians are already using care and wisdom in what is readily offered to these age groups. I do not think that another library bill is necessary.

These are my concerns about this bill . . .

1. Speaking with a local librarian, I am aware that staff spent hours and a large sum of money scouring the books included in the children's and youth section of the library after the 2023 mandate. And after all that time and resources were used, they found only a couple of books that needed to be moved. Further demands on our libraries means the wasting of time and money that most libraries do not have.

2. With continued censorship of what is offered in libraries, there is more infringement on our 1st Amendment rights. Libraries are meant to meet the needs and interests of patrons. I believe there is a bias among legislators that not all people of faith share. I have great concern that what will be censored are materials that deal with racism, slavery, the treatment of Native peoples, the Holocaust and other difficult parts of our nation's history. I fear these censored books will also include those concerning minority faiths and ethnicities and, of course, those about LGBTQ topics. All these topics are beneficial and important reading. One cannot erase the bad parts of our history by banning a book. One cannot deny the identity of certain groups of people by banning more books. How much better to read and learn of these things and people so that we can make reparations and not repeat history, and so that we can embrace our diversity.

3. Who gets to choose what is appropriate and what is not? What makes the persons in the legislature the right persons to make these choices? I trust my local librarians to be the experts and the persons trained and paid to do this work. As an adult, I can make my own choices about what I choose to read and/or listen to on audiobooks – I don't need nor want the legislature making these choices for me.

4. Finally, this bill seeks to penalize libraries and/or librarians. I strongly oppose this language and these intentions. As I've stated before, libraries are public services and librarians are public servants opening a world of discovery for all ages. They do not need your control, they need to be allowed to do their jobs. Let them do that in peace and with purpose.

Rev. Tamara Toepke-Floyd, Ordained Minister of the United Church of Christ
210 15th Ave NE; Jamestown, ND

Members of the Senate Judiciary,

I'm a long-time resident of the State of ND writing to you in strong opposition of SB2307. I firmly believe it is up to the parents to monitor what their children are choosing to read from libraries. This is not the responsibility of the state or library staff.

This bill states, "whether material or a performance is obscene must be judged with reference to reasonable adults." May I ask who are the reasonable adults making this judgement? Surely, by virtue of writing this unreasonable bill, it cannot be you. With no plan on how to implement SB2307, I cannot view this bill as anything but outlandish and absurd, and truly a waste of time and money. Libraries are already divided into children, youth, and adult sections. Would businesses be expected to comply with these rules as well? Will your local retailer have to start implementing an "adult room" so that people can buy a PG-13 or R-rated film? Are you planning to subsidize the cost to these businesses as well?

Libraries provide a wealth of information and knowledge to those seeking to broaden their horizons. They provide many valuable resources and tools for a wide variety of applications. This bill only threatens to take these things away from those who need it most.

For the above reasons, I am firmly asking that you DO NOT PASS SB2307.

Thank you,

Scott Heidinger

Jamestown, ND

We are sending written testimony in opposition to SB NO 2307.

The determination of what specific material is appropriate to be in a public library should be made by professionals with that training along with the policies that have been created by the library staff, the library board of directors including community input. Libraries already have policies in place to address the issue of appropriateness of materials for their local libraries. This should not be legislated by the State.

Parents should be the guiding force in the supervision of reading choices for their own children, not legislation.

The verbiage of the bills in the attempt to define “explicit sexual behavior”, such as “is patently offensive to prevailing standards in the adult community in North Dakota” and “taken as a whole, lacks serious literary, artistic, political, or scientific value for minors” leaves too much uncertainty as to what that definition is, especially when this bill also wants to add a “penalty” clause that would withhold funding until a library would be determined to be in compliance.

The House Bill 1205 from the 2023 legislative session already addressed age-appropriate materials in our libraries. No further legislation is needed or appropriate.

Thank you.

Juanita Hocking

Kim Hocking

Testimony in Favor of SB 2307

I am in favor of this bill to protect our children. If you want to see the horrible, sexually explicit books the public schools are putting out for children to read, I recommend taking a trip down to South Middle School in Grand Forks. They don't even try to hide it; they are proud of it. There is absolutely no need for children to be viewing sexually explicit material.

I recommend a do-pass. Thank you for your time and consideration.

Naomi Bromke

Statewide Database Program for North Dakota

July 2024 – June 2025

Thank you for your library's continued participation in the Statewide Database Program. The program serves the full spectrum of library users – from students in K-12 schools, to learners in academic institutions, to lifelong learners in public and special libraries with multidisciplinary database products that include full-text from journals, magazines, other periodicals, news sources, books, web content, and/or video, images, media, and content in other formats.

Resources are negotiated by Minitex (MN) with the collection selected by a task force comprised of funding partners from North Dakota, South Dakota, and Minnesota. ODIN – in collaboration with the North Dakota State Library – provides access* to participating North Dakota libraries. The current list of included resources are below and on the ODIN website: https://www.odin.nodak.edu/databases.

Billing Explanation

For FY25, The ND Statewide Database invoice totaled **$280,271**. ODIN applied **$111,975** in state appropriated dollars towards the bill. The State Library contributes an additional **$9,600** to further reduce the amount billed to libraries. The remaining amount, **$158,696**, is billed to participating libraries using the following formula:

1. Vendor usage statistics (total platform searches) were gathered based on library type and can be found at https://www.odin.nodak.edu/eresources/statistics.
2. Usage percentages by library type are then applied to each vendor's bill.
    a. ***Example**: Gale/Cengage's bill is $50,000 after appropriated and earmarked reductions. Gale/Cengage usage percentages were 10% Academic, 85% Schools, and 5% Public Libraries. In this example, Academics would be billed $5,000, Schools $42,500, and Public Libraries $2,500.*
3. Totals for each vendor are then added together, by library type, and divided by FTE, enrollment, or population depending on type. Here is the calculated rate for **FY25**:
    a. Academic Libraries = **$1.95 per FTE** (Student and Staff combined)
    b. Public Libraries = **$0.0134 per service population**
    c. School Libraries = **$1.58 per student** enrolled in grades 9-12 last fall
    d. Special Libraries = **$100 per library**

A detailed document listing the specific calculations is available on request.

Current List of Included Resources

EBSCO

- **Academic Search Complete****
- Applied Science & Technology Source

Gale

- Gale Academic OneFile Select
- Gale OneFile: Educator's Reference Complete

- Alt Health Watch
- Business Source Premier
- Consumer Health Complete
- Consumer Health Reference eBook Collection
- EBSCO Open Dissertations
- ERIC
- European Views of the Americas
- GreenFILE
- Health Source: Consumer Edition
- Health Source: Nursing / Academic Edition
- LISTA
- MAS Complete
- MAS Reference eBook Collection
- MasterFILE Complete
- MasterFILE Reference Collection
- MegaFILE
- Middle Search Plus
- Middle Search Reference eBook Collection
- Newspaper Source
- Points of View Reference Center
- Primary Search
- Primary Search Reference eBook Collection
- Professional Development Collection
- Regional Business News
- Science Reference Center
- Science Reference eBook Collection
- Teacher Reference Center
- World Politics Review

ProQuest

- US Newsstream (including Star Tribune)

- Gale OneFile: High School
- Gale OneFile: Informe Acedemico
- Gale OneFile: News
- Gale OneFile: Science
- Gale in Context: College
- Gale in Context: High School
- Gale in Context: Middle School
- Gale in Context: Elementary
- National Geographic Kids

Britannica

- Britannica Academic Edition
- Britannica Library
- Britannica School
- Britannica Kids

OCLC

- Clase/Periodica
- ERIC
- GPO Monthly Catalog
- MEDLINE
- OAISter
- OCLC ArticleFirst
- OCLC Electronic Books
- OCLC Electronic Collections Online A&I
- OCLC PapersFirst
- OCLC ProceedingsFirst
- OCLC WorldCat Dissertations and Theses
- WorldCat

Capstone

- PebbleGo: Animals and Biographies
- PebbleGo Next: State and Native American Studies

More Info

- For billing questions, please contact the Director of ODIN, Jason.Bedsaul@ndus.edu
- For Technical issues, submit a ticket: https://www.odin.nodak.edu/helpticket or email: odinhelp@listserv.nodak.edu
- For more info about the regional Minitex Program: https://minitex.umn.edu/services/elibrary-minnesota/about-elibrary-minnesota/elm-collection-purpose-statement

*__ODIN provides and maintains access to resources at no additional cost to all participating libraries__ using a combination of methods including IP (location), proxies, APIs and SAML-based options. ODIN will make a 'best effort' to support non-ODIN member libraries with other methods but cannot always guarantee access or support beyond services and platforms ODIN manages.

**__For FY25, Academic Search Complete__ is an upgrade from the base package offering of Academic Search Premier made available statewide through a collaborative purchase between 12 Academic Libraries and ODIN with no additional cost to other libraries.

Library Type	Implementation (One Time Cost)	Year One	Year One + Implementation	Year Two	Year Three	Year Four
Academic	$ 56,280	$ 69,200	$ 125,480	$ 72,660	$ 76,293	$ 80,107.65
School	$ 150,483	$ 173,285	$ 323,768	$ 181,949	$ 191,047	$ 200,599.05
Public	$ 63,298	$ 167,650	$ 230,948	$ 176,033	$ 184,834	$ 194,075.83
Totals	$ 270,060	$ 410,135	$ 680,195	$ 430,642	$ 452,174	$ 474,782.53

Fiscal Request

FY26 - FY27 (Implementation + 2 years)	$ 1,110,837
FY28 - FY29 Ongoing Per Biennium	$ 926,956

Library Name	City	FTE/Pop. Served	Year One	Year One Implementation-One Time Cost	Year One Total Cost	Year Two	Year Three
North Dakota School for the Deaf Library	Devils Lake	35	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
Trinity Bible College and Graduate School	Ellendale	231	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
UND Thormodsgard Law Library	Grand Forks	274	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
Dakota College at Bottineau Library	Bottineau	724	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Williston State College Library	Williston	785	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Lake Region State College Library	Devils Lake	966	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Mayville State University Library	Mayville	1012	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
University of Jamestown	Jamestown	1235	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Dickinson State University Library	Dickinson	1309	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Valley City State University Library	Valley City	1340	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
UND SMHS Library Resources	Grand Forks	1783	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
North Dakota State College of Science Library	Wahpeton	2240	$ 6,400	$ 4,300	$ 10,700	$ 6,720	$ 7,056
Minot State University Library	Minot	2684	$ 6,400	$ 4,300	$ 10,700	$ 6,720	$ 7,056
Bismarck State College Library	Bismarck	2769	$ 6,400	$ 4,300	$ 10,700	$ 6,720	$ 7,056
UND Chester Fritz Library	Grand Forks	11247	$ 9,500	$ 6,925	$ 16,425	$ 9,975	$ 10,474
North Dakota State University Library	Fargo	13201	$ 9,500	$ 6,925	$ 16,425	$ 9,975	$ 10,474
UND Music Library	Grand Forks	NA	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
			$ 86,500	**$ 70,350**	**$ 156,850**	**$ 90,825**	**$ 95,366**

	Year One	Year One Implementation-One Time Cost	Year One Total Cost w/Discount	Year Two w/Discount	Year Three w/Discount
With 30% Off All-in	**$ 69,200**	**$ 56,280**	**$ 125,480**	**$ 72,660**	**$ 76,293**

School	Service Population (2024)	Year One Subscription Fee	Year One Implementation-One	Year One Total Cost	Year Two	Year Three
EDMORE PUBLIC SCHOOL (Edmore 2)	5	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
JOHNSON CORNERS CHRISTIAN ACADEMY	8	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ZEELAND PUBLIC SCHOOL (Zeeland 4)	9	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STARKWEATHER PUBLIC SCHOOL (Starkweather 44	17	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MUNICH PUBLIC SCHOOL (Munich 19)	21	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MARMOT HIGH SCHOOL (Youth Correction Center)	23	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEWBURG-UNITED PUBLIC SCHOOL (Newburg-Unit	23	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BOWBELLS PUBLIC SCHOOL (Bowbells 14)	24	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BURKE CENTRAL PUBLIC SCHOOL (Burke Central 36	24	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WING PUBLIC SCHOOL (Wing 28)	25	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FINLEY- SHARON PUBLIC SCHOOL (Finley-Sharon 1	26	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GACKLE-STREETER PUBLIC SCHOOL (Gackle-Streete	27	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FAIRMOUNT PUBLIC SCHOOL (Fairmount 18)	28	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LEEDS PUBLIC SCHOOL (Leeds 6)	33	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
McCLUSKY HIGH SCHOOL (McClusky 19)(McClusky-	33	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HAZELTON-MOFFIT-BRADDOCK PUBLIC SCHOOL (H	37	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SCRANTON PUBLIC SCHOOL (Scranton 33)	39	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STRASBURG HIGH SCHOOL (Strasburg 15)	39	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ELGIN- NEW LEIPZIG PUBLIC SCHOOL (Elgin-New Le	40	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ASHLEY PUBLIC SCHOOL (Ashley 9)	41	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HOPE-PAGE HIGH SCHOOL (Hope 10_	41	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KULM PUBLIC SCHOOL (Kulm 7)	42	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HEBRON PUBLIC SCHOOL (Hebron 13)	43	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
PINGREE - BUCHANAN HIGH SCHOOL (Pingree-Buch	43	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
TURTLE LAKE - MERCER PUBLIC SCHOOL (Turtle Lak	45	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAX PUBLIC SCHOOL (Max 50)	46	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HATTON EIELSON PUBLIC SCHOOL (Hatton Eilson 7	47	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LAKOTA HIGH SCHOOL (Lakota 66)	47	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WESTHOPE PUBLIC SCHOOL (Westhope 17)	47	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DRAYTON PUBLIC SCHOOL (Drayton 19)	49	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DRAKE HIGH SCHOOL (Drake 57)	50	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GRENORA PUBLIC SCHOOL (Grenora 99)	51	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MIDWAY PUBLIC SCHOOL (Midway 128) Inkster Hig	52	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FESSENDEN-BOWDON PUBLIC SCHOOL (Fessenden	53	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MIDKOTA HIGH SCHOOL (Midkota 7) Binford	53	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MANDREE PUBLIC SCHOOL (Mandaree 36)	54	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736

MILNOR PUBLIC SCHOOL (Milnor 2)	55	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
VALLEY-EDINBURG HIGH SCHOOL (Valley-Edinburg 118)	57	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GLEN ULLIN PUBLIC SCHOOL (Glen Ullin 48)	58	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ROLETTE PUBLIC SCHOOL (Rolette 29)	58	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
UNDERWOOD PUBLIC SCHOOL (Underwood 8)	58	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CENTRAL VALLEY PUBLIC SCHOOL (Central Valley 3)	59	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WISHEK PUBLIC SCHOOL (Wishek 19)	59	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GLENBURN PUBLIC SCHOOL (Glenburn 26)	60	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WARWICK PUBLIC SCHOOL (Warwick 29)	61	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTH SARGENT PUBLIC SCHOOL (North Sargent 3	63	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MINNEWAUKAN PUBLIC SCHOOL (Minnewaukan 5	64	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WYNDMERE PUBLIC SCHOOL (Wyndmere 42)	64	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WHITE SHIELD PUBLIC SCHOOL (White Shield 85)	65	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
EDGELEY PUBLIC SCHOOL (Edgeley 3)	67	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
Powers Lake 27	67	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAPLE VALLEY HIGH SCHOOL (Maple Valley 4)	69	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MOTT- REGENT PUBLIC SCHOOL (Mott-Regent 1)	69	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NAPOLEON PUBLIC SCHOOL (Napoleon 2)	69	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LaMOURE PUBLIC SCHOOL (LaMoure 8)	71	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEW ENGLAND PUBLIC SCHOOL (New England 9)	71	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HANKINSON PUBLIC SCHOOL (Hankinson 8)	72	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MT PLEASANT PUBLIC SCHOOL (Mt Pleasant 4) Roll	72	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BARNES COUNTY NORTH PUBLIC SCHOOL (Barnes (	75	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DAKOTA PRAIRIE HIGH SCHOOL (Dakota Prairie 1)	76	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTH STAR PUBLIC SCHOOL (North Star 10 Cando	76	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WILTON PUBLIC SCHOOL (Wilton 1)	77	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RICHARDTON-TAYLOR HIGH SCHOOL (Richardton-T	78	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HETTINGER PUBLIC SCHOOL (Hettinger 13)	79	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GRIGGS COUNTY CENTRAL PUBLIC SCHOOL (Griggs	80	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
PARSHALL HIGH SCHOOL (Parshall 3)	81	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RICHLAND HIGH SCHOOL (Richland 44) Colfax	81	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LINTON PUBLIC SCHOOL (Linton 36)	82	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CENTER - STANTON PUBLIC SCHOOL (Center-Stanto	83	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ELLENDALE PUBLIC SCHOOL (Ellendale 40)	84	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FLASHER PUBLIC SCHOOL (Flasher 39)	87	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MINTO PUBLIC SCHOOL (Minto 20)	89	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MLS-MOHALL PUBLIC SCHOOL (Mohall-Lansford-Sh	90	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ALEXANDER PUBLIC SCHOOL (Alexander 2)	91	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KENMARE HIGH SCHOOL (Kenmare 28)	91	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736

WASHBURN PUBLIC SCHOOL (Washburn 4)	92	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTH BORDER-WALHALLA PUBLIC SCHOOL (Nort	93	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTHWOOD PUBLIC SCHOOL (Northwood 129)	94	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STEELE-DAWSON PUBLIC SCHOOL (Kidder County 1	95	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BISHOP RYAN HIGH SCHOOL	96	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BELFIELD PUBLIC SCHOOL (Belfield 13)	98	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BEACH HIGH SCHOOL (Beach 3)	100	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
Berthold Public School (Lewis and Clark 161)	101	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ENDERLIN AREA PUBLIC SCHOOL (Enderlin Area 24	101	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
TGU TOWNER & GRANVILLE HIGH SCHOOL (include	101	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DIVIDE COUNTY HIGH SCHOOL (Divide County 1)	103	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEW SALEM-ALMONT HIGH SCHOOL (New Salem-A	103	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
EIGHT MILE PUBLIC SCHOOL (Eight Mile 6)	105	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GARRISON HIGH SCHOOL (Garrison 51)	106	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CAVALIER PUBLIC SCHOOL (Cavalier 6)	112	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SOUTH HEART PUBLIC SCHOOL (South Heart 9)	116	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RAY PUBLIC SCHOOL (Nesson 2)	118	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HARVEY HIGH SCHOOL (Harvey 38)	119	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ST JOHN PUBLIC SCHOOL (Saint John 3)	127	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
PARK RIVER AREA PUBLIC SCHOOL (Park River Area	129	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LARIMORE HIGH SCHOOL (Larimore 44)	131	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LANGDON AREA HIGH SCHOOL (Langdon Area 23)	133	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SURREY PUBLIC SCHOOL (Surrey 41)	133	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
VELVA PUBLIC SCHOOL (Velva 1)	136	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
TIOGA HIGH SCHOOL (Tioga 15)	138	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAY-PORT CG HIGH SCHOOL (May-Port CG 14)	151	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
OAKES HIGH SCHOOL (Oakes 41)	154	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CARRINGTON HIGH SCHOOL (Carrington 49)	160	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BOWMAN COUNTY PUBLIC SCHOOL (Bowman Cou	161	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HAZEN HIGH SCHOOL (Hazen 3)	166	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HILLSBORO HIGH SCHOOl (Hillsboro 9)	166	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SOUTH PRAIRIE SCHOOL DISTRICT (South Prairie 70	166	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
THOMPSON PUBLIC SCHOOL (Thompson 61)	168	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KILLDEER PUBLIC SCHOOL (Killdeer 16)	173	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
OAK GROVE LUTHERAN HIGH SCHOOL	179	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DICKINSON TRINITY HIGH SCHOOL	193	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTHERN CASS PUBLIC SCHOOL (Northern Cass 9	201	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BEULAH HIGH SCHOOL (Beulah 27)	205	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LISBON HIGH SCHOOL (Lisbon 19)	206	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RUGBY HIGH SCHOOL (Rugby 5)	210	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736

DES LACS-BURLINGTON HIGH SCHOOL (United 7)	211	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STANDING ROCK COMMUNITY GRANT HIGH SCHO	211	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STANLEY HIGH SCHOOL (Stanley 2)	213	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KINDRED HIGH SCHOOL (Kindred 2)	267	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GRAFTON HIGH SCHOOL (Grafton 18)	291	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CENTRAL CASS PUBLIC SCHOOL (Central Cass 17) C	306	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SHANLEY CATHOLIC HIGH SCHOOL/SULLIVAN MIDD	316	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
VALLEY CITY HIGH SCHOOL (Valley City 2)	318	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ST MARYS CENTRAL HIGH SCHOOL	352	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WAHPETON HIGH SCHOOL (Wahpeton 37)	371	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
Watford City High School (McKenzie Co 1)	531	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
DEVILS LAKE HIGH SCHOOL (Devils Lake 1)	539	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
TURTLE MOUNTAIN COMMUNITY HIGH SCHOOL (	553	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
JAMESTOWN HIGH SCHOOL (Jamestown 1)	759	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
DICKINSON HIGH SCHOOL (Dickinson 1)	1130	$ 3,050	$ 1,775	$ 4,825	$ 3,203	$ 3,363
MANDAN HIGH SCHOOL (Mandan 1)	1268	$ 3,050	$ 1,775	$ 4,825	$ 3,203	$ 3,363
WILLISTON HIGH SCHOOL (Williston Basin 7)	1376	$ 3,050	$ 1,775	$ 4,825	$ 3,203	$ 3,363
MINOT HIGH SCHOOLS (Minot 1)	2118	$ 3,675	$ 1,775	$ 5,450	$ 3,859	$ 4,052
GRAND FORKS PUBLIC SCHOOLS (Grand Forks 1)	2344	$ 3,675	$ 1,775	$ 5,450	$ 3,859	$ 4,052
FARGO PUBLIC SCHOOLS (Fargo 1)	3560	$ 4,925	$ 1,775	$ 6,700	$ 5,171	$ 5,430
WEST FARGO HIGH SCHOOL (West Fargo 6)	3582	$ 4,925	$ 2,000	$ 6,925	$ 5,171	$ 5,430
BISMARCK PUBLIC SCHOOLS (Bismarck 1)	4301	$ 5,675	$ 2,000	$ 7,675	$ 5,959	$ 6,257
BOTTINEAU PUBLIC SCHOOLS		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LIDGERWOOD PUBLIC SCHOOL (Lidgerwood 28)		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAPLETON (Mapleton 7)		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEDROSE PUBLIC SCHOOL		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SAWYER PUBLIC SCHOOL (Sawyer 16)		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ST. THOMAS PUBLIC SCHOOL (St Thomas 43) - merged with Grafton - DO NO		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
		$ 247,550	**$ 214,975**	**$ 462,525**	**$ 259,928**	**$ 272,924**

	Year One	Year One Implementation-One	Year One Total Cost w/Discount	Year Two w/Discount	Year Three w/Discount
With 30% Off All-in	**$ 173,285**	**$ 150,483**	**$ 323,768**	**$ 181,949**	**$ 191,047**

	Service Population (2024)	Year One Subscription Fee	Year One Implementation-One Time Cost	Year One Total Cost	Year Two	Year Three
MARGARET FRAASE PUBLIC LIBRARY - BUFF	188	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
BOWBELLS PUBLIC LIBRARY	279	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MAX COMMUNITY LIBRARY	331	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
STANTON PUBLIC LIBRARY	368	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MCVILLE COMMUNITY LIBRARY	372	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MADDOCK COMMUNITY LIBRARY	373	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LEEDS PUBLIC LIBRARY	442	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
FORMAN PUBLIC LIBRARY	479	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ROLETTE CITY LIBRARY	484	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
PEMBINA CITY & SCHOOL LIBRARY (NORTH	498	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ELGIN PUBLIC LIBRARY	503	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
TURTLE LAKE PUBLIC LIBRARY	542	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
EDGELEY PUBLIC LIBRARY	573	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LIDGERWOOD CITY LIBRARY	600	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ASHLEY PUBLIC LIBRARY	613	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
SATRE MEMORIAL MILNOR SCHOOL LIBRAI	624	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MOHALL PUBLIC LIBRARY	650	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MOTT PUBLIC LIBRARY	653	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
NEW ENGLAND PUBLIC LIBRARY	683	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LAKOTA CITY LIBRARY	686	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LIBRARY	700	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
GLEN ULIN PUBLIC LIBRARY	732	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LAMOURE PUBLIC LIBRARY	761	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
HEBRON PUBLIC LIBRARY	780	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
UNDERWOOD PUBLIC LIBRARY	784	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
WISHEK PUBLIC LIBRARY	825	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ENDERLIN MUNICIPAL LIBRARY	843	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
KILLDEER PUBLIC LIBRARY	876	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
KINDRED PUBLIC LIBRARY	889	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
WALHALLA PUBLIC LIBRARY	893	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
NORTHWOOD SCHOOL & PUBLIC LIBRARY	914	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
PARSHALL PUBLIC LIBRARY	949	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756

VELVA SCHOOL & PUBLIC LIBRARY	1,036	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HARRY L. PETRIE PUBLIC LIBRARY - Linton	1,041	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CANDO COMMUNITY LIBRARY	1,117	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
ELLENDALE PUBLIC LIBRARY	1,125	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
ROLLA PUBLIC LIBRARY	1,223	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CAVALIER PUBLIC LIBRARY	1,248	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
EDNA RALSTON PUBLIC LIBRARY	1,260	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WASHBURN PUBLIC LIBRARY	1,300	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
PARK RIVER SCHOOL & PUBLIC LIBRARY	1,393	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GARRISON PUBLIC LIBRARY	1,462	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HARVEY PUBLIC LIBRARY	1,604	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GOLDEN VALLEY COUNTY LIBRARY	1,736	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
OAKES SCHOOL & PUBLIC LIBRARY	1,748	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CARRINGTON PUBLIC LIBRARY	2,027	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
STANLEY PUBLIC LIBRARY	2,037	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
ADAMS COUNTY LIBRARY	2,041	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
DIVIDE COUNTY PUBLIC LIBRARY	2,179	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GRIGGS COUNTY PUBLIC LIBRARY	2,188	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
LISBON PUBLIC LIBRARY	2,204	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HAZEN PUBLIC LIBRARY	2,281	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
EDDY - NEW ROCKFORD PUBLIC LIBRARY	2,347	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
KIDDER COUNTY PUBLIC LIBRARY	2,394	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CASSELTON PUBLIC LIBRARY	2,477	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
NEW TOWN PUBLIC LIBRARY	2,764	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
BOWMAN REGIONAL PUBLIC LIBRARY	2,878	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
BEULAH PUBLIC LIBRARY	3,058	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CAVALIER COUNTY LIBRARY	3,704	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HEART OF AMERICA LIB-PIERCE COUNTY	3,940	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
BOTTINEAU COUNTY LIBRARY	6,254	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
LEACH PUBLIC LIBRARY - WAHPETON	8,016	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CARNEGIE REGIONAL- GRAFTON LIBRARY	10,563	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
VALLEY CITY BARNES COUNTY PUBLIC LIBR	10,650	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
LAKE REGION PUBLIC LIBRARY - DEVILS LAK	11,349	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
MCKENZIE COUNTY PUBLIC LIBRARY	14,615	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
McLEAN MERCER REGIONAL LIBRARY	18,223	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WARD COUNTY PUBLIC LIB-COUNTY	20,597	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693

JAMES RIVER VALLEY LIBRARY SYSTEM	21,279	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
MORTON MANDAN PUBLIC LIBRARY	34,010	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
DICKINSON AREA PUBLIC LIBRARY	35,297	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WILLISTON COMMUNITY LIB-WILLIAMS CN	37,353	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WEST FARGO PUBLIC LIBRARY	41,074	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
MINOT PUBLIC LIBRARY	47,139	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GRAND FORKS PUBLIC LIBRARY	72,215	$ 4,725	$ 1,775	$ 6,500	$ 4,961	$ 5,209
BISMARCK PUBLIC LIBRARY	99,906	$ 4,725	$ 1,775	$ 6,500	$ 4,961	$ 5,209
FARGO PUBLIC LIBRARY	136,909	$ 9,350	$ 1,775	$ 11,125	$ 9,818	$ 10,308
		$ 239,500	**$ 90,425**	**$ 329,925**	**$ 251,475**	**$ 264,049**
		Year One	**Year One Implementation-One Time Cost**	**Year One Total Cost w/Discount**	**Year Two w/Discount**	**Year Three w/Discount**
	With 30% Off All-in	**$ 167,650**	**$ 63,298**	**$ 230,948**	**$ 176,033**	**$ 184,834**

February 7, 2025

Senator Larson and members of the Judiciary Committee,

For the record, my name is Jason Bedsaul, Director of ODIN, North Dakota University System – Core Technology Services Division and I appreciate the opportunity to share our expertise and insight on the impacts of SB2307 to our services and the state's libraries.

Let me say at the start that my comments are as Director of ODIN and are intended to be neutral. We take no position and none of the following should be considered as "In Favor of" or "Opposed to".

I am providing neutral testimony – specifically relating to Section 6 – so the committee can make an informed decision on the impact this legislation would have on the Statewide Database program and to all libraries we serve through it.

Potential Impacts

We have identified a few areas where this bill would have an impact:

1. **Fiscal Impact**. Our current systems only verify location, not identity. Libraries subscribe to the resources, but we don't verify any personally identifying information – age, name, etc. This solution is simple in design but is admittedly a dated way to provide access to resources so an update of our authentication system would improve our filtering abilities and security overall to help libraries comply with this law change. Updating to identity verification without fiscally burdening libraries would require a new solution. We estimate a statewide increase of $1,110,837 this biennium and $926,956 over the next biennium. This system would enable libraries to filter and block K-12 viewing and access while preserving access for non-K-12 patrons, as proposed in the bill. A more detailed breakdown of these costs by library type and location has also been provided as testimony should this bill be amended to exclude specific library types like how the State Library has been excluded.
2. **Pedagogical Impact**. Many of the resources are multidisciplinary and are used by students in high schools and adults in public libraries across the state. With the current stipulation that libraries need to preemptively prevent K-12 access to

materials that some citizens could find to be in non-compliance with subsection 2.3, some popular multidisciplinary databases would have to be disabled entirely for schools. For example, in the last full data period collected, Grand Forks Public Schools used EBSCO's Academic Search Complete over 6,500 times, Lisbon over 3,800 times, and Devils Lake over 2,300 times.

3. **Collection management**. Many of the databases update automatically without direct library intervention and contain millions of materials. For example, Lake Region State College students have access to over 200 million ebooks, journal and newspaper articles, while West Fargo Public Library offers over 16 million resources from EBSCO alone. Verifying all resources for ongoing compliance with subsection 2.3 would present logistical challenges.
4. **Non-K-12 patron impac**t. Most database and ebook providers can remove specific materials upon request, but doing so often requires additional effort from both vendors and staff to create customized collections. We have also heard from some vendors that preventing K-12 access alone is not possible so some targeted removal from a database collection would result in all patrons losing access, not just K-12.
5. **Underserved/Rural community impact**. A core focus of our mission is to serve the state's underserved population. Many rural school districts operate understaffed and there are many public libraries that operate as volunteer-only. ODIN can deliver these resources with our current system with minimal technical effort from the school or library. Smaller and rural schools and libraries rely on the program as an easy and affordable opt-in program to instantly add a wide basket of educational resources for their patrons.
6. **Stability of the Program**. Institutions of Higher Education rely on some of these resources to maintain accreditation. The price we can provide them with and the ability to 'spread out' the costs across many libraries helps ensure we are being good stewards of state and local public resources. We anticipate that academic libraries will find a way to procure many of these resources on their own and perhaps change their policies to prevent non campus access to K-12 students, but the total costs will likely rise with less access than we are currently able to provide.

I maintain we are not testifying on the merits or intent of the bill. Our intent is to inform this committee and the legislative body how the program works and what the current technical limitations are in complying with SB2307.

Thank you for your time and consideration and I appreciate the opportunity to provide additional information as you deliberate on SB2307. Below is a bit more information about the Statewide Database Program and ODIN. I have submitted along with this testimony the

detailed quote I mentioned earlier as well as a breakdown of the Statewide Database Program, what's included, and how billing works as supplemental information.

Best,

Jason Bedsaul
Director of Online Dakota Information Network (ODIN)
jason.bedsaul@ndus.edu | 701-969-9135
www.odin.nodak.edu

About the Statewide Database Program

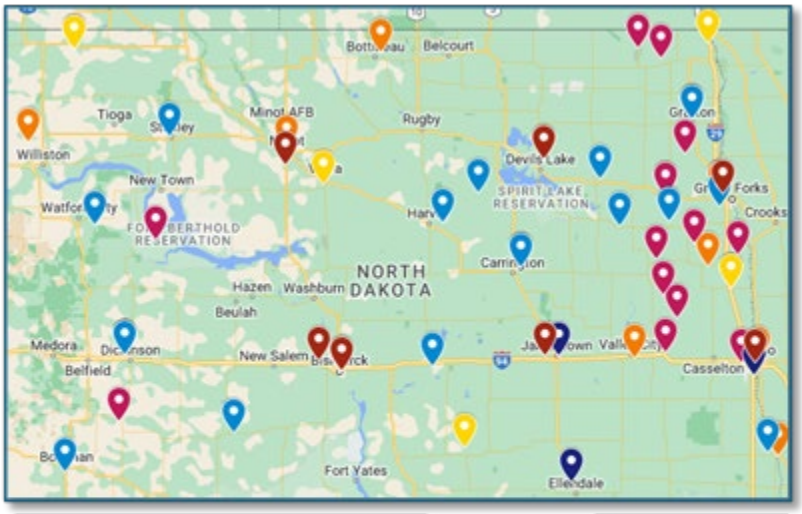
ODIN provides authentication and billing support for several academic database vendors - EBSCO, Gale/Cengage, ProQuest, Capstone (PebbleGo), OCLC, and Britannica, among others. The supported resources are used over 1 million times a month from over 220 participating libraries, including:

- All public, private, and tribal colleges and universities,
- 138 school districts, and
- 61 public libraries.

We, along with the State Library and a committee of librarians, collaborate with Minnesota and South Dakota to pool our collective bargaining power to negotiate the best price possible. Combined with decades of additional fiscal support – nearly a quarter of a million dollars per biennium - from this legislative body, we can bring a diverse collection of high-quality educational resources to all students and citizens at an affordable rate.

The program is widely used with an average of over 1 million searches a month across the state and remains an integral part of our efforts and mission to provide our most rural communities with high quality, educational resources.

About ODIN



This map denotes the locations of ODIN's 67 member libraries across the state. The legend on the right indicates the type and quantity of libraries served.

ODIN, a subdivision of the North Dakota University System Core Technology Services Division (NDUS CTS), provides library management services and system support for 67 member libraries across North Dakota, including the 11 NDUS institutions and the ND State Library. The remaining libraries served by ODIN are comprised of two private higher education institutions, K-12 schools, public libraries, and special libraries. The ODIN Office also provides authentication services for E-resource access to other ND libraries. In total, over 300 ND libraries and schools benefit from ODIN's services.

Written Testimony from Officers of the Friends of the West Fargo Public Library
Contact: friendsofthewfpl@gmail.com
In opposition of SB 2307

Members of the Judiciary Committee,

We are the officers of the Friends of the West Fargo Public Library and are writing to you in opposition of Bill 2307. The Friends of the Library consist of community members who love the library and support the library staff to make collection decisions, since we know that they are highly educated in their field.

We have several other concerns about this bill:

The passing of this bill would mean that we could no longer hold our friends of the library book sale, which would lead to a significant loss of fundraising opportunities for library programming and outreach, including the summer reading program, which encourages developing young readers to practice early literacy skills. We also know reading during the summer highly benefits children before returning to school again in the fall.

There are huge financial implications for the library, which is already underfunded and now in addition there will be losses of collections and resources to the community. These are things that the Friends of the Library have heavily supported through our volunteerism and fundraising.

Please, we urge you to oppose SB 2307! The community of West Fargo depends on our library!

Sara Westall, private citizen—On behalf of the Friends of the West Fargo Public Library board members

Testimony of Jill Manning, Ph.D., LMFT, CCPS, EMDR, CCTP, BH-TMH
Licensed Marital & Family Therapist and Researcher
February 10, 2025, 2:30 PM Central (Remote Testimony)
Before the House Judiciary Committee
Senate Bill 2307: Requiring Libraries and Schools to Protect Children from Accessing Obscene Materials

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Madam Chair Larson and members of the Judiciary Committee,

Thank you for the opportunity to testify in support of Senate Bill 2307.

I am Dr. Jill Manning, a Licensed Marriage and Family Therapist specializing in the impacts of pornography and sexual betrayal on individuals and families. Drawing upon twenty-five years of clinical and research experience, I testify as a clinician, researcher, mother of teens, and daughter of a retired librarian.

The Growing Crisis of Underage Exposure

We face an alarming reality: ***underage pornography exposure is now the norm*** (Carroll et al., 2025).

The Internet not only grants children unprecedented access to obscene material but actively *pushes* it into their lives through algorithms, tracking cookies, and deceptive marketing (Carroll et al., 2025; Manning, 2005). However, digital sources are not the sole culprit—schools and libraries also contribute to this exposure, compounding the sexually explicit *load* youth encounter (Solas, 2023).

The sheer volume of explicit books and content in public and school libraries is extensive. Furthermore, as Nicole Solas, a Senior Fellow with the Education Freedom Center, points out: "These books do not simply provide clinical sex education describing anatomy and reproduction. They contain numerous *pornographic passages and pictures* meant to instruct children on sexual pleasure, to sexually excite children, or push…ideological views of sex and sexuality (Solas, 2023)."

Decades of peer-reviewed research (Carroll et al., 2025; Owen et al., 2012; Manning, 2006) confirm that early exposure to sexually explicit content has profound and lasting consequences.

Documented Harms of Pornography Exposure on Youth

To underscore the urgency of this issue, I will highlight five categories of harm—which studies show adults grossly underestimate (Wright et al., 2023).

1. Neurological Development:

- Exposure to pornography structurally alters brain regions responsible for impulse control, decision-making, and emotional regulation while also decreasing grey matter volume in the prefrontal cortex (Brief of Amici Curiae Scholars, 2024; Kühn et al., 2014; Draps et al., 2020).
- These structural changes then increase susceptibility to compulsive behaviors, including addiction (Brief of Amici Curiae Scholars, 2024).

2. Cognitive and Behavioral Risks:

- Pornography normalizes aggression and misogyny, especially when violent content is consumed (Manning, 2006), and *most* mainstream pornography *is* violent according to content analyses (Bridges et al., 2012).
- It also normalizes promiscuity and sexual violence (Manning, 2006), leading children to mimic what they see. A recent report out of the U.K. reveals children are now the largest group of perpetrators of sexual abuse against children, with pornography identified as the leading factor in the quadrupling of such offenses in recent years (The Guardian, 2024).
- Additionally, exposure fosters mechanical views of sex and triggers earlier sexual initiation, increasing rates of sexually transmitted infections over the lifespan (Manning, 2006), and relational dissatisfaction in adulthood (Willoughby et al., 2022).

3. Emotional and Relational Harms:

- Early exposure reduces empathy while increasing relational aggression and narcissistic tendencies (Kasper et al., 2014; Manning, 2006).

- It lowers self-esteem, distorts body image, and diminishes the ability to form secure attachments (Owen et al., 2012; Manning, 2006).

4. Mental Health Consequences:

- Pornography consumption correlates with higher rates of depression, anxiety, loneliness, delinquent behaviors, suicidality, and lower life satisfaction (Altin et al., 2024; McGraw et al., 2024; Owen et al., 2012).

5. Academic Performance:

- Research links pornography use to impaired academic performance by disrupting attention, reducing focus, and slowing cognitive function (Šević et al., 2019; Beyens et al., 2015).

Each of these harms reflect a grave failure to protect the well-being of our youth.

Expert Warnings on the Harm to Developing Brains

In a recent Amicus Brief submitted to the federal Supreme Court, neurosurgeon Dr. Donald Hilton and biological psychology professor Dr. Frederick Toates stated:

*"**Childhood is the exact worst time for someone to be exposed to pornography**… The compulsive and addictive potential of pornography is a serious public health issue—most dangerous for young people, who are most susceptible* (Brief of Amici Curiae Scholars, 2024)*."*

Additionally, the American College of Pediatricians warns that "*because of its harmfulness to children, **pornography must never be used as a tool to teach children human sexuality*** (American College of Pediatricians, 2024)*."*

Why Senate Bill 2307 Is Essential

A 2018 study published in *The Journal of the American Medical Association* (Dickenson et al., 2018) found that 8.6 percent of American adults struggle with compulsive sexual behaviors and urges, the majority of whom were first exposed to pornography as minors. This means one in every 11.6 adults struggles with sexual compulsivity.

As a clinician, I have assessed and treated hundreds of children, teens, and adults harmed directly and indirectly by pornography exposure. I have yet to meet a sexually compulsive adult who did not begin consuming this material in their youth.

Since my testimony before a federal Senate Sub-Committee in 2005 (Manning, 2005), I have observed this situation worsening. The rise of smartphones and coarsening genres of pornography have contributed to a nearly threefold increase in compulsive sexual behavior over the last twenty years (Carnes, 2010; Dickenson et al., 2018).

Parents across political spectrums are now cataloging explicit school library content on independent websites and social media platforms because no universal system alerts them to sexually explicit materials in schools or libraries (Solas, 2023). *This is not an endeavor born of ample free time—it is a desperate response to a systemic failure.*

Protecting minors from obscenity is not "censorship" or "moral panic" but a fundamental responsibility of adults. The long-established practice of rating, restricting, and monitoring media for age appropriateness—as is done with radio, film, video games, and television (Solas, 2023)—is both reasonable and widely supported (Rasmussen Reports, 2022).

This is not about free speech or intellectual freedom—it is about child welfare. Schools and libraries must be safe spaces for learning and growth. While balancing the ideals of American librarianship with the protection of minors is complex and nuanced, practical solutions exist to reduce harm and support parents in raising healthy, well-adjusted children.

For this reason, I urge a DO PASS on Senate Bill 2307.

Thank you. I stand for questions.

References

Altin, M., De Leo, D., Tribbia, N., Ronconi, L., & Cipolletta, S. (2024). Problematic pornography use, mental health, and suicidality among young adults. *International Journal of Environmental Research and Public Health, 21*(9), 1228. https://doi.org/10.3390/ijerph21091228

American College of Pediatricians. (August, 2024). *The impact of pornography on children*. Retrieved February 7, 2025, from https://acpeds.org/position-statements/the-impact-of-pornography-on-children

Beyens, I., Vandenbosch, L., & Eggermont, S. (2015). Early adolescent boys' exposure to Internet pornography: Relationships to pubertal timing, sensation seeking, and academic performance. *The Journal of Early Adolescence, 35*(8), 1045–1068. https://doi.org/10.1177/0272431614548069

Braun-Courville, D. K., & Rojas, M. (2009). Exposure to sexually explicit websites and adolescent sexual attitudes and behaviors. Journal of Adolescent Health, 45(2), 156 162. (p. 157).

Bridges, A. J., Wosnitzer, R., Scharrer, E., Sun, C., & Liberman, R. (2010). Aggression and sexual behavior in best-selling pornography videos: A content analysis update. *Violence Against Women, 16*(10), 1065–1085. https://doi.org/10.1177/1077801210382866

Brief of Amici Curiae Scholars on the Neurological Effects of Pornography on Adolescents in Support of Respondent, *Free Speech Coalition v. Paxton*, No. 23-1122 (U.S. Supreme Court, filed November 22, 2024).

Carnes, P., Green, B. A., & Carnes, S. (2010). *The Same Heart: A Study of the Recovery Task in Sexual Addiction.* Sexual Addiction & Compulsivity, 17(1), 46-78.

Carroll, J. S., Willoughby, B. J., Wilcox, B., & Toscano, M. (2025). *Unprotected from porn: The rise of underage pornography use and the ways it is harming our children*. Wheatley Institute and the Family Studies Institute. https://wheatley.byu.edu/00000194-4cf9-d31a-a79f-cffb5fff0000/unprotected-from-porn-report-pdf

Common Sense Media. (2023, January 10). *Teens and pornography.* https://www.commonsensemedia.org/research/teens-and-pornography

Dickenson, J. A., Gleason, N., Coleman, E., & Miner, M. H. (2018). Prevalence of distress associated with difficulty controlling sexual urges, feelings, and behaviors in the United States. *JAMA Network Open, 1*(7), e184468. https://doi.org/10.1001/jamanetworkopen.2018.4468

Draps, M., Sescousse, G., Potenza, M. N., Marchewka, A., Duda, A., Lew-Starowicz, M., Kopera, M., Jakubczyk, A., Wojnar, M., & Gola, M. (2020). Gray matter volume differences in impulse control and addictive disorders—Evidence from a sample of heterosexual males. *The Journal of Sexual Medicine, 17*(9), 1761–1769. https://doi.org/10.1016/j.jsxm.2020.05.007

Kasper, T. E., Short, M. B., & Milam, A. C. (2014). Narcissism & internet pornography use. *Journal of Sex & Marital Therapy.* https://doi.org/10.1080/0092623X.2014.931313

Kühn, S., & Gallinat, J. (2014). Brain structure and functional connectivity associated with pornography consumption: The brain on porn. *JAMA Psychiatry, 71*(7), 827–834. https://doi.org/10.1001/jamapsychiatry.2014.93

Manning, J. C. (2005, November 9). *Testimony on pornography's impact on marriage & the family.* Hearing before the Subcommittee on the Constitution, Civil Rights, and Property Rights, Committee on the Judiciary, United States Senate.

Manning, J. C. (2006). The impact of internet pornography on marriage and the family: A review of the research. *Sexual Addiction & Compulsivity, 13*(2–3), 131–165. https://doi.org/10.1080/10720160600870711

McGraw, J. S., Grant Weinandy, J. T., Floyd, C. G., Hoagland, C., Kraus, S. W., & Grubbs, J. B. (2024, March 7). Problematic Pornography Use and Suicidal Thoughts: Results From Cross Sectional and Longitudinal Analyses. Psychology of Addictive Behaviors. Advance online publication. https://dx.doi.org/10.1037/adb0000996

Mori, C., Park, J., Racine, N., Ganshorn, H., Hartwick, C., & Madigan, S. (2023). Exposure to sexual content and problematic sexual behaviors in children and

adolescents: A systematic review and meta-analysis. *Child Abuse & Neglect, 143*, 106255. https://doi.org/10.1016/j.chiabu.2023.106255

Owens, E. W., Behun, R. J., Manning, J. C., & Reid, R. C. (2012). The impact of internet pornography on adolescents: A review of the research. *Sexual Addiction & Compulsivity, 19*(1–2), 99–122. https://doi.org/10.1080/10720162.2012.660431

Rasmussen Reports. (2022, October 3). *Voters against obscene books in public schools.* Rasmussen Reports. https://www.rasmussenreports.com/public_content/politics/partner_surveys/voters_against_obscene_books_in_public_schools

Šević, S., Mehulić, J., & Štulhofer, A. (2019). Is pornography a risk for adolescent academic achievement? findings from two longitudinal studies of male adolescents. *European Journal of Developmental Psychology*, *17*(2), 275–292. https://doi.org/10.1080/17405629.2019.1588104

The Guardian. (2024, January 10). *Children now biggest perpetrators of sexual abuse against children*. Retrieved from https://www.theguardian.com/society/2024/jan/10/children-now-biggest-perpetrators-of-sexual-abuse-against-children

Willoughby, B. J., & Dover, C. R. (2022). Context matters: Moderating effects in the associations between pornography use, perceived addiction, and relationship well-being. *The Journal of Sex Research.* https://doi.org/10.1080/00224499.2022.2148155

Wright, P.J., Herbenick, D., Paul, B. *et al.* U.S. Parents Underestimate Their Children's Pornography Use and Learning. *Arch Sex Behav* **52**, 373–383 (2023). https://doi.org/10.1007/s10508-022-02449-7

To members of the Senate Judiciary Committee:

In reviewing SB 2307, I, as a North Dakota resident and citizen, want to detail why this is a bill that could do severe damage to the state.

The value of libraries in North Dakota, at all levels (in K-12 schools, higher education, and those open to the public, including the ND Library and the SHSND archives) is immense. Throughout my life, I've been blessed to visit libraries of all of these kinds, including the two aforementioned libraries in Bismarck. They are critical to enriching the lives of people.

This proposed library bill creates more problems than it solves. Its overly broad definitions for prohibited content are very likely to lead to censorship. The particular focus on shared library databases is dangerous; these are valuable resources for knowledge building that are not known for hosting obscene material. The bill would severely restrict North Dakota libraries' access to these crucial tools. Finally, it would lead to unnecessary oversight on librarians who are already qualified and doing their jobs effectively (This cannot be understated, given the limited funding that libraries have to work with).

I ask you as committee members and senators to reject SB 2307, and to strive for ways to better protect libraries in the state. Thank you.

Benjamin Ferguson

Testimony in Opposition to SB 2307
Senate Judiciary Committee February 10, 2025

Chair Larson and members of the Senate Judiciary Committee, my name is Mariah Ralston and I'm writing in opposition to SB 2307. Thank you for the opportunity to submit testimony.

I believe if this bill is passed, special interest groups will use the vague parameters of "explicit sexual material" to challenge books that they personally disagree with from their own religious/cultural viewpoints. That is no reason for the State of North Dakota to empower their prejudice.

It behooves the State of North Dakota to support our citizens' constitutional rights, such as our First Amendment right to speak and receive information.

I believe if a patron takes issue with a specific book in our library collections, they should follow the review processes already in place in our libraries.

I believe this legislation is being used to target specific books that special interest groups have identified, and this bill is being used to intimidate librarians into pre-emptively censoring the materials they purchase for their collections.

This is not representative of a free and Democratic society.

My grandparents left North Dakota over eighty years ago to fight in World War II, and when they came back, this is one of the things they taught me: Americans don't burn books.

I strongly urge you to reject censorship and give SB 2307 a Do Not Pass recommendation.
Thank you for your consideration of my testimony.
Mariah Ralston (she/her)

NORTH DAKOTA Family Alliance LEGISLATIVE ACTION

Faith · Family · Freedom

Testimony in Support of Senate Bill 2307

Mark Jorritsma, Executive Director
North Dakota Family Alliance Legislative Action
February 10, 2025

Good afternoon, Madam Chair Larson and honorable members of the Senate Judiciary Committee. My name is Mark Jorritsma, and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of Senate Bill 2307 and respectfully request that you render a "DO PASS" on this bill.

Our organization and its constituents feel strongly about protecting minors from explicit sexual material. Many of our constituents have told us that they feel unsafe allowing their children and grandchildren to visit the public library when they are not present, because of the content found in books that are available and sometimes even promoted by the libraries. Both public and school libraries currently allow highly inappropriate books to be read by children, frequently under the guise of educational purposes.

In recent years, libraries have been permitted to aggressively push the boundaries further and further regarding what is shown to our children, and not surprisingly, the situation has continued to deteriorate. However, this bill would make libraries accountable to ensure no books in our North Dakota libraries violate our obscenity laws.

Counter to what some may claim, SB 2307 is not out to stifle creativity, artistic expression, or academic research. It specifically exempts organizations such as colleges, universities, museums, and art galleries from the requirements found in the bill. This bill is not about stifling expression or thought, but instead, has everything to do with protecting children from having their innocence stolen from them by age-inappropriate materials.

We understand that our world today is a complex and sometimes confusing place for children as they try to understand social constructs such as gender identity, or scientific facts about subjects such as biological reproduction, puberty, and STIs/STDs. They need to learn about these things to function in our society – shielding them is not an option. However, Senate Bill 2307 would ensure that they are introduced to these concepts honestly and appropriately when their parents decide it is time. We also like that it provides for a review process by the Attorney General with funding being contingent as determined by the outcome of their investigation. So often bills have no consequences for non-compliance, which renders them toothless.

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701·355·6425
www.ndfamilyalliance.org

NORTH DAKOTA
Family Alliance LEGISLATIVE ACTION
Faith · Family · Freedom

North Dakota Family Alliance Legislative Action wholeheartedly agrees with what this bill seeks to do – protect our children. For that reason, we ask that that your committee render a "DO PASS" on Senate Bill 2307.

Thank you for the opportunity to testify and I would be happy to stand for any questions.

Senate Judiciary Committee

SB 2307

February 10, 2025

Chair Larson, Vice Chair Paulson, and members of the Committee,

I am writing to communicate my opposition to SB 2307. I have strong concerns that this bill infringes on the freedom of parents and youth to choose their own reading materials. As an educator, parent, and engaged community member, I see that we already have reliable systems in place to prioritize purchase and placement of materials in our libraries. Every ND citizen has the freedom to become involved in that local process. We do not need onerous, and punitive legislation that places new burdens on librarians and library boards. Libraries and the people who staff them, should be supported as the foundation for developing citizens who think critically and engage with differences. Adding the potential for criminal penalties to this bill is extreme overreach that undermines the essential role that librarians play in communities.

I reject the argument that this bill would prevent something “dangerous.” We know that the materials being targeted have also proven to be a lifeline of affirmation for others. Families wishing to avoid certain content, already have the right and responsibility to determine which resources they want to access. Allowing a minority of citizens to identify the only acceptable stories and ideas, is an infringement on the freedoms we protect in America.

I implore you to reject SB 2307. Thank you for your time and consideration.

Amy Rand
1122 7th ST N
Fargo, ND 58102

February 9, 2025

Dear Representatives,

I come to you as a citizen of the state of North Dakota who firmly believes in the right to read, as well as letting parents actually parent their children.

I am writing in strong opposition to SB 2307.

In the 2023 legislative session, we had a bill that required all “sexually explicit” library materials to be removed from children’s areas. In the entire state, less than a dozen books were actually relocated. This is not because libraries did not go through their collections; it is because this is not nearly as big of the problem as it was framed to be.

SB 2307 requires that all “obscene” materials, that minors can access, be taken out. Most public libraries do not have four walls that separate their children’s or teen areas from the adult sections, let alone entirely different entrances into the libraries. If this bill were to go through, one of two things would happen. Either public libraries would need to basically gut their fiction and historical areas, or minors wouldn’t even be allowed in the buildings. Some might be able to build walls, but that will be a luxury for few.

As far as digital collections are concerned, the tools are not there to be able to fully monitor what minors can and cannot access. Which means that all the adult patrons, who love Libby, lose a lot of their e-book and e-audiobook options. Libraries would also lose access to a lot of databases, simply because the contents cannot be that closely controlled.

What children read, especially if they are taking it from the adult section of the library, really should be a parenting choice, not a government choice. One of the best things about libraries are that if a book is not a good fit for you, you can just return it. It might be an excellent fit for someone else.

Sincerely,

Tammy Kruger

I am writing to oppose the passage of SB 2307. I think the result of the change in language will be that, even though it appears to be intended to affect children's access to obscene materials, the access by adults will be affected more. Rarely, if ever, are adult-classified public library materials shelved in a children's collection to begin with. If the language is changed to say these materials cannot be shelved in an area that is accessible at all to children, public libraries will have to either wall off large parts of their buildings against entry by children or they will have to become children's-only or adults-only collections, either refusing to serve the part of the public that actually pays for library collections and services or refusing to serve the part of the public who has most to gain by developingva love of reading. If the legislature is not interested in paying for additional physical facilities or massive rennovations to existing buildings, I urge you to vote against SB 2307. Thank you.

Please do not pass SB 2307. My family and I live in Grand Forks and we use the Libby Library App constantly. We use the audible option to listen to books while making the daily drive to and from work @ Grand Forks AFB. I understand that the passage of SB 2307 would force ND libraries to stop offering online apps like Libby as there is no way to verify age on the app. This censorship is completely unnecessary. It is a parent's job to decide what books are appropriate for their child, not the state of ND. Passing SB 2307 would reduce our quality of life as we would not be able to borrow books through the app and can not afford to purchase books weekly.

February 9, 2025

To: Senate Judiciary Committee
Request: Oppose SB 2307

Chairperson Larson and Members of the Senate Judiciary Committee:

For the record my name is Christine Kujawa, Library Director at Bismarck Veterans Memorial Public Library (BVMPL) and lifelong citizen of North Dakota. I **oppose Senate Bill 2307**.

BVMPL, along with all ND public libraries, **are already in compliance with HB 1205**, which passed during the 68th Legislative Assembly **to address your concerns**.

Senator Keith Boehm was quoted in an article saying, "A simple cabinet that would hold 200 books would suffice in most circumstances." Senator Kent Weston said he doesn't "think it's unreasonable to ask that things be put away." To be clear, the bill as written does not state that citizens may *ask* librarians to place items in locked cabinets out of public view. Citizens will *tell* librarians to do this, and librarians will face **criminal charges** and **loss of state funding** if they don't follow through.

Similar laws with the same required actions are happening in other states and citizens are **successfully challenging constitutionality through litigation**.

For example, in 2024 an Arkansas judge ruled that this very action of "putting away" material:

1. "Restrains public libraries and booksellers from making available constitutionally protected books and other materials to their patrons and customers, which burdens the rights of those individuals to read and to receive information."
2. "Violates the First and Fourteenth Amendments because it imposes a content-based **restriction on speech**."
3. "Violates the First and Fourteenth Amendments by relying on vague and undefined terms that **permit arbitrary implementation**.
4. The judge ruled the law **unconstitutional** and permanently barred the defendants from implementing or enforcing these provisions in the future.

Knowingly passing laws that are successfully being challenged in court as unconstitutional and unlawful in other states would be imprudent and costly for the State of ND and its taxpayers.

On a federal level, in 2025 President Trump stated, "Government censorship of speech is intolerable in a free society."

On a state level, in 2023 former ND Governor Burgum stated, “America is built on a foundation of freedom of speech, the free exchange of ideas and the freedom from government interference to read - or not to read - books…”

On a local level, BVMPL received only two reconsideration requests in 2024, which represents only .00011% of our collection and .004% of our cardholders.

Leadership on federal and state levels support the freedom of speech, which applies to both verbal and written word, as does our local community. I respectfully request that the ND Legislature do the same.

Please vote “DO NOT PASS” on SB 2307.

Sincerely,
Christine Kujawa, MS, MM
Library Director, Bismarck Veterans Memorial Public Library

Kim Johnson
4911 44th Ave. S., #307
Fargo, ND 58104
(507) 479-1105

9th January 2025

Dear Chairperson and Members of the Senate,

I, a lifelong North Dakotan and weekly library patron, am writing to express my strong opposition to Senate Bill SB 2307 for multiple reasons listed below, but mainly because every parent deserves trust and responsibility, every child deserves access to age-appropriate materials, and every librarian the right to work in peace.

I believe that parents decide what materials their children should access and view. According to the American Library Association's Library Bill of Rights (https://www.ala.org/advocacy/intfreedom/librarybill), "Librarians and governing bodies should maintain that parents—and only parents—have the right and the responsibility to restrict the access of their children—and only their children—to library resources." In other words, this detrimental bill, if passed, would place the rights and responsibility (fiscal and more) onto librarians and governing bodies. Librarians and governing bodies do not have parental rights. They should not be making choices on behalf of children deciding what constitutes age-appropriate materials and obscenity controls.

The title of this punitive bill states there would be a new definition of a public library. Public libraries have been in human existence for over 5,000 years. I find it problematic to "redefine" what a public library is, what libraries do, what they catalog and organize, etc., especially by well-meaning yet under-qualified individuals. Also, the legal and administrative oversight to ensure compliance of this bill would be prohibitively expensive and counterproductive to educational and civil freedoms.

I never thought I would hear a legislator suggest penalizing librarians for doing their job, which is what this bill would do. Like abortion bans, states like Idaho are becoming health care deserts. No medical resident or OB-GYN wants to work within Idaho borders due to the laws penalizing doctors doing their job of providing healthcare. If this bill is passed, we will lose talented North Dakotan librarians to states where they can complete their work without fear of persecution, prosecution, and harassment. North Dakota will have a questionable reputation amongst parents and professionals, like Idaho does

today. The principle of library service, free and equitable access, applies to all users, minors as well as adults. Lack of access to information can be harmful to minors.

I urge this committee to put responsibility onto the parents. Parents signed up to be held accountable for their children's environment, education, and well-being. We owe librarians our thanks and protection from being held accountable for the choices made by others. I urge you to reject SB 2307 for all North Dakotans. Thank you for reading my testimony.

Sincerely,

Kimberlee Johnson

Dear Chair Larson and members of the Senate Judiciary Committee

My testimony is in opposition to Senate Bill 2307. I ask that you give this bill a “Do Not Pass” recommendation.

The library is for everybody and that means that there will be materials that are not suitable for all ages and there will be items that you personally will not like or do not think are appropriate. Developing a collection for a library that serves the public with a wide variety of viewpoints and a collection that balances the needs and wants of a community is a skill. In addition, each community, each library is different. Therefore, librarians are trained in collection development and libraries have policies that guide the selection of materials for their collection. ND libraries have a separate policy for the selection of material for children that includes the Miller test and safeguard against obscene materials. These policies are available to the public and reviewed regularly. The policies for materials for children are very strict. And each library has a policy that makes it possible for the public to challenge an item in the collection which the deem inappropriate.

I have met a lot of librarians, and they know what they are doing. I know I can trust the staff of libraries, trust that they are the experts in what a community needs and finds interesting, trust that they know how to find the book a patron wants sometimes with little or no information to go on, trust the staff to know what is best for the community, trust that they will never harm or make people uncomfortable on purpose, on the contrary I trust the staff to make everybody feel welcome and safe in the library. I trust that librarians know how to design and lay out a library that provides additional safeguards that are not obvious for patrons. But most of all I trust the expertise of librarians in collection development, programming and serving the community. They have the training and the knowledge. The are professionals In addition, “The right to Read” is a right covered by the first amendment of free speech as libraries are a government entity.

In addition, when I moved to the United States 26 years ago the republican party stood for small, limited government, freedom for the individual right and self-determination and the right for parents to determine what is right for their children. This bill does not follow any these principles but is a prime example of government interference, government overreach and interference with parental decision making for raising their children. This bill is contrary to the all the principles republicans say they value and want to defend. For this reason alone, you all should vote “Do Not Pass” on this bill.

Taken together, I fail to see, and I question the need of this law and particularly the need to make it a criminal offense when a librarian is doing their job. This bill puts an undue burden on libraries and librarians. It will prevent parents from taking their children with them into the adult section of a library while they are selecting their own materials. It will cost money that communities do not have (especially small libraries) and will close libraries. Free access to materials is a great good and libraries fulfill that role. This bill does not solve an issue (please show me the data that shows the harm done by books) and will not protect children. Therefore, I urge you to vote “Do Not Pass”

Testimony of Ilonka Deaton Before the Judiciary Committee
Regarding the Removal of the Obscenity Exemption

Chairperson, Members of the Committee,

Thank you for allowing me the opportunity to speak today. My name is Ilonka Deaton, and I come before you as a survivor of sex trafficking, an advocate for the protection of children, and a board member of the Reisman Institute, an organization dedicated to exposing the harms of sexual exploitation.

I was trafficked for six years as a child within the music industry. My trafficker—a trusted adult—used pornography as both a grooming tool and a justification for my abuse. Early exposure to sexually explicit materials rewired my perception of normalcy, distorting my understanding of love, safety, and consent. It was not just an introduction to obscenity—it was a form of psychological entrapment that ensured my silence and compliance.

This is why we must address the obscenity exemption in our laws. Right now, sexually explicit materials that would be considered obscene in any other setting are being shielded under legal loopholes when placed in schools and libraries. These materials, often presented under the guise of education or artistic expression, normalize sexual content for minors, desensitize them to exploitation, and make them more vulnerable to predators. We know that traffickers and abusers rely on this normalization to manipulate and groom their victims, just as mine did to me.

I have spent years educating lawmakers, parents, and communities about the direct correlation between early exposure to pornography and increased vulnerability to trafficking. The presence of sexually explicit material in institutions meant to educate and protect children is not just inappropriate—it is dangerous. It places children at risk and creates a breeding ground for exploitation.

I urge this committee to eliminate the obscenity exemption and apply the same standard of protection to our libraries and schools that we demand in every other public space. No adult should have legal immunity for exposing children to material that warps their development and makes them targets for abuse. The same protections that keep explicit content out of workplaces, public billboards, and mainstream broadcasting should extend to the spaces where children learn and grow.

The choices you make today are not just about policy—they are about whether we allow our children to be primed for abuse or protected from it. I urge you to take action.

Ilonka Deaton

Testimony in opposition to Senate Bill 2307

For most of my life, I lived in western North Dakota. I was born in Parshall, ND, and worked as the Center Director at the Burdick Job Corps in Minot until 2005.

Growing up on a farm about 10 miles north of Parshall, I not only appreciated the library, but the book mobile was also an additional benefit. I always checked out the maximum amount of books that I could, as we could afford to have few books in our home. However, I was fortunate that both my parents valued reading and we were taken regularly to the library where my sister and I contend that between us we read every single book in the town library and most of the ones in the school library. Without access to the books at the library, my world would have been small indeed. But, the library and its offerings opened my eyes to the larger world.

After graduating from college, I became an English teacher and I taught in several rural ND schools. I saw firsthand again the power of libraries on the young people who had limited resources. While working at the Burdick Job Corps, we regularly took our students to the Minot Public Library, as our own center library was small. Every time a young person came back from the Minot Public Library, they would be thrilled with the opportunity to check out books and access the other resources available.

Now, I am a grandmother living in Moorhead. My granddaughter lives in Fargo, and I regularly take her to the Fargo Public Library, as well as the other wonderful libraries in the Fargo and Moorhead system. She loves checking out books and I love how she loves to read. I have recently taken my five year – old grandson to the library for the first time, and he was thrilled with the experience.

Because I so strongly have experienced in myself, my students, and now my grandchildren, the benefits of libraries and access to books, I was disappointed to learn that North Dakota legislators are trying to censor materials in our libraries. **Senate Bill 2307** would require librarians to remove unclear "explicit" materials from our library shelves. The bill's censorship might even extend to digital materials like ebooks, articles, and audiobooks that many North Dakotans access through their local library.

I have studied the information provided by ***Right to Read ND***, and agree with their concerns about Senate Bill 2307 such as the ones listed below:

1. **The bill would censor books and materials in libraries.** The bill's vague definition of "explicit sexual materials" would open the door to individuals placing their own morals and standards on library materials. A small group of individuals shouldn't be making decisions for the community about what is appropriate in public libraries.
2. **The bill would especially impact our rural communities.** While some public libraries in North Dakota have different sections—like children's, teen, and adults—many others are very small libraries. My own library in Parshall was one room and many rural libraries are still that way today as budget cuts and lack of federal grants threaten small libraries. Small libraries don't have the facilities or budget to separate the sections and would be in danger of violating the law if this bill passed.
3. **The bill would criminalize librarians**. Librarians who display books with any nudity on the cover would receive a Class B misdemeanor. My mother, sister and I all read a lot of Harlequin romances during those years on the farm when I was growing up. But, that means that all those shirtless men

on the cover of romance novels would be a violation of the law if the bill passed. Ask any North Dakota farm wife if she thinks her local librarian should be punished for carrying Harlequin romances on the shelves and the answer would be no, but that's exactly the extremes this bill could allow.

4. **The bill is state government overreach.** The state attorney general would be required to review complaints from individuals about materials in local libraries and could decide to withhold funding as punishment for not complying.

I am a proud BadAss Grandma for Democracy. Libraries are an invaluable resource to our children's education, and to the future of our democracy. Libraries provide access to materials for all people, regardless of income, and they allow all citizens access to information to include reading a newspaper online at a library terminal or in hard copy to learn what the state legislature is doing.. During the 2023 ND legislative session, the Federal Miller Test for obscenity was put into state law. The Miller Test ensures that libraries have age-appropriate materials in children's collections. This law also requires libraries to file a report yearly so the state can make sure they are complying.

Senate Bill 2307 is another attempt by North Dakota legislators to censor materials in public libraries and override North Dakotan's like my granddaughter' and their First Amendment rights. Senate Bill 2307 is also another example of needless regulations which supposedly is all the rage these days.

Senate Bill 2307 places a needless burden on libraries and is unnecessary censorship.

I urge you to vote no on Senate Bill 2307.

Sincerely,

Lyn Dockter – Pinnick
2312 6th St. South
Moorhead, MN

To whom it may concern,

I am writing to express my strong opposition to SB 2307 as I believe it is a clear effort at government censorship.

The ambiguity of this bill could result in books being removed from libraries that include such texts as the Christian Bible. But even without such ambiguity, it is the responsibility of parents to dictate to their children what they can and cannot read. Additionally, I do not believe the majority of content that would be affected by this bill is likely to be found in the children's section of the library to begin with. While a child might wander into the adult section, that is again on the parent to manage as children are not meant to be left unattended in public spaces. As part of a large family myself, I am well aware of the struggles some parents face with wrangling their children, however this does not shift the responsibility to libraries to provide that care.

Furthermore, any parent who does not check what books their child is checking out and reading has no room to complain about what books their child has found at the library. Is such a thing not common knowledge anymore? I certainly don't think I checked out any books without my mothers knowledge and approval until my teen years, at which point I was allowed more leeway in my selection. If a parent still cannot trust their child into their teen years then that is a matter of their parenting, not the books available.

I must insist that this bill be thrown out. No bill of it's kind should ever be entertained, and as we have seen in other states that have tried it, this ambiguous wording opens the enforcement of the bill up to ridicule. Don't add our state to the list of states where people are submitting requests to have the bible banned as a manner of protesting these censorship bills.

Regards,

Connor O'Keefe

Dear Madam Chair Larson and members of the Judiciary Committee-

My name is Maggie Blaylock and I am an Licensed Professional Counselor (LPC-MH) in the state of South Dakota. I am also a CSAT (Certified Sexual Addictions Therapist) and a CMAT (Certified Multiple Addictions Therapist). I own a price practice in Sioux Falls. In my practice and with my specialty I work daily with the devastation of the aftermath on individual lives and marriages because of sexual addiction. In almost every case I work with, pornography use was an originating factor in their addiction.

Sadly, I became a licensed and trained professional because 13 years ago my own marriage was devastated by sexual addiction. My husband was the child of a pastor, and his parents tried very hard to monitor the content that he consumed. Unfortunately, he had access to porn he found at his grandparents' home and at a friend's house. When high speed internet hit while he was in college this behavior turned into a major addiction in his life until he eventually could no longer hide it. I became a trained professional because there were no local therapists in my state dealing with such complex issues at the time. We had to travel to Colorado to find someone skilled enough to know how to help us get into recovery and eventually repair our broken relationship. Sadly, today, I am only 1 of 2 CSATs in my state and last I checked there more recently is one CSAT in North Dakota. Before there was a trained professional in North Dakota I have had clients who drive down into the state of SD to a location that they can find wifi to work with me.

In 2017 the state of South Dakota declared pornography a public health crisis. Here are three reasons (they stated) why pornography should be recognized as harmful to public health:

1) Exposure to pornography is unmanageable at the individual level: individuals and families are unable to "opt-out" of pornography, and 27% of children are being exposed to it before they've even reached puberty.
   -Most recently Google even accepted the reality of this truth when they changed their safe search settings to default people in an attempt to make the internet a safer place for young people.
   -More and more younger children are accessing internet pornography. The average age of first exposure is 11 (Randel and Sanchez, "Huffington Post" - 2016). However, "children under 10 now account for 22% of online porn consumption under 18" (British Journal of School Nursing.)

2) Pornography use shrinks the brain: a 2014 study found that increased pornography use is linked to decreased brain matter in the areas of motivation and decision-making, impaired impulse control, and desensitization to sexual reward.

-When one looks at pornography they are using the reward system part of their brain. This would be the limbic system of fight, flight or freeze. This area of the brain is also called the reptilian brain. Pornography or sexual content creates a supernatural stimulus that artificially enhances the release of chemicals in the reward system. The chemicals have a molecular structure very similar to cocaine. We have found that habitual porn use creates grey matter in the brain (brain shrinkage) in the prefrontal cortex.

3) Pornography is linked to increased sexual violence: a 2015 meta-analysis of 22 studies from seven countries found that internationally the consumption of pornography was significantly associated with increases in verbal and physical aggression, among males and females alike.

Unfortunately, since 2017 the state of South Dakota has done little to no work to make more legislative actions of change or protection for children in this arena. I am honored to be here today to talk about a topic that I passionately believe is an issue that we need to take steps toward correcting. I cannot stress enough how big of a problem we are yet to see. I work daily with clients whose lives became unmanageable due to addiction and many of them are older and barley had access to porn or sexual content compared to what our youth in society has today. I truly believe that we are just beginning to see the impact on those who have had widespread access to porn or sexual content at an early age due to its availability. We have developed many different laws throughout our country's history as technology has advanced. We have speed limits and seat belt laws; we have building codes and such for the safety of the general public. The same fits here with the arena of pornography and sexual content. We need laws in place to protect the young minds of society until their brains are fully grown and they have been educated and can make their own decisions about what is healthy for them. Thank you for considering a step toward protection for the children of your state by passing Senate Bill 2307

Testimony in Support of HB 1604

Carter Hass,
February 13, 2025

Mr. Chairman Mr. Vice Chairman and Honorable Members of the Senate Education Committee. I strongly urge you to give a "DO NOT PASS" recommendation for this legislation.

Interestingly enough, I'm not against this legislation to a considerable extent. I believe that limiting minors' access to any sexual content is an extremely good thing. Still, I think this legislation fails in 3 key area areas: first in definition, second in enforcement, and 3rd in punishment.

First, this legislation fails to define a reasonable person, an average person, and the definition of serious literary, artistic, political, or scientific value, as stated in section one subsection five and subdivisions A, B, and C. The definitions of these matter because we cannot take a subjective viewpoint when it comes to sexually explicit material or obscene material and obscene performance. If this bill can be interpreted in a way the author did not intend, it could be used against public rights. I would define Melania Trump's biography with serious literary, artistic, political, or scientific value even though there are pictures of women with no bra on turned around from the camera so that you can't see anything inappropriate. But some people might define things differently than I do. Maybe somebody thinks that the Bible is explicit because of its depiction of rape and death. Do we then remove the Bible from libraries? Definitions in law, especially on hot-topic issues, are fundamental. As I have showcased here, when you do not define law, it can be interpreted in many ways and almost always goes wrong.

Next, this law requires that all libraries have a verification of age if they provide certain materials online that could be considered inappropriate. However, libraries in ND currently do not have the funding, people, or resources to support this verification. This bill doesn't give them those resources. And surprisingly enough, the punishment for not following this rule would be freezing their funding. That's like telling a police officer. You must enforce the law, but we're not giving you any resources to do it, and if you don't do your job, we'll fire you. This is how you kill every library in North Dakota. This legislation fails to provide how the verification systems should work, and because it so broadly defines explicit sexual material, many books without pictures and yet with wording that could be considered sexual would have to be removed from the online database. To put it simply, online databases for libraries wouldn't exist anymore. While, this may not be the intention of the legislation, it will be its impacts if passed.

This legislation fails to adequately define its key language while pushing a regulation on libraries, which they can't uphold in the status quo. It gives them no resources to do so. It then charges anyone involved in the distribution of "inappropriate material" with a class B misdemeanor. I work at the Valley City Barnes County Public Library. Those people have undergone extensive training to pick out books for the public. The same people who picked the book "Let's Talk About It" are the ones who pushed for JD Vance's biography to be selected for our collection. So they're not doing it for politics and they're also not bad people.

I grew up going to that library. My family never trusted the busing system, so we walked over to the library after school to do our homework while waiting for Mom to pick us up. I work with many family and friends, and the people there are not bad. They're family. They have kids, they're Christian, and ultimately, they don't pick out books for politics. They pick out books that people request. They serve the people of my town better than anyone else I know. And I love them with all my heart. Whatever the intentions of this legislation are, please review it and consider its impact. I don't support sexually explicit material anywhere. But I want to ensure everyone has the freedom to read and that we do this right. I urge that you give this legislation a DO NOT pass recommendation. Thank you. "I am testifying by my own free will and not on behalf of the Valley city Barnes County Public library."

Carter Hass.

February 9, 2025

Senate Judiciary Committee Members,

I am writing in support of SB 2307. I am an LPCC (Licensed Professional Clinical Counselor) in ND. I work with children and their families. It is the best interest of children to have the support of their parents and in some cases professionals in navigating questions about sexuality. Unfortunately, there is a significant number of children that have been sexually abused. Reading these materials can be detrimental to all children but poses an even greater risk to children that have a sexual abuse history. Seeing these materials can cause children to re-experience the abuse that has already happened. This creates an environment that makes it impossible for learning. Please help in protecting our young citizens of North Dakota by supporting SB 2307.

Respectfully Submitted,

Kristin Sharbono M. Ed., LPCC

Senate Bill 2307

69th Legislative Assembly

House Judiciary Committee

February 9, 2025

Chairman Klemin, members of the House Judiciary Committee, my name is Ashley Magelky. As a lifetime citizen of North Dakota, I want to provide reasons why I do not support SB 2307 and why it would harm North Dakota.

It is unclear how SB 2307 would be implemented and enforced and would put undue financial stress on our many small rural libraries. One proposed way to enforce this bill is having a cabinet for 200 books or making renovations to libraries to make physical barriers between adult and children's books. Taxpayer dollars are spent in many better ways than this. Also, who will define what is considered obscene or offensive?

The First Amendment protects our right to speech and access to information. Locking up or removing books is preventing access to information for North Dakotans. We also already have the Federal Miller Test in place as of 2023 which monitors materials that are available to children within libraries.

For the reasons above, I do not support SB 2307 and urge a do not pass vote.

Thank you,

Ashley Magelky

No on SB 2307

SB 2307 is completely nonsensical. It is an attack on an informed public under the guise of protecting children. Also, it is a bill trying to cure a problem that doesn't exist. Children are not accessing "obscene" materials. And what solution do the sponsors of this bill envision? Surely, they don't plan on budgeting for two libraries for every community: one for adults and another for children. Nope! The plan is to have all "obscene" materials removed from our public libraries.

And what do they deem as "obscene?" Romance novels that are for the entertainment and enjoyment of adults. Trust me when I say that children are completely uninterested in this content. What else? Ah, yes! Materials that cover LGBTQIA and sexual education. Whether you like this material or not, they are a necessary component of a public library, because people deserve to have an accessible location to find information about LGBTQIA issues and sexual education. If this content offends you, you are free to not borrow it from the library just as I shall avoid content that is of no interest to me and my life.

Let's let parents guide their children. Let's let our educated and professional librarians continue to curate our public collections to serve our diverse communities. Why must we waste our time and resources serving the perverse desires of some legislators to control our access to a wide variety of materials?

Finally, I find it disingenuous that a party that pretends to advocate for smaller government and less government overreach conveniently forgets their stance when it comes to LGBTQIA issues and women's bodies and sexuality. This is an offensively puritanical bill intended to try to stomp out freedom of speech and freedom of expression. Guide your own children. Borrow only the books that interest you. It's pretty simple.

Senate Judiciary Committee
SB 2307 - Testimony in Opposition
February 9, 2025

Members of the Committee,

I am writing in opposition to SB 2307. This bill infringes on First Amendment rights, causes undue expenses for our libraries, and attempts to solve problems already covered by rules and laws written to protect our children's library resources.

I urge you to please vote NO on SB 2307.

Thank you,
Shannon Krueger
District 3
Minot, ND

Senate Bill 2307
Senate Judiciary Committee - Sen. Diane Larson, Chair
February 10, 2025
Testimony in Opposition to SB 2307

Chair Larson and Members of the Senate Judiciary Committee, I am Vicki Voldal Rosenau, a parent and lifelong resident of Valley City, ND. Thank you for this opportunity to offer my testimony in opposition to Senate Bill 2307.

As the parent of a child who had learned to love reading and books and was regularly visiting our local library long before she entered pre-school, I know the value of books and libraries.

I am speaking up against this bill because it proposes blatant censorship, just the kind of extreme Government over-reaching that North Dakotans have long stood against; because it would harm our exemplary network of community libraries; and because it would waste an untold amount of taxpayers' money.

SB 2307 seeks to grow the "nanny state," which is scorned by most North Dakotans. It is parents, not the government, who must supervise reading choices for their own children. But no parent, including those serving in this Legislature, have the right to supervise reading choices for others' children.

By inflicting harm on our network of vibrant public libraries, SB 2307 is completely out-of-step with the people. We trust and value our experienced, well-educated local librarians and the local library boards who oversee them. Their important work is substantively undermined by legislation like this that limits access to information and First-Amendment rights.

We know that SB 2307 would require libraries to divert public money in order to be in compliance with its nanny-state scheme. There's solid documentation for that. After the 2023 Legislative Assembly passed a similar library-censorship bill into law, Jamestown's public library spent a whopping $54,500 to comply with it overbearing terms—all to relocate FOUR books within that single facility. **What a waste**.

This proposal is not wanted, not needed, and very wasteful. I urge you to recommend "Do Not Pass" on SB 2307.

Thank you for your consideration,
Vicki Voldal Rosenau
Valley City, ND

Chairman Diane Larson
Senate Judiciary Committee
Regarding SB 2307
February 9, 2025

Dear Chairman Larson, Vice Chairman Paulson, and Members of the Committee,

My name is Corinne Edgerton and I am a library technician and concerned North Dakota library patron. I am writing to express my strong opposition to Senate Bill 2307. I urge you to issue a “Do Not Pass” recommendation for the following reasons.

Firstly, the bill's definition of "explicit sexual materials" is so broad that it could be used to censor a wide range of books and other materials, allowing individuals to impose their own moral standards on the community. Yes, parents have the right to decide what their children read and should actively engage in discussions about literature and its themes. However, this right does not extend to dictating what other people's children can read. A parent's concern about a particular book does not justify restricting access for all young readers. Every family is different, and every child is different, therefore, libraries should strive to provide a diverse collection that caters to a wide range of interests and maturity levels, empowering parents to make informed choices for their own children.

Secondly, it misunderstands the vital role that small, rural libraries play in their communities. While some larger libraries may have separate sections, many rural libraries are community hubs housed in a single room. These smaller libraries simply do not have the facilities or the budget to create the required sections. The result could be that rural residents, who often rely heavily on their local libraries, would have even less access to books and other resources than those in larger towns and cities. This bill would create a two-tiered system, where access to information depends on where you live.

Lastly, this bill would subject librarians to criminal penalties for the books they display. Under the proposed legislation, a librarian who displays a book with any nudity on the cover, even in a non-sexual context, could be charged with a Class B misdemeanor. This could include anything from artistic nudes to medical textbooks to, yes, even shirtless men on romance novel covers. This lack of clarity leaves librarians vulnerable to prosecution based on subjective interpretations, creating a climate of fear and uncertainty in our libraries.

In conclusion, reading is a foundational skill, critical to future learning, and to exercising our democratic freedoms. We should trust individuals to make their own decisions about what they read and believe. While parents have the right to guide their children’s reading and education, they should not be making decisions for other parents’ children. We must remember that books are tools for understanding complex issues. Limiting young people’s access to books does not protect them from life’s complex and challenging issues. Therefore, removing or relocating books is a slippery slope to government censorship and the erosion of our country’s commitment to freedom of expression. For these reasons, I urge you to stand against Senate

Bill 2307 and issue a “Do Not Pass” recommendation. Thank you for your time, thoughtful consideration, and service to our state.

Respectfully,
Corinne Edgerton (she, her)

SB 2307 - In Opposition
February 9, 2025
Chairman and Senate Judiciary Committee Members,

I have significant concerns regarding SB2307 and how its consequences will impact libraries throughout North Dakota. Below are my reasons for opposing this proposed bill.

- This bill would require libraries throughout North Dakota to either build costly barriers to restrict patron's access to collections, or possibly prohibit minors from entering their building all together, to ensure compliance with the law

- Most high-schoolers, who are essential for keeping libraries open during nights and weekends, would now be prohibited from working at public libraries due to being under 18.

- The cost of litigation, that is sure to follow if passed, is valuable funds that can be better spent elsewhere. Similar bills passed in other states have cost political subdivisions from tens, to hundreds of thousands of dollars to defend. Considering that state and federal courts have ruled near unanimously in favor of protecting patrons access to challenged books, this bill will serve to only cost taxpayers more, while providing them with less.

SB 2307 is unreasonable legislation that goes against the freedoms and values that North Dakotans cherish. **Free people must be able to read freely**.

Thank you for your time and consideration.

Sincerely,

Dylan Gonser
2198 Knightsbridge Ct.
Grand Forks, ND 58201

In the strongest language, **I oppose SB2307!** Please do not give your support to this bill.

So much is wrong with this bill. The 2023 ND legislature addressed this issue and made changes to the state law. It's ridiculous that ND legislators are AGAIN trying to censor materials in our libraries. It infuriates me to think of the huge waste of the time and money going into SB2307. It infuriates me to think of the huge potential burden it would dump onto library staffs. And onto the ND Attorney General's office.

I firmly believe that **parents**, not the government, should supervise the book choices and reading materials of their own children.

Libraries provide ENRICHMENT to every community. Libraries are NOT a danger to our children. Libraries provide an immense positive influence on our lives from childhood through adulthood. Librarians are trusted professionals, not the enemy.

STOP attacking libraries. STOP wasting time and money. Oppose SB2307.

Michele Doyle
Mandan, ND
Patron of Morton Mandan Public Library

Passing this bill will only make access to library materials more difficult for everybody. The choice to determine what content is appropriate for one's child is a decision for each parent, not for any one governing body as every child develops at different speeds and has different needs. It is a parent's responsibility to govern their child's reading choices, not a governmental entity. Additionally, while this will make library materials more difficult to obtain both physically as well as almost impossible to obtain through apps such as Libby, children will still have the ability to find content much more inappropriate than anything that can be found in a library via the Internet on many different devices that can be found in any home. I strongly urge you not to pass this bill in order to continue to maintain easy access to library books for all which should be a right for everyone.

Chairman Koppelman and members of the Judiciary Committee, for the record, I am Jackson Harper, a resident of Grand Forks. Today I am writing to urge a ***Do Not Pass*** recommendation for SB 2307.

Firstly, I am concerned that the bill allows for too much individual discretion regarding what is "obscene". For instance, in the state of Florida, the benign picture book *Arthur's Birthday* was challenged because of a mention of the party game spin the bottle.

Likewise, classics like *Brave New World* occasionally end up challenged because of mentions of drug abuse and orgies, even though Aldous Huxley depicts these as horrors of a dystopian future that has hidden true intimacy and virtuous suffering from its citizenry. Indeed, reading *Brave New World* as a high school senior made me more skeptical of the libertinism critics claim it promotes!

Second, I am concerned that SB 2307's demand that allegedly sexually explicit materials be made *completely* inaccessible to minors will negatively impact rural libraries and similar facilities with limited space and resources. I heard of a library in Idaho that had to limit its services to adults only in order to comply with a similar law that mandated that challenged titles be relocated to a restricted section. The library in question did not have a space for more than one section, requiring drastic action. While larger libraries may be able to reorganize themselves to comply with SB 2307, I fret that other institution will not have such capacity.

Third, the bill seems unnecessary. HB 1205 from the previous legislative session pushed libraries to review their collection development policies, most of which already included the Miller Test to follow legal precedent for the treatment of obscene materials. What would attaching punishments for noncompliance—a phenomenon which quite likely does not exist in North Dakota libraries—further accomplish?

I thank you all for taking the time to read this testimony, and I hope it persuades you to render a ***Do Not Pass*** recommendation for SB 2307.

Testimony in Opposition to Senate Bill 2307

Chairwoman Larson and, members of the committee, thank you for the opportunity to testify today. I am here to express my **opposition** to **Senate Bill 2307**, which seeks to impose broad oversight and penalties on school districts, public libraries, and state agencies regarding the presence of materials deemed "explicit sexual material." My opposition doesn't come in protecting our children – it is in the unreasonable and extreme approach that is being taken in this bill and in many others in many committees regarding how we approach something that one deems undesirable. While in this bill we don't want our children learning lessons of obscenity, as a mother, I find it no less obscene to have a society where we cannot show our children how to appropriately resolve disagreements, come to a resolution, and find a way toward amiable common ground before calling in the attorney general.

While **protecting minors from inappropriate content is important**, this bill **overreaches, disregards local control, undermines due process, and creates unnecessary bureaucratic burdens** on schools and libraries.

Key Concerns

1. Bypasses Local Governance & Due Process

- This bill allows **any person** to file a complaint with the Attorney General **without requiring them to first engage in the school district or library's established review process**.
- **Local school boards and library boards**—elected by and accountable to their communities—are **best positioned to handle concerns about library materials**.
- This bill **disempowers local decision-making** and **subjects schools and libraries to state-level oversight without local resolution first being attempted**.

2. Creates an Unworkable System & Unfunded Mandates

- The bill mandates that schools and libraries **continuously review** their collections to ensure compliance, without providing additional **funding, staffing, or guidance** to do so.
- **Reporting requirements and AG reviews** create an administrative burden that **diverts resources away from education and library services**.

3. Unclear & Subjective Standards for "Explicit Material"

- The bill uses broad, subjective terms that can **be applied inconsistently** or **weaponized for censorship** beyond protecting minors.
- What **one parent or patron** considers offensive may be **widely accepted as educational or age-appropriate by professional educators and librarians**.
- This could lead to **unnecessary book bans and restrictions on historical, scientific, or health-related content**. Furthermore, this can put our students at a competitive

disadvantage. Vendors may see North Dakota's laws as cumbersome nuisance that simply isn't worth it in comparison to the business elsewhere in states with more realizing that the policies in place are working and simply not work with us anymore thereby having our students losing out on important resources.

4. Severe Financial Penalties That Harm Schools & Libraries

- The **Attorney General is granted authority to halt funding** to **entire schools or libraries** based on a single complaint or violation.
- This level of financial punishment is **disproportionate**, especially when **districts may have already acted in good faith** to address concerns. Schools are one of the largest employers of every community – to cut off funding based on the complaint of one person without local due process and putting the paychecks of local patrons at risk is unreasonable.

5. Sets a Dangerous Precedent

- **Public institutions should not be governed by the most extreme voices**, yet this bill allows **any person—regardless of their connection to a school or library—to escalate complaints directly to the Attorney General**.
- This invites **frivolous complaints** and **political interference** into educational spaces.

Conclusion

While I fully support the **age-appropriate curation of educational materials**, **Senate Bill 2307 is an excessive and punitive measure** that:

- **Strips local control from school boards and librarians.**
- **Imposes vague, subjective standards on educational materials.**
- **Threatens school and library funding over isolated complaints.**
- **Creates administrative burdens that detract from education and literacy efforts.**

I urge this committee to **oppose** Senate Bill 2307 and seek a more balanced approach that respects **local governance, due process, and the expertise of educators and librarians**.

Thank you for your time, and I welcome any questions.

For the consideration of those discussing and voting on SB2307,

I have just read through the current draft of SB2307, and I would like to express my vehement disagreement with the proposed bill. As somebody who has studied both language and literature, much of the verbiage of the bill either misses or intentionally ignores the primary effects such a bill would cause.

Although this bill attempts to wrap most of its language around the concept of obscenity, which even then is counter to the Supreme Court's decisions on the matter over the past seventy years, its effects would be more far-reaching than issues of the obscene. It would essentially be a massive step in the direction of making libraries illegal and several steps toward the sorts of book banning and book burning that are associated with some of the worst eras in human history.

I would also like to note that this sort of philosophy – that of forbidding the presentation or even existence of concepts deemed unfit – invariably has the opposite effect. Psychological and historical studies have shown repeatedly that making something taboo provides it with a mystique and an allure. When the Chinese banned Western texts, they were smuggled in greater numbers than they had ever been imported before. Countless examples throughout history follow a similar pattern.

There is nothing inherently wrong with wanting to protect children from things they are not ready for, but this bill will not help with that regard. Rather, it should be the focus of the State and the parents therein to properly prepare children for when they do need to face more adult issues. This is not to say that young people should be intentionally exposed to obscenity, but rather that they should be able to see that issues they may not be ready for can be handled in healthy and mature ways.

If such books as this bill considers obscene are treated as secretive, risqué, or "forbidden," children and young adults will undoubtedly be curious, and they will use whatever resources are at their disposal, such as the Internet, to gain access. If, however, these issues are treated as no big deal, then they would have little reason to notice them in the first place.

I am not a librarian myself, but I have worked in education, and I am very much of the opinion that honest education will get a far better result than forbiddance. Providing a positive example for children in dealing with adult issues will always be a better solution than making such examples illegal.

After reading through the current draft of this bill, I can only conclude that it is attempting to do a bad thing in a bad way. This is the wrong approach, as both history and human psychology have shown repeatedly over the years. This bill is far too abusable, and could very well result in libraries being essentially illegal, and considering that the loss of libraries is one of the things associated with the beginning of the Dark Ages, I would highly recommend pulling any support for SB2307.

Thank you.
Robert Wilson

Testimony in opposition to Senate Bill 2307 – resubmitting in hopes of providing oral testimony, remotely; and when I submitted previously, my phone number was listed incorrectly.

For most of my life, I lived in western North Dakota. I was born in Parshall, ND, and worked as the Center Director at the Burdick Job Corps in Minot until 2005.

Growing up on a farm about 10 miles north of Parshall, I not only appreciated the library, but the book mobile was also an additional benefit. I always checked out the maximum amount of books that I could, as we could afford to have few books in our home. However, I was fortunate that both my parents valued reading and we were taken regularly to the library where my sister and I contend that between us we read every single book in the town library and most of the ones in the school library. Without access to the books at the library, my world would have been small indeed. But, the library and its offerings opened my eyes to the larger world.

After graduating from college, I became an English teacher and I taught in several rural ND schools. I saw firsthand again the power of libraries on the young people who had limited resources. While working at the Burdick Job Corps, we regularly took our students to the Minot Public Library, as our own center library was small. Every time a young person came back from the Minot Public Library, they would be thrilled with the opportunity to check out books and access the other resources available.

Now, I am a grandmother living in Moorhead. My granddaughter lives in Fargo, and I regularly take her to the Fargo Public Library, as well as the other wonderful libraries in the Fargo and Moorhead system. She loves checking out books and I love how she loves to read. I have recently taken my five year – old grandson to the library for the first time, and he was thrilled with the experience.

Because I so strongly have experienced in myself, my students, and now my grandchildren, the benefits of libraries and access to books, I was disappointed to learn that North Dakota legislators are trying to censor materials in our libraries. **Senate Bill 2307** would require librarians to remove unclear "explicit" materials from our library shelves. The bill's censorship might even extend to digital materials like ebooks, articles, and audiobooks that many North Dakotans access through their local library.

I have studied the information provided by ***Right to Read ND***, and agree with their concerns about Senate Bill 2307 such as the ones listed below:

1. **The bill would censor books and materials in libraries.** The bill's vague definition of "explicit sexual materials" would open the door to individuals placing their own morals and standards on library materials. A small group of individuals shouldn't be making decisions for the community about what is appropriate in public libraries.
2. **The bill would especially impact our rural communities.** While some public libraries in North Dakota have different sections—like children's, teen, and adults—many others are very small libraries. My own library in Parshall was one room and many rural libraries are still that way today as budget cuts and lack of federal grants threaten small libraries. Small libraries don't have the facilities or budget to separate the sections and would be in danger of violating the law if this bill passed.
3. **The bill would criminalize librarians**. Librarians who display books with any nudity on the cover would receive a Class B misdemeanor. My mother, sister and I all read a lot of Harlequin romances

during those years on the farm when I was growing up. But, that means that all those shirtless men on the cover of romance novels would be a violation of the law if the bill passed. Ask any North Dakota farm wife if she thinks her local librarian should be punished for carrying Harlequin romances on the shelves and the answer would be no, but that's exactly the extremes this bill could allow.

4. **The bill is state government overreach.** The state attorney general would be required to review complaints from individuals about materials in local libraries and could decide to withhold funding as punishment for not complying.

I am a proud BadAss Grandma for Democracy. Libraries are an invaluable resource to our children's education, and to the future of our democracy. Libraries provide access to materials for all people, regardless of income, and they allow all citizens access to information to include reading a newspaper online at a library terminal or in hard copy to learn what the state legislature is doing.. During the 2023 ND legislative session, the Federal Miller Test for obscenity was put into state law. The Miller Test ensures that libraries have age-appropriate materials in children's collections. This law also requires libraries to file a report yearly so the state can make sure they are complying.

Senate Bill 2307 is another attempt by North Dakota legislators to censor materials in public libraries and override North Dakotan's like my granddaughter and their First Amendment rights. Senate Bill 2307 is also another example of needless regulations which supposedly is all the rage these days (except maybe when it impacts the wealthy).

Senate Bill 2307 places a needless burden on libraries and is unnecessary censorship.

I urge you to vote no on Senate Bill 2307.

Sincerely,

Lyn Dockter – Pinnick
2312 6th St. South
Moorhead, MN

25.0552.04000

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2307

Introduced by

Senators Boehm, Erbele, Hogue, Weston

Representatives Steiner, Tveit

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the attorney general's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01 and sections 12.1-27.1-03.1, 12.1-27.1-03.5, and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code is amended and reenacted as follows:

5. As used in this chapter, the terms "obscene material" and "obscene performance" mean material or a performance which:
   a. Taken as a whole, the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest;
   b. Depicts or describes in a patently offensive manner sexual conduct, whether normal or perverted; and
   c. Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value.

   Whether material or a performance is obscene must be judged with reference to ~~ordinary~~reasonable adults, unless it appears from the character of the material or the circumstances of its dissemination that the material or performance is designed for minors or other specially susceptible audience, in which case the material or performance must be judged with reference to that type of audience.

SECTION 2. A new subsection to section 12.1-27.1-01 of the North Dakota Century Code is created and enacted as follows:

As used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.

SECTION 3. AMENDMENT. Section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.1. Objectionable materials or performance - Display to minors - Definitions - Penalty.

1. A person is guilty of a class B misdemeanor if ~~he~~the person willfully displays at newsstands or any other business establishment frequented by minors, or where minors are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which either contains explicit material harmful to minors or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.
2. As used in this section:
   a. "Explicit sexual material" means any material that:
      (1) Taken as a whole, appeals to the prurient interest of minors;
      (2) Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors; and
      (3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
   b. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.
   ~~b.~~c. "Where minors are or may be invited as a part of the general public" includes any public roadway ~~or~~, public walkway, public library, or public school library.

~~c.~~d. The above ~~shall~~may not be construed to include a ~~bona fide school,~~ college, university, museum, ~~public library,~~ or art gallery.

SECTION 4. AMENDMENT. Section 12.1-27.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.5. Public libraries and school districts prohibited from maintaining explicit sexual material - Report.

1. As used in this section:
   a. "Explicit sexual material" means any material which:
      (1) Taken as a whole, appeals to the prurient interest of minors;
      (2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and
      (3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
   b. "Public library" means a library established under chapter 40-38.
   c. "School district" includes a school library or classroom library under the control of the school district.
2. A public library or a school district may not maintain in ~~its children's collection inventory books~~an area accessible to minors a book or any other medium that ~~contain~~contains explicit sexual material.
3. By January 1, ~~2024~~2026, each public library and school district shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:
   a. For the ~~removal or~~ relocation of explicit sexual material in ~~the public~~a library to an area in the library inaccessible to minors;
   b. For the development of a book and media collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library or school district;
   c. For the public library ~~to receive, evaluate, and respond to~~or school district to relocate materials to an area inaccessible to minors or refer an individual to the attorney general under section 7 of this Act, upon a request from an individual

~~regarding the removal or relocation of~~to relocate one or more of the books or other ~~materials~~media in the library collection ~~containing~~the individual believes contains explicit sexual material; and

d. To periodically review the library collection to ensure ~~the library collection does not contain explicit sexual material in the children's collection~~compliance with this section.

4. Each public library and school district shall provide a compliance report to the legislative management before May 1, ~~2024~~2026, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

SECTION 5. AMENDMENT. Section 12.1-27.1-11 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-11. Exceptions to criminal liability.

Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall~~may not apply to the possession or distribution of material in the course of law enforcement, judicial, or legislative activities; or to the possession of material by a ~~bona fide school,~~ college, university, museum, or public library for limited access for educational research purposes carried on at ~~such an~~the institution by adults only. Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall also~~may not apply to a person who is returning material, found to be obscene, to the distributor or publisher initially delivering it to the person returning it.

SECTION 6. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Safety policies and technology protection measures required - Report.

1. A school district, state agency, or public library may offer digital or online library database resources to students in kindergarten through grade twelve if the person providing the resources verifies all the resources comply with subsection 2.
2. Digital or online library database resources offered by a school district, state agency, or public library to students in kindergarten through grade twelve must have safety policies and technology protection measures that:

a. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials constituting an obscene performance or explicit sexual material; and

b. Filter or block access to explicit sexual material.

3. Notwithstanding any contract provision, if a provider of digital or online library resources fails to comply with subsection 2, the school district, state agency, or public library shall withhold any further payments to the provider pending verification of compliance.

4. If a provider of digital or online library database resources fails to timely verify the provider is in compliance with the safety policies and requirements of subsection 2, the school district, state agency, or public library shall consider the provider's act of noncompliance a breach of contract.

5. A public school library and a public library shall submit an aggregate written report to the legislative management no later than December first of each year regarding any:

a. Issues related to provider compliance with technology protection measures required by subsection 2; and

b. Incidents of complaints regarding accessible materials.

6. As used in this section:

a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.

b. "Public library" does not include the state library.

c. "State agency" does not include the state library.

SECTION 7. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Attorney general - Obscenity review procedure - School districts - State agencies - Public libraries - Penalty.

1. Any interested person may request an attorney general's opinion to review an alleged violation under section 12.1-27.1-03.5 or section 6 of this Act. Within thirty days of receiving the request, the attorney general shall issue an opinion on the alleged violation to the interested person, the provider of digital or online library database resources, if any, and the school district, state agency, or public library under review.

2. If the attorney general determines a public library or state agency has violated this section, the attorney general shall notify the state treasurer.

3. If the attorney general determines a school district has violated this section, the attorney general shall notify the superintendent of public instruction.

4. After receiving notice under subsection 2 or 3, the state treasurer or superintendent of public instruction may not distribute funds to the school district, state agency, or public library until the attorney general has determined the school district, state agency, or public library is in compliance with the relevant statute and has notified the state treasurer or superintendent of public instruction accordingly.

To: Members of the Senate Judiciary Committee

Regarding: SB 2307

From: Bob and Susan Wefald

Vote NO on Senate Bill 2307

Our family has used and supported Public Libraries in North Dakota for over 50 years. Parents, not the state, should supervise reading choice for their children. Our libraries are doing a fine job, and this bill is not needed.

February 9, 2025

Chair Larson and members of the Senate Judiciary Committee,

I submit personal testimony in opposition of SB2307.

As I sat to write this testimony, I became more incredulous with every version—I cannot believe this is being proposed. Thus, short and to the point is what I have prepared.

This bill is a high-handed attempt to micromanage constituents of North Dakota while basically making it impossible for children to enter libraries. Do we not have better things about which to legislate?

I urge a DO NOT PASS on SB2307.

Sincerely,
Katrina Eberhart
Bismarck, District 35

The North Dakota Senate is considering SB 2307, **this bill that would undermine the fundamental principle of free and open access to information in our libraries**. It would also place costly and unmanageable demands on library staff.

The library is an essential part of our state's families. Parents who take their children to the library show them how to use the resources available, what sections can be found and expand those children's minds by showing them the world outside of picture books. They don't need to be able to READ those books but seeing the library for more than a resource for small children is essential to expanding our communities' use and appreciation of the resources libraries can provide.

Limiting access to the grown-up sections of the library shuts off that ability for parents to teach their children organically how libraries function and what resources are available. You will stunt the growth of the next generation and diminish one of our community's most valuable resources. This will NOT prevent them from getting to the content you wish to shield them from, just make it more likely they will find it on the internet – without boundaries and without the moral guidance of their parents. You will only see the decline in usership of the library and the withdrawal of our children further into the online world – where they are already "checked out" and isolating from their communities.

Don't do this to our children, our community and our library!!!!!!

Thank you,



Damita Engel

Hearing speech

I stand before you today to present the amended version of **Senate Bill2307**, a necessary and measured step in **protecting minors from exposure to obscene and sexually explicit materials** in schools and libraries. While some changes have been made by the **Legislative Council**, the intent remains the same: **to ensure that public institutions funded by taxpayers are not venues for exposing children to harmful content**

Libraries and schools were once places of **safety and learning**, but over time, **activists and loopholes in existing law** have allowed inappropriate materials to be introduced into these spaces. Some have argued that this legislation constitutes **book banning or censorship**, but the reality is far from that. **This bill does not ban books; it simply ensures that explicit content is not easily accessible to minors.**

In fact, opponents of this bill have unintentionally proven our point. At a **public hearing in western North Dakota**, community members attempted to **read aloud passages from books available to minors in public libraries**—but they were stopped because the material was deemed too obscene for a public setting. If this content is inappropriate for adults in a public hearing, how can we justify making it readily available to children?

Some have raised concerns that this bill removes books from libraries. **That is not the case.** The bill does not call for an outright ban but instead establishes a **clear and reasonable process for relocation** to ensure that explicit materials are placed in areas where they are **not easily accessible to minors**.

The legislation requires that:

1. If a **parent, guardian, or concerned patron** identifies material that may be obscene or harmful to minors, the concern will follow the **local review process**. To the point of superintendent and school board that is the point of moving it to the next step
2. If the concern escalates, the **Attorney General's office** will review the material and provide an opinion.
3. If the material is deemed obscene, it **must be relocated** to a **restricted section** of the library, such as:
    - A **cabinet** with signage.
    - A **roped-off or designated section** where only adults may access it.

This ensures that libraries **retain the materials** for legitimate research or adult access while preventing inappropriate exposure to minors.

Why Relocation Matters

Scientific research and firsthand accounts have demonstrated the **harmful effects of pornography on developing minds**. Dr. James Dobson, who served on the **U.S. Attorney General's Commission on Pornography**, found that:

- **91% of minors** who encountered pornography did so **unintentionally**, often while browsing for school-related research.

- A **single exposure** to explicit material can trigger an **addiction stronger than cocaine or heroin** in some individuals.

This is not about **limiting free speech**—it is about **setting reasonable boundaries** in spaces where children learn and grow.

North Dakota: A Haven for Family's

North Dakota has an opportunity to become **a leader in child protection**, ensuring that our schools and libraries are places of **education, not exploitation**. Families are increasingly fleeing states that push explicit materials on children. By passing this legislation, we send a clear message: **North Dakota stands for the protection of children, not for the agendas of activists.**

It is important to recognize that **most librarians and educators are dedicated individuals** who serve their communities well. This bill is **not an attack on libraries**—it is a necessary safeguard against the **small number of activists** who exploit legal loopholes to push an agenda that does not align with the values of our families and communities.

A Call to Action

Senate Bill 2360 is not about banning books, but it is about **common-sense protections** for our children. I urge the committee members to **support this bill in its amended form**, ensuring that explicit materials are placed **where they belong: away from minors, while still remaining accessible to adults.**

I humbly ask for a Do Pass recommendation.

I stand for questions.

Senate Bill 2307 and SB 2380

Pornography Causes Depression and Mental Health Problems

■ Youth who are depressed or have delinquent tendencies are known to have higher levels of pornography exposure.

■ Pornography use is a recognized predictor of depression.

■ Younger age at first pornography viewing is associated with frequency of adult mental health problems.

Pornography Causes Permissive Sexual Attitudes and Behaviors

■ Pornography use, even when infrequent, is associated with abnormal behaviors.

■ In males, early exposure to pornography predicted "permissive sexual norms, sexual harassment perpetration" and various forms of sexual behavior.

■ Even when controlling for other factors, pornography consumption influences sexual behaviors.

■ Adolescents who are exposed to pornography are more likely to have multiple sexual partners.

■ Early exposure to pornography is associated with initiation of sexual behavior at a younger age.

■ In young men, pornography viewing is associated with higher rates of sexual coercion and violent or abusive behavior.

■ Pornography consumption is associated with negative gender attitudes.

■ Pornography exposure is associated with substance abuse.

Pornography Contributes to Poor Academic Performance

■ Exposure to pornography has been shown to interfere with working memory in a way not seen with exposure to other stimuli, including negative stimuli.

■ Sexually explicit images affect the brain's emotion/attention processing.

■ In early adolescent boys, pornography exposure was associated with reduced academic performance.

The Brain on Porn

- Brains are hardwired to learn, and learning changes the brain
- Dopamine, produced by the brain, drives learning and curiosity and can become addictive
- Addiction changes the brain; cocaine brain and sexually-addicted brain look the same
- The brain sees explicit material the same way whether cartoon, drawing, picture, or video
- Exposure to pornography traumatizes children's brains
- Trauma reduces brain matter by 10-12%
- Long-term porn exposure reduces brain gray matter

"Exposing children to pornography should be forbidden and better regulated, as it is violating their spiritual boundaries and evolving beliefs around body, sexual development and intimate relationships, in a similar way that direct sexual abuse on their body does. If this trauma is not identified and processed promptly, the survivor runs the risk of reenacting as an attempt to resolve what once left him or her powerless, or of even engaging in similar criminal behaviors"

--Dr. Caroline Giroux, psychiatrist (2021)

Bibliography

Biroux, D.C. (2021, December 7). *Early exposure to pornography: a form of sexual trauma.* Retrieved from Journal of Psychiatry Reform: https://journalofpsychiatry.com/2021/12/07/early-exposure-to-pornography-a-form-of-sexual-trauma/

Kuhn, S.A. (2014). Brain Structure and Functional Connectivity Associated with Pornography Consumption: The Brain on Porn. *JAMA Psychiatry.*

Meng, L.J. (2016). Trauma-specific Gray Matter Alterations in PTSD. 6, 33748. *Scientific Reports.*

Mengia-S. Rioult-Pedotti, D.F. (2000). Learning-induced LTP in Neocortex. *Science*, 533-536.

Voon V, M.T. (2014). Neural Correlates of Sexual Cue Reactivity in Individuals with and without Compulsive Sexual Behaviours. *PLoS ONE.*

Weinschenk, S. (2009, November 7). *100 Things You Should Know About People #8 Dopmine Makes You Addicted to Seeking Information.* Retrieved from The Team W. Blog: Behavioral Science, Brain Science, and Design, by Susan Weinschenk Ph.D.: https://www.blog.theteamw.com/2009/11/07/100-things-you-should-know-about-people-8-dopamine-makes-us-addicted-to-seeking-information/

SB2380 and SB2307

The Research-Backed Links Between Pornography & Child Sexual Abuse

- Pornography Feeds the Growing Appetites of Child Sexual Abusers
- Child Sexual Abusers Use Pornography to Create Plans of Action
- Child Sexual Abusers' Tastes for Pornographic Content Depicting Younger Performers Increase Over Time
- Abusers Point Children to Pornography as a Way to Groom and "Train" Their Victims
- Pornography Normalizes Deviant and Dangerous Sexual Behaviors
- Pornography Has Been Found to Be Connected to a Rise in Child-on-Child Harmful Sexual Behavior

Source:
https://endsexualexploitation.org/articles/the-research-backed-connections-betweenpornography-and-child-sexual-abuse

"In this day and age, you will never find a man who has sexually offended who is not deeply steeped in pornography prior to offending. So pornography is the common denominator among all sexual offenses."

Jon Uhler
Therapist with 30 years experience counseling both victims and perpetrators
Full interview:
https://rumble.com/v27luo0-is-pedophilia-becoming-normalized-a-therapist-for-sexualoffenders-weighs-i.html

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Title.

Prepared by the Legislative Council staff for Senator Boehm
February 5, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2307

Introduced by

Senators Boehm, Erbele, Hogue, Weston

Representatives Steiner, Tveit

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the attorney general's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01 and sections 12.1-27.1-03.1, 12.1-27.1-03.5, and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code is amended and reenacted as follows:

5. As used in this chapter, the terms "obscene material" and "obscene performance" mean material or a performance which:
   a. Taken as a whole, the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest;
   b. Depicts or describes in a patently offensive manner sexual conduct, whether normal or perverted; and
   c. Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value.

Whether material or a performance is obscene must be judged with reference to ~~ordinary~~reasonable adults, unless it appears from the character of the material or the circumstances of its dissemination that the material or performance is designed for minors or other specially susceptible audience, in which case the material or performance must be judged with reference to that type of audience.

SECTION 2. A new subsection to section 12.1-27.1-01 of the North Dakota Century Code is created and enacted as follows:

As used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.

SECTION 3. AMENDMENT. Section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.1. Objectionable materials or performance - Display to minors - Definitions - Penalty.

1. ~~A person is guilty of a class B misdemeanor if he~~the person ~~willfully displays at newsstands or any other business establishment frequented by minors, or where minors are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which either contains explicit material harmful to minors or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.~~

~~2.~~ As used in this section:

a. "Explicit sexual material" means any material that:

(1) Taken as a whole, appeals to the prurient interest of minors;

(2) Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors; and

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

b. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the

top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.

~~b.~~c. "Where minors are or may be invited as a part of the general public" includes any public roadway ~~or~~, public walkway, public library, or public school library.

~~c.~~d. The above ~~shall~~may not be construed to include a ~~bona fide school,~~ college, university, museum, ~~public library,~~ or art gallery.

2. 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 are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which is explicit sexual material or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.

SECTION 4. AMENDMENT. Section 12.1-27.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.5. Public libraries and school districts prohibited from maintaining explicit sexual material - Report.

1. As used in this section:
   a. "Explicit sexual material" means any material which:
      (1) Taken as a whole, appeals to the prurient interest of minors;
      (2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and
      (3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
   b. "Public library" means a library established under chapter 40-38.
   c. "School district" includes a school library or classroom library under the control of the school district.
2. A public library or a school district may not maintain in ~~its children's collection inventory books~~an area easily accessible to minors ~~a book or any other medium that contain~~contains explicit sexual material.

3. By January 1, ~~2024~~2026, each public library and school district shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:
   a. For the ~~removal or~~ relocation of explicit sexual material in ~~the publica~~ library to an area in the library ~~inaccessible~~not easily accessible to minors;
   b. For the development of a book and media collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library or school district;
   c. For the ~~public library to receive, evaluate, and respond to~~or school district to ~~relocate~~relocation of materials to an area ~~inaccessible~~not easily accessible to minors ~~or refer an individual to the attorney general under section 7 of this Act~~, upon a request from an individual ~~regarding the removal or relocation of~~to relocate ~~one or more of the books or other~~ materials~~media in the library collection containing~~the ~~individual believes contains~~ explicit sexual material in the library collection; ~~and~~
   d. For the activation of a diverse decisionmaking committee to reconsider the relocation of explicit sexual material in the library collection, if the individual is unsatisfied with the result under subdivision c;
   e. To refer an individual to section 7 of this Act, if the individual is unsatisfied with the result of the reconsideration under subdivision d; and
   f. To periodically review the library collection to ensure ~~the library collection does not contain explicit sexual material in the children's collection~~compliance with this section.
4. Each public library and school district shall provide a compliance report to the legislative management before May 1, ~~2024~~2026, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

SECTION 5. AMENDMENT. Section 12.1-27.1-11 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-11. Exceptions to criminal liability.

Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall~~may not apply to the possession or distribution of material in the course of law enforcement, judicial, or legislative activities; or to the possession of material by a ~~bona fide school,~~ college, university, museum, or public library for limited access for educational research purposes carried on at ~~such an~~the institution by adults only. Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall also~~may not apply to a person who is returning material, found to be obscene, to the distributor or publisher initially delivering it to the person returning it.

SECTION 6. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Safety policies and technology protection measures required - Report.

1. As used in this section:
   a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.
   b. "Public library" does not include the state library.
   c. "State agency" does not include the state library.
2. A school district, state agency, or public library may offer digital or online library database resources to students in kindergarten through grade twelve if the person providing the resources verifies all the resources comply with subsection ~~2~~3.
~~2.~~3. Digital or online library database resources offered by a school district, state agency, or public library to students in kindergarten through grade twelve must have safety policies and technology protection measures that:
   a. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials constituting an obscene performance or explicit sexual material; and
   b. Filter or block access to explicit sexual material.
~~3.~~4. Notwithstanding any contract provision, if a provider of digital or online library resources fails to comply with subsection ~~2~~3, the school district, state agency, or public library shall withhold any further payments to the provider pending verification of compliance.

~~4.~~5. If a provider of digital or online library database resources fails to timely verify the provider is in compliance with the safety policies and requirements of subsection ~~2~~3, the school district, state agency, or public library shall consider the provider's act of noncompliance a breach of contract.

~~5.~~6. A public school library and a public library shall submit an aggregate written report to the legislative management no later than December first of each year regarding any:

a. Issues related to provider compliance with technology protection measures required by subsection ~~2~~3; and

b. Incidents of complaints regarding accessible materials.

~~6. As used in this section:~~

~~a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.~~

~~b. "Public library" does not include the state library.~~

~~c. "State agency" does not include the state library.~~

7. By January 1, 2026, each school district, state agency, or public library offering digital or online library database resources to students in kindergarten through grade twelve shall develop a policy and process for reviewing digital or online library database resources to ensure conformance with this section. The policy must include a procedure:

a. For an individual to report to the school district, state agency, or public library materials containing explicit sexual material or an obscene performance in the digital or online library database resources;

b. Upon receipt of a report under subdivision a, for the school district, state agency, or public library, to provide the report to the provider of digital or online library database resources and apprise the individual of the actions taken to comply with this section; and

c. To refer an individual to section 7 of this Act, if the individual believes this section is being violated after being apprised of the actions taken to comply with the section.

SECTION 7. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Attorney general - Obscenity review procedure - School districts - State agencies - Public libraries - Penalty.

1. Any interested ~~person~~individual who has exhausted the procedures under 12.1-27.1-03.5 or section 6 of this Act may request an attorney general's opinion to review an alleged violation under section 12.1-27.1-03.5 or section 6 of this Act. Within thirty days of receiving the request, the attorney general shall issue an opinion on the alleged violation to the interested ~~person~~individual, the provider of digital or online library database resources, if any, and the school district, state agency, or public library under review.
2. If the attorney general determines a public library or state agency has violated this section, the attorney general shall notify the state treasurer.
3. If the attorney general determines a school district has violated this section, the attorney general shall notify the superintendent of public instruction.
4. After receiving notice under subsection 2 or 3, the state treasurer or superintendent of public instruction may not distribute funds to the school district, state agency, or public library until the attorney general has determined the school district, state agency, or public library is in compliance with the relevant statute and has notified the state treasurer or superintendent of public instruction accordingly.

Testimony Against North Dakota Bill SB 2307

Dear Members of the Senate Judiciary Committee,

I am writing to express my strong opposition to Senate Bill No. 2307. This bill, which aims to amend and enact new sections to the North Dakota Century Code relating to the definition of a public library, required safety policies, technology protection measures, and the attorney general's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material, raises several concerns.

Firstly, the bill's broad definition of "obscene material" and "obscene performance" is problematic. The criteria outlined in the bill, which include material that "predominantly appeals to a prurient interest," "depicts or describes in a patently offensive manner sexual conduct," and "lacking in serious literary, artistic, political, or scientific value," are highly subjective and open to interpretation. This could lead to the unjust censorship of valuable educational and artistic content that is essential for a well-rounded education and cultural understanding.

Secondly, the requirement for public libraries to implement safety policies and technology protection measures to prevent minors from accessing explicit sexual material is overly restrictive. While it is important to protect minors, the measures proposed in this bill could hinder access to a wide range of information and resources that are crucial for their intellectual and personal development. Libraries serve as a vital resource for learning and exploration, and imposing such stringent restrictions could undermine their role in fostering a love for reading and knowledge.

Furthermore, the bill's provision for the attorney general to review public libraries, school districts, and state agencies for compliance with these statutes is an unnecessary overreach of governmental authority. This could lead to increased bureaucracy and administrative burdens on these institutions, diverting resources away from their primary mission of serving the community.

In North Dakota, public libraries are heavily utilized by the community. According to recent statistics, libraries in the state have seen a significant increase in usage over the past few years. For example, the number of library visits has increased by 15% annually, and the circulation of library materials has grown by 20%. These statistics highlight the importance of libraries as a resource for education, information, and community engagement.

In conclusion, Senate Bill No. 2307 poses significant threats to intellectual freedom, access to information, and the autonomy of public libraries and educational institutions. I urge the members of the Senate Judiciary Committee to consider the negative implications of this bill and vote against its passage.

Thank you for your attention to this matter.

Sincerely,

Deanna Mussatti

<html><head></head><body style="overflow-wrap: break-word; -webkit-nbsp-mode: space; line-break: after-white-space;"><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;"> This bill aims to ensure minors dont see inappropriate things, but whos to say what inappropriate? THE PARENTS! If I feel somethings inappropriate, I tell my children NO. I control my childrens access to the Internet. Parents need to be parents. Kids are always going to be curious and do something they are not supposed to do. That should not lead to criminal charges for adults. Have you not heard of grounding the child? Taking away privileges? Asked to do more chores?</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;">Libraries are supposed to offer different points of view. We are free to disagree but we should not remove an opinion. This is called censorship. Censorship is never historically done by the Good Guys. Be on the right side of history. If you dont know it, your librarians will be happy to get you the right history books. Communists, and Nazis will be first on your reading list.</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;"> Libraries already have software that filters out inappropriate images. Libraries also have reconsideration policies so if you feel the book is too mature for a particular area, a patron of the Library can ask for a librarian to look it over and think about moving it to a more appropriate area. This bill is unnecessary and a waste of time and money.</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;">Where will this bill end? Parents sent to jail because their kid got around a filter and on to a porn site? Movie theater workers getting a criminal records over sneaky teenagers? Librarians jailed over a paperback novel a kid read?   How will this be fairly applied? What happens if a child gets into a cable channel not meant for their eyes? Will we be jailing the cable installers or Netflix stars? This is ridiculous! Your political party claims to be one of individual rights. Stop stomping on mine and my childrens.</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;">   If we truly wish to protect our children sexually, vote against HB1231 and not allowing sex offenders to get off registries early! Prosecute sex offenders like Ray Holmbrrg. Investigate sex offenders co-conspirators. Who knew what when?</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;">Pamela Carswell</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;">Literate North Dakotan</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;">Sensible Mother of three teenagers</p><p class="MsoNormal" style="-webkit-text-size-adjust: auto; caret-color: rgb(0, 0, 0); color: rgb(0, 0, 0); margin: 0in 0in 8pt; line-height: 15.693334px; font-size: 11pt; font-family: Calibri, sans-serif;">Objector to your nanny state!</p></body></html>

Dear Members of the Judiciary Committee:

Please vote **NO** on SB 2307. Our library already has policies in place, and North Dakota has appropriate laws to prevent obscenity. Decisions about library materials should be made by local governments and library boards, not dictated by unnecessary legislation.

SB 2307 creates unnecessary restrictions and puts librarians at risk of criminal or financial consequences simply for doing their jobs. Our library is a small, one-room county library shared with our elementary school. The space is carefully sectioned by age, and our single librarian already handles the workload of two positions to maximize resources and save money.

If this bill passes, one of these entities may be forced to close, which would be a devastating loss for our community. Please stand with us and oppose SB 2307.

Traci Lund

Crosby, ND 58730

Kristin Nelson

5409 20th Street South

Fargo, ND

District 46

2/10/2025

DO NOT PASS SB 2307

Chairwoman Larson and members of the Senate Judiciary Committee:

I write to you today to encourage a **DO NOT PASS** recommendation on **SB 2307**. School and public libraries **already have a process to review and place materials**. This bill is a repeat attempt from last year to control and **criminalize librarians** for simply doing their jobs.

Schools and public libraries also have **policies in place to ensure online safety**. The media specialists teach children about **online safety and online media literacy**. This bill only seeks to penalize (subjectively, I believe) librarians and schools for offering diverse books and materials.

I am trying to understand the necessity of this bill and how it solves a **current problem**. We know library bills are made to **attack free speech**, and subjects such as **gender identity and race**. Our schools and libraries serve a **diverse clientele** who should be able to access materials that reflect **their own culture**. We also know that libraries and schools do not offer adult materials in children's sections or any section that children have access to. **This is again a solution to a problem that is not there**. There is no good faith here.

This bill seeks to use a great deal of the **state's resources without any appropriation** to support that work. That alone should be a reason to not pass this bill.

Censoring resources for communities you do not like or approve of, **does nothing** to destroy those communities. It only makes the **opposition stronger**. Our state is better than censorship. Please recommend a **DO NOT PASS** on this bill.

Respectfully submitted:

Kristin Nelson (she/her)

Senate Judiciary Committee
SB 2307
February 10, 2025

Chair Larson, Vice Chair Paulson, and members of the Committee,

My name is Jenni Momsen. I am a parent, educator, and long-time resident of North Dakota. I am here today to express my strong opposition to SB 2307, which seeks to impose restrictive measures on the materials available in our libraries.

SB 2307 represents an alarming overreach of state authority by allowing the attorney general to withhold funding from libraries based on complaints about materials. This threatens local control and the ability of communities to make decisions that reflect their values and needs. Rather than promoting literacy and critical thinking, this bill seeks to limit access to information and punish those who work to ensure it remains available.

Furthermore, the bill disproportionately impacts rural communities, where libraries often operate with limited space and resources. Requiring segregation or restriction of materials would be logistically unfeasible and could result in a loss of access to important educational and literary content.

And lastly, SB 2307 criminalizes library professionals for simply doing their jobs, creating a chilling effect that would lead to self-censorship and limit the ability of librarians to serve their communities effectively.

For these reasons, I urge you to reject SB 2307 and uphold the principles of intellectual freedom and local governance. Our libraries should be places of learning, exploration, and inclusivity, not censorship and fear. Thank you for your time and consideration.

Sincerely,
Jennifer Momsen
1220 4th St North
Fargo, ND 58102
jmomsen@gmail.com

Senate Judiciary Committee
SB 2307
February 10, 2025

Chair Larson, Vice Chair Paulson, and members of the Committee,
My name is Blaise Balas. I am a high school student, and long-time resident of North Dakota. I am here today to express my strong opposition to SB 2307, which seeks to impose restrictive measures on the materials available in our libraries.
SB 2307 represents an alarming overreach of state authority by allowing the attorney general to withhold funding from libraries based on complaints about materials. This threatens local control and the ability of communities to make decisions that reflect their values and needs. Rather than promoting literacy and critical thinking, this bill seeks to limit access to information and punish those who work to ensure it remains available.
Furthermore, the bill disproportionately impacts rural communities, where libraries often operate with limited space and resources. Requiring segregation or restriction of materials would be logistically unfeasible and could result in a loss of access to important educational and literary content.
And lastly, SB 2307 criminalizes library professionals for simply doing their jobs, creating a chilling effect that would lead to self-censorship and limit the ability of librarians to serve their communities effectively.
For these reasons, I urge you to reject SB 2307 and uphold the principles of intellectual freedom and local governance. Our libraries should be places of learning, exploration, and inclusivity, not censorship and fear. Thank you for your time and consideration.

Blaise Balas
bucbalas@gmail.com
701-561-9340

Milnor Public School District No. 2
530 Fifth Street | P.O. Box 369
Milnor, North Dakota 58060-0369
Phone: 701-427-5237 | Fax: 701-427-5304
www.milnor.k12.nd.us

Chris Larson, Superintendent and Activities Director
Ryan Weber, High School Principal
Theresa Wittich, Elementary Principal

Testimony in Opposition to SB 2307

Presented by Dr. Chris Larson, Superintendent, Milnor Public School & President of the SMMSL Board

February 10, 2024

North Dakota Legislative Assembly

Chair Larson, members of the committee, my name is Dr. Chris Larson and I serve as the Superintendent of Milnor Public School as well as the President of the SMMSL Board, a community partnership between the City of Milnor and the Milnor Public School to operate our local library. I appreciate the opportunity to speak before you today in **strong opposition to Senate Bill 2307**.

Frankly, I am **puzzled as to what problem this legislation is trying to fix**. As educators and librarians, we take the responsibility of curating appropriate materials for students seriously. We already have policies in place to **ensure books are age-appropriate and aligned with educational goals**, and we work in partnership with parents to address any concerns. This bill does not solve an existing issue—it **creates one** by introducing vague, broad, and **potentially unconstitutional** oversight into schools and libraries.

Books Are Not the Problem

Let's be honest: **Banning books is not going to keep nude images from our youth.** The internet and cell phones have a complete monopoly on that market. Any student with a smartphone has access to far more explicit content than any librarian or teacher would ever place on a shelf. **Singling out books—many of them classics with historical, literary, and educational value—does not address the real concerns parents may have about media exposure.**

This bill does not **protect** students; it **limits their access to knowledge, diverse perspectives, and historical realities**. What's more concerning is the chilling effect this law could have on schools and libraries: **fearful of violating a loosely defined policy, educators may simply start removing materials preemptively, even if they have educational merit.**

Criminalizing Educators and Librarians?

Perhaps the most alarming provision of SB 2307 is the **Class B misdemeanor** penalty. **Are we really going to start criminally charging librarians and teachers for allowing access to literature?**

Let's be clear about what this means in practice:

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Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

- A **school librarian** in a rural district could face criminal charges because a book in the school library has been deemed inappropriate under this **highly subjective law**.
- A **teacher** could be **accused of a crime** for assigning a book that contains historical realities about war, violence, or human relationships—topics **central to understanding history and literature**.
- A **public librarian** could be **prosecuted** for shelving a novel that a single individual deems offensive, even though it has been widely recognized for its literary and educational value.

This is **not about protecting children—it's about intimidation**. Educators and librarians should **not** have to fear criminal charges for doing their jobs.

What Books Could Be Targeted Under SB 2307?

The vague and subjective language of this bill could result in the removal of books that have been **integral to education for generations**, including:

- **"The Diary of a Young Girl" by Anne Frank** – A firsthand account of the Holocaust that includes passages about puberty and self-discovery.
- **"To Kill a Mockingbird" by Harper Lee** – A classic novel that explores racial injustice and contains discussions of sexual violence.
- **"Beloved" by Toni Morrison** – A Pulitzer Prize-winning novel about slavery and its lasting trauma, often challenged for its difficult but historically accurate depictions.
- **"Maus" by Art Spiegelman** – A graphic novel about the Holocaust, already banned elsewhere due to nudity in historical concentration camp depictions.
- **"The Absolutely True Diary of a Part-Time Indian" by Sherman Alexie** – A widely celebrated novel about a Native American teen, often targeted for its frank discussion of poverty, racism, and personal identity.
- **"This Book is Gay" by Juno Dawson** – A nonfiction book offering guidance to LGBTQ+ youth, frequently challenged in states with similar laws.

These books **are not the problem**—they **challenge students to think critically, learn history, and develop empathy**. Suppressing the spread of ideas **does not align with American principles**.

A Dangerous Precedent

This bill also places **unprecedented power in the hands of the Attorney General** to review and restrict access to books, with schools and libraries **facing potential funding loss for noncompliance**. Decisions about what is suitable for students **should be made at the local level**—by educators, librarians, parents, and school boards—not by a **political or legal review process that risks ideological bias**.

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Conclusion

If we truly want to help students navigate a world filled with media influences, we should **equip them with the skills to think critically, not restrict their access to knowledge**. SB 2307 is **unnecessary, harmful, and fundamentally un-American in its attempt to control what ideas can and cannot be read**.

Worse yet, **criminalizing educators and librarians is an attack on the very people who dedicate their lives to fostering knowledge and literacy.**

I urge you to **reject this bill** and stand for the principles of free inquiry, local control, and educational integrity.

Thank you for your time, and I welcome any questions.

Respectfully submitted,

Dr. Chris Larson
Superintendent
Milnor Public School
Chris.larson@k12.nd.us

Elizabeth Walch, Bismarck

February 10, 2025

SB 2307

I am submitting testimony in OPPOSITION to SB2307.

I urge you to vote NO on SB2307 relating to making changes to the North Dakota Century Code. While I understand the concern to care for our children and protect them from materials that they may not be ready to understand, this bill is tantamount to censorship and violates our First Amendment Rights.

I acknowledge that nowhere in this bill is the word "censorship." That may not be the intended purpose of the legislators who introduced this bill, but it will be the result. When a class B misdemeanor can be brought against a teacher or librarian for providing "sexually explicit material" to a minor—that's a scare tactic and will result in teachers and librarians self-censoring their collections. The State does not have a place in deciding what people read nor should teachers and librarians be punished.

The decision about what literature, music, movies, or art that a child is ready to consume is for the family to decide, not the government. Librarians, teachers and parents agree that protecting children from harm is important, and that it is a practice that librarians, teachers, and parents already engage in. Our librarians and teachers know our kids and care about them deeply. They use that knowledge and personal connection to put books in their hands that will interest them and move them and help them learn and grow.

This bill infringes on the rights of parents, teachers, and librarians to work with their kids and students on choosing reading material that is appropriate and relevant and of interest. It also removes any opportunity we have, to trust our kids with those decisions, too.

As a pastor and person of faith, I am concerned about the "slippery slope" of censorship. I am concerned that the State will want to continue to infringe on the rights of the people to make their own decisions. I am concerned about the curtailing of freedom in this area will lead to the curtailing of other freedoms as well.

I urge you to vote NO on SB2307.

Elizabeth Walch
Bismarck Pastor

Mariah Bates
02/14/2023
Senate Bill 2360

Members of the Senate Judiciary Committee, my name is Mariah Bates and I reside in District #1. I am asking that you please render a DO PASS recommendation on Senate Bill 2360.

There is so much that can be said relating to the need of this bill. Data that supports the need for this bill. Personal experiences that prove the need for this bill. I know there will be testimonies shared today that will speak from those standpoints and I know that I myself have the research to do so as well. But, today, I want to offer a viewpoint, my viewpoint, from my initial encounter with the obscene books offered in my community and in many communities across our nation by Public school districts.

I am often a very black and white person. Although some may dislike a viewpoint such as this it has served me well in my life and continues to help me build a strong foundation of my moral and ethical beliefs. When I found out that there were sexually explicit books being provided by our Public School District to the children in our community, I couldn't not truly comprehend the idea. Not only does this not sit well with my mind but it does not sit well with my soul. When you scrape away the extra words surrounding this topic, and look at the statement for what it truly is "Adults providing access to sexually explicit books to minors" you can not tell me that it sits right with you either.

I had never truly been so infuriated and dumbfounded than the day I was met with opposition to this statement. When meeting with the Superintendent and School Board president about the available obscene books in my district we were met with the statements that children have freedom of choice and parents have parental choice. I find this statement so foolish. Children do not have freedom of choice as children. We do not allow them to purchase or consume alcohol, to purchase and consume tobacco, to attend rated R movies, or even to purchase pornography. But yet a public school district should be allowed to provide children access to unrated, unregulated books that glorify sexually explicit interactions, alcohol, drug use, and suicide. Again, this is a black and white situation for me, I can not possibly see the good in it. In regards to parental choice, I believe that if a parent truly wants their child exposed to such harmful material at a young age than they can do so with their own money and purchase these books for their home. Parents lose their parental choice when a book is already freely available to their child in a public school library where a parent may never know if their child is reading it or not.

North Dakotas tagline is to be Legendary. The "Be Legendary brand" celebrates the land, the legends, the adventurous spirit, the vibrant communities, the scenic places and the genuine people of North Dakota. Let us remember that when we are reviewing this Bill. Let us continue to be Legendary in the United States by not standing by, let us take a stand against the books that are being fought across our country. Let us honor our North Dakota communities filled with people who want to protect their children. I ask you again to please render a Do Pass for Senate Bill 2360 to help parents protect their children.

Olivia Data
Testimony in Opposition to SB 2307
February 10, 2025

Greetings, Chairwoman Larson and members of the committee.

My name is Olivia Data, and I am a North Dakota resident writing to you to urge you to oppose SB 2307.

The world we live in is becoming increasingly confusing, fast-paced, and polarized. With today's technological developments, youth have access to all sorts of harmful information directly at our fingertips. Our response to this reality must not be to limit access to education but to enable the youth of North Dakota to seek out truth in a safe and healthy manner.

Censoring and defunding public libraries will not protect anyone. Rather, it will take away one of the last remaining community spaces we have where young people are free to ask questions without shame or fear and find answers that are accurate and conducive to growth. Of course it is inappropriate to encourage that explicitly sexual material be pushed into the hands of children. But should our libraries be limited in their abilities to provide knowledge, youth will only be pushed further towards misleading sources like the internet.

Furthermore, SB 2307 presents a great danger in that what we consider "obscene material" – even in relation to the "average person" – is highly subjective. The bible, for example, a holy book and a source of learning for countless generations, contains descriptions of nudity and adult topics that many people would consider inappropriate for young children. Will we ban all depictions of the human body? Will we shame members of our own community for exploring the definitions of art and literature? And who gets to decide what has "serious literary, artistic, political, or scientific value"? If we want to promote the welfare of our youth, surely this decision should be left up to parents rather than our government and its money.

We all deserve to be able to learn and grow in a safe and healthy environment. If we want to have any hope of preserving any places of knowledge, education, and community for future generations, we must stop censoring our libraries. Please, help us build a world where youth are empowered, supported, and excited about learning. I urge you to vote "Do Not Pass" on SB 2307.

Thank you for your time in reviewing this testimony.

Sincerely,

Olivia Data
District 35
Bismarck, ND

Testimony in Support of SB 2307

Senate Judiciary Committee

February 10, 2025

Madam Chair Larson and Members of the Judiciary Committee,

My name is Brittany Boehm and I am here to briefly share some relevant information regarding the American Library Association, the "ALA".

The ALA has a list of Top 10 Most Challenged Books. The books on the 2023 list have been challenged because they contain sexually explicit graphics and/or language, profanity, violence, LGBTQIA+ material, depictions of rape and incest, and drug use. These books are widely available in public libraries and schools across ND (see attached). The ALA promotes these books during a "Banned Books Week" where they spotlight the books and promote activities and ways for people to get involved to keep them accessible.[1]

Two examples of these books are Let's Talk About It by Erika Moen & Matthew Nolan (targeting children ages 14 and up) and Sex is a Funny Word by Cory Silverberg (not on the list, but a very similar book available in ND libraries and targeting children ages 8-11). These books contain graphic images and language normalizing STIs and sexting, encouraging and teaching sexual behaviors, and likening pornography to a "fun, sugary treat" (LTAI p.165).

The ALA is not interested in protecting children. A statement on their website says, "The ALA stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation".[2] Another states, "The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users".[3]

The ALA is not a friend of parents either. As stated in an article from Daily Citizen[4], "instead of taking parents' concerns seriously, the organization's Office for Intellectual Freedom has advice

for librarians about how to fight back against parents who believe certain books might be inappropriate for children.[5] It dramatically labels parents' involvement as “censorship” and “book banning.” The ALA believes children should be able to check out whatever books they want and that they deserve “privacy and confidentiality”- including from parents - in those decisions.[6]

Thank you for your time, and please give this bill a Do Pass recommendation.

Brittany Boehm

Mandan, ND

District 33

[1] Banned Books Week | Banned Books https://www.ala.org/bbooks/banned

[2] Access to Library Resources and Services | ALA https://www.ala.org/advocacy/intfreedom/access

[3] Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights | ALA https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/minors

[4] American Library Association Chooses Marxist Lesbian as President-Elect - Daily Citizen https://dailycitizen.focusonthefamily.com/american-library-association-chooses-marxist-lesbian-as-president-elect/

[5] How to Respond to Challenges and Concerns about Library Resources | ALA https://www.ala.org/tools/challengesupport/respond

[6] Library Bill of Rights | ALA https://www.ala.org/advocacy/intfreedom/librarybill

Top 10 Most Challenged Books of 2023

1. *Gender Queer* by Maia Kobabe
Available in:
Grand Forks Public Library
North Dakota State Library
Fargo Public Library
Minot Public Library
Dickinson Public Library

2. *All Boys Aren't Blue* by George M. Johnson
Available in:
Dickinson High School Library
Grand Forks Public Library
McKenzie County Public Library
Bismarck Public Library
Minot Public Library

3. *This Book is Gay* by Juno Dawson
Available in:
Leach Public Library
Fargo Public Library
Minot Public Library
Bismarck Public Library

4. *The Perks of Being a Wallflower* by Stephen Chbosky
Available in:
West Fargo Public Library
Bismarck Public Library
Mandan Public Library
Minot Public Library
Dickinson High School Library
Hatton Public School Library
Hope School Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library
Iris Swedlund School and Public Library of Velva

5. *Flamer* by Mike Curato
Available in:
West Fargo Public Library
Dickinson Area Public Library
Dickinson High School Library

Minot Public Library
Leach Public Library

6. *The Bluest Eye* by Toni Morrison
Available in:
West Fargo Public Library
North Dakota State Library
Harvey Public Library
Grafton High School Library
Dickinson Area Public Library
Cavalier School Library
Minot Public Library
Beulah Public Library
Washburn Public Library

7. *Me and Earl and the Dying Girl* by Jesse Andrews
Available in:
Dickinson Area Public Library
West Fargo Public Library
Minot Public Library
Morton Mandan Public Library
McLean-Mercer Regional Library-Riverdale
Underwood Public Library
New Salem High School
Turtle Lake-Mercer School Library
Grand Forks Public Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library

8. *Tricks* by Ellen Hopkins
Available in:
Minot Public Library
Center Oliver Library
Dickinson Area Public Library
Finley-Sharon School Library
Grafton High School Library
Grand Forks Public Library
Hope School Library
Leach Public Library
Midway High School Library
North Border-Pembina School and City Library
North Border-Walhalla School Library
North Dakota State Hospital-Health Sciences Library

North Dakota Youth Correctional Library
Northwood School Library
Iris Swedlund School and Public Library of Velva

9. *Let's Talk About It* by Erika Moen and Matthew Nolan
Available in:
Dickinson Area Public Library
Grand Forks Public Library
West Fargo Public Library
Minot Public Library

10. *Sold* by Patricia McCormick
Available in:
Fargo Public Library
Minot Public Library
United Tribes Technical College Library
Saint Mary's Central High School
Beulah High School Library
Theodore Jamerson Elementary School
New Salem High School
Turtle Lake-Mercer School Library

February 9, 2025

Senator Larson and Committee Members,

I strongly urge a "Do NOT Pass" out of committee and "NO" votes on the floor for SB 2307. SB 2307 violates the First Amendment and is bad for North Dakota.

I am a North Dakota resident and local church pastor. SB 2307 could result in removing the Bible from public access and restricts the access of the homeless, the homebound, the hospitalized, and all North Dakotans.

The First Amendment protects the freedom of speech. This bill broadly and subjectively defines "explicit sexual material" and will remove from *all* sections of our libraries age-appropriate materials for teens, young adults, and adults. Our public libraries already curate children's areas to include only books appropriate for young children. However, this bill will require *all* areas of public libraries to be curated for young children. This will result in the removal of a wide spectrum of non-fiction and fiction books and movies (publications which are already confined to age-appropriate areas). In addition, section 6 of this bill threatens our state's access to on-the-go resources like Libby and Hoopla, which provide a way for residents to remotely borrow digital and audio books and watch movies while traveling, homebound, hospitalized, or too busy to physically stop at the library.

Important literary works, commentaries on society, and entertainment will be banned from our public libraries using the subjective definition of what "appeals to the prurient interest of minors" even though what does and does not appeal to the prurient interest of minors is defined differently by every child and adult. As a result, thousands of voices will be silenced throughout the state by this bill. This is a direct violation of our First Amendment rights.

The First Amendment also protects the freedom of religion. SB 2307 will unequally remove religious texts from our public libraries. This bill does not provide protections for texts of religious or moral value. As a Christian pastor, it alarms me that our legislators would restrict the religious freedoms of North Dakotans by banning the Bible (which contains numerous instances of "explicit sexual material"). Other religious texts will also be banned by this bill and the censorship will affect the variety of religions unequally.

Our libraries already have established policies for curating appropriate collections based on each community's needs and the ages of patrons. The legislature should not infringe on the responsibilities of our library boards or school boards to make the best decisions for their local community or the right of parents to make the best decisions for their own children.

Not only is SB 2307 a direct violation of the First Amendment and an act of government overreach into the decision-making process of local communities, but it will also be expensive to implement. Tax dollars will need to be spent to hire readers for every book, article, and magazine currently in circulation in our libraries and schools. The curation of current and future collections will require additional staff. In addition, tax dollars will need to be spent on litigation as a result of this bill.

As a North Dakotan, I strongly urge a "Do NOT Pass" on SB 2307 and a "No" vote on all forms of SB 2307.

Sincerely, Rev. Gretchen Deeg
Bismarck, ND

Testimony on Senate Bill 2307, Section 6
Submitted by Tony Stukel

Chair and Members of the Committee,

My name is Tony Stukel. I am a retired librarian and a member of a public library board. With 32 years of experience as a technology-oriented librarian working in public, school, and academic libraries, I am providing insight on the implications of Section 6 of Senate Bill 2307, introduced by Senators Boehm, Erbele, Hogue, Weston, and Representatives Steiner and Tveit.

This bill requires the use of technology to "filter or block access to explicit sexual material." However, implementing such filtering presents significant challenges:

1. Identifying Restricted Materials – Library electronic collections contain thousands of titles. To restrict access, libraries would need a reliable method to identify prohibited content, which is not clearly defined or present.

2. Age-Based Filtering – If filtering is intended for specific age groups, it would require extensive age verification measures. Implementing and maintaining such a system would demand significant staff time and financial resources, which many libraries simply do not have.

3. Impact on Library Collections – The difficulty of filtering specific content may lead libraries to cancel entire digital collections. For example, compliance with this bill may force libraries to eliminate access to platforms such as Libby/Overdrive, even though only a very small portion of that material might be affected. Similarly, other valuable database subscriptions could be dropped if they cannot accommodate age-based restrictions.

Ultimately, the unintended consequence of this legislation may be to limit public access to a vast range of library resources, far beyond the bill’s intended scope.

Thank you for considering my testimony.

To Whom it may concern,

I am a mother of two elementary age boys. Both of my children attend public school in the city of Williston.

I strongly oppose the use of any sexually explicit materials in the schools, not limited to but especially in an elementary school setting. We must protect our children from exposure to these indecent images, narratives and ideologies. For this reason, I support the passing of Bill 2307.

Sincerely,

Reagan Heard

Testimony in opposition to SB 2307: (2/10/25)

My name is Traci Juhala. I currently hold the position of Head of Youth Services at the Bismarck Veterans Memorial Public Library and have been in this position since 2008. Thank you for your time in reading my submitted testimony.

There are many aspects of the proposed amendments to NDCC 12.1-27.1-03.1 and NDCC 12.1-27.1-03.5 in SB 2307 that are problematic, including quite shockingly that librarians could potentially be held criminally accountable for not censoring library materials. In this testimony, I will specifically address one aspect of SB 2307: Amendments to NDCC 12.1-27.1-03.5 in Section 4.

The amendments to NDCC 12.1-27.1-03.5 read in Section 4, Subsection 3, that our community's public library would be required by January 1, 2026, to develop a policy "to relocate materials to an area inaccessible to minors, or refer an individual to the attorney general under section 7 of this Act, upon a request from an individual to relocate one or more of the books or other media in the library collection the individual believes contains explicit sexual material."

Our library's mission is one I stand firmly behind: to collect, organize and provide open access to educational, informational, recreational, and cultural resources. My responsibility as a librarian is to make this happen with the financial resources I am allotted. I do this in good faith as part of a team of highly trained individuals with many years of collective experience.

In this amendment to NDCC 12.1-27.1-03.5, my responsibility, along with that of my coworkers, would be handed over to an individual, or many individuals, who decide a title in the collection contains explicit sexual material. Because the definition of "explicit sexual material" in Section 3, Subsection 2 of this bill leaves open room for interpretation, this might simply mean that the material does not fit in the individual's life paradigm. The decision to relocate or remove a title would take into account one person's opinion, and that person's opinion would prevail, with library staff under threat of being charged with a Class B misdemeanor if not compliant. Our library already has a sound policy in place for handling any concerns patrons have about materials, and this involves a committee of library staff, who also seriously do their work in good faith. When challenges arise, the reconsideration policy is followed; materials are either retained in place, retained and relocated, or removed.

People from all walks of life use the public library. Our patrons come from across the political, religious, and philosophical spectrum, and our library needs to reflect that. If patrons do not agree with concepts in a certain book, those patrons can choose not to check out those books.

As librarians, my colleagues and I strive to collect, organize, and provide for our patrons. We do not dictate what people should read, and we also do not dictate what they shouldn't.

I encourage you to visit your public library to find out more, and I urge a Do Not Pass for SB 2307.

Chairperson, Members of the Committee,

Thank you for the opportunity to speak today. My name is Jaco Booyens, and I come before you not only as the head of JBM, where I have spent over 25 years fighting human trafficking, but also as a family member of a survivor. My sister was trafficked for six long years—years stolen from her childhood, years that can never be given back. I have seen firsthand the devastation that trafficking inflicts—not just on the victims, but on their families. The pain does not end when the trafficking does; it lingers, it reshapes lives, and it demands a lifetime of healing.

One of the most tragic realities I have come to understand in this fight is how preventable so much of this suffering could be. My sister, like too many children, was failed in multiple ways—failed by a system that did not educate her on what trafficking looks like, failed by a society that normalizes the very grooming tactics traffickers use, and failed by the unchecked exposure to pornography that distorts a child's understanding of boundaries and consent. These failures kept her in silence, and they cost her years of freedom, while my family was left unaware, powerless to intervene.

This is why education in schools is critical. If we do not provide children with the education they need to recognize the signs of trafficking, to understand how predators operate, and to know where to seek help, we are leaving them vulnerable. We must arm them with knowledge that can save their lives. Prevention starts with education, and right now, we are failing to give them the tools they need to protect themselves.

But prevention is only part of the fight. The high cost of recovery for survivors is another battle we cannot ignore. Trafficking steals years from its victims, and the financial burden of trauma therapy, medical care, and rehabilitation often prevents them from fully healing. My sister and countless others like her have had to fight not just for their freedom, but for the resources they need to rebuild their lives. No survivor should have to struggle to afford recovery from a crime they never chose.

This is not just a policy issue—it is a human issue. The decisions made in this room will determine whether we continue to allow traffickers to operate in the shadows or whether we stand up, draw a hard line, and say, "Not on our watch." If we do not act, more children will suffer. More families will grieve. More survivors will carry the weight of trauma that could have been prevented.

I urge you to take bold action. Protect our children from the dangers that are stealing their innocence. Implement policies that ensure education in schools so that children are empowered before they become victims. Provide the necessary support so that survivors can access the healing they deserve. And stand with survivors and their families, not just in words but in laws that ensure no child is left to fight this battle alone.

Madam Chairman Larson and the members of the Senate Judiciary Committee,

My name is Sara Planteen, I am the mother of 3 children who were up until recently enrolled in one of North Dakota's public schools, and I am here today to testify in support of SB2307. I am here to ask you to protect my children and all the children in ND and their innocence. We live in a world where it is more important to belong, then it is to do what is right for our children. We have a society that is trying to desensitize our children to sex. I'm not going to lie, talking about this subject matter up here today and in the months past has been very uncomfortable for me, never something I thought I would have to do.

In August my children came home from Sargent Central Public School in Forman and told me the school had a poster displaying a new book series. This new book series is written below a middle school reading level and is a cartoon book that is said to be for grades 9-12.The summaries on booklooks.org state it contains self harm, gender ideologies, explicit sexual activities, alcohol use by minors, profanity, derogatory terms and alternate sexualities. It was on the front display when you came into the library and accessible for all grades PreK-12. After verifying the books were indeed on the front display and accessible to all students prek-12 we asked the librarian to move the books to a more age appropriate area, but were told no. A conversation with the principal and superintendent got me nowhere. The librarian was also showing the children as young as 9 videos of new books that explore gender roles, sexuality and race making some students feel uncomfortable and upsetting to parents. Getting nowhere with administration I took the next step. School board policy states a request for reconsideration should be filed. I filed that on October 11th. My request for review was passed around the school for staff to read. Some staff then sent a statement to the school board members stating there was nothing wrong with the books in question. Finally on October 30th, 13 business days later, after everyone else was done reading it, brought the complaint to the school board so they could appoint a committee. School board policy states, the board **shall** appoint a curriculum review committee annually **before** the commencement of the school year, that being in July. When I looked at the annual meeting minutes 2 school board members were selected for this committee. BUT that didn't fit the agenda, so the superintendent hand-picked committee members that included teachers and staff that had already signed a statement saying there was nothing wrong with the books. Do you think my request was given a fair and unbiased review if people reviewing it already wrote a statement saying there was nothing wrong with the books?

So I started a petition, requesting the school board remove the books, and update school board policies so that visually pornographic material could not be in the school. This current policy hasn't been updated in over 10 years. We already have policies in place that won't allow students to draw, write or have conversations like the contents of the books, so why is the school allowed to have books in the school library going against school board policy? I spent days driving around our school district and talking to patrons. The community was shocked, upset and disappointed. I can't tell you the number of people that commented that common sense is gone. I had multiple people start to cry when I showed them the books, some looked and instantly had to close the book because they just couldn't handle what I had shown them. They agreed showing pictures of cartoon characters having oral and anal sex was not something they wanted their tax dollars spent on.

But employees of the school started their own petition and "movement". Cancel anyone that signed that petition, attacking business owners, parents, children, because their parents signed and community members. They went so far as to tell students false information about the petition causing students to turn on their parents, encouraging disrespect and rebellion. They told people the book I was showing patrons wasn't even a book at the school and I was lying. They said they have no record of any children under 9th grade checking out the book. The school already has a policy they don't need to update the current policy.

On November 13th I had 228 signatures when I presented it to the school board. Just a few years ago only 29 people showed up to vote for the school board, 228 signatures is substantial. The staff rallied up students to attend to hold up signs, some students going against parents consent. One school board member stated everyone in the building said it should be here. Do parents, community members and tax payers not get a say anymore only teachers, staff and administration? An elementary teacher stated on behalf of the teachers and staff they only saw illustrations of kissing, cuddling, hand holding and people in bed together but nothing showing graphic or erotic behavior and if an elementary student finds the book they are violating school board policy. There was no need for the kids to find the books,they were put right in front of them. Multiple parents with students as young as 8 years old came forward and said their child had checked out the books or looked at them in the library. Why would the school even have books that would violate school board policy if a student found it? Ultimately that night the Sargent Central Public School board did nothing with my review for reconsideration or the petition, I feel board members feared retaliation from staff and administration. Clearly community input is not valued when it does not match the administration's opinion.

I know people are going to say we need to leave local control, but I am telling you from my experience local control on this matter isn't working. If you speak up, simply trying to protect children you are attacked by people you thought were your friends, because again it's more important to belong. Doing what is right won't make you popular and you won't be able to rub elbows at the next basketball game. In small communities it is more important to belong, then it is to do what is right for our children.

I urge you to take action to protect the innocence and well-being of our children. No child should have access to pornographic or sexually explicit materials in their school library. Parents trust public schools to provide a safe and appropriate learning environment. One that prioritizes education, not exposure to inappropriate content. Our kids deserve better.

I urge a DO PASS on Senate Bill 2307 . Thank you. I stand for questions.

I am writing in opposition to SB 2307. This bill is unnecessary, takes away local control, and negatively impacts public and school libraries as well as businesses. It should not be enacted as ND law.

Libraries already have collection development policies to carefully select materials for patrons. In addition, they also have policies that allow patrons to challenge materials that they deem inappropriate, with a specific set of standards that allow for review and removal if materials do not meet criteria. This bill is not necessary; library policies are already in place.

As presented, this bill does not include any stipulation about who can challenge a book or what process is to be followed when determining if that book should be removed from a collection. This means that people from out of state, or outside a local community, can come in and dictate what books can and cannot be read by local patrons. Local patrons should not have their reading options dictated by people from out of state.

As a school library media specialist, one of my tasks is to educate students on finding reliable, non-biased, accurate sources of information for research. The state databases provide a source that is easy to access and can be used for research across vast topics. If this bill is enacted, it will limit or eliminate access to this valuable resource for our students.

Finally, there are considerations for business in additions to libraries. Target, Wal-Mart, grocery stores, bookstores all would be affected. Currently, Target, Wal-Mart, and Barnes and Noble all have children's books sections in close proximity to adult book sections. If this bill is enacted, stores would need to get rid of all young adult and adult literature, lest a minor accidentally happen upon a book with content someone somewhere might deem inappropriate. If Barnes and Noble wanted to continue to have adult, young adult, and children's literature in one building, they would need to ask for ID before anyone could enter their store and children would not be allowed. No more family programing, children's story time, or coffee/book dates for families.

This bill is unnecessary, takes away local control, and causes a burden on libraries and businesses. I encourage you to oppose SB 2307.

Thank you for your time.

Susan Moberg

Library Media Specialist

My name is Brenda Weiler and I am writing to ask you to oppose SB 2307. I am the parent of a 12 year old daughter and do not feel this bill will “protect” my child. I feel that this bill instead has the potential to do harm by limiting what books and materials she will have access to. As her parent, I decide what she can read at the age appropriate time. It is not my place to tell other parents what and when to give their kids access to specific books and educational materials. It is not the place of the state of ND either.

I also believe this bill would put an unnecessary and costly burden on our local libraries and on those who staff them.

I urge you to give SB 2307 a Do Not Pass recommendation.

Thank you for your time and service,
Brenda Weiler

Madam Chairman Larson and the members of the Senate Judiciary Committee,

My name is Neil Planteen of Cogswell in Sargent County, District 26. I am a member of the Sargent Central School Board in Forman, and have served for nine years, three of those years as Board President. The views expressed here are solely my own and do not necessarily represent the Sargent Central School Board. I am here to testify as an individual in support of Senate Bill 2307.

This bill has been referred to as a censorship bill by those who oppose it, but I want to respectfully ask these three questions. If a student were to “Google” or online search for images of “teen sex” on a publically owned device do you think it would return any results? Absolutely not. The state’s firewall applied to ALL public school computers and the school’s own servers would block any content being displayed from the eyes of underage children. If a school age student were to draw a picture of teens talking about sex in provocative positions, do you think they would be reported to the administration? If students were talking in a manner describing sexual encounters, would that be acceptable table talk in our public school systems? The answer to all these questions is a pretty simple NO. So, I will ask you, if a student can’t search it online with a school owned device, if they can’t draw the pictures themselves, and if they can’t speak about it, then why in the world was it acceptable to bring these items into our public schools for students to view, under the guise of “graphic novels” or other library content? I believe that lack of oversight has allowed the use of the public school library’s freedom to become a loophole allowing inappropriate content to be introduced to our students and does not align with the values and protections that we already enforce in other areas.

This isn’t censorship in the sense that banning books like Catcher In The Rye was. I’ll say again, THIS BILL IS NOT CENSORSHIP, it is common sense. Senate Bill 2307 does not aim to censor literature or limit academic freedom. It ensures that ALL materials provided in publicly funded schools adhere to the same standards that we already apply in other areas. Just as we do not allow students to access explicit content online or discuss these things in inappropriate settings, we should ensure that school libraries also maintain these same standards.

Graphic novels are nothing new, I bet there are some of you that remember them when they were called comic books. They are nothing new, they are comic books from front to back with a dressed up name to allow them into the same literary confinements as the likes of Ernest Hemmingway and Louis L'aMour.
I’m sure our own Louis L'aMour would be rolling in his grave to see sexualized comic books displacing his novels. Offering these teen based graphic novels is said to offer students, who struggle to read, a better option and stories to understand. While I can sympathize and agree with that to a point, I absolutely do not agree that it is a good idea for students and especially struggling students to read sexually charged phrases of improper grammar and view provocative pictures that any reasonable adult would perceive as sex. These books have only infiltrated our schools over the past few years and won’t be hard to root out.

You may hear opponents of this bill say it’s a good idea to expose students to a variety of ideals and lifestyles, but you know what else was a good idea when it first came around? ASBESTOS. Obscene, sexualized and pornagraphic content in a school is literary asbestos and just as we recognize the dangers of asbestos, we must recognize the harm of exposing children to sexually explicit materials and act accordingly.

We protect our kids against drugs, alcohol, violence, you name it and unfortunately these things still creep into our lives. If we throw up our hands and drop the guardrails against sex in our institutions, just what exactly do you expect will happen? And it will happen at a much younger age than you think.

In Matthew 18:6 Jesus says, “But whoever causes one of these little ones who believe in me to sin, it would be better for him to have a great millstone fastened around his neck and to be drowned in the depth of the sea.”

We need to protect the innocence of our children. We bear this responsibility. This is North Dakota for pete’s sake. We wave to strangers we meet on the road, we teach our kids to hold the doors for seniors at church, if a neighbor needs help, we help them. We know what’s right and what’s wrong. You aren’t writing laws for Minnesota, California or New York. You are here to serve North Dakotans and if a poll went out asking what the people of North Dakota thought about providing unsolicited sex books and pornographic materials to students under the age of eighteen without the consent of their parents or even their parents knowledge for that matter. What do you think the response would be? Would it be pitchforks and torches over banning books, or a simple common sense “NO”. The people of North Dakota have always valued protecting children and I believe the overwhelming majority would agree that explicit materials do not belong in our public schools. This isn’t about censorship or banning books. It’s about protecting the children using our public institutions.

I would even argue that it is our humanitarian duty to protect our youth, while we cannot control what they do at home or outside of the settings owned by the public, it is indeed right and our duty to protect them wherever and whenever allowed by century code.

I urge this committee a DO PASS recommendation for Senate Bill 2307.

Thank you, I stand for questions.

This is testimony IN SUPPORT OF SB 2307

My name is Judy Vinger. I am a career childcare provider and preschool teacher. I have raised 5 children and have helped raise countless ND children in my care over the last 45 years.

One thing I pride myself on is teaching the love of language and literature to children through books.

I have taken the opportunity to get familiar with many of the books that have been brought into question, that my grandchildren are being exposed to in schools and encouraged to read in our local library, and am **shocked that this situation actually needs a bill to pass to protect the children**! These books are nothing short of pornography and have NO business near children of minor age!

I cannot believe this state would be so deceived to fall for the book ban theory, when no one is suggestion a book ban for the sale of these books, just that they are not suitable for minor children's libraries. Since when does the state think outsiders should have the right to demand parents to accept this type of material for their children. If a parent is ok with these books, they can buy them for them, but pornography should not be forced on our children!!!

Please stand up for our children in ND, or soon there will be no children in public schools in ND, because parents will have no choice but to educate their own children at home. Check the data…it has already started. STAND UP legislators**, VOTE YES ON BILL 2307**

Madam Chair and members of the Judiciary Committee

I oppose Senate Bill No 2307. I have read through the bill several times and find it purposely vague, allowing for a wide interpretation of what explicit sexual material is and who interprets it. This bill also opens the door to enforcement and fines beyond public schools and libraries.

Bill1205 was passed in the 2023 legislative session which put into law the Miller Test which is used by libraries to determine what is age-appropriate materials for children.

I am a frequent user of the Morton Mandan Library. I trust our librarians and parents to determine what is appropriate material for their children.

Tom Marple
1612 7th St. NW
Mandan, ND 58554

Testimony Opposing SB 2307
Presented by Hannah Lynne James
Fargo Public Library Board Member

Chairperson and Members of the Committee,

Thank you for the opportunity to testify today. My name is Hannah Lynne James, and I have served on the Fargo Public Library Board since 2021. I am here to express my strong opposition to SB 2307, a bill that places an undue financial and administrative burden on public and school libraries, infringes upon First Amendment rights, and overreaches into parental responsibilities.

This bill is **fiscally impossible** for many North Dakota libraries, particularly those in rural communities. Many of our libraries operate with limited staff and funding. The mandates imposed by SB 2307 would divert already scarce resources from essential library services to unnecessary compliance measures that could ultimately force libraries to limit collections, reduce access, or even close their doors.

Furthermore, SB 2307 would make **digital access to materials nearly impossible** for those under 17. Services like Libby provide invaluable access to books, audiobooks, and research materials, especially for young people in communities without robust physical collections. This bill would effectively ban minors from accessing age-appropriate content, despite existing library policies that ensure materials are already categorized appropriately.

Libraries have long-standing policies and trained professionals who ensure **materials are shelved appropriately based on age and content.** The responsibility for determining what is appropriate for a child should **remain with parents and guardians**, not with the government. SB 2307 shifts that responsibility onto librarians and library boards, creating a system where vague and subjective criteria could lead to widespread censorship and restricted access to information.

Finally, this bill raises **serious First Amendment concerns**. The freedom to read and access information is a fundamental right. SB 2307 imposes an overreaching government restriction on intellectual freedom, effectively censoring materials and limiting access based on vague definitions of “explicit sexual material.” These types of laws create a dangerous precedent, stifling diverse perspectives and diminishing the educational and cultural value that libraries provide.

I urge you to **reject SB 2307** and instead support policies that respect parental choice, uphold intellectual freedom, and allow libraries to continue serving their communities effectively. Thank you for your time and consideration.

Hannah James

hannahlynnejames@gmail.com

Fargo, North Dakota

Senate Judiciary Public Hearing, Monday, February 10, 2025

SB 2307: Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

Please include this letter with the Committee Hearing testimony journal for public record.

Arresting librarians and teachers has never led to more liberty and freedom. Senate Bill 2307 puts librarians and teachers at risk of being arrested for doing their jobs. The gist of this bill opens up the opportunity for one persons opinion to limit the reading choices of everyone else in the community. It will also lead to the loss of state funding for libraries, forcing local communities to pick up the tab. This legislation is a pious and unconstitutional restriction on access to school and public library materials ensconced in an overreaching government bill. This bill, in addition to its other flaws, will be extremely costly, if not impossible, for most communities to implement, highlighting the impracticality of its enforcement.

It is my anticipation this committee will choose to stand on the honorable side of history and give this bill a Do Not Pass recommendation.

Thank you for your time and your consideration.

Kevin R. Tengesdal, District 35

In Support of the following bill:

SB 2307 - Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty

701.557.1500 » info.naswnd@socialworkers.org » naswnd.socialworkers.org

NASW
National Association of Social Workers
NORTH DAKOTA CHAPTER

SB 2307 Testimony
to the Senate Judiciary Committee
February 10, 2025

Chair Larson and Members of the Senate Judiciary Committee:

My name is Stella Cantu and I am writing on behalf of the North Dakota Chapter of the National Association of Social Workers. Thank you for the opportunity to submit this testimony.

NASW-ND opposes SB 2307 for the following reasons:

- **SB 2307 is an unnecessary bill** since the ND Century Code already provides for "Obscenity Control," especially in relation to minors, through Section 12.1-27.1 of the Code.

- **SB 2307 incorrectly assumes that librarians cannot be trusted to select appropriate materials for library users.** Public and school librarians are educated professionals who are able to understand and adhere to the ND Century Code. Public and school librarians are also professionally trained to discern the difference between obscenity/pornography and legitimate and appropriate materials, particularly materials designed for children and youth. Librarians select materials based on a collection development policy and use their expertise to select appropriate items for the communities they serve.

- **SB 2307 places undue burden on schools, libraries, legislative management, and the attorney general's office** through requirements related to development of new policies and procedures, submission and review of compliance reports, physical relocation of library materials, reviews of alleged violations, and unclear guidance on the definition of "explicit sexual material."

NASW-ND believes that the most successful and effective way to support student well-being is to trust public librarians, school librarians, and teachers to decide what is most appropriate for children and youth and who can then work, as necessary, with community members to maximize the choice of resources available to all library patrons.

Thank you for your review of our testimony, and we encourage the committee to give SB 2307 a **Do Not Pass** recommendation.

In opposition to Senate Bill 2307

I recommend that Senate Bill 2307 not be passed. The library community already has a process in place for citizens to challenge materials since the Legislature passed HB 1205 in 2023. It should be up to parents to decide what their children should read.

NORTH DAKOTA
UNIVERSITY SYSTEM
ACCESS. INNOVATION. EXCELLENCE.

SB 2307

Senate Judiciary Committee
February 10, 2025

Corey Quirk, Core Technology Services, North Dakota University System
701-330-0446 | corey.quirk@ndus.edu

Good afternoon, Chairperson Larson and members of the Senate Judiciary Committee. My name is Corey Quirk, Deputy CIO for Core Technology Services, within the North Dakota University System, I also have online with us today, Jason Bedsaul, Director of ODIN, and we are here to provide neutral testimony on Bill 2307.

ODIN – The Online Dakota Information Network, which is part of Core Technology Services, supports a consortium of libraries serving academic, public, school, and special libraries across North Dakota with two shared library management systems. In addition, ODIN participates in collective eResource purchasing with regional partners and promotes resource sharing among member libraries. ODIN facilitates access to shared electronic collections for libraries who choose to participate & contribute financially.

While I do not take a stance for or against the bill, I believe it is important to consider the potential fiscal impacts, specifically relating to section 6 of Senate Bill 2307.

ODIN is responsible for administering the statewide database program and currently receives $223,950 per biennium in appropriations to help offset the costs that are billed to the participating libraries. Section 6 relates directly to this program and would require ODIN, and – by extension – database vendors and ebook providers for ALL libraries to filter and block K-12 students from materials as defined by subsection 2.3.

Currently, the ODIN systems only authorize access based on the library's current subscriptions and do not identify individual users. To comply with SB2307 and still allow legal access to electronic resources for non-K-12 patrons, ODIN would have to update the authentication systems and methods we currently use. Bill 2307 would also significantly reduce access for K-12 students even with the age verification system in place and could potentially lead to changes in billing if many libraries could no longer participate, resulting in increased costs to the remaining libraries able to continue to fully participate. While there is a way for vendors to remove specific titles and articles from most collections at the library level, it would remove it for ALL patrons – not just K-12.

Fiscal Request

FY26 - FY27 (Implementation + 2 years)	$1,110,837
FY28 - FY29 Ongoing Per Biennium	$926,956

In conclusion, while we remain neutral on the merits of Bill 2307, it is crucial to consider the fiscal implications outlined here today. I urge the committee to carefully evaluate these financial impacts as part of your deliberations.

Thank you for the opportunity to provide testimony on SB2307. Director Bedsaul and I are available to answer any questions you may have.

We have a detailed quote from a vendor on the costs associated with updating our current systems to still comply with section 6 of SB2307. and continue to provide access to non-K-12 patrons.

Here's a summary table of those costs:

Library Type	Implementation (One Time Cost)	Year One	Year One + Implementation	Year Two	Year Three	Year Four
Academic	$ 56,280	$ 69,200	$ 125,480	$ 72,660	$ 76,293	80,107.65
School	$ 150,483	$ 173,285	$ 323,768	$ 181,949	$ 191,047	$200,599.05
Public	$ 63,298	$ 167,650	$ 230,948	$ 176,033	$ 184,834	$194,075.83
Totals	$ 270,060	$ 410,135	$ 680,195	$ 430,642	$ 452,174	$474,782.53

Chairman Larson and Members of the House Judiciary Committee

My name is Annie Craven and I am the Library Director of Kidder County Public Library in Steele, ND, which serves all of Kidder County as the only public library in the county.

I am writing today in strong opposition of SB2307 as this bill is redundant and unnecessary. As a library director of a small, rural library this bill if passed has the potential to have wide ranging consequences for libraries all over the state, but perhaps most egregiously to the rural communities that are the heart and soul of this state.

As a public library we already adhere to current ND Century code regarding collection development and placement in the library. We do NOT house any adult content in our children's collection, and we have a strong collection development policy dictating how we carefully select the books and materials in our library. This bill, intentionally or not, leaves the definition of explicit material open to interpretation, and leaves libraries to interpret the meanings or face potential legal consequences.

Moreover, this bill unfairly punishes the smaller libraries in this state who do not have the budget or space to make costly renovations to separate collections for their minor patrons. And make no mistake, this bill is asking libraries to do exactly that, separate physically adult and children's collections, in the name of protecting our state's minor patrons.

I implore committee members to consider my library as a perfect example of just how devastating this bill would be to small rural libraries if passed.

Kidder County Public Library sits in a county of under 3,000 people, and Steele has a population of around 650 people. In the last 3 years our library has undergone major changes. We have updated ALL our fixtures in the library, as well as brought our collection online utilizing the ODIN network, and we have enacted a wide range of programs for our younger patrons including a weekly Story Time, Lego League programs serving PK-8th grade students, and a weekly STEAM Club.

3 years ago, these programs did not exist.

In 2021 we had 91 registered patrons, today we have 314.

Our first year of programing in 2022 we had 37 programs and 558 program participants and in 2024 we 116 programs with 1,438 program participants.

But it gets better.

In addition to doubling the number of patron visits since 2021, we nearly doubled our circulation rates as well. What I am most proud of though, is that in 2021 we had 276 children's circulations and in 2024 it was 2,452. Over TWO THOUSAND circulations for our youngest patrons!

Here is where SB2307 would impede all the hard work and progress our library has made.

Our building is just over 1800 sq. ft. Our adult collection is on the left/east side of the front area, with our children's area on the right/west.

Our back area houses our adult non-fiction books as well as North Dakota and local history collections. It also houses our small, and newly installed kitchenette and storage cabinetry, and is the only area where we can set up tables to provide meeting and workspace. This is where every Wednesday at 10 am you will find 10-20 preschoolers completing a Story Time craft as this is the only space where we can accommodate that kind of activity.

The beauty of our library is that we are accessible to ALL patrons and age groups, and this means that our older and younger patrons exist in the limited space we have, together. Because of this, the increase in families and young patrons that are utilizing our library has grown immensely and continues to rise.

SB2307 would ask us to undergo costly renovations to accommodate separate collections (if it's even possible given the age of our building) or face potential closures to one age group or another. What limited work and meeting space we currently have would not be available. Children would no longer be able to be in the same space as their parents if their parents wanted to utilize the adult collection. The programs we offer would have to undergo major changes or would end given the reduction of space.

I implore committee members to consider all the far reaching and unintended consequences this bill will have if passed. SB2307 only serves to weaken our communities by greatly impacting one of the most valuable community resources we have, especially in rural areas.

Thank you for time and for considering my concerns and issues with SB2307.

Sincerely,

Annie Craven

Director, Kidder County Public Library

Steele, ND

SB 2307

I am writing to ask you to vote in opposition of the SB 2307. This bill is a censorship bill that does not allow libraries to do what they are supposed to do. We are to supply materials to all our community without subjecting our personal opinions on what the public wants to read about and we are to have materials that show all the sides of an issue. This bill will prohibit libraries from following the very bylaws that they were created upon. I have included the material selection policy from our bylaws as well as the form that is required if someone has a complaint to material on the shelf. It is the parents' responsibility to know what their children are looking at or checking out. Just as it is a parent's responsibility to know what the children are looking at on their smart phones. Are you going to go after the internet next to pass laws that this same type of material cannot be posted on the internet? Access to this type of material is blocked on the computers in my library. If this law passes it not only has to do with the ONE book in particular that has come up time and time again during these discussions.

Books that would have to come off our shelves because it states in our bylaws (15.2.9) that we will not have a closed shelf collection, would include the dictionary, the bible – including the bible for teens – all romance novels, inspirational fiction novels, western novels, breast feeding books, midwifery books and any other non-fiction books that talk about the human body. This is way more far reaching and more work than what has been researched before the bill was introduced.

Our library has a very difficult time getting teens between the ages of 13-18 in the library. They have their phones to look everything up on, they do not come into the library until after they are out of high school as it is not a "cool" thing to do. The games they play on the internet are far more graphic than books that are in my library. Are you going to pass laws to keep the teens from accessing those games?

My tax payers will be very upset with myself and my staff if we are sitting at the desk reading every new book that comes into the library for patron checkout to be sure that none of the items listed in this bill are in those books, we have a very short description of the book to go off of when we order books. Once the book is here and being cataloged is when we know what all may or may not be in the book without reading the book in its entirety I would not know if there was any kind of sex, gender identity or anything else prohibited in this bill in these new books. It could be something very subtle in the book but yet then it would be prohibited from going on the shelf. It needs to be left up to the patrons and parents what they want to read and what they want their children reading. What offends one person may not offend another.

To whom it may concern,

I am writing to express my strong opposition to SB 2307. As a parent of an elementary school child, I believe this bill represents an unacceptable intrusion by the state government into matters that should be left to the discretion of local communities and their libraries.

Our libraries are staffed by professional librarians who already have policies in place to manage access to sensitive materials. Libraries play a vital role in improving literacy and community engagement, and SB 2307 will only serve to undermine their critical mission. This bill constitutes an overreach of state government into North Dakota communities.

I urge you to vote "do not pass" on SB 2307.

Thank you for your time and consideration,

David Kanenwisher

Senate Bill 2307

69th Legislative Assembly

House Judiciary Committee

Chairman Klemin and Members of the House Judiciary Committee, my name is Ishauna Jacobberger, and I have been a proud resident of Fargo for over a decade. I deeply value North Dakota's public libraries and urge you to issue a "Do Not Pass" recommendation on SB 2307.

This bill lacks a clear framework for library compliance, relying instead on the vague standard of "the average person, applying contemporary North Dakota standards"—a subjective and undefined metric. Such ambiguity will create financial and legal burdens for both libraries and the Attorney General, who would be required to issue opinions on any "obscenity review procedure" within 30 days of a request. This unnecessary bureaucracy comes at a direct cost to taxpayers.

Furthermore, HB 1205, passed in North Dakota's 2023 legislative session, already established legal safeguards by incorporating the Federal Miller Test for obscenity into North Dakota law. It ensures that libraries maintain age-appropriate collections while requiring annual compliance reports. SB 2307 is redundant, costly, and punitive. It risks driving skilled librarians out of North Dakota by subjecting them to potential audits and even Class B misdemeanors—further eroding our state's commitment to limited government oversight. I ask you to trust our professional librarians, who are trained in collection curation and organization, rather than imposing unnecessary government intervention.

Please reject SB 2307. Thank you for your time.

Ishauna Jacobberger

10-February-2025

Subject: SB 2307 - OPPOSE

I am a resident of Rutland, ND and have lived here for over 20 years. I had children who attended Sargent Central High School in Forman, ND.

I'm writing to provide testimony in opposition to SB 2307. First, it applies a vague standard to what is considered “obscene” material to a “reasonable person” from contemporary North Dakota. The definition of obscene or inappropriate may vary wildly from person to person, even amongst “reasonable “ people. Why is a state bill trying to supercede the authority of a parent? Is it not a parent's responsibility to decide what is and is not appropriate for their child to read and or listen to? If parents are involved in their child's life, they will be responsible for material their child checks out from a library. No one is arguing that explicit sexual material should be made available to middle schoolers. What I am saying is that a too broad definition of obscenity removes classic books and nationally celebrated and recognized books from what may be a student's only way to access them. Please don't make it more difficult for students to access quality books that may kickstart a love of reading.

It is the parents’ responsibility to know what their children are looking at or checking out. Just as it is a parent’s responsibility to know what the children are looking at on their smart phones. Are you going to go after the internet next to pass laws that this same type of material cannot be posted on the internet?

I’ve also read in a recent article about this bill that one of the legislators who introduced it was downplaying the impact, indicating that a moderately sized cabinet would surely be enough for most libraries to contain material that would be impacted by this bill. I believe this assumption is absolutely wrong. I think it more likely that sequestration of these materials would need to be handled via placement within entirely separate rooms for most of our state’s public libraries. This is incredibly unfeasible given the low budgets our public libraries often have to work with. In fact, this point may get at the true desire by those pushing this bill which could be to remove such materials entirely and further reduce the value our public libraries bring. If that be the case, it is unacceptable.

Thank you for the time to review this testimony.

Shannon Mehrer
Rutland, ND
Sargent County

Sen. Diane Larson, chair
Senate Judiciary Committee

I write in opposition to the proposed legislation, SB 2307.

I have been a constant user and beneficiary of public libraries since 1961, when the public library in my then-small southern California hometown was in a clothing store. I have recently concluded a 33-year career as an academic librarian and I serve the West Fargo Public Library (WFPL) as a member of its board of directors, most recently as the board's president.

What the WFPL has been doing continues to work, as exemplified by its ever-increasing circulation statistics, door counts, and attendance at its many programs. The citizens of West Fargo know that the physical and electronic resources provided by the WFPL, and paid for by them, match their values and needs, even as statistics show that the city is underserved by the library's space and collections. The proposed legislation would do nothing less than place unnecessary and unasked-for barriers to citizens' access to information as well as place an undue burden on the library's budget, restricting its ability to provide necessary services to the community and forcing it to spend sparse money on a construction project and age-verification software.

The proposed legislation is not being brought forward by the citizens of the community but, rather, is the product of outside agitators who have no interest, vested or otherwise, in the continued success of the City of West Fargo and its library or in the promotion of good citizenship among its residents.

Lawrence S Schwartz

In opposition to Senate Bill 2307

Please vote against Senate Bill 2307, regarding library materials. This is censorship and a violation of the First Amendment. Parents should decide what their children can read.

Please vote NO on SB2307

Thank you,
Janet Patton

I have served on the West Fargo Public Library (WFPL) Board of Directors for almost two full terms (my term ends this summer). According to ND Century Code 40-38-04 some of the general duties of the board are:

> *"To make and adopt such bylaws, rules and regulations for the management of the Library, to employ qualified personnel to administer the Library and dispense library Services".*

I take my duties as a former President, former Treasurer and current Member at Large very seriously. In that time, we have had the opportunity to review several applicants for our Library Director position. I can assure you that the people who are applying and obtaining these positions are highly educated in library sciences and most often hold master's and doctoral degrees.

Have you wondered how these highly educated librarians select material for the library catalog? I have. Librarians choose material based on the needs of their specific community. They hear suggestions from residents. They pay attention to what is popular. They read multiple professional reviews. They work with a distributor to get access to the materials. Distributors hold materials that have been edited by a publisher. In order to get to a publisher, the material is most often vetted by a literary agent. Before an item is placed on the shelf, it goes through the hands of multiple library staff too, from selection to processing to cataloging to finally being placed on the shelf. As you can see, there are already many trained professionals reviewing materials prior to materials being made available to the general public. I trust the professionals.

The materials available in a public library may not be for everyone. As a parent, there are books that I don't want my elementary-aged child to have access to. This is where the rights of the adult in the household need to be applied. Fortunately, our library also has a guideline in place that minors need to be accompanied by someone 13 or older. It is up to me, the adult, to choose who can take my young child to the library. It is up to me, the adult, to assist my children in selecting materials that I feel are appropriate for them. Our library does a great job of separating items into collections by reading level and age group and I trust that my child's caretakers can easily help him navigate to appropriate content. Finally, it is up to me, the adult, to engage in difficult discussions with my child about what may or may not be appropriate for them.

As the Century Code states, local library boards are already adopting and reviewing regulations within their libraries, as well as ensuring quality staff are in place to create a catalog of information that is wide-reaching and reflects the needs and values of our communities. What we have is working beautifully already. I advise you to vote no on SB 2307.

Melissa Lloyd

Assistant Director

Valley City Barnes County Public Library

assistantdirector@vcbclibrary.org

410 Central AVE N

Valley City, ND 58072

www.vcbclibrary.org

2/7/2025

Senate Judiciary Committee,

I am reaching out to you to oppose SB 2307,

Hello, my name is Melissa Lloyd and I've been a public librarian for 12 years. As a public librarian and as parent, I understand the importance of protecting children. I was a children's librarian for 8 of those 12 years, and every day I had conversations with parents and children on the books they wanted and didn't want to read. One of my first questions to a patron looking for a book is "What do you like to do for fun?" This question was followed up with more questions, regarding the interest, reading level, and acceptability of any book in the libraries collection.

Some parents didn't want their kids to read books about magic. No problem. Some parents didn't want books where the animals behaved like humans. Understood. Some parents didn't want their kids to read Graphic Novels because they didn't believe they were good books. To each their own. My goal has been and always will be to serve my community, improve literacy skills, and instill a love of reading.

Everyone is different, with different needs, and parents and caregivers have different questions that need to be answered. Librarians respect every decision a parent makes when it came to their child's reading choices.

As Librarians knowledge of the collection and interactions with parents, caregivers, and kids shapes the books selection choices that would circulate, as well as provide reliable information sources to aid parents with difficult questions. Parents and children have the freedom to choose what books they want or don't want to read. A Librarian or a Legislative body should not take that away from them.

SB 2307 is taking the approach that parents can't parent, and that librarians can't aid parents with those decisions. I've had many discussions with parents and patrons on the importance of their freedom to choose what they read. Emphasizing that if there is a book they have an "issue" with no matter what it is, the library has a system in place to address it. The Collection Development policy is a system that determines how and why the library purchases books. A Request for Reconsideration Form is the procedure for anyone to fill out who doesn't think a book belongs in the collection. SB2307 is redundant as most libraries have these standards

already in place. Librarians encourage conversations about books and their appropriateness. We are a society where information flows freely, and part of a librarian's job and training requires us to sift through information and provide a variety of reliable sources so that our patrons can create their own informed decision. SB 2307 eliminates that policy and will be a huge waste of the Attorney General's time.

SB 2307's definition of Sexually Explicit materials is too broad. I have talked with patrons who believed a Christian Romance was too explicit because the main characters kissed. I've had little old ladies come in and ask if we have more books like "50 Shades of Grey" because they like the "spiciness" of it. Both patrons were "reasonable adults" but had very different judgments when it came to the sexual explicitness of the materials in question.

Libraries are for families. SB 2307 would restrict access to families. The Bill states that "For the relocation of explicit sexual material in the library to an area in the library inaccessible to minors". We have a historic 1903 Carnegie Library, with limited space. Our children's library is located downstairs, and our adult library is upstairs. The children's area is much smaller than our adult section, to make sure we have an excellent collection for everyone. We house the Teen and Young Adult Collection upstairs. We also have patron computers upstairs, and children come in after school, and on the weekends to use the computers. Restricting access to computers and to the collection would not be feasible for our library.

Please vote No on SB 2307.

Thank you for your time and consideration,

Sincerely,

Melissa Lloyd

Assistant Director

Valley City Barnes County Public Library

assistantdirector@vcbclibrary.org

February 10, 2025

Chairman and Senate Judiciary Committee Members –

For the record, I am Tori Lee, a citizen of Williston, North Dakota. I am writing today to urge a Do Not Pass recommendation for SB 2307.

First, this bill's use of the word "obscene" allows for too much individual discernment. This could lead to many books, including books that belong in children's sections, being removed unnecessarily because one person might find something in it that they consider obscene when the next person finds the same book completely appropriate for children. The line is too blurred and the definitions are too vague.

Second, and most concerning to me, is that the demand in this bill to keep allegedly sexually explicit materials completely inaccessible to minors could potentially eliminate not only many general library services to many communities but also almost all Bookmobiles and Mobile Libraries entirely. Many Bookmobiles are already operating with limited shelf space or space in general, so we definitely do not have space to relocate items deemed "sexually explicit" or "obscene" in order to make them completely inaccessible to minors. Because of this, a lot of us that operate Bookmobiles would be forced to choose which members of our communities we are going to choose to serve, which goes against everything libraries stand for. Libraries are for everyone and should provide materials and services for everyone. This bill would make my job impossible.

Overall, this bill is unnecessary. North Dakota libraries already have collection development policies and procedures in place that align with the Miller Test for the treatment of obscene materials. Our libraries also have some form of request for reconsideration that members or our communities can submit for review by our library boards. Because of all of this, on top of HB 1205 that was passed during the last legislative session, we simply do not need SB 2307.

Thank you all for your time reading this testimony.

–Tori Lee

Testimony Opposing SB 2307

Chairperson and Members of the Committee,

Thank you for the opportunity to testify. My name is Shantae Schumacher. I am writing as a private citizen and mother of 3 children. I am here to express my strong opposition to SB 2307, a bill that places an undue financial and administrative burden on public libraries, infringes upon First Amendment rights, and overreaches into parental responsibilities.

From my understanding from Library Board Members, this bill is **fiscally impossible** for many North Dakota libraries, particularly those in rural communities. Many libraries operate with limited staff and funding. The mandates imposed by SB 2307 would divert already scarce resources from essential library services to unnecessary compliance measures that could ultimately force libraries to limit collections, reduce access, or even close their doors. As a parent of 3 small children, this outcome would be devastating.

Furthermore, SB 2307 would make **digital access to materials nearly impossible** for those under 17. Services like Libby provide invaluable access to books, audiobooks, and research materials, especially for young people in communities without robust physical collections. This bill would effectively ban minors from accessing age-appropriate content, despite existing library policies that ensure materials are already categorized appropriately. My 8-year old son uses digital means to listen to audiobooks as an alternative to reading from a paper book.

Libraries have long-standing policies and trained professionals who ensure **materials are shelved appropriately based on age and content.** The responsibility for determining what is appropriate for a child should **remain with parents and guardians**, not with the government. SB 2307 shifts that responsibility onto librarians and library staff, creating a system where vague and subjective criteria could lead to widespread censorship and restricted access to information.

Finally, this bill raises **serious First Amendment concerns**. The freedom to read and access information is a fundamental right. SB 2307 imposes an overreaching government restriction on intellectual freedom, effectively censoring materials and limiting access based on vague definitions of “explicit sexual material.” These types of laws create a dangerous precedent, stifling diverse perspectives and diminishing the educational and cultural value that libraries provide.

I urge you to **reject SB 2307** and instead support policies that respect parental choice, uphold intellectual freedom, and allow libraries to continue serving their communities effectively. Thank you for your time and consideration.

Shantae Schumacher

Shantae_19@hotmail.com

Fargo, ND

Senate Judiciary Committee
February 10, 2025
SB 2307 - Testimony in Opposition

Chair Larson and members of the Senate Judiciary Committee, my name is Minou Babingui from Fargo South High School , and I am writing in opposition of Senate Bill 2307. I oppose this bill as it threatens access to important educational materials and ideas through vague and highly subjective censorship, dictating what students can read and learn.

Libraries already have age-appropriate sections, and parents should be in charge of what their kids check out from the library, not the state government or a handful of individuals in our community. The wording of the bill is broad, making books that discuss race, gender, identity, and LGBTQ+ issues targets for censorship. These books address real-life subjects that shape our society. They provide students opportunities to educate themselves, not to corrupt them.

Just because one person disagrees with these subjects doesn't mean these books should be banned or moved from the children's section. No one person should ever have the power to make that decision.

This bill is not about protecting kids; it will harm them by preventing future generations of North Dakota children from developing the critical thinking skills needed to navigate our future.

For these reasons, I urge you to give Senate Bill 2307 a Do Not Pass recommendation.

Thank you for the opportunity to share my testimony.

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

February 10, 2025

Atten: SB 2307

My name is Sandra K. Johnston and I currently live in Williams County North Dakota. I want you to know that I support “The Book Bill” SB 2307. This bill has been written to protect our children from explicit sexual material. It has been said, “Our children are Our future,” because children do not have a voice, every responsible adult should be advocating for this bill to pass.

Thank You

Sandra Johnston

Book Bill 2307:

I stand and support this bill. Our children don’t need to be exposed to sexual materials in schools!

PUBLIC LIBRARY
Valley City Barnes County

Valley City Barnes County Public Library
410 N Central Avenue
Valley City, ND 58072

Dear Chairman Klemin and members of the Judiciary Committee,

My name is Anita Tulp, and I am the Director of the Valley City Barnes County Public Library. I am writing to you to express my opposition to SB 2307.

Our library was the dream of The Tuesday Club who in 1897 established a library fund with ten cents they had left after paying for their club dues. After many many fundraisers and an appeal to Andrew Carnegie for a donation, our library opened on October 5th, 1903. It is one of only three Carnegie libraries in the state of ND still functioning as a library. This is just one of the reasons I oppose this bill. We have many visitors during the year that want to see and admire our historic building. We have many of the original features in the building including the original card catalog, the newspaper rack, tables and chairs, and of course the original circulation desk and beautiful bookcases. Part of our vision statement is to "preserve the past" so last summer we implemented a $450,000 project to restore the original rotunda and dome and reroof the entire library. That project was completely paid for with grant money and donations from our patrons and concerned citizens. We are proud to say that we did not use any taxpayer funds to complete such a huge project. If this bill passed, it would mean access to our beautiful historic building may be limited to only adults as this part of our library houses the adult collection. Parents that grew up visiting this library would not be able to share its wonder with their children, and grandparents would not be able to bring their grandchildren when they are visiting.

Parents utilizing this library will often make it a family event. They will begin in the children's library and spend time playing games or doing craft projects or even building with Legos before browsing for books to check out. After finding some great books for their children, they will come upstairs to the adult part of the library so they can browse for their books. We often hear them tell their children that "You have your books, now we want to find our books." We see them encouraging their children to sit and look at their books while they take time to browse the collection. We trust our parents to guide their children while they are in the library. We spend time in conversation with parents so that we know what they are looking for in subject matter. We trust that they will ask us questions. We listen when they say they don't want their children to read scary books, or they don't want them to read books with magic, or books with violence, or they don't want them to read books with any kind of romance, or books that are not right for their age. We help them find books that are interesting and challenging for children that read at a higher level yet are within the parameters of what their parents want them to read.

PUBLIC LIBRARY
Valley City Barnes County

Valley City Barnes County Public Library
410 N Central Avenue
Valley City, ND 58072

Limiting access to the adult portion of the library is not only impossible without destroying some of our historic features, but it would also put unreasonable expectations on the way parents, grandparents, and childcare providers utilize our library. Patrons could no longer expect to have access to the whole library if they brought a child with them. They would have to change their schedule to accommodate two separate visits to the library, plan for a babysitter, or choose not to come at all because of the limitations. I would not be able to bring my 7-year-old grandson to my office on a day when his parents need an extra hand because of its location, and my 14-year-old granddaughter wouldn't be allowed to come to my office after school while waiting for a ride home.

Another reason I oppose SB 2307 is the fact that it is very vague and seems to allow anyone to object to a book or service in the library without question or process to determine that it is valid. They simply have to report it to the State's Attorney General for his determination. That bypass of all our library policies and procedures takes any sort of resolution out of our local Library Board's hands. The fact that someone from another state or even country who is not even a resident of our community or state, could object to a book they saw that we have in our library just by looking at our online catalog is mind boggling. They could possibly be challenging a resource that is vital to many of our community members. Libraries curate their collections according to what the community wants and needs. We don't have unlimited budgets so there would be no reason to spend funds on materials that would not circulate. I could envision that this could become overwhelming for our Attorney General and books and materials would just simply be removed because there was no time to do an accurate study of it.

Please vote "Do Not Pass" on SB 2307. Thank you for your time.

Anita Tulp, Director
Valley City Barnes County Public Library
410 Central Ave. N.
Valley City, ND 58072
Ph. 701-845-3821


STEP
huff huff
Um... are we having sex tonight because I really hope we are-
YANK
Oh!
Wait, I wanna help-


come on
Nick
Take mine off?
Please?
You sure?
Yeah
PFFT
HA HA
?


FULL COLOR
GORDON KORMAN
KISS
I love you... and you are SO fucking hot
Nick!!
Okay, let's go ♡
AHHH
LIFT

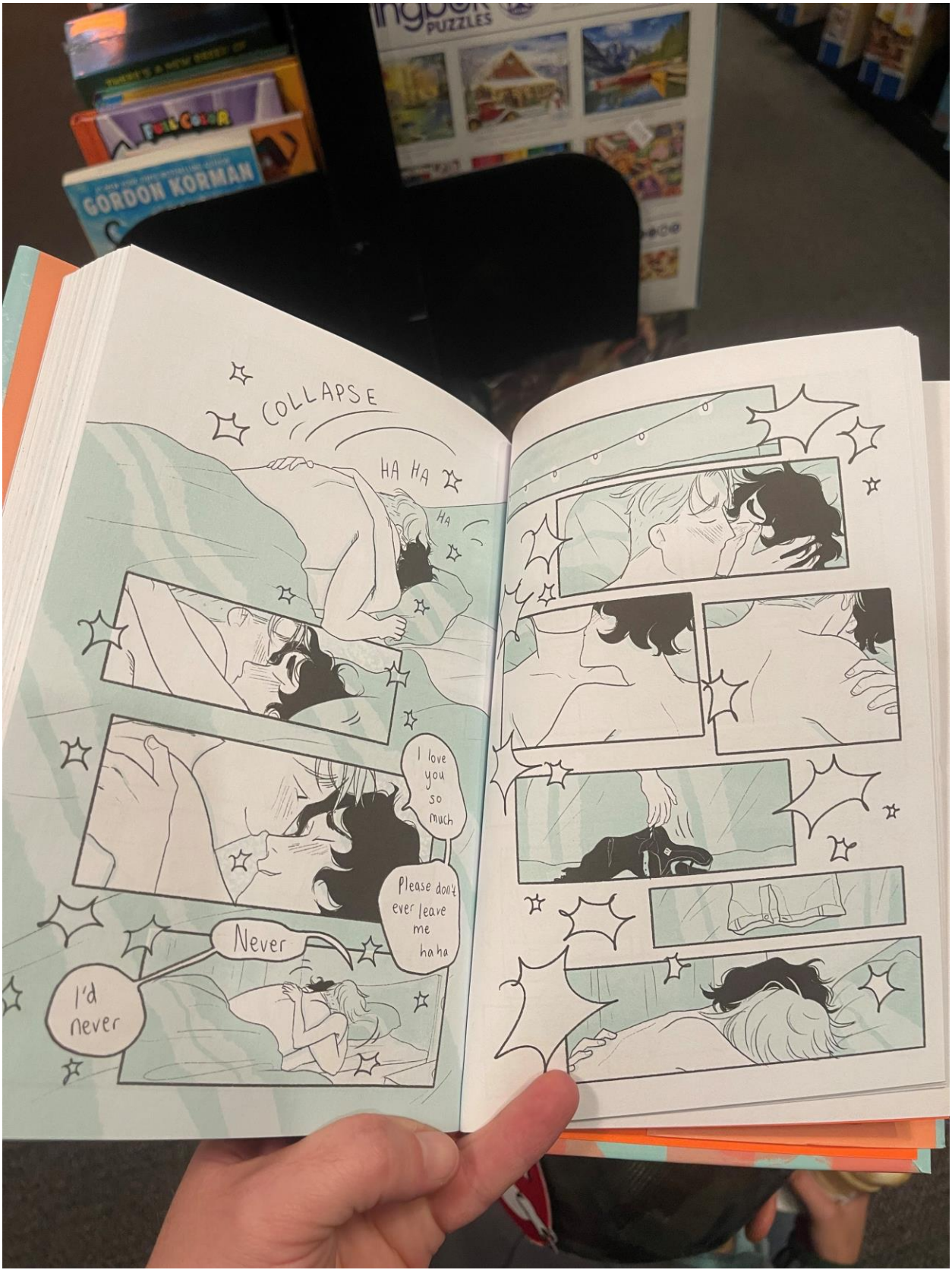

COLLAPSE
HA HA
HA
I love you so much
Please don't ever leave me ha ha
Never
I'd never



Figure 3


I think... sex can be all kinds of things
There are other things I wanna try with you...
You've been "researching," haven't you
HA HA

Chairman Larson and members of the Judiciary Committee, for the record my name is Robert Erbele and I am the Senator from District 28 serving 5 rural counties in the southcentral and south east part of the state.

This is one of the last bills that I would have considered signing onto in the past. Although I am against pornography and obscenity, and I support those bills limiting their scope when they are before us, I have always held that those standards need to be upheld and promoted at the local level, and I have always said that public dollars should go to public schools. Both of those philosophies have been severely challenged by what I have experienced this last fall regarding a book series that was brought to my attention by some of my constituents in my district. It was a very disturbing, and emotional journey that I walked with them. I have attached a couple of frames from the book that was shared with me to this testimony to show what flipped my trigger. My moral compass is stronger than my philosophical opinions regarding local control and public schools.

When my constituents informed me that the Librarian and the Superintendent would not honor their request to remove the book I encouraged them to get a petition of support from the patrons of the district, which they did and had over 200 signatures in a very short time. Once the petition was in hand I personally called the Superintendent and the school board president to encourage them to honor the petitioners which was clearly a mandate stating their community values. Both saw nothing wrong with the book(s) and felt comfortable with their own kids reading the books, one said " kids are having sex anyway". To placate the citizens a book review committee was hastily assembled since the board did not formally have one in place and their reviews were presented to the board. I read those reviews and all were in favor to keep the books, the thing that was suspicious to me was that quite a few of them had the same narrative and seemed like they may have been AI generated. The special ed teacher said that she encourages her students to read graphic (cartoon style) books since they are easier to understand. A board member on the committee said he found the book pervasively vulgar, but was against banning books. Others said it was such a small percentage of bad words compared to the total of all the pages in the book and not genitals were shown.

I did attend the board meeting when my constituent got on the agenda to bring the request of the petitioners to the board. The room was full, probably close to 100 people. The teachers all stood in solidarity behind one of the faculty members who spoke in favor of the book, and no one other than my constituent was allowed to speak. The board took no action. One of the disheartening things I observed was that the faculty had encouraged some of the students of the school to attend and hold signs saying "No Book Bans"

What baffles me is why the school leaders would choose this hill to die on. It wasn't a solo wild eyed radical trying to disrupt the school. There was a significant group of citizens concerned about the welfare of the minds of their children. What I saw was the sexualization of our children, and a weaponization of children against their parents.

Why is a book of this nature so important? What is its redeeming social, or educational value? Can you sincerely tell me what I'm missing?

As I see it a book has no soul or feelings, it will not be hurt if it is not read. Any one can buy the book and put it on their coffee table if they so choose, but an educational institution funded by taxpayer dollars should not be buying books of a suspect nature, there are thousands of good beneficial books to choose for a public school.

Madam Chairman, and committee members, everything in life comes from a seed, plants, animals, people and societal standards. Blessings come from seeds. Small seeds, or actions, of faithfulness, and obedience produce blessings, small seeds of disobedience, and tolerance of moral decline, leads to a corrupt society and all kinds of behavioral disorders that are so rampant today. Nothing starts out full grown.

I hope you can take this opportunity to study this bill, and if you see any changes that need to be made to make this a firm foundation to protect the hearts and minds of our young people, I ask you to do so.

Thank you for your time. My constituent is here today to give you her personal account of the ordeal she and her family have experienced.

February 9, 2025
Chairwoman Larson and Members of the Senate Judiciary Committee,

My name is Rachel Waldo, and I am writing to you to urge your opposition and nay vote on Senate Bill #2307. The reasons I and many other North Dakotans feel so strongly about opposing this bill are threefold. First, this bill will negatively impact the educational process of children and teens, both in and outside the classroom. Second, this bill will place undue and often unachievable burden on our rural libraries which many communities of all ages depend on. And lastly, this bill is a redundant waste of our time and taxpayer dollars which could and should be spent on addressing the more pressing concerns of real North Dakotans.

As a former participant in and then coach of the Dickinson High School Speech Team from the years of 2014 - 2022, I know the access that North Dakota libraries provide to high schools is paramount to teaching the research and fact-finding skills our youth build in such programs. In events such as Extemporaneous Speaking, Radio Broadcasting, and all of the original oratory events, teens research and build arguments on every niche topic their hearts desire. Often relying on the digital databases of their school libraries, which are often provided by the North Dakota State Library. This bill would severely limit their access to such sources which may be published in academic journals cut off as casualties of this legislation.

Further, as the Theatre Director of Dickinson High School from 2021-2023, I relied upon the library system's access to classic plays and books of monologues and one-acts to offer students resources with which to direct their own plays and prepare for professional auditions. My program would not have been able to handle the cost of paying for each of these resources individually as we already operated on a very thin budget.

Next, as a librarian, I understand the concern for ensuring that children are not exposed to materials that may cause them distress or cultivate antisocial behaviors. However, this legislation would place undue burdens on libraries to comply with the requirement that no materials which may contain content which *may* be deemed "explicit" be displayed or available in areas where a minor *may* be. This will necessitate costly construction which is not feasible for small, rural libraries – the most numerous in our state. These libraries will be faced with the choice of closures, temporary or permanent, barring minors from entering at all, or removal of adult collections which are vital in nursing homes and assisted living facilities as mental enrichment to prevent cognitive decline.

Lastly, I believe this legislation is unnecessary. There are policies in place in every library in the state which provide strong guidance in compliance with the previous legislative session's House Bill #1205 to ensure collection development criteria place library materials into age-appropriate collections. If a mistake is made, each library also has a request for reconsideration process to be handled by local representatives of the community library board. Forgive the parlance, but as North Dakotans in the ever changing and more expensive world, we have bigger fish to fry that trying to fix a process that isn't broken.

Thank you for your time and service to our state. I know you work hard to ensure a better life for all North Dakotans, young and old. This legislation will have a real impact on my life and of those I love. I urge you to please consider my words and vote no on SB #2307.

Sincerely,
Rachel Waldo

Testimony for the North Dakota Legislature February 10, 2025, on Senate Bill 2307

Hi, my name is Dan Wakefield. I am from Devils Lake. I retired from full time teaching in May of 2022.

A central focus of Senate Bill 2307: Who is/are the media Gatekeeper(s) in North Dakota public schools and libraries?

I testified at the 2023 legislative session on the school and public library bill.

To recap that testimony:

[In the Fall of 2021 and January of 2022, a staff member at my high school used federal grant money to purchase books from a Twin Cities vendor. Dozens of books were placed for ease of student access in each of the social studies classrooms. When the first shipment arrived, from a cursory review, I appraised some of the books to be of questionable value for adolescents based on theme or content. When the second January shipment arrived, with more of the same, I re-boxed and removed those from student use. When the school year ended, I examined the content of several of the books from both shipments and advised the administration that several of them were, in my judgement, to be inappropriate by theme or content for adolescents, that parents and guardians if aware would object, and that they should take a look before making them available in the coming school year. I was then thanked for the heads up. I also at that time asked the staff member who ordered the books how the selection was made. I was told it was left to the Twin Cities vendor to determine. In a return visit to the department classrooms in the Fall of 2022, all of those books I had surveyed and questioned still remained in the bookcases that had been provided for easy student access the school year before.]

Background: In the last couple of weeks of the 2022 school year at my school, books, periodicals, and other physical media, on a wholesale scale, were dispatched from the school library to dumpsters and the landfill. This follows the pattern from years earlier when the stacks at the middle school were also removed in our school district. In these transformed spaces that go by names like “media centers”, study spaces are now arranged for individual or group seating that supports access for using and charging laptops and tablets.

Laptops and tablets, when used with purpose by students in multiple classes, are powerful learning tools that can greatly support education.

Or, not unusual - when network safeguards are not employed and diligently updated in the school setting - digital devices become online conduits for student distraction – including gaming, harassment, and inappropriate video.

Schools have also recently employed electronic billboards, often prominently located in high foot-traffic areas like the school commons or near the main office. Besides displaying information ranging from weather forecasts to school activities, our school began announcing the arrival of digital books, a tab or keystroke away on the school internet network.

The question relevant to addressing the intent of the library bill is who should be the gatekeeper that gets to control content?

Who gets the say what books and media goes, what stays, and what gets into public schools and libraries?

It's often one person deciding for the student, the family, the community, the school: should it only be the values of a librarian, a school employee, or a teacher deciding for everyone?

Or in my experience with the fulfilling of the Federal Striving Readers grant – who selected the books placed in the SC 103 classroom – was it an employee(s) randomly packing books in a Twin Cities vendor's warehouse; or a faceless person(s) in a governmental office from a time zone away? Educational goals and content are historically the responsibility of state and local government.

When school staff discusses appropriateness of content used in media in the school setting, the responsibility for oversight is sometimes dismissed with a comment like – What difference does it make, they've (students) got it on their phones? True, especially in schools that allow student phone use in school – G5, and students can flip the switch – to distraction on You Tube, Tic Toc, or even worse.

So though often a valid point regarding schools with student phone use, the response ignores important considerations: how about the objections made by many in the school and local community who do care and consider indifference to media damaging and corrosive to learning and the broader culture: students, parents and guardians, staff; and community members who finance public education.

An aside – my opinion – impact on education:

[To a degree it doesn't matter how much public money is appropriated for schools or what new and supposedly improved initiative is imposed on public education every 5 years – test scores will continue to drift lower in schools that embrace the multi-year ongoing, ever-

growing culture of distraction – for the cause of fully embracing technology – without real filters that actually work on phones, tablets, computers, etc. preventing cumulative student losses in time and attention. Despite public schools still delivering outstanding results for many students – many parents and guardians won't risk the odds of institutionalized underachievement – no wonder, why more and more of them continue to imagine a better outcome and desert public schools for home schooling or private schooling if it's an option.]

I want to address an objection I heard in the media reporting regarding the library bill in the last legislative session. Librarian opponents termed proposed law addressing book and media guidelines for young children and adolescents book banning (what Nationalist Socialist university student mobs did collecting and burning books, they found objectionable in 1930s Germany). Ironically, in my community, what I would describe as the gutting of our public school libraries, removing wholesale quantities of books and other media materials, was carried out under the direction of library personnel in favor of more digital support space. Staff received notice of only a few days to claim materials headed for the landfill. Though staff did take possession of a small fraction of what was removed, I am not aware whether the community received significant notice.

Why was the removal and destruction of a large portion of a school library's contents removed and destroyed? When and to what extent should a community be consulted over ending a cultural legacy spanning decades? If a community is not consulted, does the consequent removal and destruction of the contents by a few constitute a form of autocratic book banning?

Check the studies in relation to the effects of both digital and printed mediums on children and youth regarding health, wellness and cognition. Bound books and physical media should be preserved for use in schools and media. Fortunately, in most school and public libraries new and old (including those undergoing renovation) that I am familiar with in North Dakota this is still the case.

Why does it matter who gets to decide what books and media materials are appropriate for public schools and classrooms?

Here is one of the books I found objectionable from the federal grant that ended up in the social studies classroom in my school: *Odd One Out* by Nic Stone (ref. pp. 226-227, p. 265, 2018, Crown Books)

And here is a book being read by a student in a rural secondary school I was subbing in recently: *Reapers of the Dust* by Lois Phillips Hudson (ref. pp. 87-88, p. 147, 1984, MN Historical Society Press)

Personal Story / Summary:

1. It matters, because young children and adolescents in school are not intellectually and emotionally ready for adult content in the form of digital or print media.
2. It matters, because in our country, citizens locally and through their state and local representatives should decide what is age-appropriate content for children and youth reflecting local and community interests and values, not autocratic individuals or totalitarian groups.
3. It matters to me personally, because a few individuals without my input or consent made me complicit in making available to adolescents in classes I was teaching written material wholly inappropriate for their ages and I believe at odds with and a betrayal of their parents and guardians.
4. It matters, because copious / extensive inspiring and intellectually rewarding digital and written materials for children and youth are available and should be used in public libraries and schools.

Thank you, Madam Chair and members of the Senate Judiciary Committee, my name is Karen Krenz, I am from District 1. I am asking that you please render a DO PASS on Senate Bill 2307

As a parent, I can have parental controls on my kid devices, the Netflix app they watch, even my TV remote provides parental controls for different shows I don't want them to watch, but when it comes to my child's school library, anything goes. Some of the books that are in the school library are loaded with obscene material. Some examples of these obscene material are books with topics like, "eating pussy" in the book Me and Earl and the Dying Girl, "putting his penis in my mouth" in the book Looking for Alaska, "the sticky stuff icing her hands" in the book Identical. It may make you uncomfortable to read this, but imagine how it may make our kids feel to read it.

After sharing the content with many parents and giving them the right information with what these books contain, they were mortified. Our kids are being sexualized at every turn in our society. Our society is trying to sexualize kids and get them farther away from conservative values, Christian faith, and put a wedge between them and adults in their lives. It is working! Normalizing sex in minors will just continue to put the most vulnerable minors at risk for sex trafficking and other at-risk behaviors. We are not for BANNING books but for putting them on the right shelves to protect our minors. We don't serve alcohol at school; it is put on the right shelf at the liquor store.

Be Legendary enough to stand on our conservative morals and values of this great state of North Dakota and protect our kids! Thank you for your consideration for this important matter and thank you for your service to the state of North Dakota.

Karen Krenz

Dear Senate Judiciary Committee,

We are the board of directors of the Friends of the Fargo Public Library, and we are writing to express our opposition to Senate Bill 2307. We believe the bill's language is excessively broad and ambiguous, and would jeopardize a library's ability to successfully serve its community.

As a nonprofit, we are dedicated to supporting the Fargo Public Library and library programming that benefits tens of thousands of residents in our community each year. We believe Senate Bill 2307 would undermine the Fargo Public Library - and, indeed, libraries across the state - by removing local control and threatening essential library funding.

Libraries play a crucial role in our communities, providing opportunities for education, promoting literacy skills, providing meaningful programming for people of all ages, and much more. When a library is no longer able to do these things, our communities would suffer as a result.

We stand with the Fargo Public Library in opposition to Senate Bill 2307, and urge you to prevent this bill from becoming law.

Sincerely,

The Board of the Friends of the Fargo Public Library
February 10, 2025 SB 2307 - Testimony in Opposition

WEST FARGO PUBLIC LIBRARY

Testimony in Opposition to SB2307
Presented to the Senate Judiciary Committee
Prepared by Jenna Kahly, Library Director, West Fargo Public Library
Friday, Feb. 7, 2025

Senator Dianne Larson, Chair and members of the Judiciary Committee,

I am writing to express my strong opposition to Senate Bill 2307. I have worked in libraries for 20 years in various roles at every level. What I've learned during that time is that every person who enters a library has their own goals, values, and needs. We, as librarians, are doing our job well when we connect people with the most appropriate information, media, and entertainment for their unique situations.

Library workers take seriously our responsibility to protect and enrich the lives of children. We also take seriously the responsibility of ensuring all members of our community have access to a comprehensive collection of materials, resources, and opportunities that help them achieve their goals, strengthen our communities, and promote lifelong learning.

In recent years, our library has seen significant growth in usage, with more people using traditional library services than ever before. Circulation has increased more than 61% since 2019. In 2024, nearly 70% of our circulation was of traditional physical library materials checked out from our building.

Our residents trust and love their librarians and place value on access to knowledge, literacy programs, and the public services that our library provides. We do our job well.

The West Fargo Public Library has robust policies and procedures in place to ensure materials in our popular collection are carefully curated, appropriate for our library, and placed in the proper collection.

Before an item is placed in our collection, it goes through multiple levels of review by our team of professionals following professional standards and our Collection Management Policy. Materials are regularly reviewed while they are in our collection, as they are checked in and during our weeding process.

Our robust policies and procedures include a formal request for reconsideration process. In the last 8+ years, we have not received a single request for reconsideration voicing opposition to an item from our residents or library users. Our patrons have confidence in our staff and collection management processes. They continue to use the library more than ever before. Our policies and procedures are working as written.

This legislation would impose unnecessary barriers and financial implications for libraries like West Fargo Public Library, which already have policies in place for collection management and are doing our job well. Changes would cause significant and costly burdens on our library, added barriers for residents, unnecessary structural changes to our humble facility, and limitations on resources available to our growing patron base.

To comply with the bill, all youth and adult materials must be physically separated. Doing this in our library would result in:

- At least a 25% reduction in non-youth materials to allow all of them to fit upstairs
- Significant construction or renovation costs to create a physical barrier to stop kids from being able to have access upstairs
- Youth being denied access to upstairs, which means no youth programs will be permitted in our meeting rooms
- Youth being denied access to public computers, as they may need to move upstairs as well, into one of our meeting rooms

Implementing this bill would create a domino effect of issues with accessibility for patrons, especially elderly patrons, those with mobility issues, and families.

- To ensure children cannot go upstairs using our elevator, it would need to be operated by staff key access only, which means adults with mobility issues needing to get upstairs will require a staff person to accompany them.
- Children and families may not have access to a restroom when visiting the library, as our primary restrooms are upstairs. Downstairs restroom access could be lost at any time, as those bathrooms are not part of the library's lease and belong to the school.
- Parents will no longer be able to have their child with them when browsing the adult collection. This is unsafe and a violation of our unattended child policy.

The bill's language would require significant investment in changes to electronic resources or would prevent us from offering them at all.

- A recent quote to provide age verification to some of our databases like Libby/Overdrive would cost $4500 just for the first year, with annual subscription costs increasing overtime.
- Significant cost of the required age-verification software to continue offering Libby/OverDrive would result in the reduction of other library services and funds for programs like our Summer Reading Program for children.

In conclusion, the West Fargo Public Library is an example of one of hundreds of North Dakota libraries that already implement strong policies and are trusted by taxpayers but would greatly suffer if this bill was enacted.

As a Library Director and a mother, I firmly believe that this bill would not enhance child protection but would instead create unnecessary barriers to access, eliminate essential library services, and disrupt the very structure that makes the local library a welcoming place for all.

I urge a Do Not Pass on this bill. Please allow libraries to continue serving our communities effectively and efficiently, as we currently do. Thank you for your time and consideration.

Sincerely,



Jenna Kahly, Library Director

West Fargo Public Library

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.

CITY OF WILLISTON COMMUNITY LIBRARY

INTERNET ACCESS AND COMPUTER USE POLICY

General Statement of Internet Access

The Williston Community Library ("WCL" or "Library") provides computers and public access to the Internet in support of its mission to assure equitable access to the Library's resources and services and to affirm its commitment to the principles of intellectual freedom as expressed in the Library Bill of Rights. Internet resources are provided by WCL equally to all of its patrons.

Use of Technology Protection Measures

The Library employs technology protection measures (Internet filters) through the North Dakota state network on all of its computers with Internet access. As required by the Children's Internet Protection Act (CIPA), blocking is applied to visual depictions of materials deemed harmful to or inappropriate for minors, and to maintain the safety and security of minors utilizing the Internet. The Library may provide unfiltered Internet access to adults who request it for uses not in violation of this policy.

Staff Assistance

Staff will provide limited assistance for basic start up procedures. Library staff cannot provide in-depth training due to time and knowledge constraints. (See WCLs **STAFF SUPPORT TO PATRONS POLICY)**

Liability

Because of the vast scope and diversity of information accessible via the internet, the Library accepts no responsibility for:

- Accuracy of information found online
- Debts incurred by users from for-pay services through the Internet
- Damages resulting from loss of connectivity
- Breaches of personal data
- Exposure to or infection by malware

The library accepts no responsibility for lost or misplaced items.
The library accepts no responsibility for what patrons' access online.

Guidelines for Computer Use

Patrons are required to sign in to use the public internet computers. By signing in, patrons agree to the terms of the library policy. Sign in forms will be shredded at the end of each day. The library is not responsible for the content of any materials accessed through the Internet. Parents or guardians, NOT the library or its staff, are responsible for the Internet information selected and/or accessed by their children. Parental supervision of children searching the Internet is advised. Usage may be restricted to one hour if there are patrons waiting to use the computers.

Unpaid fees or overdue library materials can result in restriction of computer privileges. Computer registration is blocked once a user owes $25 or more in fees and/or has materials 90 days or more overdue.

Printing Charges

Patrons will be charged $0.10 for each black & white page printed and $1.00 for every color page printed.

Unacceptable Use

Using Library computers in an unacceptable manner is prohibited. Unacceptable use includes, but is not limited to:

- Public display of obscene material (NDCC 12.1-27.1-03.1)
- Damaging or attempting to damage computer equipment
- Interfering with WCL systems operations, integrity, or security
- Engaging in activities deemed unlawful according to local, state, and federal law
    - Please note: File sharing of copyrighted music/digital content can be illegal
- Disruptive behavior (see WCLs PATRON CONDUCT POLICY)

Enforcement

A patron who is observed using a computer in an unacceptable manner may be subject to:

- Ending the computer session for the day
- Temporary suspension of computer use privileges
- Permanent suspension of computer use privileges based on repeated violations
- Notification of appropriate law enforcement officials if it appears that a violation of state law or City Ordinance has occurred.

Wireless Network Access

The Library and the Williams County Bookmobile both provide a separate Wi-Fi network for personal computer and mobile device connection. These are open Internet connections, with no protection or filtering. All security is the responsibility of the user. All policies regarding legal and acceptable use of the Internet apply. All above stated policies apply to wireless network access as well.

Adopted: July 1, 1998
Amended: June 19, 2018 | January 18, 2022

CITY OF WILLISTON COMMUNITY LIBRARY

MATERIALS SELECTION POLICY

Purpose

The purpose of this policy is to guide staff in the selection of library materials, to inform the Library Board and the general public of the principles upon which selections are made, and to declare the library's commitment to the principles of free access to ideas and information.

Definitions

- All Materials are those items considered for addition to the Library's collection.
- All Materials Selection refers to the decision to add material to the collection or to retain materials already in the collection. It neither refers to reader guidance nor details specific types of materials to be added.

Goals of Materials Selection

- Materials selection aims at maintaining a collection of materials for meeting the informational, reference, research, educational and recreational needs of Williams County residents. Budget limitations necessitate the choosing of materials relevant to these needs.
- The Williston Community Library is committed to the principles of intellectual freedom and affirms the American Library Association's Freedom to Read statement and the Library Bill of Rights. As such, materials representing diverse viewpoints on topics, including controversial ones, are actively collected. Selection of an item does not indicate that the Library, its Board, or its Staff agrees with the ideas and viewpoints presented.

Responsibility for Selection

- Final responsibility for materials selection rests with the Library Director who functions within the framework of policy adopted by the Library Board of Trustees. The responsibility for selection may be delegated to other professional members of the staff.
- Suggestions from members of the community concerning materials selection are welcome. Each suggestion will be considered within the framework of this policy.

General Principle

The library is a forum for information and ideas. The following basic principles will guide its materials selections:

- Books and other library resources will be provided for the interest, information, and enlightenment of all people in the community.
- Materials will not be excluded because of the origin, background, or views of those contributing to their creation.
- Materials will not be proscribed or removed because of partisan or doctrinal disapproval. Within reason, materials and information provided will present the various general points of view of current and historical issues.
- Adult responsibility for children's reading rests with parents or legal guardians. Materials selection for the adult collection is intended for mature readers and will not be restricted by the possibility that children may obtain materials which their parents or legal guardians consider inappropriate. Separate collections are available for children and young people.
- Materials unavailable at this library but available through cooperative library networks will be borrowed upon the request of the user. Charges for interlibrary materials may be passed on to the patron.
- Textbooks or other curriculum-related materials are acquired only when they serve the general public.
- Consideration is given to the adequate availability of materials for the visually impaired.

Specific Principles

The following general criteria are considered in selecting materials:

Adult Materials

- Permanent value
- Popular interest
- Widely regarded reputation of the author
- Comprehensiveness and depth of treatment
- Clarity, accuracy, and logic of presentation
- Reputation of publisher
- Date of publication
- Relationship to existing collection
- Artistic merit
- Insight and/or perspective into human and social conditions
- Availability elsewhere in the community
- Price

Children's and Young Adult's Materials

In addition to the criteria for adult materials, consideration is also given to the following:

- Appropriate content
- Appropriate vocabulary for the general age group
- Determined value for stimulating the informational, recreational and cultural reading interest of children and youth

Gifts and Donations

Gifts and donations are always welcome. Acceptance is based on the following criteria:

- All such items must meet the same criteria listed under Specific Principles as purchased items
- Attached conditions of the donor as to use, location or disposition will not be permitted
- Funds may be designated for the purchase of materials by general subject area
- All gifts, when accepted, become the property of the Library and may not be reclaimed by the donor
- Unneeded donations will not be retained
- The receipt of specific items will be acknowledged
- All gifts should be left at the Library or mailed to the attention of the Library Director

De-Selection of Materials

- Shelving space is finite and in order to fulfill our mission and meet the diverse cultural, educational, research and personal enrichment needs of our community, the materials we offer must be current, accurate, relevant and in a useful format and condition. Subsequently, materials that are no longer accurate, used or useful must be withdrawn from the collection. This does not mean that they were a waste of money, just that they have fulfilled their purpose. The CREW (Continuous Review, Evaluation, and Weeding) method is used to aid in de-selection.
- The previous criteria need not be applied to items with local historical value, which typically possess appeal, significance, and scarcity in excess of materials of no cultural relation to the region. Local history materials may be retained indefinitely.

Adopted: July 1, 1998
Amended: August 21, 2018 | October 20, 2021 | September 20, 2022

Legislators of the 69th Legislative Session,

We are Mr. and Mrs. Cody and Sam Hazzard-Bradley. We live within District 1 here in Williston, North Dakota mere blocks from the Williston Community Library and we are writing to you today to urge you to VOTE NO on SB2307!

We live within walking distance of the Williston Community Library and participate in many of the programs offered by our library such as Scrabble Club and the monthly craft and we have a young child who we plan on taking to the Storytimes at the library once the weather is no longer sub zero.

We greatly value our library and all that it adds to our life and the lives of our community members. As such, we are very concerned about how this bill would negatively affect our library and the tax dollars that it would cost our community to make the changes laid out in this bill as it is a well known fact that libraries do not generate revenue and, after preliminary research we found that our library has policies in place to prevent the things that this bill aims to address such as a material selection policy, a request for reconsideration of materials policy and an internet access and computer use policy thus negating the need for such legislation at a state level.

I, Cody, have lived in Williston for my entire life and only recently got my library card as my curiosity was piqued after hearing about and seeing information in the news about libraries and listening to my friends discussing the bills against libraries in my community.

I got my library card and quickly realized that all the things that people seemed concerned about within the library were simply not problems at all. Instead, I realized that, in addition to books, our library had board games and movies available for checkout, an amazing online resource called Libby that I could use to read eBooks and audiobooks and many other programs and services that add value to my life and to my wife and child.

I drive for a living. I am up before sunrise all year round, and I am not a morning person. Having Libby readily accessible on my phone and being able to listen to audiobooks while I drive each morning has proved to be an invaluable resource in keeping me awake and alert so that I am able to drive safely and provide for my family.

I have only ever had good experiences with my library, I trust the library staff to do their job and follow their policies and I know that if I ever have a concern about a material within the library, I can submit a Request for Reconsideration of that material so that my voice can be heard.

I, Sam, am also very concerned about how this bill will negatively affect my library. I am and have been very excited about all that our library offers in the way of programs for children and am very excited to start taking our baby to the library for storytimes.

Part of our reasoning as to why we bought our home in the part of town that we did was because we wanted to live near our library and to be able to walk to the library and the park next to our library. I am grateful for the community that being able to connect with the other parents that take their children to the programs at the library will provide.

I am incredibly grateful for the Early Literacy Kits and STEAM Kits that our library has that I will be able to make use of with our child as he grows. Williston does not have a Montessori school that our child can attend the way that I did as a child but, the kits that the library offers fill that need within our community and I am so very grateful for the library staff at our library who have put all this thoughtful effort into their collection curation.

Since my husband and I began looking to expand our family, I started looking forward to taking our children to the library for storytimes and lego times and STEAM activities. I have looked forward to leading by example and picking out books for myself to read and for our children to learn from me and pick out books that they want to read.

This bill would take that away from our family. I would be unable to peruse the shelves of our library with my child in the stroller. I would not get the experiences of talking to my son about how I find and select materials. My son will not get to observe my modeled behavior and be able to then learn how to do it himself.

Additionally, due to the vagueness of this bill, my husband and I are both very concerned about how this would restrict access to age appropriate books about puberty and consent. Because of personal experiences we know how important age appropriate books about puberty, in addition to teaching prepubescent children about what will begin to happen to their body, help children who have been molested or sexually assaulted realize what has happened to them and give them the words to tell their grown ups what has or is happening to them. Part of properly caring for the health of the children in our communities must include making this information available to them in an age appropriate manner rather than relegating these age appropriate resources to the adult section of the library.

All of this is to say that this bill is unnecessary due to the policies that are already in place at our library and that, in our personal experience, seeks to address a problem that is nonexistent. Additionally, this will spend our tax dollars in a way that is not only unnecessary but will also detract from all the good that our library does and will greatly limit the expansion of the online resources that help keep one of us safe on the road and will detract from the overall experience of our library visits.

As such, we would like to urge you to VOTE NO on SB2307.

Sincerely,

Mr. and Mrs. Hazzard-Bradley

CITY OF WILLISTON COMMUNITY LIBRARY

REQUEST FOR RECONSIDERATION OF MATERIALS POLICY

The Board of Trustees recognizes the importance of providing a method whereby opinions from the public regarding materials selection can be voiced. Therefore, it has established a policy and procedure which will apply to all requests for reconsideration of materials including:

- Those about materials represented in the collection
- Those about materials not represented in the collection

To comply with this procedure please be advised of the following guidelines:

- A formal request for reconsideration of materials must be made in writing. Forms are available at the circulation desk and upon completion must be delivered in person to the Library Director. Forms must be completed in their entirety.
- One request for reconsideration of materials from a household/organization is accepted at one time.
- Material being challenged must be read/listened to/viewed in full by challenger.
- The Request for Reconsideration of Materials form and its written response becomes part of Williston Community Library's public record.

When a request for reconsideration of library materials is made, the following steps will be followed:

1. Informal:
    a. The reconsideration will be listened to calmly and courteously.
    b. The Library's Materials Selection Policy and commitment to intellectual freedom will be explained, to help the patron understand the value of a diverse library collection and that ownership of an item does not indicate agreement or endorsement of the ideas, values, or principles expressed therein. This will be done respectfully and in a fashion that acknowledges and restates the patron's concerns.
    c. If the patron has recommendations for other materials on the topic, they will be noted, and if appropriate, procured.
    d. If the patron is not satisfied, advise the patron of the library's policy and procedures for handling a reconsideration request, and provide the patron with a copy of the Library's Materials Selection Policy, Request for Reconsideration of Materials Policy, and the Request for Reconsideration of Materials Form.

2. Formal:
    a. If a request for reconsideration of materials form is received, the Library Director will provide a prompt written reply letting the challenger know they have received the request and a decision will be made within 30 business days.
    b. The material shall remain part of the collection until a decision has been made.
    c. Notify the Library Board of the request for reconsideration and assure them the library's procedures are being followed. Present to the Library Board full, written information giving the nature of the reconsideration and identifying the source.
    d. Notify the Chairperson of the North Dakota Library Association's Intellectual Freedom Committee that a reconsideration request has been filed.

e. The Library Director and staff involved in collection development shall review the request for reconsideration. This includes:
    i. Reading/viewing/listening to the challenged material in its entirety.
    ii. Considering the objections in terms of the Library's Materials Selection Policy, the principles of the Library Bill of Rights, and the opinions of various reviewing sources used in materials selection.
f. If the reviewed material does not meet the criteria set forth in the Material's Selection Policy, the Library shall acknowledge that the material is unsuitable, and it will be withdrawn from the collection or, if applicable, moved to an appropriate section of the library.
g. If the material does meet the selection criteria, the material shall remain part of the collection.
h. The Library Director will respond to the request clearly and precisely within 30 business days, stating the reasons the material was withdrawn, moved, or retained. This response will also inform the requestor how to pursue the matter further.

3. Appeal:
    a. If the requestor feels the request for reconsideration of materials has been dealt with inadequately, a final appeal to the Library Board can be made.
    b. A public hearing, to be determined by the Library Board and Library Director, will be conducted with the Board acting as the decision-making body within 30 business days.
    c. The Director will notify the American Library Association Intellectual Freedom Office, and their advice will be enlisted.

4. Hearing:
    a. An open meeting will be held within 30 business days—the location and beginning time of the meeting will be publicized in advance of the meeting.
    b. The meeting will be conducted by the Director.
    c. The Library Board will act as the decision-making body. A quorum must be present.
    d. Persons wishing to speak must register prior to speaking, giving their name, address, and organization represented (if any).
    e. Each speaker will be given four minutes in which to present their point of view. A timekeeper will be appointed prior to the meeting.
    f. Library Board members will be given time to ask questions following each testimony.
    g. Each speaker should present a written copy of their testimony to the Library Board members.
    h. The Board will review the testimonies heard. They will vote at a later date after they have had time to weigh and consider the testimonies. The Board will issue its opinion within ten business days after the hearing.
    i. The Board will make their decision public and the Library will take action in accordance with that decision.
    j. Once a decision has been made, said material cannot be challenged again for three years from final decision date.

Adopted: 7.1.98
Amended: 8.21.18 | 10.20.21 | 9.20.22 | 10.17.22

February 10, 2025

North Dakota Senate Judiciary Committee

RE: SB 2307

Opposition to the bill

Dear Senators:

I am writing to you to oppose the passage of Senate Bill 2307 regarding public libraries and distribution of sexually explicit material.

This bill is overly broad and puts library staff at risk for random prosecution by overly zealous individuals. This legislation is a blatant attempt to usurp a fundamental right of American citizens, namely that of freedom of speech by placing arbitrary definitions and interpretation by a select few who may have bias against opposing viewpoints, authors, library entities and staff in charged with the operation of libraries.

It is commonly shared that proper parenting is a gold standard of raising children to become educated adults who can make their own decisions. It is the responsibility of the parent, not the government, to decide what may be appropriate for their children to read.

Thank you for your consideration and I urge you to vote NO on Senate Bill 2307.

Respectfully,

Chuck Andrus
934 22nd Ave East
Dickinson, ND 58601
701-290-6140

February 10, 2025

North Dakota Legislative
Senate Judiciary Committee

Dear Committee Members,

Thank you for the opportunity to provide written testimony in opposition to SB2307.

I am a resident of Mandan, North Dakota and a frequent library user. My children and I both enjoy visiting the Mandan and Bismarck libraries. I also access digital library resources – books, audiobooks, and magazines – using the Libby app because my library is part of the North Dakota Digital Consortium.

I write in opposition to this bill because it is unnecessary and will create an unreasonable burden on libraries. Libraries do not have the resources to construct a separate or locked area for content fitting the vague definition of "explicit sexual materials." Additionally, the North Dakota Digital Consortium would be forced to discontinue its participation in the Libby app because there is no age check for accessing the variety of digital materials.

SB2307 poses significant threats to intellectual freedom and the right to access information. Public libraries provide vital community resources and access to a wide range of materials catering to diverse interests and needs. By restricting access to content, we risk undermining the very essence of what libraries stand for – the free exchange of ideas and knowledge.

The legislature should continue to allow local libraries to address the content of their collections. Individual libraries should respond to requests for materials to be reviewed and or removed based on that library's policies and procedures. The state need not be involved.

SB2307, while well-intentioned, risks infringing on fundamental rights and freedoms. I respectfully request that the committee reject this bill.

Thank you for your time and consideration.

Diane Wehrman
Mandan, North Dakota

Members of the Senate Judiciary Committee,

My name is Kimberly Hurst and I reside in District 1. I am asking that you please render a Do Pass on Senate Bill 2307. As a parent of four children who have attended the public school system, I expect the state of North Dakota to create and enforce century code to protect the innocence and well-being of young minds. The materials I have discovered on the shelves of WBSD#7 libraries are highly inappropriate for children, to say the least. For example, one book our school district has displayed to minors is about a father molesting his daughter in extreme and graphic detail. Under what circumstances would this be considered 'educational'? This is just one of many other inappropriate books that were found.

The distinction between hosting sexually explicit material on a school library shelf and what could be considered grooming of young minds is becoming increasingly blurred. In such cases my school district, WBSD#7, enforces a book review policy that can take up to a year to complete, rather than promptly assessing the concerning content and making an immediate decision regarding the removal of pornographic material. This raises serious concerns about the district's commitment to protecting our children. This is not merely a matter of implementing preventative measures—it is a pressing reality that students are being exposed to inappropriate material.

As any concerned parent would, you might ask, where did these books come from and how did they end up on the shelves? This is where the lack of due

diligence with using third parties also fails to protect the children from sexually explicit material in public schools. A well used third party, the American Library Association is widely used not only in North Dakota public libraries but also in public school libraries. ALA's previous president, Emily Darbinski, campaigned on the slogan, *"Equity as action, Social and economic justice and racial equity requires that we make a material difference in the lives of library workers and patrons who have for far too long been denied power and opportunity on the basis of race, gender, sexuality, national origin, spoken language, and disability."* Darbinski said that she would *"advance a public agenda that puts organization for justice at the center of library work"*. Ms. Darbinski, who has publicly identified as a Marxist, emphasized during her campaign her intent to influence libraries affiliated with the ALA through her ideological perspectives.

There appears to be a consistent focus on anti racism and DEI initiatives among ALA presidents. The now current and incoming president of the ALA, Cindy Hohl, has outlined one of her presidential initiatives as follows: *"A comprehensive library guide will focus on diversity, equity, inclusion, social justice, and antiracism practices in libraries, highlighting welcoming spaces, belonging for all, and sustainability for future generations of library staff and users."*

If I am not mistaken, North Dakota's century code prohibits the teaching of critical race theory. Given this, why are we allowing third-party agendas to influence our schools in a manner that may violate state law? The existing legislation lacks the necessary detail to effectively protect children from external

ideological influences that may not align with our state's standards or Article VIII of the North Dakota Constitution. More concerningly, there is currently no penalty for violating this law. In addition, the current President of The United States has recently signed an executive order prohibiting any DEI and CRT material in schools. As lawmakers of North Dakota, I urge you to consider whether our state will uphold this directive or choose to disregard it.

I strongly urge you to support the passage of Senate Bill 2307. Thank you for your time, your consideration of this critical issue, and for your service to the state of North Dakota.

Kimberly Hurst

Mr. Hatlestad,
I strongly support this BILL!!

Please vote no to SB 2307.

This bill would take away local control of our libraries and supersede the already established policies on the selection and review of library materials. It opens up complaints to anyone – not just local patrons of the library. Someone from out of state should not be able to form a complaint about an item when that person has never even stepped foot in the library. Librarians work with parents to help find the right books for their children. The government should not intervene in that relationship or try to tell parents what is and what is not right for their child.

February 10,2025

To: Whom it may concern,

My name is Sina Cui from Williston, North Dakota and I support Bill 2307.

Thank you,

Sina Cui

February 10, 2025

North Dakota Senate Judiciary Committee

RE: SB 2307

Opposition to the bill

Dear Senators:

I am writing to you to oppose the passage of Senate Bill 2307 regarding public libraries and distribution of sexually explicit material.

This is a government overreach.

We have been able to survive and thrive as a free-thinking country since Thomas Jefferson donated his books as a beginning library in the early days of the Republic. Libraries in the United States must be free of censorship.

This bill unfairly puts libraries and their staff in a position which would promote frivolous prosecutions by those who may have moral or other agendas against authors, libraries, and their staff.

I urge you to oppose Senate Bill 2307.

Sherry Andrus
934 22nd Ave E
Dickinson, ND 58601

My name is Shane Cui from Williston, North Dakota and I support Bill 2307.

Thank you,
Shane Cui

Good afternoon,

I would like to share my opposition to SB 2307. I love libraries. I work for a public library and can see how much libraries support people, foster a love of reding, provide a safe space to explore new ideas and gain knowledge. The library is a place for people to be curious and want to learn, but also come in with no judgement or expectations.

I fear this bill could wreck the love, acceptance and curiosity that grows in public libraries. From what I understand, this bill would force libraries to make really tough choices that wouldn't positively affect anyone but being a win for extreme right politicians. From my interpretation, it could limit collections in the entire library because collections are just open. Would a fence around any "obscene" book need to be made to keep minors out and ID at the gate? Or minors maybe wouldn't be allowed in libraries at all because of this proposed bill. Or are we expected to get rid of so many books because they would be labeled as "obscene". That is just crazy. People in our communities would no longer be able to easily access the books they wanted because of a political game, and that is simply book banning without labeling it as such.

Libraries and communities will struggle if this bill passes, please do not let it pass.

Thank you

Chair Larson, Vice Chair Paulson, and members of the Committee,

Request: Vote "No" for SB 2307

My name is Christine Cherry. I have been a Minot resident for the past 10 years, a volunteer at Minot Public Library for the past 5, and have been a member of the Board of Trustees for the last 3. I am also an avid reader and mother to an 11-year-old son who also is an avid reader. I am writing in opposition of SB 2307.

I understand wanting to protect children's innocence. You'll likely be hearing about porn being available in public or school libraries, but that simply is not the case. Collection development is not something taken lightly, and includes materials for adults, teens, and children categorized in sections accordingly and all these materials fall in line with the Miller Test defined by the Supreme Court's 1973 case *Miller v California*. We also already have a process outlined so members of the community can object to materials they find offensive. In the past year, there have been 2 at Minot Public Library. As the current President of the Board of Trustees, I personally read every book that is challenged so I can make an informed decision when voting on whether to keep, remove, or relocate the challenged material. These are not decisions I take lightly, but two complaints out of over 100,000 items in our collection and over 20,000 library card holders tells me that this is not an issue in our community.

I also have concerns with some of the language in this bill. We would be remiss not to mention that what is appropriate for a high school student may not be appropriate for an elementary school student. We keep our children's section separate from our adult and teen sections for this reason. Our current policy is that children under 8 must be accompanied by an adult. However, the way this bill is written, it would be a crime for an adult woman to browse the adult sections with their child in tow. Additionally, I worry about the implications this would have a local, small businesses as "establishments that minors are or may be invited as part of the general public." Bookstores' front window displays are often based on what's popular to draw in customers. Social Media communities like "bookstagram" and "book tok" have driven the success of contemporary romance and fantasy romance authors like Colleen Hoover, Sarah J. Maas, and Rebecca Yarros, whose books contain sexual content. Walking by the covers on the street isn't likely to raise any alarm bells but because the bill also states the words "…or available content of which either contains explicit material harmful to minors…" the new release of "Onyx Strom" could be objectionable to put in the window display next to a public walkway. Personally, I think sex is a normal part of life and it makes sense to include it a romance story about adult dragon riders, however some might argue that dragons appeal to minors so the fact that there's sexual content at all is harmful. Furthermore, the bill states that when "…taken

as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value." This is extremely subjective. An opinion about a materials' merit is based on an individual's own values, morals, culture, religion, upbringing, and education. This bill would limit everyone's access to materials, based on a single person's judgement.

I recognize that the intent of this bill is to not limit the access of popular books to adult readers, but the vague and subjective language of this bill will have that affect. If a parent can't shop or browse for reading materials without their children, they will have few options other than ordering from Amazon. That hurts local businesses, it puts unnecessary strain on library resources, including time, money, and personnel, and it harms citizens who can't afford or are unsure if they want to add an item to their personal collections.

For these reasons, I oppose SB 2307.

Thank you for your consideration.

Christine Cherry

Chair Larson, Vice Chair Paulson, and members of the Committee, Request: Vote “No” for SB 2307.

My name is Paul Jensen, a Fargo resident since 2007 and currently a member of the Fargo Public Library Board of Directors. I value North Dakota’s public libraries and urge you to recommend "Do Not Pass" on SB 2307.

The bill's vague standards will create financial and legal burdens for libraries and the Attorney General, costing the taxpayers unnecessarily funds and is introduced for the benefit of a minority of individuals wanting to enact their specific narrow understanding of how the Public Libraries should operate. HB 1205 already established safeguards with the Federal Miller Test for obscenity, making SB 2307 redundant, costly, and punitive. It furthermore risks losing skilled librarians by subjecting them to audits and misdemeanors, undermining our state's commitment to limited government oversight. Trust our professional librarians instead of imposing unnecessary intervention.

Please reject SB 2307. Thank you.

Senate Judiciary Committee

Please strongly consider a no vote on SB 2307, the library bill. My mother passed away in 2023 and we went through the difficult task of saying goodbye. She left a mighty legacy but none greater to us, and our community, than her dedication to books, and thus the library. She always said her idea of heaven was to be alone in the library with a sack lunch. Going to the library was nearly as regular to us as Saturday night baths. Getting our own library card was more important than our driver's license.

The last of her possessions to go were her books and the last of her donations, to the library. She served on the board; she hauled books in shopping carts with the rest of the board when they moved from the Carnegie site. She co-authored a book in 1964. When she could no longer read we read to her.

So, yeah, I am seriously book biased. The state has meddled/protected enough in the last session. While I am less worried about requiring libraries to invest in a closet in which to store books than I am about just who will make that selection and why, it is oppressive and contrary to the idea of local control. Worse it is interfering immensely with my choice of reading, truly a first amendment right.

Every single day I listen to digital books through Libby, the library connection as does my husband, our grown children, and their children. We have a streak of dyslexia from my husband's family so it is the best delivery system. That may well be lost to us should this bill pass.

Worse, however, it is so pointless. Young people do not get their ideas of sexuality and the birds and the bees from the library. My friend asked her college age children if they learned about sex through the library, or a book. To a child the reply was, NO, they go to their phones. Unless you all prepared to extend very real protection to our state children through their phones (and not just in school) and by restricting the streaming services their parents have, you are simply depriving the rest of us of normal, perhaps slightly steamy reading material. How can our laws hammer on the supreme rights of parents (even bad ones) and yet not let parents set up the protections. Leave the libraries alone. I can't imagine my mom ever imagining this kind of legislation. Please vote no.

Sherry Mills Moore

701-226-6968

Against 2307

It is not my legislators' job to govern what is in my library. If I feel something's inappropriate, I can put it back and tell my children NO. It's my job as their parent. If I feel it's too mature for an area of my library, I can do a reconsideration and ask librarians to think about moving it. That is the LIBRARIAN's job. Librarians are highly trained professional people with degrees in the subject, undergo training regularly, do continuing education periodically and know what they are doing to serve their communities.

We do not need politicos from Devils Lake interfering in Minot nor do we need Mandan legislators prying in Fargo. Librarians work for their communities, not the legislative branch of government. None of the sponsors of this bill have library degrees. They are unqualified.

For a political party that is keen on individual rights, this bill is not taking an individual's intellectual freedom seriously. This is government overreach and unneeded. It will be terribly expensive and a waste of taxpayer dollars that could be spent on education and infrastructure. It most unfairly penalized our rural brothers and sisters who may have to close their libraries to those under 18 altogether.

Teenagers would be treated as preschoolers and not allowed materials that are perfectly appropriate to their emotional level. If we trust our teens to take a date to a school dance, why don't we trust them to check out a library book that features dating? This is best left to families to decide, not overzealous legislators.

If we wish to protect children, there are far better ways. Educate their parents on better internet controls, talk to our children about consent so they can better report it, stiffen child abuse penalties, prosecute co-conspirators of child abuse, and fund these programs.

Vote NO on 2307! It is not helpful to ND.

Pamela Carswell

Librarian

Literate and Sensible Mother of three

9/11 Survivor Spouse

I am opposed to this legislation SB 2307. It puts undue burdens on library staff who are already struggling with limited resources. This bill would cost taxpayers a lot of overtime for librarians to go through their entire library. Additionally, there is already legislation that allows for removal of materials that someone finds offensive in passed bill HB 1205. Furthermore, the language of the bill is so vague that librarians would be unable to know whether something is offensive or not. No one can say how this bill would be implemented. Therefore, I strongly urge you to vote against this bill.

Perry Bekkerus
Fargo, ND

Testimony in Opposition to SB 2307

Dear Chairman and Members of the Committee,

I strongly urge you to oppose SB 2307, a misguided attempt at censorship that threatens the intellectual freedom of all North Dakotans. This bill would require libraries to remove vaguely defined "explicit" materials, potentially restricting access to a wide range of books, digital resources, and other educational materials.

One of the most alarming issues with SB 2307 is its lack of clarity and enforceability. Even the bill's sponsor has failed to provide a clear framework for implementation, instead suggesting an arbitrary system of locked cabinets for certain books. This approach not only raises constitutional concerns but also places librarians in the impossible position of censoring materials based on undefined criteria.

Furthermore, SB 2307 is a direct violation of First Amendment rights. The U.S. Supreme Court has long upheld the principle that the government cannot restrict access to information based on subjective viewpoints. Removing or restricting books from public circulation exposes North Dakota libraries to costly legal challenges and undermines the fundamental freedoms our democracy depends on.

Public libraries exist to serve diverse communities with a wide range of perspectives. Censorship laws like SB 2307 set a dangerous precedent, allowing government overreach into what individuals can read, learn, and explore. I respectfully ask this committee to reject this bill and stand in defense of intellectual freedom and constitutional rights for all North Dakotans.

Thank you for your time and consideration.

Dr. Jennifer Sweatman
1328 6th St South
Fargo ND 58103

As a responsible adult and mother of three kids, I support SB2307. I think it is imperative that we protect our youth. Words strung together just right can make a huge impact. Just think of the past presidential speeches, letters or documents written by our Founding Fathers and the Bible. They're inspiring and are impactful in a positive way. However, words can also be used as weapons, and can have a negative impact. For example: bullying messages on social media have led to people committing suicide. Words are strong and our youth are easily persuaded. I do believe some books are being used to defile, confuse and just plain damage our youth. We as adults are responsible for the youth. Please do what is right a pass SB2307.

Senate Judiciary Committee

Senate Bill 2307

Andrew Alexis Varvel

Written Testimony

February 10, 2025

Madame Chairman Larson and Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck.

I am a member of the local Friends of the Library.

It may be the Tenth of February today, but it feels like Groundhog Day.

Please look at page 2, lines 29-30 and page 3, lines 1-2.

Senate Bill 2307 proposes to put public libraries into the same category as public roadways and public walkways, no longer in the same category as colleges, universities, museums, and art galleries. It says a public library is no better than the street, as if some hooker were going to walk right up to a patron and ask, “Hey man, wanna have a good time?”

(And yes, that did happen to me on Bourbon Street when I was seventeen years old on a band trip. And yes, I was shocked at the time.)

It appears to me that this legislation is aimed at ensuring that children will have no access whatsoever to online books through local libraries.

This should be great news for traffickers, as keeping children ignorant of the horrors that await them will play straight into the traffickers' hands.

It seems that many Christians have forgotten Matthew 10:16 entirely.

Remember – Jesus Christ told his disciples to ***first*** be as wise as serpents and ***then*** be as harmless as doves. Not the other way around.

Let's keep our eyes open! Let's treat libraries as places to learn, not as some moral equivalent of Bourbon Street or Hennepin Avenue.

Just yesterday, I performed a test on the computers of the Bismarck Veterans Memorial Library. I checked whether a library computer could access any of the following sites:

pornhub.com porn.com onlyfans.com fansly.com

None of these sites could be accessed through a library computer.

No North Dakota library has any copy of *Debbie Does Dallas* either.

I would encourage any concerned legislator to go to a public library and find out what is – and at least as importantly – what is not available.

I have in my hands three books written by Ellen Key – Love and Marriage, Love and Ethics, and The Renaissance of Motherhood.

I am in the process of reading them.

In 1919 to 1920 during the first Red Scare, there was a press controversy in the pages of the Bismarck Tribune, Grand Forks Herald, and other critics of the NPL that the North Dakota State Library – under Nonpartisan League control at the time – had any of these books. Well, these books are nowhere to be seen among North Dakota libraries.

Anywhere.

Ellen Key's books were called “trash” 125 years ago, so now no patron of a public library in this state gets to check them out.

So, congratulations! Library patrons won't be able to learn whether her books are trash or not.

On page 2, lines 20-21, this proposed legislation says, “Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors...”

There is absolutely no way anybody can determine what the prevailing moral standards of North Dakota are without holding a referendum. Book by book by book. Instead, what I see within this legislation is the establishment of a moral dictatorship of Legislative Management and the Attorney General – who do not determine the prevailing standards.

I would recommend setting up statewide referenda on each book, book by book by book, except for one thing –

It is city and county taxes that pay for these libraries. Have you ever heard of the idea of local control? If the state government is going to set up statewide standards for these libraries, this would only make sense if the state government *fully funded these libraries!*

As it is, this is an unfunded mandate for cities and counties to navigate mountains of punitive red tape – not a good use for taxpayer money.

So, if the Legislature decides to fully fund city and county libraries, we could then have statewide referenda on each book deemed offensive by someone – book by book by book. And then I would say –

STATE REFERENDUM ON BANNING A BOOK? BRING IT ON!

Maybe somebody will put the Bible on statewide referendum, claiming that the Bible lacks serious literary, artistic, political, or scientific value for anybody – including minors. After all, the Bible does have some sexually explicit material such as Ezekiel 23:19-20.

There are references to incest in Genesis 19:30-38. (I think this story was a raucous satire of the cult of Ishtar and temple prostitution.)

And then, there is Isaiah 23:17-18, which promotes temple prostitution.

Beyond the question of who decides what is or is not "sexually explicit material", we face an epidemic of sex trafficking fueled by a policy to keep children ignorant – rather than become as watchful as serpents.

Children need to know what parts of their body are off-limits. Rectum. Genitalia. Breasts. And knowing that "Tab A goes into Slot B". Yet, this bill would shield children from knowing how to protect themselves.

From the point of view of prepubescent children, adults do weird and gross things as part of being fruitful and multiplying. Thank God, the Bible has a book dedicated to promoting the right kind of prurience –

The Song of Songs.

Please send Senate Bill 2307 straight into the trash bin where it belongs, and not into our Century Code. Please recommend **DO NOT PASS**.

Thank you. I am open for questions.

February 7, 2025

Dear Members of the ND Senate Judiciary Committee,

I'm director of James River Valley Library System in Jamestown, and I'm writing to respectfully oppose SB 2307. I hope to provide lawmakers with information that may be helpful as you consider this bill.

I understand why many people of all political, moral, and spiritual views are concerned with library materials. It's not just conservative people who sometimes feel uncomfortable. There were efforts to remove Dr. Seuss books from libraries after the publisher decided in 2021 that six Seuss books had racist images. Librarians rightly resisted these calls for removal.

As a conservative Christian and a father, I understand and respect the desire to shield our children from some topics. When my son was young, I restricted certain materials based on his maturity level, and in doing so, I was acting in my capacity as a father. As a librarian, my decisions are based on the needs of our entire community. Librarians are united in encouraging parents to supervise their own children's checkouts, just like we do for our children.

Both major parties have tried to restrict speech based on people's viewpoints. Conservatives are concerned about speech they consider inappropriate for children. However, this is not reason enough to restrict access to information protected by the First Amendment. Some folks on the other side have tried to restrict "disinformation" or "hate speech." Conservative speakers have been shouted down on college campuses, and that shouldn't happen. In addition, some viewpoints have been limited online due to government pressure (e.g. Meta's letter to Rep. Jordan 8/26/24 – Zuckerberg says he regrets caving to White House pressure on content - POLITICO). Except as narrowly interpreted by the Supreme Court, speech shouldn't be restricted.

Librarians collect materials that are 100% protected by the First Amendment, regardless of our personal viewpoints. The items in our collections are 100% legal to create, illustrate, publish, distribute, and maintain in public libraries in all fifty states. None of our library materials are obscene because obscenity isn't protected by the First Amendment. As a public librarian, I have a responsibility to provide materials suitable for our community in a manner that is fair to all major viewpoints. This means providing materials with which I may personally disagree and cataloging them age-appropriately.

Our library in Jamestown collects *diverse perspectives on all major topics*, and we try to do this using materials that are *broadly acceptable to our community* and *broadly considered age-appropriate by our community*. I believe all ND librarians go through a similar evaluative process, but we represent different communities with slightly different values, so selection decisions are unique to each community. Librarians know our users.

I have several concerns about SB 2307 that I hope the legislature will carefully consider:

- The threat of a class B misdemeanor for librarians and booksellers is an improper prior restraint on speech because it creates fear of including certain topics or viewpoints.
- The appropriateness of library materials should be a local decision, not a statewide ruling from the Attorney General.

- A material challenge should only come from a resident of the library's service area since it is unfair to allow outsiders to challenge a local library's decisions.
- SB 2307 requires relocation of legal free speech to an area not accessible to minors. I believe this will not stand First Amendment scrutiny, but I'm a librarian, not a lawyer.
- On a practical level, most libraries don't have an area big enough to accommodate all the materials that *could* be implicated in SB 2307. Our library alone may have more than ten thousand items containing some level of adult material, and these items are properly cataloged. Genres that contain adult material include fiction, art, history, true crime (including survivors of sexual abuse), anatomy, religion, mythology, and self-help, among many others. The presence of adult material in fiction written for adults is extensive, and depending on the final wording of the bill, libraries might not have adequate physical space to segregate those materials so children can't see them.
- The time required to carefully review all adult materials in our library would be prohibitive, particularly since every item cataloged for adults might have to be read, watched, or listened to under the current wording of SB 2307.
- E-materials are a massive part of the future of libraries and literacy, so restricting e-materials in the name of protecting children pushes libraries out of the digital marketplace.
- Today's children are getting inappropriate material from their phones, not the library, and not from library databases or e-materials.
- Threatening librarians and booksellers with a class B misdemeanor will only result in fewer readers across North Dakota.

The solution to concerns about library collections is diversity of the collection, not passing laws restricting materials protected by freedom of speech. A father approached me several years ago regarding a children's book that didn't align with his faith and values. I asked if he wanted to suggest something that would balance the collection, and he made a suggestion that I researched and purchased. Thus, the father decided not to make a formal challenge, and our collection became more balanced and inclusive. Thankfully, there have been no formal challenges to items in our collection during my twelve-year tenure.

I believe all librarians in North Dakota would react positively if people expressing concerns would settle for the collection becoming more balanced rather than trying to restrict the access of others. Instead of restricting, let's talk about balancing all viewpoints and accepting the fact that public libraries contain information that may displease us. Balanced collections will often contain material that may offend us located next to items we will appreciate. This is actually a strength of public libraries.

Being balanced and viewpoint neutral is key to providing fair public service, while disfavoring or restricting certain viewpoints harms the public and violates the First Amendment. Please allow librarians to continue balancing different viewpoints while favoring none. I respectfully request that you vote against SB 2307.

Thank you for your careful consideration and your service to the people of our state.

Sincerely,

Joseph Rector
Jamestown

Chairwoman Larson and Members of the Senate Judiciary Committee,

My name is Jade Praus and I am testifying in opposition to SB 2307.

This bill is unnecessary for so many reasons, but I will list a few.

1. This is a huge government overstep to control the materials within a library.
2. Parents should have the right to choose materials for their children. The government should not.
3. Libraries have collections for children and teens that have appropriate materials for those ages. What is appropriate for a 14-year-old is not appropriate to a 4-year-old, but there should still be books for that 14-year-old. Libraries serve everyone.
4. Libraries already have procedures in place for materials people think should be removed and this bill circumvents that.
5. This bill would classify books on potty training and puberty as something to be made inaccessible and that would only prove to be detrimental.

This bill would also cause some issues and prove to be costly to libraries and tax payers. If this would pass, we may see libraries having to do costly renovations to spaces and that is only if there is money for those renovations. In libraries where renovations are not possible, they will be for people ages 18+ and that is heartbreaking. I have loved the library since I was a child and it was my favorite place to visit, and still is, but to think children may not be allowed in is so sad.

I urge you to vote Do Not Pass on SB 2307.

Jade Praus

Dickinson, ND 58601

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SB 2307
Testimony of Amy De Kok
Senate Judiciary
February 10, 2025

Chair Larson and members of the Senate Judiciary Committee, my name is Amy De Kok. I am the executive director of the North Dakota School Boards Association. NDSBA represents all 168 North Dakota public school districts and their governing boards. I am writing to express our opposition to SB 2307, particularly the provisions that impose unnecessary and restrictive policies on public school libraries. This bill undermines the expertise of educators, and disregards existing federal protections, such as the Children's Internet Protection Act (CIPA), that already safeguard minors from inappropriate content. Furthermore, public schools already have policies in place to guide the selection of instructional and library materials in public schools, which ensure that educational resources are carefully vetted to meet students' developmental needs and curricular goals.

The Existing Protections Under CIPA and School District Policies

The federal Children's Internet Protection Act (CIPA) already establishes robust safeguards to protect minors from harmful online content in schools and libraries that receive federal E-Rate funding. CIPA mandates the use of internet filters to block access to explicit content, ensuring that children are not exposed to inappropriate material.

Additionally, most school districts adhere to structured policies regarding the selection of instructional and library materials. These policies assign responsibility for selecting materials to trained professionals who ensure alignment with state standards, readability, and age appropriateness. These policies also promote a balanced representation of controversial issues. SB 2307 is therefore redundant and places an unnecessary burden on schools and libraries.

Overreach, Cost, and Legal Concerns

SB 2307's provision requiring public school libraries to review and potentially remove books or materials deemed to contain "explicit sexual material" is vague and overly broad. By placing subjective standards on literary and educational materials, this bill creates the potential for censorship that could deprive students of access to valuable, age-appropriate resources.

The bill also introduces logistical and financial burdens that will disproportionately impact smaller, rural libraries, requiring costly modifications to separate restricted materials. Such expenses represent an unnecessary waste of taxpayer dollars that could otherwise be allocated toward educational programming and literacy initiatives.

Moreover, legal experts have noted that SB 2307 could expose school districts and libraries to First Amendment lawsuits. The U.S. Supreme Court's 1982 ruling in Board of Education v. Pico established that school boards cannot remove books from libraries simply because they dislike the ideas within them. The Court emphasized that the First Amendment protects students' rights to receive information and ideas, and removing books based on their content amounts to censorship and interferes with students' intellectual freedom. While school boards have an interest in ensuring that materials align with their educational mission, the Court held that they must do so within the boundaries of the First Amendment. The Court held that school boards may evaluate the educational value of books but cannot remove them solely due to ideological disagreements.

The Role of Professional Educators

Public school librarians and educators are trained professionals who carefully curate collections to align with educational standards and student needs. SB 2307 undermines their expertise by imposing external oversight that disregards their professional judgment. Existing district policies ensure that selection objectives include age-appropriate difficulty levels, educational alignment, and representation of diverse perspectives.

Potential Harm to Students' Education

Denying students access to diverse viewpoints, scientific knowledge, and historical context hinders their ability to think and engage with the world in a meaningful way. Literature and educational materials help students navigate complex topics in a safe and structured manner. Removing these resources under the guise of "protection" ultimately does more harm than good.

Furthermore, SB 2307's punitive measures, including withholding funds from non-compliant school districts and libraries, are excessive and counterproductive. Public libraries and school districts should not be financially penalized for upholding students' rights to access educational materials.

In conclusion, SB 2307 is an unnecessary and potentially harmful piece of legislation that undermines the professional expertise of educators and librarians, and disregards existing protections such as CIPA and the well-established selection policies of school districts. Additionally, its implementation would be costly to taxpayers and expose public institutions to legal challenges that could have been avoided. The precedent set by Board of Education v. Pico makes it clear that school boards cannot remove

books simply because they disapprove of their content. I urge the committee to reject this bill and instead support policies that promote comprehensive education, uphold students' rights to information, and trust the expertise of professional educators in determining appropriate materials for school libraries.

To: Members of the Senate Judiciary Committee

And Senate Industry and Business Committee

From: Detective Leroy Gross Jamestown Police Dept. 252 2414

Date: February 10 2025

I have recently review the book "Let's Talk About It".

I would like to state to this committee that during my time in law enforcement I have observed many pictures, photos, and cartoons that were legally found to be child pornography and were used as evidence to convict individuals of violating state laws.

There are some illustrations in the book "Let's Talk About It" that are very similar to what I have observed in the past.

If you have any questions please contact me.

Tom J. Tracy
818 17th St. NE
Jamestown, ND 58401
Cell: 701.320.9817
tomtracy15@gmail.com

To: Senate Judiciary committee
Date: February 10th 2025
RE: Senate bill 2307 Testimony

I am presenting you with a copy of the book "Let's Talk About It" that was instrumental in motivating many parents, pastors, city and county official, legislators and even law enforcement to look into the fact that certain obscene, pornographic books were available in public schools and libraries in North Dakota.

Two years ago this book was available at the Barns County Library for 6th graders to check out. After numerous attempts to have the book removed by concerned parents and citizens it was, reluctantly, by the Barns county library staff, moved to the adult section of the library.

As to the degree of obscene pornographic material that was make available to young people, the book speaks for itself. It is also important to note that information is present in the book to encourage its readers how to reach porn sites on line (page 164).

I first heard about the controversy over this book on a Valley City radio station. The radio host described the controversy about the book and then said he would have to be very careful about describing the contents of the book on the air so that he would not put the radio stations FCC license in jeopardy

I attended one of the meetings held in Valley City over the controversy caused by this book. As I spoke to the library board I showed them some of the graphic illustrations present in the book. Two board members would not look at the illustrations. I made the pictures visible to the camera man who was filming the event for KTHI TV. When I spoke to him as he was leaving I asked him if the pictures would be shown on the air when the story was presented on television. He laughed and then emphatically told me there was no chance the pictures would be shown as part of the story on the controversy of the book!

But perhaps the best example that is most important to my testimony and shows the utter absurdity of what we are discussing. When I came here today with these books I had to make sure to convince the law enforcement people who check to make sure no one smuggles improper material into the Capitol that I was going to use the books for a legitimate purpose and was not trying to smuggle in pornographic and obscene material.

Kind of tells the whole story……

It is important to note that the book "Let's Talk About It" is not the only obscene, pornographic book out there in the public library and school system. Concerned courageous parents across the state have put together a list of other books that are not at all appropriate to be purchased and make available to young people with tax payer dollars.

I would like to say that as a former public school superintendent for 29 years I am extremely disappointed that the representatives of the 4 major public school organizations: The ND School Boards Association, the ND Council of School Leaders, the ND Education Association and the ND Department of Public Instruction are not here today to encourage this committee to pass this bill.

Finally I would like to encourage the members of this committee to do as I did before I came here today. I looked at pictures of my 4 grandchildren. Please do the same (or your children) and ask yourself as I did:

Is the passage of this bill in their best interests now and in the future?

Thank you

Safe Schools and Libraries SB 2307

Madam Chair Larson and members of the Judiciary Committee,

My name is Jon K. Uhler. I am a Licensed Professional Counselor in private practice, I am a sex offender treatment provider, and I am founder of the websites: SurvivorSupport.net, ChurchProtect.org, and UnMaskingTheTransMovement.com. I appreciate the opportunity to appear before you, to provide you with a brief overview of the concerns for the protection of children and for public safety that will be addressed by the bill you are considering. The importance of this bill cannot be overstated, given that sexual predators are using libraries and schools as a of means of gaining direct access to minors, in a variety of ways, which this bill endeavors to address.

I have Worked with sexual perpetrators and predators for over 15 years, within prison, and those on Parole and Probation. Over those years, I have learned a great deal about the minds, motives, and methods of such men, that I never would have known, which the general public is unaware of in terms of how such men hunt, and how much they manipulate good people, toward access minors.

Why is it important to have such legislation? Because of what I know now through my clinical forensic work with predators, that I didn't understand when I first started working with sexually predatory men.

I didn't understand the process of reprobation… of becoming permanently sexually twisted

I didn't understand the process by which someone becomes a sexual psychopathy.

I didn't understand the difference between a reactive and impulsive psychopath vs. a sophisticated white collar psychopath

I didn't understand the true nature of sexual deviance.

I didn't understand the stages through which men descend as they become predatorial

I didn't understand the key role porn plays in fast-tracking deviance.

I didn't understand the fact that ever since porn became readily available back in the 1970s, and certainly once it became readily accessible via the internet, that 100% of all sex offenders were deeply steeped in porn prior to arrest, and that 100% of all pedophiles are charged with possession of child rape-porn, and 98% are also charged with dissemination/distribution of it as well.

I didn’t understand how predators hunt.

I didn’t understand that they love playing good people for fools, and they are driven to always test boundaries and the resolve and insight of those tasked with safeguarding of minors.

I didn’t understand that it is more common than not that sophisticated child predators actually worked in positions of trust, respect, and authority, as a Mandated Reporter

I didn’t understand how predators use libraries to gain access to minors, to groom them with salacious reading material, and by accessing porn on library computers.

I didn’t understand how many victims a predator has perped against prior to ever being arrested.

I didn’t understand how many predators had clean criminal background clearances prior to arrest, after having been perping upon minors usually for years.

I didn’t anticipate that predators would be so successful in getting grooming material placed into schools, under the guise of Trans and SOGI Sex Ed (Sexual Orientation and Gender Identity).

I didn’t anticipate sexually deviant and predatory men crossdressing men in women’s underwear and drag being so bold as to work their way right into direct access to vulnerable women and minors, via sports teams, women’s prisons, deviant sex ed, and drag queens…. And, even Furries. A classic example would be the LGBTQ activist, and former Trevor Project executive, Sam Brinton, the former under secretary of energy who stole women’s luggage

My message is really quite straight forward… to adequately protect minors from predators, it takes a commitment to an unapologetic high bar approach toward the safeguarding of minors, via firm and clear boundaries, based upon a proper understanding of the ways predators will endeavor to gain access to vulnerable women and minors.

Toward that end I urge a “DO PASS” on Senate Bill 2307. Thank you. I stand for questions."

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2307
2/11/2025

Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

3:42 p.m. Chair Larson opened the hearing.

Members present:
Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Braunberger.
Senator Myrdal absent.

Discussion Topics:

- Impact on private institutions
- Explicit material regulations

3:42 p.m. Committee discussed effect on private bookstores and discussed bill language to ensure it targeted publicly funded institutions as intended.

3:52 p.m. Committee clarified existing statute already restricts explicit content in children's library sections and discussed the bill's added penalty for non-compliance.

3:56 p.m. Chair Larson adjourned.

Kendra McCann, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2307
2/17/2025

Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

10:25 a.m. Chair Larson opened the hearing.

Members present:
Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

Discussion Topics:

- Public library issues

10:25 a.m. Senator Myrdal updated the committee on the follow up with the Attorney General and bill sponsor's proposed amendment that removes the Attorney General and adds the States Attorney.

10:26 a.m. Chair Larson closed the hearing.

Kendra McCann, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2307
2/18/2025

Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

9:07 a.m. Chair Larson opened the hearing.

Members present:
Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

Discussion Topics:

- State's attorney responsibilities
- Education funding implications
- Private institution concerns
- Bill timeline and deadlines

9:07 a.m. Senator Paulson introduced proposed amendment provided by Senator Boehm and submitted testimony #37992.

9:15 a.m. Senator Myrdal moved amendment.

9:15 a.m. Senator Luick seconded.

9:21 a.m. Senator Myrdal withdrew motion.

9:21 a.m. Senator Luick withdrew motion.

9:25 a.m. Chair Larson Closed the hearing.

Kendra McCann, Committee Clerk

25.0552.04002
Title.

Prepared by the Legislative Council staff for Senator Boehm
February 13, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2307

Introduced by

Senators Boehm, Erbele, Hogue, Weston

Representatives Steiner, Tveit

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the ~~attorney general's~~state's attorney's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01 and sections 12.1-27.1-03.1, 12.1-27.1-03.5, and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code is amended and reenacted as follows:

5. As used in this chapter, the terms "obscene material" and "obscene performance" mean material or a performance which:
   a. Taken as a whole, the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest;
   b. Depicts or describes in a patently offensive manner sexual conduct, whether normal or perverted; and
   c. Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value.

Whether material or a performance is obscene must be judged with reference to ~~ordinary~~reasonable adults, unless it appears from the character of the material or the circumstances of its dissemination that the material or performance is designed for minors or other specially susceptible audience, in which case the material or performance must be judged with reference to that type of audience.

SECTION 2. A new subsection to section 12.1-27.1-01 of the North Dakota Century Code is created and enacted as follows:

As used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.

SECTION 3. AMENDMENT. Section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.1. Objectionable materials or performance - Display to minors - Definitions - Penalty.

1. ~~A person is guilty of a class B misdemeanor if he~~the person ~~willfully displays at newsstands or any other business establishment frequented by minors, or where minors are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which either contains explicit material harmful to minors or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.~~

~~2.~~ As used in this section:

a. "Explicit sexual material" means any material that:

(1) Taken as a whole, appeals to the prurient interest of minors;

(2) Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors; and

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

b. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the

top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.

~~b.~~c. "Where minors are or may be invited as a part of the general public" includes any public roadway ~~or~~, public walkway, public library, or public school library.

~~c.~~d. The above ~~shall~~may not be construed to include a ~~bona fide school,~~ college, university, museum, ~~public library,~~ or art gallery.

2. 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 are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which is explicit sexual material or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.

SECTION 4. AMENDMENT. Section 12.1-27.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.5. Public libraries and school districts prohibited from maintaining explicit sexual material - Report.

1. As used in this section:
   a. "Explicit sexual material" means any material which:
      (1) Taken as a whole, appeals to the prurient interest of minors;
      (2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and
      (3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
   b. "Public library" means a library established under chapter 40-38.
   c. "School district" includes a school library or classroom library under the control of the school district.
2. A public library or a school district may not maintain in ~~its children's collection inventory books~~an area easily accessible to minors ~~a book or any other medium that contain~~contains explicit sexual material.

3. By January 1, ~~2024~~2026, each public library and school district shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:

   a. For the ~~removal or~~ relocation of explicit sexual material in ~~the publica~~ a library to an area in the library ~~inaccessible~~not easily accessible to minors;

   b. For the development of a book and media collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library or school district;

   c. For the ~~public library to receive, evaluate, and respond to~~or school district to ~~relocate~~relocation of materials to an area ~~inaccessible~~not easily accessible to minors ~~or refer an individual to the attorney general under section 7 of this Act~~, upon a request from an individual ~~regarding the removal or relocation of~~to relocate ~~one or more of the books or other~~ materials~~media in the library collection containing~~the individual believes contains explicit sexual material in the library collection; ~~and~~

   d. For the activation of a diverse decisionmaking committee to reconsider the relocation of explicit sexual material in the library collection, if the individual is unsatisfied with the result under subdivision c;

   e. To refer an individual to section 7 of this Act, if the individual is unsatisfied with the result of the reconsideration under subdivision d; and

   f. To periodically review the library collection to ensure ~~the library collection does not contain explicit sexual material in the children's collection~~compliance with this section.

4. Each public library and school district shall provide a compliance report to the legislative management before May 1, ~~2024~~2026, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

SECTION 5. AMENDMENT. Section 12.1-27.1-11 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-11. Exceptions to criminal liability.

Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall~~may not apply to the possession or distribution of material in the course of law enforcement, judicial, or legislative activities; or to the possession of material by a ~~bona fide school,~~ college, university, museum, or public library for limited access for educational research purposes carried on at ~~such an~~the institution by adults only. Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall also~~may not apply to a person who is returning material, found to be obscene, to the distributor or publisher initially delivering it to the person returning it.

SECTION 6. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Safety policies and technology protection measures required - Report.

1. As used in this section:
   a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.
   b. "Public library" does not include the state library.
   c. "State agency" does not include the state library.
2. A school district, state agency, or public library may offer digital or online library database resources to students in kindergarten through grade twelve if the person providing the resources verifies all the resources comply with subsection ~~2~~3.
~~2.~~3. Digital or online library database resources offered by a school district, state agency, or public library to students in kindergarten through grade twelve must have safety policies and technology protection measures that:
   a. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials constituting an obscene performance or explicit sexual material; and
   b. Filter or block access to explicit sexual material.
~~3.~~4. Notwithstanding any contract provision, if a provider of digital or online library resources fails to comply with subsection ~~2~~3, the school district, state agency, or public library shall withhold any further payments to the provider pending verification of compliance.

~~4.~~5. If a provider of digital or online library database resources fails to timely verify the provider is in compliance with the safety policies and requirements of subsection ~~2~~3, the school district, state agency, or public library shall consider the provider's act of noncompliance a breach of contract.

~~5.~~6. A public school library and a public library shall submit an aggregate written report to the legislative management no later than December first of each year regarding any:

a. Issues related to provider compliance with technology protection measures required by subsection ~~2~~3; and

b. Incidents of complaints regarding accessible materials.

~~6. As used in this section:~~

~~a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.~~

~~b. "Public library" does not include the state library.~~

~~c. "State agency" does not include the state library.~~

7. By January 1, 2026, each school district, state agency, or public library offering digital or online library database resources to students in kindergarten through grade twelve shall develop a policy and process for reviewing digital or online library database resources to ensure conformance with this section. The policy must include a procedure:

a. For an individual to report to the school district, state agency, or public library materials containing explicit sexual material or an obscene performance in the digital or online library database resources;

b. Upon receipt of a report under subdivision a, for the school district, state agency, or public library, to provide the report to the provider of digital or online library database resources and apprise the individual of the actions taken to comply with this section; and

c. To refer an individual to section 7 of this Act, if the individual believes this section is being violated after being apprised of the actions taken to comply with the section.

SECTION 7. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

~~Attorney general~~State's attorney - Obscenity review procedure - School districts - State agencies - Public libraries - Penalty.

1. Any interested ~~person~~individual who has exhausted the procedures under section 12.1-27.1-03.5 or section 6 of this Act may request ~~an attorney general's~~, in the manner prescribed by the local state's attorney, the local state's attorney's opinion to review an alleged violation under section 12.1-27.1-03.5 or section 6 of this Act. Within ~~thirty~~sixty days of receiving the request, the ~~attorney general~~state's attorney shall issue an opinion on the alleged violation to the interested ~~person~~individual, the provider of digital or online library database resources, if any, and the school district, state agency, or public library under review.

2. If the ~~attorney general~~state's attorney determines a public library or state agency has violated ~~this section~~section 12.1-27.1-03.5 or section 6 of this Act, the ~~attorney general~~state's attorney shall defer any prosecution and notify the ~~state treasurer~~public library or state agency. After receiving notice, the public library or state agency shall take corrective action to comply with the violated law within ten days. If the public library or state agency fails to comply with the law within ten days, the state's attorney:

   a. Shall notify the state treasurer who shall withhold and return funds allocated to the state agency or public library, until the state's attorney has determined the state agency or public library is in compliance with the relevant statute and has notified the state treasurer accordingly; and

   b. May prosecute for failure to comply with the law.

3. If the ~~attorney general~~state's attorney determines a school district has violated ~~this section~~section 12.1-27.1-03.5 or section 6 of this Act, the ~~attorney general~~state's attorney shall defer any prosecution and notify the ~~superintendent of public instruction~~school district. After receiving notice, the school district shall take corrective action to comply with the violated law within ten days. If the school district fails to comply with the law within ten days, the state's attorney:

   a. Shall notify the superintendent of public instruction who shall withhold funds allocated to the school district until the state's attorney has determined the state agency or public library is in compliance with the relevant statute and has notified the superintendent of public instruction accordingly; and

b. May prosecute for failure to comply with the law.

~~4. After receiving notice under subsection 2 or 3, the state treasurer or superintendent of public instruction may not distribute funds to the school district, state agency, or public library until the attorney general has determined the school district, state agency, or public library is in compliance with the relevant statute and has notified the state treasurer or superintendent of public instruction accordingly.~~

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2307
2/18/2025

Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

10:48 a.m. Chair Larson opened the hearing.

Members present:
Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

Discussion Topics:

- Motion process
- Library duties
- State attorneys' obligations
- Legal compliance

10:48 a.m. Senator Myrdal updated committee on proposed amendment LC# 25.0552.04002 testimony #37992.

10:49 a.m. Senator Myrdal moved amendment LC# 25.0552.04002 along with deleting line 7-13 on page 3.

10:49 a.m. Senator Luick seconded.

10:50 a.m. Voice Vote - Motion Passed.

10:51 a.m. Senator Cory moved to further amend page 5 line 16 to add state library or institutions of higher education.

10:51 a.m. Senator Luick seconded.

10:51 a.m. Voice Vote - Motion Passed.

10:52 a.m. Senator Cory moved as Do Pass as amended.

10:52 a.m. Senator Paulson seconded the motion.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Ryan Braunberger	N
Senator Jose L. Casteneda	Y
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion Passed 6-1-0.

10:53 a.m. Senator Paulson will carry the bill.

10:53 a.m. Chair Larson closed the hearing.

Kendra McCann, Committee Clerk

25.0552.04003
Title.05000

Adopted by the Judiciary Committee

February 18, 2025

2-18-25

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

JB 1088

SENATE BILL NO. 2307

Introduced by

Senators Boehm, Erbele, Hogue, Weston

Representatives Steiner, Tveit

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the ~~attorney general's~~state's attorney's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01~~ and sections~~, subsection 2 of section 12.1-27.1-03.1, and sections 12.1-27.1-03.5~~,~~ and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code is amended and reenacted as follows:

5. As used in this chapter, the terms "obscene material" and "obscene performance" mean material or a performance which:
   a. Taken as a whole, the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest;
   b. Depicts or describes in a patently offensive manner sexual conduct, whether normal or perverted; and
   c. Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value.

Whether material or a performance is obscene must be judged with reference to ~~ordinary~~reasonable adults, unless it appears from the character of the material or the circumstances of its dissemination that the material or performance is designed for minors or other specially susceptible audience, in which case the material or performance must be judged with reference to that type of audience.

SECTION 2. A new subsection to section 12.1-27.1-01 of the North Dakota Century Code is created and enacted as follows:

As used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.

~~**SECTION 3. AMENDMENT.** Section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**12.1-27.1-03.1. Objectionable materials or performance - Display to minors - Definitions - Penalty.**~~

~~1. A person is guilty of a class B misdemeanor if he~~the person ~~willfully displays at newsstands or any other business establishment frequented by minors, or where minors are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which either contains explicit material harmful to minors or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.~~

~~2. As used in this section:~~

~~a. "Explicit sexual material" means any material that:~~

~~(1) Taken as a whole, appeals to the prurient interest of minors;~~

~~(2) Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors; and~~

~~(3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.~~

~~b. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the~~

~~top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.~~

~~b.~~c. ~~"Where minors are or may be invited as a part of the general public" includes any public roadway or, public walkway, public library, or public school library.~~

~~c.~~d. ~~The above shall~~may ~~not be construed to include a bona fide school, college, university, museum, public library, or art gallery.~~

SECTION 3. AMENDMENT. Subsection 2 of section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

2. As used in this section:

a. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.

b. "Where minors are or may be invited as a part of the general public" includes any public roadway ~~or~~, public walkway, public library, or public school library.

c. The above ~~shall~~may not be construed to include a ~~bona fide school,~~ college, university, museum, ~~public library,~~ or art gallery.

SECTION 4. AMENDMENT. Section 12.1-27.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.5. Public libraries and school districts prohibited from maintaining explicit sexual material - Report.

1. As used in this section:

a. "Explicit sexual material" means any material which:

(1) Taken as a whole, appeals to the prurient interest of minors;

(2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and

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

b. "Public library" means a library established under chapter 40-38.

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c. "School district" includes a school library or classroom library under the control of the school district.

2. A public library or a school district may not maintain in ~~its children's collection inventory books~~an area easily accessible to minors ~~a book or any other medium that contain~~contains explicit sexual material.

3. By January 1, ~~2024~~2026, each public library and school district shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:

a. For the ~~removal or~~ relocation of explicit sexual material in ~~the public~~a library to an area in the library ~~inaccessible~~not easily accessible to minors;

b. For the development of a book and media collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library or school district;

c. For the ~~public library to receive, evaluate, and respond to~~or school district to ~~relocate~~relocation of materials to an area ~~inaccessible~~not easily accessible to minors ~~or refer an individual to the attorney general under section 7 of this Act~~, upon a request from an individual ~~regarding the removal or relocation of~~to relocate ~~one or more of the books or other materials~~media ~~in the library collection containing~~the individual believes contains explicit sexual material in the library collection; ~~and~~

d. For the activation of a diverse decisionmaking committee to reconsider the relocation of explicit sexual material in the library collection, if the individual is unsatisfied with the result under subdivision c;

e. To refer an individual to section 7 of this Act, if the individual is unsatisfied with the result of the reconsideration under subdivision d; and

f. To periodically review the library collection to ensure ~~the library collection does not contain explicit sexual material in the children's collection~~compliance with this section.

4. Each public library and school district shall provide a compliance report to the legislative management before May 1, ~~2024~~2026, on the implementation of collection

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development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

SECTION 5. AMENDMENT. Section 12.1-27.1-11 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-11. Exceptions to criminal liability.

Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall~~may not apply to the possession or distribution of material in the course of law enforcement, judicial, or legislative activities; or to the possession of material by a ~~bona fide school,~~ college, university, museum, or public library for limited access for educational research purposes carried on at ~~such an~~the institution by adults only. Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall also~~may not apply to a person who is returning material, found to be obscene, to the distributor or publisher initially delivering it to the person returning it.

SECTION 6. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Safety policies and technology protection measures required - Report.

1. As used in this section:
   a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.
   b. "Public library" does not include the state library.
   c. "State agency" does not include the state library or institutions of higher education.
2. A school district, state agency, or public library may offer digital or online library database resources to students in kindergarten through grade twelve if the person providing the resources verifies all the resources comply with subsection ~~2~~3.
~~2.~~3. Digital or online library database resources offered by a school district, state agency, or public library to students in kindergarten through grade twelve must have safety policies and technology protection measures that:
   a. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials constituting an obscene performance or explicit sexual material; and
   b. Filter or block access to explicit sexual material.

~~3.~~4. Notwithstanding any contract provision, if a provider of digital or online library resources fails to comply with subsection ~~2~~3, the school district, state agency, or public library shall withhold any further payments to the provider pending verification of compliance.

~~4.~~5. If a provider of digital or online library database resources fails to timely verify the provider is in compliance with the safety policies and requirements of subsection ~~2~~3, the school district, state agency, or public library shall consider the provider's act of noncompliance a breach of contract.

~~5.~~6. A public school library and a public library shall submit an aggregate written report to the legislative management no later than December first of each year regarding any:

a. Issues related to provider compliance with technology protection measures required by subsection ~~2~~3; and

b. Incidents of complaints regarding accessible materials.

~~6. As used in this section:~~

~~a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.~~

~~b. "Public library" does not include the state library.~~

~~c. "State agency" does not include the state library.~~

7. By January 1, 2026, each school district, state agency, or public library offering digital or online library database resources to students in kindergarten through grade twelve shall develop a policy and process for reviewing digital or online library database resources to ensure conformance with this section. The policy must include a procedure:

a. For an individual to report to the school district, state agency, or public library materials containing explicit sexual material or an obscene performance in the digital or online library database resources;

b. Upon receipt of a report under subdivision a, for the school district, state agency, or public library, to provide the report to the provider of digital or online library database resources and apprise the individual of the actions taken to comply with this section; and

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c. To refer an individual to section 7 of this Act, if the individual believes this section is being violated after being apprised of the actions taken to comply with the section.

SECTION 7. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

~~Attorney general~~State's attorney - Obscenity review procedure - School districts - State agencies - Public libraries - Penalty.

1. Any interested ~~person~~individual who has exhausted the procedures under section 12.1-27.1-03.5 or section 6 of this Act may request ~~an attorney general's~~, in the manner prescribed by the local state's attorney, the local state's attorney's opinion to review an alleged violation under section 12.1-27.1-03.5 or section 6 of this Act. Within ~~thirty~~sixty days of receiving the request, the ~~attorney general~~state's attorney shall issue an opinion on the alleged violation to the interested ~~person~~individual, the provider of digital or online library database resources, if any, and the school district, state agency, or public library under review.
2. If the ~~attorney general~~state's attorney determines a public library or state agency has violated ~~this section~~section 12.1-27.1-03.5 or section 6 of this Act, the ~~attorney general~~state's attorney shall defer any prosecution and notify the ~~state treasurer~~public library or state agency. After receiving notice, the public library or state agency shall take corrective action to comply with the violated law within ten days. If the public library or state agency fails to comply with the law within ten days, the state's attorney:
   a. Shall notify the state treasurer who shall withhold and return funds allocated to the state agency or public library, until the state's attorney has determined the state agency or public library is in compliance with the relevant statute and has notified the state treasurer accordingly; and
   b. May prosecute for failure to comply with the law.
3. If the ~~attorney general~~state's attorney determines a school district has violated ~~this section~~section 12.1-27.1-03.5 or section 6 of this Act, the ~~attorney general~~state's attorney shall defer any prosecution and notify the ~~superintendent of public instruction~~school district. After receiving notice, the school district shall take corrective

action to comply with the violated law within ten days. If the school district fails to comply with the law within ten days, the state's attorney:

a. Shall notify the superintendent of public instruction who shall withhold funds allocated to the school district until the state's attorney has determined the state agency or public library is in compliance with the relevant statute and has notified the superintendent of public instruction accordingly; and

b. May prosecute for failure to comply with the law.

~~4. After receiving notice under subsection 2 or 3, the state treasurer or superintendent of public instruction may not distribute funds to the school district, state agency, or public library until the attorney general has determined the school district, state agency, or public library is in compliance with the relevant statute and has notified the state treasurer or superintendent of public instruction accordingly.~~

REPORT OF STANDING COMMITTEE
SB 2307

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS (25.0552.04003)** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2307 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

25.0552.04002
Title.

Prepared by the Legislative Council staff for Senator Boehm
February 13, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2307

Introduced by

Senators Boehm, Erbele, Hogue, Weston

Representatives Steiner, Tveit

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the ~~attorney general's~~state's attorney's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01 and sections 12.1-27.1-03.1, 12.1-27.1-03.5, and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code is amended and reenacted as follows:

5. As used in this chapter, the terms "obscene material" and "obscene performance" mean material or a performance which:
   a. Taken as a whole, the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest;
   b. Depicts or describes in a patently offensive manner sexual conduct, whether normal or perverted; and
   c. Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value.

Whether material or a performance is obscene must be judged with reference to ~~ordinary~~reasonable adults, unless it appears from the character of the material or the circumstances of its dissemination that the material or performance is designed for minors or other specially susceptible audience, in which case the material or performance must be judged with reference to that type of audience.

SECTION 2. A new subsection to section 12.1-27.1-01 of the North Dakota Century Code is created and enacted as follows:

As used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.

SECTION 3. AMENDMENT. Section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.1. Objectionable materials or performance - Display to minors - Definitions - Penalty.

1. ~~A person is guilty of a class B misdemeanor if he~~the person ~~willfully displays at newsstands or any other business establishment frequented by minors, or where minors are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which either contains explicit material harmful to minors or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.~~

~~2.~~ As used in this section:

a. "Explicit sexual material" means any material that:

(1) Taken as a whole, appeals to the prurient interest of minors;

(2) Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors; and

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

b. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the

top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.

~~b.~~c. "Where minors are or may be invited as a part of the general public" includes any public roadway ~~or~~, public walkway, public library, or public school library.

~~c.~~d. The above ~~shall~~may not be construed to include a ~~bona fide school,~~ college, university, museum, ~~public library,~~ or art gallery.

2. 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 are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which is explicit sexual material or exploits, is devoted to, or is principally made up of depictions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion for commercial gain.

SECTION 4. AMENDMENT. Section 12.1-27.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.5. Public libraries and school districts prohibited from maintaining explicit sexual material - Report.

1. As used in this section:
   a. "Explicit sexual material" means any material which:
      (1) Taken as a whole, appeals to the prurient interest of minors;
      (2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and
      (3) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
   b. "Public library" means a library established under chapter 40-38.
   c. "School district" includes a school library or classroom library under the control of the school district.
2. A public library or a school district may not maintain in ~~its children's collection inventory books~~an area easily accessible to minors ~~a book or any other medium that contain~~contains explicit sexual material.

3. By January 1, ~~2024~~2026, each public library and school district shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:

   a. For the ~~removal or~~ relocation of explicit sexual material in ~~the publica~~ a library to an area in the library ~~inaccessible~~not easily accessible to minors;

   b. For the development of a book and media collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library or school district;

   c. For the ~~public library to receive, evaluate, and respond to~~or school district to ~~relocate~~relocation of materials to an area ~~inaccessible~~not easily accessible to minors ~~or refer an individual to the attorney general under section 7 of this Act~~, upon a request from an individual ~~regarding the removal or relocation of~~to relocate ~~one or more of the books or other~~ materials~~media in the library collection containing~~the individual believes contains explicit sexual material in the library collection; ~~and~~

   d. For the activation of a diverse decisionmaking committee to reconsider the relocation of explicit sexual material in the library collection, if the individual is unsatisfied with the result under subdivision c;

   e. To refer an individual to section 7 of this Act, if the individual is unsatisfied with the result of the reconsideration under subdivision d; and

   f. To periodically review the library collection to ensure ~~the library collection does not contain explicit sexual material in the children's collection~~compliance with this section.

4. Each public library and school district shall provide a compliance report to the legislative management before May 1, ~~2024~~2026, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

SECTION 5. AMENDMENT. Section 12.1-27.1-11 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-11. Exceptions to criminal liability.

Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall~~may not apply to the possession or distribution of material in the course of law enforcement, judicial, or legislative activities; or to the possession of material by a ~~bona fide school,~~ college, university, museum, or public library for limited access for educational research purposes carried on at ~~such an~~the institution by adults only. Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall also~~may not apply to a person who is returning material, found to be obscene, to the distributor or publisher initially delivering it to the person returning it.

SECTION 6. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

Safety policies and technology protection measures required - Report.

1. As used in this section:
   a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.
   b. "Public library" does not include the state library.
   c. "State agency" does not include the state library.
2. A school district, state agency, or public library may offer digital or online library database resources to students in kindergarten through grade twelve if the person providing the resources verifies all the resources comply with subsection ~~2~~3.
~~2.~~3. Digital or online library database resources offered by a school district, state agency, or public library to students in kindergarten through grade twelve must have safety policies and technology protection measures that:
   a. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials constituting an obscene performance or explicit sexual material; and
   b. Filter or block access to explicit sexual material.
~~3.~~4. Notwithstanding any contract provision, if a provider of digital or online library resources fails to comply with subsection ~~2~~3, the school district, state agency, or public library shall withhold any further payments to the provider pending verification of compliance.

~~4.~~5. If a provider of digital or online library database resources fails to timely verify the provider is in compliance with the safety policies and requirements of subsection ~~2~~3, the school district, state agency, or public library shall consider the provider's act of noncompliance a breach of contract.

~~5.~~6. A public school library and a public library shall submit an aggregate written report to the legislative management no later than December first of each year regarding any:

a. Issues related to provider compliance with technology protection measures required by subsection ~~2~~3; and

b. Incidents of complaints regarding accessible materials.

~~6. As used in this section:~~

~~a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.~~

~~b. "Public library" does not include the state library.~~

~~c. "State agency" does not include the state library.~~

7. By January 1, 2026, each school district, state agency, or public library offering digital or online library database resources to students in kindergarten through grade twelve shall develop a policy and process for reviewing digital or online library database resources to ensure conformance with this section. The policy must include a procedure:

a. For an individual to report to the school district, state agency, or public library materials containing explicit sexual material or an obscene performance in the digital or online library database resources;

b. Upon receipt of a report under subdivision a, for the school district, state agency, or public library, to provide the report to the provider of digital or online library database resources and apprise the individual of the actions taken to comply with this section; and

c. To refer an individual to section 7 of this Act, if the individual believes this section is being violated after being apprised of the actions taken to comply with the section.

SECTION 7. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

~~Attorney general~~State's attorney - Obscenity review procedure - School districts - State agencies - Public libraries - Penalty.

1. Any interested ~~person~~individual who has exhausted the procedures under section 12.1-27.1-03.5 or section 6 of this Act may request ~~an attorney general's~~, in the manner prescribed by the local state's attorney, the local state's attorney's opinion to review an alleged violation under section 12.1-27.1-03.5 or section 6 of this Act. Within ~~thirty~~sixty days of receiving the request, the ~~attorney general~~state's attorney shall issue an opinion on the alleged violation to the interested ~~person~~individual, the provider of digital or online library database resources, if any, and the school district, state agency, or public library under review.

2. If the ~~attorney general~~state's attorney determines a public library or state agency has violated ~~this section~~section 12.1-27.1-03.5 or section 6 of this Act, the ~~attorney general~~state's attorney shall defer any prosecution and notify the ~~state treasurer~~public library or state agency. After receiving notice, the public library or state agency shall take corrective action to comply with the violated law within ten days. If the public library or state agency fails to comply with the law within ten days, the state's attorney:

   a. Shall notify the state treasurer who shall withhold and return funds allocated to the state agency or public library, until the state's attorney has determined the state agency or public library is in compliance with the relevant statute and has notified the state treasurer accordingly; and

   b. May prosecute for failure to comply with the law.

3. If the ~~attorney general~~state's attorney determines a school district has violated ~~this section~~section 12.1-27.1-03.5 or section 6 of this Act, the ~~attorney general~~state's attorney shall defer any prosecution and notify the ~~superintendent of public instruction~~school district. After receiving notice, the school district shall take corrective action to comply with the violated law within ten days. If the school district fails to comply with the law within ten days, the state's attorney:

   a. Shall notify the superintendent of public instruction who shall withhold funds allocated to the school district until the state's attorney has determined the state agency or public library is in compliance with the relevant statute and has notified the superintendent of public instruction accordingly; and

b. May prosecute for failure to comply with the law.

~~4. After receiving notice under subsection 2 or 3, the state treasurer or superintendent of public instruction may not distribute funds to the school district, state agency, or public library until the attorney general has determined the school district, state agency, or public library is in compliance with the relevant statute and has notified the state treasurer or superintendent of public instruction accordingly.~~

2025 HOUSE JUDICIARY

SB 2307

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

SB 2307
3/18/2025

Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

8:59 a.m. Chairman Klemin called the meeting to order.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, S. Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

Discussion Topics:

- North Dakota obscenity code
- Children's Internet Protection Act
- Effects of sexually explicit content on children
- Public library selection and acquisition of books
- Online Dakota Information Network (ODIN)

9:01 a.m. Senator Keith Boehm, North Dakota Senator for District 33, introduced the bill and provided testimony #42810.

9:36 a.m. Representative Mike Brandenburg, North Dakota Representative for District 28, testified in favor and provided testimony #42808.

9:44 a.m. Representative Vicky Steiner, North Dakota Representative for District 37, testified in favor.

9:52 a.m. Jill Manning, Dr. Jill Manning, PLLC, testified in favor and provided testimony #42445.

9:59 a.m. Sara Planteen, Cogswell, North Dakota, testified in favor and provided testimony #42624.

10:05 a.m. Chairman Klemin recessed the meeting.

10:11 a.m. Chairman Klemin reconvened the meeting.

10:11 a.m. Dylan Gonser, Public Library Section Chair and Advocacy Committee Chair for the North Dakota Library Association, testified in opposition and provided testimony #42436.

10:43 a.m. Kesli LeBaron, Williston, North Dakota, testified in opposition and provided testimony #41972.

10:45 a.m. Julie Reiten, Minot, North Dakota, testified in opposition and provided testimony #41871.

10:59 a.m. Lindsey Bertsch, Manager of Main Street Books, testified in opposition and provided testimony #42768.

11:04 a.m. Gail Reiten, Advocacy Chair for Right to Read ND, testified in opposition and provided testimony #41884, #41887.

11:11 a.m. Andrew Alexis Varvel, Member of Friends of the Library, testified in opposition and provided testimony #42723.

11:15 a.m. Chairman Klemin recessed the meeting.

11:21 a.m. Chairman Klemin reconvened the meeting.

11:21 a.m. Corey Quirk, Deputy CIO for Core Technology Services at North Dakota University System, testified in neutral and provided testimony #42394.

11:27 a.m. Jason Bedsaul, Director of ODIN at North Dakota University System Core Technology Service, testified in neutral and provided testimony #42718.

11:46 a.m. Mary Soucie, State Librarian at the North Dakota State Library, testified in neutral and provided testimony #42543.

Additional written testimony:
In Favor:
#42531, #42565, #42686, #42700, #42480, #42502, #42535, #42622, #42630, #42676, #42677, #42699, #42726, #42735, #42835
In Opposition:
#41421, #41422, #41424, #41425, #41436, #41483, #41491, #41512, #41524, #41552, #41613, #41618, #41621, #41647, #41648, #41649, #41659, #41667, #41685, #41700, #41705, #41708, #41725, #41726, #41727, #41731, #41745, #41755, #41761, #41763, #41768, #41774, #41775, #41787, #41792, #41828, #41829, #41841, #41848, #41854, #41857, #41891, #41893, #41900, #41907, #41932, #41940, #41947, #41948, #41968, #41973, #41978, #41980, #41982, #41999, #42006, #42032, #42060, #42070, #42080, #42092, #42114, #42172, #42221, #42260, #42262, #42263, #42269, #42273, #42274, #42285, #42294, #42298, #42313, #42318, #42320, #42323, #42324, #42326, #42325, #42359, #42362, #42364, #42372, #42389, #42391, #42402, #42407, #42434, #42443, #42448, #42458, #42472, #42473, #42475, #42491, #42495, #42498, #42501, #42516, #42522, #42549, #42554, #42566, #42567, #42571, #42581, #42593, #42597, #42601, #42609, #42614, #42615, #42617, #42621, #42627, #42634, #42641, #42643, #42649, #42650, #42654, #42655, #42657, #42660, #42672, #42684, #42701, #42704, #42710, #42712, #42722, #42728, #42729, #42737, #42741, #42743, #42745, #42774, #42778, #42784, #42551, #42600, #42691, #41690, #42519, #42708, #42898

12:04 p.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

I am respectfully submitting written testimony in opposition to SB 2307. Public Libraries in North Dakota are governed by a library board, consisting of citizens of the service area. The library director is responsible to this local citizen board. The director of the library, under the supervision of the library board, selects materials based on the collection development policy of the library and the needs of the community. The library also has a Reconsideration of Materials process allowing patrons to request materials be reconsidered. SB 2307 aims to take away local control of libraries which are mainly funded by local money. Public Libraries in North Dakota are already, by law, restricted in “Promoting obscenity to minors” 12.1.27.1-02

Senate Bill 2307 is redundant. Parents/guardians are responsible for the media content their children are exposed to. Every child with a smartphone or other device has the potential of exposure to more obscene materials than all the public library collections in North Dakota combined. In my nearly 40 decades as a professional librarian I am concerned that morality legislation is trying to terrorize library workers who have always had the goal of increasing literacy in children, providing citizens with a safe space to pursue their interests and gain credible information.

Thank you.

C. LaNae Kristy
Hettinger

In opposition to Senate Bill 2307

Please vote against Senate Bill 2307, regarding library materials. This is censorship and a violation of the First Amendment. Parents should have the freedom todecide what their children can read. Please vote NO on SB2307

Can you please quit wasting my tax dollars on stupid bills like this. I am a avid reader and believe that libraries should be a place of learning. By imposing a stupid bill like this you're taking a way ones chance to read and learn and making it harder for libraries to be ran. Also you be punishing a librarian for doing their job. You already let this state down by not funding free school lunches. How about you don't let us down by passing this asinine one.

February 6, 2025

TO ND Legislature

FROM Mona Rindy

RE SB 2307---Oppose

I strongly oppose SB 2307 and censorship. Our North Dakota librarians are professionally trained to do their jobs and provide appropriate books for their communities. Our local library boards represent the local community, and they are in the best position to communicate with the local librarian if the local citizens have a concern about certain materials in the library--and together, those at the local level can deal with the issue in the best way for that community.

Legislating censorship at the state level is heavy-handed, intrusive, and NOT conducive to the needs of the local communities. There are local processes already in place to address concerns.

This bill represents government overreach. The legislature should not be involved in trying to restrict individuals' or local communities' choices in reading

Testimony in opposition to SB 2307 regarding libraries and inappropriate materials.

Dear members of the House of Representatives – I really cannot understand why so much of your precious time is being spent this session on non-issues like this bill. There is NOT a problem in our libraries of inappropriate materials being distributed to our youth. Furthermore, it is a PARENT's responsibility to monitor what their children are checking out from a library, not a librarian's! Nonetheless, I know that if a child were to attempt to check out something clearly intended for adults only, the librarian would not permit it. Have you ever tried to cross a librarian in a library? I would not recommend it!

My mother-in-law worked as a librarian for her long and outstanding career. EVERY item purchased for the library was carefully vetted, reviews were read, award-winning books prioritized, and materials placed in specific sections.

The idea of prosecuting librarians based on an unclear definition of "inappropriate" makes my blood boil. What might be inappropriate to you, may not be so to me. For example, consider many passages in the Old Testament of the Bible. Woo-hoo, quite saucy, some of those Psalms.

Vote no on this legislation. Instead, take the time needed to consider legislation that advances the interests of our state, improves infrastructure (how about building more libraries!?), and assures the well-being of every North Dakotan.

Jane Pettinger
District 46
3633 River Drive, Fargo, ND
701-306-4495

P.S. I notice that a portion of the testimony supporting this legislation is from out of state. Rather fishy, really.

Fargo Public Library

To The 69th Legislative Assembly:

The City of Fargo opposes Senate Bill 2307 for numerous reasons. The broad language of the legislation is vague and unenforceable. The language also makes North Dakota libraries vulnerable to out of state individuals and or organizations that may target particular titles and or subjects.

The legislation removes the control of library policy from local libraries and local library boards and puts it into the hands of the State's Attorney Office. This is an egregious overreach. Local control is essential for libraries to successfully serve their communities.

It is essential that Senate Bill 2307 be prevented from being made law in order for libraries in North Dakota to continue to do their first amendment duties for the communities they serve. We urge members of the legislator to do their constitutional duties and prevent North Dakota from becoming a state that censors and unduly controls its public libraries.

Sincerely,

Timothy S. Dirks, MLIS, MPA
Director, Fargo Public Library

SB 2307

I am not in support of SB 2307.

If this bill were to pass it would open the flood gates in local libraries for other groups to come in and demand books to be removed because they don't feel they are appropriate for their children. Groups such as atheists, gun control activists, etc. could come in and demand certain books be removed. Pretty soon very few books would be allowed on the shelves. I feel that it's the parent's responsibility to accompany their children to the library and monitor the books they are looking at and checking out. As far as teenagers, they are going to find any information they want on the internet. Wouldn't you rather have your teen be able to go to the library and check out a book based on exactly the information they need, not surfing the internet going into who know what sites.

Let's put some trust in our librarians and make parents responsible for what books their children are reading and checking out. No one is going to want to be a librarian, if someone can decide they don't feel a certain book should be on the shelves, and the librarian needs to defend themselves in the court of law.

March 14, 2025

SB 2307

Yet another bill in ND that wants to dictate to grown adults and parents what is offensive. This one takes it a step further with the threat of prosecution for the librarian. If you want to talk about offensive behavior, look no further than that.

When a bill is introduced that goes as far as using the word “turgid” to describe swollen male genitals as well as very detailed descriptions of the human body, we’ve got bigger issues going on here:

"Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.”

Another bill that is clearly rooted in certain religious beliefs and should not even be considered by our legislators. Stop attempting to make personal choices for people. Parents should be allowed to parent freely, they do not need the state telling them what is and isn’t inappropriate material for their children.

Just stop. Focus on the actual needs of this state. Property taxes. Mental health and disability services. Homelessness.

Vote NO on 2307

RaNae Jochim

South Bismarck Resident

LAKE REGION public library

Phone:
701-662-2220

Address:
423 7th St NE
Devils Lake, ND 58301

Email:
maddie@lrpublicliblary.org

March 14, 2025

To the 69th Legislative Assembly:

On behalf of the Lake Region Public Library in Devils Lake and myself as a taxpayer, mother, and North Dakota citizen, I strongly urge you to oppose SB 2307. There are many issues with this bill, including vague and unenforceable language, opening libraries to out-of-state individuals and groups that may target specific audiences and subject matter, and, most importantly, it does the opposite of what is intended: it removes local control, not grants it.

State's Attorneys reviewing library books for obscenity is not only a gross overreach of government control, but it is an irresponsible use of taxpayer dollars. Their salaries are spent doing far more important things than vetting materials that have already gone through several levels of review and scrutiny by trained library professionals before they even hit library shelves.

I speak from a public library point of view, not to mention the school districts who utilize online databases on a far more regular basis. I would refer you to Jason Bedsaul's testimony, the Director of ODIN, numbers 36441-36443, which gives a fiscal estimate to the cost it would take to filter the electronic materials available in schools and libraries. This price tag of more than $1.1 million cannot be shouldered by libraries, who are already funded by property taxes. Where, then, will this money come from?

Library usage across North Dakota has only increased in the past few years, and will most likely continue to do so. Passage of this bill will drastically alter the landscape of libraries in North Dakota to the detriment of our residents by restricting First Amendment freedoms of access to information.

Please, do not pass SB 2307.

Sincerely,

Maddie Sharpe
Library Director

Dear Senators,

I'm contacting you today due to my concern over SB 2307. This bill restricts content for all patrons, not only those who find certain material offensive. I access our local library and don't want one specific viewpoint to restrict the content I find value in. (if you do this a great sentence because it shows how it impacts you personally.)

Additionally, it isn't fair to push parental responsibility onto librarians when parents/guardians should be reviewing their children's reading content themselves. SB 2307 prosecutes libraries for doing what they've always done: providing material for different people of all ages. Please vote NO on SB 2307 and continue to let parents/guardians be the ones monitoring their children's care.

Sincerely,
Cassandra

SB 2307 is deeply flawed and would result in a waste of taxpayer dollars and extremely burdensome structural issues for many of our library buildings (especially rural), would presumably eliminate access to the popular public library Libby app for those under 18 (and thus restricting reading for teens), and puts our States Attorney offices and their resources in the position of needing to potentially prosecute the local library staff over vague and inherently undefinable terminology of what is and is not appropriate. And most of all, this bill is unnecessary since per the last legislative session there are LOCAL processes in place to address any PARENTAL concerns.

Overhauling only part of the database involved with this bill would cost over $1 million--and I don't think anyone knows how much construction/demolition of spaces in library buildings would cost. And who knows the cost of what to do to restrict the Libby app?

Legislating censorship at the state level is heavy-handed, intrusive, and NOT conducive to the needs of the local communities. There are local processes already in place to address concerns. Do you frequent your local libraries? Do you use the Libby app? Did you know that books by authors such as Stephen King would fall under this vague censorship definition? I use the services of three public ND libraries and participate in two book clubs. I know how the libraries work and how important they are. I have children and a grandchild in ND so am invested in their right to read. The legislature should not be involved in trying to restrict individuals' or local communities' choices in reading. It is the parents' responsibility, and the local communities'. Do NOT pass this government overreach bill.

Ramona Rindy

14129 1st St NE

Portland, ND

March 14, 2025

To Members,

There is a difference between safety and restrictions. It seems SB-2307 proposes safety and tries to get there through restriction.

Libraries are safe places. Librarians are trained to choose materials to serve the needs of their communities. When a member of their community comes with a complaint, conversation can find the real issue and a solution.

Libraries are places for all ages to be curious, do research, learn something new and begin or continue to read what interests them.

Libraries promote safety in our communities. Let's not restrict that.
Thank you for your consideration,

Linda L Axtman

SB-2307---Oppose

Bismarck Veterans Memorial Public Library

YOU BELONG HERE

March 14, 2025

To: House Judiciary Committee

DO NOT PASS - SB 2307

Chairman Klemin and Members of the House Judiciary Committee:

As a result of HB 1205's passage during the 68th Legislative Assembly, North Dakota libraries already have policies allowing citizens to request reconsideration of material a citizen finds objectionable. This formal process is carried out deliberately and thoughtfully by professional library staff, administration, and boards on a local level to ensure community members can voice their concerns about material and that the material in question receives a thorough review and consideration. Because these policies already exist, and to avoid bureaucratic redundancy and increased caseloads for overextended state's attorneys, **I request that you recommend DO NOT PASS on SB 2307.**

No librarian can reasonably be expected to assume the risk of criminal prosecution and loss of state funding because some unknown citizen deems what is displayed in the collection objectionable. Consequently, to avoid the threat of prosecution, librarians will have no choice but to acquiesce to all claims of "obscenity" to ensure they conform with SB 2307's nebulous standards.

SB 2307 will restrain public libraries from making available certain books and other material which likely violates individuals' constitutional rights. Several similar laws* have been held unconstitutional as violating the First and Fourteenth Amendments because such laws impose content-based restrictions on speech with arbitrary implementation. Knowingly passing a law that is likely unconstitutional is imprudent and a waste of North Dakota taxpayers' money.

Please recommend "DO NOT PASS" on SB 2307.

Sincerely,

Christine Kujawa, MS, MM
Library Director, Bismarck Veterans Memorial Public Library

**See Fayetteville Pub. Library v. Crawford Cnty., 684 F. Supp.3d 879; Little v. Llano Cnty., 103 F.4th 1140; Sund v. City of Wichita Falls, Tex., 121 F.Supp.2d 530.*

House Judiciary Committee Public Hearing
March 18, 2025
SB 2307- Testimony in Opposition

Committee Chair and members of the Committee, my name is Laci Heironimus, and I am writing in opposition to Senate Bill 2307. I oppose this bill as it aims to limit what books and resources our public libraries can offer our communities.

I am a librarian at Hazen Public Library. Our beautiful public library was once the old train depot in Hazen. As you can imagine, it is not a very large building. We have different sections, such as children's, teen, and adults, however the part of the bill that states "not easily accessible to children" is incredibly vague and will create an immense hardship for our libraries, especially our libraries in small rural communities. We do not have the facilities or the budget to wall off and wholly separate sections. Being unable to do so puts us in danger of a Class B misdemeanor, as well as putting our funding in danger.

I encourage you, Committee Chair and members of the Committee, to visit your local libraries in person. You will see how libraries and librarians are not out to "groom" children as we have coarsely been told by representatives. We already have policies in place as well as internet safety measures. Children will see more offensive images on their own phones, computers, and televisions than they will ever get in their public library. I believe this all started from one certain book in one library, but instead of focusing on a solution for that one book, we are all being lumped together for "containing offensive explicit materials." This is why I am encouraging you all to visit the different libraries of your state so that you may see how this bill would create an impossible, tremendous, and unnecessary burden.

I am sure you will receive many more passionate testimonies in opposition or in favor as we have a community that loves our public libraries but please keep in mind, *something will be offensive to someone in any book*. As it is written, Senate Bill 2307 is subjective. There will always be some people who find portions of works to be difficult or objectionable which other people do not find difficult or objectionable. It is impossible for everyone to agree on the merits of every single book in a library. With that being said, I want to thank you for allowing me to express my own opinion on this matter, and I do hope you visit your local libraries.

Kind regards,

Laci Heironimus

Dennis Biesecker
Bismarck

RE: SB2307 Oppose

ND Legislators:

I am writing in opposition to SB2307. This bill is vague, and leaves penalties for libraries and librarians who "break" the rules. It puts them in an impossible situation. With words like offensive to reasonable adults, and many other intentionally vague words - it's not only unfair but a violation of our first amendment rights.

Next, this bill is addressing non-issues. For example, explicitly sexual materials are already regulated to the adult section of libraries. You act like libraries are dens of perverse ideas and people. Who gets to decide what is appropriate or not for adult readers? There are many books from the 1800s that are considered classics that would be banned by the library police squad. Let the adult reader determine if they should read something or not.

This law will cause some audio books and academic material to be inaccessible, and libraries were created to educate people about the world we live in.. the good and bad, so we can learn from history. It is unnecessary and will have real repercussions for our libraries as they try to comply with the rules.

Respectfully,
Dennis Biesecker

Theresa Hall
Bismarck

RE: SB2307 Oppose

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This law will cause some audio books and academic material to be inaccessible, and libraries were created to educate people about the world we live in.. the good and bad, so we can learn from history. It is unnecessary and will have real repercussions for our libraries as they try to comply with the rules.

Respectfully,
Theresa Hall

I would like to speak against SB 2307. I would like to point out the following:

1 - public libraries already have procedures in place to evaluate and assess any single piece of media that is contested by a patron

2 - library cards for children have the option of being restricted to non-adult materials only placed on them upon the parent's/guardian's request

3 - the implementation of this bill could lead to the loss of access by all library patrons to materials online provided through Libby and Hoopla, severely restricting access to an expansive variety of materials, especially for those in small towns and rural communities

4 - libraries already separate books by shelving children's, young adult, and adult materials separately

5- parents are the responsible party for what their own children check out and read/watch from any library. They have the responsibility to determine what will be best for their own child's reading level, maturity level, and what fits within their own family values and beliefs. This is not the responsibility of the library, the community or the state to determine or to impose restrictions that would prevent parents from the ability to make these decisions for their families.

6 - the implementation of this bill will place a severe hardship on small rural libraries, many of which exist in a single small room with no ability to segregate or create separate sections of the library in a way that access can gate-kept

7 - the implementation of this bill will place an additional hardship on small rural libraries who, out of necessity, need access for the entirety of their limited space to hold gatherings and events such as story time, teen game nights, teen craft nights, holiday scavenger hunts, STEM activity days, etc and do not have additional space in which to hold these child/teen centered activities

8 - the implementation of this bill will place additional hardship on small rural libraries who only have one or two public computers and may not have the space or ability to locate a computer in the children's/teen's section resulting in the loss of computer access for teens who do not have access to the internet at home

9 - this bill does not address any details on implementing this, including funding to provide adequate spaces for small rural libraries

10 - the implementation of this bill would make libraries a restrictive space in which the community is not fully welcomed or allowed and in which librarians are forced into policing this policy. Children and teens would find themselves treated as if they are a problem in a public community space through not being allowed inside the library except for a single room or a curtained off corner as if they themselves are not welcome or wanted there.

11 - this bill does not address access to non-fiction books leaving it open to interpretation as to whether or not teens will be able to access materials needed (such as history or science books) for school work or even simply wanting to look for and check out a cook book.

12 - this bill does not address how a family is supposed to access the library as a family such as: are children/teens allowed outside of their designated area in the company of an adult

13 - the implementation of this bill creates the idea for children and teens that the larger library and their services (including adult fiction and non-fiction books, access to printers, meeting rooms, computers, newspapers, magazines etc) is somehow a dangerous and unsafe space full of “bad” things.

Committee Chair and members of the Committee, my name is Karen Fay Thompson. As a ND citizen, library user, and retired public librarian, I am writing in opposition to SB 2307.

In opposition to SB 2307 for these reasons:

It is government overreach. It second guesses existing library review processes. When there are challenges, it removes control from local school boards and library boards toward county states attorneys. When citizens want *more* local control, it actually *removes* it.

Causes problems for rural libraries. Because most small-town libraries have only one or two rooms, they lack the space and funds to separate the children’s and adults' sections. Because they can't do this, they will violate this law.

Limit to First Amendment right to access to information. Parents make decisions about what their children read every day in the books they check out from the library. Leave these choices to them.

I thank you for your work this session and urge you to oppose SB 2307.

Karen Fay Thompson
Bismarck, ND

Hi there, I am Arianna Orre, an avid reader and I oppose this bill tenfold. I think it’s ridiculous we even have to fight to discuss this topic. We should never have to limit our access to books or have our librarians at risk of their jobs and potential jail time for providing books to those who want to learn. When parents are the ones that should be making those decisions for their children. Our country was built on freedom for all. Freedom from the church. Freedom to live. What does limiting access to books and education say about freedom?

Those who are in favor of this bill know they do not have to enter a public library or let their children, family or friends read the materials that are so offensive and against their beliefs, correct? Everyone should not have to comply with a handful of people's beliefs. Public libraries are essential to those who want to read and learn and build a community with those around them.

Censorship of materials is the first step in a very wrong direction for our country. I worry with this bill there will be more uneducated people, more hatred and racism, and more babies having babies when they are not prepared. Being curious about the human body and the world is natural and should be left for the parents to decide when they should learn certain things. The government needs to take a step back and remember what freedom is.

Chairman Klemin and members of the House Judiciary Committee,

My name is Joe Drumm. I'm a teacher and advocate for education in the state of North Dakota, where I live. I'm also a teacher, coach, volunteer and active member in SEVERAL organizations within my district. I'm reaching out to urge you to vote DO NOT PASS on SB 2307.

The bill is written in a way that is not only redundant, but inherently critical of Librarians in our state. It seeks to punish them for allowing certain reading and books on their shelves. This presents several questions and problems, the least of which is previous library rules already codified: "Two years ago, the Legislature approved a law requiring libraries to develop policies for removing or relocating "explicit sexual material" and for responding to public complaints about its possible presence. The law, House Bill 1205, required libraries to periodically review their collections to ensure that explicit sexual material is not present in the library's section for children."

As a taxpayer, teacher and person, I have to wonder .. what are we doing here? What are we trying to accomplish? This bill seeks to further punish, where the law has already been decided and codified. Checks and balances are already in place, this issue has already been decided.

This legislation takes critical time, effort, and energy away from what the constituents of North Dakota WANT, and instead wastes time on an issue that has already been decided last session. Look no further than the frustration and disgust in the testimony, which is overwhelmingly in opposition.

This bill does nothing but waste time.

Vote 'DO NOT PASS' on SB 2307, and focus your time, effort and energy on what your constituents have voted for you to focus on.

Thank you for your time,
J. Drumm

Sources:
https://northdakotamonitor.com/2025/01/31/bills-would-bring-new-regulations-aid-to-north-dakota-libraries/#:~:text=Two%20years%20ago%2C%20the%20Legislature%20approved%20a,present%20in%20the%20library's%20section%20for%20children.

I am writing in opposition to SB 2307. I am a parent of 3 children in Williston, North Dakota. I have two teens and a tween. I feel that this bill will very much disturb our libraries abilities to serve their patrons. Theres just too much question on what would be considered objectionable. I am fully capable of monitoring my children and their book choices. What I find acceptable may not be what other people agree with. I trust our professionals in their selection. I feel much more worried about the internet and what my kids are exposed to and I monitor that vigilantly. Let parents be parents. Please focus on other issues the government needs to focus on. You dont need to arrest librarians for someone deciding a book is questionable.

How many of these top banned books are classics? Made an impact in society?? What if they had been banned forever? I had to read many of these in high school. But plenty of people found them obscene or objectionable.

To Kill a Mockingbird Harper Lee
The Catcher in the Rye J.D. Salinger
1984 George Orwell
Brave New World Aldous Huxley
Fahrenheit 451 Ray Bradbury
Of Mice and Men John Steinbeck
The Grapes of Wrath John Steinbeck
Lord of the Flies William Golding
The Great Gatsby F. Scott Fitzgerald
Slaughterhouse-Five Kurt Vonnegut
The Color Purple Alice Walker
Beloved Toni Morrison
One Flew Over the Cuckoos Nest Ken Kesey
Catch-22 Joseph Heller
Gone with the Wind Margaret Mitchell

Vote no.

Kimberly Mosley

I am writing to you today regarding Bill 2307 (the public libraries bill). As a parent of young children, a whole life library user turned library employee, & a Christian, I do not feel like Bill 2307 will be beneficial to our state, & specifically, to the smaller libraries in your represented area.

Since I was a little girl, I was constantly in the public library. My mom took me on the city bus to check out piles of books. If a full library trip wasn't possible, we would walk up the street to the Bookmobile that parked in the grocery store parking lot once a week. I grew up surrounded by books & as I grew, I continued to love reading. In college I worked at the college library & now, as a 40 year old mother of 5 children, I work at the Beulah Public Library. I have been employed there for almost 3 years.

My children have also grown up in the library. We have attended story time since they were babies & they have been picking out their own books from library shelves since they were old enough to carry them!

I am also a Christian. I have a strong faith in Christ. My husband is a pastor in Beulah. We have raised our children in the church & we make growing in faith a priority in our household.

All of these things about me have helped shape who I am. As I look at Bill 2307, my Christian, library-loving, mother self can't support it.

The first reason I cannot support this bill has to do with me as a mother. My children are 20, 17, 16, 11, & 7. They don't know a time when the library has not been a part of our lives. They have always felt comfortable browsing through the book stacks, looking for materials that seemed interesting. Most of them have their own library cards & are allowed to check out the things they would like to read. That does not mean that they can read whatever they would like. If they bring home a book that we do not approve of, we have a conversation about why it isn't appropriate & then we return it to the library. Never once in my 20 years of parenting have I had one of my young children bring me an explicit or inappropriate book to check out. There may be things we don't agree with them reading, but none of those materials have been "adult." My husband & I, as the parents, should be the ones helping guide our children in what they can & cannot read. It is not anyone else's job to decide that for my children. Parents need to be engaged with what their children are interested in reading so they can help the children make appropriate decisions for their age & ability.

The second reason I cannot support Bill 2307 is because of my job as a Library Assistant. I have been working at the Beulah Public Library for almost 3 years. Our goal is to be a PUBLIC library, reaching all the people in our service area. We, as library staff, may have opinions about the books in the library, but it is not up to us to use our opinion to determine what people using the library check out. I understand trying to protect children from seeing or experiencing adult situations before they should. Putting that responsibility on library staff is not the answer. All this will do is run fantastic library staff out of libraries due to the fear of jail time.

Along with that, It is also not feasible for many small libraries to have a dedicated space as the only place children can be. Our library does not have a layout that would allow for a separate children's room. Even if it was, parents may want to look for a book in the adult section. They cannot leave their children unsupervised in the children's department. It is not the job of library staff to watch those children while parents browse in other areas. Children would either have to

go with their parents into the adult section or parents would also be restricted to the children's section.

The third reason I cannot support Bill 2307 is due to my Christian faith. There are many things in our public library that I disagree with from a Christian standpoint. Sometimes I inwardly cringe when I see certain books get checked out. There are books in the children's & youth departments that I will not let my kids read. But that's based on my Christian faith. I can't put those regulations on other parents & families. If we are willing to restrict access to books on this level, what's to stop it from going farther? Much of the Bible would be considered "inappropriate" & "adult." Several passages could even be considered erotic by some readers. I allow my children to read it because I believe it is the Word of God & I want them to know what it says. Other people may find it inappropriate & call for it to be removed from libraries. Where is the line? I don't want people to decide for me & my family what is appropriate for us. That is our decision as parents.

Bill 2307 affects PUBLIC libraries in a free country. The responsibility regarding appropriate materials should fall on parents, not on library staff. There shouldn't be restrictions imposed on access to the materials at a public library. It is unfair to punish library directors for allowing all materials to be available to our patrons. I don't know where you stand on this bill, but I ask that you take these things into consideration before you vote.

Thank you for your time,

Renee Sindt
Mother, Christian, Library Employee
Beulah, ND
563-349-0431

I am disappointed in our Legislative members for attempting this stunt again. This was all hashed out the last time this topic came up.

To punish a librarian with a misdemeanor for having a book available in the library that a few people deem as “inappropriate” is just ridiculous.

Librarians are not in the business of pornography or “grooming” of kids. Stop thinking like that.

Parents need to take more responsibility for their own children. If they are so concerned with what their child is reading, then they should have to go to the library with them to approve of what they check out.

Don’t put this on the librarians. They are not your child’s babysitter.

Where is the complete plan of how this is going to be carried out and where will the funds come from??? The State will need to have extra funds available to every single library to provide other materials that you deem “appropriate” to replace the ones you make those libraries take out of their collection just because a few people are offended by a few sentences. And the State can then find and pay all the people to weed out those “inappropriate” materials. Where will that money come from??

There are already standards in place that are followed when libraries purchase materials. And procedures are already in place so that if someone does not like a book in the library, they can file a reconsideration request to have it moved to another section or removed from the collection.

Why try to change something when it’s not broken???

Stop listening to people that don’t even live in North Dakota. Let them worry about their own state.

North Dakota is becoming a state of fuddy-duddy legislators that can’t see past their own nose. No wonder the younger generations want to leave this state.

Dear North Dakota Senators,

I'm writing this note in opposition to HB 2307. Although not all of the language is clear to me, it seems as though anyone at any time could report any sort of media as being problematic. Once the wheels of considering elimination of these materials started turning, which sounds like limiting access to materials to me, then all sorts of time, energy and money would have to be spent by librarians and government officials to try to figure out what to do about any complaint. In an era of fiscal restraint, doesn't this seem like an overreach of both opinion and funds? In an era of internet access 24/7, doesn't this seem like a useless endeavor as we all have access to the world on our phones? In an era of knowledge and technology growing exponentially to improve the human condition, doesn't this seem like a sad and disorganized way to slow down advancements that could help people and society? In an era where we have big challenges that are solvable if we work on them together, doesn't this seem like something elected leaders should not be spending their time on?

Please vote NO on HB2307

Respectfully submitted,

Steve Anderson

Dear North Dakota Senate Legislators,

I am writing in opposition of HB 2307. As I have learned even more about how this bill would work, the bill would criminalize librarians. It states Librarians could be charged with a class B misdemeanor for having mainstream books on display. Libraries have policies about book selection and shelving. Let our local librarians, who are fellow citizens, neighbors and sometimes friends, select books that reflect everyone in our community.

In addition, this bill is government overreach. The State's Attorney would be required to review complaints from individuals about materials and could decide to withhold funding as punishment for not complying. This bill calls for second guessing the library review process when there's a challenge and also ties up valuable legal resources in work that does not add value to our state or society.

Please DO NOT PASS this vague, unnecessary bill.

(My Feb SB2307 submission) Thank you for the work you do to serve our state. I am writing in opposition to SB2307 because it is vague, fraught with government over-reach, and seems to be written by people desiring to be punitive to librarians and libraries. If a bill like this were enacted, it would need taxpayer dollars to make capital expenditures to change buildings across North Dakota which could be much better used for library programs and services developed by the exceptional librarians in the state of North Dakota.

Respectfully submitted,

Michele Anderson

SB2307

Please vote NO

This bill is unnecessary. Libraries already have policies in place to have items reconsidered. Just because someone does not like the out come of the process does not give the government the right to make peoples jobs punishable by jail time. If you pass this bill then you need to put class B misdemeanors on all jobs in the state including yours! It is not fair of you to pick one job class and make it a crime to do that job.

Parent need to know what their children are looking at and reading. It is not the responsibility of other people to be the parent to the children in this state. Library staff are only responsible to provide material to the public on all viewpoints.

Library professionals are NOT groomers or providing a place for pedophiles to hang out. Libraries have always been a place to checkout materials that people do not wish to purchase. The staff does not judge or question the patrons. Parents are responsible for knowing what their minors are checking out. They sign the form with this disclaimer on it so why are you making library jobs a crime?

This bill is far more reaching than you are leading on. Have you checked out a romance novel lately? There is either nudity as defined in this bill on the cover or talk of sex in the books. And some of the books get very detailed. In some cases, this is almost half of the books on the shelves in libraires.

It is not the states attorney nor the legislatures decision to make as to what books can be on library shelves. Do you want to come into the library and ask for the key for a locked cabinet to be able to look at books you want to check out? Highly doubt that will happen.

Vote NO!

Chairwoman Larson and Members of the Senate Judiciary Committee,

My name is Chelsea Sorenson, and I am a born and raised North Dakota resident, the proud daughter of a librarian, and lifelong avid reader. I am writing to you in opposition of SB 2307.

SB 2307 is an attack on libraries, free speech, and local control. This bill is redundant— North Dakota already has laws preventing obscene materials from being available to minors. It is harmful, placing libraries and educators under vague, politically motivated scrutiny. And it is dangerous, setting a precedent for government overreach into intellectual freedom.

1. It undermines the First Amendment by allowing book bans based on ideology, rather than legal standards.
2. It introduces vague and subjective criteria for what is considered "harmful," leading to confusion and legal risks.
3. It takes decision-making power out of the hands of parents, librarians, and local communities and hands it to the government.
4. It unfairly punishes librarians and teachers, who could face career consequences for simply doing their jobs.
5. It threatens access to digital resources, potentially blocking ebooks and audiobooks that many North Dakotans, including rural and disabled residents, such as myself, rely on.

Libraries are NOT distributing pornography to children. This is a manufactured moral panic and outright lie designed to justify censorship. If the real concern were child safety, lawmakers would focus on internet safety education, social media regulation, and preventing real exploitation— not banning books.

As the daughter of a librarian who spent her career defending the First Amendment right to read, I know firsthand how vital libraries are to education and personal growth. My father still reads to my disabled twin sister via Skype every night. Books are more than entertainment and enrichment— they are lifelines. Public and school libraries are sometimes children's only access to books at all. No government should have the power to decide what my family or anyone else can read.

History has shown us that the illiterate, poor, and the uneducated are easier to control. Where would infamous historical figures like Alexander Hamilton, Frederick Douglass, Theodore Roosevelt, Mary Shelley, Albert Einstein, and more have gotten in life and what changes would they have brought to history and the world, if they did not learn how or teach themselves how to read?

North Dakota has already addressed this issue in 2023 with House Bill 1205, which strengthened obscenity laws. Why are we wasting limited session time and taxpayers' dollars on yet another attempt to police books instead of solving real problems? This is NOT about protecting children— it's about controlling what people can read, nothing more. The issue needs to be put to rest.

I urge you to oppose this bill and not cost taxpayers and librarians undue burdens and not drive down library usage.

Thank you,

Chelsea Sorenson
Bismarck, ND

Dear Honorable Judiciary Committee Members:

I stand in opposition to SB 2307. Our public libraries are a safe place for all to have the opportunity to learn and share information on a high level and are controlled by board members from their communities. To restrict freedom of speech and restrict the ability to search for knowledge is a dangerous afront to our democracy. If I choose to read or not read a book, magazine, newspaper or any other form of information, it is my right and choice. I decide what I watch on television, movies, and social media. Restricting material that one may find offensive introduces the loss of our freedom. Regulating what one individual may seem as unethical or immoral can lead to regulating what religion, social groups, political organizations, and other beliefs may be allowed to be connected to. Also, the fiscal note to this bill is $1,110,837 for the first biennium and $926,956 every biennium thereafter. I would come to believe that the legislature, would be fiscally responsible to defeat this bill and allow local library boards to decide the importance of the material that they will allow in their libraries as has been done in the past. Trust your local communities to make the decision and save the state the dollars to be used in something more productive as school lunches or funding Prairie Public services.

Thank you for your consideration.

Jodi Kyllo
15293 7th St SE
Blanchard, ND 58009
Jodikyllo@gmail.com
March 15, 2025

Randy Lemm
623 166th Ave SE
Hillsboro, ND 58045-9263

Dear Randy,

I am writing to express my opposition to Senate Bill 2307. As a resident of North Dakota and a user of our public libraries, I am deeply concerned about the implications this bill will have on access to information and the autonomy of our public institutions.

Senate Bill 2307, which aims to impose stricter controls on materials deemed obscene, could lead to unnecessary censorship and limit the availability of valuable educational resources. The definitions and measures proposed in this bill are overly broad and could result in the removal of important literary and educational materials from our libraries.

Furthermore, the bill's requirement for public libraries to implement specific safety policies and technology protection measures could place an undue financial burden on these institutions, many of which are already operating with limited budgets.

I urge you to consider the negative impact this bill will have on our community and vote against Senate Bill 2307. Thank you for your attention to this important matter and for your continued service to our state.

Sincerely,

Jodi L Kyllo

To whom it may concern,

My name is David Rasmussen, and I am writing in opposition to SB 2307. I am the father of 3 children in the Sargent Central School District, in Forman, ND. I would like to tell you all that our district just had a situation about a book removal last fall. Now, there was some testimony regarding this back in the senate judiciary committee, and I can tell you what they heard was a flat out lie. A book series was called into question, was reviewed according to the policy, and found to not be in violation. This bill will censor material based on an individual viewpoint. That is the truth about what happened in our school. An individual's viewpoint tried to make this decision for the entire community, and simply didn't like the outcome. The policies in place do work. There is no need for this bill. I consider myself a reasonable person, but this whole process of censoring something you don't like is quite unreasonable. If you don't want your child to read certain books, I suggest you parent your child. I will do the same with my own children. It really is simple, if you don't like a book, don't read that book.

Putting this into law is government overreach. It is costly, when we don't have money, or manpower in rural libraries to undertake the measures laid out in this bill. I say to you, our library system isn't broken, it needs more support. I can't begin to express how much I disagree with the sentiment that this is bill is here to protect our children. Our libraries are safe and do care about the children. I would like to remind all of you that you cannot legislate morality. In fact, it is not your responsibility to do so. We live in an overwhelmingly Christian area, but that doesn't give us the right to push our religious views on the masses.

I plead with you ladies and gentlemen to not go down this path. Our public education system is very important to our young children. Reading is a great way to expand horizons and learn. We should be encouraging, not censoring. I know many teachers and librarians, and I will tell you they want to see our children succeed. There isn't one of them that has a specific agenda they are trying to push on anyone.

Senate Judiciary Committee
SB 2307
March 15, 2025

Members of the Judiciary Committee,

My name is Erin Conwell and I am a parent, educator, and long-time resident of North Dakota. I am submitting this testimony in strong opposition to SB 2307, which seeks to impose outrageous restrictions on our libraries and the services that they provide.

When we moved to North Dakota many years ago, one of the very first places my family went was the library, taking our then-toddler along to check out a few picture books. Library visits quickly became staples of our weekends and the librarians provided us with amazing resources to keep our child excited about books. Today, that child is 16 years old and the library remains like a second home where she roams freely, checking out fiction and non-fiction on a huge range of topics, as well as videos and music. The library is an open door to the world, one we could not possibly provide on our own.

SB 2307 would mean that my child would no longer be allowed to hunt through the stacks at the library freely. In spite of her intelligence and maturity, which I believe her father and I are the best judges of, she would be restricted to the children and teen sections, keeping her away from excellent literature that she is more than capable of reading and understanding.

Additionally, SB2307 would allow the attorney general to withhold funding from libraries based on complaints about materials. Ninety-nine point nine percent of parents could be completely fine with their child reading a particular book, but one complainer who hasn't even read the book in question could get it taken off the shelves for everyone. Surely we can agree that this is absurd overreach, but the bill contains nothing to prevent it.

Beyond the gross infringements of freedom of speech and expression that this bill presents, the fiscal note now attached to the bill indicates that it will cost North Dakota over $2 million dollars. I have yet to hear of a single case of a child in North Dakota being horribly harmed by reading a library book. Why would we spend millions of dollars on a problem that doesn't exist? A better idea: spend the millions of dollars on improving access to literature, not restricting it!

Finally, SB 2307 would turn librarians into criminals just for doing their jobs. The librarians in my community provide amazing services to everyone from babies to elders. They help people file their taxes, learn to knit or garden, and find great literature. They're not criminals; they're professionals, and they should be able to use their professional judgement to do their jobs. They're great at their jobs and I trust them to do those jobs well because I see them do so every week.

For these reasons, I urge you to reject SB 2307 and uphold the principles of free speech and local governance. Our libraries are palaces of learning and joy. Don’t make them locked-down prisons of censorship and fear. Thank you for your time and consideration.

Erin Conwell

Fargo, ND 58102

To Whom It May Concern:

In Opposition of SB 2307

My name is Jessica Rasmussen and I am writing in opposition to SB 2307. Senator Erbele, a sponsor of this bill, is my district senator. He provided a testimony to the Senate committee that pertained specifically to the school district my children attend as part of his reasoning for this bill. His testimony was misleading at best, completely false, at worst. In the fall of 2024, the district received a request for a library book series to be removed. Per school board policy, the book was reviewed by a curriculum review committee as appointed by the school board. The committee was comprised of 3 school administrators, 2 school board members, 4 teachers, and one community lay person, which was myself. Again, all per school board policy. We reviewed the book utilizing the "Miller Test", which was established by the Supreme Court in Miller v. California, to determine if the material was considered obscene. After thoughtful discussion, the committee unanimously voted that the book series in question did not meet criteria for removal. I don't share all of this with you to begin a "he said/she said" argument. I share this to point out that there are always two sides to every story. While the decision was not favorable to the person(s) who brought the request forward, it does not mean that it was the wrong decision. We have procedures and protocols in place and they work.

Secondly, a bill like this is just plain governmental overreach. It stifles the First Amendment and puts the onus of parenting on the librarians and educators. There is common sense lacking in this bill. If you, as a parent, do not want your child to read a book, then don't let them read it. It's as simple as that. To quote Senator Sean Cleary: "librarians, teachers, they're not pedophiles. They're not pornographers. And they are not groomers." Our librarians and educators do not deserve this type of open hostility, they need our support

Additionally, the wording in this bill is too vague. While I consider myself to be a "reasonable person", other people would likely disagree with that. Who is more "reasonable"? Or to put it another way: whose opinion is more important? "Reasonability" is not a measurable standard by which to determine a books value. Neither is "contemporary North Dakota Standards." Surely these "standards" can vary from resident to resident.

Lastly, this is a fiscally irresponsible bill. As per testimony provided by the NDUS, the cost to implementing this bill is estimated at $1,110,837 for FY 26-FY27, and $926,956 FY28-29 ongoing per biennium. This does not take into account the cost of the litigation that is sure to follow should this bill pass. You have a duty to North Dakota residents, not to out of state

special interest groups, to be fiscally responsible. Passing this bill would be the opposite of that.

I urge **DO NOT PASS** on SB 2307.

Thank you for your time and consideration on this matter.

Respectfully,

Jessica Rasmussen

District 28

Dear Chairman Klemin and members of the House Judiciary Committee:

I am writing to urge a “Do Not Pass” on SB 2307.

This bill would set a precedence for dangerous censorship in our libraries and demonstrates legislators’ interference in North Dakotans’ sexuality. Public libraries are one of the few spaces all people in a community can access knowledge and learning unimpeded. The kind of censorship proposed in this bill is a disturbing move on the part of the government to control what type of information is available to the general public. This is a serious move. It is an intrusion of government into community members’ learning and community spaces.

SB 2307 is also incredibly non-specific. For example, the bill references “contemporary ND standards.” How will these standards be set? Will they be documented somewhere for all to see? Will North Dakotans be surveyed in order to determine what “contemporary ND standards” are? Or, will the state decide for all of us what the “contemporary ND standards” are? Additionally, the bill states that “sexual conduct, whether normal or perverted” constitutes obscene material if it is “patently offensive” in manner. The phrase “normal or perverted” is a telling example of a poorly hidden motivation for this bill- i.e., to limit the publics access to diverse and inclusive expressions of sexuality, sexual orientation, sexual expression, and sexual identity. What constitutes “perverted” sexual activity? Does the state government determine that as well? Why is the government so concerned with the kind of sex constituents are having and if it is in the books we’re reading? I urge you to reflect on the profound impact this bill could have and the precedent it sets.

Thank you for your time, consideration, and service to our state,

Brittany Borgen

March 15, 2025

Chairman Klemin, members of the House Judiciary Committee, and all Representatives,

My name is Collin Pigeon. I am an educator in North Dakota and live in District 9 in Rolla, ND. This is currently my 8th year as an educator in Rolla and 9th overall. I teach Junior High English and High School Social Studies. I greatly enjoy working in our state as it has been my home all of my life.

I am writing this letter to you today concerning SB 2307. SB 2307 places new burdensome requirements and restrictions on libraries and the librarians that run them. It is legislation that is in search of a problem. Libraries, both school and public, already have procedures in place to ensure books are in the proper sections and material is appropriate for public consumption. Laws banning explicit content are already in our codes. Surely, we don't want to be a state with unnecessary legislation. That is not ND smart.

Reading is an integral part of our education system. It can be challenging in this day of technology to even get students to want to read. Students need access to a wide range of content, whether fiction or nonfiction. We do not want to incorrectly censor that content and prevent our young minds from being exposed to the vast array of knowledge books have to offer. If you research what books are most often censored, you will find many classics that I, and I assume many of you, were taught in schools. For example, *To Kill a Mockingbird*. Books can contain violence, profane language, relationship content, and other content some may object to, but that is part of the world and free expression. It should be up to students, parents, teachers, and everyday North Dakotans to make that determination of what should be read without fear of legislation that would bring about censorship.

I believe very strongly in our 1st amendment, and I hope that censorship will not be something any of us see as part of ND's values. Lastly, I would note how impractical this is. Libraries do not have time to search every book and would likely have to discard perfectly good books in fear of them not being allowed. Keyword searches from technology will also not help one search through content either, as context is very important in determining the nature of content.

I would take note that if you look at the testimonies on this bill, you will find the vast majority of those in support are from out-of-state. I ask you to legislate on behalf of ND and vote No on this legislation. I appreciate your time and consideration. Please contact me with any questions or thoughts at Collin.Pigeon@gmail.com. Thanks for all you do to represent our state. Truly, as a Social Studies teacher, I know how thankless and important the job of a state legislature is.

Thank you,

Mr. Pigeon

Rolla, ND

Senate Bill 2307
House Judiciary Committee - Rep. Lawrence R. Klemin, Chair
March 18, 2025
Testimony in Opposition to SB 2307

Chair Klemin and Members of the House Judiciary Committee, I am Vicki Voldal Rosenau, a parent and lifelong resident of Valley City, ND. Thank you for this opportunity to offer my testimony in opposition to Senate Bill 2307.

As the parent of a child who had learned to love reading and books and was regularly visiting our local library long before she entered pre-school, I know the value of books and libraries.

I am speaking up against this bill because it proposes blatant censorship, just the kind of extreme Government over-reaching that North Dakotans have long stood against; because it would harm our exemplary network of community libraries; and because it would waste an untold amount of taxpayers' money.

SB 2307 seeks to grow the "nanny state," which is scorned by most North Dakotans. It is parents, not the government, who must supervise reading choices for their own children. But no parent, including those serving in this Legislature, have the right to supervise reading choices for others' children.

By inflicting harm on our network of vibrant public libraries, SB 2307 is completely out-of-step with the people. We trust and value our experienced, well-educated local librarians and the local library boards who oversee them. Their important work is substantively undermined by legislation like this that limits access to information and First-Amendment rights.

We know that SB 2307 would require libraries to divert public money in order to be in compliance with its nanny-state scheme. There's solid documentation for that. After the 2023 Legislative Assembly passed a similar library-censorship bill into law, Jamestown's public library spent a whopping $54,500 to comply with it overbearing terms—all to relocate FOUR books within that single facility. **What a waste**.

This proposal is not wanted, not needed, and very wasteful. I urge you to recommend "Do Not Pass" on SB 2307.

Thank you for your consideration,
Vicki Voldal Rosenau
Valley City, ND

Chairperson Klemin and Members of the Judiciary Committee,

I urge you to give a DO NOT PASS recommendation on Senate Bill 2307. While I understand the concerns that may have led to this bill, there are already processes in place at the local level to address issues with library materials. This bill is unnecessary and puts free speech at risk.

Libraries exist to provide open access to information, and decisions about materials should stay with local library and school boards, not be dictated by vague, subjective standards. This bill would allow individuals to report librarians simply for including books they don't agree with, potentially leading to criminal charges or loss of funding for schools and libraries. That is extreme and unfair.

I have very fond memories of going to my local library growing up, and I now take my kids to the same library to grow a love for reading and learning, however I want my children to be exposed to diverse viewpoints while also taking parental responsibility of the content my children are accessing.

Educators and librarians work hard to serve their communities. They should not have to fear prosecution for doing their jobs. SB 2307 could result in censorship and the unnecessary removal of books that offer important knowledge and diverse perspectives.

Restricting access to information does not serve the people of North Dakota. Please protect our libraries, educators, and the rights of our communities by rejecting this bill.

Thank you for your time and consideration.

Thank you,

Joelle Schmuck

Testimony in Opposition to SB 2307
March 18, 2025

Chair and members of the committee, my name is Whitney Oxendahl, and I'm writing in opposition of Senate Bill 2307.

I've spent hundreds of hours at my local public library, especially as a parent to three young kids. There are a limited number of free activities to do with babies and toddlers during the day as a stay-at-home parent. The library was a welcoming place where I could bring my babies and meet other parents in the community. There are family restrooms to use, soft chairs to sit in, and toys and puzzles for toddlers to play with.

What's special about my library wasn't just the space, but the people who worked there. The children's librarians entertained my toddlers and babies at story time each week, found books about trucks for my vehicle-obsessed toddler, and helped me clean up on days when my toddlers were crying and I had to hurry home.

Hearing what legislators are saying about librarians who have supported my family in a tough time parenting young kids has been hard for me to hear and hurtful to library staff. This is not an accurate depiction of the amazing professionals serving my family and our community. I hope legislators will spend more time in our public libraries to see the work librarians do and how they serve the families in our communities.

For legislators concerned about books and materials in our libraries, know that parents and caregivers can be in charge of what our kids check out at the library. We check out books that are appropriate for our kids' ages, interests, and personalities. Legislators don't need to do this for us, and we don't need to have law enforcement involved in this process.

I urge you to give Senate Bill 2307 a Do Not Pass recommendation. Thank you for the opportunity to share my testimony.

Samantha K. Harrison

Regarding SB 2307

March 16th, 2025

Dear Chairman Klemin & Members of the House Judiciary Committee,

I am writing to express my strong support for public libraries and librarians in North Dakota, and I urge you to recommend a Do Not Pass and a No vote on Senate Bill 2307.

I have always loved my local libraries, no matter where I have lived, since I was a very small child. My local library in my hometown fostered my love of reading and helped me to grow as a conscientious adult who loves her community.

This bill greatly concerns me, not only by how it could impact access to books and materials, but also for the unnecessary risk that it poses to librarians. Local libraries are well-established community spaces where everyone, regardless of how much money they make, what kind of job they have, or what kind of house they live in, can go and access free services and information. This bill would undermine that and be an extreme example of “big government” and government overreach in general.

This bill is also unnecessary. Every ND library already has a review process for library materials, and this bill would get law enforcement involved in local book challenges. State government should not be deciding what families and communities read. Parents can supervise their own kids. If my parents wanted to know what I was reading as a kid, they asked me. Trust parents today to do the same and not at the expense of the livelihood of librarians, or the time and effort of law enforcement.

I am asking that the Committee recommend a Do Not Pass vote and a No vote on SB 2307.

I appreciate your time and consideration.

Samantha K. Harrison
Constituent - District 34

Senate Bill 2307 would require librarians to remove ill-defined “explicit” materials from our library shelves. The bill’s censorship might extend to digital materials like eBooks and audiobooks that many of us access through our local library.

1) No one can explain how the bill would be implemented.

2) It would be costly to taxpayers. The attorney general would need additional staff to enforce this law.

3) The library community already has a process in place to challenge materials since the Legislature passed HB 1205 in 2023.

4) Let our professional librarians do their jobs. It is a waste of the Legislature’s time to focus on non-issues like this when there are real issues are state is facing.

March 16, 2025

Chairman Klemin and members of the House Judiciary Committee,

My name is Renee Newton and I am testifying today as an individual citizen in opposition to SB 2307 due to concerns about the loss of local control, the impact on taxpayer services, the overall financial burden of compliance and the implication of limiting access to educational resources.

As a mother and grandmother, I see the library as an integral place for learning and playing for my children and grandchildren. When my children were small, we lived in a community that was serviced by the Dickinson Library's bookmobile. My girls loved climbing the steps into the magical space that held so many books, books they could choose to check out and other books that were not for them at the ages they were. It was an easy thing to do, simply acknowledging that while the book looked like a good one, it was for when they were older.

As a grandmother, I've read many stories to my grandchildren. It is a joy to see them developing their own tastes when it comes to reading. Since they vary in age from 10 years to 3 months old, it's easy to say yes that book does look good, yes your sibling likes it very much, and when you're older you can read it too.

As a librarian, I know that the materials in libraries are selected based on whether they fit the criteria set forth by the library board. The library board is made up of local residents providing local input when developing policies for the library. The location of materials in the library is based on what age group they are appropriate for. Our library has in place a reconsideration policy patrons can follow if someone is concerned about materials. The policies were developed locally, designed for our community by our library board. SB2307 will allow individuals to bypass local decisions and solicit State's Attorneys opinions on items in the library. Hardly seems appropriate that someone can bypass the procedures that were put into law last legislative session.

If SB 2307 comes to pass, libraries will need to create a space that is not accessible to minors by making physical changes to the building. These changes will come at a cost.
If restricted areas cannot be created, such as on bookmobiles and one room libraries, libraries will be forced to decide who can come in. Right now everyone can freely come into the library or on the bookmobile. Bookmobiles could be forced to choose to service only adults or only children to comply. The challenge of deciding how to limit the access and subsequent decisions will serve to decrease participation by members of our rural communities. By limiting access to only one age group, families or individuals outside that group will be denied access to valuable resources. Being able to offer bookmobile service to rural and home-bound individuals allows them to connect to a larger community enhancing their quality of life.

Online databases and digital access to a variety of material formats including ebooks and eaudiobooks are important services offered by our library. It allows patron access to materials that do not take up physical space on our shelves in the library. Databases such as Ebsco and Gale allow for research to be conducted quickly. The information provided by databases could be for personal learning or for student research for school assignments. The impact of SB 2307 could result in libraries being unable to offer these resources to ensure compliance. This would be a negative impact to taxpayers.

Finally, SB 2307 would undermine the essential role of libraries in our state. Our library services patrons from three counties, Billings, Slope and Stark. By imposing a financial burden, limiting access to educational resources and interfering with local control, SB 2307 negatively impacts all of us. I urge you to oppose this bill.

Hello, I am writing to submit my testimony in opposition to SB 2307.

Public libraries already have protocols in place to review challenges to books in their collections. While patrons may not always agree with the outcomes of such reviews, these reviews are designed to be fair by not removing materials simply because one person wishes the materials to be removed. It should never be up to one individual to get to decide what materials should or shouldn't be in a public library.

In a previous legislative session, the issue of "explicit sexual materials" was already addressed. Coupled with the protocols libraries already have in place, there is no need for additional laws.

SB 2307 use vague language like "not easily accessible." What does this mean exactly?

Additionally, this bill would criminalize librarians. What kind of society does such a thing? Only societies that want to eliminate free speech, diverse opinions, and freedom of thought does such a thing. We have laws in this state and in this country that protect such things.

There are plenty of books, etc.in my local library whose content I disagree with, but I would never seek to have those materials removed. If I don't like something, I don't have to check it out. Same goes for my kids—it is up to me as a parent to decide what I am okay with my kids checking out or not and to monitor that. I thought this state cared about parents' rights?

Ultimately, SB 2307 is only about censorship and has nothing to do with the safety of children. I wish legislators would dedicate the time they are dedicating to passing such legislation to passing bills that would actually make a difference for kids—like free school lunches for all kids (my kids are homeschooled, and I still support free school lunches for all kids). Censorship is a dangerous road to go down. North Dakota can do better than this.

Please oppose SB 2307.

Thank you,

Cathy Breiner
Bismarck, ND

Vote Do NOT Pass - SB 2307

Dear North Dakota House Judiciary Committee Chairman Klemin and members of the Committee,

My name is Connie Hoffman of Fargo, ND, and lifelong resident of North Dakota. I write in opposition to Senate Bill 2307 which would require librarians to remove ill-defined “explicit sexual” materials from our libraries so they are not accessible to minors.

Do NOT Pass SB 2307 for the following reasons:

1. Libraries in our schools and communities have already complied with HB 1205 passed in 2023.
2. Librarians already follow professional library standards in the selection of age appropriate library materials and appropriate placement within the library setting.
3. Libraries have policies in place if a parent or patron requests a book or material be removed from the library collection.
4. Implementation will likely be costly to taxpayers. In some cases library directors have stated that they would have to close their local libraries due to the cost of remodeling to accommodate the specifics of this law.
5. Withholding school funding, if a potential violation is found, is an extreme measure, given that a reported violation could be due to the lack of clarity in the bill or a group trying to intentionally disrupt library services.
6. An additional cost of approximately $2,000,000 to upgrade existing ODIN software to restrict electronic materials available to K-12 students if this bill is passed. This implement would have the effect of also restricting some materials available to non K-12 individuals.

I support and trust our librarians in both school and public libraries to monitor library collections and provide access following standardized library policies and established procedures. Librarians are professionals serving students and the public, following longstanding professional library standards.

Vote Do Not Pass on SB 2307.

Connie Hoffman
Fargo, ND 58104

I am testifying in opposition to SB2307. The biggest problem with SB2307 is are no qualifications for who can submit an allegation. They don't need to be a member of the community; they don't need to be a North Dakota citizen; they don't even need to have stepped foot in North Dakota. Consider what is happening in other states, especially as over 25% of the people who testified in favor of this bill in February were from out of state. Lists of hundreds of books that someone deemed objectionable are being circulated by political action groups. Most of the books on these lists were selected because of who they were written by or about, and, for many of them, it is because they are by or about minorities, not necessarily because of anything sex-related. I have included more information about one such list as an appendix to this testimony. People have submitted these lists to numerous libraries in other states, asking that the books be removed. often, the library didn't even have all the books on the list. Frequently, the person submitting the list came from outside the library's community or (in the case of school libraries) didn't have any children attending school in the school district. Because this bill allows ANYONE to submit allegations about books in our libraries, it is very likely that someone will submit one or more of these lists here. Because the lists are overwhelmingly long, libraries find it difficult or impossible to properly evaluate them by committee. In the case of this bill, if they do manage it, the overwhelming task of evaluation will then fall to the states attorneys. The method behind this is to get people to remove books without evaluating them, and it works. This means anyone can get any book removed regardless of the book's actual content and that out-of-state political action groups get to decide what North Dakota children read, not their parents. In an attempt to partially counteract this problem, many libraries have implemented policies that require that people submitting a request for reconsideration be members of the library's community and that they state specifically what they are objecting to in each book, often including page numbers. This doesn't stop people from objecting to books they haven't read, but it does require them to put more a little more effort into it.

Whether the books people object to would have to be entirely removed from the library or if they could just be moved to an area with some sort of access control measures depends on the resources of the library. Most of our libraries are small and are unlikely to be able to afford access control measures. Our small rural libraries may be forced to follow in the footsteps of several libraries in Idaho, Tennessee, and Louisiana who have had to cease serving minors altogether because of similar bills. They simply have nowhere to isolate adult materials and consider it less risky to cease to serve minors than to cease serve adults and run the risk legal trouble if someone objects to a book they thought innocuous.

I am also very concerned about the portions of the bill that relate to online databases (also known as online resources). The bill will either cause un-budgeted additional expenses or cause our schools and libraries to lose access to online databases. Online library databases are not the open internet. Most are curated collections of articles from educational reference works (encyclopedias, etc.), journals, and educational magazines. There are separate databases for children, teens, and adults and the content is age appropriate. I strongly urge everyone to take the time to examine the databases and their contents for themselves. Other online resources include e-book and audiobook lending libraries, craft and hobby instructional materials, online courses, and language learning tools. I took the time to look at most of them. Hoopla, one of the e-book and audiobook vendors, has parental controls that can be set up if desired, but no age verification. Libby, the other e-book and audiobook vendor, has separate collections for the different age groups but there doesn't seem to be a way to make a collection a default setting. The only database in which I actually found sexually explicit content is the one that actually does have age verification, the film database Kanopy. Kanopy has some foreign films that are marked as sexually explicit (they constitute a small minority of the films they make available), and Kanopy requires that all users be over the age of 18. (Note that these films are not actually pornography, either. From what I have read, pornographic films have much lower artistic standards and

consist mainly of sex scenes with minimal plot. Foreign art films with sexually explicit content, on the other hand, are more akin to a regular art film, complete with a fully-explored plot, just with some explicit sex scenes included.) For all the databases, it is important to note that North Dakota is a tiny market share for online database providers. It would cost these providers time and money to create filters and age verification. Vendors, especially those who know that their databases have no sexual content, are likely to either charge a fee to these measures (which has not been budgeted for) or to simply drop North Dakota from their service.

I would also like to address a few items from the Senate subcommittee hearing. First, a Senator asked about an ALA list that libraries use to purchase books, and those testifying didn't understand what they meant. Afterwards, someone suggested that they might have been referring to the American Library Association annual list of the top ten banned books in America for each year. If that is the case, I'd like to clarify: the list is not a selection list and libraries do not use it to choose materials to purchase. Libraries often receive lists from publishers or vendors of books scheduled to be published during future months, and they do select books from those lists. The banned books list, on the other hand, is informational. It is a reflection of books already purchased and attempts to remove them that occurred during a given year. Librarians do pay attention to see if any of the books they have in their collections appear but don't buy items simply because they are on the list. Librarians purchase books using requests from borrowers and past borrowing data to find items that are likely to be of interest.

Second, an allegation was made at the Senate Committee hearing that the *Heartstopper* series by Alice Oseman was sexually explicit and that a school refused to remove it at a parent's request. This was provided as evidence that the existing systems in place at schools and libraries for reevaluating materials were not working. I decided to find out for my self and read all five books in the series. The first four contain no sex or nudity, as judge by North Dakota law. Some of the male characters are depicted (in drawings without a lot of detail) wearing pajama bottoms without tops, usually while alone in bed, but that is not included in the legal definition of nudity. There is affectionate tickle-fighting, pillow fighting, kissing, and cuddling (all while fully dressed), but no sex. In the fifth book, the characters, who are both above the age of consent in their country, do decide to add sex to their relationship. There are two scenes where it is implied that something sexual is happening under the blankets, but the blankets prevent any actual depiction of sex or nudity; that is left to the reader's imagination. In the text, sex is mentioned but not described. Although I personally dislike reading romance stories, when reading the series I could see why some parents would want their teens to read it. It provides a lot of positive messages about difficult issues experienced by high school students such as bullying and mental health in a way that teens may find accessible.

I did not get a chance to judge the other book mentioned in the testimony, "Let's Talk About It" for myself because, like the majority of libraries in North Dakota, my local library doesn't have it. I did talk to a librarian who had it in her library. She said that the library purchased the book for a particular autistic teen. His parent wanted him to learn about sex, but he struggled to understand large blocks of text; he needed something with illustrations, and "Let's Talk About It" has cartoon-style illustrations that fit his need. From my research, it is a sex education book, not a novel. Several studies* show that teens who receive comprehensive sex education are not only less likely to experience STDs, teen pregnancy, and sexual violence but also start having sex a little later than teens who receive basic sex education or abstinence only education. Consequently, there are parents who want their teens to have comprehensive sex education, and they depend on libraries to provide books for this purpose.

Another problem is that this bill lumps both children and teenagers together as minors. The bill that passed 2 years ago ensured that there are no books with sexual content, including no books on sex ed,

in the children's library. This bill treats teenagers as children and prevents them from accessing sex ed books even though some of them are mere days away from being legally old enough for sex.

North Dakota libraries already have systems in place to evaluate books that may be inappropriate for the collection in which they reside. This bill endangers access to valuable print and digital materials on the assumption that they have or could have sexual explicit contents.

Sincerely,
Julie Reiten
Minot, ND

*Example studies:

School-based sex education policies and indicators of sexual health among young people: a comparison of the Netherlands, France, Australia and the United States.
Published in:Sex Education, May2005, Professional Development Collection
https://research.ebsco.com/c/euwmr4/viewer/html/fx5g3lei5n
By:Weaver, Heather;Smith, Gary;Kippax, Susan

https://onlinelibrary.wiley.com/doi/full/10.1111/josh.13311 Trends in Sexual Risk Behavioral Responses among High School Students between Mississippi and the United States: 2001 to 2019 YRBSS

https://www.sciencedirect.com/science/article/pii/S1054139X20304560?pes=vor&utm_source=wiley&getft_integrator=wiley#bib80

I looked at a list of 444 books submitted to a library in Wisconsin in late 2023. It included books I have read and can verify contain no sexual content such as *Hunger Games* and *Good Omens*. It contained classics such as *Grapes of Wrath* and *Lord of the Flies*. It contained mostly novels but also some non-fiction such as *The Bomb: the Race to Build and Steal the World's Most Dangerous Weapon* and *Lone Survivor: the Eyewitness Account of Operation Redwing and the Lost Heroes of Seal Team 10*. It contained that are LGBTQ+ related but probably or definitely contain no sex such as *A Quick and Easy Guide to They/Them Pronouns* and *Being Jazz*. It contained books about historical events that some people in other states might be ashamed of such as *Baseball Saved Us*, an account of a Japanese-American who was interned in World War II, and *The 57 Bus: a True Story of Two Teenagers and the Crime That Changed Their Lives*. It contained quite a few dystopian novels, not just *Brave New World* and *A Handmaid's Tale*, but also *Ready Player One* and *Unwind*. Even though the person who submitted the list did not follow the library's request for reconsideration rules, the books were removed from the library. Slowly, months or even over a year later, most of the books were returned, but part of the problem is that they weren't there for the kids who wanted or even needed to read them for a long period of time.

Testimony in Opposition to SB 2307
House Judiciary Committee March 18th, 2025

Chair Klemin and members of the House Judiciary Committee, my name is Gail Reiten and I'm the advocacy chair for Right to Read ND. Thank you for the opportunity to submit testimony.

Throughout my life, I have seen the power of books and libraries. As a daycare provider, I offered storytimes in my home and volunteered as a library storytime reader. While growing up in Zap, North Dakota, my five siblings and I were so hungry to read that we even exchanged cereal boxes at the breakfast table. Later, I brought my own children to the Minot Public Library, checking out books for them and for myself. The library became such a large influence on our lives that my daughter grew up to be a library director.

That is why I joined Right to Read ND. Right to Read ND is a nonpartisan group of North Dakota citizens concerned about attempts to limit our access to books and materials in libraries across the state. We believe Senate Bill 2307 overrides the First Amendment right of North Dakotans to access materials and books. It will also be costly to our taxpayers and communities (as is evidenced by the fiscal note), and take local control away from parents, library boards, schools, and communities. It does so in the following ways:

This bill is state government overreach. Parents are responsible for approving content for their own children. It's not one family's business to decide what is appropriate for other families to check out. Library challenges should be addressed by local boards and follow the review policies already in place. Local control ensures that library collections will continue to represent our local communities. Under this proposed law, anyone could request an opinion from a North Dakota State's Attorney, including non-residents of our state and does not require proof that the person shows that they have gone through the local processes already in place. This could lead to loss of library or school materials and the withholding of funding.

The bill has vague definitions that are subjective. This bill prohibits libraries from displaying "explicit sexual material" in a location "not easily accessible" to minors. Subjective language such as "not easily accessible" could lead libraries and schools to engage in self-censorship for fear of criminal charges. If this bill passes, our cities and counties will likely have to expend time and money defending themselves against challenges and legal charges—either because people don't like the books in the collection, or because they don't like that books were taken out.

No one can explain how the bill would be implemented. Certain ill-defined books would have to be made inaccessible to children. Who would decide which books? To some parents, the Bible is potentially too mature and explicit for children to read. For other parents, books about puberty and sex education would be considered explicit. And how inaccessible would they need to be? We have small rural libraries that don't have the space to completely separate sections, and they may be compelled to remodel to be in compliance with this law. If they are

unable to remodel, would libraries have to pay extra staff members to check IDs to enter certain sections?

The bill would limit access to ebooks, articles, and audiobooks. The bill calls to “filter or block access to” sexually explicit materials in electronic collections. What if our libraries have to shut off access to their database collections because of the slightest chance they “could” include such materials? Students could lose access to the valuable educational e-resources that are currently available to our libraries and schools.

As shown by the fiscal note now attached to this bill, the fiscal burden necessary to upgrade access for age verification is substantial. Libraries and schools already implement filters in compliance with the Children's Internet Protection Act. This ensures they are eligible for the federal E-rate program, which provides needed discounts for libraries and schools in order to fund their internet access and telecommunications. The filtering component of this bill is extreme and could ultimately hurt the academic future of North Dakota’s children.

Finally, the North Dakota Legislature already addressed this issue in 2023 with House Bill 1205. The Miller Test for obscenity has long been the standard in ND law. HB 1205 reinforced the requirement for libraries to file a report yearly so the state can make sure they are complying. Therefore, ND libraries already have age-appropriate materials in children’s collections.

As citizens who believe in the right to read, we trust our trained professionals to guide library collection development. Individual families should make content decisions that fit their personal values and viewpoints. Our libraries are thriving and valued centers that provide a place for community building, early childhood programming, technology access, and continuing education opportunities.

We ask you to protect our First Amendment right—the right to read and access information—and preserve our state value of local control. We strongly urge you to reject SB 2307 with a Do Not Pass recommendation.

Thank you for your consideration of our testimony.

Gail Reiten
Right to Read ND, Advocacy Chair
righttoreadnd@gmail.com

See below for a Q&A on Senate Bill 2307

Senate Bill 2307 Q&A

A number of questions came up from legislators in the Senate committee hearing on Senate Bill 2307, and we wanted to address some of those here.

Do libraries have a book review process?
Yes, libraries have a policy in place for citizens to challenge books in their collections, and it's usually called a "Request for Reconsideration of Materials." It ensures that a patron's concerns are given a fair hearing, and that library policies and state laws are being followed. **It does not guarantee that the library will take the action that the patron wants. If they did, it would allow one person to impose their personal beliefs on everyone in the community.**

Do libraries have internet filters?
Yes, library computers in North Dakota have internet filters in accordance with the Children's Internet Protection Act.

Is there pornography in our libraries?
No. Conflating the term "pornography" with materials in our libraries waters down the meaning of the word and makes it much more difficult to address the problem of pornography. Kids aren't finding porn at the library; they're finding it on their phones. The studies cited in the hearing by those who support this bill are about hard core pornography, not materials in our libraries.

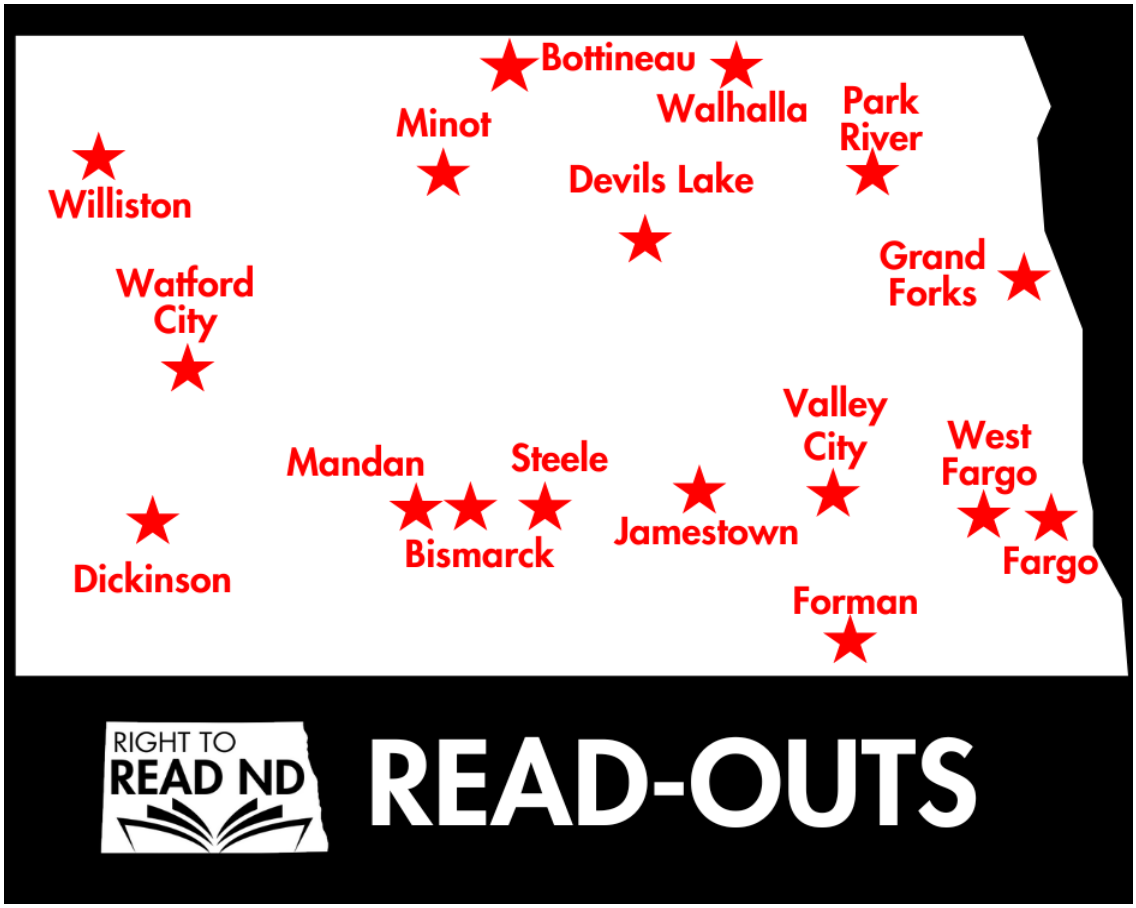
Are our libraries safe?
Yes. Please stop using terms like "groomers" and "pedophiles" to describe the professionals in our libraries. It's misusing the terms and deeply unkind for those who have actually experienced it. It's also unfair and hurtful to librarians. Libraries are positive, connective spaces for families and kids in our communities.

How are libraries combating human trafficking?
Libraries care about the children in our communities and are actively working to protect them. Last year, the Morton Mandan Public Library hosted a bystander intervention program with the Green Dot campaign to work to prevent violence in the community. The program trains community members to identify and interrupt potentially violent situations. Libraries throughout North Dakota work with groups like Companions for Children, the United Way, and the North Dakota Children's Advocacy Center.

Do librarians care about the content in children's materials?
Yes! Librarians—many parents themselves—do not want kids to access inappropriate materials, which is why North Dakota libraries have collection development policies in place and trained librarians to purchase for collections.

On Saturday, March 1st, 2025, over 1,000 North Dakota citizens participated in Read-Outs in 17 cities across the state. Participants read silently on the public sidewalk outside their local libraries in opposition to Senate Bill 2307.

Right to Read ND provided a Facebook event for the Read-Outs, and the citizens of North Dakota took it from there, organizing the events in their local communities.



Bismarck (275)
Bottineau (20)
Devils Lake (5)
Dickinson (70)
Fargo (100)
Forman (32)
Grand Forks (80)
Jamestown (50)
Mandan (30)
Minot (150)
Park River (25)
Steele (15)
Valley City (50)
Walhalla (2)
Watford City (12)
West Fargo (50)
Williston (75)


LIBRARY


MEMORIAL BUILDING


WEST FARGO PUBLIC LIBRARY
LODOEN
COMMUNITY CENTER
WEST FARGO
PUBLIC LIBRARY
WEST FARGO
EARLY LEARNING CENTE


DICKINSON AREA PUBLIC LIBRARY


KIDDER COUNTY
LIBRARY


THIS ENTRANCE CLOSED FOR WINTER
PLEASE USE ENTRANCES ON SOUTH SIDE




Library
Nickel and Dimed
WILLISTON
Since 1887






BOTTINEAU COUNTY
PUBLIC LIBRARY



House Judiciary Committee March 18th, 2025

Chair Klemin and members of the House Judiciary Committee: My name is Mariah Ralston and I'm writing in opposition to SB 2307. Thank you for the opportunity to submit testimony.

I believe this bill is not based in reality. There is no crisis of pornographic books being distributed in North Dakota libraries. And we are not seeing a deluge of book challenges in our libraries. According to the testimony provided by the ND State Library, there are 62 libraries in North Dakota, and there have been 34 recorded book challenges in last three years. That amounts to 11 challenges per year spread across 62 libraries.

Some of those in favor of this bill have referred to datasets studying hard core pornography. The various pornography studies being cited have absolutely NOTHING to do with library collections in North Dakota.

It is not ethical to swap out the focus of a scientific study (i.e. Hard-core pornography) and then replace that focus with something else entirely (i.e. books that contain any kind of reference to sexuality) and THEN to claim those studies have proven your point. That is a misuse of scientific data.

I believe if this bill is passed, special interest groups will use the vague parameters of "explicit sexual material" to challenge books they personally disagree with from their own religious/cultural viewpoints. That is no reason for the State of North Dakota to empower their prejudice. HB 1205, which was passed in the 2023 session, already ensures that children's library collections do not contain obscene material. To go beyond that and try to limit sexual material throughout the ENTIRE library is an infringement of the First Amendment.

It is the responsibility of the State of North Dakota to support our citizens' constitutional rights, such as our First Amendment right to speak and receive information.
I believe if a patron takes issue with a specific book in our library collections or doesn't want their child to access certain materials in the adult section, it is their responsibility to limit their child's access or to follow the review processes already in place in our libraries.

I believe this legislation is being used to target specific books that special interest groups have identified, and this bill is being used to intimidate librarians into pre-emptively censoring the materials they purchase for their collections.

This is not representative of a free and democratic society.
I ask you to support the First Amendment, and to give SB 2307 a DO NOT PASS recommendation.
Sincerely, Mariah Ralston

Good afternoon,

The following is my testimony in opposition to SB 2307.

First this bill is redundant, and a waste of tax payer time and funds. During the 2023 legislative session, House Bill 1205 created a clear definition of obscenity in state law. That law already ensures that libraries dont have illegal materials in their childrens collections. This law also requires libraries to file a report yearly so the state can make sure they are complying. With a bill already in place addressing these issues the primary difference I find between between the two is SB 2037 using a vague language that will allow greater censorship in the adult section of the library which brings me to my second point.

This bill would censor the adult section of the library. The vague language of this bill does not limit itself to the childrens section of the library. As an adult I am more than capable of curating my library experience to my own tastes so I do not read anything I would find offensive to my senses and have faith that other adult library patrons are capable of doing the same.

In regrads to child readers I also have faith that parents are more than capable of ensuring that their children do not read anything a reasonable person would find lacking in serious literary,
artistic, political, or scientific value. I have faith that they are capable of this because I was raised by a single mother who worked full time and put in many hours of overtime. My mother was limited in the hours she could devote to reviewing the media her children consumed due to the number of long hard hours she worked and yet she still managed to find the time to ensure materials that were inappropriate or that she did not find in alignment to the beliefs was trying to raise her children by were not consumed by my sister or I. I would like it noted by the way that this was a feat because my mother raised two avid readers and it was not uncommon for my sister and I to finish multiple books in a week. If my mother, a woman whose free time to review the materials her children consumed by the simple fact of the number of hours she worked to support it could do it, I have faith that parents today are equally capable.

On that note I would like to circle back and address some of the language of SB2307. I find the language of this bill distressingly vague. Specifically the phrase "lacking in serious literary, artistic, political, or scientific value." As a reasonable person, while researching to write this testimony I had to look up what literary value meant because I wanted to esnure that my understanding of the phrase was consistent with the intent of the writers of this bill and what I found is that the definition "literary value" is subjective at best, but for the sake of argument I am going to borrow the definition from NSW.gov and say it means written matierals that have a "timeless and universal appeal" because it seems to align the most closely with the intent of this bill given the other categories that a book is expected to fall into, it feels like a reasonable catch all for books that do not have an obvious artistic, political, or scientific but can be recognized as valuable literature.

The problem is none of these categories protect popular books that are read simply for entertainment, for the enjoyment of reading and the joy of escaping into a story. They do not protect the adventures, the mystery's, or the love stories that while popular today, will not turn into timeless classics and do not hold a universal appeal. This bill fails to adress that the vast majority books are consumed for entertainment, and that American tax payers, voters, your consituents, want to see popular books with an enterntainment value in our libraries. As an avid reader I want to see Jim Butcher's the Dresen Files in libaries so I can check them out and read them. They are a popular and entertaining book, but they are not timeless, they do not hold a universal appeal, I have one friend in fact that despises the books, they are not particularly artistic, policial, or scientific either, but it is a series that as a library patron I want to continue to see on libary shelves.

This bill fails on multiple fronts. It's redundant nature is wasting tax payers time and money, it is stepping on the rights of parents to make decisions regarding what their children should and should not read, and it's vague wording fails to let libaries provide libary patrons, taxpayers, and voters want to see in our libaries.

Thank you for your time.

March 16, 2025

There are 3 points I would like to make regarding my opposition to 2307:

1) Currently all public libraries are using the Supreme Court “Miller Ruling” plus last year’s North Dakota ruling on the definition of “sexually explicit’ material to assure that such material is not in the library’s book collection.

2) All public libraries have a policy which provides for the reconsideration of any book in the library’s collection. Any library patron can request through this policy to have a book removed because it contains sexually explicit material or request that a book be shelved in another section of the library based on reading level or age appropriateness. This request is heard and responded to by the library Trustees, the governing body of the library which is made up of community members.

2307 bypasses the local community process of being responsive to their community members and culture.

3) Living in rural North Dakota, we are so thankful for our small town library. The school library is only available to students during school hours. Our local library is available to all, especially to preschool children, homeschool families and adults. Requiring a ‘gated’ section for adult materials will be a physical impossibility for our small library because of the physical layout of the library, the necessity of a front staff to verify age of any patron wanting to access the adult section, and the inconvenience to the library patron to go to the front desk for permission to access the adult section.

Please vote “no” regarding 2307 on the grounds that there are already processes in place to manage ‘sexually explicit’ materials in our public libraries and the burden that will be imposed on libraries to ‘gate’ the adult section.

Thank you for talking the time to read this.

Lisa Anderson

Chairperson and Committee members,

I am reaching out to you on behalf of myself as a citizen of North Dakota and on behalf of my family, to respectfully ask that you vote NAY on SB 2307. I was very disappointed that the Senate Judiciary Committee received testimony from 150 North Dakotans opposing this bill (compared to 23 North Dakotans who voiced support of the bill) and still voted to pass this bill. I hope that you will not follow this example and will listen to the citizens of North Dakota.

During this hearing you will hear some alarming testimony about the impact of pornography on youth. I am not going to deny this information. Pornography is not good for youth. However, as you hear this testimony you need to keep in mind the following, undeniable, fact: LIBRARIES AND SCHOOLS **DO NOT** CARRY PORNOGRAPHY. Just because a person doesn't like the content of something or is personally offended by it, it does not make it obscene or explicit or pornographic. I beg that you keep these things in mind as you hear about the detrimental effects pornography has on children.

I know that you will also hear about a handful of books and possibly even be given copies of these. The books you will hear about are *Let's Talk About It*, *Heartstopper*, and *This Book is Gay*. I will not point out that the common theme in all of these books is that they feature LGBTQ+ characters, but I will ask that if you get the chance you should read them all in their entirety. They are lovely books with themes of doing what you believe is best and showing compassion to yourself and others. As SB 2307 stands, none of these books would be removed from a library or school because they don't fit the ND and U.S. standard for obscenity (the "Miller Test") which requires an item be **taken as a whole.**

This leads me to a question: what is the point of this bill? Libraries already have a process in place to review books and for patrons to request books be reconsidered. As far as I can tell, the bill takes this well-vetted process and says that if a person doesn't like a decision made by an appointed board of their fellow community members they can then take it to their local States Attorney. This not only undermines the professionals ***and*** an appointed board, but also wastes the time of attorneys who are already stretched thin. SB 2307 seems as though it was put forward by people who were unhappy with certain decisions so they wanted to find others who might side with them. What happens when the attorney doesn't rule as some may want? What local control will be removed next?

Despite the changes made by the Senate, SB 2307 has some unclear and potentially alarming language which will impact my family's use of not just books, but library databases and digital resources. My family, like many others, use databases provided by my local public libraries and the ND State Library for both entertainment and educational purposes.

Section 6 of SB 2307 would make libraries have to update the authentication systems of these databases to identify patrons individually rather than by location as they do now. This would significantly reduce access for K-12 students even with the age verification system in place because ALL material would essentially have to be **acceptable for kindergarteners**. I'm sure there are ways for vendors to remove specific titles and articles from their online collections, but it would remove it for ALL patrons – not just K-12. This would mean that I wouldn't be able to access the latest Colleen Hoover novel from my library's OverDrive account and my child would not be able to use Academic Search Premier to look for information on Ancient Greece culture.

My child's access is actually my primary concern with most of this bill. My child is 16, but is being lumped into the same group as 7-year olds. He needs to be able to access resources for school projects and his teachers and librarians should not have to worry about fines for breach of contract with vendors as well as financial punishment from the state. This seems especially hard on schools where students from preschool to 12th grade share the same school library.

As a matter of fact, much of SB 2307 seems to punish small towns with K-12 students in one school building and public libraries that are only in one room. Many libraries across the state are just one room and therefore would find it very difficult to keep materials in “an area inaccessible to minors.” While some may say that libraries could just put certain items in a cabinet or behind a counter, this is not what patrons like my family want at our public library. We want to be able to browse the shelves to find what interests us and not have to ask someone for permission to get a book.

I completely agree with the need to keep small children from seeing inappropriate content, but libraries and schools already have processes in place to do this, so SB 2307 is unnecessary. Overall, it seems that most of the bill is providing a solution to a problem that doesn’t exist. This bill seems to be a reaction to: a few books which people find unacceptable and a few instances when citizens didn’t like the results of established policies and procedures.

Please do not pass SB 2307. I know you want to protect children from being sexualized, but I don’t think library materials and digital resources do this and I just don’t think it's our place to decide what is and isn’t right for other people’s children. I trust that our library employees are following the necessary laws, policies, and procedures to ensure my children aren’t being “sexualized” and I trust that they are reviewing the books they have and which they purchase in order to meet the needs of our community. I ask that you trust them too and vote NAY on SB 2307.

Respectfully submitted,
Janet Anderson
Burlington, ND

Representative Klemin and Members of the House Judiciary Committee:

I have spent my entire career, nearly 30 years, in education as a classroom teacher, a professor of education and now a middle school librarian. Students (my kids) have always been at the heart of the millions of decisions I have made and will continue to make. It is with students in mind that I write in vehement opposition to SB 2307. While I oppose this bill in its entirety, for brevity's sake, I have chosen to focus primarily on the impact that SB 2307 would have on marginalized students, especially those who identify as a member of the LGBTQIA+ community.

In a 1990 article, preeminent children's and young adult literature scholar, Dr. Rudine Sims Bishop wrote about the concept of books as mirrors, windows and sliding glass doors. This concept is one that I, and many others, have embraced and sought to manifest. Dr. Sims Bishop asserts that readers need books that serve as mirrors in which they can see themselves and their identities. Books should also serve as windows allowing readers to look into lives, identities and worlds different from their own. And finally, books act as sliding glass doors which allow readers to step into other worlds; I conceptualize sliding glass doors as bridges that connect varying lives and realities. It is vital that students have access to books that serve as mirrors but it is just as important that students have unrestricted access to books that provide windows and sliding glass doors.

I share Dr. Sims Bishop concept and believe that it is the duty of school librarians, public librarians and classroom teachers to provide mirrors, windows and sliding glass doors for ALL of their students and patrons. This is not to say that I believe age inappropriate material should be provided in school and classroom libraries. In my current role as a middle school librarian I serve the approximately 8% of my students who identify as LGBTQIA+ as well as all of their peers who do not identify as part of this community. My LGBTQIA+ kids deserve to and need to see themselves reflected in the materials in our middle school library; just as it is important that my non-LGBTQIA+ kids see their "out" friends and classmates in their reading materials.

Unfortunately I believe that SB 2307 and its vague phrasing could have a disproportionate negative impact on books that feature LGBTQIA+ characters and topics. In SB 2307, Section 4.1a(2) it states that: "Explicit sexual material means any material which: is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors." Regrettably, in the time and society in which we currently exist, it is clear that many adults in North Dakota may find any materials, whether age appropriate or not, that feature LGBTQIA+ characters or topics as "patently offensive." It is my fear that these misguided "prevailing standards" will result in the removal of these vitally important materials from school, classroom and public libraries.

If SB 2307 passes and LGBTQIA+ literature is targeted it could be literal life or death. According to the North Dakota specific data on the Kids Count Data Center (link below), in 2021 62.8% of high school students who identify as gay, lesbian or bisexual reported feeling sad or hopeless almost every day for two or more weeks in a row. By contrast only 31.4% of students who identify as heterosexual experienced those same sustained feelings of sadness and hopelessness. Additionally, in 2021 21.1% of high school students who identify as gay, lesbian, or bisexual reported attempting suicide one or more times during the previous 12 months while only 3.7% of their heterosexual peers reported the same. I can only imagine that these startling statistics will increase if SB 2307 passes and book shelves are wiped of any and all age appropriate materials relating to the LGBTQIA+ community.

It is not hyperbolic to state that books save lives. They provide mirrors, windows and sliding glass doors into ourselves, our identities, our surrounding society and our world. I fear that the passage of SB 2307 will shatter these mirrors and windows for marginalized populations and foster more misunderstanding and hate in the majority population towards the LGBTQIA+ community.

Sincerely,

Aimee Rogers, Ph.D.
Grand Forks

Link to Kids Count North Dakota site:

https://ndkidscount.org/uncovering-north-dakotas-youth-mental-health-landscape#:~:text=The%20teen%20suicide%20death%20rate,to%2013.7%20per%20100%2C000%20teens.

Birgit Pruess, Ph.D.
3696 Harrison St. S
Fargo, ND

March 16, 2025

RE: SB2307

Dear members of the 69th Legislative Assembly of North Dakota,

Please, accept the below as my testimony IN OPPOSITION of SB2307, to "relating to the definition of a public library, required safety policies and technology protection measures, and the state's attorney's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; etc". I am a resident of Fargo and testify as a private person. I am below summarizing my concerns.

The bill as it is written now criminalizes librarians. Librarians are professionals whose job description is to educate the public. These days, that is a pretty tough job already. They don't need our state legislature to tell them how to do their job.

Librarians already had to search their libraries after the last legislative assembly two years ago. That is an expensive and time consuming process. Our librarians and their support personnel have better work to do to serve the public.

Not every library has a room where you can lock in (or lock out) minors. This is especially true for libraries in rural North Dakota.

When in history have book banners ever ended up on the side of the good guys? Just trust the parents to supervise their kids and determine what they can read. Once kids become teenagers, they already know what sex is anyways.

By the time I wrote this letter, there were 210 testimonies on the website for this bill. Of these, 35 were in favor and 6 were neutral. The remaining testimonies are in opposition. Maybe our legislators could trust the people of North Dakota to make decisions about the books they wanna read or the books they want their kids to read by themselves.

I would highly appreciate a DO NOT PASS vote on SB2307.

As in all my testimonies, I much appreciate the hard work and dedication that each member of my state legislative assembly puts into our state. Thank you.

Sincerely and respectfully Birgit Pruess,
Ph.D.

Subject: Opposition to SB 2400 - Concerns Regarding Education Savings Account Program

I am writing to express my strong opposition to Senate Bill 2400, which proposes the establishment of an education savings account (ESA) program in North Dakota. While the intention behind this bill may be to provide more educational choices for families, there are several significant concerns that need to be addressed.

1. Impact on Public School Funding: Implementing an ESA program would divert much-needed funds from our public schools to private institutions. This reduction in funding could lead to larger class sizes, fewer resources, and diminished support services for students who remain in public schools. Our public schools are already underfunded, and further financial strain could severely impact the quality of education provided to the majority of North Dakota's students.

2. Lack of Accountability and Oversight: Private schools participating in ESA programs are not held to the same standards of accountability and oversight as public schools. This lack of regulation can lead to inconsistent educational quality and potential misuse of public funds. In states like Arizona, the rapid expansion of ESA programs has resulted in numerous "pop-up" private schools, many of which lack the necessary infrastructure and experience to provide a high-quality education.

3. Negative Impact on Student Achievement: Research has shown that voucher programs, including ESAs, do not consistently improve student achievement. For example, studies from states like Indiana and Louisiana have demonstrated that students using vouchers to attend private schools often perform worse on standardized tests compared to their peers in public schools. In Milwaukee, where one of the largest voucher programs has been in place for nearly two decades, students in the program have shown no significant improvement in test scores.

4. Equity Concerns: Voucher programs tend to benefit families who are already financially better off, as the vouchers rarely cover the full cost of private school tuition. This can exacerbate educational inequities, leaving low-income families and students with disabilities at a disadvantage. In Florida, for instance, the McKay Scholarship Program, which is designed for students with disabilities, has faced criticism for failing to provide adequate support and resource.

In conclusion, while the idea of providing more educational choices is appealing, the implementation of SB 2400 would likely lead to negative consequences for North Dakota's public education system and its students. I urge you to consider these concerns and vote against this bill to ensure that all students in our state have access to a high-quality, equitable education.

Thank you for your attention to this important matter.

Sincerely,
Laura Hagan

Subject: Opposition to SB 2307 - Protecting Access to Information and Freedom of Expression

Dear [Recipient's Name],

I am writing to express my strong opposition to Senate Bill 2307, which proposes amendments to the North Dakota Century Code concerning public libraries and the regulation of materials deemed obscene or harmful to minors.

While I understand the intent to protect minors from explicit content, SB 2307 raises significant concerns regarding censorship, access to information, and the role of public libraries. Here are my key points of opposition:

1. **Censorship and Freedom of Expression**: SB 2307 imposes broad and subjective criteria for what constitutes "obscene material" and "obscene performance." This could lead to the unwarranted removal of valuable literary, artistic, and educational materials from public libraries, infringing on the freedom of expression guaranteed by the First Amendment.
2. **Impact on Public Libraries**: The bill mandates stringent safety policies and technology protection measures that could place an undue burden on public libraries. These institutions are already operating with limited resources, and additional regulations could hinder their ability to serve the community effectively.
3. **Subjectivity and Enforcement**: The definitions provided in SB 2307 are highly subjective and open to interpretation. This ambiguity could result in inconsistent enforcement and potential legal challenges, diverting attention and resources away from more pressing community needs.
4. **Educational and Developmental Value**: Many materials that might be deemed "obscene" under this bill have significant educational and developmental value. Restricting access to such materials could impede the intellectual and emotional growth of young readers, who benefit from exposure to diverse perspectives and ideas.
5. **Community Trust and Autonomy**: Public libraries are trusted community institutions that should have the autonomy to curate their collections based on the needs and values of their patrons. SB 2307 undermines this trust by imposing external controls that may not align with the community's interests.

I urge you to reconsider the implications of SB 2307 and to prioritize the protection of intellectual freedom and access to information. Public libraries play a crucial role in fostering a well-informed and educated society, and it is essential to support their mission rather than impose restrictive measures.

Thank you for your attention to this important matter.

Sincerely,

Laura Hagan

Chairman Klemin and Members of the House Judiciary Committee,

My name is Cindy Thronburg, and I am a librarian at the Dickinson Area Public Library (DAPL). I am writing in opposition to SB 2307. These views are my own, and do not reflect the views of the DAPL or my employer, the City of Dickinson.

The core issue I see with this bill is how the bill instructs that, “A public library or a school district may not maintain in an area easily accessible to minors explicit sexual material.” We all know that some adult library materials may contain what some people may deem “explicit” content, e.g., romance novels, R-rated movies, etc. And while these materials of course would not be deemed obscene by current obscenity laws, this bill states that "’Explicit sexual material’ means any material that . . . Is patently offensive under prevailing standards in the adult community in North Dakota as a whole regarding what is suitable for minors . . .,” the definition of which could be arguable in several different ways.

Restricting these materials to areas where minors cannot go will create logistical issues for libraries to comply. In my opinion, one of three things will have to happen:

1. Libraries will have to make costly renovations to create walls, doors, and separating structures in order to make sure minors cannot enter areas with designated adult materials. They will then have to staff these areas to make sure only adults and minors with accompanying adults are entering.

2. Libraries will have to remove all adult materials. This is what will likely have to happen to bookmobiles. The majority of our patrons on our bookmobile are minors because we stop at their schools.

3. Libraries will have to close their doors to minors who are not accompanied by an adult. This may be the only option for libraries to fiscally survive this bill. Libraries that cannot afford costly renovations and who want to be able to continue to serve their adult patrons by offering them adult materials will have to police their libraries and only allow in adult patrons and minor patrons that have an adult with them. This will drive down library usage. Minors will no longer be able to come to our library after school to play on the computer, etc.

Besides one of these three things happening, patrons will likely lose access to e-book and audiobook services like hoopla and Libby, which not only expand the options that libraries are able to offer their patrons, but are essential to rural and home-bound individuals that can’t get to the library themselves.

This bill is not only harmful to libraries and their patrons, it is unnecessary. Obscene materials are not being distributed to our patrons. Librarians carefully follow collection development policies to choose materials appropriate for our patrons. If patrons disagree with any materials, there are policies in place, such as Requests for Reconsideration to review the material in question.

I urge you to oppose this bill. The only thing it will achieve is to create costly burdens for libraries and our taxpayers, and drive down library usage.

Thank you,

Cindy Thronburg
Dickinson, ND

Testimony Against Senate Bill 2307

Kesli LeBaron

North Dakota House Committee Hearing

March 18, 2025

Good morning to all of you.

My name is Kesli LeBaron, and I am a sixth-grade student in North Dakota. Thank you for giving me the chance to speak today.

I love reading because books help me learn, grow, and understand the world around me. That's why I'm asking you to please vote NO on Senate Bill 2307.

I understand that some books deal with difficult topics, but I believe that removing them from schools and libraries will do more harm than good. For some students, reading a certain book might be the first time they feel understood. I worry that if this bill passes, kids will lose access to stories that could make a big difference in their lives.

I also believe that parents, teachers, and librarians should be the ones guiding kids in what they read and not the government. Librarians work hard to choose books that reflect all kinds of readers, and they care deeply about students and families. Instead of banning books, I hope we can trust families and educators to help kids choose books that are right for them.

I know I am young, but I also know that the choices made here affect me, my classmates, and future students. I hope you will consider how important books are for all kids in North Dakota and vote NO on Senate Bill 2307.

Thank you for your time and for listening to me.

WRITTEN TESTIMONY IN OPPOSITION TO SB 2307

House Judiciary Committee
Date of Hearing: March 18, 2025 9:00 a.m.
Debra L. Hoffarth, 1320 11th Street SW, Minot, ND 58701

This written testimony is presented in opposition to SB 2307, which would lead to the censoring of books and criminalizes librarians.

This bill relates to the sections of the North Dakota Century Code devoted to obscenity, including protecting minor children from pornography. We can all agree that this is important. However, this bill goes beyond that ideal.

Public libraries are one of the only places where anyone can freely find information. Libraries are a safe haven for people to learn and should not be a place where political rhetoric and ideals determine available information. Libraries are places where families can spend time together. Trust librarians and schools to professionally manage their book collections.

Libraries have policies in place regarding materials available for the public. For example, my local library has a policy on "Collection Management" which considers the developmental and information needs of children and teens.[1] This policy includes a right of the public to object to materials and a process for resolving those objections. It also places the responsibility for determining if a book is appropriate on the parents of the child, where it should rightly land.

This bill opens up the door to censorship by prohibiting information in schools or public libraries relating to sexual materials. How does this affect the topics of health and sex ed, which are taught in public school? Similarly, how does it affect books and art which are included in libraries, (i.e., Michaelangelo, David, the Sistene Chapel, Rembrandt, and Botticelli)?

I also see issues of how a library would comply with the requirements of having certain books in an area not easily accessible by minors and monitoring of digital resources. Please rely on local libraries' testimony on whether this is possible, however, my experience is that many small libraries do not have the space or resources to comply with these requirements.

The government should not be in the business in blocking access to information, limiting free speech, limiting lawful artistic portrayals, censoring books, or criminalizing librarians.

Please oppose SB2307.

Debra L Hoffarth

[1] Minot Public Library Collection Management Policy (https://drive.google.com/file/d/1bTNz6hewKtAtRzU-DeD2flgqYJFH5QUP/view)

Testimony in Opposition to SB 2307
House Judiciary Committee March 16, 2025

Chair Klemin and members of the Senate Judiciary Committee, my name is Randi Monley. I am writing as a private citizen of Minot, ND. I am also a public children's librarian and a co-chair of Right to Read ND.

I urge you to **oppose** Senate Bill 2307 for the following reasons.

1. As someone who helps others find resources that they need in a library, I will never forget my encounter with a foster mother. She was looking for a book for a little girl, no older than seven years old. The caregiver took me aside because she needed my help finding a book that was a low enough level to talk to this child about safe touch and sexual abuse because the girl had experienced this trauma. While some parents may find a book like this to be "too much" for a children's library, I assure you that this book is necessary for that little girl and for other children who have been through such a heartbreaking and traumatising experience.

2. It is my inherent right as a mother of two growing boys that I be able to parent my children as I see fit. I utilize the library's vast resources to educate my children on puberty and sexual health. As a single mother, I need books that include pictures of bodies to show my child that is on the autism spectrum what I am talking about. I certainly do not want to have to resort to filth on the internet for this, which is why I use my library. I know that the books within are vetted and collected by librarians who are trained in their profession.

I urge you all to give Senate Bill 2307 a **do not pass recommendation**. Also, as a North Dakota resident, I urge you to work on bills that will actually help children in North Dakota as opposed to limiting them even more.

Randi Monley
Minot, ND

Testimony in Opposition to SB 2307
House Judiciary Committee March 18th, 2025

Chair Klemin and members of the House Judiciary Committee: My name is Mary Kay Keller Ralston. Thank you for the opportunity to submit testimony.

I taught as a Spanish language instructor in the Bismarck Public School system for over thirty years. I am strongly opposed to SB 2307 because it will damage the academic futures of North Dakota students by forcing schools to limit access to important cultural & educational resources in our school libraries' digital collections, not to mention our public libraries' digital and physical collections.

While this bill focuses on limiting access to books that are "sexually explicit" what the bill's language fails to mention is that by adding a way for citizens to bring legal complaints against librarians and teachers because they disagree with the contents of a book, this also opens the doors to citizens challenging books based on their personal viewpoints.

I will use "Bless me, Ultima" by Rudolfo Anaya as an example. This book has been challenged before, and burned, in certain parts of the USA. Opponents have claimed the book is "anti-Catholic," promotes "occult beliefs," and has "sexual references."

If SB 2307 passes, students across North Dakota could lose access to this book that teaches them about Chicano culture and Indigenous beliefs. The book is not obscene, but because this bill focuses on books that are "sexually explicit" citizens could use this to bring a criminal complaint against librarians and teachers because they disagree with the non-sexual contents of the book.

Teachers and librarians have not chosen this field because they want to brainwash children. And they certainly didn't choose this field for the money.
We teach because we hold dear the ability to provide information and help facilitate learning for our students. How can we continue to do this when bills like SB 2307 threaten our professions with criminal charges?
If a parent dislikes a certain piece of literature, it is their responsibility to limit the book's access for their child. But they do not have the right to make that decision for everyone else's child.

Please preserve intellectual freedom in North Dakota, and vote NO against SB 2307.

Thank you,
Mary Kay Keller Ralston

P.S. I'm feeling the need to reread "Bless Me, Ultima."

Oppose HB 2307

I do not believe that North Dakota has a problem with obscene books in libraries that requires the legislature to establish a censorship procedure. I trust librarians to do their professional work with appropriate judgement.

Chair and Committee members:

I am adamantly opposed to book bans in our libraries. Our librarians take their jobs very seriously and do outstanding work. Let’s let them to their jobs!

Thank you.

Kay Schwarzwalter

Dear Members of the North Dakota Senate,

I am writing to oppose SB 2307 as an unnecessary measure that will present huge difficulties for the vast majority of North Dakota libraries that are small, rural, one-room institutions. How will these libraries comply? Will they be unable to have books that are judged to be suitable for adults because those libraries do not have a way to create physical barriers between adult and non-adult sections? All libraries already have policies that allow patrons object to titles in the collection. Why is this needed? Is there really a problem?

House Judiciary Public Hearing, Tuesday, March 18, 2025

SB 2307: Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

Please include this letter with the Committee Hearing testimony journal for public record.

The gist of Senate Bill 2307 opens up the opportunity for one person in a community to force an opinion to limit the reading choices of everyone else in the community. It will also lead to the loss of state funding for libraries, forcing local communities to pick up the tab, rural communities that are already strapped for funding.

This legislation is a pious and unconstitutional restriction on access to school and public library materials ensconced in an overreaching government bill. This bill, in addition to its other flaws, will be extremely costly, if not impossible, for most communities to implement, highlighting the impracticality of its enforcement.

It is my anticipation this committee will choose to stand on the honorable side of history and give this bill a Do Not Pass recommendation.

Thank you for your time and your consideration.

Kevin R. Tengesdal, District 35

Testimony in Opposition to SB2307
Presented to the North Dakota Legislative Assembly
Presented by Meghan Anderson

Dear members of the North Dakota 69th legislative assembly. Thank you for the opportunity to provide testimony today. My name is **Meghan Anderson**, and I am here to strongly oppose **SB2307**, a bill that—though well-intended—poses serious threats to our **constitutional freedoms, fiscal responsibility, and the rights of parents** in North Dakota.

1. First Amendment and Government Overreach

As conservatives, we believe in limited government and the constitutional rights of individuals. The First Amendment of the U.S. Constitution protects freedom of speech and prohibits government overreach in regulating content. SB2307 treads dangerously close to government-mandated censorship, which is precisely the kind of overreach that conservatives have fought against for decades.

By attempting to impose vague standards such as "modern North Dakota standards" and "prurient interest," this bill grants unchecked authority to government officials to decide what information is appropriate for the public. This opens the door for political bias and selective enforcement, something that should concern every freedom-loving North Dakotan.

Today, the government might target books that some find offensive. Tomorrow, it could be speech, political opinions, or even religious texts. The best way to preserve our freedoms **is to resist unnecessary government control from the start.**

2. Protecting Parental Rights, Not Expanding Government Control

North Dakota Republicans have long stood for parental rights. We trust parents—not the government—to make the best decisions for their children. SB2307 takes that power away.

Rather than empowering parents to oversee their children's education, this bill imposes a one-size-fits-all approach dictated by state officials. If a parent believes a book or resource is inappropriate, they have every right to guide their child's reading habits. That decision should not be made by bureaucrats or politicians in Bismarck.

Conservatives don't want government deciding what we can and cannot read. If we wouldn't trust the government to regulate news, religious materials, or political speech, why would we trust it to regulate our libraries?

3. Financial Burden and Unfunded Mandates

Republicans also stand for fiscal responsibility and local control, yet SB2307 imposes unnecessary costs on taxpayers without offering funding solutions.

- Public libraries, schools, and state agencies would be forced to purchase new filtering software, hire compliance officers, and spend valuable resources on enforcement.
- County attorneys, already stretched thin, will now have to police library materials instead of focusing on serious crimes that affect public safety.
- Small towns and rural communities, many of which already struggle with funding their libraries, will face disproportionate burdens—forcing them to cut services or even close facilities.

This unfunded mandate goes against our conservative principles of fiscal prudence and small government. If the state is going to force regulations on local communities, who is going to pay for it?

4. Unintended Consequences: A Slippery Slope Toward Censorship

While SB2307 claims to target explicit materials, it opens the door to broader censorship.

- Books on history, health, and literature could be wrongly classified as inappropriate.
- Sex education materials could be removed, limiting access to critical health information that prevents teenage pregnancy and disease.
- Classic works of literature like Shakespeare, Mark Twain, and even the Bible contain content that, under broad interpretations, could be deemed inappropriate.

By allowing a vague, subjective standard to dictate what can and cannot be accessed, we risk losing valuable educational and historical resources.

Conclusion: Keep Government Out of Libraries

Republicans have long championed **freedom, personal responsibility, and local control.** SB2307 contradicts these values by:

- Expanding government control over personal and educational choices
- Forcing taxpayers to fund unnecessary bureaucracy

- Undermining parental rights in deciding what their children can and cannot read
- Creating a pathway for government overreach into censorship

If we truly believe in freedom and limited government, we must oppose SB2307. Let parents—not the government—decide what's appropriate for their families. Let's focus taxpayer dollars on real issues, not expensive and unnecessary regulations.

I urge you to **vote no to this bill** and instead support policies that empower families, protect constitutional freedoms, and uphold the principles that North Dakota Republicans stand for.

Thank you for your time.

Kristin Nelson

5409 20th Street South

Fargo, ND

District 46

3/16/25

DO NOT PASS SB 2307

Chair Klemin and members of the House Judiciary Committee:

I write today to urge a **DO NOT PASS** on **SB 2307**. This bill is the definition of government overreach and a waste of resources. Libraries already have processes in place to ensure their selections are appropriate and library staff are experts in how to handle their materials. Control and oversight need to remain with the experts, not state bureaucrats.

Our state has other things to invest precious time and resources in. A bill supported by out of state special interests is not one of them.

For those reasons, **DO NOT PASS SB 2307**.

Respectfully submitted:

Kristin Nelson (she/her)

Senate Judiciary Committee
March 16, 2025
SB 2307 - Testimony in Opposition

Chair Larson and members of the Senate Judiciary Committee, my name is Garrett Bladow, and I am writing in opposition of Senate Bill 2307.

I oppose this bill because this bill aims to limit what books and resources my public library can offer to my family and my community, replaces the role of parents with the State, and restricts the free exchange of ideas and information.

Parents should be in charge of what their kids check out from the library, not the state government, nor a handful of individuals in our community. Led by a minority of people trying to force their beliefs on others that do not share those same points of view. This is persecution and a violation of human rights.

I am happy that people have access to content that may make them feel uncomfortable or challenge their world view. We should not limit these voices or shame people for wanting to expand their understanding of the world. We should embrace them.

This bill is not about freedom and liberty. This bill is about placing restrictions on ideas and information. This bill is about passing the responsibilities of parents to the State.

This bill is about censorship. Plain and simple.

I urge you to give Senate Bill 2307 a Do Not Pass recommendation.

Thank you for the opportunity to share my testimony.

House Judiciary Committee
March 17, 2025
SB 2307 - Testimony in Opposition

Chair Klemin and members of the House Judiciary Committee, my name is Kate Bladow, and I am writing in opposition to Senate Bill 2307. As an adult, I oppose this bill because it will limit my access to health resources at public libraries.

In 2024, I read a book that many would consider inappropriate for minors and some would consider sexually explicit: Vagina Obscura by Rachel E Gross. This book is about the science behind women's reproductive health. From the book description on the publisher's website (https://wwnorton.com/books/vagina-obscura):

> A camera obscura reflects the world back but dimmer and inverted. Similarly, science has long viewed woman through a warped lens, one focused narrowly on her capacity for reproduction. As a result, there exists a vast knowledge gap when it comes to what we know about half of the bodies on the planet.
>
> That is finally changing. Today, a new generation of researchers is turning its gaze to the organs traditionally bound up in baby-making—the uterus, ovaries, and vagina—and illuminating them as part of a dynamic, resilient, and ever-changing whole. Welcome to *Vagina Obscura*, an odyssey into a woman's body from a fresh perspective, ushering in a whole new cast of characters.

I am a woman and have a uterus, ovaries and vagina. To care for my body and provide informed consent for medical procedures, I need access to this type of information. Also, I find the history of research into women's health fascinating.

That said, it is quite possible that this could be a book that "the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest" due to the scientific descriptions of female genitalia and the recounting of procedural advances on genital reconstruction. Because of this, a single individual complaint could require that this book be removed to an area in the library where I would need to provide ID to enter so it isn't available to minors.

Because I am most comfortable reading with an e-reader, like a Kindle, or listening to audiobooks while performing chores or engaging in hobbies, Vagina Obscura was accessed through Libby, the ebook and audiobook platform offered by many libraries across North Dakota and the United Status. Based on the language in SB 2307, this would no longer be allowed: "A public library or a school district may not maintain in an area easily accessible to minors explicit sexual material." Libby would be an area easily accessible to minors, but it currently does not appear to have the functionality necessary to limit content based on the age of the patron.

As written, this bill infringes on the freedom of adults to gain knowledge and information and supports censorship. I urge you to give Senate Bill 2307 a Do Not Pass recommendation.

Thank you for the opportunity to share my testimony.

March 16, 2025

House Judiciary Committee
600 East Boulevard
Bismarck, ND 58505

Dear Chairman Klemin, Vice Chairman Karls, and Members of the Committee,

My name is Corinne Edgerton and I am a concerned North Dakota library patron. I am writing to express my strong opposition to SB 2307. I urge you to issue a “Do Not Pass” recommendation for the following reasons.

This bill presents a serious threat to the fundamental principles of intellectual freedom and access to information within our state. It claims to protect children, but it actually limits everyone's access to information, leading to censorship in our libraries.

The freedom to read is a cornerstone of a democratic society. It allows individuals to explore different ideas, perspectives, and experiences, which are key parts of learning. SB 2307 threatens this freedom, making it harder for North Dakotans to get the information they need. Because the bill's wording is unclear, people can easily abuse it. Individuals with specific beliefs could get books they don't like relocated, which could mean building locked cabinets to house material questioned by individual community members, so they can be accessible only to adults. This results in limiting everyone's access and harming the library's role as a place for diverse ideas

SB 2307 targets and intimidates librarians and teachers. It empowers people who disagree with a library selection to report the library to their local state's attorney and removes the control from our local library boards and school boards. The bill unfairly subjects librarians to potential criminal charges for fulfilling their professional duties and undermines their expertise and the trust placed in them.

Everyone should have the right to choose what they read. Individuals should be trusted to make their own decisions about what they and their families read. This bill is a dangerous overreach that will harm our libraries, educators, and communities. Therefore, I ask you to stand against SB 2307 and issue a "Do Not Pass" recommendation. Thank you for your time and consideration.

Respectfully,



Corinne Edgerton (she/her)

Kristen Borysewicz
1855 Thomas Drive
Larimore, ND 58251
District 20

DO NOT PASS SB 2307

Dear Members of the House Judiciary Committee,

I am saddened that two years after the passage of HB 1205, the Senate has thought fit to override those processes put into place to make them more expensive, burdensome, and precarious to working librarians. This legislation takes control away from local communities and, more importantly, takes rights away from parents and caring adults in children's lives based on the preferences of a vocal minority.

I urge you to let the current law stand as is and do not pass SB 2307.

Respectfully submitted,
Kristen Borysewicz

I am a retired public school teacher having taught 35 years in the Minot Public School District. I am also a reader who has enjoyed the services of the public library since I was a little girl. Our libraries are essential services in our communities. I used the public library each week when I was teaching. The librarians are very professional in their jobs. This bill is unnecessary and punitive to libraries and the community members who use them. Please vote NO on this bill.

SB2307

Elizabeth Walch

03/17/2025

I am submitting testimony in OPPOSITION to SB2307.

I urge you to vote NO on SB2307, relating to making changes to the North Dakota Century Code. While I understand the concern to care for our children and protect them from materials that they may not be ready to understand, this bill is tantamount to censorship and violates our First Amendment Rights. I acknowledge that nowhere in this bill is the word "censorship." That may not be the intended purpose of the legislators who introduced this bill, but it will be the result. When a class B misdemeanor can be brought against a teacher or librarian for providing "sexually explicit material" to a minor—that's a scare tactic and will result in teachers and librarians self-censoring their collections. The State does not have a place in deciding what people read nor should teachers and librarians be punished. The decision about what literature, music, movies, or art that a child is ready to consume is for the family to decide, not the government.

Librarians, teachers and parents agree that protecting children from harm is important, and that it is a practice that librarians, teachers, and parents already engage in. Our librarians and teachers know our kids and care about them deeply. They use that knowledge and personal connection to put books in their hands that will interest them and move them and help them learn and grow. This bill infringes on the rights of parents, teachers, and librarians to work with their kids and students on choosing reading material that is appropriate and relevant and of interest. It also removes any opportunity we have, to trust our kids with those decisions, too. As a pastor and person of faith, I am concerned about the "slippery slope" of censorship. I am concerned that the State will want to continue to infringe on the rights of the people to make their own decisions. I am concerned about the curtailing of freedom in this area will lead to the curtailing of other freedoms as well.

I urge you to vote NO on SB2307.

Elizabeth Walch

Bismarck Pastor

I am submitting testimony in opposition to SB2307.

I am deeply concerned about the implications of this bill and the ways it would require libraries to halt or alter services in order to comply. The terms of this bill related to relocating materials to places inaccessible to minors are vague enough that small libraries, especially those that are essentially one room, will find it difficult to comply. What if children must walk through areas of the libraries containing adult sections to get to a bathroom? What if story time takes place in a central area of the library from which all sections of the library are accessible? Spending taxpayer money on determining the boundaries of the language in this bill is a waste. Previous legislation from 2023 has already addressed alleged "explicit" materials in children's collections. Libraries across the state complied with that bill. Why was that not enough?

The language used in this bill is about protecting children. Every librarian, teacher, and parent will agree that protecting children from harm is important, and that it is a practice that librarians, teachers, and parents already engage in. Our librarians and teachers know our kids and care about them deeply. They use that knowledge and personal connection to put books in their hands that will interest them and move them and help them learn and grow. They know that not every child reads at the same level or is ready for the same content or themes, and they use that knowledge when they purchase books and recommend books to kids. Parents are always welcome in that process and in those conversations, and many libraries provide parents with tools to help monitor what their kids are reading. Where you will meet resistance from me and many others, including parents and including the passionate and caring librarians and teachers that I know, is when the government attempts to step in and control those conversations. This bill infringes on the rights of parents, teachers, and librarians to work with their kids and students on choosing reading material that is appropriate and relevant and of interest. It also removes any opportunity we have to trust our kids with those decisions, too.

I acknowledge that nowhere in this bill is the word "censorship." That may not be the intended purpose of the legislators who introduced this bill. But it will be the result as the threat of legal action causes librarians to self-censor what they purchase for and display in their libraries. The data shows that it is books with LGBTQ+ and/or BIPOC characters and authors that suffer most from legislation like this. These perspectives are not dangerous. These perspectives are important because they open our eyes to identities that may not be our own. They encourage empathy and acceptance. Instead, this bill succumbs to fear.

Our Republican-majority state legislature is supposed to support individual freedoms and small government. This bill restricts individual freedoms and represents extreme government overreach. Please give it a recommendation of "Do not pass."

Sincerely,

Amanda Walch

To Whom it May Concern:

My name is Mindie Bopp and I am writing in opposition to SB 2307. I reside in District 28, which is one of the 5 rural counties that Senator Erbele represents, as someone who recently sat on our curriculum review committee while our school went through the process of reviewing materials in our library. I can attest that per the school board policy, the books were reviewed by a curriculum review committee, and one of the tools utilized was the Miller Test. The committee unanimously voted to retain the books in our library. And while some may not have liked the outcome, the process was followed.

While SB 2307 intention may be to protect children, it creates a restrictive environment where educators and librarians must continuously police materials out of fear of legal action. The language in the bill is broad, which can lead to subjective interpretations. This could result in removing important educational materials, including literature, health education books, and historical texts, simply because they contain references to sexuality, anatomy, or other topics some may find uncomfortable. Instead of empowering educators to make informed decisions based on expertise, this type of regulation forces educators to err on the side of censorship, restricting access to knowledge rather than expanding it. The role of educators and librarians is to guide students toward critical thinking and informed decision-making, not to shield them from challenging ideas. SB 2307 will only foster fear rather than trust in professionals.

Lastly, as a parent, if you don't want your child to read something, then you as a parent must have open communication, and clearly explain your concerns. But I assure you what is best for one family may not be best for all, as every family has its own set of North Dakota Standards. This bill is a government overreach. Banning books is not going to stop the youth from seeing images or reading explicit material. If kids have a phone in their hands, or access to the internet then they have access to far worse material than a book. I urge a **DO NOT PASS** vote on SB 2307.

Respectfully Submitted,

Mindie Bopp

District 28

Dear Members of the House Judiciary Committee,

This is my second time writing testimony in opposition of SB 2307. I am hoping that this testimony falls upon representatives that will listen to what their constituents are saying. There is clear opposition to this bill. North Dakota citizens have proven that they do not want this bill enacted. As Representatives of the people of North Dakota, I am pleading with you, please do NOT PASS SB 2307.

This bill would negatively impact our public libraries and school libraries. I am an elementary librarian and an avid user of the public library. This bill is clear censorship, in violation of ND citizen's right to read, and government overreach. It not only restricts access, but it criminalizes librarians as well under vague terminology. Libraries are community hubs and they should be welcome to all. Librarians shouldn't have to fear criminal charges for simply doing their jobs by providing diverse, informational, artistic, and entertaining books and materials for all ages and patrons. There is already due process and policies that public and school libraries follow when maintaining and developing their collections.

This bill would enable one person's individual belief to control the masses. Not one person should be able to control what I read or what my children read or what others read. This bill is not only a waste of time, it is a waste of money. Please vote DO NOT PASS on SB 2307. Please listen to the citizens of North Dakota. Please vote for the sanctity of our Freedom to Read.

Thank you,

Cassey Slater

Opposition to Senate Bill 2307 **3/15/2025**

Dear Chairman and Members of the House Judiciary Committee,

Disclaimer: I am a member of the Morton Mandan Public Library (MMPL) Board of Trustees. However, the following testimony reflects my personal views and does not represent any official stance of the MMPL or its Board of Trustees. I submit this testimony as a resident of North Dakota, a parent, and a public library patron.

I strongly urge you to give Senate Bill 2307 a DO NOT PASS. This bill is unnecessary, harmful, and a direct threat to North Dakota's public and school libraries, particularly in rural communities. It is a solution in search of a problem, and one that will create more harm than good.

Public libraries are one of the last true community spaces where people of all ages, backgrounds, and beliefs can come together to learn, explore ideas, and engage in civil discourse. They are vital institutions, especially in rural communities where access to information and resources is already limited. **SB 2307 threatens their ability to function effectively, imposes costly and impractical mandates, and worst of all, opens the door to criminal prosecution of library staff simply for doing their jobs**.

Think about your local public library. It likely has a children's section, but that section isn't walled off from the rest of the library. This bill would require libraries to physically close off any section containing a book with even a passing reference to anything sexually explicit. That means walling off entire young adult sections, restricting access to classic literature, and forcing staff to police what patrons can access. The financial and logistical burden of these changes would be devastating, particularly for rural libraries already operating on shoestring budgets.

This bill is nothing new. In 2023, Governor Burgum wisely vetoed SB 2360, a similar piece of legislation, recognizing that existing laws already provide a pathway to address concerns about library materials. That same year, HB 1205 was signed into law, mandating that libraries develop policies for reviewing and addressing concerns about materials deemed inappropriate for children. SB 2307 is not only redundant but an extreme overreach.

What's especially troubling is how this bill disproportionately harms small and rural libraries, many of which have minimal staff and tight budgets. Expecting them to monitor materials under vague, subjective standards—on pain of legal action—will create an environment of fear and self-censorship. Librarians should not have to weigh whether shelving an award-winning young adult novel or a classic piece of literature might land them in court. Fear of controversy will lead libraries to pull books preemptively, depriving our communities—especially young people—of meaningful and diverse literature.

Speaking of young people, SB 2307 could prevent teens from working or volunteering at their local library—a formative experience that fosters civic engagement, responsibility, and a love of learning. Who would be held legally liable if a teen employee shelves a book that an "interested individual" deems inappropriate? Rather than nurturing future readers and critical thinkers, this bill would strip young people of valuable educational opportunities.

And let's talk about Section 7, one of the most absurd and dangerous aspects of this bill. Under its provisions, *anyone*, including out-of-state activists with zero ties to our communities, could demand

that a North Dakota state's attorney review a library's materials, potentially triggering funding cuts or even criminal prosecution. Two of the individuals who testified in favor of this bill before the Senate Judiciary Committee weren't even from North Dakota. Yet under this bill, they—and others like them—could dictate what our communities can and cannot read.

Let's be clear: this bill exists because a single parent in a North Dakota school district didn't like a book, followed the existing process to challenge it, and wasn't satisfied when the answer was "no." So instead of accepting that their personal standards are not universal, they've helped push through this legislative overreaction, forcing a one-size-fits-all restriction on every library in the state. This is not governance—it's censorship, plain and simple.

We're told this bill isn't about banning books. That's a lie. Even Senator Boehm admitted during testimony that libraries are already complying with the law that requires explicit materials to be moved to the adult section. But that isn't enough. Proponents of this bill want these books moved somewhere "not easily accessible" to minors. That might sound reasonable until you consider the real-world consequences: for small libraries, the easiest way to comply is simply to remove the books altogether. And that, I believe, is the true goal—particularly for books that address LGBTQ+ topics or other subjects that make certain groups uncomfortable.

As a parent, I believe it is my job—not the government's—to decide what my child reads. Parents already have the right to monitor their children's library use and challenge materials through existing processes. We do not need legislation that criminalizes librarians and forces libraries to cater to the most easily offended among us.

And finally, I cannot believe I have to say this: NO ONE is exposing children to pornography in libraries. This is a bad-faith argument designed to drum up fear and push an ideological agenda. Librarians are professionals who take great care in curating collections appropriate for all patrons.

SB 2307 is a reckless, unnecessary piece of legislation that will do nothing but harm North Dakota's libraries and communities. I urge you to vote DO NOT PASS. Let's trust our librarians, respect parental rights, and uphold the principles of intellectual freedom that have long been the foundation of our public library system.

Thank you for your time and consideration.

Sincerely,

Kara L. Geiger
Mandan

House Judiciary Committee
SB 2307
Elizabeth Anderson
March 17th, 2025

House Judiciary Committee,

Thank you for your time and consideration regarding SB 2307. As an avid reader and a concerned citizen, I would like to present opposition to SB 2307. I have been reading the testimony in favor of the bill, and it all can be summarized to the extremes, “This bill prevents child exposure to pornography.” and “This bill prevents exposure to sexual material that “normalizes” sex to the point that children are more easily manipulated into trafficking situations”.

I have a deep concern for childhood exposure to pornography. I think it has devastating effects on the development and understanding of sexuality. Additionally, I have direct experience working with minor victims of human trafficking, having worked in a youth shelter for 4 years. Both of these things are direct threats to childhood well-being and development. However, this bill does NOT protect children from either of these things in any meaningful way. The real culprit? Internet access, but more specifically social media.

In my experience as a child therapist and shelter worker, social media and unsupervised internet access are the genuine factors in both of these issues. Children are accessing internet pornography, either accidentally via unintentional searches or accidentally viewing a pornographic post or ad. Sometimes, it is intentional searching for terms they have heard or questions they have. Additionally, social media platforms like Instagram or Snapchat are where predators meet vulnerable children and groom them for potential harm. In 2023, HB 1205 already took steps to prevent minor access to explicit sexual material in public libraries and requires that libraries create a review system that ensures children do not access developmentally inappropriate material. SB 2307 does not do more to protect children. What does the bill do? This bill would censor collections in the adult sections of libraries, limit access to educational resources and national collections, and criminalize the role of librarians.

HB 1205 already sets the standard for children’s sections. SB 2307 would expand that restriction to the whole library selection. This move would signal government overreach into adult access to literature. Adults are more than capable of discerning for themselves the content, stories, and perspectives they desire to consume. The language of this bill is vague. What is a “reasonable adult”? A Democrat would find a Republican unreasonable and vice

versa. A religious person would find an atheist unreasonable and vice versa. This language invites censorship of minority viewpoints and perspectives. Just because one adult disagrees with the content, does not mean that others should not have access.

Along that line, our public libraries have access to educational and literary collections from across the nation. If those collections do not meet the standards of the bill, will North Dakotans lose access to them? Will college students lose access to educational journals and research materials because they contain mentions of sex or sexuality? What about content that covers minority experiences, which some North Dakotans might find “morally offensive”? How can adults make educated decisions for themselves if they only have access to certain “nonoffensive” perspectives?

Finally, This bill makes the role and job of librarians a class B misdemeanor. By managing library collections, the discovery of any material reported to violate the standards of SB 2307, would constitute the criminal prosecution of the librarians because children have access to the library. We need qualified, educated professionals to manage our libraries and provide public access to literature. Who would desire to take the role if they could be criminally prosecuted simply for doing the job?

Please vote DO NOT PASS on SB 2307. It does not address real issues faced by childhood access to pornography and human trafficking; those arguments are a front for the erasure of minority experiences and perspectives and a limitation of adult literary autonomy. This bill is a censorship bill. It is a government overreach bill. Please stop this bill and spend time actually solving the problems this bill claims to care about.

Thank you,
Elizabeth Anderson

Chair Klemin and members of the House Judiciary Committee,

My name is Kala Christensen, and I teach 7th-grade English in Grand Forks. I am asking for a DO NOT PASS vote on SB 2307.

As an English teacher, SB 2307 concerns me. I instill in my students the importance of reading and writing for different purposes. We learn to read and write to inform, persuade, and entertain. In all these variations, students need to be able to see themselves and each other to truly make a connection with the texts and their own writing. I am concerned that this bill will become a slippery slope that will extend from sexually explicit material to any social or identity topic that people deem “inappropriate” that day.

Public libraries and public school libraries already have policies to follow when ordering new books and handling complaints about offered materials. Where is the money coming from to pay for these committees to do the reviews? Who is making up these committees? Why do they get to decide for everybody else? Why aren’t we trusting parents to do their job and monitor what their children are reading? That’s what this comes down to. Parents should be trusted to make these decisions on their own. Nobody should be making reading decisions for others.

Thank you for your consideration,
Kala Christensen

March 17, 2025

Members of the House Judiciary Committee,

As a practicing School Library Media Specialist in North Dakota and parent of three children that regularly use public, school, and university libraries in North Dakota, I am writing to express strong opposition to Senate Bill 2307. While I appreciate the need to protect minors, which, may I add, is already being done, I am deeply concerned that this bill imposes overly broad, subjective, and potentially harmful restrictions on public libraries, school libraries/districts, and state agencies throughout North Dakota.

Key Concerns:

1. **Subjective, Expansive, and Impossible to Navigate:**
   The bill uses language that is both subjective and potentially expansive. By mandating the removal or relocation of materials based on the vague standards written, the bill risks censoring literature, art, scientific, and historical documents that hold significant literary, artistic, political, or educational value. Public and academic facility libraries have long been bastions of cognitive autonomy and must be able to serve as forums for ideas and education. The interpretations of the restrictions dictated in this bill will vary greatly among "reasonable adults". Even if you ignore the considerable amount of other subjective language in this bill, the two words "reasonable adults," make this bill impossible for libraries and librarians to navigate. The threat of prosecution of librarians based on a "reasonable adult's" opinion of material is simply inconceivable, unobtainable, and absurd.
2. **Excessive Administrative and Compliance Burdens:**
   Senate Bill 2307 mandates that public libraries and school districts develop and implement additional detailed policies and procedures for reviewing and modifying their collections by January 2026 and requires the submission of annual compliance reports to legislative management. HB 1205, passed in legislation in 2023 already requires public libraries to keep age-appropriate materials in children's area of the libraries, and file yearly reports that demonstrate compliance. School libraries already have carefully crafted curation policies and procedures. These include reconsideration protocols—that are designed to thoughtfully assess and, if necessary, reevaluate materials based on the unique needs and standards of their local stakeholders. Imposing these new requirements risks diverting critical resources away from essential educational and community enrichment programs, placing an unnecessary administrative burden on institutions that are already best positioned to serve their communities.
3. **Potential Detrimental Effect on Access to Information:**
   The provisions of the bill, particularly those that require digital and online library resources to implement safety policies and technology protection measures, may lead to over blocking or the removal of content that is valuable for educational and research purposes. As a school librarian, I know students rely heavily on available databases for research. Digital services and access to research databases will potentially need to be discontinued if digital age verification services cannot be established. Such measures risk adversely affecting students and adults alike.
4. **State-Level Overreach and Local Autonomy:**
   The bill's imposition of state-level oversight—exemplified by the state's attorney's review

procedures and the threat of funding withholding—undermines local autonomy. Decisions about library collections and educational content are best made by local experts who understand their community's unique needs and how a library and library management functions. A one-size-fits-all approach imposed from the state level is ill-suited to the many and unique communities across North Dakota.

5. **Professional Expertise of Librarians, Educators, and Library Boards:** Librarians, School Districts, and Library Boards already dedicate significant time and resources to researching and evaluating the materials available in libraries. These professionals undergo specialized training to assess the quality and appropriateness of library collections, ensuring that materials meet the needs of their communities. Their careful and informed curation is crucial to maintaining a balanced collection that respects intellectual independence while serving educational and cultural purposes. Imposing state-mandated policies risks undermining this professional expertise and could lead to decisions that do not reflect the nuanced understanding of local community standards.

While protecting minors is undoubtedly important, the means of achieving this protection must not come at the cost of access to intellectual information, classic literature, academic inquiry, and the operational independence of our educational and cultural institutions and local governance. I respectfully urge you to vote no on SB #2307.

Thank you for your time and consideration of these concerns. I trust that you will act in the best interest of all North Dakotans by voting against SB #2307.

Sincerely,

Lori Knight

Testimony Opposing SB 2307
To the Honorable Members of the House Judiciary Committee,

I am writing to express my strong opposition to SB 2307. As a concerned citizen and active library user in North Dakota, I believe this bill poses a significant threat to the accessibility, resources, and overall function of our libraries, which are vital community hubs.

North Dakota libraries are experiencing increased usage, demonstrating their growing importance to our communities. SB 2307 is an unnecessary bill that would significantly hinder the operations of libraries in the state. All libraries have established policies and procedures that make this bill irrelevant.
The proposed legislation could lead to several detrimental consequences:

- Elimination of Displays: Libraries would be forced to remove displays to avoid accusations of promoting "obscene" material. Displays enhance the library environment and help patrons discover new materials. Who determines what is considered “obscene”?
- Restricted Access to Materials: Locked cabinets for challenged materials, accessible only to adults, would create barriers to information and limit intellectual freedom.
- Job Losses: High school-aged library shelvers could lose their jobs due to concerns about handling materials that might be deemed inappropriate.
- Limited Collection Development: Libraries may refrain from purchasing materials with any sexual content, impacting access to essential resources in art, health, and other subjects.
- Discontinued Digital Services: Popular digital services and research databases could be discontinued if digital age verification systems cannot be implemented.

These restrictions would undermine the library's ability to serve as a welcoming and informative space for all members of the community. I urge you to reject SB 2307 and support our libraries.
Thank you for your time and consideration.
Sincerely,

Krystal Anderson
Horace, North Dakota

Olivia Data
Testimony in Opposition to SB 2307
February 10, 2025

Greetings, Chairwoman Klemin and members of the committee.

My name is Olivia Data, and I am a North Dakota resident writing to you to urge you to oppose SB 2307.

The world we live in is becoming increasingly confusing, fast-paced, and polarized. With today's technological developments, youth have access to all sorts of harmful information directly at our fingertips. Our response to this reality must not be to limit access to education but to enable the youth of North Dakota to seek out truth in a safe and healthy manner.

Censoring and defunding public libraries will not protect anyone. Rather, it will take away one of the last remaining community spaces we have where young people are free to ask questions without shame or fear and find answers that are accurate and conducive to growth. Of course it is inappropriate to encourage that explicitly sexual material be pushed into the hands of children. But should our libraries be limited in their abilities to provide knowledge, youth will only be pushed further towards misleading sources like the internet.

Furthermore, SB 2307 presents a great danger in that what we consider "obscene material" – even in relation to the "average person" – is highly subjective. The bible, for example, a holy book and a source of learning for countless generations, contains descriptions of nudity and adult topics that many people would consider inappropriate for young children. Will we ban all depictions of the human body? Will we shame members of our own community for exploring the definitions of art and literature? And who gets to decide what has "serious literary, artistic, political, or scientific value"? If we want to promote the welfare of our youth, surely this decision should be left up to parents rather than our government and its money.

We all deserve to be able to learn and grow in a safe and healthy environment. If we want to have any hope of preserving any places of knowledge, education, and community for future generations, we must stop censoring our libraries. Please, help us build a world where youth are empowered, supported, and excited about learning. I urge you to vote "Do Not Pass" on SB 2307.

Thank you for your time in reviewing this testimony.

Sincerely,

Olivia Data
District 35
Bismarck, ND

March 17, 2025

To: House Judiciary Committee Members –

For the record, I am Tori Lee, a citizen of Williston, North Dakota. I am writing today to urge a Do Not Pass recommendation for SB 2307.

First, this bill's use of the word "obscene" allows for too much individual discernment. This could lead to many books, including books that belong in children's sections, being removed unnecessarily because one person might find something in it that they consider obscene when the next person finds the same book completely appropriate for children. There is simply too much room to question what could or would be considered objectionable. The line is too blurred and the definitions are too vague.

Second, and most concerning to me, is that the demand in this bill to keep allegedly sexually explicit materials completely inaccessible to minors could potentially eliminate not only many general library services to many communities but also almost all Bookmobiles and Mobile Libraries entirely. Many Bookmobiles are already operating with limited shelf space or space in general, so they definitely do not have space to relocate items deemed "sexually explicit" or "obscene" in order to make them completely inaccessible to minors. Because of this, a lot of libraries that provide Bookmobile services would be forced to choose which members of their communities they are going to choose to serve, which goes against everything libraries stand for. Libraries are for everyone and should provide materials and services for everyone. This bill would make that job impossible.

Overall, this bill is unnecessary. North Dakota libraries already have collection development policies and procedures in place that align with the Miller Test for the treatment of obscene materials when taken as a whole. Two years ago, HB 1205 was passed, which ensures children's collections in libraries do not contain obscene materials. Also, our North Dakota libraries have some form of request for reconsideration that members of our communities can submit for review by our library boards, which are made up of members of those same communities. Because of all of this, we simply do not need SB 2307.

Thank you all for your time reading this testimony.

–Tori Lee

NO on 2307

This bill is being promoted as a safety measure for children. However, it is a measure that is un-American. We established rules that limit the reach of government. The government, including the State of North Dakota's Legislature, cannot restrict what people write and what people read. This bill breaks those rules by imposing restrictions on individual freedoms that are protected by the Bill of Rights and it criminalizes librarians and weaponizes activist citizens against readers. A super-majority of Americans across political divides oppose book bans. This is not a partisan issue. We need to resist the urge to impose restrictions that are out of line with our ideals as Americans.

This bill must be rejected as it is unAmerican.

Esteemed Members of the 69th Legislative Session,

My name is Montana Ackman and I live within District 23 in Williston and I am writing to you today to urge you to give SB2307 a 'Do Not Pass' recommendation in committee and to vote in opposition to SB2307 should it appear on the House Floor!

I submitted testimony in opposition to this bill when it was in the Senate Chamber and, while I acknowledge that some changes to the wording have been made since this bill's initial hearing, I would like to reiterate my stance in opposition as this bill is now in the House. SB 2307 passed the Senate by an incredibly narrow margin of 4 votes. As such, I believe that my concerns and the concerns of my fellow North Dakota citizens submitting testimony in opposition have very real credence and I would like you to take that into firm consideration when considering our testimonies in opposition to SB 2307.

My local library provides so much to my community and adds value to my life and to the lives of my family members and friends.

I do firmly believe that SB 2307 would only minimize the good that libraries do while seeking to address a problem that is more based in fear mongering than it is in fact.

My local library here in Williston is busier than it has ever been and offers a wide variety of programs such as:

- Storytimes for the children in our community from birth until preschool where they can enjoy times of reading, play, and friendship. The children's parents can make friends and form community with the other parents in attendance and receive support and connection from others who are going through similar life experiences as themselves.
- Science, Technology, Engineering, Art, and Mathematics(STEAM) programs for school aged children
- Homeschool Hangout times where families who homeschool their children can come together and enjoy STEAM activities and games and exchange ideas and build community
- Teen programs designed to provide teens with a space outside their home and school where they can spend time together building friendships and engaging in individual and team building STEAM activities and
- Adults have the option to attend craft nights and Scrabble clubs where they can get some time outside the home and spend time together. Many of us who attend these programs are parents seeking some time for themselves and a break from the rigorous work of parenting, seniors who rely on group socialization to combat the loneliness epidemic that affects their daily lives, and adult children and their parents who use these programs to spend intentional time together

The above listed services of the library would be inhibited by SB 2307 as my local library is one large open room with a room that can be used for storytimes and other programs. SB 2307

would require a more firm separation of the library and its materials than is already done and done well by my library and others within North Dakota. The Williston Community Library's children's section is separated from the rest of the library by shelving and the general shape of the building that define the sides of the space and leave a space open for entrance for community members to walk through to enter the children's section. In order to adequately comply with SB 2307 my library would likely need to break up the open spaces within the library with walls of some kind or large locking cabinets to comply. This would not only be costly but my library, like many of the smaller, one room and rural libraries that make up the majority of the libraries in North Dakota, simply does not have the luxury of space needed to comply.

Nowhere in this bill is there any provision for the cost of expanding spaces or building locking cabinets which would be needed for a limited library budget to comply with these demands. There are only threats of reducing funding to libraries; institutions that are already finding ways to make their budgets stretch in order to best serve their communities.

The Williston Community Library also hosts large annual events such as our town's local Easter Egg Hunt, Summer Reading Programs and free parties that are hosted in conjunction with the Summer Reading Program where children can get their faces painted, families can play mini golf and large yard games together while enjoying complimentary snow cones, and our library's Bookmobile attends many other community events such as local town celebrations throughout our county, our airport's local Airshow and farmer's markets.

Many of the people who visit our local library and Bookmobile would not have the time or money to be able to coordinate or be a part of the community events that the library hosts without the library there to facilitate these programs.

Forcing my local library to have a less open layout or have areas of the library that are restricted to minors would greatly lessen our ability to provide these community enriching events within our town!

The Williston Community Library, like other libraries, offers many services in addition to materials available for checkout that individual citizens might not otherwise have access to or be able to afford such as:

- Public computers and printers where people can create resumes, take online work trainings or work on homework.
- Document scanners and a fax machine where they can send paperwork
- Early Literacy Kits and STEAM Kits that are available for checkout that add value to homeschool curriculums and daycares in addition to parents
- Free check out of board games and movies which can be unaffordable for many people myself included
- Free kits designed to aid caregivers of adults with dementia or Alzheimer's
- Free proctoring services for college students
- Low cost rental of a community room for local gatherings and community events and

- Access to free online resources for learning new languages, continuing education courses, eBooks, eMagazines, and streaming of movies and TV shows

I am a caregiver to my elderly grandmother, she lives paycheck to paycheck on social security and the small pension she receives for the many years that my grandfather served in the US Air Force before he passed away. She is able to listen to audiobooks, watch movies and documentaries, check out and read Large Print novels, and attend library craft nights and Scrabble club all of which add immense value to someone who is no longer able to drive herself anywhere due to her age and failing vision. These add so much value to her life as these are things that she could not afford to have in her life otherwise.

For North Dakota libraries to comply with portions of this bill, it is very likely that my grandmother, and other seniors in similar positions, would lose these resources that are so vital in combating boredom and loneliness which can be so detrimental to elderly and disabled members of our communities!

In addition to all the services provided by libraries, library staff provide assistance to community members who need help navigating through the usage of the computers, printers, scanners, and digital resources available to all patrons.

I was raised on the mission field in West Africa and then, my family abruptly had to move back to the US due to a change in the political climate of the country where we served. Having just moved to North Dakota, I was homeschooled through highschool. My parents made use of the Universal Class online resource offered through the North Dakota State Library to supplement my other coursework and to provide me with a way to take classes on typing and the use of Microsoft Office products so that I would be competent in those skills when I entered the workforce. I took those classes on the public computers at the Williston Community Library with general computer literacy assistance from library staff members as I learned how to navigate Universal Class and grow my understanding of computers. The skills that I was able to learn this way have proved to be valuable beyond measure for me in my adult life and in my career.

All of these amazing things would be in danger of being limited or removed entirely should SB 2307 be passed.

Our local library is one large open space. The library would have to construct walls within our library in order to comply with the bill that would make items housed within our adult collection inaccessible to minors. Even just building large cabinets to house materials that people objected to would take up money and space that libraries simply do not have available.

Parents who bring their small children in for storytimes and STEAM activities would be unable to browse the library for books that they would want to check out and read for themselves while their children were with them.

Middleschoolers and highschoolers who need access to the nonfiction section of the library for research projects would no longer be allowed to do so.

Patrons who live in more rural areas of North Dakota and have to drive upwards of an hour to reach their local library who make us of the online picture books for their children would not be able to access those resources with their children's library cards thus limiting their access to library services that they pay for with their taxes.

Additionally, I have lived in Williston for over 10 years and have been a very regular user of my local library and not once in all that time have I ever found a material in the children's area of the library that was not age appropriate.

Certainly the adult section of the library has books by Stephen King (who has over 65 published novels), James Patterson (who has published more than 200 novels since 1976), and Danielle Steele (who has over a 140 published novels) that are not age appropriate for children, but these books are in the adult section of the library not the children's section.

Additionally I believe that this legislation to be unnecessary as libraries throughout North Dakota are already in compliance with HB 1205 which was passed by the 68th Legislative Assembly and the Williston Community Library, like the other libraries in North Dakota, has a Material Selection Policy, a Request for Reconsideration of Materials Policy, and an Internet Access and Computer Use Policy (all of which I have included with my testimony) and these policies are followed by staff members who have gone through many hours of training and continued education in order to be able to perform their job duties and adhere to the policies that have been voted on by the Library Board of Trustees (all of whom live within Williams County) and are enforced by the Library Director.

After reading my testimony, the testimony of other citizens opposing this bill, and the policies that I have included in with my testimony, I hope that you can see that libraries are already doing what this bill would seek to do but are doing so without harming the everyday experience of library visitors and without the unnecessary expense of tax dollars that building walls or large locking cabinets within library's already limited space would cost.

Libraries add so much value to our communities and SB 2307 would not only hamper their ability to do that good but it would also cost tax payers more money to make this happen, makes no provision for the cost to implementing these changes, and threatens to penalize library budgets that are already stretched thin should libraries be unable to comply to the outlined standards in the stated time.

Beyond this, it would be overreach for the state government as libraries already receive governance over these matters by their Library Boards made up of members of the community where each library is located.

In light of all of this, I would strongly urge you to give SB 2307 a ‘Do Not Pass’ recommendation in committee and to vote in opposition to SB 2307 should it appear on the House Floor!

Sincerely,

Mrs. Montana Ackman

CITY OF WILLISTON COMMUNITY LIBRARY

REQUEST FOR RECONSIDERATION OF MATERIALS POLICY

The Board of Trustees recognizes the importance of providing a method whereby opinions from the public regarding materials selection can be voiced. Therefore, it has established a policy and procedure which will apply to all requests for reconsideration of materials including:

- Those about materials represented in the collection
- Those about materials not represented in the collection

To comply with this procedure please be advised of the following guidelines:

- A formal request for reconsideration of materials must be made in writing. Forms are available at the circulation desk and upon completion must be delivered in person to the Library Director. Forms must be completed in their entirety.
- One request for reconsideration of materials from a household/organization is accepted at one time.
- Material being challenged must be read/listened to/viewed in full by challenger.
- The Request for Reconsideration of Materials form and its written response becomes part of Williston Community Library's public record.

When a request for reconsideration of library materials is made, the following steps will be followed:

1. Informal:
    a. The reconsideration will be listened to calmly and courteously.
    b. The Library's Materials Selection Policy and commitment to intellectual freedom will be explained, to help the patron understand the value of a diverse library collection and that ownership of an item does not indicate agreement or endorsement of the ideas, values, or principles expressed therein. This will be done respectfully and in a fashion that acknowledges and restates the patron's concerns.
    c. If the patron has recommendations for other materials on the topic, they will be noted, and if appropriate, procured.
    d. If the patron is not satisfied, advise the patron of the library's policy and procedures for handling a reconsideration request, and provide the patron with a copy of the Library's Materials Selection Policy, Request for Reconsideration of Materials Policy, and the Request for Reconsideration of Materials Form.

2. Formal:
    a. If a request for reconsideration of materials form is received, the Library Director will provide a prompt written reply letting the challenger know they have received the request and a decision will be made within 30 business days.
    b. The material shall remain part of the collection until a decision has been made.
    c. Notify the Library Board of the request for reconsideration and assure them the library's procedures are being followed. Present to the Library Board full, written information giving the nature of the reconsideration and identifying the source.
    d. Notify the Chairperson of the North Dakota Library Association's Intellectual Freedom Committee that a reconsideration request has been filed.

e. The Library Director and staff involved in collection development shall review the request for reconsideration. This includes:
    i. Reading/viewing/listening to the challenged material in its entirety.
    ii. Considering the objections in terms of the Library's Materials Selection Policy, the principles of the Library Bill of Rights, and the opinions of various reviewing sources used in materials selection.
f. If the reviewed material does not meet the criteria set forth in the Material's Selection Policy, the Library shall acknowledge that the material is unsuitable, and it will be withdrawn from the collection or, if applicable, moved to an appropriate section of the library.
g. If the material does meet the selection criteria, the material shall remain part of the collection.
h. The Library Director will respond to the request clearly and precisely within 30 business days, stating the reasons the material was withdrawn, moved, or retained. This response will also inform the requestor how to pursue the matter further.

3. Appeal:
    a. If the requestor feels the request for reconsideration of materials has been dealt with inadequately, a final appeal to the Library Board can be made.
    b. A public hearing, to be determined by the Library Board and Library Director, will be conducted with the Board acting as the decision-making body within 30 business days.
    c. The Director will notify the American Library Association Intellectual Freedom Office, and their advice will be enlisted.

4. Hearing:
    a. An open meeting will be held within 30 business days—the location and beginning time of the meeting will be publicized in advance of the meeting.
    b. The meeting will be conducted by the Director.
    c. The Library Board will act as the decision-making body. A quorum must be present.
    d. Persons wishing to speak must register prior to speaking, giving their name, address, and organization represented (if any).
    e. Each speaker will be given four minutes in which to present their point of view. A timekeeper will be appointed prior to the meeting.
    f. Library Board members will be given time to ask questions following each testimony.
    g. Each speaker should present a written copy of their testimony to the Library Board members.
    h. The Board will review the testimonies heard. They will vote at a later date after they have had time to weigh and consider the testimonies. The Board will issue its opinion within ten business days after the hearing.
    i. The Board will make their decision public and the Library will take action in accordance with that decision.
    j. Once a decision has been made, said material cannot be challenged again for three years from final decision date.

Adopted: 7.1.98
Amended: 8.21.18 | 10.20.21 | 9.20.22 | 10.17.22

CITY OF
WILLISTON
COMMUNITY LIBRARY

MATERIALS SELECTION POLICY

Purpose

The purpose of this policy is to guide staff in the selection of library materials, to inform the Library Board and the general public of the principles upon which selections are made, and to declare the library's commitment to the principles of free access to ideas and information.

Definitions

- All Materials are those items considered for addition to the Library's collection.
- All Materials Selection refers to the decision to add material to the collection or to retain materials already in the collection. It neither refers to reader guidance nor details specific types of materials to be added.

Goals of Materials Selection

- Materials selection aims at maintaining a collection of materials for meeting the informational, reference, research, educational and recreational needs of Williams County residents. Budget limitations necessitate the choosing of materials relevant to these needs.
- The Williston Community Library is committed to the principles of intellectual freedom and affirms the American Library Association's Freedom to Read statement and the Library Bill of Rights. As such, materials representing diverse viewpoints on topics, including controversial ones, are actively collected. Selection of an item does not indicate that the Library, its Board, or its Staff agrees with the ideas and viewpoints presented.

Responsibility for Selection

- Final responsibility for materials selection rests with the Library Director who functions within the framework of policy adopted by the Library Board of Trustees. The responsibility for selection may be delegated to other professional members of the staff.
- Suggestions from members of the community concerning materials selection are welcome. Each suggestion will be considered within the framework of this policy.

General Principle

The library is a forum for information and ideas. The following basic principles will guide its materials selections:

- Books and other library resources will be provided for the interest, information, and enlightenment of all people in the community.
- Materials will not be excluded because of the origin, background, or views of those contributing to their creation.
- Materials will not be proscribed or removed because of partisan or doctrinal disapproval. Within reason, materials and information provided will present the various general points of view of current and historical issues.
- Adult responsibility for children's reading rests with parents or legal guardians. Materials selection for the adult collection is intended for mature readers and will not be restricted by the possibility that children may obtain materials which their parents or legal guardians consider inappropriate. Separate collections are available for children and young people.
- Materials unavailable at this library but available through cooperative library networks will be borrowed upon the request of the user. Charges for interlibrary materials may be passed on to the patron.
- Textbooks or other curriculum-related materials are acquired only when they serve the general public.
- Consideration is given to the adequate availability of materials for the visually impaired.

Specific Principles
The following general criteria are considered in selecting materials:

Adult Materials
- Permanent value
- Popular interest
- Widely regarded reputation of the author
- Comprehensiveness and depth of treatment
- Clarity, accuracy, and logic of presentation
- Reputation of publisher
- Date of publication
- Relationship to existing collection
- Artistic merit
- Insight and/or perspective into human and social conditions
- Availability elsewhere in the community
- Price

Children's and Young Adult's Materials
In addition to the criteria for adult materials, consideration is also given to the following:
- Appropriate content
- Appropriate vocabulary for the general age group
- Determined value for stimulating the informational, recreational and cultural reading interest of children and youth

Gifts and Donations
Gifts and donations are always welcome. Acceptance is based on the following criteria:
- All such items must meet the same criteria listed under Specific Principles as purchased items
- Attached conditions of the donor as to use, location or disposition will not be permitted
- Funds may be designated for the purchase of materials by general subject area
- All gifts, when accepted, become the property of the Library and may not be reclaimed by the donor
- Unneeded donations will not be retained
- The receipt of specific items will be acknowledged
- All gifts should be left at the Library or mailed to the attention of the Library Director

De-Selection of Materials
- Shelving space is finite and in order to fulfill our mission and meet the diverse cultural, educational, research and personal enrichment needs of our community, the materials we offer must be current, accurate, relevant and in a useful format and condition. Subsequently, materials that are no longer accurate, used or useful must be withdrawn from the collection. This does not mean that they were a waste of money, just that they have fulfilled their purpose. The CREW (Continuous Review, Evaluation, and Weeding) method is used to aid in de-selection.
- The previous criteria need not be applied to items with local historical value, which typically possess appeal, significance, and scarcity in excess of materials of no cultural relation to the region. Local history materials may be retained indefinitely.

Adopted: July 1, 1998
Amended: August 21, 2018 | October 20, 2021 | September 20, 2022

CITY OF WILLISTON COMMUNITY LIBRARY

INTERNET ACCESS AND COMPUTER USE POLICY

General Statement of Internet Access

The Williston Community Library ("WCL" or "Library") provides computers and public access to the Internet in support of its mission to assure equitable access to the Library's resources and services and to affirm its commitment to the principles of intellectual freedom as expressed in the Library Bill of Rights. Internet resources are provided by WCL equally to all of its patrons.

Use of Technology Protection Measures

The Library employs technology protection measures (Internet filters) through the North Dakota state network on all of its computers with Internet access. As required by the Children's Internet Protection Act (CIPA), blocking is applied to visual depictions of materials deemed harmful to or inappropriate for minors, and to maintain the safety and security of minors utilizing the Internet. The Library may provide unfiltered Internet access to adults who request it for uses not in violation of this policy.

Staff Assistance

Staff will provide limited assistance for basic start up procedures. Library staff cannot provide in-depth training due to time and knowledge constraints. (See WCLs **STAFF SUPPORT TO PATRONS POLICY)**

Liability

Because of the vast scope and diversity of information accessible via the internet, the Library accepts no responsibility for:

- Accuracy of information found online
- Debts incurred by users from for-pay services through the Internet
- Damages resulting from loss of connectivity
- Breaches of personal data
- Exposure to or infection by malware

The library accepts no responsibility for lost or misplaced items.
The library accepts no responsibility for what patrons' access online.

Guidelines for Computer Use

Patrons are required to sign in to use the public internet computers. By signing in, patrons agree to the terms of the library policy. Sign in forms will be shredded at the end of each day. The library is not responsible for the content of any materials accessed through the Internet. Parents or guardians, NOT the library or its staff, are responsible for the Internet information selected and/or accessed by their children. Parental supervision of children searching the Internet is advised. Usage may be restricted to one hour if there are patrons waiting to use the computers.

Unpaid fees or overdue library materials can result in restriction of computer privileges. Computer registration is blocked once a user owes $25 or more in fees and/or has materials 90 days or more overdue.

Printing Charges

Patrons will be charged $0.10 for each black & white page printed and $1.00 for every color page printed.

Unacceptable Use

Using Library computers in an unacceptable manner is prohibited. Unacceptable use includes, but is not limited to:

- Public display of obscene material (NDCC 12.1-27.1-03.1)
- Damaging or attempting to damage computer equipment
- Interfering with WCL systems operations, integrity, or security
- Engaging in activities deemed unlawful according to local, state, and federal law
    - Please note: File sharing of copyrighted music/digital content can be illegal
- Disruptive behavior (see WCLs **PATRON CONDUCT POLICY**)

Enforcement

A patron who is observed using a computer in an unacceptable manner may be subject to:

- Ending the computer session for the day
- Temporary suspension of computer use privileges
- Permanent suspension of computer use privileges based on repeated violations
- Notification of appropriate law enforcement officials if it appears that a violation of state law or City Ordinance has occurred.

Wireless Network Access

The Library and the Williams County Bookmobile both provide a separate Wi-Fi network for personal computer and mobile device connection. These are open Internet connections, with no protection or filtering. All security is the responsibility of the user. All policies regarding legal and acceptable use of the Internet apply. All above stated policies apply to wireless network access as well.

Adopted: 7.1.98
Amended: 6.19.18 | 1.18.22
Reviewed: 2.18.25

Dear Legislators,
I am writing as an elementary Librarian but am not responding for my organization, just my own opinions.
I strongly urge you to vote against SB 2307. This is a redundant bill that will likely have unintended consequences.
All libraries have selection policies in place to ensure patrons find what they are looking for and is appropriate for their age.
This bill could cause additional building costs, restrict access to outstanding art and science databases and reduce employment for our young workers.
Please vote no on SB 2307.

Thank you,
Brenda Cain
Elementary Librarian

03/17/2025

To whom it may concern:

I am writing to give opposition to SB 2307. I feel this bill will hurt libraries and negatively affect how they can serve the public. There are too many vague restrictions on what is “questionable”. I do not feel librarians should fear being arrested. It is the parent’s job, not the governments to check on what their child is reading. There is a lot more to worry about out there besides books for parents, such as what their kid can find on the internet.

Tammy Moorhead

Libraries in North Dakota are experiencing increasing usage each year, with more visitors, program attendees, and library card registrations. The North Dakota Library Association firmly believes that SB 2307 is an unnecessary bill that would significantly hinder the operations of libraries in the state. All libraries have established policies and procedures that make this bill irrelevant.

Some consequences of this bill could include the following below:

We won't put out ANY displays of books as in the free of anything being seen as "obscene" and the displays we use in the library very much promote books and reading to all ages!

We do not want to put up walls or locked cabinets to hide these so called obscene books.

We have lots of high schoolers that can work in the library for co-op work experience and I also do not want another deterrent for young adults to not use the library

I am not the judge of what everyone should be reading and my personal opinions may differ from others in our community. I want to continue to provide a balanced and unbiased collection to suit a multitude of needs and wants in our small community.

I very much urge a do not pass for this bill.

Members of the House Judiciary,

My name is Jayda Borah and I live in Dickinson, North Dakota. I am writing to strongly oppose the passing of SB 2307 as it would be detrimental to North Dakota Libraries and their communities. It is completely unnecessary and would waste time and money. There are no sexually explicit materials in the children section of any library and libraries already have policies and procedures to protect children from accessing inappropriate materials. The Dickinson Area Public Library as well as most libraries in North Dakota are seeing a huge rise in library use and this bill would cause so many problems that I don't think people outside of the library profession realize.

Romance Novels, Harlequin novels, psychological thrillers, books about puberty, horror books and more would all have to be kept in a completely separate space from the children's section. This is a large chunk of adult materials. Also, with a very vague definition of "sexually explicit" many books will be pushed to be added to this restricted section based on people's personal beliefs. A lot of libraries in North Dakota do not have the space to have a completely separate section with these books, so many libraries would not be able to allow children in the library. If children are allowed in the library, parents will not be able to have their children with them while they are searching for books for themselves. Teenagers will not be able to check out books from the adult section. Library workers who are under 18 would not be able to work in the adult section. Many libraries rely on Highschool students to work evenings and Saturdays. Libraries would no longer be able to offer popular apps like Libby and Hoopla as there is no way to block materials for certain ages. The Dickinson Area Public Library hosts so many amazing programs for kids and family and would likely not be able to anymore if this bill passes. It would be a shame to eliminate a no cost option for families to entertain and/or educate their children.

This bill is censorship and would make it almost impossible for libraries to operate. The bill's definition of "explicit sexual materials" is very vague and would open the door for individuals to place their own standards and morals on library materials. A small group of people shouldn't be deciding what is appropriate to be in the public library based on their personal beliefs. Librarians need to be trusted to the job they were trained to do, not threatened with jail time and parents/guardians need to be responsible for what their children are accessing. Please, do not pass this bill. It will make a vital community resource much less accessible to those who need it.

Committee Chair and members of the Committee, my name is Jean Nudell, I am the president of Bowman Regional Public Library Board of Directors, and I am writing today in opposition to Senate Bill 2307. I oppose this bill for several reasons.

The state has already addressed “explicit sexual materials” in children’s collections. House Bill 1205 from the 2023 legislative session passed, which created a clear definition of obscenity in state law. SB 2307’s vague terms open the door for removing access to books based on one viewpoint throughout the whole library, causing censorship in the adult sections of the library. If someone doesn’t want their child to view certain materials in the adult sections of the library, it is their responsibility as a parent to limit the child’s access.

As both the board president and patron of my library in rural southwest North Dakota, I am especially concerned about the impact to rural communities like mine. While some larger public libraries in the state are able to have different sections physically, many other libraries are much smaller and don’t have the facilities or the budget to separate the sections and would be in danger of violating the law if this bill is passed. Language such as “not easily accessible” is difficult to interpret. Vague terms can become expensive problems, especially if libraries find themselves in court. SB 2307would amount to an unfunded mandate for city and county government offices to litigate these complaints.

Speaking of litigation, librarians can face criminal charges based on the amendments made to this bill. Under the bill’s language if a patron files a complaint about book display or a book they dislike, librarians could ultimately face charges by ND State’s Attorneys. Our librarians are part of our communities and bills like this drive good people to leave public sector jobs in communities where they’re most needed.

Also of particular concern to rural libraries like mine is the potential loss of access to popular eBook/audiobook services like Libby and Hoopla. Access to Libby and Hoopla could be suspended for all public libraries. Many of our patrons access resources like eBooks, audiobooks, and magazines through Libby, and our circulation of digital materials grows every month. The statewide consortium for Libby and Hoopla gives our patrons access to many more materials than we could afford to provide ourselves.

Along with all of that, this bill is simply government overreach. Our library, like every other library in the state, has a process not only for collection development (what materials our librarians purchase) but for patron challenges. Our library board reviews our policies frequently to make sure that the policies reflect the needs of our community. There is no need for the second guessing of these processes this bill calls for by requiring our State’s Attorney to review complaints from individuals about materials. That is the job of the library staff with oversight from us on the library board, and this bill removes that local control.

And finally, this bill was not crafted with the partnership of North Dakota librarians, which leads to uncertainty, confusion, and unnecessary financial burdens on local resources already stretched thin. Instead of passing this vague language into law, North Dakota should work in cooperation with the state's libraries. They can slow down and work together, so there's no added chaos and expense for our local communities.

Thank you for your time and the opportunity to share my story with you.

Monday, March 17, 2025

To: North Dakota Legislators

Hello, my name is Patty Steele. I have been an educator since 2003 – 17 years as a middle school language arts teacher. Since moving to Williston in 2019, I began teaching in the school library. I am writing to help you understand why I and many other educators oppose SB 2307.

One of the greatest rewards in being a teacher is seeing students succeed. And for that to happen, teachers sometimes have to see the classroom through a student's eyes and try to understand their perspective. The most effective way to do this is through books. I often tell students that claim to hate reading that "you just haven't found the right book yet." And I try my darndest to connect those students to topics of interest, different genres, and different ways of consuming books. Sometimes I fail at that, but when I succeed, and then that student comes back wanting something similar or the next book in the series, we all succeed. Reading for pleasure can increase self-esteem, decrease anxiety and stress, and help build positive relationships with others.

To practice reading in any form is to offer background knowledge on unfamiliar topics. Historical fiction stories often help their understanding when discussing the parts of a government in U.S. History class. That science fiction book might help them understand the genes and DNA lessons in life science. The possibilities are endless…until we take those possibilities away.

This bill will detract from our ability to connect students with what they need. Librarians believe that parents – and only parents – should have the right to restrict their child's access to library resources. Our students need to see themselves represented, even though some may consider it unreasonable. This decision should only be made by their parents.

Please consider how valuable access to books is to so many. Thank you for your consideration.

Sincerely,

Patty Steele, M.Ed.
Library Media Specialist
Williston Basin School Dist. #7

NORTH DAKOTA
UNIVERSITY SYSTEM
ACCESS. INNOVATION. EXCELLENCE.

SB 2307
House Judiciary Committee
March 17, 2025
Corey Quirk, Core Technology Services, North Dakota University System
701.330.0446 | corey.quirk@ndus.edu

Good morning, Chairperson Klemin and members of the House Judiciary Committee. My name is Corey Quirk, Deputy CIO for Core Technology Services (CTS), within the North Dakota University System, I also have online with us today Mr. Jason Bedsaul, Director of ODIN, and we are here to provide neutral testimony on Bill 2307 and request $1.1 million general fund appropriation be added to the bill.

NDUS CTS's ODIN division supports libraries of all types - academic, public, school, and special - across North Dakota with authentication, licensing, and access services to shared electronic databases and online resources. These resources are popularly used in classrooms and libraries across the state, generating over 1 million searches monthly. While we do not take a stance for or against the bill, we do have some concerns related to Section 6 on SB2307 and the fiscal and logistical burdens it places on our organization and impacted member libraries.

While a lot of the testimony has focused on physical materials and placing things in cabinets or behind locked areas, ODIN provides electronic access to materials and simply do not have the same type of solution available.

ODIN is requesting fiscal support to improve our systems to help libraries with whatever requests and outcomes they are asked to comply with. While an upgrade in systems would not address all our concerns, it would address the primary aims of this bill to filter and block access to materials on an expanded definition of obscenity from K-12 patrons. Currently, the ODIN systems only authorize access by library, not by the individual. To comply with SB2307 and still allow selective, legal access to electronic resources, we would have to update the authentication systems and methods we currently use to identify patrons individually rather than by location.

The updated system would allow for NDUS and ODIN to continue to provide broad access and support to all libraries, while also complying with the expanded content filtering and access requirements of SB2307.

Fiscal Request – 2025 (FY26-FY27)

Implementation + 2 year Ongoing	$1,110,837.00
Ongoing per Biennium	$882,816.00

In conclusion, while we remain neutral on the merits of Bill 2307, it is crucial to consider the fiscal implications outlined here today. I urge the committee to carefully evaluate these financial impacts as part of your deliberations.

Thank you for the opportunity to provide testimony on SB2307. Director Bedsaul and I are available to answer any questions you may have.

We have a detailed quote from a vendor on the costs associated with updating our current systems to still comply with section 6 of SB2307 and continue to provide access to non-K-12 patrons.

Here's a summary table of those costs:

Library Type	Year One Total Cost + One Time Implementation	Year Two	Year Three
Academic	$125,480	$72,660	$76,293
School	$323,768	$181,949	$191,047
Public	$230,948	$176,033	$184,834
Totals	$680,195	$430,642	$452,174

My name is Barry Nelson, I reside in Fargo, North Dakota. I am writing in opposition to SB2307. I am married, semi-retired, the father of two and the grandfather of five, all North Dakota residents. I grew up in a family of readers, and this practice has been passed down through the generations. We all are robust users of our local library and value the great diversity of thought as demonstrated on their book shelves.

I have great respect for our professional librarians and administrators.

I believe there is a robust and effective way to make sure that appropriate materials reflecting the diversity of thought are on the shelves of our libraries.

I am adamantly opposed to a legislative body attempting to control the manner by which our libraries are managed and characterize these efforts as censorship.

We know that a healthy, robust democracy will not thrive under such censorship.

Please vote no on SB2307 and protect our rights as taxpayers and citizens.

Committee Chair and members of the committee, my name is Isabella Cody and I am here in opposition of House Bill SB 2307. I oppose this bill because as a parent I find this bill as the government deciding what is appropriate for my child. The government is not my child's parent, I am. Respectfully I may deem something inappropriate for my child, but that doesn't mean I think someone else's child shouldn't be allowed that item; That's the whole point of free speech.

Thank you for your time.

Chair Larson and members of the Senate Judiciary Committee, my name is Roxi Mathis. I am writing as a private citizen of Minot, ND.

I'll be short with my explanation for requesting a do not pass recommendation:

The language of the bill isn't clear and leaves too much room for interpretation with regard to what material is allowable and how it is to be separated from the rest. Most libraries will not take the risk and will just elminate the materials altogether. This is a problem because some people need materials about certain things like puberty and sex education. Another problem is that pulling these materials and/or making a separate area for them will cost money, wasting tax payer dollars.

This bill wouldn't solve any problems, it would only take power away from parents and give it to the state to decide what books they can or can't give their children. We want the government out of our personal business.

I urge you all to give Senate Bill 2307 a do not pass recommendation.

NDLA
North Dakota Library Association
Advocacy | Growth | Community

March 18, 2025

Chairman Klemin and Members of the House Judiciary Committee,

My name is Andrea Placher, and I am the President of the North Dakota Library Association (NDLA). The NDLA is a professional organization that represents library employees and supporters from various types of libraries, including school, public, academic, and special libraries throughout North Dakota. Our membership is diverse, comprising librarians, library staff, trustees, and friends from libraries of all types and sizes.

Today, I am testifying on behalf of our association in opposition to SB 2307. This bill is simply unnecessary, and I hope to demonstrate that today. Following the publicity libraries received during the 2023 legislative session, many of our citizens visited their community libraries. They witnessed firsthand what was truly happening and what their libraries were accomplishing. They discovered that North Dakota's libraries are exceptional and provide tremendous value to our communities!

To illustrate the increasing usage of our libraries, I would like to share North Dakota public library statistics from the last three years (2021-2023). As we are still at the beginning of the year, we have not yet gathered complete statistics for 2024. However, I have included data for the libraries for which we do have information (please see attached). This data not only demonstrates that our citizens are actively using their libraries, but also shows that our libraries are responsive to community needs by providing the resources that the public is requesting.

Libraries throughout the state have adopted policies and procedures established by their respective library or school boards. These guidelines help direct our purchasing, cataloging of materials, and provide a means for citizens to actively engage with their library's resources. The mission of libraries is to provide materials that reflect the diverse needs and interests of our communities.

There are several uncertainties in this bill that raise concerns and could result in unintended consequences, significantly hindering library operations in the state. The primary aim of this bill is to establish sections of libraries that are "inaccessible to minors." However, most libraries in North Dakota are smaller, one-room buildings, making it nearly impossible or prohibitively expensive to implement such changes. I would like to highlight our main concerns to help you understand.

NDLA
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March 18, 2025

Limited Budgets
It is widely recognized that libraries do not generate revenue. Constructing walls, adding extra bathrooms in the children's area, and installing separate entrances will incur costs for the citizens of North Dakota. If these changes cannot be implemented, it may lead to the complete removal of children's materials from libraries.

Staffing
High school-aged employees are usually essential for keeping libraries open during nights and weekends. They typically handle tasks such as shelving books and checking materials in and out for patrons. To comply with this bill, most public libraries in our state would be prohibited from hiring staff aged 17 and under.

Bookmobiles
In addition to its physical library buildings, North Dakota has the benefit of 11 bookmobiles as well as additional outreach vehicles such as vans and book bikes. These resources primarily serve daycares, preschools, rural schools, nursing homes, assisted living centers, and community centers. It would be nearly impossible to carry only adult or children's collections, so we would be faced with the dilemma of choosing one over the other.

Overdrive, also known as Libby
The bill also includes online databases, one of the most popular being Overdrive, also known as Libby. This platform provides library users with access to tens of thousands of eBooks and audiobooks. The content available is very similar to what you would find in a physical library, offering a wide range of choices for all users. If this bill is passed, access would be denied to anyone aged 17 and under.

Programming
Programs are essential to library services; however, many libraries lack dedicated programming rooms and instead host Storytimes in the main areas. Consequently, every space within these libraries could be considered “accessible to minors.”

NDLA
North Dakota Library Association
Advocacy | Growth | Community

March 18, 2025

The primary concerns about implementing SB 2307 include several key issues. Notably, parents or guardians will no longer be able to accompany their children while they browse the aisles. Additionally, there are concerns about minors having access to public computers, the necessity for extra staff in the newly constructed areas, and other related matters.

Library staff in North Dakota are dedicated professionals who genuinely care about the communities where they serve and live. We take pride in curating our collections and providing essential resources to our patrons. The increasing numbers in material circulation, program attendance, library card holders, and overall library visits demonstrate that our communities not only use the library but also support them.

Thank you for considering the concerns of the North Dakota Library Association regarding SB 2307.



Andrea Placher
President | North Dakota Library Association

Dear Legislators, March 17th 2025

I am writing you today as a private citizen. I work as a Teen Librarian. I have the honor of serving for over a decade at the same public library and I love serving my community's young people. My biggest focus on programming is STEM. Our most popular genre right now is mystery novels. Sex ed is not what I do on a daily basis. However, it's terribly important that our teens have access to correct information about a variety of subjects, including sex, when they need it.

A couple years ago, I was winding around my Teen area, shelving a few books, generally cleaning up when a young man walked in. "Casey" was very troubled after school. I asked him if he was ok. Sometimes, school is rough for a 9th grader. He told me that school was good today but that his little sister was dying. I was instantly very troubled and said I was quite sorry to hear that.

I asked what was wrong as I had seen her just days ago and she had been fine. Casey told me "She's bleeding into the toilet and she can't walk properly." I said "I see, did your parents tell you she was unwell?" "No, they won't talk at all, just look sad and worry." I asked Casey if it was possible his sister was having a period and he looked at me blankly and said "What's that?"

I found a teen puberty book to explain his sister's symptoms to him. The look of relief on his face was astounding to see. This unfortunate teenager had spent a whole weekend and a school day worried to death his 6th grade sister was DYING because his mom and dad were too uncomfortable to explain a simple biological process to him! Appropriate puberty information for both sexes is crucial to teen development and family ties. Anguish over a loved one's demise is no way for a teen to spend a weekend or a school day and by supplying our teens with correct information, we make their lives better.

A few months ago, I had a young lady in to a program who was not feeling well. After a talk with me, I discovered she had been having a period for over two weeks and was too embarrassed to confide in her father and her mother was deployed. She had run out of sanitary napkins and needed to borrow from the supplies I keep in my office. I sent her home with a puberty book to help her talk to her dad. Her father called to thank me the next week. She had been suffering from an ovarian cyst that needed medical attention. I shutter to think what could have happened if she had not talked to her dad. Many bad consequences could have developed: fertility issues in the future, loss of the ovary, infection, internal bleeding and even a risk of death. While some of our lawmakers may see this as a "Judgement of God" I believe we can do better by our children in North Dakota. We can offer modern medical care for example! No 15 year old should be dealing with this. If a book can ease this, give her the book!

Sex ed can feel scary. You want kids and teens to have the right information but not too much to destroy their innocence or give them more than they can handle. As a librarian, I prefer sex ed written by authors that have letters behind their names. Our families deserve to hear from real experts in the field. I try to have sex ed books for a variety of stages, early tweens and later teens, with a variety of viewpoints: spiritual, science based, and social to help teens and parents find the materials that work best for their child and their family views. It's not always an easy conversation for parents and many teens don't make it any easier. They feel uncomfortable and their humor can deflect from having a proper talk. Books that families can talk about together can ease the awkwardness and ensure all the information a teen needs is indeed covered. Sometimes we, as parents, neglect to cover the opposite sex's puberty experience which leads to misunderstandings. Sometimes we forget to explain that our kids can come to us when their bodies seem to be working strangely or are sick. Without good sex ed books, the old chestnuts of "You can't get pregnant on your first time" and "Having sex will make my relationship better." will proliferate throughout teen culture in our state. We must fight these lies with good information.

2307 takes away teen access to sex ed. Anyone can object to anything, leaving the library with no recourse and putting me in jeopardy of jail. In fact, this bill even attaches a million dollars per YEAR to prosecute librarians. If we have the money to worry about this, why can't we feed hungry kids, fix 200 potholes or lower property taxes for our seniors? That is half the money needed to run my larger library for a year. This law is redundant, unamerican, expensive, and makes as much sense as buying a hairdryer for feral Guinea pigs.

As we've seen above, even kids who attend public school might not understand everything they need to know about puberty WHEN they need it. Libraries provide trusted resources when our young people need them. Without well stocked libraries, teens will suffer, or turn to less reliable sources like their friends or dodgy Internet sites. This is not in North Dakota's best interests.

Pamela E Carswell

Teen Librarian

Mom of Three Wonderful Teenagers

Literate North Dakotan

9/11 Survivor Spouse

DR. JILL MANNING

Testimony of Jill Manning, Ph.D., LMFT, CCPS, EMDR, CCTP, BH-TMH
March 18, 2025, 9:00 AM Central (Remote Testimony)
House Judiciary Committee | Senate Bill 2307: Requiring Libraries and Schools to Protect Children from Accessing Obscene Materials

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Chairman Klemin and members of the House Judiciary Committee,

Thank you for the opportunity to testify in support of Senate Bill 2307.

I am Dr. Jill Manning, a Licensed Marriage and Family Therapist with twenty-five years of clinical and research experience specializing in the effects of pornography and sexual betrayal.

Underage Exposure Compounded by Schools and Libraries

Today, underage pornography exposure is tragically the norm (Carroll et al., 2025). While the internet pushes obscene material into children's lives through algorithms, tracking cookies, and deceptive marketing (Carroll et al., 2025; Manning, 2005), schools and libraries further this exposure by offering increasingly explicit content in their collections (Solas, 2023).

Nicole Solas, Senior Fellow with the Education Freedom Center, explains: *"These books do not simply provide clinical sex education describing anatomy and reproduction. They contain numerous pornographic passages and pictures meant to instruct children on sexual pleasure, to sexually excite children, or push…ideological views of sex" (Solas, 2023).*

Decades of research confirm early exposure to explicit content has profound and lasting consequences—neurologically, cognitively, behaviorally, psychologically, and academically (Carroll et al., 2025; Owen et al., 2012; Manning, 2006) [See highlights of key findings on pages 4-5].

What Adults Assume vs. What Actually Happens

Research shows adults grossly underestimate the harms of early exposure to explicit content (Wright et al., 2023). Many assume it's harmless, citing their own exposure as minors and believing they "turned out fine." However, today's explicit content is far more extreme, violent, and addictive than in years past.

When a 14-year-old picks up a sexually explicit graphic novel in a school library, their brain reacts in milliseconds—releasing dopamine, oxytocin, and adrenaline while triggering intense emotions. This physiological state will enhance retention of the content, and because the material is found in a trusted space, it carries implicit endorsement. Most teens will not discuss it with an adult but will revisit it in secret, leaving caregivers unaware. Graphic novels are particularly influential, as the brain processes images as more immediate and truthful than text.

Why Action Is Needed

The neurological impact of obscenity overrides rational control, hijacking informed consent, an essential component of intellectual freedom (Brief of Amici Curiae Scholars, 2024; Kühn et al., 2014; Draps et al., 2020). Some scholars even refer to obscenity as an erototoxin for this reason (Reisman, n.d.). With still-developing brains, minors are the most vulnerable consumers (Brief of Amici Curiae Scholars, 2024).

For those who claim sexually explicit material has educational value, consider its troubling outcomes: soaring STD rates among 15-24-year-olds, a disturbing rise in child-on-child sexual abuse, escalating dating violence, distorted views of sex, gender, and relationships, a sharp increase in choking during sexual encounters, and growing cynicism toward marriage—all set against the backdrop of a mental health crisis.

Parents across political spectrums now track explicit school library content on independent websites because no universal system alerts them to such materials (Solas, 2023). This is not an endeavor born of ample free time—it is a desperate response to a systemic failure. This is also not about censorship; it's about child welfare and parental rights. We apply age restrictions to movies, video games, and TV. Why are books exempt?

Balancing intellectual freedom with child protection is both possible and imperative. Our youth deserve access to high-quality materials that inspire excellence and growth while being shielded from content deemed legally obscene.

For these reasons I urge a DO PASS on Senate Bill 2307.

Thank you. I stand for questions.

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Highlights of Documented Harms of Pornography Exposure on Youth

1. Neurological Development:

- Exposure to pornography structurally alters brain regions responsible for impulse control, decision-making, and emotional regulation while also decreasing grey matter volume in the prefrontal cortex (Brief of Amici Curiae Scholars, 2024; Kühn et al., 2014; Draps et al., 2020).
- These structural changes then increase susceptibility to compulsive behaviors, including addiction (Brief of Amici Curiae Scholars, 2024).

2. Cognitive and Behavioral Risks:

- Pornography normalizes aggression and misogyny, especially when violent content is consumed (Manning, 2006), and *most* mainstream pornography *is* violent according to content analyses (Bridges et al., 2012).
- It also normalizes promiscuity and sexual violence (Manning, 2006), leading children to mimic what they see. A recent report out of the U.K. reveals children are now the largest group of perpetrators of sexual abuse against children, with pornography identified as the leading factor in the quadrupling of such offenses in recent years (The Guardian, 2024).
- Additionally, exposure fosters mechanical views of sex and triggers earlier sexual initiation, increasing rates of sexually transmitted infections over the lifespan (Manning, 2006), and relational dissatisfaction in adulthood (Willoughby et al., 2022).

3. Emotional and Relational Harms:

- Early exposure reduces empathy while increasing relational aggression and narcissistic tendencies (Kasper et al., 2014; Manning, 2006).
- It lowers self-esteem, distorts body image, and diminishes the ability to form secure attachments (Owen et al., 2012; Manning, 2006).

4. Mental Health Consequences:

- Pornography consumption correlates with higher rates of depression, anxiety, loneliness, delinquent behaviors, suicidality, and lower life satisfaction (Altin et al., 2024; McGraw et al., 2024; Owen et al., 2012).

5. Academic Performance:

- Research links pornography use to impaired academic performance by disrupting attention, reducing focus, and slowing cognitive function (Šević et al., 2019; Beyens et al., 2015).

References for Written & Oral Testimonies

Altin, M., De Leo, D., Tribbia, N., Ronconi, L., & Cipolletta, S. (2024). Problematic pornography use, mental health, and suicidality among young adults. *International Journal of Environmental Research and Public Health, 21*(9), 1228. https://doi.org/10.3390/ijerph21091228

American College of Pediatricians. (August, 2024). *The impact of pornography on children*. Retrieved February 7, 2025, from https://acpeds.org/position-statements/the-impact-of-pornography-on-children

Beyens, I., Vandenbosch, L., & Eggermont, S. (2015). Early adolescent boys' exposure to Internet pornography: Relationships to pubertal timing, sensation seeking, and academic performance. *The Journal of Early Adolescence, 35*(8), 1045–1068. https://doi.org/10.1177/0272431614548069

Braun-Courville, D. K., & Rojas, M. (2009). Exposure to sexually explicit websites and adolescent sexual attitudes and behaviors. Journal of Adolescent Health, 45(2), 156 162. (p. 157).

Bridges, A. J., Wosnitzer, R., Scharrer, E., Sun, C., & Liberman, R. (2010). Aggression and sexual behavior in best-selling pornography videos: A content analysis update. *Violence Against Women, 16*(10), 1065–1085. https://doi.org/10.1177/1077801210382866

Brief of Amici Curiae Scholars on the Neurological Effects of Pornography on Adolescents in Support of Respondent, *Free Speech Coalition v. Paxton*, No. 23-1122 (U.S. Supreme Court, filed November 22, 2024).

Carnes, P., Green, B. A., & Carnes, S. (2010). *The Same Heart: A Study of the Recovery Task in Sexual Addiction.* Sexual Addiction & Compulsivity, 17(1), 46-78.

Carroll, J. S., Willoughby, B. J., Wilcox, B., & Toscano, M. (2025). *Unprotected from porn: The rise of underage pornography use and the ways it is harming our children*. Wheatley Institute and the Family Studies Institute. https://wheatley.byu.edu/00000194-4cf9-d31a-a79f-cffb5fff0000/unprotected-from-porn-report-pdf

Centers for Disease Control and Prevention. (2022). Sexually transmitted infections on the rise among adolescents and young people. *The Lancet Child & Adolescent Health, 6(6)*, 327. https://doi.org/10.1016/S2352-4642(22)00128-6

Children's Commissioner. (2016). *Online pornography: Young people's experience of seeing online porn and the impact it has on them*. https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/06/MDX-NSPCC-OCC-Online-Pornography-CYP-Version-16.5.17.pdf

Common Sense Media. (2023, January 10). *Teens and pornography.* https://www.commonsensemedia.org/research/teens-and-pornography

Dickenson, J. A., Gleason, N., Coleman, E., & Miner, M. H. (2018). Prevalence of distress associated with difficulty controlling sexual urges, feelings, and behaviors in the United States. *JAMA Network Open, 1*(7), e184468. https://doi.org/10.1001/jamanetworkopen.2018.4468

Draps, M., Sescousse, G., Potenza, M. N., Marchewka, A., Duda, A., Lew-Starowicz, M., Kopera, M., Jakubczyk, A., Wojnar, M., & Gola, M. (2020). Gray matter volume differences in impulse control and addictive disorders—Evidence from a sample of heterosexual males. *The Journal of Sexual Medicine, 17*(9), 1761–1769. https://doi.org/10.1016/j.jsxm.2020.05.007

Kasper, T. E., Short, M. B., & Milam, A. C. (2014). Narcissism & internet pornography use. *Journal of Sex & Marital Therapy.* https://doi.org/10.1080/0092623X.2014.931313

Kühn, S., & Gallinat, J. (2014). Brain structure and functional connectivity associated with pornography consumption: The brain on porn. *JAMA Psychiatry, 71*(7), 827–834. https://doi.org/10.1001/jamapsychiatry.2014.93

Manning, J. C. (2005, November 9). *Testimony on pornography's impact on marriage & the family.* Hearing before the Subcommittee on the Constitution, Civil Rights, and Property Rights, Committee on the Judiciary, United States Senate.

Manning, J. C. (2006). The impact of internet pornography on marriage and the family: A review of the research. *Sexual Addiction & Compulsivity, 13*(2–3), 131–165. https://doi.org/10.1080/10720160600870711

McGraw, J. S., Grant Weinandy, J. T., Floyd, C. G., Hoagland, C., Kraus, S. W., & Grubbs, J. B. (2024, March 7). Problematic Pornography Use and Suicidal Thoughts: Results From Cross Sectional and Longitudinal Analyses. Psychology of Addictive Behaviors. Advance online publication. https://dx.doi.org/10.1037/adb0000996

Mori, C., Park, J., Racine, N., Ganshorn, H., Hartwick, C., & Madigan, S. (2023). Exposure to sexual content and problematic sexual behaviors in children and adolescents: A systematic review and meta-analysis. *Child Abuse & Neglect, 143*, 106255. https://doi.org/10.1016/j.chiabu.2023.106255

Owens, E. W., Behun, R. J., Manning, J. C., & Reid, R. C. (2012). The impact of internet pornography on adolescents: A review of the research. *Sexual Addiction & Compulsivity, 19*(1–2), 99–122. https://doi.org/10.1080/10720162.2012.660431

Rasmussen Reports. (2022, October 3). *Voters against obscene books in public schools.* Rasmussen Reports. https://www.rasmussenreports.com/public_content/politics/partner_surveys/voters_against_obscene_books_in_public_schools

Reisman, J. (n.d.). *Porn as erototoxic.* The Reisman Institute. https://www.thereismaninstitute.org/porn-as-erototoxic

Šević, S., Mehulić, J., & Štulhofer, A. (2019). Is pornography a risk for adolescent academic achievement? findings from two longitudinal studies of male adolescents. *European Journal of Developmental Psychology*, *17*(2), 275–292. https://doi.org/10.1080/17405629.2019.1588104

The Guardian. (2024, January 10). *Children now biggest perpetrators of sexual abuse against children*. Retrieved from https://www.theguardian.com/society/2024/jan/10/children-now-biggest-perpetrators-of-sexual-abuse-against-children

Willoughby, B. J., & Dover, C. R. (2022). Context matters: Moderating effects in the associations between pornography use, perceived addiction, and relationship well-being. *The Journal of Sex Research.* https://doi.org/10.1080/00224499.2022.2148155

Wright, P.J., Herbenick, D., Paul, B. *et al.* U.S. Parents Underestimate Their Children's Pornography Use and Learning. *Arch Sex Behav* 52, 373–383 (2023). https://doi.org/10.1007/s10508-022-02449-7

I am writing in opposition of SB 2307.

As a former rural school board member, a parent whose children use our public libraries, and an American Citizen, I oppose this bill which restricts my and other American's right to read whatever we want without censure from our legislators or fellow citizens.

If parents are concerned about what their children will find in a public library, the answer is simple – they should accompany their child and monitor their library withdrawals. This does NOT give them the right to dictate what is or is not collected by the library, nor does it give them the right to restrict my access to library materials.

This bill is unnecessary and a waste of time and resources.

Henry Borysewicz
Larimore, ND

Dear Representatives,

My name is Melinda Obach, and I am an educator and enthusiastic library patron in Dickinson, North Dakota. Please do the sensible thing and vote NO on SB 2307. North Dakotans do not want book bans; North Dakotans do not want to see librarians arrested, fined, or jailed for doing their jobs (which provide an extremely valuable service to our communities); North Dakotans do not need to be told by out-of-state fringe groups which books we can and cannot read. I trust families and I trust librarians.

This bill does more harm than good. Just to name a few, it would cost libraries exorbitant amounts of money to remodel to fall in line with the bill's requirements (I like how the Dickinson Area Public Library already uses their funds: to provide our area with tons of activities, social gatherings, resources, digital literacy, and books for ALL), and it would vilify librarians. Librarians! People who take such pride in their work in making communities more literate, safer, accessible, and inclusive.

Again, there is NO pornography in children's sections of libraries. Why this lie continues baffles me. And there are already procedures in place at all libraries for a book to be reviewed. This bill is an unnecessary waste of time and energy.

Public libraries are, in my opinion, the greatest resource a town can have. Do not hinder access to them. Do not denigrate them and their staff. Do not pass this bill.

Thank you,

Melinda Obach

Dear Members of the House Judiciary Committee:

Vote NO on SB 2307

Our local library already follows established policies, and North Dakota has laws to prevent obscenity. Decisions about library materials should remain with local governments and library boards—not be dictated by unnecessary legislation.

SB 2307 imposes excessive restrictions and puts librarians at risk of criminal or financial penalties simply for doing their jobs. Our small, one-room county library, shared with an elementary school, is carefully organized by age, and our librarian already manages an immense workload to maximize resources. Library policies are in place to protect patrons and are available both in person and online.

As a parent, I have guided my child—a once-struggling reader—through her literary journey. Now in 6th grade, she has made great progress and reads at her grade level. When she chose a book with mature themes, we discussed its content, and I allowed her to read it. Parents should have the right to make these decisions, rather than having books removed due to broad restrictions.

Banning books, particularly those with LGBTQ+ themes, limits students' ability to explore diverse perspectives. Instead of restricting access, we should foster open dialogue and acknowledge the realities children encounter daily through media, peers, and personal experiences.

High school libraries, a crucial resource for students, face significant risk under SB 2307. Libraries have long followed publisher guidelines and district policies, yet this bill creates unnecessary barriers that could force them to close. Dedicated librarians should not be punished for their commitment to education and access to knowledge.

If this bill passes, our community could lose an essential resource. **Please stand with us and oppose SB 2307.**

Thank you,

Traci Lund

My name is Hilary Mehrer. I am a wife, mother of two adult children, former preschool teacher, small business owner, coordinator of our county food pantry and most recently a librarian. The library is a very large part of my life. I am not only a person who uses the library and the services it offers but I also get to see firsthand the people it serves.

One of the greatest things I get to see as a librarian is families using the library together. They start in the children's section picking out books and reading together. They may even pick out a DVD for family movie night. Then the adults move on to the fiction or mystery section of the library to choose their own books to enjoy. The children may be sitting at a table reading their new books or walking beside their parents asking them questions about what books they are going to check out. Please do not make this an impossible scenario because for many libraries in the state of North Dakota this bill would make that happen.

Story Time, STEM activities for elementary age children, the Summer Reading program. These are three popular programs we provide at the library. Programs that utilize our entire library as space is limited in the children's section. These would need to be cut as the vagueness of this bill instills fear by introducing the possibility of a Class B misdemeanor for librarians.

SB 2307 is a piece of legislation that is just not needed. Libraries already have an evaluative process used to choose their collections. That includes material for adults, teens and children which are appropriately categorized. Libraries also have a procedure so that patrons can object to materials they find offensive. Have any of you reached out to your local librarian to ask how many books have been challenged at the library you use?

This bill not only carries unknown legal burdens on our local libraries, it is also fiscally irresponsible to pass this bill. Small rural libraries do not have the funds to make physical changes to their building. They do not have the funds to provide age verification software for databases such as Libby. The limited budget libraries have is used for growing collections and maintaining and expanding programming.

I urge a Do Not Pass recommendation for SB 2307. Thank you.

Hilary Mehrer

WEST FARGO PUBLIC LIBRARY

Testimony in Opposition to SB2307
Presented to the House Judiciary Committee
Prepared by Jenna Kahly, Library Director, West Fargo Public Library
Tuesday, March 18, 2025

Representative Klemin, Chair and members of the Judiciary Committee,

I am writing to express my strong opposition to Senate Bill 2307. I have worked in libraries for 20 years in various roles at every level. What I've learned during that time is that every person who enters a library has their own goals, values, and needs. We, as librarians, are doing our job well when we connect people with the most appropriate information, media, and entertainment for their unique situations.

Library workers take seriously our responsibility to protect and enrich the lives of children. We also take seriously the responsibility of ensuring all members of our community have access to a comprehensive collection of materials, resources, and opportunities that help them achieve their goals, strengthen our communities, and promote lifelong learning.

In recent years, our library has seen significant growth in usage, with more people using traditional library services than ever before. Circulation has increased more than 61% since 2019. In 2024, nearly 70% of our circulation was of traditional physical library materials checked out from our building.

Our residents trust and love their librarians and place value on access to knowledge, literacy programs, and the public services that our library provides. We do our job well.

The West Fargo Public Library has robust policies and procedures in place to ensure materials in our popular collection are carefully curated, appropriate for our library, and placed in the proper collection.

Before an item is placed in our collection, it goes through multiple levels of review by our team of professionals following professional standards and our Collection Management Policy. Materials are regularly reviewed while they are in our collection, as they are checked in and during our weeding process.

Our robust policies and procedures include a formal request for reconsideration process. In the last 8+ years, we have not received a single request for reconsideration voicing opposition to an item from our residents or library users. Our patrons have confidence in our staff and collection management processes. They continue to use the library more than ever before. Our policies and procedures are working as written.

This legislation would impose unnecessary barriers and financial implications for libraries like West Fargo Public Library, which already have policies in place for collection management and are doing our job well. Changes would cause significant and costly burdens on our library, added barriers for residents, unnecessary structural changes to our humble facility, and limitations on resources available to our growing patron base.

To comply with the bill as written, all youth and adult materials must be physically separated to ensure adult materials are "not easily accessible to minors." Because of the layout of our library, we would need to create physical barriers and reroute traffic in our library. Doing this in our library would result in:

- At least a 25% reduction in non-youth materials to move our Large Print, Audiobook, and DVD collections upstairs
- Significant costs to create a physical barrier to stop kids from being able to have access to the stairs ($8000 per estimate from YHR)
- Youth being denied access to upstairs, which means no youth programs will be permitted in our meeting rooms, resulting in reduction of program offerings

Implementing this bill would create a domino effect of issues with accessibility for patrons, especially elderly patrons, those with mobility issues, and families.

- To ensure children cannot go upstairs using our elevator, it would need to be operated by staff key access only, which means adults with mobility issues needing to get upstairs will require a staff person to accompany them.
- Children and families may not have access to a restroom when visiting the library, as our primary restrooms are upstairs. Downstairs restroom access could be lost at any time, as those bathrooms are not part of the library's lease and belong to the school.
- Parents will no longer be able to have their child with them when browsing the adult collection. This is unsafe and a violation of our unattended child policy.

The bill's language would require significant investment in changes to electronic resources or would prevent us from offering them at all.

- A recent quote to provide age verification to some of our databases like Libby/Overdrive would cost $4500 just for the first year, with annual subscription costs increasing overtime.
- Significant cost of the required age-verification software to continue offering Libby/OverDrive would result in the reduction of other library services and funds for programs like our Summer Reading Program for children.

In conclusion, the West Fargo Public Library is an example of one of hundreds of North Dakota libraries that already implement strong policies and are trusted by taxpayers but would greatly suffer if this bill was enacted.

As a Library Director and a mother, I firmly believe that this bill would not enhance child protection but would instead create unnecessary barriers to access, eliminate essential library services, and disrupt the very structure that makes the local library a welcoming place for all.

I urge a Do Not Pass on this bill. Please allow libraries to continue serving our communities effectively and efficiently, as we currently do. Thank you for your time and consideration.

Sincerely,



Jenna Kahly, Library Director

West Fargo Public Library

Dear Lawmakers- Please Strongly SUPPORT SB 2307 to remove pornographic books from our libraries! These children are God's gifts to us to nurture and protect. Mark 10:14-16"Let the little children come to Me, and do not forbid them; for such is the kingdom of God. Assuredly, I say to you, whoever does not receive the kingdom of God as a little child will by no means enter it." And He took them up in His arms, laid His hands on them, and blessed them. This bill is all about innocent children and not librarians. An animal even knows to protect its young.These sexualized books have no place in our school libraries! They belong in an adult bookstore not for little children to be looking at! What ever happened to Cat in the Hat, Dick and Jane, Old Yeller? Aren't these the types of books that even our grandparents grew up with?! They

would roll over in their graves if they knew the kind of garbage that kids even in preschool are exposed to! Recently, just saw an email of books that kindergarten age kids were exposed to and they contained naked people in bondage gear and they were in a pride parade kind! Stop the sexulization of our children! Do we have a bunch of pedophiles wanting this?! Isaiah 5:20- Woe to those who call evil good and good evil, who put darkness for light, and light for darkness. Because anyone wanting these horrible materials available to kids must be and pretty sick and twisted individuals! Please SUPPORT SB2307 and have a backbone and stand up for our children!

Hello. I am writing to strongly oppose Senate Bill 2307.

During the last session, the legislature passed a law requiring libraries to deal at the local level with requests to remove books (despite the fact that most libraries already had such policies in place). Libraries must currently submit a report of complaints about books (there have been virtually none).

Requiring libraries to physically separate books that fall under a vague definition of "inappropriate" (in some people's minds) would be a financial burden, especially for small libraries. It would potentially include such popular, mainstream authors as Stephen King. (Don't forget Biblical books like Ecclesiastes and the Song of Solomon!) It would cost over $1.1 million to reconfigure school library databases, and who knows how this could even be managed through the widely used Libby app used for electronic borrowing (which has positively impacted statewide and rural access to library books and materials)?

Even worse than the few foisting their reading tastes on the many, this proposed law could criminalize librarians and library staff members.

Censorship like this – and really, it's hard to find a different word for it – is not the way we should go in freedom-loving North Dakota. Our legislature does not need to be in the business of deciding which books libraries should offer and which books citizens and communities may choose to read.

Please vote NO on SB2307.

Sincerely,

Karen M. Stensrud
2621 12th St. S.
Fargo, ND 58103

Melissa Lloyd

Assistant Director

Valley City Barnes County Public Library

assistantdirector@vcbclibrary.org

410 Central AVE N

Valley City, ND 58072

www.vcbclibrary.org

3/14/2025

House Judiciary Committee,

I am reaching out to you to oppose SB 2307,

My name is Melissa Lloyd, I'm a mom, taxpayer, librarian, and reader. I am opposed to SB 2307 for several reasons.

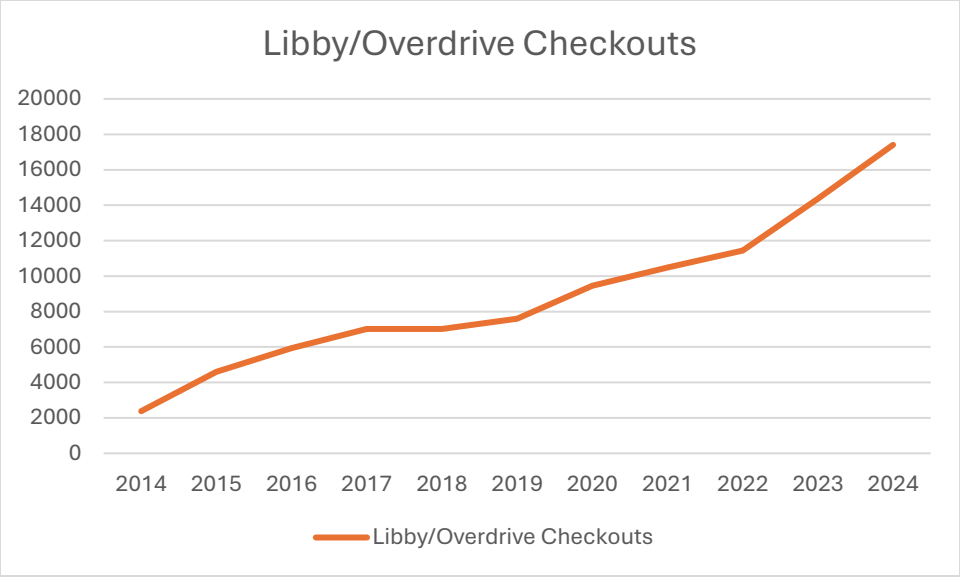
#1) As a mother, I decide what my children read, and take responsibility for them when they visit any library. I do not expect the Librarians to parent my children, and I don't want anyone else telling them what they can and cannot read. SB 2307 would restrict access to reading material with valuable information.

#2) Feasibility the constraints of this bill are not realistic, some libraries, including the one I work at, a 1903 Historic Carnegie Library, does not have the ability to "build locked cabinets" there is no place for it to go, and it would be impossible to make it only accessible to adults. Which also defeats the philosophy of "Libraries are for Everyone."

#3) Student Staff and volunteers would not be allowed to work in the library. Most of them are under the age of 18 and they learn valuable on the job training skills, as well as customer service skills in the library they can then put on a resume to prepare them for the workforce.

#4) Redundancy, libraries already have collection development policies, and request for reconsideration procedures in place for items people don't think is appropriate, this bill would draw out the process, wasting taxpayer time and money as well as the State's Attorney's.

#5) Loss of Services, the use of Libby at the VCBC Public library has increased steadily since 2014, as shown in the data collected from our library's statistics. Jumping from 2380 checkouts per year to 17,408 checkouts per year. If SB 2307 passes it will require age verification software that many libraries, including ours, cannot afford. The choice of libraries will be to no longer provide the services or increase funding to pay for the software, which will affect the taxpayers.



VCBC Public Library Overdrive Usage from 2014-2024

SB 2307 will create more problems than it solves. It will hurt the communities that libraries serve and restrict access to materials.

Please vote No on SB 2307,

Thank you for your time and consideration,

Sincerely,

Melissa Lloyd

Assistant Director

Valley City Barnes County Public Library

assistantdirector@vcbclibrary.org

Committee Chair and Members of the Committee, my name is Katelyn Dunkley and I am writing today in opposition to House Bill 2307. I oppose this bill because of the unnecessary damage it will cause to the library systems of North Dakota.

I have worked as a librarian for 2 years now. Many people hear what I do and assume that because I'm a librarian, my job is only about books and information. While books and information are a huge part of my job, I've learned that being a librarian is actually about serving other people. Everything we do in libraries is ultimately for the benefit of another human being, whether that's helping someone use our copy machine, sign in to our WiFi, find books and other educational materials, access newspaper archives, or simply giving community members of every demographic a safe place to gather, work, learn, and play.

Bill 2307 is a threat to all of those things.

If this Bill should pass, my small, one-room library will instantly face challenges that will severely limit our ability to serve our community. We do not have the space or resources to put up new walls around our fiction and nonfiction, and to do so would mean cutting programs such as Story Time, Teen Game Nights, and other events that exist to provide the community with free, wholesome activities. I fear that doing so would also lead our patrons, especially teens and children, to feel unwelcome and unwanted in a space cultivated to benefit them.

I am also afraid for the good people I work alongside. My library director is an incredible, kind, and intelligent woman who works tirelessly to bring helpful resources and joyful experiences to our community. I have watched her work late into the night, on weekends, and on holidays, and I admire how she handles every issue that arises in our library with careful consideration and total competency. My heart aches at the thought that she could face undue criminal charges as a result of this Bill.

Libraries are safe. There are already laws in place to protect children from sexually explicit materials, and we have created processes that enable concerned patrons to petition for books to be removed from our collections.

Bill 2307 is unnecessary and presents a very real danger to the welfare of not only libraries, but the people they serve. I implore you to trust in your North Dakota librarians. They are caring, capable individuals who love their communities and already work hard for the benefit and protection of children and families all across the state. I implore you to protect our libraries by voting NO on this Bill.

Thank you for your time, and for your service as our legislators,

Katelyn Dunkley

House Judiciary Committee

SB 2307

March 18, 2025

Representative Lawrence Klemin, Chair

Summary:

- The City of Bismarck **opposes** SB 2307
- Local issue with existing policies in place
- Confidence in Bismarck Veterans Memorial Public Library Staff and Established Policies

Testimony:

Chairman Klemin and Members of the House Judiciary Committee:

On behalf of the City of Bismarck, I am Jason Tomanek, City Administrator and today I offer testimony in opposition to SB2307. The Bismarck Board of City Commissioners has discussed the proposed language in SB2307 and expressed concerns with creating a process governed by State law which would duplicate a local process that is currently, and effectively utilized to address issues related to content of concern identified by library patrons. As a result of HB1205's passage during the 68th Legislative Assembly, the Bismarck Veterans Memorial Public Library established a process administered by library professionals, many of whom have a master's degree in library science and related professions. This process ensures patrons in Bismarck are provided the opportunity to have their concerns related to materials and content within the Library's collections considered at the local level by trained and educated professional staff.

Proposed language in SB2307 supporting a "penalty" against a public librarian is concerning as well because it causes additional work for county-level state's attorneys and the potential for a public library employee to be charged with a crime and prosecuted in court. Public library professionals and the municipal government agency that employs them could become engaged a very costly legal matter during a time when local municipal budgets are exceedingly more challenging to manage due to inflationary factors, increased labor rates, and higher utility fees. Despite on-going funding and budget challenges, many libraries throughout North Dakota continue to provide a high-level of customer service to residents, businesses, and library patrons that have grown to expect these services. Further burdening the local jurisdictions with unforeseen legal expenses would jeopardize a local government's ability to continue funding its library, staff, and the programming local residents enjoy, support, and rely upon as a contributing factor to the quality of life in the community.

The City of Bismarck **opposes** SB2307 because it would create an unnecessary burden of redundancy for library patrons; cause an unfunded, and undue workload on county-level legal professionals outside a municipal organization; and eliminate a municipal government's ability to effectively and professionally provide the support and services desired by residents and patrons of the local public library.

Respectfully,

Jason Tomanek, City Administrator
City of Bismarck
jtomanek@bismarcknd.gov
701.355.1300

Yes on SB 2307

Dear Representatives,

I am writing to you to ask you to vote yes on SB 2307.

- The public libraries should not be a place for sexual material to be accessed by minors.
- Parents should not have to worry about what their children might see at a public library, accidental or not.
- I should not have to cover my children's eyes in a public library.
- The person responsible for displaying sexual material should face punishment, just as a person would for sharing sexual content digitally with a minor.

Please pass SB 2307 for the protection of our children.

Thank you,

Carmen Troutman

District 23

March 17, 2025

To the House Judiciary Committee Members—

My name is Karen Haas, I am a resident of Bismarck, North Dakota and I am writing today to urge a do not pass recommendation on SB 2307.

I believe this is an unnecessary and wasteful bill. Procedures are already in place at the libraries in the state to review inappropriate content (isn't that what HB 1205 does?). When my kids were younger and we went to the library, it was my responsibility to go over their reading choices not the state's. Now on occasion, I get to take my grandkids to the library. I go over their choices with them, again my responsibility not the state's.

You know who has always provided an assist for me? Librarians. Highly trained professionals who have the knowledge, training and standards to choose appropriate materials for their communities. I trust the librarians and I've not been disappointed. To threaten these professionals with legal action in the performance of their job is just plain wrong.

The bill throws around terms like "reasonable adults". How is reasonable defined? I don't consider this bill to be reasonable at all by my reasonable adult standards.

Thank for your time.

WARD COUNTY PUBLIC LIBRARY

Phone 701-852-5388
Toll Free 1-800-932-8932
PO Box 5005
Minot, ND 58702
225 3rd St. SE
Minot, ND 58701

March 17, 2025

Chairman Klemin and the Members of the House Judiciary Committee,

My name is Kerrianne Boetcher, and I am the Ward County Public Library Director in Minot, North Dakota. I am asking you to oppose SB 2307 and joining my fellow librarians in asking you to do so.

I have a few areas of concern with this bill. Many of our smaller and mobile libraries are one-room, including all three locations (one being a mobile library) of my library. As such, the entire library is accessible to minors. Both our branch in Kenmare and the Minot branch do not currently have a way to rearrange the library to make it possible for the adult section to be one hundred percent separate from the children's section. The Kenmare branch does not have a location suitable for a cupboard, as we already utilize every available space for patron use. To comply with this bill, these libraries must either build walls and new doorways or not allow minors. Even if we added cupboards for books, obtaining and locating the cabinets within the library would cost money. A mobile library typically has no space for a cabinet to be added to the space. Ward County purchased a brand-new bookmobile in 2023/2024. With limitations on weight and space, the bookmobile was designed for maximum shelving and leaves no extra space to separate books. We would also be removing access to the materials for adults who may not want to ask a librarian's permission to view a book.

Secondly, many of our public and school libraries already have policies for reviewing library collections and for parents to express concerns about available materials. They are part of our policies that are evaluated regularly for consistency and to ensure they are still meeting the needs of our local communities. Public Libraries are required to have these in place as a result of HB 1205, which was passed last session. In short, the processes and procedures are already in place, making this bill unnecessary and redundant.

Thirdly, a person could define digital or online library databases to include our informational databases or our e-book library. Local libraries do not control how books are classified for e-books. That is left up to the distributor. If the distributor refuses to reclassify a book, the North Dakota library could lose access to the e-books. Our older population would also lose access to these materials if libraries were to lose access to the digital library.

If a person were to click on a link that went out of the database, that would be beyond the library's or the database's control. Public Schools and Public Libraries that receive federal

funding are already required under the Children Internet Protection Act (CIPA) to have the filters on their school and/or library devices. However, this bill addresses what minors may access on their home computers. In effect, libraries would need to filter internet access for every North Dakota resident at their place of residence to make it possible.

This also raises questions about the feasibility of making the necessary changes to our databases on a state-wide level. There is not currently any specification on who is in charge of the database review process or who is responsible for verifying the compliance procedure.

As a library professional, whether a minor should have access to reading a particular subject is best left up to their parents and/or guardians. It should not be left to an outside entity without knowledge of the minor and their development. Libraries are uniquely positioned to serve parents who want their children to access certain books and parents who do not want their children to access certain books. We must serve both populations in the best way possible. My beliefs and viewpoints should not dictate what another person may or may not want to read.

Libraries are vital to North Dakota and our small communities, and it is essential that we remain a place where everyone can access the materials they want. Please support libraries in North Dakota and vote in opposition to SB 2307 as proposed.

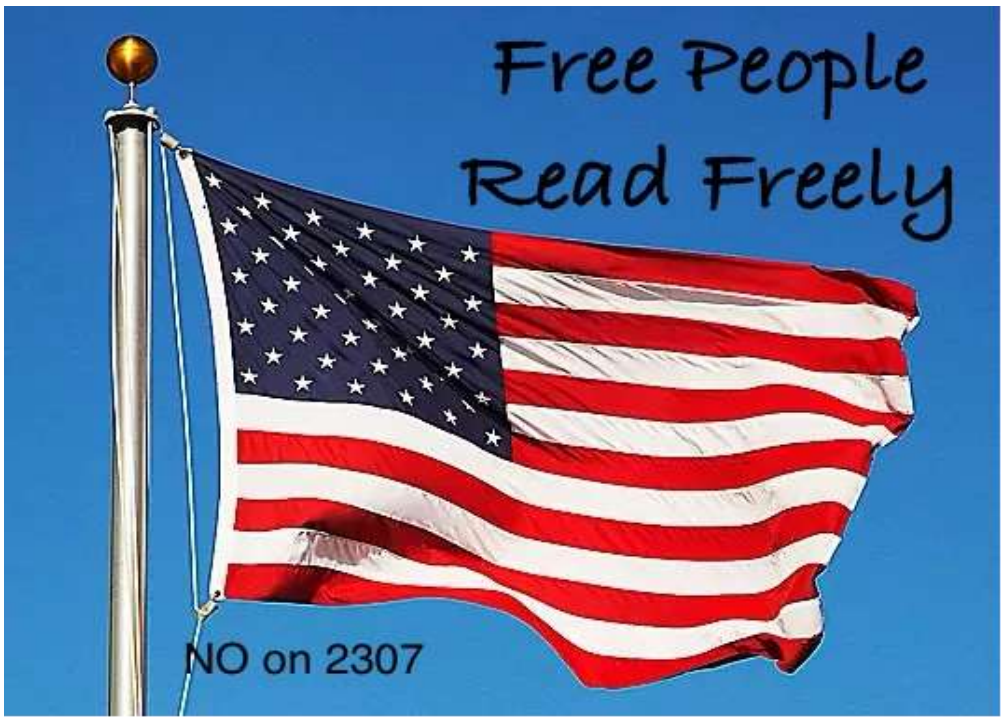
Respectfully,



Kerrianne Boetcher

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





Remember only NAZIS, COMMUNISTS and TOTALITARIANS would ever ban books!

CONCERNED WOMEN for AMERICA
LEGISLATIVE ACTION COMMITTEE

March 18, 2025
House Judiciary Committee
Testimony in Support of SB 2307

Chairman Lawrence Klemin and members of the House Judiciary Committee, I am Linda Thorson, State Director for Concerned Women for America (CWA) of North Dakota. Today, I am testifying for Concerned Women for America Legislative Action Committee in support of SB 2307.

As the largest public policy women's organization in the nation and our state, Concerned Women for America (CWA) of North Dakota urges you to protect minors by establishing required safety policies and technology protection measures for compliance with statutes protecting minors from explicit sexual material.

This legislation has been falsely labeled by some as the "book-banning bill". That nickname is not factual. The primary objective of this legislation is to protect children from exposure to explicit or obscene materials in taxpayer-funded public and school libraries by establishing clear guidelines on what constitutes explicit sexual material and ensuring minors do not have easy access to such content. The definition of explicit sexual material found in Section 1 of the bill, aligns fully with the well-known Miller test, established in Miller v. California (1973), to determine whether a work is considered obscene.

How does this bill impact the availability of certain books in libraries?

- Books and materials deemed obscene under the Miller test may still be available but must be moved to sections not easily accessible to minors.
- Materials that contain explicit content but have educational, literary, or scientific value would not be subject to restriction.
- The bill parallels current North Dakota obscenity laws, reinforcing regulations that prevent the distribution of obscene materials to minors.
- Definition of Public Library: The bill does not significantly change the definition but clarifies libraries' responsibilities in compliance with the new restrictions.
- Standards for determining Obscenity: The Miller test remains the primary standard.
- Distinguishing Minor and Adult Content: Materials that fail the Miller test are restricted for minors but remain accessible to adults.

CONCERNED WOMEN FOR AMERICA OF NORTH DAKOTA
P.O. BOX 213 | PARK RIVER, ND 58270 | DIRECTOR@NORTHDAKOTA.CWFA.ORG | 701-331-9792
FACEBOOK: CONCERNED WOMEN FOR AMERICA OF NORTH DAKOTA

- Criteria for “Harmful to Minors”: A book must meet all conditions of the Miller test to be considered harmful.

CWA of ND supports this bill as it is not banning books at all but rather enhances the policy that children should not be exposed to such materials in a taxpayer-funded institution.

The Introduction to the 2023 Report to Congress by the National Strategy Conference on Combating Child Exploitation states:

> “Preventing and interdicting heinous and destructive acts of child exploitation is extraordinarily difficult work. Child exploitation crimes and the threats facing children have been exploding in scale, complexity, and dangerousness with the rapid expansion of digital technology. While devoted agents, prosecutors, analysts, victim service coordinators, and many other professionals have made significant progress protecting the most vulnerable in our society, there is more work to be done.”

Safety policies and technology protection measures as outlined in SB 2307 are urgently needed and can be done.

Concerned Women for America of North Dakota Legislative Action Committee urges a “do pass” recommendation for SB 2307.

Good morning, Chairwoman Larson and members of the Judiciary committee. My name is Lisa Aune, I am the Vice President for the Dickinson Area Public Library in Dickinson, ND. I was submitting my testimony in favor of Senate Bill 2307. A “DO PASS” is what I am requesting.

I am a mother of six children and three grandchildren. All of whom live in North Dakota. I do not feel comfortable having my family browse around any public library in recent years. I have seen explicit sexual material that is readily available for their review. Some of these materials have been showcased or displayed to draw children in. Some of the content in question is buried within the books. Finding it hard to allow parents to vet every book being checked out by children. These types of books are not only available in our public libraries, but they are also available in school libraries through bookmobile services as well as on the school shelves.

This bill is aimed at protecting those that are not quite ready to protect themselves. Allowing this bill to pass will ensure that North Dakota is ready to protect our youth until our youth is old enough to make their own decisions. Education on some of the more complex recent cultural issues like gender identity or self-awareness and information on reproduction and puberty are important. However, that can be done when the parents are ready to address the educational moments when their children are emotionally ready to handle such delicate issues.

Again, I am asking for a DO PASS on Senate Bill 2307, to protect our children.

Thank you for listening to my testimony.

North Dakota State Library

Testimony on SB2307
State Librarian Mary Soucie
Senate Judicial Committee

Chairman Klemin and members of the committee,
For the record, I am State Librarian Mary Soucie, and I am providing information on SB2307.

Section 7.2(a) of the bill requires that if a public library is notified of a violation by the state's attorney and fails to comply, it must then be reported to the treasurer to withhold funds until the library complies with the statutory requirements. The State Library initiates payment requests for all library types for grant reimbursements, the State Aid for Public Libraries program, and reimbursements related to lost or damaged library materials. I request that the reports related to public libraries be submitted to the State Librarian. We will work with the Superintendent of Public Instruction to coordinate the sharing of information related to school libraries.

The State Library conducted a survey of the library community in February 2025 to gather information on the number of reconsideration requests received during the last three calendar years for public libraries and last three school years for school libraries. A visual overview of the information collected is attached to my testimony. 92 of the libraries reported that they have a collection development policy, either as a standalone policy or as part of the curriculum policy. 7 libraries reported receiving reconsideration requests for a total of 34 titles in the three years. One thing to note is that in 2022, out of the 20 reconsideration requests, one library received 12 requests for one book and another library received 5 requests for a different book. Several of the libraries that responded to the survey reported having conversations with concerned parents or patrons about specific titles. Most of the concerns were able to be resolved without the citizen utilizing the formal reconsideration process.

HB1205, which was passed during the 68th Legislative Session, required public libraries to adopt policies and procedures to ensure compliance with the new legislation. The bill also required the libraries to submit a report to Legislative Management before May 1, 2024, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section. The State Library collected the reports from the libraries and provided a summary to the Juvenile Justice Committee in May 2024. Most, if not all, of the K-12 schools have either a collection development policy that is specific to the library or include library materials in the curriculum policy.

I would like to provide information on the Online Library Resources, or databases, that North Dakota students and citizens have access to. North Dakota, South Dakota and Minnesota participate in a joint purchase of resources which provides significant savings. We purchase 5 packages or bundles, which include over 50 different resources; local libraries pay a portion of the costs for those resources based on a formula. Minitex, which is part of the University of Minnesota, coordinates the procurement of those resources and holds the contract for them. The Online Dakota Information Network, or ODIN, pays the bill for the resources when it is received from Minitex in July and then collects the library's portion throughout the fiscal year, as determined locally. Additionally, the State Library purchased seven Online Library Resources directly from the vendor; NDSL holds those contracts.

Individual libraries may add additional resources for their local patrons. In 2023, the statewide Online Library Resources had over 12 million searches completed. ODIN provides authentication to access the resources based on library card number. Currently, the software being utilized does not provide the ability to authenticate at a more granular level such as patron category (adult, juvenile, etc.). The included fiscal note will allow for a more robust authentication system to be utilized which will allow verification based on age. Some of the Online Library Resources vendors allow individual libraries to choose to not allow access to individual articles within the database but that removes access for all users, not individuals. The authentication system that is being proposed will allow access to be authenticated for individuals rather than by location.

The Children's Internet Protection Act, or CIPA, was adopted by Congress in 2000 to safeguard minors from harmful online content by requiring schools and libraries receiving federal funding to implement internet safety policies and filtering technologies. All North Dakota schools filter Internet access. Most North Dakota public libraries that offer internet access provide filtered access. Typical basic content filters use Domain Name System (DNS) based filtering, where a custom service is used to redirect traffic. In this case, when a user attempts to access a blocked domain, URL, or IP address, the DNS server responds with an address pointing to a block page instead of the intended site. For more comprehensive filtering, this is achieved at the network level through firewalls and other security appliances that work with cloud environments to continuously update filtering policies and definitions. All publicly funded schools and over half of the public libraries in North Dakota utilize the state's network, StageNet, for internet access. StageNet filtering is very comprehensive.

Chair Klemin and members of the committee, that concludes my testimony, and I will stand for any questions.



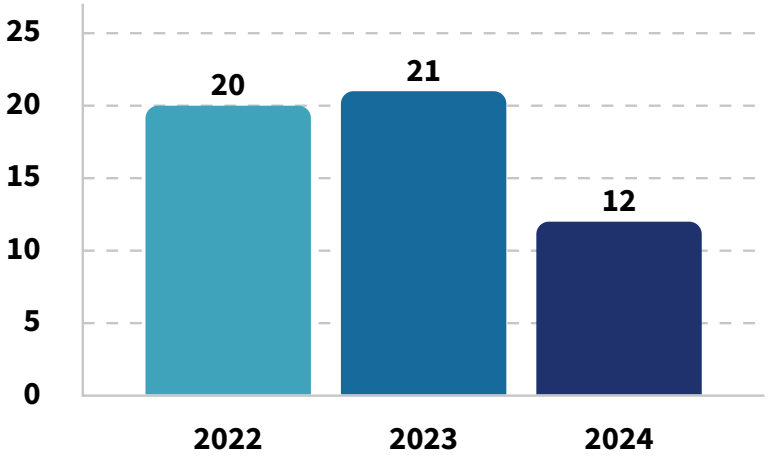
Reconsideration Requests

North Dakota Libraries

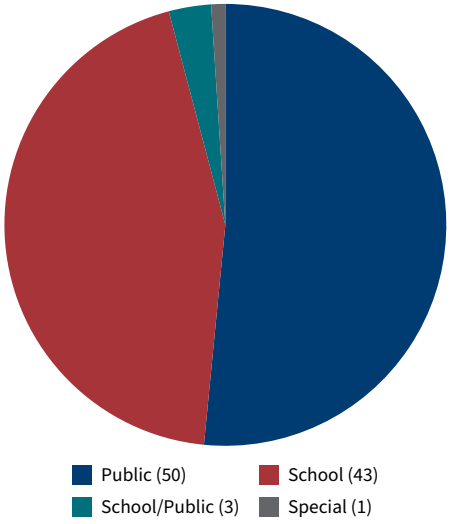
North Dakota State Library

97 libraries, including school, public, combined school/public, and special libraries filled out a survey in regards to the number of reconsideration requests their libraries received. Out of the 97 responses, 86 have not received a single reconsideration request in the last three calendar years for public libraries and school years for school libraries.

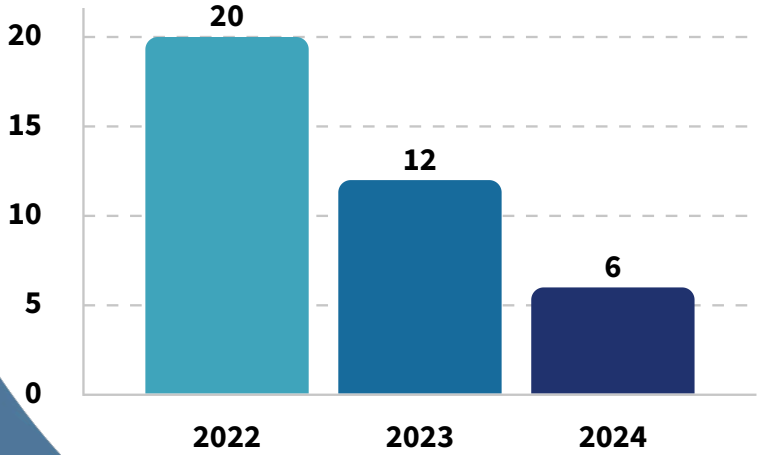
Number of Reconsideration Requests



Survey Respondents



Number of individuals who submitted reconsideration requests



96%

of responding libraries have a collection development policy in place

89%

of responding libraries have a reconsideration request policy in place

Written Testimony from Officers of the Friends of the West Fargo Public Library
Contact: friendsofthewfpl@gmail.com
In opposition of SB 2307

Members of the Judiciary Committee,

We are the officers of the Friends of the West Fargo Public Library and are writing to you in opposition of Bill 2307. The Friends of the Library consist of community members who love the library and support the library staff to make collection decisions, since we know that they are highly educated in their field.

We have several other concerns about this bill:

The passing of this bill would mean that we could no longer hold our friends of the library book sale, which would lead to a significant loss of fundraising opportunities for library programming and outreach, including the summer reading program, which encourages developing young readers to practice early literacy skills. We also know reading during the summer highly benefits children before returning to school again in the fall.

There are huge financial implications for the library, which is already underfunded and now in addition there will be losses of collections and resources to the community. These are things that the Friends of the Library have heavily supported through our volunteerism and fundraising.

Please, we urge you to oppose SB 2307! The community of West Fargo depends on our library!

Sara Westall, private citizen—On behalf of the Friends of the West Fargo Public Library board members

Chairman Klemin, Vice Chair Karls, and members of the Committee

Request DNP on SB2307

My name is Mike Fladeland. I'm a Bismarck resident, District 35, and a member of the Board of Directors of the Bismarck Veterans Memorial Public Library (BVMPL). The Board of Directors unanimously opposes SB 2307 for several reasons, including wording and provisions, but more importantly societal implications.

The opening paragraph states the Bill's intent, in part, is "compliance with statutes protecting minors from explicit sexual material." However, nowhere in the newly proposed or amended language is there any differentiation provided insofar as materials appropriate for kindergarten-aged minors and high school-aged minors. Certainly, there are differences in what is appropriate for a broad range of ages. Corresponding age groups should have access to different information.

Section 1 includes the following elements for determining what constitutes "obscene material."

- The average person
- contemporary North Dakota standards
- sexual conduct, whether normal or perverted

These terms are ambiguous and wholly devoid of widely accepted definitions. For example, what constitutes "contemporary"? Who is the "average" person? Why are the legislators attempting to categorize some undefined "normal" sexual conduct as "patently offensive"? Further, what constitutes "normal" or "perverted" sexual conduct?

The Section goes further:

- One of the three factors for determining "obscene material" and "objectionable material" is "Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value." Consider the following books that have been banned, censored, or challenged: The Bluest Eye, The Grapes of Wrath, Alice's Adventures in Wonderland, The Absolutely True Story of a Part-Time Indian, and the Holy

Bible. These books, as well as many others, are considered by the general public and scholars to be significant works of literature regardless of efforts by those who wish to impose their values on others.

Section 4 Stipulates:

By January 1, 2026, each public library and school district shall develop a policy that includes a procedure "For the relocation of explicit sexual material in the library to an area in the library inaccessible to minors." The design, implementation, and administration of that policy imposes unreasonable demands on our public libraries, especially with respect to those in smaller communities.

For the above reasons and others, speaking on behalf of the BVMPL Board of Directors, we oppose this Bill and recommend Do Not Pass.

However, our overall objections go further and pertain to the societal implication of the Bill. Surely, the Legislature's intent is not to shift the responsibility of guiding our children's reading habits, learning, access to information, and interests from their parents and caregivers to the State. Does the Legislature really believe that SB 2307's policies apply uniformly to 5- and 6-year-old children, as well as 16- and 18-year-olds, all by your definition, minors? Are we to believe that County and City elected officials, school boards, and the professional staff of public libraries will accept and appreciate wresting local judgment and control from them? We suspect that parents, civic-minded people, and local government officials will respond with an emphatic NO.

BVMPL, along with other ND public libraries, are already in compliance with HB 1205, which passed during the 68th Legislative Assembly, to address your concerns. BVMPL welcomes over 200,000 visits each year with 570,000 check-outs of material in our collections. In 2024 we received only 2 requests for reconsideration. This represents .00011% of our collection and .004% of BVMPL cardholders. Our community doesn't have an issue with our library's collection, nor the policies already in place to handle feedback about specific titles, nor should the State Legislature. SB 2307 is an unnecessary attempt at censorship

with the express purpose of State government imposing the views and opinions of a few on the many. To summarize, it is a solution in search of a problem.

That concludes our testimony. Thank you for your consideration.

Library Board of Directors-Bismarck Veterans Memorial Public Library

President, Dianna Kindseth, retired CPA

Vice President, Mike Fladeland, retired Manager, Energy Business Development

Nancy Guy, retired non-profit Operations Director, former City Commissioner

Justin Hughes, attorney

Mike LaLonde, retired, community volunteer

Dear House Judiciary Committee,

I am writing to express my strong opposition to SB 2307. This bill aims to solve a problem that does not actually exist, and due to the vague language used allows for significant government overreach. This bill is a clear attack on libraries, just as similar bills in other states have been. Frankly, I find it embarrassing that this passed our Senate.

Libraries in North Dakota already have systems in place that allow citizens to challenge books they believe should be removed, usually called a “Request for Reconsideration of Materials”. This is just one of several systems in place to prevent problematic materials from being displayed.

Additionally, libraries typically require children to be accompanied by a guardian who is responsible for ensuring the child does not access inappropriate content. My mother had six children to watch and this was never an issue for her. I consider it deeply offensive to parents to imply that they are unable to keep track of their kids in a library well enough to ensure they are not reading “obscene” content.

Furthermore, this bill would make life exceedingly difficult for more rural libraries as they may not have the resources to create a section inaccessible to minors, which could lead to them needing to remove large portions of their collections. It could also lead to North Dakotans losing access to eBook libraries such as Libby – something I am particularly concerned with as I use Libby for much of my reading due to disability. The end result is that a bill that is supposedly intended to prevent children from accessing certain materials, would censor the adult section of libraries.

Criminalizing books is historically linked with authoritarian governments. I expect better from the state I grew up in. I insist that you oppose this bill, and any other like it.

Regards,

Connor O’Keefe

NORTH DAKOTA Family Alliance LEGISLATIVE ACTION

Faith · Family · Freedom

Testimony in Support of Senate Bill 2307

Mark Jorritsma, Executive Director
North Dakota Family Alliance Legislative Action
March 18, 2025

Good morning Chairman Klemin and honorable members of the House Judiciary Committee. My name is Mark Jorritsma, and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of Senate Bill 2307 and respectfully request that you render a "DO PASS" on this bill.

Our organization and its constituents feel strongly about protecting minors from explicit sexual material. Many of our constituents have told us that they feel unsafe allowing their children and grandchildren to visit the public library when they are not present, because of the content found in books that are available and sometimes even promoted by the libraries. Both public and school libraries currently allow highly inappropriate books to be read by children, frequently under the guise of educational purposes.

In recent years, public and school libraries have been permitted to aggressively push the boundaries further and further regarding what is shown to our children, and not surprisingly, the situation has continued to deteriorate. However, this bill would make these libraries accountable to ensure no books violate our obscenity laws.

Counter to what some may claim, SB 2307 is not out to stifle creativity, artistic expression, or academic research. It specifically exempts organizations such as colleges, universities, museums, and art galleries from the requirements found in the bill. This bill is not about stifling expression or thought, but instead, has everything to do with protecting children from having their innocence stolen from them by age-inappropriate materials.

We understand that our world today is a complex and sometimes confusing place for children as they try to understand social constructs such as gender identity, or scientific facts about subjects such as biological reproduction, puberty, and STIs/STDs. They need to learn about these things to function in our society – shielding them is not an option. However, Senate Bill 2307 would ensure that they are introduced to these concepts honestly and appropriately when their parents decide it is time. We also like that it provides for a review process by the State's Attorney with funding being contingent as determined by the outcome of their investigation. So often bills have no consequences for non-compliance, which renders them toothless.

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NORTH DAKOTA
Family Alliance LEGISLATIVE ACTION
Faith · Family · Freedom

North Dakota Family Alliance Legislative Action wholeheartedly agrees with what this bill seeks to do – protect our children. For that reason, we ask that that your committee render a "DO PASS" on Senate Bill 2307.

Thank you for the opportunity to testify and I would be happy to stand for any questions.

In opposition to SB 2307 Library Censorship

My name is Jeffrey Quam and I am a long time resident of Fargo. I strongly urge you to oppose this 2307 bill for these reasons:

There is no explanation of how the bill would be implemented and that won't be easy to justify one person's opinion over another

If you decide what my children read, how is that legal under the first amendment that is so cherished by republicans when referring to the lies at the top of their party.

This is a waste of taxpayer dollars to fund renovations that could be better used by providing better programs for our struggling libraries.

We already have a law passed in 2023 that addresses this putting the Federal Miller Test for obscenity into state law – this ensures only age appropriate materials are found in children's collections.

PLEASE OPPOSE this bad bill

Sincerely,
Jeffrey Quam

Hello,
I am a mother of 5 and a childcare provider. I am writing in opposition of SB 2307. I trust the professionals in our libraries and schools to provide equitable services and materials that fulfill the interests and needs of their library users. I believe parentsnot the governmentshould guide childrens reading choices. I oppose any legislation that limits access to information or undermines First Amendment rights. Our local libraries provide a huge assortment of resources for our communities and SB 2307 would be harmful for our community especially rural towns. There is already legislation in place that helps curate the library options to keep kids safe.
Thank you,
Heather Muscha Metcalf

SB 2307 - Testimony in opposition

March 17th, 2025

Chairman Klemin and Members of the Judiciary Committee,

My name is Misti Frink. I am providing this testimony on behalf of Bismarck Public Schools in opposition to SB2307. I am a coordinator on our Learning Design and Curriculum team and hold the library and resource portfolios for our district. The proposed amendments in this bill are unnecessary, vague, and would cause financial and workforce hardship to schools.

This bill removes existing legal protections for schools and educators, exposing them to potential criminal liability for providing educational resources. BPS educators prioritize student safety and adhere to strict local policies to select appropriate primary and supplemental materials. Our selection process ensures resources are age-appropriate, professionally reviewed, research-based, and standards-aligned. Additionally, we exceed federal CIPA (Child Internet Protection Act) requirements by filtering online content to protect students. Comprehensive collection development and resource selection policies ensure responsible material selection, and established reconsideration procedures allow parents, students, teachers, and community members to raise concerns for review. These robust checks and balances are already in place for both print and digital resources.

BPS believes parents have a right to review resources and guide their child's selections. In our district, parents can opt their child out of supplemental materials, add notes in library software to address specific needs, require permission for higher-grade checkouts, and monitor their child's checkouts online. These policies provide families with flexibility and transparency while ensuring students retain access to a broad and diverse range of educational materials.

This bill will create unnecessary hardship and expense for staff and schools, despite the fact that districts like BPS already have comprehensive policies in place to ensure responsible resource selection and parental oversight. The proposed mandates place an unreasonable burden on schools by requiring them to verify that all digital library resources comply with broad and ambiguous filtering requirements. Many reputable educational databases do not have the capability to implement these restrictions without also blocking valuable academic content, limiting students' ability to conduct research and develop critical literacy skills. Additionally, the threat of withheld payments and breach of contract penalties creates financial and legal risks for districts, potentially forcing them to discontinue essential resources. The administrative reporting requirements further strain school personnel, diverting time from direct student support. Rather than protecting students, this bill undermines their access to quality educational materials and hinders their academic growth.

North Dakota School Boards have jurisdiction over school libraries and classrooms, ensuring local decision-making aligns with community values. Policies governing resource selection and reconsideration should remain at the local level. SB2307 is unnecessary, vague, and imposes undue burdens on schools while limiting student access to essential academic resources. Rather than enhancing student safety, it disrupts education and creates financial and legal risks. I urge you to oppose SB2307 to protect local control and maintain equitable access to high-quality learning materials.

I strongly oppose SB2307.

It is inappropriate and unnecessary to sensor the content of libraries because of “obscene” content. This obscene content is a real, raw, & important part of human life and cannot be disregarded because it makes certain individuals uncomfortable.

The voice of the people ask you not to pass this bill.

It unnecessary & would significantly hinder the operations of libraries in the state. All libraries have established policies and procedures that make this bill irrelevant.

It would make necessary that all displays are removed in libraries.
It would build locked cabinets for “obscene” materials.
Create likely job loss for high school age children.
Create a refrain from purchasing a wide range of materials and genres including art history,contemporary art books, & health books.
And likely have other effects as well.

Please, do not pass this bill.

Please Vote No on SB 2307. This bill targets and prosecutes librarians and teachers. I have always worked with parents on what they want their children to read. As an English teacher, if a parent requested a different classroom novel, I accommodated that request. As a school librarian, if a parent requests a student not have access to specific books, authors, or topics, I would accommodate that as well. I have shared tools with parents on how they can help their child select books. I truly have not had many requests for either, but when I did, I worked with parents to decide what was best for their children. I do not believe the state legislature needs to intervene and take away local control and even take away parental control of those decisions. This bill would suspend access to eBooks and audiobooks from our state online consortium databases like Libby. It also may prohibit access to our statewide online databases where students can research topics for school. Most school libraries pay a subscription cost to ODIN (The Online Dakota Information Network) for access to these databases. The State Library also has databases, but ODIN provides more options. Single libraries cannot afford access to these databases, but as a state consortium, we can be a part of it. Students do not have single log in access to these databases. They are able to use them without a login while on school campus because they are allowed access according to their internet IP. If students need to research at home, they have access to a school library barcode and password, or they can also use their public library card or state library card – not all students have those though. This bill would impede free access to information for all North Dakota students. One of my important jobs is to teach students how to research and to give credit to their sources. The databases are a huge part of showing students what credible sources are.

House Judiciary Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

March 17, 2025

To: Representative Lawrence R. Klemin, Chairman, Representative Karen Karls, Vice Chairman, and Members of the Committee,

The EveryLibrary Institute NFP is a national public policy organization dedicated to supporting libraries and the rights of their users. In advance of your hearing on March 18, 2025, we are writing to express our opposition to Senate Bill 2307 (2025).

SB 2307 would create unnecessary government overreach that threatens the First Amendment and imposes undue burdens on public libraries and school districts. By redefining obscenity with a vague "reasonable adult" standard, this bill grants broad discretion to government authorities to dictate what materials are acceptable, paving the way for subjective censorship and ideological control.

Requiring libraries to review and relocate materials deemed "explicitly sexual" is a thinly veiled attempt at banning books. This will suppress educational and literary content that has long been considered appropriate for a wide range of readers. Such policies fail to recognize the professional expertise of librarians and educators, who already follow rigorous selection processes to ensure their collections meet the diverse needs of their communities.

Additionally, the bill's requirements for digital resources impose costly and technologically burdensome restrictions on schools and public libraries, limiting students' ability to access essential research materials and widening the digital divide for those who rely on libraries for information. The mandated review process—allowing individuals to demand legal opinions from state attorneys—creates a chilling effect, encouraging baseless complaints that will waste public resources and place libraries under continual scrutiny.

Most troublingly, the threat of financial penalties and the withholding of state funds undermines the very foundation of public and school libraries. By weaponizing funding as a form of enforcement, this bill puts libraries in an impossible position: comply with an overly broad and legally questionable mandate or risk losing their ability to serve their communities altogether.

We strongly urge this committee to reject SB 2307.

Sincerely,

John Chrastka
Executive Director

Greetings Mr./Madam Chair, members of the Committee, I'm Kathrin Volochenko

I request that this committee bring **Senate Bill 2307** to the floor with a "**Do Not Pass"** recommendation.

This bill is library censorship and nothing more than a slap in the face of professional librarians, teachers and parents alike. It is preventing people access to the classics and books that teach about human trafficking, illicit rape, mental, physical abuse and torture, theft, murder. I understand that this bill is about "*protecting minors from explicit sexual material*" However, how many books are there where the plot is murder? Hundreds, if not thousands, of detective stories that challenge the mind in regard to interesting plots and problem solving. Are those banned? Certainly not. Classics by Arthur Conan Doyle (Creator of Sherlock Holmes) and Agatha Christie murder mysteries represent some of the best in storytelling and yet these are stories about people killing other people.

In other words, a high school student under the age of 18 cannot study ancient and renaissance art in all its splendor? Some examples include, though not limited to; Michelangelo's statue of "David" or "The Creation of Adam" by the same. I could name so many more, however I hope that you now understand my point.

Librarians have the good sense to not allow a young person or "minor" to check out a book or any material that is not "age appropriate".

Librarians are highly trained professionals that hold various degrees in **Library Science**. My question to any one of the legislators that have sponsored this horrendous bill, please show us your **Library Science** degrees **and proof** that you have the knowledge and right to dictate what we, the public can read, or even view in a **public library** setting. A typical public library that is funded in part by an average of only 10% state tax dollars with the balance provided by county and city tax dollars along with some private donations.

With such a small influence on a typical library's budget, once again I ask, what gives you the right to dictate what we, the public, can read, or even view in a **public library** setting.

A suggestion would be to have a separate area that can be monitored by a trained librarian's assistant that can check the IDs of anyone to verify the eligibility based on the age of any person that wishes to enter such an area.

In closing, how does beautiful art and truthful literature adversely affect society?

Thank you for your time and attention.

March 17, 2025

Dear Members of the House Judiciary Committee,

I serve as Director of James River Valley Library System in Jamestown, and I'm writing to provide testimony regarding SB 2307. I urge a "do not pass" recommendation on this legislation.

I'm very careful about what materials are included in our library, and I'm sure every other librarian in ND is equally careful about meeting patron needs by collecting appropriate, well-respected information for each age level. The current system of trained librarians collecting materials under the auspices of local boards accountable to our communities is effective and should be preserved.

SB 2307 is an unnecessary government overreach that would "accomplish" multiple harms. The bill would....

- result in a highly imprecise review of library collections
- empower out-of-service-area complaints against our local libraries
- restrict properly cataloged materials for adults *on the basis of whether these materials are appropriate for children*
- result in so many items being restricted that most libraries wouldn't have an extra room big enough to secure all the "naughty" materials
- block young people from educational e-materials due to imprecise content filters
- fuel expensive lawsuits against local libraries
- open members of the "diverse" committees to lawsuits from disaffected persons
- result in some statewide digital content being legal in certain areas while blocked by state's attorneys in other regions (e.g. would an adverse ruling in Williston restrict a statewide e-book in Jamestown?)
- tie up state's attorneys with the lawsuits that <u>will</u> emerge against their decisions, no matter how they rule.

In addition to its overreach, SB 2307 infringes on our First Amendment freedoms when it....

- seeks to make materials that are legal and protected in other states inaccessible in ND
- relies on a statewide test ("contemporary ND standards") rather than the local "community standards" established by the Miller Test for obscenity
- restricts adult materials based on inappropriateness for children
- ignores the fact that an item inappropriate for a ten year-old may be perfect for a seventeen year-old
- doesn't adequately define standards for restricting materials
- inappropriately delegates government authority to a "diverse" committee
- doesn't allow persons of <u>all</u> viewpoints to appeal decisions of the "diverse" committee (lack of due process for those who want to keep items unrestricted)

- imposes the values of some parents upon others who may want something different for their children
- misuses the legal concept of obscenity when it is more accurate to say that some people strongly disagree with the viewpoints expressed in certain materials
- restricts the First Amendment rights of minors
- disproportionately impacts materials from LGBTQ+ and minority authors, meaning that the results of this bill will not be viewpoint neutral
- sets the precedent that public libraries can be used to promote the values of those in power while restricting the ideas of those not in power.

I have on my desk a book entitled *American Album*, published by the well-known magazine *American Heritage*. The book was purchased for Alfred Dickey Public Library in 1968. It's a book of historic American photographs from 1839 to approximately 1910. Among its many pictures, it contains a spread of three semi-nudes showing breasts and backside, with the pubic area partially covered by some gauzy material.

The book was used and mended extensively and finally removed from our collection at an unknown date. To the best of my knowledge, it was never challenged in Jamestown.

SB 2307 explicitly places public libraries and public school libraries under ND obscenity standards, prohibiting "less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the top of the areola…."

Would *American Album* be a violation of SB 2307? Would these historic, semi-nude pictures be appropriate for a 7 year old? What about a 13 year old? How about a 17½ year old? Reasonable people will differ on these questions.

Some folks will consider these pictures pornographic. That's their right. However, most people will say, "This is just a book about the history of American photography." That's exactly what people must have thought in 1968 when the library purchased this book. No one leveraged obscenity laws against librarians in 1968, so why are we going there now? Let's leave it up to parents to supervise their children in our libraries.

Librarians have been dealing responsibly with concerns about materials in public spaces for many, many years. SB 2307 is an unnecessary government overreach promoting the values of some, but not all, North Dakotans while limiting free speech. Please allow librarians to continue making careful decisions based on our unique knowledge of patron needs in our communities.

Sincerely,

Joseph Rector
Jamestown

My name is Dana Stansbery, I live in Casselton, North Dakota. I grew up on a farm just west of Nome, North Dakota and have been a lifelong resident of our state. I have multiple degrees and am a level one certified Library Director. I have been in education for 23 years, nine of those years as the Librarian at Central Cass Public School in Casselton. I am writing to you in opposition of SB 2307.

This bill is exactly who we are not in North Dakota. We are not the people who infringe on the rights of our citizens, we allow educated and trained professionals to do their jobs, and believe in local control. This bill does the opposite.

SB 2307 is not necessary. I, like my colleagues, have spent countless hours ensuring policies and procedures are in place to make sure our collections are appropriate. I have a reconsideration policy in place for anyone who would like a book to be reconsidered and I have collection development policies in place to ensure collections are full of engaging and appropriate material.

I love my job, the people I get to work with, the children I work for, and my own children who attend school in the district in which I am the Library Director. I pride myself in my ability to use the policies and procedures in place to create a collection that meets the needs of children in our district.

SB 2307 is not a bill for North Dakota Libraries, it will be costly, does not promote intellectual freedom, it is censorship, and it is not necessary, please stand with North Dakota Librarians and oppose SB 2307.

Respectfully,

Dana Stansbery
Central Cass Library Director
Lifelong North Dakotan

March 17, 2025

Members of the Senate Judiciary Committee,

I write urging you to **oppose** SB 2307.

As a parent, I understand the desire to shield my children from content that may not be appropriate for their age level. Ensuring my kids aren't exposed to inappropriate movies, books, video games, etc. is part of the job, after all. In those rare instances when my children *did* want to watch a TV show that is made for slightly more mature audiences, for example, my kids and I have typically sat down and discussed why this might not be the best choice. This is called parenting.

What I did not do in this situation is demand my local government enact legislation stating that inappropriate TV shows be removed from all online streaming platforms. Furthermore, any company in violation of my new law should be punished for hosting the content that I, personally, deemed inappropriate.

Our public librarians and public educators already use their professional judgement to determine who has access to developmentally appropriate literature and materials. I trust them with my own children. I urge you to **oppose SB 2307** and put your trust in these same professionals.

Sincerely yours,

Jacob Thomas

Monday, March 17, 2025

Chairman Klemin and Members of the House Judiciary Committee,

I am writing in strong opposition to SB 2307. As a parent, grandparent and frequent library user, I feel this bill has no merit. I have always had a hand in what my children were checking out in the public and their school libraries. It is my responsibility to monitor, review, and discuss what they are reading.

This bill will send our state down a path that I am not comfortable with. I trust our library professionals who have been trained. I trust the parents of North Dakota to decide what is best for their families.

I urge you to recommend a DO NOT PASS on SB 2307.

Andrea Placher
District 2 - Williston, ND

Chairman Klemin and Members of the House Judiciary Committee,
I write today in adamant opposition to SB 2307.
Professional Librarians are educated and trained to maintain library books in a manner that respects citizens and their right to freedom of expression. Do not make it their job to censor what children and/or students read. Clearly parents should be setting their own expectations and boundaries for their own children not the ND government.
There is educational value to an exposure to a wide range of controversial and challenging range of ideas. This helps young people develop critical thinking skills to analyze and question rather than take things at face value. A diverse selection of books teaches people about the very diversity of the human experience, eliminates stereotypes, promotes empathy and understanding feom those different from us. Parents who actually take an active role in their children's learning should not have their right to make informed choices to guide their children taken away. Historically censorship like this is associated with oppressive regimes and movements. This bill is a slippery slope to broader censorship.
Let ND librarians do their job without the scare tactics of radicals and blatant censorship.
This bill will only bring negative consequences, undermines fundamental rights, limits educational opportunities and stifles rich diversity of thought that is essential for an informed, educated and well read society.
Please vote NO on SB 2307.
Thank you,
Michele Grenier
Rolette, ND

Chairman Klemin, Vice Chair Karls, and members of the Committee

SB2307 – I urge a Do Not Pass.

The present Century Code contained in § 12.1-27.1-03.5 already contains language protecting minors from adult materials and serves its purpose well. Secondly, you see many claims of adult materials from proponents of this bill, but you aren't presented with any such materials from the children's section. This is because the libraries are already complying with current regulations.

SB2307 aims to create an environment of government censorship on library materials. It prevents public libraries from fulfilling their mission. Libraries play a key role in enhancing literacy and promoting a love for reading. They host programs and resources for children, adults, and families to improve literacy and promote lifelong reading and learning.

The vague phrase 'a reasonable person would find lacking in serious literary, artistic, political, or scientific value' allows for subjective interpretations, leading to arbitrary enforcement. This bill enables subjective censorship by government officials. The language also lists "reasonable adults", once again, lending to each government official deciding who they regard as reasonable or not.

If passed, this bill could lead to public libraries closing or restricting access to adults (18+) only, as there would be no foolproof way to prevent minors from encountering materials intended for adults. Even with something as extreme as having a walled off section, with no windows, a security guard, checking IDs, and someone uses a fake ID to gain access it could result in librarians being charged with a crime. Similar laws in Idaho led to libraries becoming for adults only.

Digital materials and databases would be cut as well. With vague language people and companies are not going to put their careers, companies, and livelihoods on the line for a poorly constructed North Dakota bill. In turn, North Dakotans will lose access in their communities for educational, informational, career and entertainment opportunities.

Our local libraries have policies in place providing for the needs of their local communities. The local communities of ND should not have their libraries censored by the legislature. Parents are free to choose when and how their children utilize their public libraries, once again, the legislature should not be controlling access to educational opportunities. Lastly, the attorney general has no place being the judge and jury of the public's access to materials in libraries. In Board of Education v. Pico (1982), the Supreme Court ruled that government officials cannot remove books from libraries simply because they disagree with their content. SB2307 could result in such unconstitutional removals and following court cases.

I urge lawmakers to vote against SB2307 to protect intellectual freedom, local decision-making, and educational opportunities in our state's libraries.

Brian Kopp
Dickinson Area Public Library Board Secretary

Honorable Members of the Committee, thank you for allowing me the privilege of submitting testimony on such a pertinent topic. My name is Autumn Richard, from Lefor, ND, and I plead with you to approve SB2307.

Everyone has the right to read; it is a freedom I enjoy daily and not to be taken lightly. And, this is the platform that is often used to argue upon placing any limitations upon readers. As an adult, I choose what I want to read and it is upon my discretion the level of intimacy or sexual language that I want to absorb. This same thought process is applied to what I watch and what is on my history browser on my laptop.

However, we do place safety protocol in place for minors. Minors are not allowed to enter an R rated movie without an adult; we rate all movies and television shows to inform not only the minor but the adult so that an educated limitation can be set, at the discretion of the adult. Minors have limited access to certain websites in both school and library settings; no minor can access pornhub at the library as there are safety measures in place.

SB2307 is requesting such safety limitations, but only for minors. Adults will still maintain their accessibility, as they should. These protocols are set to protect minors from negatively impacting their lives and wellbeing.

And the argument lies here: do these books negatively impact a minor's life and wellbeing? Supreme Court Justice Potter Stewart famously said in 1964 in regard to pornography, "I'll know it when I see it." Well, I would go out on a limb here and say that Justice Stewart would be appalled by some of the content in our youth's library section today. And, using his approach, I know when I see 'it', too. But, let's not just use our opinions, because opinions are not facts and law should be centered on factual information.

I have looked over and read many books in the youth section of our library in Dickinson, ND. I can tell you that a book recommended for 8 and up displays both male and female genitalia and encourages anal play. (Sex is a Funny Word) Our library had a book up on display (Naked: Not Your Average Dictionary) that went in to disturbing detail about 'Anal Sex', 'Cunnilingus', and 'Fuck Buddies'. This book also encouraged Sexting, which is illegal in minors. I found a plethora of books that have explicit and sexual imagery, and others that had explicit language.

Adolescence occurs between ages 10 and 19 and is a crucial development period that influences health later in life. It's known that exposure to sex during this period, particularly before age 16, can have negative consequences.

A recent study indicates that the harm to children from being exposed to sexually explicit material and pornographic content can impact their mental health, life satisfaction, sexual behavior and attitudes, and contribute to pornographic-viewing patterns in adulthood.

Early exposure to sexually explicit material may prematurely sexualize a child, incite a child to experiment in order to understand what they saw, shape a child's expectation in relationships, and can possibly blur the boundaries and increase a child's risk of victimization.

These books may normalize child sex or desensitize children to sexual things. They may glamorize sex and teach explicit sexual vocabulary. These books also introduce high risk sexual behavior and may not include vital medical facts, such as the high std rate in such behavior.

Overall, early exposure to children, especially, interferes with healthy sexual development.

So, where do we draw the line? Some books are romance and do have sexual language, but are they pornographic? That is not for me to decide. But I do know I would want to err on the side of caution in the efforts to prevent minors from the negative effects of early exposure to sexual material. I would not want to realize, generations from now, that we have made a grave error and have not done our justice as a society in protecting our innocent, our youth.

"History will judge us by the difference we make in the everyday lives of children." –Nelson Mandela. I pray we are not judged harshly.

Thank you

Autumn Richard

Mr. Chairman Klemin and the members of the House Judiciary Committee,

My name is Sara Planteen, I am the mother of 3 children who were up until recently enrolled in one of North Dakota's public schools, and I am here today to testify in support of SB2307. I am here to ask you to protect my children and all the children in ND and their innocence. We live in a world where it is more important to belong, then it is to do what is right for our children and God.

In August my children came home from Sargent Central Public School in Forman and told me the school had a new book series that we had recently seen at a book store and discussed with our children it wasn't appropriate for them to read. This new book series is written below a middle school reading level and is a cartoon book that is said to be for grades 9-12.The summaries on booklooks.org state it contains self harm, gender ideologies, explicit sexual activities, alcohol use by minors, profanity, derogatory terms and alternate sexualities. Book 5 even has a content warning. It was on the front display when you came into the library and accessible for all grades PreK-12. After verifying the books were indeed on the front display and accessible to all students prek-12 we asked the librarian to move the books to a more age appropriate area, but were told no. A conversation with the principal and superintendent got me nowhere. School board policy states a request for reconsideration should be filed. I filed that on October 11th. My request for review was passed around the school for staff to read. Some staff then sent a statement to the school board members stating there was nothing wrong with the books in question, before some school board members even knew what was going on. Finally on October 30th, 13 business days later, after everyone else was done reading it, scheduled a special meeting to appoint a committee. School board policy states, the board **shall** appoint a curriculum review committee annually **before** the commencement of the school year, that being in July. When I looked at the annual meeting minutes 2 school board members were selected for this committee, the committee **may include** the following, but not required. But it clearly is stated that you **HAVE TO APPOINT** the committee **before** the commencement of the school year. Why would we need to appoint a review committee now in October **AFTER** the complaint had been filed. Clearly it didn't fit the agenda, so the superintendent hand-picked committee members that included teachers and staff that had already signed a statement saying there was nothing wrong with the books. Do you think my request was given a fair and unbiased review if people reviewing it already wrote a statement saying there was nothing wrong with the books? School board policy was clearly not followed. I keep hearing "this is a parent problem" & parents need to be monitoring what their kids are reading. How many parents that send their children to a public school are privileged enough to be able to take time off to go to the school library with their children during their designated library time during the school day? What if they have multiple children? I feel public schools should be held to a higher standard. You are using tax payer dollars to supply a teacher and books.

On November 13th I presented the school board with a petition that had 228 signatures requesting the book series be removed and school policies updated as they haven't been updated in 10 years. Not just an individual, 228 signatures. Just a few years ago only 29 people showed up to vote for the school board, 228 signatures is substantial. The staff rallied up students to attend to hold up signs, some students going against parents consent. One school board member stated everyone in the building said it should be here. Do parents, community members and tax

payers not get a say anymore only teachers, staff and administration? An elementary teacher stated on behalf of the teachers and staff they only saw illustrations of kissing, cuddling, hand holding and people in bed together but nothing showing graphic or erotic behavior and if an elementary student finds the book they are violating school board policy. There was no need for the kids to find the books,they were put right in front of them. Multiple parents with students as young as 8 years old came forward and said their child had checked out the books or looked at them in the library. Why would the school even have books that would violate school board policy if a student found it? Ultimately that night the Sargent Central Public School board did nothing with my review for reconsideration or the petition. Clearly community input is not valued when it does not match the administration's opinion.

Parents have the right to expect that schools will act in the best interest of their children. When schools fail to follow their own policies, when they dismiss parental concerns, then it is the duty of our elected officials to step in and ensure that order and accountability are restored.

I have included the school board policies referenced, school board minutes, Booklooks.org summary, and pictures from the book for you to make a decision on actual information, not someone's opinion.

I urge a DO PASS on Senate Bill 2307 . Thank you. I stand for questions.

PROCEDURE FOR REVIEWING COMPLAINTS ABOUT INSTRUCTIONAL/RESOURCE MATERIAL

Review Committee

The Board· shall appoint a curriculum review committee annually before the commencement of the school year. The committee may be. included of the following individuals:

1. A media specialist;
2. A teacher from each educational level serviced by district schools as selected by the Superintendent;
3. A parent or parents;
4. The principal(s);
5. The Superintendent
6. School board members as assigned

The committee may obtain the assistance of individuals with expertise in an area/subject that comes before the committee for review and may hold a public forum to receive community input when instructional or resource material is contested.

Review Procedure

When a complaint or request for review of instructional material is made, the following procedure shall be followed:

1. The building principal shall require the complainant to complete a Request for Reconsideration of Instructional/Resource Material form.
2. The building principal shall submit the completed form to the Superintendent who shall call the review committee meeting to initiate the review process as soon as practicable.
3. If the item being contested is a library book, the item may be placed on reserve in the library during the review process, requiring parental permission to check out. If the review relates to curricular material, the principal shall be responsible for issuing notice to parents of the instructional material under review and provide parents the option of electing an alternative assignment for their children during the course of the review process.
4. Review committee members shall read/view/listen to all or a substantial portion of the contested material.
5. The review committee shall generate a report of recommendations. Recommendations to remove or restrict access to material must be based on the following criteria:
   a. The material is pervasively vulgar.
   b. The material is not educationally suitable.
   c. The material is not age-appropriate.
   d. The material is part of the curriculum and forces students to profess or deny a belief in what they are reading or engage or refrain from

engaging in a practice contrary to their religious belief.

Recommendations shall not be made in an attempt to suppress a viewpoint or limit student exposure to divergent ideas. Mere exposure to an idea does not violate students' rights and the District shall not prescribe what is orthodox in politics, nationalism, religion, or other matters of opinion. Consequently, the committee should consider alternatives to removing instructional/resource material such as, but not limited to, an opt-out option for curricular material or placing check-out restrictions on library material.

6. Committee recommendations shall cite specific passages, sections, pages, and/or chapters that formed the basis of the recommendations.
7. If the review committee does not unanimously agree on the recommendations, the dissenting committee members may generate a minority report. This report must contain all components listed above.
8. The review committee shall issue recommendations to the Board as soon as practical.
9. The Board shall read the challenged material before acting on the recommendations.
10. The board's ruling is final. All findings and records related to the review process shall be retained by the Superintendent.

End of Sargent Central Public School District Policy GAAC-BR
Reviewed **November 12th, 2014**
Adopted **November 12th, 2014**

Sargent Central School District #6
Forman, North Dakota
Monday, July 15, 2024
Regular and Annual Meeting

THESE MINUTES ARE SUBJECT TO SCHOOL BOARD APPROVAL.

The regular meeting of the school board of Sargent Central Public School District #6 was called to order by Business Manager, Julie Colemer in the ITV Room, Monday, July 15, 2024, at 6:00 p.m.

Members Present: Jayne Pfau, Jen Christianson, Neil Planteen, Brandon Hanson, Matt McLaen, Shannon Bergh, and Steven Mongeon

In Attendance: Daniel Warcken, Superintendent (by phone), Julie Colemer, Business Manager

Routine Business:

Motion by Christianson seconded by Hanson to approve the June 24, 2024, School Board minutes as presented. Motion carried.

Motion by Planteen seconded by Pfau to adopt the July 15, 2024, agenda. Motion carried.

Special Business:

Julie Colemer, Business manager asked for nominations for Sargent Central School Board Chairperson for the 2024-2025 school term.

Pfau nominated Jen Christianson. Planteen ceased nominations seconded by Pfau. All voted unanimously for Christianson. Motion carried.

Christianson asked for nominations for Sargent Central School Board Vice Chairperson for the 2024-2025 school term.

Planteen nominated Hanson. Planteen ceased nominations seconded by Pfau.
All voted unanimously for Hanson. Motion carried.

Established standing committees and representatives for the following:
Building and Grounds Committee: Mongeon, Bergh, McLaen
Co-op committee: McLaen, Hanson
Curriculum/Ad-Hoc committee: Christianson, Planteen
Finance committee: Christianson, Planteen, Hanson
Negotiations committee: Christianson, Planteen, Hanson
Transportation committee: McLaen, Pfau, Bergh
Wellness committee: Christianson, Pfau
Policy committee: Planteen, Pfau, Hanson
Motion carried.

Motion by Planteen seconded by Pfau to appoint Julie Colemer custodian of all school district funds and revenue bonds for the 2024-2025 school term. All voted yes. Motion carried.

Motion by Planteen seconded by Pfau to approve semi-annual Pledge of Assets through Stock Growers Bank. McLaen abstained, Mongeon, Pfau, Planteen, Hanson and Christianson all voted yes. Motion carried.

Motion by Pfau seconded by Hanson to designate Neil Planteen as Southeast Career and Technical representative for the 2024-2025 school term. All voted yes. Motion carried.

Sargent Central Public School District #6

Special School Board Meeting
October 30th, 2024
7:00 pm
ITV Room

A. Routine Business

1. Business Manager Records Roll
   Bergh_____ Christianson_____ Hanson_____ McLaen_____
   Mongeon_____Pfau_____ Planteen_____

2. Motion to Adopt Agenda
   Bergh_____ Christianson_____ Hanson_____ McLaen_____
   Mongeon_____Pfau_____ Planteen_____

B. Business for Special Meeting

1. Dakota Fence Quote
   Bergh_____ Christianson_____ Hanson_____ McLaen_____
   Mongeon_____Pfau_____ Planteen_____

2. Curriculum Review Committee
   Bergh_____ Christianson_____ Hanson_____ McLaen_____
   Mongeon_____Pfau_____ Planteen_____

3. NDSBA - District Legal Counsel
   Bergh_____ Christianson_____ Hanson_____ McLaen_____
   Mongeon_____Pfau_____ Planteen_____

C. Adjourn

Bergh_____ Christianson_____ Hanson_____ McLaen_____
Mongeon_____Pfau_____ Planteen_____

Sargent Central School District #6
Forman, North Dakota
Wednesday, October 30, 2024

The special meeting of the school board of Sargent Central Public School District #6 was called to order by President Jen Christianson in the ITV room at 7:00 pm beginning with the Pledge of Allegiance.

Members Present: Matt McLaen, Shannon Bergh, Jayne Pfau, Neil Planteen, Brandon Hanson, Jen Christianson and Steven Mongeon

In Attendance: Daniel Warcken, Superintendent, Kylee Roney, Secondary Principal, Rachel Olson, Elementary Principal, Mindie Bopp, Scott Christianson, Jan Christianson, Sammy Stenvold, Al Carton, Deb Carton, Sara Planteen, Kim Swanson, Valera Hayen, Brian Banderet, Carol Smith, Natalie Wittich, Katie Franklin, Alex Askerooth, Kristine Askerooth, Shelley Hoisington, Morgan Peterson, Jesse Degenstein, Julie Colemer, Business Manager

Motion by Pfau seconded by Bergh to adopt the special school board meeting agenda. Motion carried.

Motion by Bergh seconded by Planteen to table the discussion of Dakota Fence quote until next meeting. Bergh, Mongeon, Pfau, Planteen and Christianson all voted yes, Hanson, McLaen voted no. Motion carried.

Motion by Pfau to approve the Curriculum Review Committee consisting of the 11 individuals as proposed by Dr. Warcken but failed to receive a second and was not discussed by the board.

Motion by Planteen seconded by Bergh to approve the Curriculum Review Committee of one parent, superintendent, and two board members.

Planteen amended his motion and seconded by Bergh to also include the media specialist with one parent, superintendent, and two board members. Mongeon, Planteen, Bergh voted yes, Hanson, McLaen, Pfau, and Christianson all voted no. Motion Failed

Motion by Pfau seconded by Bergh to approve the Curriculum Review Committee as presented by Dr. Warcken. McLaen, Planteen, Bergh voted no, Hanson, Mongeon, Pfau and Christianson all voted yes. Motion carried.

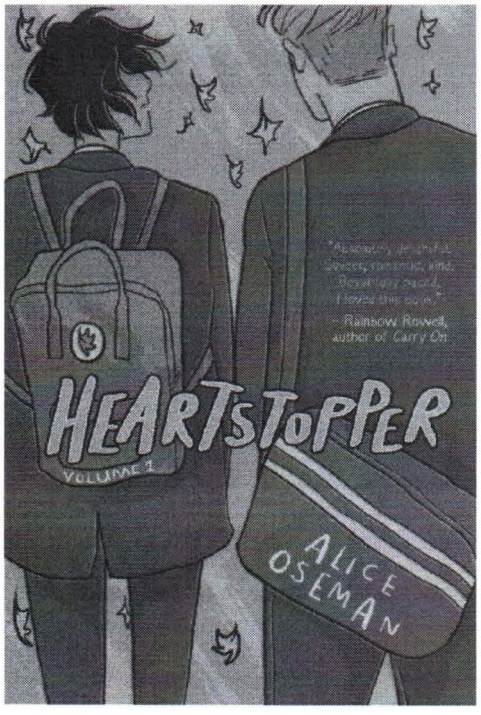
Planteen presented to the board that our district legal counsel is held by NDSBA.

Motion by Pfau seconded by Planteen to adjourn the meeting @ 7:36 pm. Motion carried.

_____ President
Jen Christianson

_____ Business Manager
Julie Colemer

HEARTSTOPPER: VOLUME 1



Young Adult Graphic Novel

Book Summary:

A homosexual male and a bisexual male begin dating while attending high school.

Summary of Concerns:

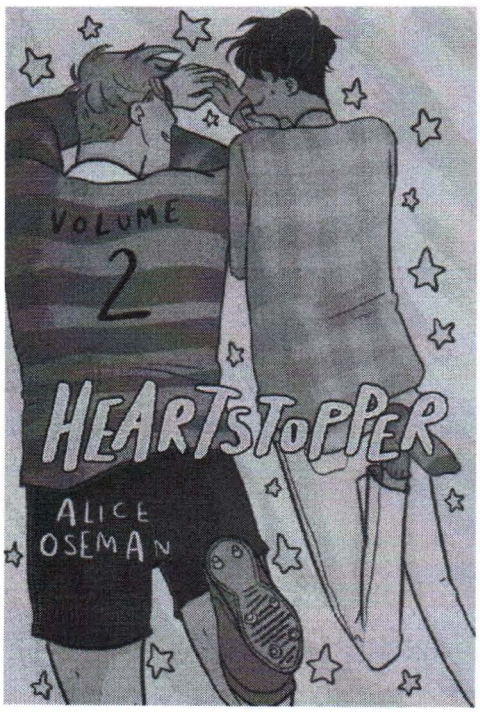
This book contains sexual activities; alternate sexualities; alternate gender ideologies; profanity; and violence.

By Alice Oseman

ISBN: 978-1-338-61745-0

2/5 Teen Guidance
BookLooks Review Rating

HEARTSTOPPER: VOLUME 2



Young Adult Graphic Novel

Book Summary:

A homosexual male and a bisexual male begin dating while attending high school and make their relationship public.

Summary of Concerns:

This book contains sexual activities; alternate sexualities; and profanity and derogatory terms.

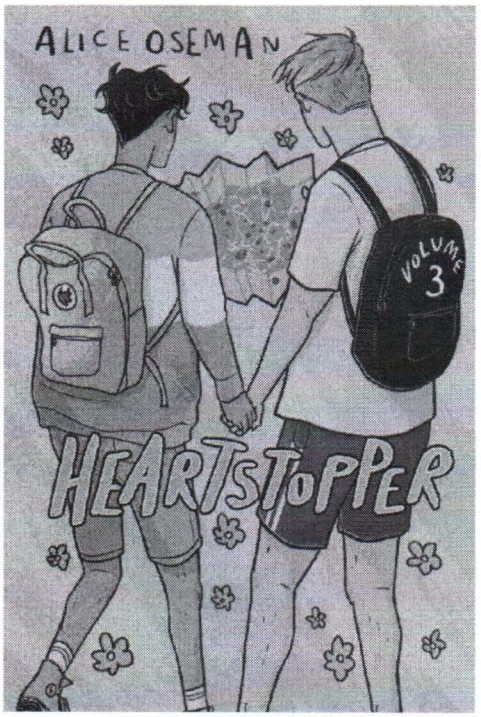
By Alice Oseman

ISBN: 978-1-338-61751-1

2/5 Teen Guidance
BookLooks Review Rating

Generated by BookLooks.org

HEARTSTOPPER VOLUME 3



Young Adult Graphic Novel

Book Summary:

A homosexual male and a bisexual male in a romantic relationship, go on a high school trip to Paris together.

Summary of Concerns:

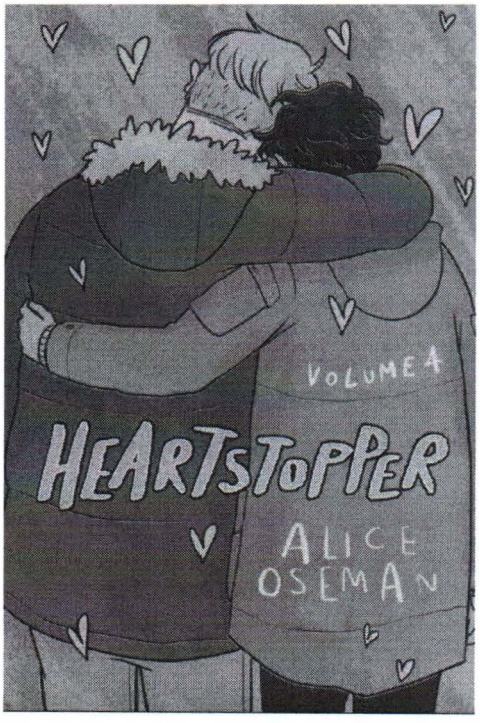
This book contains sexual activities involving kissing; alternate sexualities; alternate gender ideologies; references to homophobia and self-harm involving cutting; and profanity.

By Alice Oseman

ISBN: 978-1-338-61754-2

2/5 Teen Guidance
BookLooks Review Rating

HEARTSTOPPER VOLUME 4



Young Adult Graphic Novel

Book Summary:

Two young men in a romantic relationship undergo challenges as one receives treatment for mental illness and the other tells his family about his homosexual relationship.

Summary of Concerns:

This book contains alternate sexualities; self-harm involving anorexia; alternate gender ideologies; and mild/infrequent profanity.

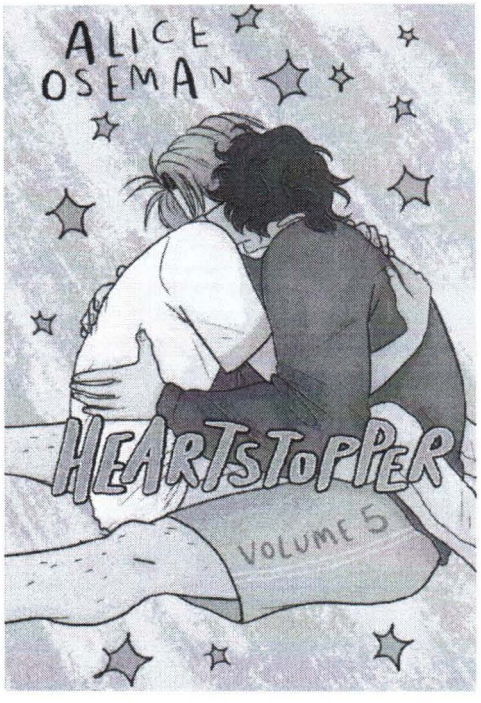
By Alice Oseman

ISBN: 978-1-338-61758-0

2/5 Teen Guidance
BookLooks Review Rating

Generated by BookLooks.org

HEARTSTOPPER VOLUME 5



Young Adult Graphic Novel

Book Summary:

High school boyfriends become more physical in their relationship.

Summary of Concerns:

This book contains explicit sexual activities; alcohol use by minors; profanity and derogatory term us; and alternate sexualities.

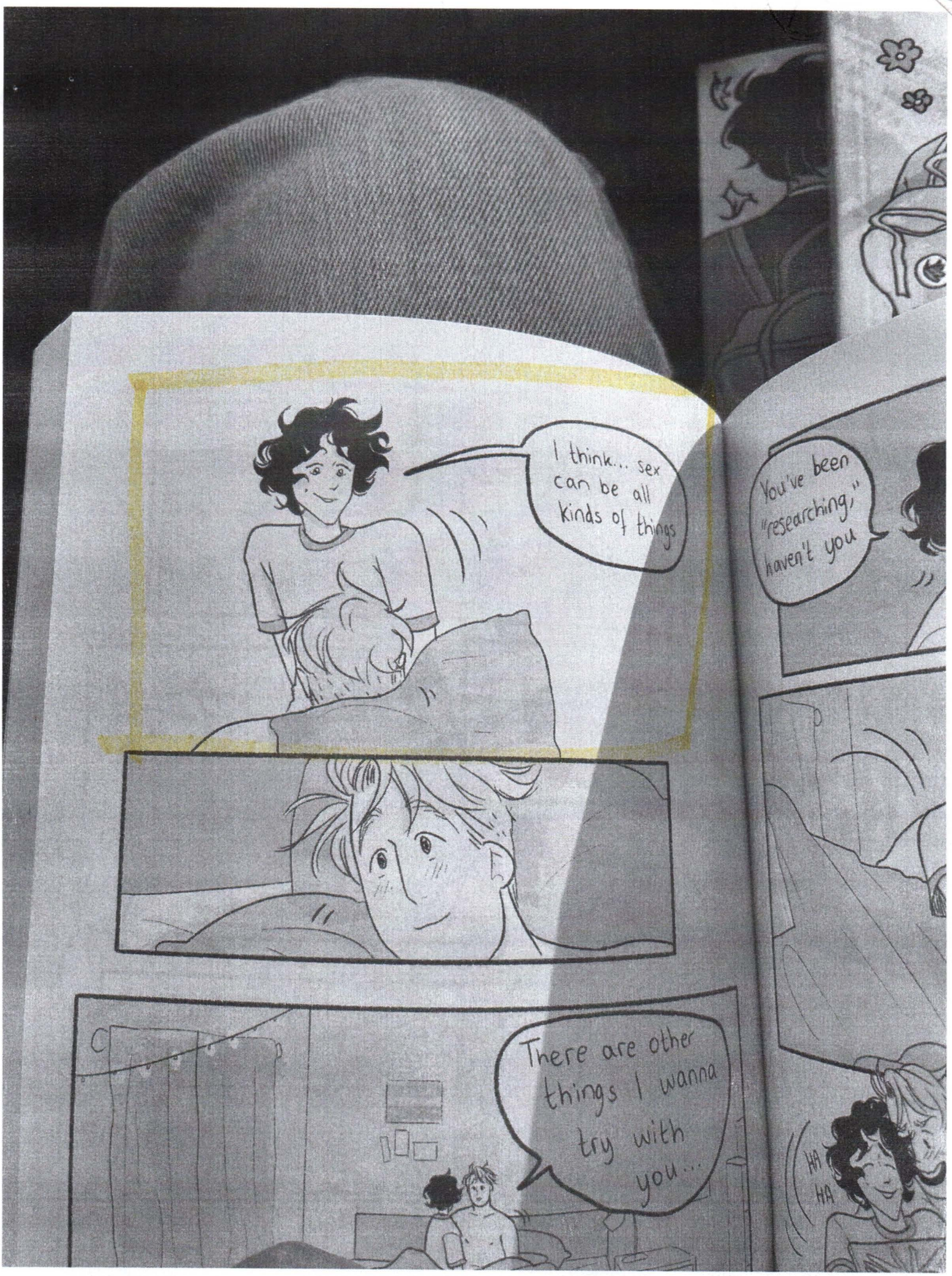
By Alice Oseman

ISBN: 9781338807516

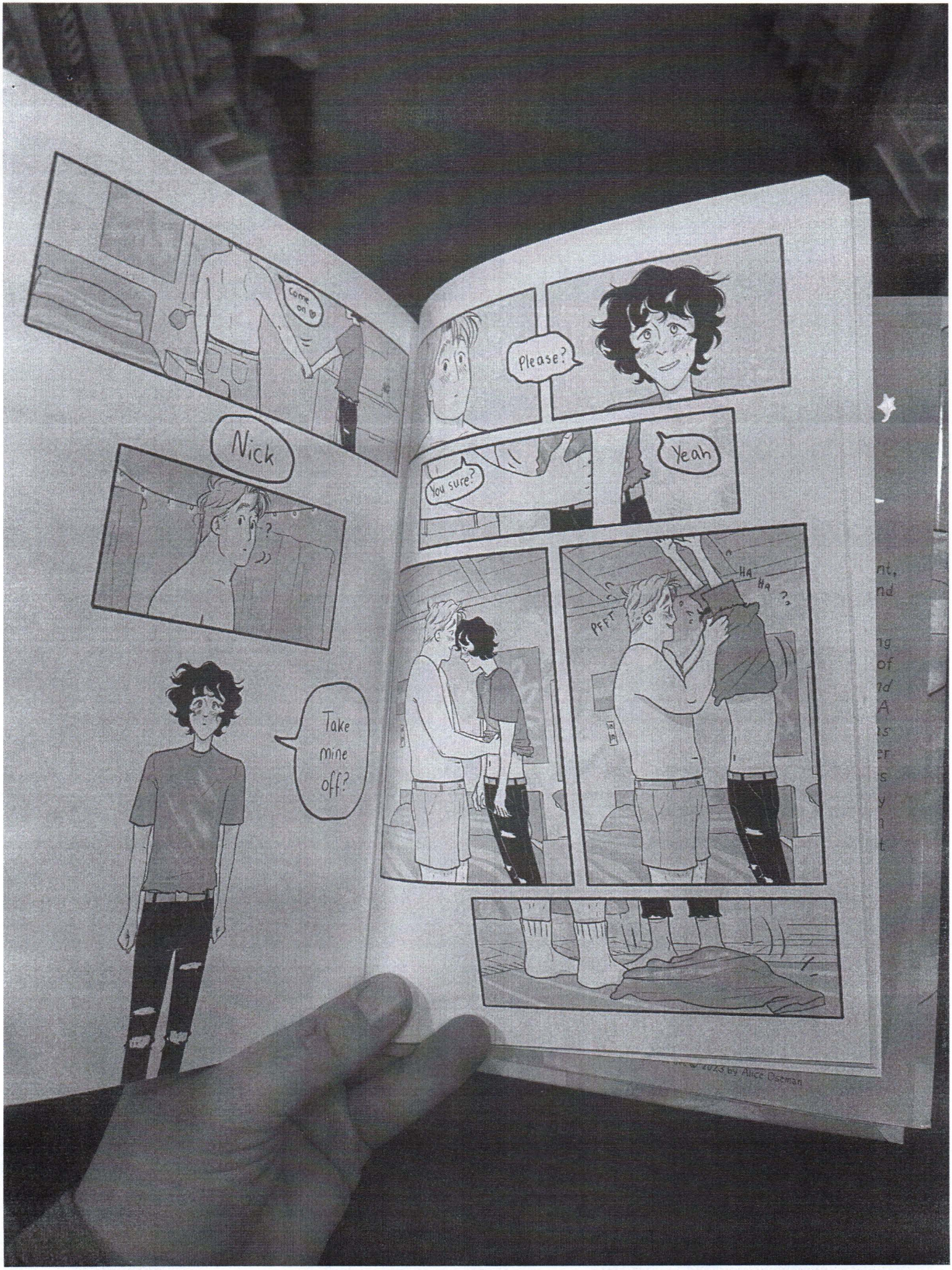
CONTENT WARNING

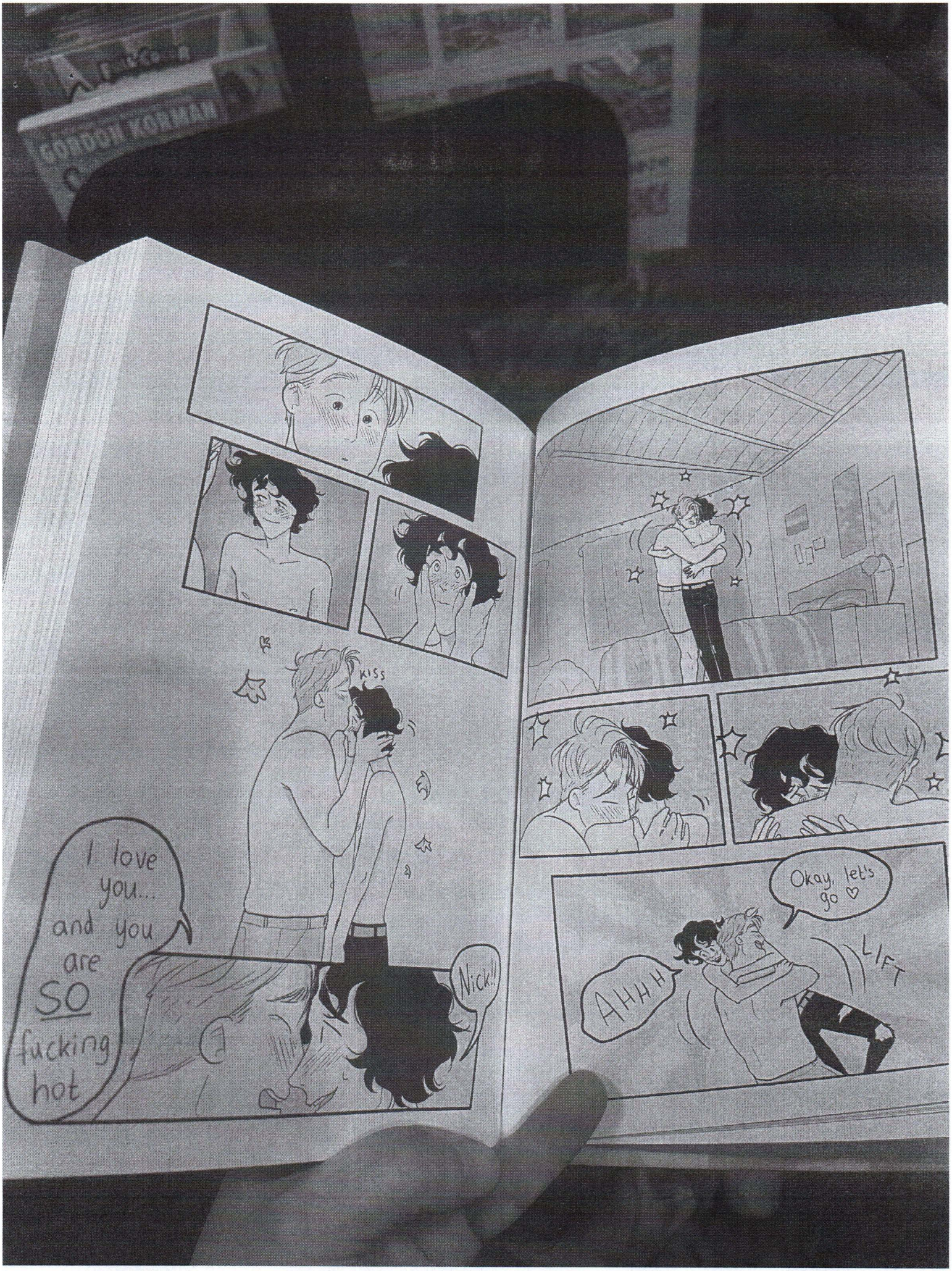
You are about to access material that may contain content of an ADULT nature. These files may include pictures and materials that some viewers may find offensive. If you are under the age of 18, or if such material offends you or if it is illegal for you to view these materials, please exit now.

3/5 Minor Restricted
BookLooks Review Rating


I think... sex can be all kinds of things
You've been "researching," haven't you
There are other things I wanna try with you...
HA HA


STEP
Um... are we having sex tonight because I really hope we are-
huff huff
YANK
Oh!
Wait, I wanna help-


Come on in
Nick
?
Take mine off?
Please?
You sure?
Yeah
PFFT
HA HA
?
© 2023 by Alice Oseman


KISS
I love you... and you are SO fucking hot
Nick!!
Okay, let's go ♡
AHHH
LIFT

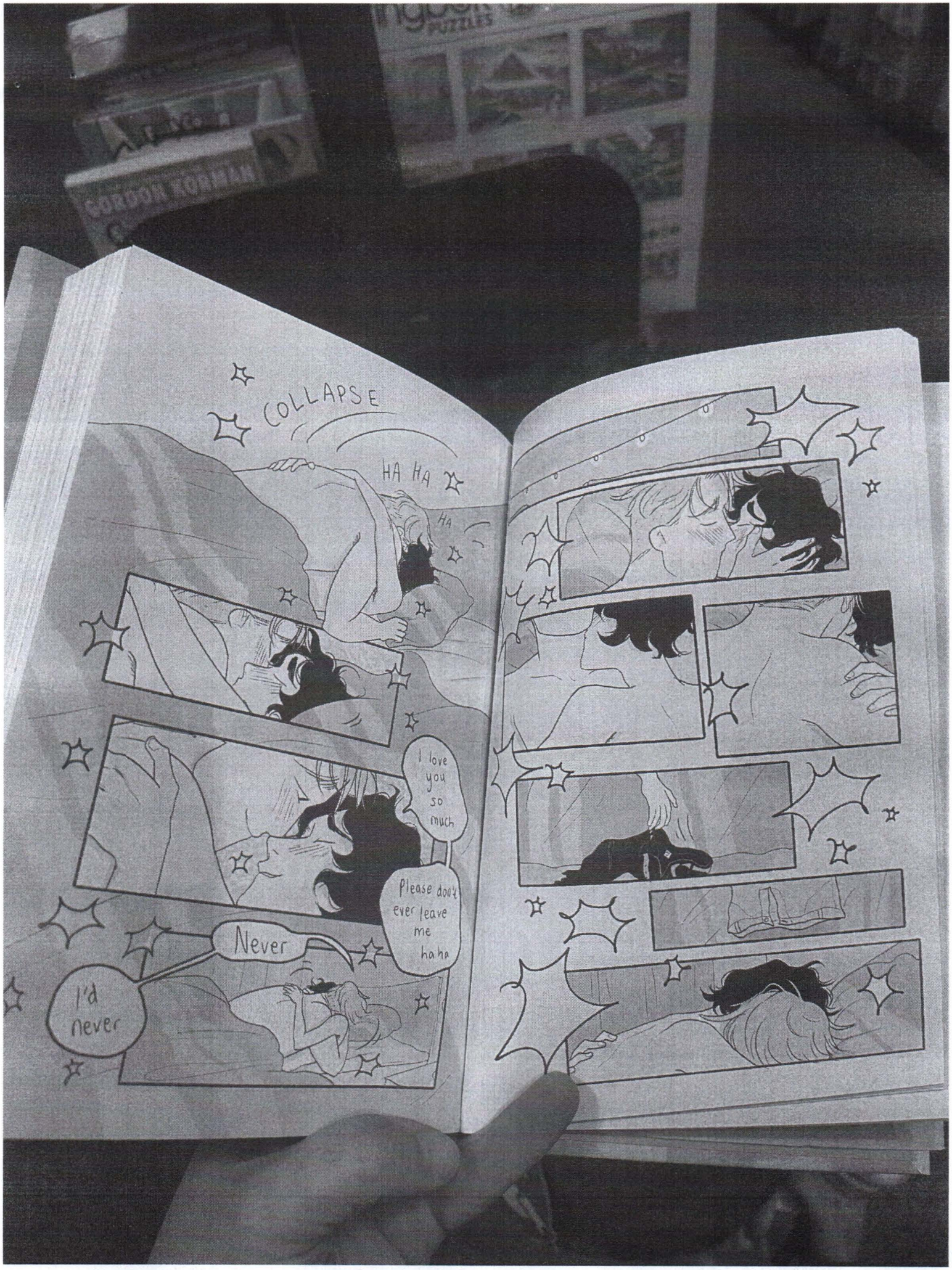

COLLAPSE
HA HA
HA
I love you so much
Please don't ever leave me ha ha
Never
I'd never



Figure 3

Generated by BookLooks.org

Sargent Central School District #6
Forman, North Dakota
Wednesday, November 13, 2024

THESE MINUTES ARE SUBJECT TO SCHOOL BOARD APPROVAL.

The regular meeting of the school board of Sargent Central Public School District #6 was called to order by President Christianson in the Commons Area, Wednesday, November 13, 2024, at 6:00 p.m. beginning with the Pledge of Allegiance.

Members Present: Matt McLaen, Jayne Pfau, Jen Christianson, Neil Planteen, Steven Mongeon, Shannon Bergh and Brandon Hanson

In Attendance: Daniel Warcken, Superintendent, Rachel Olson, Elementary Principal, Kylee Roney, Secondary Principal, Sara Dux-Teller, Business Manager, Julie Colemer, Steed Nelson, Vicki Weber, Kean Nelson, Kelsey Nelson, Holly Ponzer, Ben Ponzer, Brooklyn Ponzer, Karen Rather, Carol Smith, Brian Banderet, Sheila Anderson, Kaia Mahrer, Kim Mahrer, Kathryn Franklin, Alex Askerooth, Natalie Wittich, Hailey Stiegelmeier, Mindie Bopp, Kevin Bopp, Morgan Stenvold, Diane Stein, Jady Bopp, Trent Nelson, Kim Bjerke, Jeff Olson, Isak Dinesen-WDAY, Phyllis Delahoyde, David Delahoyde, Samantha Stenvold, Jenna Anderson, Morgan Peterson, Zoey Boren, Andrew Woytassek, Jess Rasmussen, David Rasmussen, Jan Christianson, Scott Christianson, Al Carton, Deb Carton, Tammy Klein, Melanie Butler, Brody Mahrer, Molly Bergh, Kim Swanson, Patience Greenwood, Patricia Bergh, Nancy Planteen, Jessica Threat, Trish Pearson, Dan Pearson, Robert Erbele, Mike Brandenburg, Allen Colemer, Michael Peterson, Jerry Waswick, Alicia Ennis, Deanna Martinsen, Dave Martinsen, Stephanie Mogren, Katie Woytassek, Brian Pfau, Kaycee Hamilton, Baylie Zirnhelt, Danielle Degenstein, Jesse Degenstein, Michael Mahrer, Kris Jochim, Kathy Marquette, Kristine Askerooth, Doug Askerooth, Dana Arp, Debbie Bosse, Barry Christianson, Jacinta Theis, Niveah Keller, Andrew Theis, Emily Hoistad, Kinsey Bopp, Marwood Klein, Mikyla Nelson, Kyara Nelson, Addie Bergeman, Valera Hayen, Hannah Colemer, Austin McLaen, Richard Ruch, Sara Planteen, Hadley Bladow, Allie Patty, Cody Parrow, Heather Parrow, Glen Hill, Charlize Willprecht, Whitney Mahrer, Lucy Mahrer, Luke Anderson, Eric Wasvick, Zoey Boren, Dana Arp, Chief Deputy Bryan Johnson, Deputy Sheriff Jon Wold

Routine Business:

Motion by Pfau seconded by Bergh to approve the October 9, 2024, school board minutes. Motion carried.

Motion by Bergh seconded by Pfau to approve the October 30, 2024, special school board minutes. Motion carried.

Motion by Pfau seconded by Hanson to adopt the November 13, 2024, agenda. Motion carried.

Sara Planteen addressed the School Board with concerns of a book series in the library.

Katie Franklin addressed the School Board with information on the book series that is in the library.

Business Manager Julie Colemer went over the October budget, revenues, activity fund report, monthly bank accounts as presented.

Motion by Planteen seconded by Bergh to approve the bills presented #35598-35622. Bergh, Hanson, McLaen, Mongeon, Pfau, Planteen and Christianson all voted yes. Motion carried.

New Business:

Eric Wasvick spoke on behalf of the Curriculum Review Committee and their final decision was to keep the book series in the library at Sargent Central Public School.

Motion by Bergh seconded by Pfau to retain the book in the library, after more discussion Pfau withdrew her motion and Bergh also withdrew his with no other discussion motion died.

Motion by Planteen seconded by Hanson to restrict Book 5 to parental consent but will remain in Sargent Central Library, after more discussion Planteen withdrew his motion so with lack of motion the book series will remain in the Sargent Central Library.

Recessed at 6:38 pm for 5 minutes.

Superintendent's Report:

Dr. Warcken, Superintendent, reported on project track that is now complete including striping, blue press box, shot put area sand, new well pump, Nd Parks and Rec inspection is completed, insurance update on track, white press box will be removed before winter, seamless pro incorrect colors or specifications were incorrect, Brad Hoistad and team delivered woodchips from Milnor Public School, attended the NDCEL conference in Bismarck, proposed change in the bus transportation reimbursement formula that should benefit us, upgraded our surveillance DVRs, couple new pieces of equipment in the Wellness Center, Email spam issues, Mr. Ponzer was awarded a $2000.00 Grant for Innovation to fund Sphero Blueprints for the Smart Lab, Colonial Door from Wahpeton is addressing issues with the overhead door openers, Amy Nelson from ND Child Nutrition conducted a thorough review of our school meals program, bus driver cohort was put together and currently it consists of five staff going through the process and should be completed in January 2025.

Elementary Principal Report:

Ms. Olson, Elementary Principal, reported 88% attendance for parent-teacher conferences, AR rewards majority of students reaching quarterly goals, new voluntary program for reading with the students has started, ND A+ went well, met with teachers and reviewed results scores and current standards taught, it is an overall yearlong model so should see growth come after the winter interim, first round of results had us higher than the state average in both reading and math in all grades except for one test for one grade, some classes were over by 30 points on the scale score compared to state average, 8 question assessment on standards, so we are doing well in comparison or on par with the state, grades 2-6 will be attending the MSUM children's theatre play, thank you to the class of 1974 for helping sponsor the trip.

Secondary Principal Report:

Mrs. Roney, Secondary Principal, reported ASVAB & PSAT for juniors is complete, for the scholarship, students needs to score a 50 on the ASVAB or complete basic training with a 31 test score to considered Military Ready, 20 students competed in One-Act regionals last Wednesday, placed 3rd with James, Charlize and Whitney receiving individual recognition, congrats to the participants and the coaches, Ms. Franklin & Mrs. Wittich, Dr. Peterson took 11 students to the NSU Band Festival in Aberdeen, he reported in was a great experience with learning and fun, coming up-Juniors are planning a together time, Freshman will attend the Health Tech Trade Career Expo, and volunteer at the Great Plains food bank, we were notified we had been approved for the Choice Ready Grant for ACT Boot Camp, junior class will do this Boot Camp in February and it's with Sylvan Learning Center in Bismarck, we are a part of a new cohort for the Choice Reay Data Dashboard Expansion Project through SEEC, working on the beginning stages of this, so soon parents and students will be able to monitor choice ready progress through PowerSchool.

Athletic Director's Report:

Julie Colemer, Athletic Director, reported Football, Cross Country, Volleyball and 5-6 GBB finished their season, One Act Play finished 3rd in regionals, BBB will begin on December 2, JH BBB will begin on December 9, GBB will begin on November 18, JH GBB started and had their first game, GVB ended their season against Central Cass and went 5 sets, speech will begin soon, State Football will be at the Fargo Dome this Friday, next year our boys will be 11 man, wrestling began on November 12, and Archery will begin on December 9.

Sabrina Baêta, Senior Program Manager
Freedom to Read, PEN America
mmarkham@pen.org

To: House Judiciary Committee
State of North Dakota 69th Legislative Assembly

Re: SB 2307
Position: Opposition

March 17, 2025

To the House of Representatives Judiciary Committee,

As a literary and free expression organization, PEN America opposes legislation that restricts the freedom to read in public schools and libraries. The freedom to read is a core liberty of citizens in the United States, and it has long been supported by the ready, free availability of books and information which public libraries provide.

We are writing in strong opposition to SB 2307 which threatens this core institution of our democracy. Libraries should be safe places for the open exchange of information and ideas. As such, librarians and educators curate collections to ensure access to a range of materials across all age groups. While collections may be tailored based on audience age such as children, teen and adult sections, it is a library's role to facilitate access to materials, not bar access based on a one-size-fits-all approach to the populations it serves. This is how these institutions support the freedom to read that all Americans enjoy.

This bill jeopardizes these freedoms. It will force school districts and public libraries to censor their collections or bar minors entry to their libraries. By threatening to impose new penalties for libraries and librarians for where they shelve certain materials, the bill will undoubtedly lead to the removal of a wide swath of books from the reading public, owing to vagueness in the law's drafting.

Indeed, to avoid violating SB 2307's vague requirement to relocate certain materials to areas that are not "easily accessible to minors," libraries will be forced to take drastic measures. We have seen libraries in other states, like Idaho, refuse a parent access to "restricted sections" because she had with her a baby - who is a minor, and therefore prohibited from that section. Other Idaho libraries have also entirely closed their doors to any minor unaccompanied by a parent, taking away a vital community resource that many minors depend on for access to materials, computers, and safe public spaces for homework. No families or communities benefit from such drastic changes in the library services on which they rely.

We respectfully urge this committee to protect the freedom to read and provide a do not pass recommendation for SB 2307.

Sincerely,
Sabrina Baêta

March 17, 2025

Madam Chair Larson and members of the Judiciary Committee,

Thank you for taking time to read my testimony today. My name is Kimberly Ho; I am a homeschool mom to three sons and I count it the utmost responsibility to make wise decisions surrounding our children's education as well as what we allow them to be exposed to. I have been a resident of Dickinson, ND since October 2020; our family moved here from California, where I was born and raised. We love it here in ND and have found a great homeschool, church, and neighborhood community surrounding us here. One thing that I have been completely shocked by is our current library situations that have arose in the past few years. When the book "Let's Talk About It" The Teen's Guide to Sex, Relationships, and Being a Human (A Graphic Novel) landed on our local Dickinson Area Public Library shelf and our community became aware of it and rose up in defense; I was present at that DAPL board meeting where concerns were discussed, and watched as the current board didn't take action towards the nature of such material. They relied on request for reconsideration policies, which comes with many flaws and many hoops to be jumped through for the book to actually be looked at through a lens of conservative nature. This is something I never expected to encounter here in North Dakota, so after my observation of that incident I committed to stepping out of my personal comfort zone and applied to sit on our local DAPL board; I secured a spot in June of 2023. Since sitting on the board I have come to realize many things and today I will share a few of those with you. I have been obtaining invoices of materials ordered every month for almost the past two years here in Dickinson, ND, and I will tell you that there have been explicit materials ordered and placed on "new book" shelves where children will look at them. One of the titles that struck me as odd was ordered back in 2023, a book titled, "We Need To Talk About Vaginas: An Important Book About Vulvas, Puberty, and Sex!" This book not only is explicit in title but the material found within was disturbing to say the least. The inside covers of the book are covered with pencil drawn vaginas, inside the pages of this book are naked girls in different stages of development, breasts and pubic hair exposed; these are just two examples from this book, there are more. This book now sits in our juvenile nonfiction section of our Dickinson library. There are other books too, that currently sit on the shelves in our children section that portray what I would define as pornography, whether in picture or verbal words. I would personally not want my children to happen upon a book like the one above. I do believe that our children need to be educated but our public libraries need to have parameters around the materials that children are exposed to. I know from personal experience that there is a lack of accountability to the process of ordering books and the research behind those chosen books that get brought into our libraries. To me these explicit materials don't reflect our local communities wants and interests, these books aren't ordered with the best interest of our communities children and families in mind! If I can honestly express my concern as a parent I believe we are dumbing our children down by providing and making these accessible, in our public libraries. We are taking a risk introducing them to naked pictures of people versus the scientific textbooks we learned from back in the 80's. We don't know the effects this type of exposure with have on our children and youth, the future of our ND cities and communities. SB 2307 ensures that we are going to be proactive about not exposing our children, the future generations, to explicit materials. For these many reasons I personally support SB 2307 and ask you to pass this further into law. SB 2307 will bring accountability to the areas that lack, and hopefully bring good recourses onto our library shelves that grow and

educate our children and youth, not expose them to unnecessary indecency. Again, thank you for your time and I support a DO PASS of SB 2307!

Monday, March 17, 2025

Chairman Klemin and Members of the House Judiciary Committee,

For the record, I am Morgan Keyser, a citizen of Williston, North Dakota, District 1. I am writing today in strong opposition and I urge you to recommend a DO NOT PASS for SB 2307.

This bill is unnecessary and I fully trust the librarians who have procedures and policies they follow when it comes to ordering materials for their libraries.

Thank you for your time reading this testimony.

March 17, 2025

Re: In Opposition to SB 2307

Dear Committee Members,

Please recommend a Do Not Pass for SB 2307.

Our librarians don't get paid enough to face criminal charges because someone considers a book on their shelves to be obscene. There is no precise definition of what makes something obscene, so librarians would be put in the impossible position of guessing what everyone would agree was acceptable.

The reality is, if children want to see things that aren't good for them, they need only look at TV, streaming services or the internet. Or they could simply buy a book online.

Frankly, if children were encouraged to go to the library in the hopes of reading about something they shouldn't, at least they would be reading to find it!

Having teachers and librarians report to the legislative management regarding books kept on their shelves is uncomfortably similar to the times of the Nazi rule. And I am sure none of us want that.

Thank you for your time.

Sincerely,

Mary Bjerke, Concerned Citizen

Members of the House Judiciary,

My name is Megan Fuller, and I am a long time resident of North Dakota with a background in library science. I have worked and volunteered at a handful of ND libraries throughout my life. Frankly, this bill is an insult.

I will not waste time here, like this bill is wasting all of ours. I am urging you to NOT PASS SB2307. This bill is a massive waste of taxpayer time and money.

I hope the next session has bills that are focus on the real issues affecting your constituents, like access to affordable food, housing, and childcare. DO NOT PASS SB2307.

Thank you,

Megan Fuller

Jamestown, ND

Chair and Members of the Committee,

My name is Alex Johnson, and I am a board member for the Williston Community Library, as well as the owner of Guided By Spirit Publishing. I am here today to express my strong opposition to SB 2307. As an avid reader, publisher, and lifelong advocate for education, I find this bill to be not only unnecessary but actively harmful to the intellectual and cultural growth of our communities.

SB 2307 represents an alarming attempt to censor knowledge, restrict access to diverse perspectives, and undermine the very foundation of libraries and educational institutions. The role of libraries is to provide open access to information and to allow individuals the freedom to explore, learn, and think critically. This bill does the opposite. It places limitations on what can be read, learned, and shared.

History has shown that restricting access to books and ideas does not protect society. It weakens it. Censorship stifles curiosity, suppresses creativity, and creates an environment of fear rather than understanding. Libraries are meant to be safe havens for exploration and discovery, not battlegrounds for political and ideological control.

The books that this bill seeks to remove or restrict are often those that challenge individuals to think beyond their own experiences and provide representation for communities that have long been marginalized. Education should never be dictated by fear, but rather by the pursuit of knowledge. It is not the job of legislators to decide what is or isn't appropriate for every reader; that is the role of parents, educators, and individuals themselves.

SB 2307 is not about protecting our communities. It is about control. If we begin down this path of book bans and censorship, where does it end? Do we erase history because it is uncomfortable? Do we silence voices because they offer a different perspective? This bill sends a dangerous message that some knowledge is too dangerous to access, which is the very antithesis of what education stands for.

I urge you to vote NO on SB 2307 and stand in defense of intellectual freedom, the right to read, and the fundamental values of education. Let us trust our communities, our educators, and our librarians to do their jobs without government overreach.

Thank you for your time and consideration.

Alex Johnson
Board Member, Williston Community Library
Owner, Guided By Spirit Publishing

Members of the House Judiciary,

My name is Scott Heidinger, and I am a long time resident of North Dakota and a long time library user. I find this bill quite insulting. In all my years of going to the library, I can confidently say the so-called issues this bill seeks to address are non-existent. It seems like a half-baked leftover from the Satanic Panic.

I urge you to NOT PASS SB2307. This is an egregious waste of taxpayer time and money.

The next session should seriously consider focusing on the real issues affecting your constituents, like access to affordable food, housing, and childcare. DO NOT PASS SB2307.

Thank you,

Scott Heidinger

Jamestown, ND

Members of the Judiciary Committee,

As a North Dakota resident, I strongly oppose SB 2307. This bill threatens access to books and ideas by promoting censorship and placing unfair and undue pressure on North Dakota librarians.

The vague language in this bill could lead to the removal of books that offer important educational and cultural value. Our public libraries already have processes in place to address concerns about materials, making this bill unnecessary.

I'm especially concerned that SB 2307 could criminalize librarians simply for doing their jobs. Creating this kind of fear in our communities only limits access to information.

Censorship has no place in our public libraries. While censorship bills may claim to protect youth, they create a dangerous slippery slope that limits access to valuable information, restricts diverse perspectives, and undermines the ability of families to guide their own children's learning.

I ask you to vote NO on SB 2307.

Thank you for your time and commitment to our communities.

Sincerely,
Sara Medalen

Academic Interventionist and 2020 North Dakota Teacher of the Year

To Whom It May Concern:

I am writing in opposition to SB 2307. This bill is an antiquated solution in response to no problem. In the 60+ years that I have used libraries in 4 different states, I have never seen a child wandering into the adult stacks of books. Parents are always with young children. Please leave the appropriate access of books to parents and professional librarians. They know what they are doing.

Thank you.

Nancy A. Hadlich

Grand Forks, ND

Dear House Judiciary Committee,

As a young adult in this state who is an avid patron of the library, I strongly oppose the passage of this bill. The library is a space and a resource for all in our community, not just young children. This vaguely-worded bill will infringe upon the rights of all North Dakota citizens to access materials at their libraries, based upon what others deem to be "obscene". SB2307 is burdensome, redundant, and disservice to North Dakota citizens.
Strongly in opposition,
Melanie Borysewicz, Larimore ND

Mindy M. Iverson
1726 Montego Drive
Bismarck, ND, 58503
iversonmindy@gmail.com

March 17, 2025

Honorable Chairman Klemin
RE: Testimony on SB2307

Dear Chairman Klemin and Members of the Judiciary Committee:

I am providing this personal testimony in opposition to SB2307. My name is Mindy Iverson and I am a concerned parent from the Bismarck community. I have two children, both in high school. I believe it is the parents' right and responsibility to monitor what their child is reading and not the state's position to determine what should or should not be in a library collection.

Passing this bill will have major implications on our children. In a society that already struggles with mental health, we will be pushing children over the edge who are grappling with their identity, physical and sexual abuse. I ask you to self reflect, what if you went to a space that eliminated everything that represented you. A library is a safe space for these students and the material in it should represent everyone, not one person's agenda.

I encourage you and parents to look at your district's criteria for book selection and reconsideration. You will find they have policies and procedures in place. Community members need to follow the process and take the appropriate action steps if they have an issue with materials in our school libraries.

My next concern is the targeting of educational databases. Databases are vetted and reliable resources only accessible when purchased by districts or the state library. I also worry about the repercussions this will have on smaller towns in our state. Many of them rely heavily on the state funded databases and do not have the financial means to purchase them on their own. Additionally, students of North Dakota will not be prepared for college as it is required to have peer reviewed articles when writing essays, thesis, and action research papers at advanced levels. These articles are only found in the databases! Imposing this bill will drive teachers away from requiring this resource and push students to use the open internet more, which will ultimately increase their exposure to uncensored material.

I oppose this bill and ask you to give a 'do not pass' recommendation.

Sincerely,

Mindy M. Iverson

I write in opposition to the proposed legislation, SB 2307.

I have been a constant user and beneficiary of public libraries since 1961, when the public library in my then-small southern California hometown was located in a clothing store. I have recently concluded a 33-year career as an academic librarian and I continue to serve the West Fargo Public Library (WFPL) as a member of its board of directors, most recently as the board's president.

What the WFPL has been doing continues to work, as exemplified by its ever-increasing circulation statistics, door counts, and attendance at its many programs. The citizens of West Fargo know that the physical and electronic resources provided by the WFPL, and paid for by them, match their values and needs, even as statistics show that the city is underserved by the library's space and collections. The proposed legislation would do nothing less than place coatly unnecessary and unasked-for barriers to citizens' access to information as well as place an undue burden on the library's budget, restricting its ability to provide necessary services to the community and forcing it to spend sparse money on a superfluous construction project and age-verification software. Further, the WFPL has in place policies (as do other public libraries in North Dakota) that already answer the concerns addressed by SB 2307. It is legislation in search of a problem.

I commend to your attention an editorial in the Bismarck Tribune by Bismarck Veterans Memorial Public Library Board of Directors president Dianna Kindseth and BVMPL director Christine Kujawa, who write, "This law functionally forces the library to proactively restrict collections and acquiesce to requests to remove contested materials. It poses a challenge to the fundamental principles of public libraries in the United States, which are built on the ideals of free and open access to diverse information, empowering individuals to make their own choices about the materials they wish to engage with." If the supporters of this bill are concerned that their own children will engage with materials that they find objectionable, they are invited to come into the library with their children in order to guide their library use and to use the library's policies as they are intended. Arranging or restricting access to the library's materials, physical and electronic, so that other people will not be able to encounter those materials is deeply un-American.

I wish to note, also, that the proposed legislation is not being brought forward by the citizens of the communities in North Dakota but, rather, is the product of paid outside agitators who have no interest, vested or otherwise, in the continued success of the City of West Fargo and its library or in the other cities and their public libraries in the state. I urge you to vote no on this legislation.

Yours, &c.
Larry Schwartz
West Fargo ND
701-306-3546

March 17, 2025

RE: SB 2307

Dear Chairman Klemin and Committee Members:

My name is Ruth Heley, and I am a resident of Dickinson, ND. I am writing today in favor of SB 2307.

I am rather sorry that this bill has become necessary, however. I have been working on the local level with the Dickinson Area Public Library (DAPL) since the fall of 2022 by attending and filming the board meetings, putting in collection suggestions, writing recommendation forms, meeting with other concerned citizens, and speaking at the board meetings when the board finally granted that privilege. Change to reflect citizen input at the local level by our library has been slow and grudging.

The DAPL will be quick to tell you that their circulation is up and that their programming is highly rated in the state. What they are less eager to tell you about is the huge number of books they weed out every month and the thousands of new books they order each year to replace those removed from the shelves. A very small percentage of these new books will be patron requests, many of them denied by library staff for not having a proper "professional" review or having a publication date that falls before 2020.

Thinking about those thousands of new books that are ordered, one might well imagine that it takes a great deal of time for the librarians to order these items. It comes out in board meetings, however, that the librarians purchase a share of these books in pre-selected "packs" from the publisher. Essentially, those materials are rarely reviewed in advance, trusting the publisher's judgement. Going through what is on the shelves, I have observed poor scholarship, "woke" ideologies, and sexualized materials. If a patron doesn't feel these materials are in the best interest for her children or teens, she is free to write a reconsideration form. Well, at a limit of three reconsiderations per month, it might take a while for that patron to see much change in the quality of literature.

Thinking about the best interest of children and teens brings us to the crux of this bill. A public library is a public space. In other public spaces by law, we respect the developing emotional maturity of young people by not inundating them with sexual images. This respects parents by helping them to introduce sexuality to their children at a time when the child is ready. In the past, the library was a safe place for children to explore. The library staff will tell you that you should be present with your children to guide them in the library so they don't encounter offensive material. Certainly, this is a good thing to do. Yet, how can librarians lecture parents to be at the library to monitor their children's and teens' book choices, and at the same time have a policy that allows children 12 years and over to be unattended at the library? In fact, the Dickinson Public School bus drops children off at the library after school. Who is preventing these unattended children from pulling *The Nerdy and the Dirty* off of the shelves in the Young Adult section and going through it or wandering into the adult graphic novels section to run into *My Lesbian Experience with Loneliness* complete with line drawings of naked women on the cover (both available at DAPL)? Nothing, right now.

Thank you for your service to our state and for your time in reading this. I urge a DO PASS.

Chairman Klemin, members of the Judiciary committee, my name is Rozell Unruh from Dickinson.

It is our duty to protect our children not only physically but also mentally and emotionally. So we need to protect them from the grooming, overtly sexual and explicate books that are currently in our public and school libraries. Their minds are not mentally or emotionally equipped to comprehend what these books are promoting. These books have an actual agenda that is geared towards our children especially tweens and teens to encourage pornography, sexting, gender identity questioning, sexual experimentation and sexual promiscuity.

Minors are not legally allowed to vote, smoke cigarettes, drink alcohol, be in the military, sexting, let alone go into a strip club or an adult book store, so why would we allow them to read or look at these pornographic, explicate books in our public or school libraries?

Please vote a DUE PASS SB2360

Thank you,
Rozell Unruh

701.557.1500 » info.naswnd@socialworkers.org » naswnd.socialworkers.org

NASW
National Association of Social Workers
NORTH DAKOTA CHAPTER

SB 2307 Testimony
to the House Judiciary Committee
March 18, 2025

Chairman Klemin and Members of the House Judiciary Committee:

My name is Stella Cantu, and I am writing on behalf of the North Dakota Chapter of the National Association of Social Workers. Thank you for the opportunity to submit this testimony.

NASW-ND opposes SB 2307 for the following reasons:

- **SB 2307 is an unnecessary bill** since the ND Century Code already provides for "Obscenity Control," especially in relation to minors, through Section 12.1-27.1 of the Code. In addition, it would cost the state an estimated $2 million. Those funds could be allocated to other underfunded resources, such as education or transportation, to benefit the community.

- **SB 2307 restricts local and school libraries.** Both entities have trained and educated professionals who can understand and adhere to the ND Century Code and discern the difference between obscenity/pornography and genuinely appropriate materials. The policies already established and their professional judgment should be used to select appropriate material for the communities they serve.

- **SB 2307 places undue burdens on schools, libraries, legislative management, and the local state's attorney** through requirements addressed in the bill, such as, but not limited to, developing new policies to adhere to SB 2307, forming a "diverse decision-making committee," updating physical/online databases, and potential prosecution. Public libraries and schools are already understaffed and underfunded; this bill creates one more layer of stress on the professionals who work with our local communities.

NASW-ND believes that the most successful and effective way to support student well-being is to trust public librarians, school librarians, and teachers to decide what is most appropriate for children and youth and who can then work, as necessary, with community members to maximize the choice of resources available to all library patrons.

Thank you for your review of our testimony, and we encourage the committee to give SB 2307 a **Do Not Pass** recommendation.

Thank you,
Stella Cantu
NASW - North Dakota Chapter

Outline - Impact of Porn on the Brain
· How Exposure to Porn Happens
· The Brain and Porn
· Porn Traumatizes Children

Chairman and members of the Judiciary Committee.

1. How Exposure to Porn Happens

Dr Jay Stringer in his book, "Unwanted", surveyed 3817 individuals with unwanted sexual behavior (Stringer, Colorado Spring). Here are his findings.

1. 50% **Had a peer introduce them to pornography**.
2. 33% Had a peer touch them in a way that made them feel uncomfortable.
3. 32% **Had someone older introduce them to pornography**.
4. 35% Touched another peer or child inappropriately.
5. 21% Had an adult touch them in a way that made them feel uncomfortable.

Stringer writes, "Pornography is introduced in the context of relationships," and the context of those relationship produces long-term emotional, psychological, and sexual attachments for a person. Exposure to porn produces two key bonding hormones called oxytocin and vasopressin which hard wires our brain to those images (Hilton, 2014) This creates what Dr. Patrick Carnes calls an arousal template (Carnes, 2008) This template will guide who an individual is attracted to and what stimulates them sexually for the rest of their life. Researchers now tell us the average of porn exposure is around eight years old with some estimates being even lower.

From their 2024 research study, "Beyond the Porn Phenomenon", The Barna Group reports that "Pornography use remains a growing problem. Today, three in five U.S. adults (61%) report viewing pornography, and half of those who use porn say that "no one" knows."

2. The Brain and Porn

Our brains are hardwired to learn. Dopamine drives learning and curiosity (Weinschenk, 2009) and learning changes our brain (Mengia-S. Rioult-Pedotti, 2000). Human sexuality is an important form of learning (Hilton, 2014). Our brains are highly visual, and we respond to sexual stimuli faster than anything else. This is one reason our eyes can become our own worst enemy because sex is highly visual.

FMRI scans now can show the differences between a healthy brain and an addictive brain. If you compare a cocaine brain with a sexually addicted brain, they look the same (Voon V, 2014) (see graphic 1-2). Why? Because our brains respond the same way to all forms of pleasure regardless of their source. Sexually addicted brains are creating the drug they are addicted to. They have no impulse control. Neuroscientist's can now see a 10-12% reduction in brain matter due to this trauma (Meng, 2016). They become brain damaged over time. Researchers Kuhn and Gallinat study showed a reduction in gray matter with long-term exposure to porn (Kuhn, 2014) (see graphic 3). Gray matter shrinkage makes it difficult for sex addicts to calm themselves down because they rely on porn to do it. Over time, they must increase the kind and type of porn in order to get the needed dopamine high (Negash S, 2016). Each time they come off it, they will hit a lower and lower on the normal baseline and fall into more of a depressive state (See Progressive

Drug Tolerance graphic 4).

3. Porn Traumatizes Kids

Sit in any sexual addiction recovery group, and adults will recall the first time they saw porn as a child. Many felt disgust, horror, shame, shocked, excited, confused, aroused, and they didn't know what to do with what they saw. This phenomena is also called like/want split (Anselme, 2016).

In Dr. Bessel van der Kolk's book, *The Body Keeps the Score: Brain, Mind*, and *Body in the Healing of Trauma.* He writes, "Trauma results in a fundamental reorganization of the way mind and brain manage perceptions. It changes not only how we think and what we think about, but also our very capacity to think." And "Being traumatized means continuing to organize your life as if the trauma were still going on—unchanged and immutable—as every new encounter or event is contaminated by the past." This sets us up for shame and bondage.

Ninety percent of critical brain development happens before the age of 5 (First, 2023). Exposure to porn traumatizes kids' brains. Porn stunts a child's emotional growth. A basic definition of trauma is the brain's inability to metabolize an event. Children have no way to process porn. The development of the prefrontal cortex, the front part of our brain behind our forehead that helps with decision making, planning, and impulse control, isn't complete until the age of 25. The brain cannot differentiate between explicit material whether it is in the form of a cartoon, drawings, pictures or video (Hilton, 2014). Our brain sees all sexual material in the same way (Voon V, 2014) (Meng, 2016) (Kuhn, 2014) (Negash S, 2016)

Dr. Caroline Giroux a psychiatrist who specializes in trauma, says "Exposing children to pornography should be forbidden and better regulated, as it is violating their spiritual boundaries and evolving beliefs around body, sexual development and intimate relationships, in a similar way that direct sexual abuse on their body does. If this trauma is not identified and processed promptly, the survivor runs the risk of reenacting as an attempt to resolve what once left him or her powerless, or of even engaging in similar criminal behaviors (Giroux, 2021)."

Children will become less empathetic adults and unable to affect regulate over time with exposure to porn (ARIEL KOR, 2021). They will seek out porn and act out the behavior they see with other kids (Ed.D., 2011).

Studies show children who are traumatized by sexually explicit material or sexual abuse are unable to have healthy relationships (Impact of Internet Pornography on Marriage and the Family: A Review of the Research, 2006).

Exposure to sexually explicit material destroys a child's life. I urge a DO PASS on Senate Bill 2307. Thank you. I stand for questions.

I urge a DO PASS on Senate Bill 2307 Thank you. I stand for questions.

References

Anselme, P. &. (2016). "Wanting," "liking," and their relation to consciousness. . *Journal of Experimental Psychology: Animal Learning and Cognition*, 123–140.

ARIEL KOR, A. D.-S. (2021). Alterations in oxytocin and vasopressin in men with problematic pornography use: The role of empathy. *Journal of Behavioral*.

Carnes, D. P. (2008). *Facing the Shadows 3rd Edition: Starting Sexual and Relationship Recovery.* Gentle Path Press.

Ed.D., F. K. (2011, September 23). *The Super-Sexualization of Children: Time to Take Notice*. Retrieved from Psychology Today: https://www.psychologytoday.com/us/blog/what-your-child-needs-know- about-sex-and-when/201109/the-super-sexualization-children-time-take

First, F. T. (2023). *Why Early Childhood Matters - Brain Development* . Retrieved from First Things First: https://www.firstthingsfirst.org/early-childhood-matters/brain-development/

Giroux, D. C. (2021, December 7). *Early exposure to pornography: a form of sexual trauma*. Retrieved from Journal of Psychiatry Reform: https://journalofpsychiatryreform.com/2021/12/07/early-exposure-to- pornography-a-form-of-sexual-trauma/

Hilton, D. D. (2014). Pornography and the Brain: Understanding the Science of Addiction and Recovery. *Youtube*. Portland, Oregon: Northwest Coalition for Healthy Intimacy 2014 Conference.

Impact of Internet Pornography on Marriage and the Family: A Review of the Research. (2006). *Sexual Addiction & Compulsivity*, 131-165.

Kühn, S. &. (2013). Gray matter correlates of post traumatic stress disorder: A quantitative meta- analysis. *Biological Psychiatry*, 70–74.

Kuhn, S. a. (2014). Brain Structure and Functional Connectivity Associated With Pornography Consumption: The Brain on Porn. *JAMA Psychiatry*.

Meng, L. J. (2016). Trauma-specific Grey Matter Alterations in PTSD. 6, 33748 (). *Scientific*

Reports. Mengia-S. Rioult-Pedotti, D. F. (2000). Learning-Induced LTP in Neocortex. *Science*, 533-

536.

Negash S, S. N. (2016). Trading Later Rewards for Current Pleasure: Pornography Consumption and Delay Discounting. *Journal of sex Research.*, 689-700.

Stringer, D. J. (Colorado Spring). *Unwanted: How Sexual Brokenness Reveals Our Way to Healing.* 2018: NavPress.

Truth About Porn: John D. Foubert, P. S. (2020). *Media*. Retrieved from Truth About Porn: https://truthaboutporn.org/media/

Voon V, M. T. (2014). Neural Correlates of Sexual Cue Reactivity in Individuals with and without Compulsive Sexual Behaviors. *PLoS ONE*.

Weinschenk, S. (2009, November 7). *100 Things You Should Know About People #8 Dopamine Makes You Addicted to Seeking Information*. Retrieved from The Team W Blog: Behavirol Science, Brain Science, and Desgin, By Susan Weinschenk Ph.D: https://www.blog.theteamw.com/2009/11/07/100-things-you- should-know-about-people-8-dopamine-makes-us-addicted-to-seeking-information/

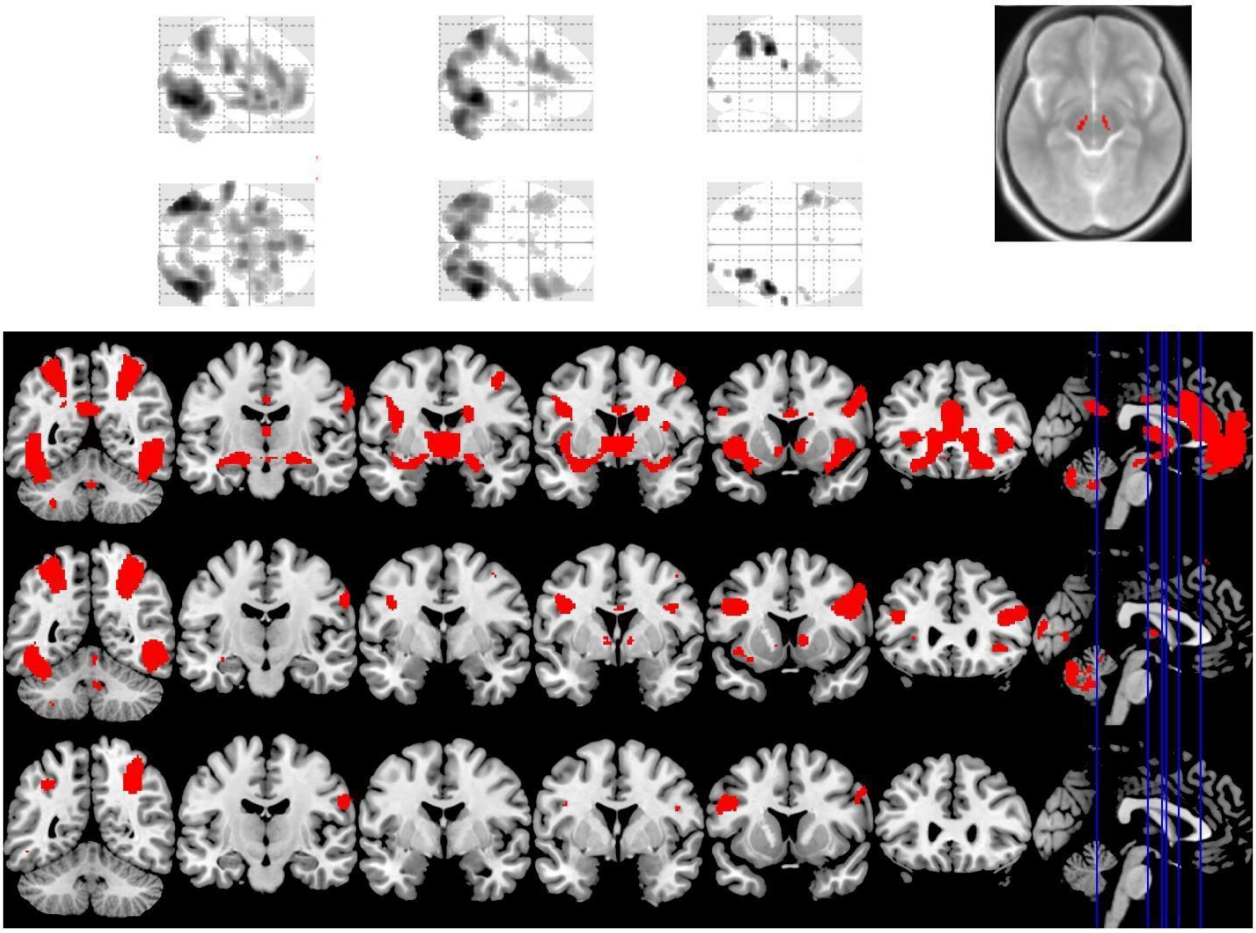


Image 1

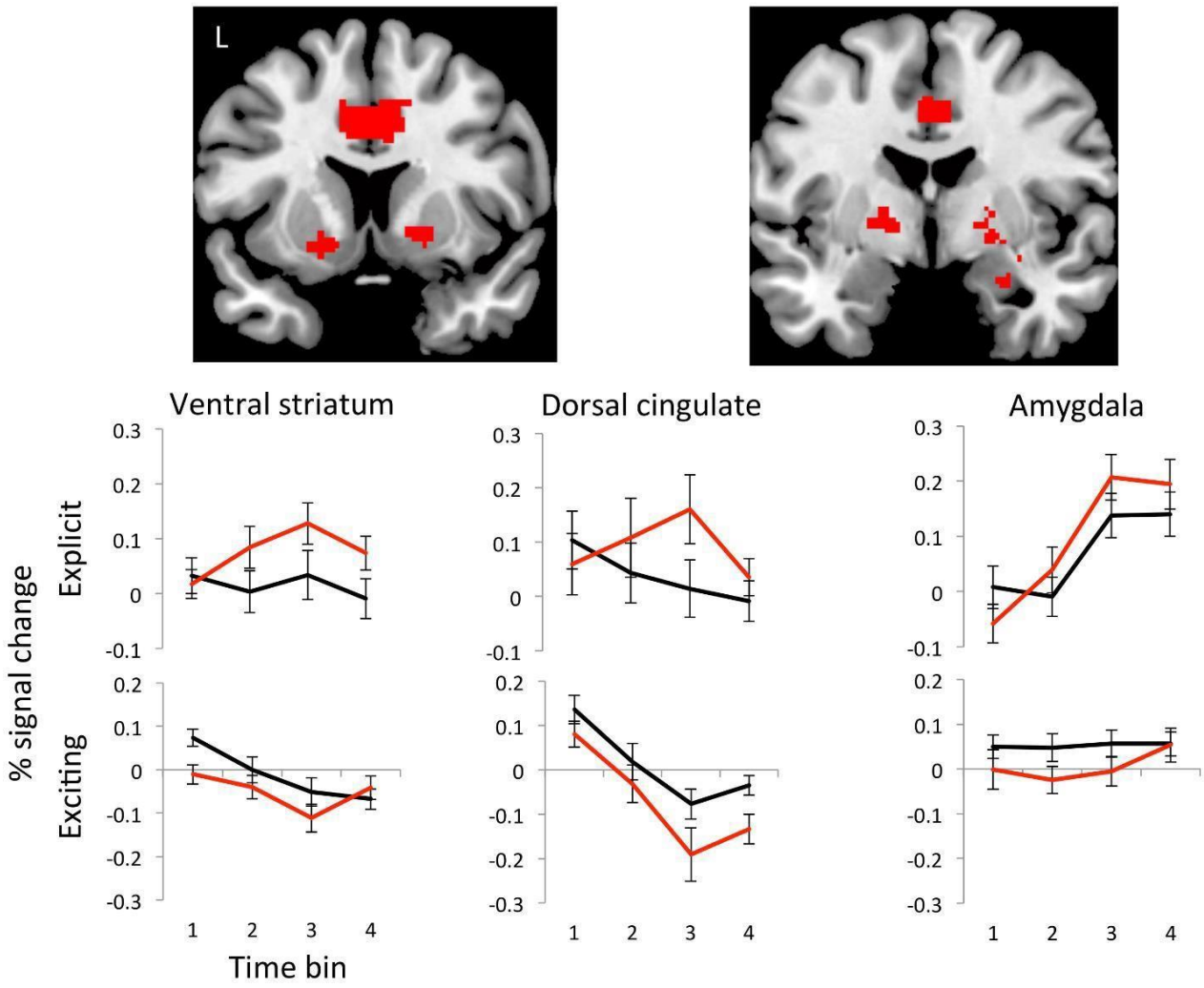

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Ventral striatum
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Image 2

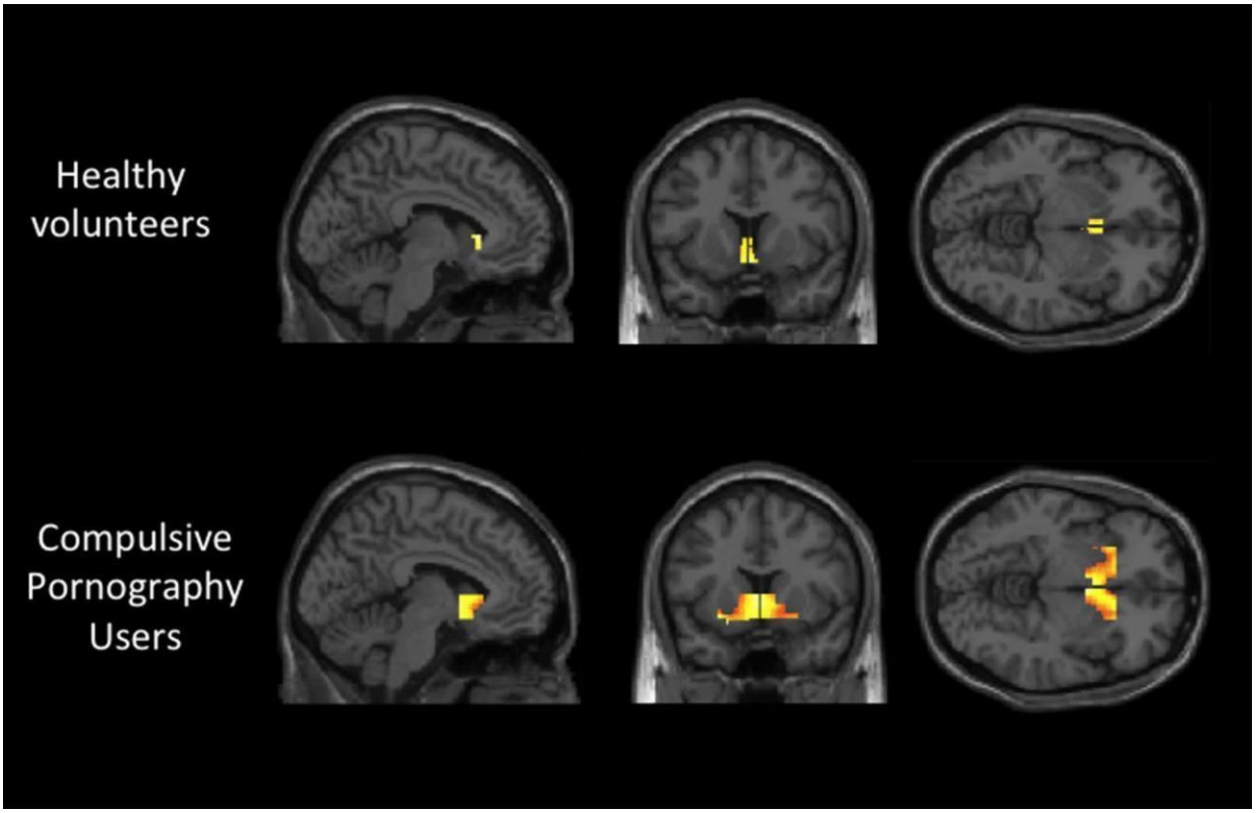
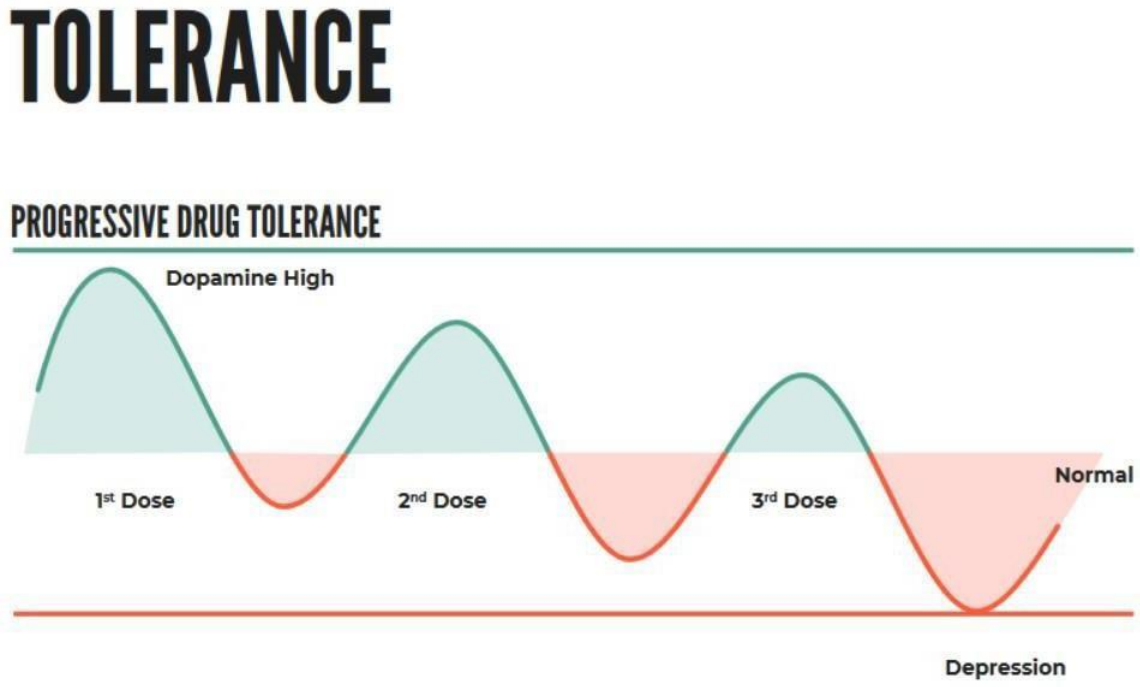


Image 3



Progressive Drug Tolerance

Links to Podcasts and Videos on porn's impact on the Brain.

Valerie Voon Interview at Stanford

https://neuroscience.stanford.edu/videos/valerie-voon-addictions-brain-network-disorder

Effects Of Porn On Your Brain
https://www.youtube.com/watch?v=IzduEttlC_g

Pornography and the Brain: Understanding the Science of Addiction and Recovery -- Dr. Donald Hilton
https://www.youtube.com/watch?v=P2yKslvPfV4

What does porn do to a kid's brain?
https://www.youtube.com/watch?v=UK-kJWc6abI

How Porn Corrupts the Brain's Reward System: Neurosurgeon Explains

https://www.defendyoungminds.com/post/how-porn-corrupts-brains-reward-system-neurosurgeon-explains

John D. Foubert, Ph.D., Simone Kühn, Ph.D., Donald Hilton, M.D.

https://truthaboutporn.org/media/

Chapter 3 - Effects of premature sexualization on child development

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communicati ons/Completed_inquiries/2008-10/sexualisationofchildren/report/c03

Sixty-ninth North Dakota Legislative Assembly
House Judiciary Committee
S.B. 2307
March 18, 2025

ACLU AMERICAN CIVIL LIBERTIES UNION North Dakota
P.O. Box 1190
Fargo, ND 58107
701-404-7269
aclund.org

Chair Klemin, Vice Chair Karls, and members of the Committee:

On behalf of the ACLU of North Dakota, I submit testimony in opposition to SB2307.

Since its founding in 1920, the ACLU has opposed censorship in all its forms. From books and radio to film, television, and the Internet, we have consistently fought to make sure Americans have the right to say, think, read, and write whatever they want, without fear of reprisal. The First Amendment does not allow the government to get rid of or limit the use of books or ideas because they are controversial, unpopular, or offensive. The ACLU has always vigilantly defended the First Amendment and the right to free speech. Throughout our hundred-year history, we have worked to protect the right of individuals to access information, and to make up their own minds.

Opposition to censorship is especially important in our public libraries, because citizens do not lose their constitutional rights at the front door of a public institution. Libraries have been the repositories of human thought, knowledge, and discourse since ancient civilization. Human sexuality is as much a part of the human experience as theology, sociology, science, art, and music and should be available as part of the discussion and debate which advances ideas among an educated citizenry.

Not everyone is going to agree on the merits of every book on a library's shelf. Some books will make people uncomfortable and question what they know. Some books will make people angry. There are some books people will think children shouldn't read or hope no one will read. But we are steadfast in our belief that we do not get to decide what others read – and neither should the government.

This bill is not only government censorship, but it would also impose an undue burden and restriction on public libraries, which are already underfunded and understaffed. Moreover, it infringes on the local control of library boards and school boards to govern public libraries and school policy. Curating collections and essentially creating "back rooms" under this proposed law is next to impossible in scope, compliance, and enforcement. Furthermore, the Children's Internet Protection Act (CIPA) enacted by Congress in 2000 already addresses online concerns, making a portion of the bill overreach, redundant, and unnecessary.

Throughout the course of the Sixty-eighth and Sixty-ninth legislative sessions, proponents of this bill and similar previous legislation have described materials in public and school libraries frequently as "obscene" and "pornographic" in ways that are highly subjective and unlikely would not meet legal definition.

A definition of pornography does not formally exist in North Dakota Century Code. Most pornography has, time and time again, been proven in courts to be protected under the First Amendment and can be regulated for age appropriateness. The ACLU has yet to be presented with evidence that pornography is present in public or school libraries in North Dakota or that current policies are set to allow minors access to pornography.

Sixty-ninth North Dakota Legislative Assembly
House Judiciary Committee
S.B. 2307
March 18, 2025

ACLU AMERICAN CIVIL LIBERTIES UNION North Dakota
P.O. Box 1190
Fargo, ND 58107
701-404-7269
aclund.org

Over 50 years ago, the United States Supreme Court set the high constitutional bar that defines obscenity[1]— a narrow, well-defined category of unprotected speech that excludes any work with serious literary, artistic, political or scientific value. And the standards for restraining a bookseller or library's ability to distribute a book are even more stringent. North Dakota Century Code reflects that ruling in defining obscenity. Material is considered obscene if it meets a three-part test:

1. Appeal to the prurient interest in sex based on contemporary community standards.
2. Depicts or describes sexual conduct in a patently offensive way.
3. Lacks serious literary, artistic, political, or scientific value.

Materials that have been lifted up as examples of obscene materials may or may not pass this three fold test. That is not a question for this committee or the Legislative Assembly. These are decisions left to individual citizens and local communities. The policies and procedures are already in place in North Dakota Century Code and in the policies of local libraries and schools. Because the current policies and procedures have not yielded the results desired by all is not justification or license for government overreach or censorship.

If someone does not like a book, then they should not read it. The First Amendment's guarantee of the freedom of speech and the right to access information has created a beautiful marketplace of ideas in our country. Each of us gets to choose what books we read and what information we access — but we don't get to choose for other people. Doing so is un-American and unconstitutional.

Today, you have the opportunity to affirm our shared belief in an educated North Dakotan citizenry and a society where ideas are openly disseminated, discussed, and debated. We urge the House Judiciary Committee to give SB2307 a "Do Not Pass" and the North Dakota House of Representatives to follow in defeating this bill.

Submitted by:
Cody J. Schuler
Advocacy Manager, ACLU of North Dakota
ND Lobbyist #367
cschuler@aclu.org

[1] Miller v. California, 413 U.S. 15 (1973)

Do Pass Testimony
of Doug Sharbono, citizen of North Dakota
on SB2307
in the Sixty-ninth Legislative Assembly of North Dakota

Dear Chairman Klemin and Members of the House Judiciary Committee,

I am writing as a citizen and believe SB2307 is much needed legislation. It is clear from previous testimony and examples shown at other hearings that porn is not only being made wholesale available to children in public libraries, but in many cases showcased to catch the attention of youthful readers. There can be no reasonable dispute in this. Anyone who claims otherwise is wasting everyone else's time with falsehoods. Because of this clear penchant to captivate and normalize young minds to the corruptions of library porn, legislation is again being presented in the form of this bill to once again remedy this most confounding trend.

This trend points to a larger issue. Why do the professional library organizations not do a better job of self-regulating to keep porn out of the hands of children? I do not have a definitive answer on this. They have actually repeatedly and illegally pushed the library porn onto the youthful public. A long-term solution is to regulate the professional library associations operating in our state so they meet societal norms and standards. Their judgement has repeatedly been in the dump and needs future assistance. The available remedy right now is to strengthen the existing laws we have so that we can better externally regulate the library industry and clean up these shelves. SB2307 does this.

The opponents have pulled out a flurry of "what-aboutism" and have said, "what about the youth's phone as a source of concern?" Many parents have installed the necessary firewalls and monitoring services to handle this concern. The opponents have also said, "what about the Bible?" I will attest that the Bible is nowhere near as graphic and vulgar as some of the library porn. In context, the Bible is the highest standard of morality, yet we find the real bookbanning to be the exclusion of the Bible in some library settings.

We need remedy to the confounding trend of library porn. Please give SB2307 a Do Pass.
Thank you,

Doug Sharbono
1708 9th St S
Fargo, ND 58103

Testimony in Support of SB 2307

House Judiciary Committee

March 18, 2025

Chairman Klemin and Members of the House Judiciary Committee,

My name is Brittany Boehm and I am here to briefly share some relevant information regarding the American Library Association, the "ALA".

The ALA has a list of Top 10 Most Challenged Books. The books on the 2023 list have been challenged because they contain sexually explicit graphics and/or language, profanity, violence, LGBTQIA+ material, depictions of rape and incest, and drug use. These books are widely available in public libraries and schools across ND (see attached). The ALA promotes these books during a "Banned Books Week" where they spotlight the books and promote activities and ways for people to get involved to keep them accessible.[1]

Two examples of these books are Let's Talk About It by Erika Moen & Matthew Nolan (targeting children ages 14 and up) and Sex is a Funny Word by Cory Silverberg (not on the list, but a very similar book available in ND libraries and targeting children ages 8-11). These books contain graphic images and language normalizing STIs and sexting, encouraging and teaching sexual behaviors, and likening pornography to a "fun, sugary treat" (LTAI p.165).

The ALA is not interested in protecting children. A statement on their website says, "The ALA stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation".[2] Another states, "The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users".[3]

The ALA is not a friend of parents either. As stated in an article from Daily Citizen[4], "instead of taking parents' concerns seriously, the organization's Office for Intellectual Freedom has advice

for librarians about how to fight back against parents who believe certain books might be inappropriate for children.[5] It dramatically labels parents' involvement as “censorship” and “book banning.” The ALA believes children should be able to check out whatever books they want and that they deserve “privacy and confidentiality”- including from parents - in those decisions.[6]

Thank you for your time, and please give this bill a Do Pass recommendation.

Brittany Boehm

Mandan, ND

District 33

[1] Banned Books Week | Banned Books https://www.ala.org/bbooks/banned

[2] Access to Library Resources and Services | ALA https://www.ala.org/advocacy/intfreedom/access

[3] Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights | ALA https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/minors

[4] American Library Association Chooses Marxist Lesbian as President-Elect - Daily Citizen https://dailycitizen.focusonthefamily.com/american-library-association-chooses-marxist-lesbian-as-president-elect/

[5] How to Respond to Challenges and Concerns about Library Resources | ALA https://www.ala.org/tools/challengesupport/respond

[6] Library Bill of Rights | ALA https://www.ala.org/advocacy/intfreedom/librarybill

Top 10 Most Challenged Books of 2023

1. *Gender Queer* by Maia Kobabe
Available in:
Grand Forks Public Library
North Dakota State Library
Fargo Public Library
Minot Public Library
Dickinson Public Library

2. *All Boys Aren't Blue* by George M. Johnson
Available in:
Dickinson High School Library
Grand Forks Public Library
McKenzie County Public Library
Bismarck Public Library
Minot Public Library

3. *This Book is Gay* by Juno Dawson
Available in:
Leach Public Library
Fargo Public Library
Minot Public Library
Bismarck Public Library

4. *The Perks of Being a Wallflower* by Stephen Chbosky
Available in:
West Fargo Public Library
Bismarck Public Library
Mandan Public Library
Minot Public Library
Dickinson High School Library
Hatton Public School Library
Hope School Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library
Iris Swedlund School and Public Library of Velva

5. *Flamer* by Mike Curato
Available in:
West Fargo Public Library
Dickinson Area Public Library
Dickinson High School Library

Minot Public Library
Leach Public Library

6. *The Bluest Eye* by Toni Morrison
Available in:
West Fargo Public Library
North Dakota State Library
Harvey Public Library
Grafton High School Library
Dickinson Area Public Library
Cavalier School Library
Minot Public Library
Beulah Public Library
Washburn Public Library

7. *Me and Earl and the Dying Girl* by Jesse Andrews
Available in:
Dickinson Area Public Library
West Fargo Public Library
Minot Public Library
Morton Mandan Public Library
McLean-Mercer Regional Library-Riverdale
Underwood Public Library
New Salem High School
Turtle Lake-Mercer School Library
Grand Forks Public Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library

8. *Tricks* by Ellen Hopkins
Available in:
Minot Public Library
Center Oliver Library
Dickinson Area Public Library
Finley-Sharon School Library
Grafton High School Library
Grand Forks Public Library
Hope School Library
Leach Public Library
Midway High School Library
North Border-Pembina School and City Library
North Border-Walhalla School Library
North Dakota State Hospital-Health Sciences Library

North Dakota Youth Correctional Library
Northwood School Library
Iris Swedlund School and Public Library of Velva

9. *Let's Talk About It* by Erika Moen and Matthew Nolan
Available in:
Dickinson Area Public Library
Grand Forks Public Library
West Fargo Public Library
Minot Public Library

10. *Sold* by Patricia McCormick
Available in:
Fargo Public Library
Minot Public Library
United Tribes Technical College Library
Saint Mary's Central High School
Beulah High School Library
Theodore Jamerson Elementary School
New Salem High School
Turtle Lake-Mercer School Library

Chairman Klemin and members of the Judiciary Committee, my name is Jackson Harper, and I am a resident of Grand Forks. I am asking that you give a ***Do Not Pass*** recommendation for SB 2307.

Firstly, I am concerned the bill would have wider impact than it would first appear. Attempting to ensure minors can never be exposed to allegedly explicit sexual materials will almost certainly have an impact on the adult sections of libraries. Hypervigilant parents will pass responsibility for regulating their children's access to books to institutions, pressuring them to make controversial literature harder to find, even for adult patrons.

Second, I am concerned that SB 2307's demand that allegedly sexually explicit materials be made *completely* inaccessible to minors will have unintended and disproportionate negative consequences for rural libraries. There is a case of a library in Idaho that had to limit its services to adults only in order to comply with a similar law that mandated that challenged titles be relocated to a restricted section. The library in question did not have a space for more than one section, requiring drastic action. While larger libraries may be able to reorganize themselves to comply with SB 2307, I fret that other institution will not have such capacity.

Third, the bill seems unnecessary. HB 1205 from the previous legislative session pushed libraries to review their collection development policies, most of which already included the Miller Test to follow legal precedent for the treatment of obscene materials. What would attaching punishments for noncompliance—a phenomenon which quite likely does not exist in North Dakota libraries—further accomplish?

I thank you all for taking the time to read this testimony, and I hope it persuades you to render a ***Do Not Pass*** recommendation for SB 2307.

Senate Judiciary Committee
North Dakota State Senate
600 East Boulevard Avenue
Bismarck, ND, 58505

RE: Opposition to SB 2307

Honorable Chair Larson and Members of the Senate Judiciary Committee,

I urge you to oppose SB 2307. This bill would unfairly criminalize librarians for doing their jobs and represents a dangerous overreach into parental rights and intellectual freedom.

Librarians are highly trained professionals who carefully curate collections to ensure age-appropriate materials are placed in the correct sections. They uphold community standards while fostering literacy, critical thinking, and a love of learning. This bill is rooted in misinformation and would punish those who serve our communities by making them liable for materials that undergo rigorous review.

Parents already have the right to guide their children's reading choices. SB 2307 removes that authority from families and places it in the hands of the government. This is setting a harmful precedent that threatens personal freedoms.

Furthermore, banning books will not prevent children from accessing the same materials online or elsewhere. Often without the guidance of a librarian, teacher, or parent to provide context. This bill does nothing to protect children, but it does undermine libraries as trusted community spaces where learning happens in a safe and structured environment.

I urge you to reject this unnecessary and intrusive legislation and instead stand in support of parental responsibility, intellectual freedom, and our public libraries.

Thank you for your time and consideration,

Jessica Nolz

Special Education Teacher
Grand Forks Public Schools

Honorable members of the legislature,

My name is Lesley Allan, and I have been a public school librarian for 20 years, serving as a Media Specialist in multiple school districts. I am writing today as a citizen of North Dakota to express my strong opposition to SB2307.

Every school district I have worked in already has a robust collection policy in place. These policies ensure that materials are curated with care, focusing on curriculum support, student interest, and grade level appropriateness. In my district, the latter is achieved through a process of evaluating multiple reviews from 2-3 sources, looking at interest and reading levels, and - if necessary - running it through the Miller Test. Policies already address reconsideration of materials at a local and a district level while laying out the process should a book be challenged. This bill seems to force the library into doing exactly what supporters of the bill claim we are already doing - not letting parents make the ultimate decision.

Libraries provide an abundance of age-appropriate choices and leave the decision of what to read up to the child and ultimately, hopefully, the parent. Personally, I am overjoyed when I learn that parents are involved in their student's choices, that parents are fostering a love of literature by reading with their students, sharing what their favorite books were when they were young, and encouraging their kids to explore what they enjoy. Should a parent tell me that they don't want their child reading a specific title, I don't judge, I respect their parenting choice as it applies to their child. By removing books that a small group finds offensive and restricting access to those books for all students based solely on the perspectives of a few, this bill denies others the opportunity to form their own opinions and exercise their freedom of choice. In doing so, it tramples on parental rights, violates First Amendment protections, sets a dangerous precedent, and undermines the principles of intellectual freedom that are the foundation of our democracy.

Moreover, this bill's requirements for digital library databases are both redundant and unrealistic in my opinion. As school librarians, we already ensure that the resources we provide to students adhere to stringent privacy and safety standards, such as FERPA and COPPA. These protections and district technology filters are in place to safeguard students while granting them access to high-quality educational content. Teachers and librarians already work tirelessly to support students' learning and development; adding redundant compliance measures distracts from this vital work rather than enhancing it.

I urge you to reject this bill and instead trust the existing policies and respect the professionals who are already working diligently to ensure that our libraries serve the needs of all students while respecting individual family choices.

Thank you for your time and consideration

March 17, 2025

Committee Chair and members of the Committee,

My name is Jessie Mann, and I am writing in opposition of Senate Bill 2307. I am opposed to this bill as a mother of young children, as a patron of public libraries, and as a director of a public library.

While, as a public library director, I feel strongly that this bill would negatively impact our community by limiting the available materials, as well as the age of patrons which would be allowed to enter our small one-room library, I would like to write to you now as a consumer and a mother.

If libraries and book stores are going to be asked to remove any materials deemed inappropriate for children, please think about all of the other businesses and entities who theoretically should be asked to screen, monitor, and limit their products and services to children due to safety concerns and potential risks to their well-being.

Our local grocery store should ban parents and children from purchasing all foods that contain any colored dye.

Our local hardware store should ban children from entering the aisles containing utility knives or sharp tools.

Our local swimming pool should ban two-piece swimwear and, in addition, require swim shirts.

Our local drug store should ban children from entering its facility where adult over-the-counter medications and healthcare products are well within reach.

Our local clothing boutique should place women's intimates in a barricaded back room where only adults may be granted access to browse.

Our local bakery and ice cream shop should limit children to only being allowed to purchase sweets that contain a very low amount of sugar—or to limit the portions purchased by or for children.

Our local meat shop should put up an opaque window, rather than transparent glass, between where the butchered animals are being processed and the till where consumers and their children can purchase meat.

Our local clinics should remove any posters containing pictures of human anatomy.

Our local schools should ban sex education and basic anatomy classes because the course material contains pictures of or information about reproductive organs.

How far should our government go to limit the free will of its people to consume as each individual person or family chooses? I personally would like to choose for myself what materials I will allow my children to browse through or check out from our public library. I do not want the government making those decisions for me and my children. I do not want the librarians making those decisions for me and my children. I do not want the grocer, the pharmacist, the life guard, the baker, the physician, or the school principal making those decisions for me and my children.

Thank you for your efforts to keep the children of our great state safe. I believe this bill stems from a place of caring and concern. However, I believe it oversteps the rights of many North Dakota citizens and will end up negatively impacting the children and families who frequent their public libraries.

I urge you to vote no on Senate Bill 2307. Thank you very much for your time.

Sincerely,
Jessie Mann

Testimony in Opposition to North Dakota Senate Bill 2307

Chairperson and members of the committee,

My name is Luke Hurt. I am a member of the Dickinson Area Public Library Board of Directors, and I submit this testimony in firm opposition to Senate Bill 2307, which, despite its stated intent to protect minors, represents unnecessary government overreach into local decision-making and personal responsibility. This bill threatens foundational American principles of limited government, individual liberties, and parental rights while imposing bureaucratic burdens on libraries and state officials.

Government Overreach and Parental Rights

SB 2307 undermines the authority of parents to make decisions about what their children read and learn. It assumes that the government, rather than families, knows best when it comes to what young people should have access to in libraries. Parents—not bureaucrats—should have the final say in their children's education and reading materials. Local control and parental choice must be preserved, rather than replaced with broad, state-mandated censorship.

Unnecessary Burdens on Local Institutions

Public and school libraries are already managed by trained professionals who ensure that collections reflect the needs and values of their communities. SB 2307 would impose vague, one-size-fits-all mandates that disregard the discretion of local librarians and educators. Furthermore, the requirement for "compliance reviews" by a state's attorney is an excessive use of government resources, adding red tape and unnecessary legal scrutiny to institutions that are already accountable to their local communities.

Proven Success of HB 1205

North Dakota has already taken steps to address concerns regarding library content through the successful implementation of HB 1205. Since its enactment, new policies have been created at the Dickinson Area Public Library (DAPL) that align with existing law, ensuring appropriate library governance without excessive interference. Notably, since these policies have been in place, DAPL has not received any requests for reconsideration regarding library materials. This demonstrates that current legislation is already effectively addressing concerns without the need for additional government overreach.

A Slippery Slope Toward Ideological Censorship

Throughout history, government interference in book selection has led to the suppression of diverse perspectives, including works of historical, literary, and educational value. While it is reasonable to ensure age-appropriate materials, SB 2307 is written in a way that could be used to remove books on subjects deemed politically or socially unpopular by those in power. The free exchange of ideas is a fundamental American value, and we should be wary of any law that sets the precedent for increased government control over information.

Preserving Constitutional Freedoms

This bill raises serious concerns about violations of the First Amendment, which protects not just free speech but also access to information. Overly broad content restrictions could limit access to important educational materials, including works on health, history, and civics that help young people develop into informed, responsible citizens. North Dakota has always stood for protecting constitutional freedoms—SB 2307 moves in the opposite direction.

Conclusion

SB 2307 is not only an unnecessary government intrusion but also a direct threat to parental rights, local governance, and the principles of free speech that have long defined our nation. Instead of allowing state-mandated censorship, we should trust parents and communities to make their own decisions. The success of HB 1205, particularly at the Dickinson Area Public Library, demonstrates that additional restrictions are unnecessary. I urge the committee to reject SB 2307 and to uphold the values of limited government, personal responsibility, and individual freedom.

Thank you for your time and consideration.

March 17, 2025

Good morning, Chairperson Klemin and members of the House Judiciary Committee. For the record, my name is Jason Bedsaul, Director of ODIN. My colleague, Corey Quirk, has provided the bulk of our testimony, but I'm here to expand a little on our fiscal note and stand for questions. As he mentioned and I will reiterate here – NDUS and ODIN are neutral, but we have some concerns related to Section 6 and the fiscal and logistical burdens it places on our organization.

Based on our reading of the bill and the testimony given in support of 2307 in the Senate hearing, Section 6 would require a different approach to providing access than what our current cost-effective, but admittedly, lower security solution provides. While we are confident that none of the content we support meets the federal definition of obscenity and libraries follow the Children Internet Protection Act (CIPA) that prevents access to known adult content websites, our concerns are in the broader definition of obscenity and filtering requirements being proposed by this legislation.

While a physical copy of a book can be moved to a different area of the library as is required by current state law, the digital equivalent is a bit harder to accomplish. With our current systems, the digital version of a locked cabinet would prevent access to all patrons – adults and K-12 alike.

A more robust authentication solution - such as the one provided for in our fiscal note - would create additional levels of security to allow all libraries to restrict down to the item and patron; thus, providing the tools libraries need to comply with this part of 2307.

I have attached a detailed quote, broken down by library, as well as an overview of the program that is used over a million times a month on average across the state by all types of libraries.

I would be happy to explain any of the details further and I'll stand for questions. Thank you for your time and consideration.

Jason Bedsaul
Director of Online Dakota Information Network (ODIN)
jason.bedsaul@ndus.edu | 701-969-9135

Library Type	Implementation (One Time Cost)	Year One	Year One + Implementation	Year Two	Year Three	Year Four
Academic	$ 56,280	$ 69,200	$ 125,480	$ 72,660	$ 76,293	$ 80,107.65
School	$ 150,483	$ 173,285	$ 323,768	$ 181,949	$ 191,047	$ 200,599.05
Public	$ 63,298	$ 167,650	$ 230,948	$ 176,033	$ 184,834	$ 194,075.83
Totals	$ 270,060	$ 410,135	$ 680,195	$ 430,642	$ 452,174	$ 474,782.53

Fiscal Request

FY26 - FY27 (Implementation + 2 years)	$ 1,110,837
FY28 - FY29 Ongoing Per Biennium	$ 926,956

Library Name	City	FTE/Pop. Served	Year One	Year One Implementation-One Time Cost	Year One Total Cost	Year Two	Year Three
North Dakota School for the Deaf Library	Devils Lake	35	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
Trinity Bible College and Graduate School	Ellendale	231	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
UND Thormodsgard Law Library	Grand Forks	274	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
Dakota College at Bottineau Library	Bottineau	724	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Williston State College Library	Williston	785	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Lake Region State College Library	Devils Lake	966	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Mayville State University Library	Mayville	1012	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
University of Jamestown	Jamestown	1235	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Dickinson State University Library	Dickinson	1309	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
Valley City State University Library	Valley City	1340	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
UND SMHS Library Resources	Grand Forks	1783	$ 4,825	$ 4,300	$ 9,125	$ 5,066	$ 5,320
North Dakota State College of Science Library	Wahpeton	2240	$ 6,400	$ 4,300	$ 10,700	$ 6,720	$ 7,056
Minot State University Library	Minot	2684	$ 6,400	$ 4,300	$ 10,700	$ 6,720	$ 7,056
Bismarck State College Library	Bismarck	2769	$ 6,400	$ 4,300	$ 10,700	$ 6,720	$ 7,056
UND Chester Fritz Library	Grand Forks	11247	$ 9,500	$ 6,925	$ 16,425	$ 9,975	$ 10,474
North Dakota State University Library	Fargo	13201	$ 9,500	$ 6,925	$ 16,425	$ 9,975	$ 10,474
UND Music Library	Grand Forks	NA	$ 2,425	$ 2,300	$ 4,725	$ 2,546	$ 2,674
			$ 86,500	**$ 70,350**	**$ 156,850**	**$ 90,825**	**$ 95,366**

	Year One	Year One Implementation-One Time Cost	Year One Total Cost w/Discount	Year Two w/Discount	Year Three w/Discount
With 30% Off All-in	**$ 69,200**	**$ 56,280**	**$ 125,480**	**$ 72,660**	**$ 76,293**

School	Service Population (2024)	Year One Subscription Fee	Year One Implementation-One	Year One Total Cost	Year Two	Year Three
EDMORE PUBLIC SCHOOL (Edmore 2)	5	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
JOHNSON CORNERS CHRISTIAN ACADEMY	8	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ZEELAND PUBLIC SCHOOL (Zeeland 4)	9	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STARKWEATHER PUBLIC SCHOOL (Starkweather 44	17	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MUNICH PUBLIC SCHOOL (Munich 19)	21	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MARMOT HIGH SCHOOL (Youth Correction Center)	23	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEWBURG-UNITED PUBLIC SCHOOL (Newburg-Unit	23	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BOWBELLS PUBLIC SCHOOL (Bowbells 14)	24	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BURKE CENTRAL PUBLIC SCHOOL (Burke Central 36	24	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WING PUBLIC SCHOOL (Wing 28)	25	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FINLEY- SHARON PUBLIC SCHOOL (Finley-Sharon 1	26	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GACKLE-STREETER PUBLIC SCHOOL (Gackle-Streete	27	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FAIRMOUNT PUBLIC SCHOOL (Fairmount 18)	28	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LEEDS PUBLIC SCHOOL (Leeds 6)	33	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
McCLUSKY HIGH SCHOOL (McClusky 19)(McClusky-	33	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HAZELTON-MOFFIT-BRADDOCK PUBLIC SCHOOL (H	37	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SCRANTON PUBLIC SCHOOL (Scranton 33)	39	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STRASBURG HIGH SCHOOL (Strasburg 15)	39	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ELGIN- NEW LEIPZIG PUBLIC SCHOOL (Elgin-New Le	40	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ASHLEY PUBLIC SCHOOL (Ashley 9)	41	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HOPE-PAGE HIGH SCHOOL (Hope 10_	41	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KULM PUBLIC SCHOOL (Kulm 7)	42	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HEBRON PUBLIC SCHOOL (Hebron 13)	43	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
PINGREE - BUCHANAN HIGH SCHOOL (Pingree-Buch	43	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
TURTLE LAKE - MERCER PUBLIC SCHOOL (Turtle Lak	45	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAX PUBLIC SCHOOL (Max 50)	46	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HATTON EIELSON PUBLIC SCHOOL (Hatton Eilson 7	47	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LAKOTA HIGH SCHOOL (Lakota 66)	47	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WESTHOPE PUBLIC SCHOOL (Westhope 17)	47	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DRAYTON PUBLIC SCHOOL (Drayton 19)	49	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DRAKE HIGH SCHOOL (Drake 57)	50	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GRENORA PUBLIC SCHOOL (Grenora 99)	51	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MIDWAY PUBLIC SCHOOL (Midway 128) Inkster Hig	52	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FESSENDEN-BOWDON PUBLIC SCHOOL (Fessenden	53	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MIDKOTA HIGH SCHOOL (Midkota 7) Binford	53	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MANDREE PUBLIC SCHOOL (Mandaree 36)	54	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736

MILNOR PUBLIC SCHOOL (Milnor 2)	55	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
VALLEY-EDINBURG HIGH SCHOOL (Valley-Edinburg 118)	57	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GLEN ULLIN PUBLIC SCHOOL (Glen Ullin 48)	58	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ROLETTE PUBLIC SCHOOL (Rolette 29)	58	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
UNDERWOOD PUBLIC SCHOOL (Underwood 8)	58	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CENTRAL VALLEY PUBLIC SCHOOL (Central Valley 3)	59	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WISHEK PUBLIC SCHOOL (Wishek 19)	59	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GLENBURN PUBLIC SCHOOL (Glenburn 26)	60	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WARWICK PUBLIC SCHOOL (Warwick 29)	61	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTH SARGENT PUBLIC SCHOOL (North Sargent 3	63	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MINNEWAUKAN PUBLIC SCHOOL (Minnewaukan 5	64	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WYNDMERE PUBLIC SCHOOL (Wyndmere 42)	64	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WHITE SHIELD PUBLIC SCHOOL (White Shield 85)	65	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
EDGELEY PUBLIC SCHOOL (Edgeley 3)	67	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
Powers Lake 27	67	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAPLE VALLEY HIGH SCHOOL (Maple Valley 4)	69	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MOTT- REGENT PUBLIC SCHOOL (Mott-Regent 1)	69	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NAPOLEON PUBLIC SCHOOL (Napoleon 2)	69	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LaMOURE PUBLIC SCHOOL (LaMoure 8)	71	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEW ENGLAND PUBLIC SCHOOL (New England 9)	71	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HANKINSON PUBLIC SCHOOL (Hankinson 8)	72	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MT PLEASANT PUBLIC SCHOOL (Mt Pleasant 4) Roll	72	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BARNES COUNTY NORTH PUBLIC SCHOOL (Barnes (	75	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DAKOTA PRAIRIE HIGH SCHOOL (Dakota Prairie 1)	76	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTH STAR PUBLIC SCHOOL (North Star 10 Cando	76	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WILTON PUBLIC SCHOOL (Wilton 1)	77	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RICHARDTON-TAYLOR HIGH SCHOOL (Richardton-T	78	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HETTINGER PUBLIC SCHOOL (Hettinger 13)	79	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GRIGGS COUNTY CENTRAL PUBLIC SCHOOL (Griggs	80	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
PARSHALL HIGH SCHOOL (Parshall 3)	81	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RICHLAND HIGH SCHOOL (Richland 44) Colfax	81	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LINTON PUBLIC SCHOOL (Linton 36)	82	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CENTER - STANTON PUBLIC SCHOOL (Center-Stanto	83	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ELLENDALE PUBLIC SCHOOL (Ellendale 40)	84	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
FLASHER PUBLIC SCHOOL (Flasher 39)	87	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MINTO PUBLIC SCHOOL (Minto 20)	89	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MLS-MOHALL PUBLIC SCHOOL (Mohall-Lansford-Sh	90	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ALEXANDER PUBLIC SCHOOL (Alexander 2)	91	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KENMARE HIGH SCHOOL (Kenmare 28)	91	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736

WASHBURN PUBLIC SCHOOL (Washburn 4)	92	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTH BORDER-WALHALLA PUBLIC SCHOOL (Nort	93	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTHWOOD PUBLIC SCHOOL (Northwood 129)	94	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STEELE-DAWSON PUBLIC SCHOOL (Kidder County 1	95	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BISHOP RYAN HIGH SCHOOL	96	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BELFIELD PUBLIC SCHOOL (Belfield 13)	98	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BEACH HIGH SCHOOL (Beach 3)	100	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
Berthold Public School (Lewis and Clark 161)	101	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ENDERLIN AREA PUBLIC SCHOOL (Enderlin Area 24	101	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
TGU TOWNER & GRANVILLE HIGH SCHOOL (include	101	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DIVIDE COUNTY HIGH SCHOOL (Divide County 1)	103	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEW SALEM-ALMONT HIGH SCHOOL (New Salem-A	103	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
EIGHT MILE PUBLIC SCHOOL (Eight Mile 6)	105	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GARRISON HIGH SCHOOL (Garrison 51)	106	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CAVALIER PUBLIC SCHOOL (Cavalier 6)	112	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SOUTH HEART PUBLIC SCHOOL (South Heart 9)	116	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RAY PUBLIC SCHOOL (Nesson 2)	118	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HARVEY HIGH SCHOOL (Harvey 38)	119	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ST JOHN PUBLIC SCHOOL (Saint John 3)	127	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
PARK RIVER AREA PUBLIC SCHOOL (Park River Area	129	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LARIMORE HIGH SCHOOL (Larimore 44)	131	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LANGDON AREA HIGH SCHOOL (Langdon Area 23)	133	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SURREY PUBLIC SCHOOL (Surrey 41)	133	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
VELVA PUBLIC SCHOOL (Velva 1)	136	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
TIOGA HIGH SCHOOL (Tioga 15)	138	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAY-PORT CG HIGH SCHOOL (May-Port CG 14)	151	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
OAKES HIGH SCHOOL (Oakes 41)	154	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CARRINGTON HIGH SCHOOL (Carrington 49)	160	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BOWMAN COUNTY PUBLIC SCHOOL (Bowman Cou	161	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HAZEN HIGH SCHOOL (Hazen 3)	166	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
HILLSBORO HIGH SCHOOl (Hillsboro 9)	166	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SOUTH PRAIRIE SCHOOL DISTRICT (South Prairie 70	166	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
THOMPSON PUBLIC SCHOOL (Thompson 61)	168	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KILLDEER PUBLIC SCHOOL (Killdeer 16)	173	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
OAK GROVE LUTHERAN HIGH SCHOOL	179	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
DICKINSON TRINITY HIGH SCHOOL	193	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NORTHERN CASS PUBLIC SCHOOL (Northern Cass 9	201	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
BEULAH HIGH SCHOOL (Beulah 27)	205	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LISBON HIGH SCHOOL (Lisbon 19)	206	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
RUGBY HIGH SCHOOL (Rugby 5)	210	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736

DES LACS-BURLINGTON HIGH SCHOOL (United 7)	211	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STANDING ROCK COMMUNITY GRANT HIGH SCHO	211	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
STANLEY HIGH SCHOOL (Stanley 2)	213	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
KINDRED HIGH SCHOOL (Kindred 2)	267	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
GRAFTON HIGH SCHOOL (Grafton 18)	291	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
CENTRAL CASS PUBLIC SCHOOL (Central Cass 17) C	306	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SHANLEY CATHOLIC HIGH SCHOOL/SULLIVAN MIDD	316	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
VALLEY CITY HIGH SCHOOL (Valley City 2)	318	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ST MARYS CENTRAL HIGH SCHOOL	352	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
WAHPETON HIGH SCHOOL (Wahpeton 37)	371	$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
Watford City High School (McKenzie Co 1)	531	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
DEVILS LAKE HIGH SCHOOL (Devils Lake 1)	539	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
TURTLE MOUNTAIN COMMUNITY HIGH SCHOOL (	553	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
JAMESTOWN HIGH SCHOOL (Jamestown 1)	759	$ 2,300	$ 1,775	$ 4,075	$ 2,415	$ 2,536
DICKINSON HIGH SCHOOL (Dickinson 1)	1130	$ 3,050	$ 1,775	$ 4,825	$ 3,203	$ 3,363
MANDAN HIGH SCHOOL (Mandan 1)	1268	$ 3,050	$ 1,775	$ 4,825	$ 3,203	$ 3,363
WILLISTON HIGH SCHOOL (Williston Basin 7)	1376	$ 3,050	$ 1,775	$ 4,825	$ 3,203	$ 3,363
MINOT HIGH SCHOOLS (Minot 1)	2118	$ 3,675	$ 1,775	$ 5,450	$ 3,859	$ 4,052
GRAND FORKS PUBLIC SCHOOLS (Grand Forks 1)	2344	$ 3,675	$ 1,775	$ 5,450	$ 3,859	$ 4,052
FARGO PUBLIC SCHOOLS (Fargo 1)	3560	$ 4,925	$ 1,775	$ 6,700	$ 5,171	$ 5,430
WEST FARGO HIGH SCHOOL (West Fargo 6)	3582	$ 4,925	$ 2,000	$ 6,925	$ 5,171	$ 5,430
BISMARCK PUBLIC SCHOOLS (Bismarck 1)	4301	$ 5,675	$ 2,000	$ 7,675	$ 5,959	$ 6,257
BOTTINEAU PUBLIC SCHOOLS		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
LIDGERWOOD PUBLIC SCHOOL (Lidgerwood 28)		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
MAPLETON (Mapleton 7)		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
NEDROSE PUBLIC SCHOOL		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
SAWYER PUBLIC SCHOOL (Sawyer 16)		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
ST. THOMAS PUBLIC SCHOOL (St Thomas 43) - merged with Grafton - DO NO		$ 1,575	$ 1,475	$ 3,050	$ 1,654	$ 1,736
		$ 247,550	**$ 214,975**	**$ 462,525**	**$ 259,928**	**$ 272,924**

	Year One	Year One Implementation-One	Year One Total Cost w/Discount	Year Two w/Discount	Year Three w/Discount
With 30% Off All-in	**$ 173,285**	**$ 150,483**	**$ 323,768**	**$ 181,949**	**$ 191,047**

	Service Population (2024)	Year One Subscription Fee	Year One Implementation-One Time Cost	Year One Total Cost	Year Two	Year Three
MARGARET FRAASE PUBLIC LIBRARY - BUFF	188	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
BOWBELLS PUBLIC LIBRARY	279	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MAX COMMUNITY LIBRARY	331	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
STANTON PUBLIC LIBRARY	368	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MCVILLE COMMUNITY LIBRARY	372	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MADDOCK COMMUNITY LIBRARY	373	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LEEDS PUBLIC LIBRARY	442	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
FORMAN PUBLIC LIBRARY	479	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ROLETTE CITY LIBRARY	484	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
PEMBINA CITY & SCHOOL LIBRARY (NORTH	498	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ELGIN PUBLIC LIBRARY	503	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
TURTLE LAKE PUBLIC LIBRARY	542	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
EDGELEY PUBLIC LIBRARY	573	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LIDGERWOOD CITY LIBRARY	600	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ASHLEY PUBLIC LIBRARY	613	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
SATRE MEMORIAL MILNOR SCHOOL LIBRAI	624	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MOHALL PUBLIC LIBRARY	650	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
MOTT PUBLIC LIBRARY	653	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
NEW ENGLAND PUBLIC LIBRARY	683	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LAKOTA CITY LIBRARY	686	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LIBRARY	700	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
GLEN ULIN PUBLIC LIBRARY	732	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
LAMOURE PUBLIC LIBRARY	761	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
HEBRON PUBLIC LIBRARY	780	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
UNDERWOOD PUBLIC LIBRARY	784	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
WISHEK PUBLIC LIBRARY	825	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
ENDERLIN MUNICIPAL LIBRARY	843	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
KILLDEER PUBLIC LIBRARY	876	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
KINDRED PUBLIC LIBRARY	889	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
WALHALLA PUBLIC LIBRARY	893	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
NORTHWOOD SCHOOL & PUBLIC LIBRARY	914	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756
PARSHALL PUBLIC LIBRARY	949	$ 2,500	$ 1,150	$ 3,650	$ 2,625	$ 2,756

VELVA SCHOOL & PUBLIC LIBRARY	1,036	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HARRY L. PETRIE PUBLIC LIBRARY - Linton	1,041	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CANDO COMMUNITY LIBRARY	1,117	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
ELLENDALE PUBLIC LIBRARY	1,125	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
ROLLA PUBLIC LIBRARY	1,223	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CAVALIER PUBLIC LIBRARY	1,248	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
EDNA RALSTON PUBLIC LIBRARY	1,260	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WASHBURN PUBLIC LIBRARY	1,300	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
PARK RIVER SCHOOL & PUBLIC LIBRARY	1,393	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GARRISON PUBLIC LIBRARY	1,462	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HARVEY PUBLIC LIBRARY	1,604	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GOLDEN VALLEY COUNTY LIBRARY	1,736	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
OAKES SCHOOL & PUBLIC LIBRARY	1,748	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CARRINGTON PUBLIC LIBRARY	2,027	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
STANLEY PUBLIC LIBRARY	2,037	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
ADAMS COUNTY LIBRARY	2,041	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
DIVIDE COUNTY PUBLIC LIBRARY	2,179	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GRIGGS COUNTY PUBLIC LIBRARY	2,188	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
LISBON PUBLIC LIBRARY	2,204	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HAZEN PUBLIC LIBRARY	2,281	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
EDDY - NEW ROCKFORD PUBLIC LIBRARY	2,347	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
KIDDER COUNTY PUBLIC LIBRARY	2,394	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CASSELTON PUBLIC LIBRARY	2,477	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
NEW TOWN PUBLIC LIBRARY	2,764	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
BOWMAN REGIONAL PUBLIC LIBRARY	2,878	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
BEULAH PUBLIC LIBRARY	3,058	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CAVALIER COUNTY LIBRARY	3,704	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
HEART OF AMERICA LIB-PIERCE COUNTY	3,940	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
BOTTINEAU COUNTY LIBRARY	6,254	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
LEACH PUBLIC LIBRARY - WAHPETON	8,016	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
CARNEGIE REGIONAL- GRAFTON LIBRARY	10,563	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
VALLEY CITY BARNES COUNTY PUBLIC LIBR	10,650	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
LAKE REGION PUBLIC LIBRARY - DEVILS LAK	11,349	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
MCKENZIE COUNTY PUBLIC LIBRARY	14,615	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
McLEAN MERCER REGIONAL LIBRARY	18,223	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WARD COUNTY PUBLIC LIB-COUNTY	20,597	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693

JAMES RIVER VALLEY LIBRARY SYSTEM	21,279	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
MORTON MANDAN PUBLIC LIBRARY	34,010	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
DICKINSON AREA PUBLIC LIBRARY	35,297	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WILLISTON COMMUNITY LIB-WILLIAMS CN	37,353	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
WEST FARGO PUBLIC LIBRARY	41,074	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
MINOT PUBLIC LIBRARY	47,139	$ 3,350	$ 1,150	$ 4,500	$ 3,518	$ 3,693
GRAND FORKS PUBLIC LIBRARY	72,215	$ 4,725	$ 1,775	$ 6,500	$ 4,961	$ 5,209
BISMARCK PUBLIC LIBRARY	99,906	$ 4,725	$ 1,775	$ 6,500	$ 4,961	$ 5,209
FARGO PUBLIC LIBRARY	136,909	$ 9,350	$ 1,775	$ 11,125	$ 9,818	$ 10,308
		$ 239,500	**$ 90,425**	**$ 329,925**	**$ 251,475**	**$ 264,049**
		Year One	**Year One Implementation-One Time Cost**	**Year One Total Cost w/Discount**	**Year Two w/Discount**	**Year Three w/Discount**
	With 30% Off All-in	**$ 167,650**	**$ 63,298**	**$ 230,948**	**$ 176,033**	**$ 184,834**

Statewide Database Program for North Dakota

July 2024 – June 2025

Thank you for your library's continued participation in the Statewide Database Program. The program serves the full spectrum of library users – from students in K-12 schools, to learners in academic institutions, to lifelong learners in public and special libraries with multidisciplinary database products that include full-text from journals, magazines, other periodicals, news sources, books, web content, and/or video, images, media, and content in other formats.

Resources are negotiated by Minitex (MN) with the collection selected by a task force comprised of funding partners from North Dakota, South Dakota, and Minnesota. ODIN – in collaboration with the North Dakota State Library – provides access* to participating North Dakota libraries. The current list of included resources are below and on the ODIN website: https://www.odin.nodak.edu/databases.

Billing Explanation

For FY25, The ND Statewide Database invoice totaled **$280,271**. ODIN applied **$111,975** in state appropriated dollars towards the bill. The State Library contributes an additional **$9,600** to further reduce the amount billed to libraries. The remaining amount, **$158,696**, is billed to participating libraries using the following formula:

1. Vendor usage statistics (total platform searches) were gathered based on library type and can be found at https://www.odin.nodak.edu/eresources/statistics.
2. Usage percentages by library type are then applied to each vendor's bill.
    a. ***Example**: Gale/Cengage's bill is $50,000 after appropriated and earmarked reductions. Gale/Cengage usage percentages were 10% Academic, 85% Schools, and 5% Public Libraries. In this example, Academics would be billed $5,000, Schools $42,500, and Public Libraries $2,500.*
3. Totals for each vendor are then added together, by library type, and divided by FTE, enrollment, or population depending on type. Here is the calculated rate for **FY25**:
    a. Academic Libraries = **$1.95 per FTE** (Student and Staff combined)
    b. Public Libraries = **$0.0134 per service population**
    c. School Libraries = **$1.58 per student** enrolled in grades 9-12 last fall
    d. Special Libraries = **$100 per library**

A detailed document listing the specific calculations is available on request.

Current List of Included Resources

EBSCO

- **Academic Search Complete****
- Applied Science & Technology Source

Gale

- Gale Academic OneFile Select
- Gale OneFile: Educator's Reference Complete

- Alt Health Watch
- Business Source Premier
- Consumer Health Complete
- Consumer Health Reference eBook Collection
- EBSCO Open Dissertations
- ERIC
- European Views of the Americas
- GreenFILE
- Health Source: Consumer Edition
- Health Source: Nursing / Academic Edition
- LISTA
- MAS Complete
- MAS Reference eBook Collection
- MasterFILE Complete
- MasterFILE Reference Collection
- MegaFILE
- Middle Search Plus
- Middle Search Reference eBook Collection
- Newspaper Source
- Points of View Reference Center
- Primary Search
- Primary Search Reference eBook Collection
- Professional Development Collection
- Regional Business News
- Science Reference Center
- Science Reference eBook Collection
- Teacher Reference Center
- World Politics Review

ProQuest

- US Newsstream (including Star Tribune)

- Gale OneFile: High School
- Gale OneFile: Informe Acedemico
- Gale OneFile: News
- Gale OneFile: Science
- Gale in Context: College
- Gale in Context: High School
- Gale in Context: Middle School
- Gale in Context: Elementary
- National Geographic Kids

Britannica

- Britannica Academic Edition
- Britannica Library
- Britannica School
- Britannica Kids

OCLC

- Clase/Periodica
- ERIC
- GPO Monthly Catalog
- MEDLINE
- OAISter
- OCLC ArticleFirst
- OCLC Electronic Books
- OCLC Electronic Collections Online A&I
- OCLC PapersFirst
- OCLC ProceedingsFirst
- OCLC WorldCat Dissertations and Theses
- WorldCat

Capstone

- PebbleGo: Animals and Biographies
- PebbleGo Next: State and Native American Studies

More Info

- For billing questions, please contact the Director of ODIN, Jason.Bedsaul@ndus.edu
- For Technical issues, submit a ticket: https://www.odin.nodak.edu/helpticket or email: odinhelp@listserv.nodak.edu
- For more info about the regional Minitex Program: https://minitex.umn.edu/services/elibrary-minnesota/about-elibrary-minnesota/elm-collection-purpose-statement

*__ODIN provides and maintains access to resources at no additional cost to all participating libraries__ using a combination of methods including IP (location), proxies, APIs and SAML-based options. ODIN will make a 'best effort' to support non-ODIN member libraries with other methods but cannot always guarantee access or support beyond services and platforms ODIN manages.

**__For FY25, Academic Search Complete__ is an upgrade from the base package offering of Academic Search Premier made available statewide through a collaborative purchase between 12 Academic Libraries and ODIN with no additional cost to other libraries.

Written Testimony Opposing SB 2307

I am a resident of Medora and the Billings County representative on the Board of the Dickinson Area Public Library. This bill is very concerning and should not pass.

Public libraries are a community resource and should be welcoming to community members. The Dickinson Area Public Library saw 76,695 patrons visit in 2024, and increase of over 6,000 from 2023 and saw over 10,000 more children's materials circulate in that same time frame while having 0 requests for reconsideration. This shows that the library is fulfilling its purpose and the librarians are correctly following established policy and selecting beneficial materials to add to the collection.

There are multiple instances within this bill where the wording is vague and is left open to interpretation; for instance, "the reasonable person" is referenced in Section 1 but fails to specify who is considered reasonable and allows for subjective interpretation. Librarians have gone through specialized higher education and training in order to obtain their jobs and they also have criteria to follow to allow new publications to enter the library without allowing their personal opinions to influence decisions. This bill accuses those respected professionals of not having the knowledge to be able do their jobs.

Section 7 refers to "any interested individual" which again, is extremely vague, insinuating that anyone, regardless of what state they reside in, can request the State's Attorney to spend time and money reviewing materials.

It should be the responsibility of parents, not the state government, to supervise and be aware of what their children read. If they have objections to currently available material, they should follow the library's reconsideration request policy. This ensures dialogue is held at the local level and leaves room for education or explanation in the event of confusion or misunderstandings. This also encourages dialogue and rapport between patrons and their local librarians.

Public libraries already have policies and measures in place for any patrons with concerns about library materials. The policies have been designed with the understanding that there is not a one-size-fits all rule and that each case needs to be looked at independently and thoughtfully. It is also worth mentioning that sexually explicit materials are already prohibited in children's collections per NDCC 12.1-27.1-03.5.

In conclusion, library collections should be overseen at the local level and primarily by the trained library professionals who have a more nuanced

understanding of the contents of their library, without fear of criminal penalties or prosecution.

I urge you to oppose this bill as it is overreaching, unnecessary, and vague in it's wording.

Thank you for your time,

Olivia Titcomb
Medora, ND

House Judiciary Committee

Senate Bill 2307

Andrew Alexis Varvel

Written Testimony

March 18, 2025

Chairman Klemin & Members of the
House Judiciary Committee:

My name is Andrew Alexis Varvel. I live in Bismarck, District 47.

I am also a member of the local Friends of the Library.

I oppose Senate Bill 2307, and so should you.

During the Senate Judiciary Committee's hearing on Senate Bill 2307, a clinical therapist from Pennsylvania who shall not be named, talked about sex offenders accessing pornography on library computers.

On February 9, 2025, I performed a diagnostic test for four well known pornographic sites on a computer at the Bismarck public library.

None of these pornographic sites could be accessed.

On March 15, 2025, I performed an expanded diagnostic test consisting of eight well known pornographic sites on a computer at the Morton Mandan Public Library. None of these pornographic sites could be accessed. I performed the same test at the Bismarck Veterans Memorial Public Library. It yielded the same result – no access.

These libraries already have safeguards against online pornography.

I do not know what library computers in Pennsylvania allow, but it is offensive to smear local libraries that have been doing their jobs well.

Most librarians are understandably focused on Section 7, which is the punishment phase of this bill. Yet, I am focused on Section 3, which appears to be its motivation – and a deliberate insult aimed at libraries.

Please look at page 2, lines 16-19, of the Second Engrossment.

Senate Bill 2307 would put public libraries into the same category as public roadways and public walkways. In the same category as the gutter. Under Senate Bill 2307, public libraries would no longer be in the same category as colleges, universities, museums, and art galleries.

It hardly seems to matter to the architects of this bill that if you go to the Bismarck Veterans Memorial Public Library, you will find one painting after another on the wall. The difference between this public library and an art gallery – public or private – is that you can borrow these works of art on your library card and bring them home.

I have read the Code of Conduct Policy and the Grounds Policy of the Bismarck Veterans Memorial Public Library.

It prohibits disruptive behavior. No fighting. No harassment. No loud noises. No sleeping. No camping. Using the restroom to take a bath is prohibited. And unlike roadways and walkways, bicycles and scooters are prohibited within the Bismarck Veterans Memorial Public Library.

Unauthorized sales and solicitation at the library is prohibited anywhere on library property. Criminal activity is prohibited.

If sex traffickers or pedophiles are targeting children at a library, please inform the librarians about it immediately. Librarians are human beings. Librarians care about the well being of their patrons. Librarians want to keep libraries safe. Librarians don't want children to get hurt.

Our public libraries are something to be proud of, something where we can take civic pride in what our libraries have become, and now Senate Bill 2307 proposes to officially state in our Century Code that our public libraries are not essentially different from the gutter.

Librarians take professional pride in what they do. The librarians I have dealt with tend to be, if anything, as straitlaced as their stereotype. To accuse them of being perverted groomers – that is downright hurtful.

And please note that according to page 2, lines 11-15, any replica or picture of Michelangelo's statue of David would be banned at any public library. North Dakota would become world famous for comstockery.

One fellow citizen has written,

> *"It is important to note that the book **Let's Talk About It** is not the only obscene, pornographic book out there in the public library and school system."*

Let's talk about the *Holy Bible*.

The *Holy Bible* contains a description of incest (Genesis 19:30-38), instructions on how to rape a girl (Deuteronomy 21:10-14), promotion of temple prostitution as holiness to God (Isaiah 23:17-18), a homosexual covenant between David and Jonathan (1 Samuel 18:1-4), and a prophet's phallic envy toward donkey dongs (Ezekiel 23:20).

The *Holy Bible* also includes an entire book called *The Song of Songs*.

Taken as a whole, *The Song of Songs* appeals to the prurient interest of minors. A*nd that is the point.* It promotes sexual desire – wholesome heteronormative monogamous desire – especially among adolescents.

The Song of Songs says the following:

"His left arm pillows my head, his right arm is around me."

Song of Songs 2:6 & 8:3, Revised English Bible

Hawaiians call this "the missionary position."

In verse *2:3*, the woman says,

"... his fruit is sweet to my taste."

In verse *7:2*, between descriptions of a woman's body progressing upward, and between her thighs and her belly, the man says,

"Your navel is a rounded goblet that will never lack spiced wine."

Verses *4:15-16* say the following:

"The fountain in my garden is a spring of running water
flowing down from Lebanon.
Awake, north wind, and come, south wind!
Blow upon my garden to spread its spices abroad,
that my beloved may come to his garden
and enjoy the choice fruit."

If you don't want minors to learn about sex, please make sure that minors never get an opportunity to read the *Holy Bible*.

If you don't like a book, don't read it. Libraries discard unread books.

If you don't like sex trafficking, then please encourage the Legislature to study how to combat sex trafficking effectively. Our policies over the past generation don't seem to have worked so far. And I strongly want the Legislature to craft a serious crackdown against sex trafficking.

And – don't scapegoat librarians.

I think that *Jesus Christ* has something to say about book censors.

> ***Why do you look at the speck of sawdust in your brother's eye, with never a thought for the plank in your own? How can you say to your brother, "Let me take the speck out of your eye," when all the time there is a plank in your own? You hypocrite! First take the plank out of your own eye, and then you will see clearly to take the speck out of your brother's.***
>
> *(Matthew 7:3-5, Revised English Bible)*

Please keep *Senate Bill 2307* far away from our Century Code.

Please give *Senate Bill 2307* a **DO NOT PASS** recommendation.

Thank you. I am open for questions from the committee.

Lanny Kenner
District 7

Chairman Klemin and committee members,

I am in favor of SB 2307 and request YES votes to protect our children, grandchildren and the vulnerable.

When I see so many people opposed to this bill I see why our country's morals have been eroded over the years. What could be more Important than protecting our children??
There is no good whatsoever in exposing their young minds to any type of pornography!

Is it freedom of expression, freedom of speech or freedom to serve Satan? I just can't wrap my head around wanting to corrupt
the young, vulnerable people!

This bill is not banning books or anything like that. It is just trying to keep pornographic materials out of the hands of children.

Pornography and sex trafficking are huge businesses in the world with complete disregard to the lives that are hurt, and by exposing children to it will cause even more sex trafficking or customers of that type of evil business.

I pray that this bill passes and I also pray for the sex trafficked people who are caught up in some people's twisted way of getting their jollies all at the expense of another person!

I remember a time when most people including librarians actually cared!

So to help stop some of this insanity, please vote YES on SB 2307.

Thank you, Lanny Kenner

To the Committee Members:

I strongly oppose SB 2307 - unconstitutional censorship and criminalization of librarians..

Local communities to decide: Our local library boards represent the local community, and they are in the best position to communicate with the local librarian
If the local citizens have a concern about certain materials in the library--and together, those at the local level can deal with the issue in the best way for that community.

Waste of money and time: These attacks on public and school libraries are a massive waste of time and tax payer money

Two years ago a similar law was passed.
Libraries complied.
It was very costly - thousands of dollars!!
And was more than one book found?

Parents rights: When this legislative body discusses school curriculums, the highest reverberations are shouting - Parent's rights! Should not that same right be given to parents who take their children to the library?

As a Mother of 6 children and 21 grandchildren, I believe:
"It is the parent's right and responsibility to choose what their children read, considering their individual values and family dynamics."

Parents, not the government, should decide what books their children read.

Government over reach: The government has no right to tell people what they can and can't read.
Book bans have never yielded positive outcomes. Review Communism 101.

Just FYI - this bill will not protect children from viewing "Sexually explicit material". If they want to find it, they will look it up on their phone

I urge you to give this bill a DO NOT PASS recommendation.

Mary Schlosser

House Judiciary Committee
March 18th, 2025 SB 2307
Testimony in Opposition

Dear Chair Klemin and the members of the House Judiciary Committee,

I urge a “Do Not Pass” on SB 2307.

At time of writing, there are over 300 pieces of testimony submitted already. I fought hard in 2023 against these bills that target our libraries and I learned a great deal about things like the Miller Test and the mechanisms that libraries have to remove content the community does not agree with.

I will be honest, I love libraries. I think they’re magical. I think they’re one of the greatest things we as humans have done. We’ve created these quiet shelters of knowledge that allow kids to explore the entirety of the universe through words and imagination. And they’re run by nerds and dorks who love knowledge and helping people learn.

As I type this up, I find tears in my eyes. Because what a monstrous bill we have here. One that so cruelly implies that these places are nefarious. That we need to really come after “Big Library” to stop the perversion of our youth. And perhaps it is worth noting such a thing isn’t real. I’d put that under fiction, actually. Which by the way are stories that aren’t real.

And a bill like this is such vast oversight to a problem that can be solved by a casually attentive parent. It is no great hurdle for any parent to inquire about the content in their library, to instruct their child on what they’re not allowed to read, and share the institute with the plurality of people who use it. This bill does nothing to protect the interest of folks who find some material questionable, it only removes content and resources from the people who want it.

And the intended or unintended consequence of this bill, so vaguely worded, seeking to vibetest content against the personal prejudice of our authority figures is perhaps not good governance. There are books I do not like. Books that I think are full of disinformation, that spread lies or harm. But I don’t think a library is there to enforce an agenda. It is there for everyone. It is there to help everyone. And does not benefit from a government micromanaging an institute many lawmakers have proven they do not understand. For these reasons, I strongly encourage giving this a “Do Not Pass”.

Thank you for your time, consideration, and service to our state,
Faye Seidler

Hello Chairman Klemin and members of the House Judiciary Committee.

My name is Patrick Hanson, I'm 28 and am a North Dakota citizen that lives in Bismarck. And I would like to testify in favor of SB 2307 today. Thank you for the opportunity to be heard and I hope my words will be helpful to you in making the right choice on this matter.

The main point of my testimony today is this that there is a false premise in the conversation about this topic of banning obscenity in our public square that is often claimed and accepted, and that is the idea that with this bill would supposedly "infringe on free speech."

This is not so. Please allow me to explain why.

We would never allow people to do obscene things such as sexual acts in broad daylight in our public square would we? Of course not, those kinds of things are illegal as they should be.

Would it be any different to ban an image of that same obscene sexual behavior on a billboard to be seen by all in public? No, it wouldn't because even though it is an image, and some may argue that the image itself is a protected expression of speech, that display should still not be allowed because it is not the speech that should make it illegal, it is the behavior that is committed, that we all know is obscene that should be illegal to show in public.

What about in books in our public libraries instead of billboards? That is still in the public square, so shouldn't obscene acts and behavior be banned in those public square spaces too?

This issue has long been falsely labeled a speech issue when it has really always been an issue of obscene behavior in public.

Just because the depiction of people committing obscene sexual acts through images technically involves speech, doesn't mean that the banning of that obscenity is the banning of speech. Otherwise that same logic could be used to justify the allowance of someone posting a video of them abusing or even murdering someone else for example.

No one actually thinks that banning the posting of that particular kind of video example would be banning speech right? No, we all know that it is the **act** of what they've done in that video that is illegal not the mere uploading of some video that is.

And the sharing/showing of that content online is an obscene act and is illegal behavior too. The images/information/data are just the medium of which those obscene **acts** can be displayed, and unfortunately also reviewed over and over again.

There is content in our libraries that is obscene, especially sexually explicit material that is not suitable for anyone. Not for children. Not for adults. **Pornographic material is not speech or artistic expression**, it is an act and/or acts that are depicted through images and other information. **That material is obscene behavior**. Why would we allow this to be accessed in books in any library?

The summary of my testimony is this:

Freedom of speech is a good thing, and ought to be protected.

Doing obscene things in public is bad, and should not be allowed.

And ***protecting free speech and restricting public obscenity are not in conflict with eachother*** at all because it is the *acts* that we are banning, not the medium of portrayal of which they are displayed that are the issue at hand.

Here are some questions I would like to leave you with:

What kind of acts are okay to do in public?

What kind of acts are okay to show others publicly?

How much longer will we expose our children to obscenity in our public square spaces?

Thank you again Chairman Klemin and honorable members of the committee for for listening to my testimony today, I pray that you have wisdom and make the right choice for our great state of North Dakota and our current and future generations!

I am open to any comments, questions and concerns that you have, I've emailed you my contact info and I ask that you please feel free to reach me anytime! :)

Sincerely, from a citizen that cares about the thriving, flourishing and well being of the society I live in.

-Patrick Hanson

Jeremiah 29:7

Testimony in Opposition to Senate Bill 2307

Chairman Klemin and members of the committee, I am here to express my **opposition** to **Senate Bill 2307**, which seeks to impose broad oversight and penalties on school districts, public libraries, and state agencies regarding the presence of materials deemed "explicit sexual material." My opposition doesn't come in protecting our children – it is in the unreasonable and extreme approach that is being taken in this bill and in many others in many committees regarding how we approach something that one deems undesirable. While in this bill we don't want our children learning lessons of obscenity, as a mother, I find it no less obscene to have a society where we cannot show our children how to appropriately resolve disagreements, come to a resolution, and find a way toward amiable common ground before calling in the attorney general.

While **protecting minors from inappropriate content is important**, this bill **overreaches, disregards local control, undermines due process, and creates unnecessary bureaucratic burdens** on schools and libraries.

Key Concerns

1. Bypasses Local Governance & Due Process

- This bill allows **any person** to file a complaint with the Attorney General **without requiring them to first engage in the school district or library's established review process**.
- **Local school boards and library boards**—elected by and accountable to their communities—are **best positioned to handle concerns about library materials**.
- This bill **disempowers local decision-making** and **subjects schools and libraries to state-level oversight without local resolution first being attempted**.

2. Creates an Unworkable System & Unfunded Mandates

- The bill mandates that schools and libraries **continuously review** their collections to ensure compliance, without providing additional **funding, staffing, or guidance** to do so.
- **Reporting requirements and AG reviews** create an administrative burden that **diverts resources away from education and library services**.

3. Unclear & Subjective Standards for "Explicit Material"

- The bill uses broad, subjective terms that can **be applied inconsistently** or **weaponized for censorship** beyond protecting minors.
- What **one parent or patron** considers offensive may be **widely accepted as educational or age-appropriate by professional educators and librarians**.
- This could lead to **unnecessary book bans and restrictions on historical, scientific, or health-related content**. Furthermore, this can put our students at a competitive

disadvantage. Vendors may see North Dakota's laws as cumbersome nuisance that simply isn't worth it in comparison to the business elsewhere in states with more realizing that the policies in place are working and simply not work with us anymore thereby having our students losing out on important resources.

4. Severe Financial Penalties That Harm Schools & Libraries

- The **State's Attorney is granted authority to halt funding** to **entire schools or libraries** based on a single complaint or violation.
- This level of financial punishment is **disproportionate**, especially when **districts may have already acted in good faith** to address concerns. Schools are one of the largest employers of every community – to cut off funding based on the complaint of one person without local due process and putting the paychecks of local patrons at risk is unreasonable.

5. Sets a Dangerous Precedent

- **Public institutions should not be governed by the most extreme voices**, yet this bill allows **any person—regardless of their connection to a school or library—to escalate complaints directly to the Attorney General**.
- This invites **frivolous complaints** and **political interference** into educational spaces.

Conclusion

While I fully support the **age-appropriate curation of educational materials**, **Senate Bill 2307 is an excessive and punitive measure** that:

- **Strips local control from school boards and librarians.**
- **Imposes vague, subjective standards on educational materials.**
- **Threatens school and library funding over isolated complaints.**
- **Creates administrative burdens that detract from education and literacy efforts.**

I urge this committee to **oppose** Senate Bill 2307 and seek a more balanced approach that respects **local governance, due process, and the expertise of educators and librarians**.

Thank you for your time, and I welcome any questions.

Great Public Schools *Great Public Service*

Testimony Before the House Judiciary Committee
SB 2307
Tuesday, March 18, 2025

Chairman Klemin and members of the Committee, my name is Nick Archuleta, and I am the president of North Dakota United. On behalf of the 11,500 members of North Dakota United, I am writing to you today in opposition to censorship and SB 2307, and to urge a ***do not pass*** recommendation.

Members of the Committee, in communities across North Dakota, our friends and neighbors routinely elect men and women to serve on city councils/commissions, county commissions, and school boards. These citizens create rules and policies to govern any number of local functions and institutions, including their libraries. If a local school board or library board is doing something or allowing policies that offend local sensibilities, the policies adopted locally are sufficient mitigate the offending practices. What local communities do not need is the heavy hand of the state meddling in the affairs of local communities. Sadly, SB 2307 provides a mechanism by which the state can usurp the authority currently vested in locally elected officials.

Mr. Chairman, no one is in favor of placing inappropriate materials in the hands or viewshed of children. That is why professional librarians at public and school libraries take great care in assembling their collections. SB 2307 is a heavy-handed solution that is not only unnecessary but is an affront to local control. The state does not have an interest in replacing the judgement of local officials and parents.

For these reasons, Chairman Klemin, and members of the Committee, I urge a ***do not pass*** recommendation for SB 2307.

NDSBA
NORTH DAKOTA SCHOOL BOARDS ASSOCIATION
1224 West Owens Avenue
Bismarck ND 58501
1-800-932-8791 • (701)255-4127
www.ndsba.org

SB 2307
Testimony of Amy De Kok
House Judiciary
March 18, 2025

Chairman Klemin and members of the House Judiciary Committee, my name is Amy De Kok. I am the executive director of the North Dakota School Boards Association. NDSBA represents all 168 North Dakota public school districts and their governing boards. I am writing to express our opposition to SB 2307, particularly the provisions that impose unnecessary and restrictive policies on public school libraries. This bill undermines the expertise of educators, and disregards existing federal protections, such as the Children's Internet Protection Act (CIPA), that already safeguard minors from inappropriate content. Furthermore, public schools already have policies in place to guide the selection of instructional and library materials in public schools, which ensure that educational resources are carefully vetted to meet students' developmental needs and curricular goals.

The Existing Protections Under CIPA and School District Policies

The federal Children's Internet Protection Act (CIPA) already establishes robust safeguards to protect minors from harmful online content in schools and libraries that receive federal E-Rate funding. CIPA mandates the use of internet filters to block access to explicit content, ensuring that children are not exposed to inappropriate material.

Additionally, most school districts adhere to structured policies regarding the selection of instructional and library materials. These policies assign responsibility for selecting materials to trained professionals who ensure alignment with state standards, readability, and age appropriateness. These policies also promote a balanced representation of controversial issues. SB 2307 is therefore redundant and places an unnecessary burden on schools and libraries.

Overreach, Cost, and Legal Concerns

SB 2307's provision requiring public school libraries to review and potentially remove books or materials deemed to contain "explicit sexual material" is vague and overly broad. By placing subjective standards on literary and educational materials, this bill creates the potential for censorship that could deprive students of access to valuable, age-appropriate resources.

The bill also introduces logistical and financial burdens that will disproportionately impact smaller, rural libraries, requiring costly modifications to separate restricted materials. Such expenses represent an unnecessary waste of taxpayer dollars that could otherwise be allocated toward educational programming and literacy initiatives.

Moreover, legal experts have noted that SB 2307 could expose school districts and libraries to First Amendment lawsuits. The U.S. Supreme Court's 1982 ruling in Board of Education v. Pico established that school boards cannot remove books from libraries simply because they dislike the ideas within them. The Court emphasized that the First Amendment protects students' rights to receive information and ideas, and removing books based on their content amounts to censorship and interferes with students' intellectual freedom. While school boards have an interest in ensuring that materials align with their educational mission, the Court held that they must do so within the boundaries of the First Amendment. The Court held that school boards may evaluate the educational value of books but cannot remove them solely due to ideological disagreements.

The Role of Professional Educators

Public school librarians and educators are trained professionals who carefully curate collections to align with educational standards and student needs. SB 2307 undermines their expertise by imposing external oversight that disregards their professional judgment. Existing district policies ensure that selection objectives include age-appropriate difficulty levels, educational alignment, and representation of diverse perspectives.

Potential Harm to Students' Education

Denying students access to diverse viewpoints, scientific knowledge, and historical context hinders their ability to think and engage with the world in a meaningful way. Literature and educational materials help students navigate complex topics in a safe and structured manner. Removing these resources under the guise of "protection" ultimately does more harm than good.

Furthermore, SB 2307's punitive measures, including withholding funds from non-compliant school districts and libraries, are excessive and counterproductive. Public libraries and school districts should not be financially penalized for upholding students' rights to access educational materials.

In conclusion, SB 2307 is an unnecessary and potentially harmful piece of legislation that undermines the professional expertise of educators and librarians, and disregards existing protections such as CIPA and the well-established selection policies of school districts. Additionally, its implementation would be costly to taxpayers and expose public institutions to legal challenges that could have been avoided. The precedent set by Board of Education v. Pico makes it clear that school boards cannot remove

books simply because they disapprove of their content. I urge the committee to reject this bill and instead support policies that promote comprehensive education, uphold students' rights to information, and trust the expertise of professional educators in determining appropriate materials for school libraries.

As a teacher, this bill terrifies me. I always filter what I have my students read and select things for them to read that are appropriate and should be trusted as a professional to do so. The lack of respect for my profession is upsetting and the consequences to those who don't comply to a vaguely worded bill puts us in the running for the dystopian novels i teach in class. Furthermore, as a parent, I have always had deep respect for our public libraries. They do watch what kids check out and monitor that, but also, as a parent, I should be double checking. I always looked up the books my children read and asked them questions. If I felt like they weren't ready to read it, I told them no. That's my right as a parent. Not everyone filters the same, so it should be up to families and not the state.

Chairman and members of the committee,

My name is Lindsey Bertsch and I am a resident of District 3 in Minot, and I am the manager of Main Street Books, located in District 3 as well. After the Senate Judiciary hearing on this bill last month, I called up a representative of Penguin Random House to ask some questions about the publishing industry and obscenity, specifically the Miller Test. He let me know that Penguin Random House, as well as all major publishers, don't publish books that are in violation of the Miller Test. They have to meet the criteria of the test. Let's Talk About It, a book that has caused uproar both in the 2023 legislative session and this one, is incidentally published by Penguin Random House. One of the easiest ways to prove a book is of "serious literary value" is based on its positive reviews from reputable sources in the publishing industry, like Kirkus Reviews and Publishers Weekly. Regardless of my own or anyone's opinion of Let's Talk About It, it did receive positive reviews from these sources, and I did bring examples of Publishers Weekly in case anyone is curious about what these look like.

ANYWAY… I am personally tired of talking about Let's Talk About It. If this book continues to cause so many issues, perhaps it ought to be written into the bill by name to save us all the trouble. Because there's no way to legislate books based on explicit sexual content without it affecting other books unintentionally. Besides, Let's Talk About It does have "serious literary value" as it is determined in the book industry, so I'm not even sure this book would be affected if challenged. If this bill does accomplish its goal and the goal of its sponsors, it will take a lot more than a "cabinet," as Senator Boehm likes to say, to house all books with sexually explicit content. Plus, legitimately, how effective are we expecting a "room with signage" to be? We are expecting minors to abide by signage disallowing them from a room? The infrastructure and staffing expectations for this bill are, plainly, ridiculous.

Finally, I am the manager of a bookstore. I understand that the bill in its current form does not affect my bookstore. This is because in the Senate Judiciary Committee, they amended the language regarding "business establishments" out of the bill. I'm glad they did this, not because it means the business I manage won't be affected by this bill, but it proves a simple reality: this bill is not about kids. If it was, then I would expect legislators to fight to keep businesses in the bill. Because anyone, including minors, will have access to all the same books that are walled off at the library, just in their regular sections on our bookstore shelves. Same is true for Barnes and Noble, or any other stores, locally owned or otherwise, that carries books or comics. So to be consistent with the messaging that this bill is to protect kids, you should probably amend business establishments back into the bill. But then that would have a serious effect on small business owners, they'd be confused about the vague language of the bill, and perhaps aspiring small business owners would be deterred from opening a small business altogether. So it seems as though you have two choices. Amend businesses back into the bill, so at least the argument of the bill protecting children is consistent (albeit not grounded in reality), but then sacrifice small business owners in the process, or continue to leave businesses out, knowing that the infrastructure requirements for libraries will be a huge waste of taxpayer dollars, while minors will have access to the same books on bookstore shelves that are hidden in "cabinets" or "rooms with signage" at the library.

Lindsey Bertsch
District 3

March 17th 2025

To the legislative body evaluating Senate Bill No. 2307,

I am opposed to this bill. Upon review of the bill as introduced it seems well intentioned to protect minors, but lacks foresight or strong evidence to suggest the bill is necessary to address any sort of existing problem within the library system as it exists today.

Specific issues I see with the bill as written include:
1. Inconsistent use of the label for explicit materials. In most cases it refers to explicit sexual materials, but not in all cases within the text. As such I fear this inconsistency creates a loop hole in which any strong material that may have a negative effect on a minor, be it sexually based or otherwise, can cause the ramifications of this bill to be put into effect. The lack of consistent clarity is important.

2. While generally not expected to be included with a bill, I am unable to find any documented evidence that suggests there is a problem that needs solving here. With the magnitude of implication in a bill such as this I would expect to be able to find referenceable evidence in the form of studies, published surveys or even news articles that indicate there is a large, problem or risk to the public that this bill is intended to solve. At the time of this testimony I can find no such evidence despite my best efforts. Without this information I don't understand how we can attest that this will be a net positive change for a state both from a perspective of impact to our citizens or by knowing we're being fiscally responsible with our state's money.

3. I've read in a recent article about this bill that one of the legislators who introduced it was downplaying the impact, indicating that a moderately sized cabinet would surely be enough for most libraries to contain material that would be impacted by this bill. Having volunteered frequently for program work with my local library, and having associations with others in the library sciences field, I believe this assumption is woefully wrong. I think it more likely that sequestration of these materials would need to be handled via placement within entirely separate rooms for most of our state's public libraries. This is incredibly unfeasible given the low budgets our public libraries often have to work with. In fact, this point may get at the true desire by those pushing this bill which could be to remove such materials entirely and further reduce the value our public libraries bring. If that be the case, it is unacceptable. I do not mean to say with certainty that intention is the root desire behind the bill, but it is certainly food for thought.

4. Finally in terms of consequences for libraries that are noncompliant with this bill. The bill does not clearly indicate who within each library is at fault or provide guidance on how to determine which individual(s) are to be punished for non-compliance. The bill only indicates that Individuals that "display" content are the ones at fault. What does display mean? Is it a display in the main room? Or a bulletin board? Or is it simply for being on a shelf in its correctly categorized location without being prominent? If a library is found to be non-compliant whom is to be punished? Every Staff Member? Leadership? The librarian that last checked in the book? The one that purchased it for the collection? Or the Librarian that added the material into the library's information system? It's unclear to me that this provides clarity that is necessary to adequately enforce anything. The state cannot afford to be so unclear. That sets us up for failure and frankly makes us look of low intelligence. We're better than that.

As stated at the start of this testimony, I am opposed to this bill. Thank you for the time to review these thoughts.

Michael Lloyd
Buffalo ND
Cass County

March 18, 2025

To the 69th Legislative Assembly,

I am writing today as the Kidder County Public Library Director, and as a mom and taxpayer, asking you to oppose SB2307.

As a mom to four children and a library director SB2307 does not accomplish its intent of protecting children in North Dakota and only serves to burden taxpayers and reduce library services across the state.

SB2307 is redundant as we already do not house obscene material in libraries, and we do not keep adult content in children's collection, per state code. We hold our library material selections against the Miller test, and libraries have collection development and reconsideration policies, among many others. This bill leaves a wide interpretation of explicit material, especially when you consider that we already don't house obscene material in our libraries. What is explicit to one, would not be to another.

This bill seeks to remove adult content deemed explicit, to areas not accessible to minors. For small libraries like ours that is essentially a one room library with a bathroom and a small kid's alcove in the middle, this presents a difficult and potentially expensive outcome as we do not have the space to house an additional area just for adult content, and we have limitations in separating our collections physically. How we would accomplish separating our collections or creating an adult's only section would be incredibly costly and severely limit the space that we do have, which in turn will greatly impact what programs and services we can offer.

Over the last several years our library has undergone major updates to our entire building, and we have greatly increased our number of library patrons and the programs we offer. Many of our patrons have families and because of our small and open space they can visit and enjoy all of our library and its collections, together. Physically limiting what little space we do have would be devastating to how much we have accomplished recently, not to mention the financial impact.

As a mother of four kids who range in ages and reading abilities, this bill doe does not protect my children. As a parent I know what is acceptable and appropriate for my kids both in content and reading level. I also know that any library we visit, including ours, has a range of materials and selections and as a parent it's my job, not the state's, to supervise what they read.

Quite simply, this bill is not necessary, and only serves to burden taxpayers and limit library services across the state if passed.

I strongly urge the committee to not pass SB2307.

Sincerely,

Annie Craven

Kidder County Public Library

Library Director

Testimony in opposition to SB 2307: (3/18/25)

My name is Traci Juhala. I currently hold the position of Head of Youth Services at the Bismarck Veterans Memorial Public Library and have been in this position since 2008.

I urge a Do Not Pass for SB 2307.

My responsibility as a librarian is multifaceted. I assist patrons, help develop programs, supervise staff, and develop and manage a collection of materials. In terms of my collection development duties, my responsibility is to collect, organize, and provide a broad range of materials for my community within the parameters of my assigned age range and the financial resources I am allotted. I make decisions in good faith based on my education, years of experience, professional reviews, community recommendations, and with feedback from coworkers and/or supervisors. We serve a diverse community; therefore, our collection is diverse. If patrons have concerns about materials, we have an established process for handling these concerns.

People from all walks of life use the public library. They have different wants and needs. Libraries provide a broad range of materials to meet these needs. Patrons choose to read what they want and leave in place what they don't. Over my 25-year career as a librarian, this very basic process has worked well for the majority of the public. My suggestion is that this basic process should be allowed to continue. SB 2307 is not only unnecessary, but it would create undue strain on library staff who might fear criminal prosecution simply for making collection development decisions.

My thanks to you for reading this testimony.

Again, I urge a Do Not Pass for SB 2307.

Chairman Klemin and members of the Judiciary Committee, for the record my name is Robert Erbele and I am the Senator from District 28 serving 5 rural counties in the southcentral and south east part of the state.

This is one of the last bills that I would have considered signing onto in the past. Although I am against pornography and obscenity, and I support those bills limiting their scope when they are before us, I have always held that those standards need to be upheld and promoted at the local level, and I have always said that public dollars should go to public schools. Both of those philosophies have been severely challenged by what I have experienced this last fall regarding a book series that was brought to my attention by some of my constituents in my district. It was a very disturbing, and emotional journey that I walked with them. My constituent has a couple of frames from the book that was shared with me to this testimony to show what flipped my trigger. My moral compass is stronger than my philosophical opinions regarding local control and public schools.

When my constituents informed me that the Librarian and the Superintendent would not honor their request to remove the book I encouraged them to get a petition of support from the patrons of the district, which they did and had over 200 signatures in a very short time. Once the petition was in hand I personally called the Superintendent and the school board president to encourage them to honor the petitioners which was clearly a mandate stating their community values. Both saw nothing wrong with the book(s) and felt comfortable with their own kids reading the books, one said " kids are having sex anyway". To placate the citizens a book review committee was hastily assembled since the board did not formally have one in place and their reviews were presented to the board. I read those reviews and all were in favor to keep the books, the thing that was suspicious to me was that quite a few of them had the same narrative and seemed like they may have been AI generated. The special ed teacher said that she encourages her students to read graphic (cartoon style) books since they are easier to understand. A board member on the committee said he found the book pervasively vulgar, but was against banning books. Others said it was such a small percentage of bad words compared to the total of all the pages in the book and no genitals were shown.

I did attend the board meeting when my constituent got on the agenda to bring the request of the petitioners to the board. The room was full, probably close to 100 people. The teachers all stood in solidarity behind one of the faculty members who spoke in favor of the book, and no one other than my constituent was allowed to speak. The board took no action. One of the disheartening things I observed was that the faculty had encouraged some of the students of the school to attend and hold signs saying "No Book Bans"

What baffles me is why the school leaders would choose this hill to die on. It wasn't a solo wild eyed radical trying to disrupt the school. There was a significant group of citizens concerned about the welfare of the minds of their children. What I saw was the sexualization of our children, and a weaponization of children against their parents.

Why is a book of this nature so important? What is its redeeming social, or educational value? Can you sincerely tell me what I'm missing?

As I see it a book has no soul or feelings, it will not be hurt if it is not read. Any one can buy the book and put it on their coffee table if they so choose, but an educational institution funded by taxpayer dollars should not be buying books of a suspect nature, there are thousands of good beneficial books to choose for a public school.

Mr. Chairman, and committee members, everything in life comes from a seed, plants, animals, people and societal standards. Blessings come from seeds. Small seeds, or actions, of faithfulness, and obedience produce blessings, small seeds of disobedience, and tolerance of moral decline, leads to a corrupt society and all kinds of behavioral disorders that are so rampant today. Nothing starts out full grown.

I hope you can take this opportunity to study this bill, and if you see any changes that need to be made to make this a firm foundation to protect the hearts and minds of our young people, I ask you to do so.

Thank you for your time. My constituent is here today to give you her personal account of the ordeal she and her family have experienced.

Chairman Klemin and members of the House Judiciary Committee.

I am once again bringing this child protection measure to the committee. This amended version of Senate Bill 2307, a necessary and measured step in protecting minors from exposure to obscene and sexually explicit materials in schools and libraries. It is a bill to ensure that public institutions funded by taxpayers are not venues for exposing children to harmful content.

Libraries and schools were once places of safety and learning, but over time, activists and loopholes in existing law have allowed inappropriate materials to be introduced into these spaces. Some have argued that this legislation constitutes book banning or censorship, but the reality is far from that. This bill does not ban books; it simply ensures that explicit content is not easily accessible to minors.

In fact, opponents of this bill have unintentionally proven the point. At a public hearing in western North Dakota, community members attempted to read aloud passages from books available to minors in public libraries—but they were stopped because the material was deemed too obscene for a public setting. If this content is inappropriate for adults in a public hearing, how can we justify making it readily available to children?

Also, recently the same library put on display an obscene book in which the cover of the book displayed blatant pornography, and a 12-year-old was very distressed at the material and went to his parents who thought the library was safe, it was not.

Some have raised concerns that this bill removes books from libraries. That is not the case. The bill does not call for an outright ban but instead establishes a clear and reasonable process for relocation to ensure that explicit materials are placed in areas where they are not easily accessible to minors.

This legislation requires that:

- If a parent, guardian, or concerned patron identifies material that may be obscene or harmful to minors, the concern will follow the local review process, if it escalates to the superintendent and school board level there is an offramp for the complainant because of the intimidation factor at that point of the process.
- If the concern escalates further, the State's Attorney will review the material and provide an opinion. Only after the process described and the material is still not moved do the consequences apply, this is at the very end of the process, (which could take up to 70 days) and if there is still refusal will any penalties apply.
- If the material is deemed obscene, it must be relocated to a not easily accessible to minors section of the library. There are no institution police, no going to jail at any point until the state's attorney deems that the material is obscene, and the institution does not move the

material to a not easily accessible to minors. The material can be moved to an area such as:

- A cabinet with signage.
- A roped-off or designated section with signs where only adults may access it.
- If available another area of the library.

This ensures that libraries retain the materials for legitimate research or adult access while preventing inappropriate exposure to minors.

Scientific research and firsthand accounts have demonstrated the harmful effects of pornography on developing minds. A well-known Dr. who served on the U.S. Attorney General's Commission on Pornography, found that:

- 91% of minors who encountered pornography did so unintentionally, often while browsing for school-related research.
- A single exposure to explicit material can trigger an addiction stronger than cocaine or heroin in some individuals. The material literally changes brain chemistry, hence the addictive connection of the material. Porn hub has said if we can get this material to people/the young we will have them for life on our site.

This is not about limiting free speech—it is about setting reasonable boundaries in spaces where children learn and grow. I have heard that the minors are receiving more explicit material from their devices and that may be true. That is why we are bringing forward in other bills, Age verification for explicit material, Human trafficking legislation and the resolution that declares pornography a public health concern. I am not saying our staff are the following, but to fight this battle against the pornographers, pedophiles and groomers we must cover this issue comprehensively in all these areas. The committee was presented with information on whether this explicit material is in our libraries and schools if you get a second look at the list. Not every library in the state has this material but there is enough in our institutions to support this legislation.

North Dakota has an opportunity to become a leader in child protection, ensuring that our schools and libraries are places of education, not exploitation. Families are increasingly fleeing states that push explicit materials on children. By passing this legislation, we send a clear message: North Dakota stands for the protection of children, not for the agendas of activists.

It is important to recognize that a vast majority of librarians and educators are dedicated individuals who serve their communities well. This bill is not an attack on libraries, staff or schools, it is a necessary safeguard against the small number of activists who exploit legal loopholes to push an agenda that does not align with the values of our families and communities.

Senate Bill 2307 is not about banning books it is about common-sense protections for our children. I urge the committee to support this bill in this form, ensuring that explicit materials are placed where they belong: away from minors, while remaining accessible to adults.

Chairman Klemin and members of the House Judiciary committee we must for the sake of our children's safety and wellbeing pass this legislation to bring one leg of the comprehensive approach needed to protect our children from the horrible effects of pornography. I ask all for a do-pass recommendation to protect our minors from harm.

Facts About Today's Pornography
Unabridged

John D. Foubert, Ph.D.
https://www.johnfoubert.com/is-porn-bad

How Many People Use Pornography?

1. 94% of men and 87% of women have seen pornography at some point in their lifetime (Herbenick et al., 2020).
2. Among users of Amazon.com, 92% of men and 60% of women viewed some form of pornography in the previous month. The three primary kinds of pornography consumed were written pornography, pictures, and videos. Videos were consumed most often, but women were much more likely to consume written pornography than men (Solano, et al., 2020).
3. About half of 8th graders have viewed pornography. Such viewing made early sexual debut, unsafe sex, and multiple sexual partners more likely (Lin, et al., 2020).
4. On average, boys see pornography first at the age of 13 and girls at the age of 17 (Herbenick et al., 2020).
5. Pornography use increased by 11% during the Covid pandemic (Mestre-Bach et al, 2020).
6. Data released by the world's most popular Internet porn site, reveal that in 2019 alone, there were over 42 billion visits to its website (Pornhub, 2019).
7. If you watched all the new videos uploaded in just one year on the world's most popular pornography site, it would take you 168 years to watch them all (McTavish, 2020).
8. Today, pornography is most often accessed through cell phones (Herbenick et al., 2020).
9. 64% of adult men and 42% of adult women view pornography at least monthly (Digital Journal, 2014).
10. 63% of young men (18-30) view pornography once a week or more. 79% view it at least monthly (Barna, 2014).
11. 19% of young women (18-30) view porn once a week or more; 34% view it at least monthly (Barna, 2014).
12. In the 1970s, 45% of young adult men viewed an X rated movie at least annually (Price et al., 2015).
13. In the 1990s, found that 61% of young adult men were viewing porn, just before the Internet boom (Price et al., 2015).
14. In the 2000s, with the Internet, 86% of young adult men were viewing pornography (Braun-Courville & Rojas, 2009; Carroll et al., 2008).
15. In the 1970s, 28% of young adult women had viewed an X rated movie at least annually (Price et al., 2015).
16. In the 2000s, 36% of young adult women had viewed pornography (Price et al., 2015).
17. Well over two-thirds of 15-17 year old adolescents have seen porn websites when they did not intend to access them (Kaiser Family Foundation, 2001).
18. Between 2008 and 2011, exposure to porn among boys under the age of 13 jumped from 14% to 49%. Boys' daily use more than doubled (Sun et al, 2014).
19. The average child sees Internet pornography for the first time at age 11 (Dines, 2010; DeKeseredy & Corsianos, 2016).

What is in Pornography?

1. Over the past decade the levels of violent porn, gore porn, child porn, and racist acts depicted in porn have increased exponentially (DeKeseredy, 2015).
2. During the last decade, interest in pornography featuring teens (above and below the age of consent) has significantly increased (Walker, Makin, & Morczek, 2016).
3. Female performers in pornographic video clips are very likely to express pleasure when aggression (such as spanking, forced vaginal or anal penetration, and forced gagging) is directed toward them; particularly if the performer is a teenager. Such videos perpetuate the notion that women enjoy being subject to aggressive and demeaning sexual behaviors (Shor, 2018).
4. On just one pornography site, 33.5 Billion visitors accessed pornography in 2018. Daily visits to the site now exceed 100 million. The site logs 962 searches a second. Every minute 63,992 new visitors access its content (pornhub.com).
5. The more degrading pornography men watch, the more likely they are to objectify the women in that pornography (Skorska, Hodson & Hoffarth, 2018).

Is Pornography Violent?

1. Both pornography and alcohol consumption are unique predictors of sexual assault victimization for college females; the combined effect of pornography and alcohol dramatically increases the odds of victimization. One reason for this is that pornography minimizes sexually aggressive acts (de Heer, et al., 2020).
2. Men are more likely than women to become aroused by pornographic images featuring rape. Men who equate sexuality with expression of aggression and power were more likely to prefer rape porn than other men (Carvalho & Rosa, 2020).
3. With increasingly high use of porn, it becomes more likely that men will be likely to rape, likely to commit sexual assault, be sexually entitled, and have hostility toward women (Goodson, et al., 2020).
4. Men who consume more pornography, particularly male-dominant pornography, are more likely to use sexual force in their own relationships (De Heer et al., 2020).
5. Violence against women in pornography is commonly seen. For example, 72% of men and 46% of women have seen pornography where a man ejaculated on a woman's face (Herbenick et al., 2020).
6. Rape porn has been seen by 21% of men and 11% of women (Herbenick et al., 2020).
7. BDSM porn has been seen by 45% of men and 33% of women (Herbenick et al., 2020).

8. People often imitate what they have seen in pornography. For example, 20% of men and 12% of women have chocked someone during sex, 11% of men and 21% of women have been chocked during sex, and 48% of men have ejaculated on a woman's face (Herbenick et al., 2020).
9. Men's consumption of pornography, particularly violent pornography, is associated with more aggressive behavior toward female partners. This relationship is even stronger when the man is sexist, feels justified in committing violence, and views women as sexual objects (Rodriguez & Fernandez-Gonzales, 2019).
10. Women who use pornography are more likely to commit non-consensual sexual activity, particularly using emotional manipulation and deception of their male partners (Hughes et al., 2020).
11. Pornography, especially violent pornography, shows association with increases in sexual assault related attitudes and past history of assaultive behavior (Bridges, 2019).
12. The more pornography men use, the more they see women as objects, not as people (Seabrook et al., 2019).
13. 45% of scenes in online pornography include at least one act of physical aggression. Spanking, gagging, slapping, hair pulling, and choking are the five most common forms of physical aggression (Fritz et al, 2020).
14. In pornography with aggression, women are the target in 97% of the scenes, and their response to aggression was either neutral or positive and rarely negative. Men were the perpetrators of aggression against women in 76% of scenes (Fritz et al., 2020).
15. 29% of male 10th graders have seen violent pornography (Rostad et al., 2019).
16. 16% of female 10th graders have seen violent pornography (Rostad et al., 2019).
17. Boys who have seen violent pornography are over twice as likely to report committing sexual violence and physical violence against a dating partner (Rostad et al., 2019).
18. Girls who have seen violent pornography are more likely to experience sexual violence from a dating partner (Rostad et al., 2019).
19. Among those who have seen "rough sex" in pornography (behaviors including hair pulling, spanking, scratching, biting, bondage, fisting, and double penetration) 91% wanted to take part in such behaviors and 82% had taken part in at least one of the behaviors. This lends credence to the assertion that watching pornography can lead to behavior, including behavior involving violence (Vogels & O'Sullivan, 2019).
20. Rigorous laboratory studies find significant associations between watching pornography and inducing aggression supportive attitudes and behaviors (Bridges, 2019).
21. Among women imprisoned for making child pornography, 60% had a history of sexual abuse while 46% reported physical abuse (Bickart et al., 2019).
22. Pornography routinely depicts objectification of and violence against women. These images create abnormal sexual expectations, leading to making sexual advances that are unwanted, that can lead to violence (Sun, Ezzell, & Kendall, 2017).
23. Men's consumption of pornography impacts their views of women in measurable ways—including, but not limited to, objectification, acceptance of sexual mistreatment of women, and making unwanted sexual advances toward women (Mikorski & Syzmanski, 2017; Wright & Bae, 2015).
24. Pornography use is most likely to lead to sexual violence when the pornography is especially violent, when the individual has peer support for sexual violence, and when the individual is hypermasculine and emphasizes impersonal sex (Hald & Malamuth, 2015).
25. When compared to non-users, those exposed to softer forms of pornography have greater rape myth acceptance and a higher likelihood of committing rape (Romero-Sanchez, Toro-Garcia, Horvath, & Megias, 2017).
26. When a man is already predisposed to aggression in other realms, violent pornography is particularly influential in producing increased sexual aggression (Baer, Kohut, & Fisher, 2015).
27. Watching pornography often leads to acts of sexual violence or risky sexual behaviors such as multiple partners and unprotected sex (Van Oosten, Jochen, & Vandenbosch, 2017).
28. Child abusers under age 21 report difficulty controlling their pornography use and often cite such use as a factor leading to their abuse of other children (McKibbin et al., 2017).
29. Characteristics of men that are associated with a higher likelihood of viewing child pornography include ever having sex with a male, holding the perception of children as seductive, having friends who have watched child pornography, frequent pornography use, greater than average aggressive tendencies, ever viewing violent pornography, and engaging in sexually coercive behavior (Seto, Hermann, Kjellgren, Priebe, Svedin, & Langstrom, 2015).
30. One reason why pornography use is connected to sexually coercive behavior is that viewers begin to develop sexual scripts that involve coercion and then seek to act them out in real life (Marshall, Miller, & Bouffard, 2018).
31. Among men at high risk for committing acts of sexual aggression, watching violent pornography or child pornography adds to the risk for committing sexual assault, essentially adding fuel to the fire they have for committing sexual violence. In some cases, viewing pornography serves as a tipping point that leads an at risk person who might not act out to actually do so (Malamuth, 2018).
32. The more men and women watch pornography, the less likely they are to intervene to help prevent a sexual assault from happening (Foubert & Bridges, 2017).
33. 88% of the scenes in today's mainstream pornography include violence, usually by a man toward a woman (Bridges et al., 2010).
34. 95% of the time when a man hits a woman in pornography, she responds with pleasure or has no response at all (Bridges et al., 2010).
35. 45% of the pornography clips on the Internet include at least one man ejaculating on a woman's face (Gorman et al., 2010).
36. Brain scans of men watching pornography react to women as if they are objects, not people. This leads to more violence against women (Eberstadt & Layden, 2010; Haslam & Loughnan, 2014).
37. Porn use increases the likelihood a man will commit sexual violence, especially if he is impulsive and uses pornography frequently (Kingston et al, 2009).
38. Over 100 studies show that pornography use is correlated with and is the cause of violence (Malamuth et al., 2000).
39. 22 recent studies from 7 countries found that whether you use correlational, cross-sectional, or longitudinal research designs, pornography

and sexual violence are directly connected (Wright et al., 2015).

40. 500 studies of the connection between pornography and the broad category of "gender based violence" found that pornography use leads to gender-based violence (Waltman, 2014).
41. Thousands of revenge porn websites allow men to upload naked or pornographic pictures of a former girlfriend or wife for everyone in the world to see (Hart, 2014).
42. Children are particularly susceptible to what they see in pornography. The more they view it, the more they perform the violent acts they see in porn (Wright, 2014).
43. Women in the pornography industry are three times as likely to have been sexually abused as children, 50% more likely to be living in poverty, and twice as likely as the average woman to have grown up in poverty (DeKeseredy & Corsianos, 2016; Waltman, 2014).

Is Pornography Racist?

1. In the category of "Asian Women" pornography, over two thirds of aggressive acts were committed by men; 88% of the targets of aggressive acts were women (Yanyah & Bryant, 2016).
2. In a study of mainstream pornography and aggression, black women were more often the target of aggression than white women (Fritz et al, 2020).
3. Black men are more often portrayed as the perpetrators of aggression against women and are depicted as significantly less intimate with their partners compared to white men (Fritz et al., 2020).
4. The most aggression in porn scenes occurs between black couples (Fritz et al., 2020).

What Happens if You Use A Lot of Porn?

1. Many reasons are cited for relapse among non-religious people who are problematic pornography users. Frequently, emotional and relationship factors, in particular, overlap just prior to relapse. For example, emotional factors include feeling stressed about school, work, or relationships; feeling depressed partially due to lack of social interaction; feeling hopeless due to lack of success with romantic relationships; feeling frustrated with specific relationships; and/or with the actual struggle to stop using pornography. Relational factors can include frustrations with a romantic partner or with others as well (Rackham, 2020).
2. Veterans are at a greater risk than men in the general population for developing problematic pornography use. Factors associated with veteran's problematic pornography use include being younger, less educated, having depression, anxiety, PTSD, insomnia, and impulsivity. Problematic pornography use was characterized by distress about using pornography, excessive use, difficulty controlling use, and using it to avoid negative emotions (Shirk, et al., 2021).
3. Two risk factors for problematic pornography use are having a substance use disorder and having a history of childhood abuse (Mauer-Vakil & Anees, 2020).
4. Men who have problematic pornography use report that it gave them unrealistic expectations when it came to sex and sexuality, affected the way they viewed women, and led to diminished sexual function (Sniewski & Farvid, 2020).
5. Frequent pornography use is associated with sexual dissatisfaction, greater preference for porn-like sex, and relationship dissatisfaction (Miller et al., 2019).
6. Problematic pornography use is associated with sexual functioning problems for both men and women (Bothe et al, 2021).

How Does Porn Affect Relationships?

1. The more people use pornography, the more likely they are to experience a romantic break-up (Perry & Davis, 2017).
2. Married people who view pornography are more likely to believe that their marriage is in trouble, more likely to discuss ending the marriage, and more likely to repeatedly break up compared to those who do not view pornography (Perry, 2020).
3. Married people who view pornography are less likely to view their relationship as good or strong, less likely to feel like a team with their spouse, less likely to think their relationship makes them happy, and less likely to believe their relationship is nearly perfect than people who abstain (Perry, 2020).
4. Married people who use pornography more frequently are less satisfied with their marriage (Perry, 2020).
5. Consent is rarely depicted in pornographic media nor is an expression of affection (Bridges, 2019).
6. The primary reason men don't talk about their pornography use is the guilt and shame associated with it (Sniewski & Farvid, 2020).

How Does Porn Affect Mental Health?

1. Using pornography is associated with less satisfaction in relationships, less close relationships, more loneliness and more depression (Hesse & Floyd, 2019).
2. Women who use pornography are more likely to have false or stereotyped views about rape and are more self-conscious about their bodies (Maas & Dewey, 2018).
3. In a study looking at brain scans of males, neurologists found that the brain activity among heavy porn users showed a behavioral addiction, much like substance and gambling addiction (Gola, Wordecha, Sescousse, Lew-Starowicz, Kossowski, Wypych, Makeig, Potenza & Marchewka, 2017).
4. Women whose partners use pornography are more likely to have eating disorders (Tylka & Calogero 2019).
5. Men who have high levels of pornography use are less likely to get married than are men with moderate levels of use (Perry & Longest, 2018).

6. The more a married person consumes pornography the less satisfied they are in their marriage (Perry, 2016).

How Common is Revenge Porn?

1. 1 in 12 U.S. adults report that they have been a victim of "revenge porn." 1 in 20 report perpetration of revenge porn (Ruvalcaba & Eaton, 2020).
2. Women are more likely to be victims of revenge porn than men. Women who experience revenge porn report higher rates of psychological problems (Ruvalcaba & Eaton, 2020).
3. 92% of victims of revenge porn are women (Uhl et al, 2018).

How Does Porn Affect Sex?

1. People who watch pornography experience decreased levels of sexual satisfaction and experience erectile dysfunction at higher rates as compared to those who do not watch pornography regularly (Wery & Billieux, 2016).
2. Regular consumers of pornography report lower levels of satisfaction with their sexual performance, questions about their virility, lower levels of self-esteem, and more body-image issues (Sun, Bridges, Johnson, & Ezzell, 2016).
3. The more pornography people viewed, the less sexually satisfied they are (Wright, Bridges, Sun, Ezzell, & Johnson, 2017).
4. With increased pornography use, people have more risky sex, more non-consensual sex, and less sexual intimacy (Braithwaite, Coulson, Keddington, & Fincham, 2015).
5. Women whose partners use porn are less satisfied sexually, with their relationship in general, and with their bodies (Wright & Tokunaga, 2017).
6. When adolescents are exposed to pornography, they are less likely to condoms if they engage in sexual intercourse. However, if these adolescents had conversations with their parents about the importance of wearing condoms, the "pornography effect" went away (Wright et al., 2020).
7. Men who view pornography more frequently are less likely to use condoms during partnered sex (Wright et al, 2019).
8. Adolescents who use pornography are more likely to be having sex than their abstaining counterparts (Wright & Vangeel, 2019).
9. Pornography use leads to sexual dissatisfaction, being more critical of one's body or that of one's partner, increased pressure to perform, and less partnered sex (de Alarcon et al, 2019).
10. Sexting is increasingly common among people age 18-29. In that age group, 38% of sent sext messages and 42% have received them. 15% of people have had their sext messages forwarded without their permission (Mori et al., 2020).
11. Men with low self esteem are especially likely to use pornography as a way to over-conform to male norms like having emotional control and being self-reliant (Borgogna et al., 2020).
12. The more pornography men view, the less satisfied they are with their partner – both generally and with their sexual relationship (Bridges, 2016).
13. The more pornography a man watches, the more he also watches porn on a mobile device *during* a sexual encounter (Sun et al., 2015).
14. The more time a man watches porn, the more likely he is to ask his partner to do things he saw in porn (Sun et al., 2015).
15. The more a man watches porn, the more he has to think about what he saw in porn to remain aroused (Sun et al., 2015).
16. The more a man watches porn, the more he is concerned with how he performs sexually. (Sun et al., 2015).
17. The more men use porn, the less they enjoy sex and the worse they feel about how their body looks. (Sun et al., 2015).
18. The most common behavior men ask female partners to do from what they learned is porn is to engage in anal sex. Females describe this as painful, risky, and coercive (Marston & Lewis, 2014).

Does Porn Cause ED?

1. The more pornography men view the more likely they are to experience erectile dysfunction (Begovic, 2019).
2. Men who end up having erectile dysfunction from porn tend to start using pornography during adolescence, begin using it daily to a point where only extreme content produces arousal. Men then reach a stage where they can only be aroused by extreme, fast paced pornography which leaves real sexual intercourse seeming undesirable. This lack of desirability leads to erectile dysfunction. Some men then give up pornography to "re-boot" and regain their ability to obtain and maintain an erection (Begovic, 2019).
3. Men who use pornography almost daily have erectile dysfunction rates of 44% while those who use pornography less often have ED rates at 22% (Berger et al, 2019).
4. Among adolescent boys 27% report having experienced erectile dysfunction (O'Sullivan et al., 2014).
5. Among young adult men, 30% report erectile dysfunction (Mialon et al., 2012).
6. Until recently, rates of ED among men under 40 were low. In 1999, rates were around 5%. This was before the Internet as we know it made pornography so easily accessible. Recent studies on ED show a rate of ED in men under 40 of 28-33% (Park et al., 2016).
7. 60% of men who are addicted to pornography have erectile dysfunction with a woman, but not when they use pornography (Voon et al., 2014).
8. In the 1940s, less than 1% of men under 30 had erectile dysfunction (Kinsey et al, 1948).
9. In the 1990s, with more porn available, 7% of men under 30 had erectile dysfunction (Laumann et al., 1999).
10. In the 2010's, with Internet porn, 26% of male adolescents and 30% of men report ED (Mialon et al, 2012; O'Sullivan et al, 2014)
11. In the U.S. military, 33% of men age 21-40 have ED (Wilcox et al, 2014).
12. From 2004 to 2013, ED more than doubled in the military (Armed Forces Health Surveillance Center, 2014).

13. Doctors report that in the 20th century, almost no men under 40 complained of ED. Today, one in four new ED patients are under the age of 40 (Capogrosso et al., 2013)
14. Men who consume porn more than once a week have ED levels twice as high as men who consume less than once a week (Damiano et al., 2015).

How Does Porn Affect the Brain?

1. Studies of the brain show that if someone is addicted to pornography they tend to have problems at work and with carrying out matters of daily living (DeSousa & Lodha, 2017).
2. Brian science has shown that people addicted to pornography have their past maps for normal sexuality rewired and reinforced by pornography to prefer more explicit, graphic images in order to maintain arousal (DeSousa & Lodha, 2017).
3. Brian science has found that the more hours per week someone uses pornography, the less gray matter volume they have in their brain. In addition, connected tissues that are associated with healthy brain functioning begin to deteriorate with increasing hours of use (DeSousa & Lodha, 2017).
4. Empirical evidence shows that the psychological and neurobiological aspects of addictive disorders also happen with pornography use (Brand, 2019).
5. In a sample of older men, researchers found that ¼ go through withdrawal when they can't access pornography (Calvo et al, 2019).
6. Among adolescents age 12-16, pornography addiction impairs recent verbal memory (Prawiroharijo et al, 2019).
7. Over time, pornography use re-routes the neural pathways in the brain to prefer sexual images over people (Wilson, 2015).
8. The more people watch pornography, the more their brains shrink, particularly in the areas responsible for motivation and decision-making (Kuhn & Gallinat, 2014).
9. Viewing porn slows down short-term memory (Laier et al, 2013).
10. Continued, addictive use of pornography, stimulates brain chemicals to tell the body to seek more extreme porn. (Eberstadt & Layden, 2010.

Does Porn Affect Religious Beliefs?

1. The more pornography that parents, particularly fathers, consume the less time they spend talking or reading about religion with their children. Thus, pornography may threaten the transmission of religious heritage from parents to children (Perry, 2015).
2. Porn use is increasing among adults in general, including among those who identify as Evangelical Christians. However, porn use has remained constant for the last 30 years for those Evangelicals who are most theologically conservative and faithful to their religious beliefs (Perry & Schleifer, 2018).
3. The more frequently men view pornography, the less committed they are to their religion. In addition, the more frequently men view pornography, the less likely they are to hold a leadership position in their congregation during the following 6 years (Perry, 2018).
4. The more religious men are, the less frequently they use pornography. And the less frequently they use pornography, the less likely they are to sexually harass women online (Hagen, Thompson, & Williams, 2018).
5. The more religious one's spouse is, the less they view pornography. The study author suggests that spousal religiosity may decrease pornography viewing among married Americans by promoting greater religious intimacy and unity between the couple, consequently decreasing one's interest or opportunities to view pornography (Perry, 2017).
6. The more men were motivated to be religious because it could help their social standing, the more they use pornography (Short et al., 2015).
7. The more men and women are motivated to be religious for selfless reasons, with a desire to have one's beliefs and behavior match, the less they view pornography (Foubert & Rizzo, 2013; Short et al., 2015).
8. The more boys and girls are integrated into their religious group, school, family, and community, the less they consume pornography (Mesch, 2009).

How Many Christian College Students Use Porn?

1. Among male students at Christian colleges, 14% viewed pornography monthly, an additional 20% viewed it at least weekly, and 5% more viewed it at least daily. Only 14% never saw pornography (Lastoria, 2011).
2. Only 3% of women on Christian college campuses view pornography monthly or more; 80% have never seen it (Lastoria, 2011).
3. The more that students at Christian colleges report their life is influenced by their religious beliefs, the less they view pornography. (Lastoria, 2011).
4. The more that men at evangelical Christian colleges access Internet pornography, the more guilt they experience about their use (Chelsen, 2011).
5. Men attending evangelical Christian colleges who do not personally identify as evangelical, look at pornography more hours each week than evangelical men (Chelsen, 2011).

Is Sexting Bad?

1. One in five sext messages are pictures of children 15 years old or younger; almost all of girls, almost all taken with a webcam (Internet Watch Foundation, 2015).

2. Sexters are 4.5 times more likely to have had unprotected sex, four times more likely to view pornography, and about 2.5 times more likely to chat online with people they don't know (Crimmins & Seigfried-Spellar, 2014).

How Much Money Do Pornographers Make?

1. Worldwide pornography revenues were $100 billion annually (Ropelato, 2010). This is more than the combined revenues of Microsoft, Google, Amazon, eBay, Yahoo, Apple, and Netflix (DeKeseredy & Corsianos, 2016).
2. In the U.S., the porn industry makes $13 billion annually. That is more than the National Football League, Major League Baseball, and the National Basketball Association combined (Ropelato, 2010).
3. Child pornography accounts for 20% of the profits in the pornography industry (U.S. House of Representatives, 2006).

Are Video Games Bad?

1. Online video games often objectify women and represent them in a stereotypically sexual way. Playing such games is associated with a greater likelihood of committing sexual violence (Burnay, et al., 2019).
2. Men who play sexual video games are more likely to support rape myths and are more likely to say that they would rape under certain circumstances (Guggisberg, 2020).
3. Sexually explicit video games have been shown to lead to sexual violence through imitation (Ivory, et al., 2017).

How Does Porn Affect Teenagers?

1. Initial studies show that the adolescent brain is more sensitive to sexually explicit material than adult brains (Brown & Wisco, 2019).
2. A review of 19 studies found that adolescents who view online pornography are more likely to engage in risky sexual behaviors and to have anxiety or depression (Principi et al., 2019).
3. Among adolescents, pornography use increases with age, especially with boys. Adolescents who attend religious services frequently are less likely to view pornography (Rasmussen & Bierman, 2016).
4. Adolescents who use pornography are more likely to commit sexual violence (Peter & Valkenburg, 2016; Ybarra & Thompson, 2017).
5. Adolescents who use pornography are more likely to have disturbed family relationships (Peter & Valkenburg, 2016).
6. Males who report using pornography during adolescence followed by daily consumption of pornography often advance to viewing extreme content, including violence, to maintain arousal. Over time these men become less interested in physical intercourse as it is viewed as bland and uninteresting. Men then lose the ability to have sex with a real life partner. Some who give up pornography have successfully "re-booted" and regained their ability to have erections with a partner (Begovic, 2019).
7. Boys who view pornography are more likely to be involved in sexting—sending sexually explicit messages and images (Stanley et al., 2016).
8. Boys' regular viewing of pornography is associated with increased sexual coercion and abuse (Stanley et al., 2016).
9. In people aged 10-21, continuing exposure to violent pornography leads to sexual harassment, sexual assault, coercive sex, attempted rape, and rape (Ybarra & Thompson, 2017).
10. Adolescents using pornography report diminished life satisfaction (Willoughby, Young-Petersen, & Leonhardt, 2018).
11. Adolescents who view pornography become less religious over time (Alexandraki et al., 2018).
12. Adolescents who view pornography are more likely to have been sexually assaulted (Alexandraki et al., 2018).
13. Boys who regularly view pornography are more likely to perpetrate sexual assault (Alexandraki et al., 2018).
14. The more frequently adolescents view pornography, the more likely they are to attend religious services less frequently, the less importance their faith is to them, the less frequently they pray and feel close to God and the more religious doubts they have (Alexandraki et al., 2018).
15. Adolescents who are more attached to religious leaders have lower levels of pornography consumption (Alexandraki et al., 2018).
16. Adolescents who view pornography frequently are also more likely to have relationship problems with their peers (Alexandraki, et al., 2018).
17. Boys who use pornography frequently are more likely to be overweight or obese (Alexandraki et al., 2018).
18. Adolescents who use pornography frequently have worse relationships with their parents, lower commitment to their family, believe their parents care less about them, and communicate less with their parents (Alexandraki et al., 2018).
19. Adolescents who view pornography are more likely to begin sexual activity at an earlier age. This early onset of sexual activity is due to more permissive attitudes toward casual sex that are directly linked to their pornography use (Van Oosten, Jochen, & Vandenbosch, 2017).
20. Asking adolescents if they use pornography has no effect on whether or not they will actually access pornography in the future (Koletic, Cohen, Stulhofer, & Kohut, 2019).

References

Alexandraki, K., Stavropoulos, V., Anderson, E., Latifi, M.Q., & Gomez, R. (2018). Adolescent pornography use: A systematic literature review of research trends 2000-2017. *Current Psychiatry Reviews, 14*(47) doi.org/10.2174/2211556007666180606073617.

Armed Forces Health Surveillance Center (2014). Erectile dysfunction among male active component service members, U.S. Armed Forces, 2004-2013. *Monthly Surveillance Monthly Report, 21*(9), 13-16.

Baer, J.L., Kohut, T., & Fisher, W. A. (2015). Is pornography use associated with anti-woman sexual aggression? Re-examining the Confluence Model with third variable considerations. *The Canadian Journal of Human Sexuality, 24*(2), 160-173.

Barna (2014). *ProvenMen.org Pornography Addiction Survey (conducted by Barna Group). The survey results are located at www.provenmen.org/2014pornsurvey/pornography-use-and-addiction.*

Begovic, H. (2019). Pornography induced erectile dysfunction among young men. *Dignity: A Journal on Sexual Exploitation and Violence*, 4(1), Article 5. DOI: 10.23860/dignity.2019.04.01.05

Berger, J.H., Kehoe, J.E., Doan, A.P, Crain, D.S., Klam, W.P., Marshall, M.T., Christman, M.S. (2019). Survey of sexual function and pornography. *Military Medicine, 184*(11-12), 731-737. https://doi.org/10.1093/milmed/usz079

Bickart, W., McLearen, A.M., Grady, M.D., & Stoler, K. (2019). A descriptive study of psychosocial characteristics and offense patterns in females with online child pornography offenses. *Psychiatric and Psychological Law, 26*(2), 295-311.

Borgogna, N. C., McDermott, R. C., Berry, A. T., & Browning, B. R. (2020). Masculinity and problematic pornography viewing: The moderating role of self-esteem. *Psychology of Men & Masculinities, 21*(1), 81–94. https://doi.org/10.1037/men0000214

Bothe, B., Toth-Kiraly, I., Griffiths, M.D., Potenza, M.N., Orossz, G., & Demetorvics, Z. (2021). Are sexual functional problems associated with frequent pornography use and/or problematic pornography use? Results from a large community survey including males and females. *Addictive Behaviors, 112*, https://doi.org/10.1016/j.addbeh.2020.106603

Braithwaite, S., Coulson, G., Keddington, K., & Fincham, F. (2015). The influence of pornography on sexual scripts and hooking up among emerging adults in college. *Archives of Sexual Behavior, 44*(1), 111-123

Brand, M. (2019). Theories, prevention, and treatment of pornography-use disorder. *Suchttherapie, 20*(1), DOI: 10.1055/s-0039-1696187

Braun-Courville, D. K., & Rojas, M. (2009). Exposure to sexually explicit Web sites and adolescent sexual attitudes and behaviors. *The Journal Of Adolescent Health: Official Publication Of The Society For Adolescent Medicine, 45*(2), 156-162. doi:10.1016/j.jadohealth.2008.12.004

Bridges, A. (2016). Personal communication.

Bridges, A.J. (2019). Pornography and sexual assault. In W.T. O'Donohue & P.A. Schewe (Eds.), *Handbook of sexual assault and sexual assault prevention*. Springer.

Bridges, A.J., Wosnitzer, R., Scharrer, E. Sun, C., & Liberman, R. (2010). Aggression and sexual behavior in best-selling pornography videos: A content analysis update. *Violence Against Women, 16,* 1065-1085.

Brown, J.A. & Wisco, J.J. (2019). The components of the adolescent brain and its unique sensitivity to sexually explicit material. *Journal of Adolescence, 72,* 10-13.

Burnay, J., Bushman, B.J. & Laroi, F. (2019). Effects of sexualized video games on online sexual harassment. *Aggressive Behavior, 45*, 214-223.

Calvo, J.C., Julia, B.G., Nebot, JEE, Carrasco, V.C., & Arnal, R.B. (2019). Signs and symptoms of cybersex addiction in older adults. *International Journal of Development and Educational Psychology, 4*(1), DOI: https://doi.org/10.17060/ijodaep.2019.n1.v4.1596

Capogrosso, P., Colicchia, M., Ventimiglia, E., Castagna, G., Clementi, M.C., Suardi, N., Castiglione, F., Briganti, A., Cantiello, F. Damiano, R., Montorsi, F., & Salonia, A. (2013). One patient out of four with newly diagnosed erectile dysfunction is a young man--worrisome picture from the everyday clinical practice. *Journal of Sexual Medicine, 10*(7), 1833-1841.

Carroll, J. S., Padilla-Walker, L. M., Nelson, L. J., Olson, C. D., Barry, C. M., & Madsen, S. D. (2008). Generation XXX. *Journal of Adolescent Research, 23*(1), 6-30.

Carvalho J, Rosa P.J. (2020). Gender differences in the emotional response and subjective sexual arousal toward non-consensual sexual intercourse: A pupillometric study. *Journal of Sexual Medicine*. https://doi.org/10.1016/j.jsxm.2020.06.018

Chelsen, P. O. (2011). *An examination of Internet pornography usage among male students at evangelical Christian colleges.* ProQuest LLC.

Crimmins, D. M., & Seigfried-Spellar, K. C. (2014). Peer attachment, sexual experiences, and risky online behaviors as predictors of sexting behaviors among undergraduate students. *Computers in Human Behavior, 32*, 268-275. doi:10.1016/j.chb.2013.12.012

Damiano, P., Alessandro, B., and Carlo, F. (2015). Adolescents and web porn: a new era of sexuality. *International Journal of Adolescent Medical Health.* doi: 10.1515/ijamh-2015-0003.

deAlarcon, R., delaIglesia, J.I., Casado, N.M., Montejo, A.L. (2019). Online porn addiction: What we know and what we don't -- a systematic review. *Journal of Clinical Medicine, 8*(1), 91; doi:10.3390/jcm8010091

De Heer, B., Prior, S, & Fejervary, J. (2020). Women's pornography consumption, alcohol use, and sexual victimization. *Violence Against Women* doi: 10.1177/1077801220945035.

De Heer, B.A., Prior, S., & Hoegh, G. (2020). Pornography, Masculinity, and Sexual Aggression on College Campuses. *Violence Against Women* https://doi.org/10.1177/0886260520906186

DeKeseredy, W. S. (2015). Critical criminological understandings of adult pornography and woman abuse: New progressive directions in research and theory. *International Journal for Crime, Justice and Social Democracy, 4*, 4–21.

DeKeseredy, W. S. & Corsianos, M. (2016). *Violence Against Women in Pornography*. Routledge.

DeSousa, A. & Lodha, P. (2017). Neurobiology of pornography addiction -- A clinical review. *Telegana Journal of Psychiatry, 3*(2), 66-70. DOI: 10.18231/2455-8559.2017.0016

Digital Journal (2014). How many Christians do you think watch porn? Available at http://www.digitaljournal.com/pr/2123093.

Dines, G. (2010). *Pornland: How porn has hijacked our sexuality*. Beacon Press.

Eberstadt, M. & Layden, M.A. (2010). *The social costs of pornography: A statement of findings and recommendations.* The Witherspoon Institute.

Foubert, J.D. & Bridges, A. J. (2017). What is the attraction? Understanding gender differences in reasons for viewing pornography in relationship to bystander intervention. *Journal of Interpersonal Violence, 32* (20), 3071-3089.

Foubert, J. D., & Rizzo, A. J. (2013). Integrating religiosity and pornography use into the prediction of bystander efficacy and willingness to prevent sexual assault. *Journal of Psychology and Theology, 41*(3), 242-251.

Fritz, N., Malic, V., Paul, B, Zhou, Y (2020). A descriptive analysis of the types, targets, and relative frequency of aggression in mainstream pornography. *Archives of Sexual Behavior,* https://doi.org/10.1007/s10508-020-01773-0

Fritz, N., Malic, V., Paul, B., & Zhou, Y. (2020). Worse Than Objects: The Depiction of Black Women and Men and Their Sexual Relationship in Pornography. *Gender Issues.* http://10.1007/s12147-020-09255-2

Gola, M. Wordecha, M., Sescousse, G., Lew-Starowicz, M., Kossowski, B., Wypch, M., Makeig, S., Potenza, M.N. & Marchewka, A. (2017). Can
pornography be addictive? An fMRI study of men seeking treatment for problematic pornography use. *Neuropsyhopharmacology, 42*(10), 2021-2031.

Goodson, A, Franklin, C.A., & Bouffard, L.A. (2020). Male peer support and sexual assault: the relation between high-Profile, high school sports participation and sexually predatory behavior. *Journal of Sexual Aggression*, DOI: 10.1080/13552600.2020.1733111

Gorman S, Monk-Turner E, Fish J. (2010). Free adult Internet web sites: How prevalent are degrading acts? *Gender Issues, 27* (3-4), 131-145.

Guggisberg, M. (2020). Sexually explicit video games and online pornography -- the promotion of sexual violence: A critical commentary. *Aggression and Violent Behavior, 53,* 101432. https://doi.org/10.1016/j.avb.2020.101432

Hagen, T., Thompson, M.P., & Williams, J. (2018). Religiosity reduces sexual aggression and coercion in a longitudinal cohort of college men: Mediating roles of peer norms, promiscuity, and pornography. *Journal for the Scientific Study of Religion, 57*, 95-108.

Hald, G., & Malamuth, M. (2015). Experimental effects of exposure to pornography: The moderating effect of personality and mediating effect of sexual arousal. *Archives of Sexual Behavior, 44*(1), 99-109

Hart B. (2014) Revenge Porn. Muskie School of Public Service.

Haslam, N., & Loughnan, S. (2014). Dehumanization and infrahumanization. *Annual Review of Psychology, 65*, 399-423.

Herbenick, D., Fu, T.C., Wright, P., Gradus, R, Bauer, J, & Jones, R. (2020). Diverse sexual behaviors and pornography use: Findings from a nationally representative probability survey of American's aged 18 to 60 years. *The Journal of Sexual Medicine* https://doi.org/10.1016/j.jsxm.2020.01.013

Hesse, C. & Floyd, K. (2019). Affection substitution: The effect of pornography consumption on close relationships. *Journal of Social and Personal Relationships.* DOI: 10.1177/0265407519841719.

Hughes, A., Brewer, G. & Khan, R. (2020). Sexual coercion by women: The influence of pornography and narcissistic and histrionic personality disorder traits. *Archives of Sexual Behavior, 49,* 885–894.

Internet Watch Foundation in partnership with Microsoft Emerging Patterns and Trends Report #1. Youth-Produced Sexual Content. March 10, 2015.

Ivory, A.H., Ivory, J.D., Lanier, M. (2017). Video game use as risk exposure, protective incapacitation, or inconsequential activity among university students. *Journal of Media Psychology, 29,* 42-53.

Kaiser Family Foundation. Generation Rx.com: how young people use the Internet for health information. Kaiser Family Foundation; 2001.

Kingston, D. A., Malamuth, N. M., Fedoroff, P., & Marshall, W. L. (2009). The importance of individual differences in pornography use: Theoretical perspectives and implications for treating sexual offenders. *Journal of Sex Research, 46*(2/3), 216-232. doi:10.1080/00224490902747701

Kinsey, A.C., Pomeroy, W.B., & Martin, C.E. (1948). Sexual behavior in the human male. WB Saunders.

Koletic, G., Cohen, N., Stulhofer, A., & Kohut, T. (2019). Does asking adolescents about pornography make them use it? A test of the question -behavior effect. *Journal of Sex Research, 56* (2), 1-18.

Kuhn, S. & Gallinat, J. (2014). Brain structure and functional connectivity associated with pornography consumption: The brain on porn. *JAMA Psychiatry*, doi:10.1001/jamapsychiatry.2014.93.

Laier, C., Schulte, F. P., & Brand, M. (2013). Pornographic picture processing interferes with working memory performance. *Journal of Sex Research, 50*(7), 642-652. doi:10.1080/00224499.2012.716873

Lastoria, M., & Association for Christians in Student Development. (2011). *Sexuality, religiosity, behaviors, attitudes: A look at religiosity, sexual attitudes and sexual behaviors of Christian college students ; a survey study*. ACSD, Houghton College.

Laumann, E.O., Paik, A., & Rosen, R.C. (1999). Sexual dysfunction in the United States: Prevalence and predictors. *Journal of the American Medical Association, 281*(6), 537-544.

Lin W-H, Liu C-H, Yi C-C (2020). Exposure to sexually explicit media in early adolescence is related to risky sexual behavior in emerging adulthood. *PLoS ONE 15*(4): e0230242. https://doi.org/10.1371/journal.pone.0230242

Maas, M.K. & Dewey, S. (2018). Internet pornography use among collegiate women: Gender attitudes, body monitoring, and sexual behavior. *SAGE Open*, DOI: 10.1177/2158244018786640.

Malamuth, N. M. (2018). "Adding fuel to the fire"? Does exposure to non-consenting adult or to child pornography increase risk of sexual aggression? *Aggression and Violent Behavior, 41,* 74-89.

Malamuth, N. M., Addison, T. & Koss, M. P. (2000). Pornography and sexual aggression: Are there reliable effects and can we understand them? *Annual Review of Sex Research, 11,* 26-91.

Marshall, E.A., Miller, H.A., & Bouffard, J.A. (2018). Bridging the theoretical gap: Using sexual script theory to explain the relationship between pornography use and sexual coercion. *Journal of Interpersonal Violence*, DOI: 10.1177/0886260518795170.

Marston, C. & Lewis, R. (2014). Anal heterosex among young people and implications for health promotion: a qualitative study in the UK. *BMJ Open, 4*(8), e004996-e004996. doi: 10.1136/bmjopen-2014-004996

Mauer-Vakil, D., Anees, B. (2020). The addictive nature of compulsive sexual behaviours and problematic online pornography consumption: A review. *The Canadian Journal of Addiction, 11*(3), 42-51. doi: 10.1097/CXA.0000000000000091

McKibbin, G., Humphreys, C., & Hamilton, B. (2017). "Talking about child sexual abuse would have helped me": Young people who sexually abused

reflect on preventing harmful sexual behavior. *Child Abuse & Neglect, 70*, 210-221.

McTavish, J. (2020). Internet pornography: Some medical and spiritual perspectives. *The Linacre Quarterly, 87*(4), 451-463.

Mesch, G. S. (2009). Social bonds and Internet pornographic exposure among adolescents. *Journal of Adolescence, 32*, 601–618.

Mestre-Bach G, Blycker GR, Potenza MN. (2020). Pornography use in the setting of the COVID-19 pandemic. Journal of Behavioral Addictions.

Mialon, A., Berchtold, A., Michaud, P.A., Gmel, G., & Suris, J.C. (2012). Sexual dysfunctions among young men: Prevalence and associated factors. *Journal of Adolescent Health, 51*, 25–31.

Mikorski, R. M., & Szymanski, D. (2017). Masculine norms, peer group, pornography, Facebook, and men's sexual objectification of women. *Psychology of Men and Masculinity, 18*(4), 257-267.

Miller, D.J., McBain, K.A., & Raggatt, P.T.F (2019). Pornography, preference for porn-like sex, masturbation, and men's sexual and relationship satisfaction. *Personal Relationships, 26*(1), 93-113. https://doi.org/10.1111/pere.12267

Mori, C., Cooke, J.E., Temple, J.R., Ly, A., Lu, Y., Anderson, N., Rash, C., & Madigan, S. (2020). The prevalence of sexting behaviors among emerging adults: A meta-analysis. *Archives of Sexual Behavior. 49*, 1103–1119.

O'Sullivan, L.F.; Brotto, L.A.; Byers, E.S.; Majerovich, J.A.; Wuest, J.A. (2014). Prevalence and characteristics of sexual functioning among sexually experienced middle to late adolescents. *Journal of Sexual Medicine, 11,* 630–641.

Park, B.Y., Wilson, G., Berger, J., Christman, M., Reina, B, Bishop, F., Klam, W.P., & Doan, A.P. (2016). Is internet pornography causing sexual dysfunctions? A review with clinical reports. *Behavioral Sciences, 6,* doi:10.3390/bs6030017.

Perry, S.L. (2020). Pornography and relationship quality: Establishing the dominant pattern by examining pornography use and 31 measures of relationship quality in 30 national surveys. *Archives of Sexual Behavior, 49,* 1199–1213 https://doi.org/10.1007/s10508-019-01616-7

Perry, S.L. (2018). How pornography use reduces participation in congregational leadership: A research note. *Review of Religious Research*, DOI:10.1007/s13644-018-0355-4.

Perry, S.L. (2017). Spousal religiosity, religious bonding, and pornography consumption. *Archives of Sexual Behavior, 46*(2), 561-574.

Perry, S.L. (2016). From bad to worse? Pornography consumption, spousal religiosity, gender, and marital quality. *Sociological Forum, 31*(2), 441-464.

Perry, S.L. (2015). Pornography consumption as a threat to religious socialization. *Sociology of Religion, 76*(4), 436-458. doi:10.1093/socrel/srv043

Perry, S.L. & Davis, J.T. (2017). Are pornography users more likely to experience a romantic breakup? Evidence from longitudinal data. *Sexuality & Culture*. DOI 10.1007/s12119-017-9444-8

Perry, S. & Longest, K. (2018). Pornography use and marriage entry during early adulthood: Findings from a panel study of young Americans. *Archives of Sexual Behavior*, DOI:10.31235/osf.io/xry3z

Perry, S.L. & Schleifer, C. (2018). Are the sanctified becoming the pornified? Religious conservatism, commitment, and pornography use 1984-2016. *Social Science Quarterly*. DOI: 10.1111/ssqu.12524

Peter, J., & Valkenburg, P. (2016). Adolescents and pornography: A review of 20 years of research. *The Journal of Sex Research, 53*(4-5), 509-531.

Pornhub.com (2019). https://www.pornhub.com/insights/2018-year-in-review

Pornhub. 2019. "The 2019 Year in Review." 11 December. https://www.pornhub.com/insights/2019-year-inreview#tech

Prawiroharjo, P., Ellydar, H., Pratama, P., EdmiEdison, R., Imelda-Sauidy, S.E., Amani, N.Z., & Carissima, D. (2019). Impaired recent verbal memory in pornography-addicted juvenile subjects. *Neurology Research International*. https://doi.org/10.1155/2019/2351638

Price, J., Patterson, R., Regnerus, M., & Walley, J. (2015). How much more XXX is Generation X consuming? Evidence of changing attitudes and behaviors related to pornography since 1973, *The Journal of Sex Research,* doi: 10.1080/00224499.2014.1003773.

Principi, N., Magnoni, P., Grimoldi, L., Carnevali, D. Cavazzana, L. & Pellai, A. (2019). Consumption of sexually explicit internet material and its

effects on minors' health: Latest evidence from the literature. *Minerva Pediatrics*, doi: 10.23736/S0026-4946.19.05367-2.

Rackham, E.L. (2020). Understanding relapse in self-perceived problematic pornography users. Doctoral Dissertation: Brigham Young University. https://scholarsarchive.byu.edu/etd/8655

Rasmussen, K. & Bierman, A. (2016). How does religious attendance shape trajectories of pornography use across adolescence? *Journal of Adolescence, 49,* 191-203.

Rodriguez, C.G. & Fernandez-Gonzalez, L (2019). Is pornography consumption associated with intimate partner violence? The moderating role of attitudes toward women and violence. *Behavioral Psychology, 27*(3), 431-454.

Romero-Sánchez, M., Toro-Garcia, V., Horvath, M.A.H., & Megias, J.L. (2015). More than a magazine: Exploring the links between lads' mags, rape myth acceptance and rape proclivity. *Journal of Interpersonal Violence*, 1-20. doi:10.1177/0886260515586366

Ropelato J. (2010) Internet pornography statistics. TopTenReviews.com. Available at http://Internet-filter-review.toptenreviews.com/Internet-pornography-statistics.html

Rostad, W.L., Gittins-Stone, D., Huntington, C., Rizzo, C.J., Pearlman, D. & Orchowski, L. (2019). The association between exposure to violent pornography and teen dating violence in grade 10 high school students. *Archives of Sexual Behavior 48*:2137–2147. https://doi.org/10.1007/s10508-019-1435-4

Ruvalcaba, Y., & Eaton, A. A. (2020). Nonconsensual pornography among U.S. adults: A sexual scripts framework on victimization, perpetration, and health correlates for women and men. *Psychology of Violence, 10*(1), 68–78. https://doi.org/10.1037/vio0000233

Seabrook, R. C., Ward, L. M., & Giaccardi, S. (2019). Less than human? Media use, objectification of women, and men's acceptance of sexual aggression. *Psychology of Violence, 9*(5), 536-545. http://dx.doi.org/10.1037/vio0000198

Seto, M.C., Hermann, C.A., Kjellgren, C., Priebe, G., Sveden, C. & Langstro, N. (2014). Viewing child pornography: Prevalence and correlates in a representative community sample of young Swedish men. *Archives of Sexual Behavior, 44* (1), 67-79.

Shirk, S.D., Saxena, A., Park, D., Kraus, S.W. (2021). Predicting problematic pornography use among male returning US veterans. *Addictive Behaviors, 112,* 106647. https://doi.org/10.1016/j.addbeh.2020.106647

Shor, E. (2018). Age, aggression, and pleasure in popular online pornographic videos. *Violence Against Women*, DOI: 10.1188/1077801218804101.

Short, M.B., Kasper, T.E., & Wetterneck, C.T. (2015). The Relationship Between Religiosity and Internet Pornography Use. *Journal of Religion and Health, 54*, 571-583.

Skorska, M.N., Hodson, G. & Hoffarth, M.R. (2018). Experimental effects of degrading versus erotic pornography exposure in men on reactions toward women (objectification, sexism, discrimination). *The Canadian Journal of Human Sexuality*, *27* (3), 261-276.

Sniewski, L., & Farvid, P. (2020). Hidden in shame: Heterosexual men's experiences of self-perceived problematic pornography use. *Psychology of Men & Masculinities, 21*(2), 201–212. https://doi.org/10.1037/men0000232

Solano, I, Eaton, N., & O'Leary, K.D. (2020). Pornography consumption, modality and function in a large Internet sample, *The Journal of Sex Research, 57*:1, 92 103, DOI: 10.1080/00224499.2018.1532488

Stanley, N., Barter, C., Wood, M., Aghtaie, N., Larkins, C., Lanau, A., & Overlien, C. (2018). Pornography, sexual coercion and abuse and sexting in young people's intimate relationships: A European study. *Journal of Interpersonal Violence, 33*(19), 2919–2944.

Sun, C., Bridges, A., Johnson, J., & Ezzell, M. (2016). Pornography and the male sexual script: An analysis of consumption and sexual relations. *Archives of Sexual Behavior, 45*(4), 995-995.

Sun, C., Bridges, A., Johnson, J., & Ezzell, M. (2014). Pornography and the male sexual script: An analysis of consumption and sexual relations. *Archives of sexual behavior*, 1-12.

Sun, C, Ezzell, M., Kendall, O. (2017). Naked aggression: The meaning and practice of ejaculating on a woman's face. *Violence Against Women, 23*(14) 1710–1729.

Tylka, T.L. & Calogero, R.M. (2019). Perceptions of male partner pressure to be thin and pornography use: Associations with eating disorder symptomatology in a community sample of adult women. *International Journal of Eating Disorders*, doi: 10.1002/eat.22991.

Uhl, C.A., Rhyner, K.J., Terrance, C.A., & Lugo, N. R. (2018). An examination of nonconsensual pornography websites. *Feminism & Psychology, 28*(1), 50–68.

United States House of Representatives, testimony of Ernie Allen. Sexual exploitation of children over the Internet: What parents, kids, and congress need to know about child predators: Hearings before the Subcommittee on Oversight and Investigations, of the House Committee on Energy and Commerce, 109th Cong., 2d Sess. (2006)

Van Oosten, J., Jochen, P., & Vandenbosch, L. (2017). Adolescents' sexual media use and willingness to engage in casual sex: Differential relations and underlying processes. *Human Communication Research, 43*(1), 127–147.

Vogels, E.A. & O'Sullivan, L.F. (2019). The relationship among online sexually explicit material exposure to, desire for, and participation in rough sex. *Archives of Sexual Behavior, 48*, 653–665. https://doi.org/10.1007/s10508-018-1290-8

Voon V, Mole TB, Banca P, Porter L, Morris L, et al. (2014) Neural Correlates of Sexual Cue Reactivity in Individuals with and without Compulsive Sexual Behaviors. *PLoS ONE 9*(7): e102419. doi: 10.1371/journal.pone.0102419

Walker, A., Makin, D., & Morczek, A. (2016). Finding Lolita: A comparative analysis of interest in youth-oriented pornography. *Sexuality & Culture, 20*(3), 657-683.

Waltman, M. (2014). *The politics of legal challenges to pornography*. Doctoral Dissertation.

Wery, A. and Billieux, J. (2016). Online sexual activities: An exploratory study of problematic and non-problematic usage patterns in a sample of men. *Computers in Human Behavior*, *56*(March), 257.

Wilcox, S.L., Redmond, S., and Hassan, A.M. (2014). Sexual functioning in military personnel: Preliminary estimates and predictors. *Journal of Sexual Medicine, 11*(10), 2537-2545.

Willoughby, B., Young-Petersen, B., & Leonhardt, N. (2018). Exploring trajectories of pornography use through adolescence and emerging adulthood. *The Journal of Sex Research, 55*(3), 297-309.

Wilson, G. (2015). Your brain on porn: Internet pornography and the emerging science of addiction. Commonwealth Publishing.

Wright, P. J. (2014). Pornography and the sexual socialization of children: Current knowledge and a theoretical future. *Journal of Children and Media, 8*(3), 305-312.

Wright, P., & Bae, J. (2015). A national prospective study of pornography consumption and gendered attitudes toward women. *Sexuality & Culture, 19*(3), 444-463.

Wright, P.J., Bridges, A.J., Sun, Ch, Ezzell, M. & Johnson, J.A. (2018). Personal pornography viewing and sexual satisfaction: A quadratic analysis. *Journal of Sex & Marital Therapy, 44*, 308-315.

Wright, P.J., Herbenick, D. & Paul, B. (2020). Adolescent condom use, parent-adolescent sexual health communication, and pornography: Findings from a U.S. probability sample, *Health Communication, 35*(13), 1576-1582, DOI: 10.1080/10410236.2019.1652392

Wright, P.J., Sun, C., Bridges, A., Johnson, J.A., & Ezzell, M.B. (2019). Condom use, pornography consumption, and perceptions of pornography as sexual information in a sample of adult U.S males. *Journal of Health Communication*, DOI: 10.1080/10810730.2019.1661552

Wright, P. J., & Tokunaga, R. S. (2017). Women's perceptions of their male partners' pornography consumption and relational, sexual, self, and body satisfaction: toward a theoretical model. *Annals of the International Communication Association, 42*(1), 55-73.

Wright, P.J., Tokunaga, R.S., & Kraus, A. (2015). A Meta-Analysis of Pornography Consumption and Actual Acts of Sexual Aggression in General Population Studies. *Journal of Communication.* doi:10.1111/jcom.12201

Wright, P.J. & Vangeel, L.S. (2019). Pornography, permissiveness, and sex differences: An evaluation of social learning and evolutionary explanations. *Personality and Individual Differences, 143,* 128-138. https://doi.org/10.1016/j.paid.2019.02.019Get rights and content

Yanyah, Z & Bryant, P (2016). Lotus blossom or dragon lady: A content analysis of "Asian Women" online pornography. *Sexuality & Culture, 20,* 1083–1100. DOI 10.1007/s12119-016-9375-9

Ybarra, M., & Thompson, R. (2017). Predicting the emergence of sexual violence in adolescence. *Prevention Science: The Official Journal of the Society for Prevention Research.* DOI 10.1007/s11121-017-0810-4

American Library Association (ALA)
The ALA has a list of Top 10 Most Challenged Books. The books on the 2023 list have been challenged because they contain sexually explicit graphics and/or language, profanity, violence, perversion material, depictions of rape and incest, and drug use. These books are widely available in public libraries and schools across ND (see attached). The ALA promotes these books during a "Banned Books Week" where they spotlight the books and promote activities and
ways for people to get involved to keep them accessible.[1]
Two examples of these books are *Let's Talk About It* by Erika Moen & Matthew Nolan (targeted for children ages 14 and up) and *Sex is a Funny Word* by Cory Silverberg (not on the list, but available in ND libraries and targeted for children ages 8-11). These books contain graphic images and language normalizing STIs and sexting, encouraging and teaching sexual behaviors, and likening pornography to a "fun, sugary treat." (*LTAI* p.165)
The ALA is not interested in protecting children. A statement on their website says, "The ALA stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation. [2]" Another states, "The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.[3]"
The ALA is not a friend of parents either. As stated in an article from Daily Citizen[4], "instead of taking parents' concerns seriously, the organization's Office for Intellectual Freedom has advice for librarians about how to fight back against parents who believe certain books might be inappropriate for children.[5] It dramatically labels parents' involvement "censorship" and "book banning." The ALA believes children should be able to check out whatever books they want and that they deserve "privacy and confidentiality"- including from parents - in those decisions. [6]
[1] Banned Books Week
[2] Access to Library Resources and Services | ALA
[3] Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights | ALA
[4] American Library Association Chooses Marxist Lesbian as President-Elect - Daily Citizen
[5] How to Respond to Challenges and Concerns about Library Resources | ALA
[6] Library Bill of Rights | ALA

This investigation was conducted in the fall of 2024 the top 10 list itself was from 2023 and yet these books were in the following libraries.

Top 10 Most Challenged Books of 2023
1. *Gender Queer* by Maia Kobabe
Available in:
Grand Forks Public Library
North Dakota State Library
Fargo Public Library
Minot Public Library
Dickinson Public Library

2. *All Boys Aren't Blue* by George M. Johnson
Available in:
Dickinson High School Library
Grand Forks Public Library
McKenzie County Public Library
Bismarck Public Library
Minot Public Library

3. *This Book is Gay* by Juno Dawson
Available in:
Leach Public Library
Fargo Public Library
Minot Public Library
Bismarck Public Library

4. *The Perks of Being a Wallflower* by Stephen Chbosky
Available in:
West Fargo Public Library
Bismarck Public Library
Mandan Public Library
Minot Public Library
Dickinson High School Library
Hatton Public School Library
Hope School Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library
Iris Swedlund School and Public Library of Velva

5. *Flamer* by Mike Curato
Available in:
West Fargo Public Library
Dickinson Area Public Library
Dickinson High School Library
Minot Public Library
Leach Public Library

6. *The Bluest Eye* by Toni Morrison
Available in:
West Fargo Public Library
North Dakota State Library
Harvey Public Library
Grafton High School Library
Dickinson Area Public Library
Cavalier School Library
Minot Public Library
Beulah Public Library
Washburn Public Library

7. *Me and Earl and the Dying Girl* by Jesse Andrews
Available in:
Dickinson Area Public Library
West Fargo Public Library
Minot Public Library
Morton Mandan Public Library
McLean-Mercer Regional Library-Riverdale
Underwood Public Library
New Salem High School

Turtle Lake-Mercer School Library
Grand Forks Public Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library

8. *Tricks* by Ellen Hopkins
Available in:
Minot Public Library
Center Oliver Library
Dickinson Area Public Library
Finley-Sharon School Library
Grafton High School Library
Grand Forks Public Library
Hope School Library
Leach Public Library
Midway High School Library
North Border-Pembina School and City Library
North Border-Walhalla School Library
North Dakota State Hospital-Health Sciences Library
North Dakota Youth Correctional Library
Northwood School Library
Iris Swedlund School and Public Library of Velva

9. *Let's Talk About It* by Erika Moen and Matthew Nolan
Available in:
Dickinson Area Public Library
Grand Forks Public Library
West Fargo Public Library
Minot Public Library

10. *Sold* by Patricia McCormick
Available in:
Fargo Public Library
Minot Public Library
United Tribes Technical College Library
Saint Mary's Central High School
Beulah High School Library
Theodore Jamerson Elementary School
New Salem High School
Turtle Lake-Mercer School Library

1. **What is the primary objective of the proposed amendments to Senate Bill 2307?**
    - The primary objective is to protect children from exposure to explicit or obscene materials in public and school libraries. This bill aims to establish clear guidelines on what constitutes explicit sexual material and ensure that minors do not have access to such content.

Definition of Explicit Sexual Material

2. **How does this bill define "explicit sexual material" in relation to public libraries and schools?**
    - The bill utilizes the **Miller test**, established in the 1973 Supreme Court case *Miller v. California*, to determine whether a work is considered obscene. The test includes three criteria:
        - Whether "the average person, applying contemporary community standards," would find that the work, taken as a whole, appeals to prurient (excessive sexual) interest.
        - Whether the work depicts or describes, in a **patently offensive** way, sexual conduct or excretory functions as specifically defined by applicable state law.
        - Whether the work, taken as a whole, **lacks serious literary, artistic, political, or scientific value**.
    - Material is deemed obscene **only if all three conditions are met**.

Key Differences & Impact

3. **What are the key differences between the original bill and the proposed amendments?**
    - The amendments strengthen the enforcement mechanisms and provide clearer guidelines on the process for reviewing and restricting access to explicit materials.
    - The revised bill explicitly outlines the role of school boards, superintendents, and state attorneys in determining obscenity.
    - It clarifies procedures for public libraries and schools to follow in compliance with the law.
4. **How does this bill impact the availability of certain books and materials in public and school libraries?**
    - Books and materials deemed to be obscene under the Miller test may **still be available** but must be moved to **sections** that are not easily accessible to minors.
    - Materials found to contain explicit sexual content but possessing serious educational, literary, or scientific value would not be subject to restriction.
5. **How does this legislation align with existing obscenity laws in North Dakota?**
    - The proposed legislation **parallels existing North Dakota obscenity laws**, reinforcing regulations that prevent the distribution of obscene material to minors.

Definitions & Legal Interpretation

6. **How is "public library" newly defined under this amendment?**

- The bill does not significantly alter the definition of a public library but clarifies its role and responsibilities in ensuring compliance with the new restrictions.

7. **What standards are used to determine whether a material is considered obscene or explicit?**
   - The **Miller test** is the primary standard for determining obscenity.
8. **How does the amendment distinguish between material suitable for minors and adults?**
   - Material is assessed using the **Miller test**, and those deemed obscene are restricted from minors but remain available for adults.
9. **What criteria must be met for a book or material to be considered harmful to minors under this bill?**
   - The book must fail the **Miller test**, meaning it meets all three criteria for obscenity.
10. **How does the amendment redefine what qualifies as "where minors are or may be invited"?**

- The amendment does not redefine this phrase but clarifies that it includes **schools, public libraries, and any place where minors frequently gather or receive education.**

Implementation & Compliance

11. **What steps are required for public libraries and school districts to ensure compliance with this law?**

- A **review process** must be conducted to identify materials that may be considered obscene.
- If a person raises concerns about a book or material, it will go through a local review process, if it escalates to the committee, **superintendent or school board level there is an off ramp to local states attorney who deals normally with obscenity code violations,** if necessary.
- A **diverse review group** may be formed to assess the material, or the case may be referred to the **local state's attorney** for an obscenity determination.

12. **How will public libraries and school districts review their collections for explicit material?**

- Libraries and schools can reference **the American Library Association (ALA) list of most challenged books** to identify materials that may require review.
- Any books that do not pass the **Miller test** should be relocated to areas that are **not easily accessible to minors**. With proper management, entire collections will not have to be reviewed.

13. **What procedures must be in place by January 1, 2026, to comply with the law?**

- Libraries and schools must have conducted a **content review** and established a **designated section** for obscene materials.

14. **How will digital or online library databases be monitored under this bill?**

- The bill aligns with the **Children's Internet Protection Act**, ensuring that digital content filtering mechanisms are in place.

15. **What role does technology play in filtering or blocking access to explicit content?**

- **AI and filtering software** will play a growing role in identifying and restricting access to explicit content in digital collections.

Enforcement & Penalties

16. **What penalties are in place for libraries or schools that fail to comply with these regulations?**

- Non-compliance with a **final determination** from the state's attorney can lead to **funding cuts and potential criminal penalties**.

17. **How will the state's attorney enforce the law against non-compliant institutions?**

- The **state obscenity code** will be used to enforce penalties, ensuring compliance with legal standards.

18. **What steps must a public library or school district take to avoid legal action under this bill?**

- If the **state's attorney determines a material is obscene**, it must be moved to a area not easily accessible to minors **section** to prevent easy access by minors.

19. **How does this bill impact funding for public libraries and school districts found in violation?**

- Institutions that **refuse to comply** with obscenity determinations risk losing **state funding**. And obscenity law penalties.

20. **What recourse do individuals have if they believe a school or library is non-compliant?**

- If an individual believes a library or school is violating the law, they can **submit a complaint**, triggering a local **review process** that could escalate to the committee, superintendent, school board at which point an off ramp is provided to the state's attorney.

Public & Institutional Reactions

21. **What concerns have been raised by librarians, educators, and free speech advocates about this bill?**

- Concerns include potential **censorship, limitation of access to diverse literature**, and **subjective interpretation of obscenity standards**. All material simply must pass the miller test.

22. **How might this law affect access to diverse literature and educational materials in schools?**

- The bill **does not ban books** but restricts those deemed obscene from minor access.
- Some argue it could disproportionately impact books dealing with **LGBTQ+ themes, racial justice, or sexual health education**. Not true, it merely keeps children from accessing obscenity only targets material deemed obscenity. If someone is making the obscene material available to minors, it is not about a group or individual it is about explicit material to minors, they are subject to the law.

23. **What impact could this bill have on academic freedom and intellectual inquiry in libraries?**

- The law only impacts **explicit sexual material,**

24. **How might libraries and schools adapt their policies to avoid potential legal challenges?**

- Libraries and schools must **establish clear review procedures** and ensure compliance with **state attorney's determinations** to avoid legal disputes.

25. **Are there any exceptions to this bill for materials used in educational or research settings?**

- **No exemptions exist for minors**—all materials deemed obscene must be **moved to a not easily accessible to minors' area. This area could be in the same room roped off or partioned with a rope and signs, or even an unlocked cabinet.**
- **Adults retain full access** to all materials, ensuring that research and educational freedom remain intact.

[redacted] Chairman Klemin and members of the committee,

Good morning, my name is Neil Planteen. I am from Cogswell down in Sargent County. I want to thank you all for offering myself and others the time to testify in support of this bill.

I stand in support of Senate Bill 2307. The opponents of this bill have latched onto words such as censorship and book banning in an attempt to cast a shadow over this great step in protecting North Dakota's youth. They say this bill will cost unmeasurable amounts of time and labor to sort through all the books in the library, both new and old. They say that this is just the tip of the iceberg and if these books get removed from the eyes of children then a dark draconian cloud will spread across these beautiful plains and our freedom is next.

Now being this is about books, I appreciate the attempt at additional drama but from being a part of this bill since its inception I can tell you that this is not about classic literature. Senate Bill 2307 is not about The Diary of Anne Frank, it's not about Hemmingway or Shakespeare, it's not about real books, not the type with words anyway. This bill is about protecting children from a certain genre of picture books or graphic novels as they are gracefully labeled today. Once they would have been called comic books or even pulp fiction.

These books are a threat to the innocence of our children. These books often feature brightly colored covers and catchy titles. To a youngster these things draw you in, so you grab the book and start flipping the pages to see if it is worth a full read. But with hardly any words, your eyes start wandering through the pictures of violence, anger, substance abuse and sexuality. The statement that you cannot unsee something that you have seen, is absolutely fact. These images will be permanently etched into your mind. You see if a child sees a

picture of someone playing baseball, what do you think they will think about? If a child sees a picture of a race car? Now what about if a child sees two people in sexually provocative positions? Using drugs or being angry? They will undoubtedly think about these things as well and is that how we want the rest of their day being spent after a seemingly innocent trip through their local school's library?

So let's back up, a fouthgrader picks up Macbeth, how long will they flip through the pages before setting it back down and moving on? What about The Diary of Anne Frank or a Hemmingway novel? The truth is that even if they picked it up they wouldn't flip past more than a few pages of finely printed words without any pictures and set it down and move on. These books can only be typically read and comprehended by mature minds. They were written this way by design. Hemingway wasn't thinking about a ten year old reading his books, so what's the angle or intentions of today's graphic novel authors who include illustrations of such lewd and inappropriate things?

If you recall, House Bill 1205 was passed last session. This bill aimed to remove obscene materials from public libraries frequented by children. The bill was passed by both chambers but Governor Burgum vetoed out "Public Schools". The legislature attempted an override but missed it by a narrow majority. Governor Burgum then signed the bill into law without "Public Schools" as part of the language. The question I have is why were public schools not held to the same standard as other public libraries. You may hear opposition this morning saying that this law is already in place and why are we here again? Yes, the law that Burgum signed does restrict public libraries but left public school libraries in limbo with no regulation but by a local school board or school administration. Why aren't public school libraries held to the same standard as other libraries?

Even the truck stop keeps obscene materials on the top shelf behind the other magazines and often wrapped in black plastic to protect young and wandering eyes from corruption! So why aren't public schools at least held to some universal standard? Does a public school bus get to ignore speed limits? Does a public school get to ignore labor laws? Does a public school get to ignore any laws set forth in century code and hide behind a wall of bureaucracy in the name of education? I don't think so, so why is this any different?

Senate Bill 2307 isn't perfect but when is the last time a law was past that was completely perfect? I urge you to support a DO PASS recommendation for SB2307 and take a step in the right direction to protect the innocence of our youth.

Thank you, I stand for questions.
Neil Planteen

SB 2307

I am writing to ask you to vote in opposition of the SB 2307. This bill is a censorship bill that does not allow libraries to do what they are supposed to do. We are to supply materials to all our community without subjecting our personal opinions on what the public wants to read about and we are to have materials that show all the sides of an issue. This bill will prohibit libraries from following the very bylaws that they were created upon. I have included the material selection policy from our bylaws as well as the form that is required if someone has a complaint to material on the shelf. This process has always worked and does not need to have further review by the state's attorney or the legislative council if people are not happy about the outcome. Everyone does not always get their way.

It is the parents' responsibility to know what their children are looking at or checking out. Just as it is a parent's responsibility to know what the children are looking at on their smart phones. Are you going to go after the internet next to pass laws that this same type of material cannot be posted on the internet? Access to this type of material is blocked on the computers in my library. Are you going to go after TV stations that allow commercials with nudity (as defined in this bill) on them? Why are you only going after libraries and making our jobs punishable with jail time? The class B misdemeanor is still in the bill, it was just left off the amended version.

If this law passes it not only goes after ONE book in particular but entire genres. The entire romance section in the library would have to be inaccessible to minors.

Books that would have to come off our shelves because it states in our bylaws (15.2.9) that we will not have a closed shelf collection, would include the dictionary, the bible – including the bible for teens – all romance novels, inspirational fiction novels, western novels, breast feeding books, midwifery books and any other non-fiction books that talk about the human body. This is way more far reaching and more work than what has been researched before the bill was introduced. Who is going to make the judgement of what books have to be locked up?

Our library has a very difficult time getting teens between the ages of 13-18 in the library. They have their phones to look everything up on, they do not come into the library until after they are out of high school as it is not a "cool" thing to do. The games they play on the internet are far more graphic than books that are in our library. Are you going to pass laws to keep the teens from accessing those games?

Tax payers of Mercer County will be very upset with myself and my staff if we are sitting at the desk reading every new book that comes into the library for patron checkout to be sure that none of the items listed in this bill are in those books, we have a very short description of the book to go off of when we order books. Once the book is here and being cataloged is when we know what all may or may not be in the book without reading the book in its entirety I would not know if there was any kind of sex, gender identity or anything else prohibited in this bill in these new books. It could be something very subtle in the book but yet then it would be prohibited from going on the shelf. It needs to be left up to the patrons and parents what they want to read and what they want their children reading. What offends one person may not offend another.

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

SB 2307
3/18/2025

Relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

2:35 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, McLeod, S. Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Representative Johnston

Discussion Topics:

- Legal definition of aggregate
- Similar bills from previous sessions

2:36 p.m. Representative Tveit moved to Amend and replace "person" with "provider" on page 4, line 21 and strike "aggregate" from page 5, line 7.

2:37 p.m. Representative McLeod seconded the motion.

2:39 p.m. Representative Tveit withdrew his motion.

2:40 p.m. Representative Tveit moved a Do Pass and rerefer to Appropriations.

2:40 p.m. Representative McLeod seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	A
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	N
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

2:44 p.m. Motion passed 12-1-1

2:44 p.m. Representative Satrom will carry the bill.

2:44 p.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

REPORT OF STANDING COMMITTEE
REENGROSSED SB 2307 (25.0552.06000)

Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAY, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2307 was rereferred to the **Appropriations Committee**.

2025 HOUSE APPROPRIATIONS

SB 2307

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2307
4/10/2025

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the state's attorney's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01, subsection 2 of section 12.1-27.1-03.1, and sections 12.1-27.1-03.5 and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

8:29 a.m. Chairman Vigesaa called the meeting to order.

Members present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Members absent: Representative: Martinson

Discussion Topics:

- Explicit Material in Libraries
- Miller Test
- E-Rate Funding
- HB 1205

8:31 a.m. Representative Klemin introduced the bill and submitted testimony #44882.

9:03 a.m. Senator Keith Boehm testified in favor and submitted testimony #44880.

9:29 a.m. Corey Quirk, Core Technology Services Deputy Chief Information Officer, North Dakota University Systems explained the fiscal note and answered questions.

9:34 a.m. Jonathan Byers, ND State Attorneys Association answered questions and submitted testimony #44890.

9:45 a.m. Chairman Vigesaa closed the meeting.

Krystal Eberle, Committee Clerk

25.0552.06002
Title.

Prepared by the Legislative Council staff for Senator Boehm
April 2, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT

REENGROSSED SENATE BILL NO. 2307

Introduced by

Senators Boehm, Erbele, Hogue, Weston

Representatives Steiner, Tveit

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01~~ and two~~, a new ~~sections~~section to chapter 12.1-27.1, a new section to chapter 15.1-07, and a new section to chapter 40-38 of the North Dakota Century Code, relating to the definition of a public library, ~~required safety policies and technology protection measures, and~~ the state's attorney's review of public libraries~~,~~ and school districts~~, and state agencies~~ for compliance with statutes protecting minors from explicit sexual material, and compliance with the Children's Internet Protection Act; to amend and reenact subsection 5 of section 12.1-27.1-01, subsection 2 of section 12.1-27.1-03.1, and sections 12.1-27.1-03.5 and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 12.1-27.1-01 of the North Dakota Century Code is amended and reenacted as follows:

5. As used in this chapter, the terms "obscene material" and "obscene performance" mean material or a performance which:
   a. Taken as a whole, the average person, applying contemporary North Dakota standards, would find predominantly appeals to a prurient interest;
   b. Depicts or describes in a patently offensive manner sexual conduct, whether normal or perverted; and

c. Taken as a whole, the reasonable person would find lacking in serious literary, artistic, political, or scientific value.

Whether material or a performance is obscene must be judged with reference to ~~ordinary~~reasonable adults, unless it appears from the character of the material or the circumstances of its dissemination that the material or performance is designed for minors or other specially susceptible audience, in which case the material or performance must be judged with reference to that type of audience.

SECTION 2. A new subsection to section 12.1-27.1-01 of the North Dakota Century Code is created and enacted as follows:

As used in this chapter, the term "public library" means a library containing collections of books or periodicals or both for the general population to read, borrow, or refer to which is supported with funds derived from taxation.

SECTION 3. AMENDMENT. Subsection 2 of section 12.1-27.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

2. As used in this section:

a. "Nude or partially denuded human figures" means less than completely and opaquely covered human genitals, pubic regions, female breasts or a female breast, if the breast or breasts are exposed below a point immediately above the top of the areola, or human buttocks; and includes human male genitals in a discernibly turgid state even if completely and opaquely covered.

b. "Where minors are or may be invited as a part of the general public" includes any public roadway ~~or~~, public walkway, public library in an area easily accessible to minors, or public school library.

c. The above ~~shall~~may not be construed to include a ~~bona fide school,~~ college, university, museum, ~~public library,~~ or art gallery.

SECTION 4. AMENDMENT. Section 12.1-27.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-03.5. Public libraries and school districts prohibited from maintaining explicit sexual material - Report.

1. As used in this section:

a. "Explicit sexual material" means any material which:

(1) Taken as a whole, appeals to the prurient interest of minors;

(2) Is patently offensive to prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors; and

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

b. "Public library" means a library established under chapter 40-38.

c. "School district" includes a school library or classroom library under the control of the school district.

2. A public library or a school district may not maintain in ~~its children's collection inventory books~~an area easily accessible to minors ~~that contain~~ explicit sexual material.

3. By January 1, ~~2024~~2026, each public library and school district shall develop a policy and process for reviewing library collections to ensure conformance with the requirements of this section. The policy must include a procedure:

a. For the ~~removal or~~ relocation of explicit sexual material in ~~the public~~a library to an area in the library not easily accessible to minors;

b. For the development of a book and media collection that is appropriate for the age and maturity levels of the individuals who may access the materials, and which is suitable for, and consistent with, the purpose of the library or school district;

c. For the ~~public library to receive, evaluate, and respond to~~relocation of materials to an area not easily accessible to minors, upon a request from an individual ~~regarding the removal or relocation of~~to relocate ~~one or more of the books or other materials in the library collection containing~~ explicit sexual material in the library collection; ~~and~~

d. For the activation of a diverse decisionmaking committee to reconsider the relocation of explicit sexual material in the library collection, if the individual is unsatisfied with the result under subdivision c;

e. To refer an individual to section ~~7~~6 of this Act, if the individual is unsatisfied with the result of the reconsideration under subdivision d; and

f. To periodically review the library collection to ensure ~~the library collection does not contain explicit sexual material in the children's collection~~compliance with this section.

4. Each public library and school district shall provide a compliance report to the legislative management before May 1, ~~2024~~2026, on the implementation of collection development and relocation of materials policies as required by this section and to ensure sufficient compliance with this section.

SECTION 5. AMENDMENT. Section 12.1-27.1-11 of the North Dakota Century Code is amended and reenacted as follows:

12.1-27.1-11. Exceptions to criminal liability.

Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall~~may not apply to the possession or distribution of material in the course of law enforcement, judicial, or legislative activities; or to the possession of material by a ~~bona fide school,~~ college, university, museum, or public library for limited access for educational research purposes carried on at ~~such an~~the institution by adults only. Sections 12.1-27.1-01 and 12.1-27.1-03 ~~shall also~~may not apply to a person who is returning material, found to be obscene, to the distributor or publisher initially delivering it to the person returning it.

~~**SECTION 6.** A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:~~

~~**Safety policies and technology protection measures required - Report.**~~

~~1. As used in this section:~~

~~a. "Explicit sexual material" means the term as defined under section 12.1-27.1-03.5.~~

~~b. "Public library" does not include the state library.~~

~~c. "State agency" does not include the state library or institutions of higher education.~~

~~2. A school district, state agency, or public library may offer digital or online library database resources to students in kindergarten through grade twelve if the person providing the resources verifies all the resources comply with subsection 3.~~

~~3. Digital or online library database resources offered by a school district, state agency, or public library to students in kindergarten through grade twelve must have safety policies and technology protection measures that:~~

~~a. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials constituting an obscene performance or explicit sexual material; and~~

~~b. Filter or block access to explicit sexual material.~~

~~4. Notwithstanding any contract provision, if a provider of digital or online library resources fails to comply with subsection 3, the school district, state agency, or public library shall withhold any further payments to the provider pending verification of compliance.~~

~~5. If a provider of digital or online library database resources fails to timely verify the provider is in compliance with the safety policies and requirements of subsection 3, the school district, state agency, or public library shall consider the provider's act of noncompliance a breach of contract.~~

~~6. A public school library and a public library shall submit an aggregate written report to the legislative management no later than December first of each year regarding any:~~

~~a. Issues related to provider compliance with technology protection measures required by subsection 3; and~~

~~b. Incidents of complaints regarding accessible materials.~~

~~7. By January 1, 2026, each school district, state agency, or public library offering digital or online library database resources to students in kindergarten through grade twelve shall develop a policy and process for reviewing digital or online library database resources to ensure conformance with this section. The policy must include a procedure:~~

~~a. For an individual to report to the school district, state agency, or public library materials containing explicit sexual material or an obscene performance in the digital or online library database resources;~~

~~b. Upon receipt of a report under subdivision a, for the school district, state agency, or public library, to provide the report to the provider of digital or online library~~

~~database resources and apprise the individual of the actions taken to comply with this section; and~~

~~c. To refer an individual to section 7 of this Act, if the individual believes this section is being violated after being apprised of the actions taken to comply with the section.~~

SECTION 6. A new section to chapter 12.1-27.1 of the North Dakota Century Code is created and enacted as follows:

State's attorney - Obscenity review procedure - School districts - ~~State agencies -~~ Public libraries - Penalty.

1. Any interested individual who has exhausted the procedures under section 12.1-27.1-03.5 ~~or section 6 of this Act~~ may request, in the manner prescribed by the local state's attorney, the local state's attorney's opinion to review an alleged violation under section 12.1-27.1-03.5 ~~or section 6 of this Act~~. Within sixty days of receiving the request, the state's attorney shall issue an opinion on the alleged violation to the interested individual, and the ~~provider of digital or online library database resources, if any, and the~~ school district~~, state agency,~~ or public library under review.
2. If the state's attorney determines a public library ~~or state agency~~ has violated section 12.1-27.1-03.5 ~~or section 6 of this Act~~, the state's attorney shall defer any prosecution and notify the public library ~~or state agency~~. After receiving notice, the public library ~~or state agency~~ shall take corrective action to comply with the violated law within ten days. If the public library ~~or state agency~~ fails to comply with the law within ten days, the state's attorney:
   a. Shall notify the state treasurer who shall withhold and return funds allocated to the ~~state agency or~~ public library, until the state's attorney has determined the ~~state agency or~~ public library is in compliance with the relevant statute and has notified the state treasurer accordingly; and
   b. May prosecute for failure to comply with the law.
3. If the state's attorney determines a school district has violated section 12.1-27.1-03.5 ~~or section 6 of this Act~~, the state's attorney shall defer any prosecution and notify the school district. After receiving notice, the school district shall take corrective action to

comply with the violated law within ten days. If the school district fails to comply with the law within ten days, the state's attorney:

a. Shall notify the superintendent of public instruction who shall withhold funds allocated to the school district until the state's attorney has determined the school district is in compliance with the relevant statute and has notified the superintendent of public instruction accordingly; and

b. May prosecute for failure to comply with the law.

SECTION 7. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School district policy - Children's Internet Protection Act.

The board of a school district shall adopt and enforce a policy of internet safety, which complies with the Children's Internet Protection Act [Pub. L. 106-554; 114 Stat. 2763A-335].

SECTION 8. A new section to chapter 40-38 of the North Dakota Century Code is created and enacted as follows:

Public library policy - Children's Internet Protection Act.

Every public library under this chapter shall adopt and enforce a policy of internet safety, which complies with the Children's Internet Protection Act [Pub. L. 106-554; 114 Stat. 2763A-335]. This section does not apply to the state library or institutions of higher education.

Children's Internet Protection Act (CIPA)

The Children's Internet Protection Act (CIPA) was enacted by Congress in 2000 to address concerns about children's access to obscene or harmful content over the Internet. CIPA imposes certain requirements on schools or libraries that receive discounts for Internet access or internal connections through the E-rate program – a program that makes certain communications services and products more affordable for eligible schools and libraries. In early 2001, the FCC issued rules implementing CIPA and provided updates to those rules in 2011.

What CIPA requires

Schools and libraries subject to CIPA may not receive the discounts offered by the E-rate program unless they certify that they have an Internet safety policy that includes technology protection measures. The protection measures must block or filter Internet access to pictures that are: (a) obscene; (b) child pornography; or (c) harmful to minors (for computers that are accessed by minors). Before adopting this Internet safety policy, schools and libraries must provide reasonable notice and hold at least one public hearing or meeting to address the proposal.

Schools subject to CIPA have two additional certification requirements: 1) their Internet safety policies must include monitoring the online activities of minors; and 2) as required by the Protecting Children in the 21st Century Act, they must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

Schools and libraries subject to CIPA are required to adopt and implement an Internet safety policy addressing:

- Access by minors to inappropriate matter on the Internet;
- The safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
- Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- Measures restricting minors' access to materials harmful to them.

Schools and libraries must certify they are in compliance with CIPA before they can receive E-rate funding.

- CIPA does not apply to schools and libraries receiving discounts only for telecommunications service only;
- An authorized person may disable the blocking or filtering measure during use by an adult to enable access for bona fide research or other lawful purposes.
- CIPA does not require the tracking of Internet use by minors or adults.

Sexually Explicit Material/Pornography

Senate Bill 2307

Pornography Causes Depression and Mental Health Problems

- Youth who are depressed or have delinquent tendencies are known to have higher levels of pornography exposure.[1]
- Pornography use is a recognized predictor of depression.[2]
- Younger age at first pornography viewing is associated with frequency of adult mental health problems.[3]

Pornography Causes Permissive Sexual Attitudes and Behaviors

- Pornography use, even when infrequent, is associated with abnormal behaviors.[4]
- In males, early exposure to pornography predicted "permissive sexual norms, sexual harassment perpetration" and various forms of sexual behavior.[5]
- Even when controlling for other factors, pornography consumption influences sexual behaviors.[6]
- Adolescents who are exposed to pornography are more likely to have multiple sexual partners.[7]
- Early exposure to pornography is associated with initiation of sexual behavior at a younger age.[5]
- In young men, pornography viewing is associated with higher rates of sexual coercion and violent or abusive behavior.[8]
- Pornography consumption is associated with negative gender attitudes.[8]
- Pornography exposure is associated with substance abuse.[7]

Pornography Contributes to Poor Academic Performance

- Exposure to pornography has been shown to interfere with working memory in a way not seen with exposure to other stimuli, including negative stimuli.[9]
- Sexually explicit images affect the brain's emotion/attention processing.[10]
- In early adolescent boys, pornography exposure was associated with reduced academic performance.[11]

References

American Library Association (ALA)
The ALA has a list of Top 10 Most Challenged Books. The books on the 2023 list have been challenged because they contain sexually explicit graphics and/or language, profanity, violence, perversion material, depictions of rape and incest, and drug use. These books are widely available in public libraries and schools across ND (see attached). The ALA promotes these books during a "Banned Books Week" where they spotlight the books and promote activities and
ways for people to get involved to keep them accessible.[1]
Two examples of these books are *Let's Talk About It* by Erika Moen & Matthew Nolan (targeted for children ages 14 and up) and *Sex is a Funny Word* by Cory Silverberg (not on the list, but available in ND libraries and targeted for children ages 8-11). These books contain graphic images and language normalizing STIs and sexting, encouraging and teaching sexual behaviors, and likening pornography to a "fun, sugary treat." (*LTAI* p.165)
The ALA is not interested in protecting children. A statement on their website says, "The ALA stringently and unequivocally maintains that libraries and librarians have an obligation to resist efforts that systematically exclude materials dealing with any subject matter, including sex, gender identity, or sexual orientation. [2]" Another states, "The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.[3]"
The ALA is not a friend of parents either. As stated in an article from Daily Citizen[4], "instead of taking parents' concerns seriously, the organization's Office for Intellectual Freedom has advice for librarians about how to fight back against parents who believe certain books might be inappropriate for children.[5] It dramatically labels parents' involvement "censorship" and "book banning." The ALA believes children should be able to check out whatever books they want and that they deserve "privacy and confidentiality"- including from parents - in those decisions. [6]
[1] Banned Books Week
[2] Access to Library Resources and Services | ALA
[3] Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights | ALA
[4] American Library Association Chooses Marxist Lesbian as President-Elect - Daily Citizen
[5] How to Respond to Challenges and Concerns about Library Resources | ALA
[6] Library Bill of Rights | ALA

This investigation was conducted in the fall of 2024 the top 10 list itself was from 2023 and yet these books were in the following libraries.

Top 10 Most Challenged Books of 2023
1. *Gender Queer* by Maia Kobabe
Available in:
Grand Forks Public Library
North Dakota State Library
Fargo Public Library
Minot Public Library
Dickinson Public Library

2. *All Boys Aren't Blue* by George M. Johnson
Available in:
Dickinson High School Library
Grand Forks Public Library
McKenzie County Public Library
Bismarck Public Library
Minot Public Library

3. *This Book is Gay* by Juno Dawson
Available in:
Leach Public Library
Fargo Public Library
Minot Public Library
Bismarck Public Library

4. *The Perks of Being a Wallflower* by Stephen Chbosky
Available in:
West Fargo Public Library
Bismarck Public Library
Mandan Public Library
Minot Public Library
Dickinson High School Library
Hatton Public School Library
Hope School Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library
Iris Swedlund School and Public Library of Velva

5. *Flamer* by Mike Curato
Available in:
West Fargo Public Library
Dickinson Area Public Library
Dickinson High School Library
Minot Public Library
Leach Public Library

6. *The Bluest Eye* by Toni Morrison
Available in:
West Fargo Public Library
North Dakota State Library
Harvey Public Library
Grafton High School Library
Dickinson Area Public Library
Cavalier School Library
Minot Public Library
Beulah Public Library
Washburn Public Library

7. *Me and Earl and the Dying Girl* by Jesse Andrews
Available in:
Dickinson Area Public Library
West Fargo Public Library
Minot Public Library
Morton Mandan Public Library
McLean-Mercer Regional Library-Riverdale
Underwood Public Library
New Salem High School

Turtle Lake-Mercer School Library
Grand Forks Public Library
Larimore High School Library
Midway High School Library
North Dakota Youth Correctional Library

8. *Tricks* by Ellen Hopkins
Available in:
Minot Public Library
Center Oliver Library
Dickinson Area Public Library
Finley-Sharon School Library
Grafton High School Library
Grand Forks Public Library
Hope School Library
Leach Public Library
Midway High School Library
North Border-Pembina School and City Library
North Border-Walhalla School Library
North Dakota State Hospital-Health Sciences Library
North Dakota Youth Correctional Library
Northwood School Library
Iris Swedlund School and Public Library of Velva

9. *Let's Talk About It* by Erika Moen and Matthew Nolan
Available in:
Dickinson Area Public Library
Grand Forks Public Library
West Fargo Public Library
Minot Public Library

10. *Sold* by Patricia McCormick
Available in:
Fargo Public Library
Minot Public Library
United Tribes Technical College Library
Saint Mary's Central High School
Beulah High School Library
Theodore Jamerson Elementary School
New Salem High School
Turtle Lake-Mercer School Library

Senate bill No. 2307
Rep. Lawrence R. Klemin
House Appropriations Committee
April 10, 2025

Mr. Chairman and members of the Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am also Chairman of the House Judiciary Committee, which heard SB 2307 and recommended "do pass" by a vote of 12 to 1. I am here to explain the bill to you. SB 2307 relates to obscenity control under Chapter 12.1-27.1 of the North Dakota Century Code.

The purpose of SB 2307 is to require school districts and public libraries to develop policies to ensure that "explicit sexual material" is not available to minors and to relocate any books or other materials containing "explicit sexual material" to an area in the library that is not easily accessible to minors. This bill does not ban any books, nor does it require any books to be removed from the library. It does not dictate to the school district or public library where adult materials containing "explicit sexual material" must be located, only that it must not be easily accessible to minors.

Section 1

This section is part of current law and recites what is known as the "Miller test" for determining whether certain material is obscene. The criteria in the Miller test are taken from the U.S. Supreme Court case of *Miller v. California*, 413 U.S. 15 (1973), a landmark decision which clarified the legal definition of obscenity. The only change to current law in this section is to replace the work "ordinary" on line 21 with the word "reasonable", an objective standard.

Section 2

This is a new section that defines "public library".

Section 3

This section amends Section 12.1-27.1-03.1 to include a public library or a public school library with the definition of areas "where minors are or may be invited as a part of the general public".

Section 4

This section amends Section 12.1-27.1-03.5, relating to public libraries, to include "school districts". This section was enacted in the 2023 Legislative Session. As amended in this bill, "school districts" are also required to develop a policy to review its library collection and to ensure that "explicit sexual material" is relocated to an area in the library that is not easily accessible to minors, either on its own, or at the request of an individual. A public library or a school district must also form a decisionmaking

committee to reconsider relocation of "explicit sexual material" and to refer the individual to the local state's attorney if the individual in not satisfied with the decision on whether to relocate certain material. Each public library and school district must provide a compliance report to legislative management before May 1, 2026.

Section 5

This section removes "bona fide school" from the list of organizations and entities that are exempt from criminal liability.

Section 6

This section relates to required safety policies and technology protection measures. Sen. Boehm, the prime sponsor of SB 2307, is here and has an amendment to remove Section 6, so I will not explain this section.

Section 7 [renumbered as Section 6 in the proposed amendment]

This section enacts a new section to Chapter 12.1-27.1 relating to a state's attorney review of certain material at the request of an individual if the public library or school district declines to remove the material to an area not easily accessible to minors. The local state's attorney must review the material and provide a legal opinion within 60 days of the request on whether the material contains "explicit sexual material". If the local state's attorney determines that the material is obscene under the Miller test, and that there is a violation of the North Dakota obscenity law, the state's attorney must notify the public library or school district of the violation and defer any prosecution pending corrective action. [The bill refers to "state agency" here but this term is amended out in the amendment proposed by Sen. Boehm.] The school district or public library then has 10 days to take corrective action.

If the public library fails to take corrective action, the state's attorney must notify the State Treasurer to withhold and retain any funds allocated to the public library until the public library is in compliance with the law. Similarly, with respect to a school district, the state's attorney must notify the Superintendent of Public Instruction to withhold funds until the school district is in compliance with the law. In either case, the state's attorney may also begin prosecution for failure to comply.

The proposed amendment by Sen. Boehm also has two new sections related to the federal Children's Internet Protection Act, which he can describe to you.

I will try to answer any questions you may have, but it would be better to direct any questions to Sen. Boehm. Thank you.

Rep. Lawrence R. Klemin
District 47, Bismarck

69th Legislative Assembly
SECOND ENGROSSED SB 2307
April 10, 2025
House Appropriations, Roughrider Room

Mr. Chairman and Committee members:

I was at the House Judiciary Committee hearing for Senate Bill 2307 to testify on behalf of the North Dakota State's Attorneys' Association. Due to time constraints, I was unable to voice their concerns, and the bill was passed out of Judiciary the same day. I wanted the State's Attorneys concerns to be a part of the record, so appear here to provide you my testimony.

The state's attorneys are concerned with SB 2307 for two main reasons: one, the methods for referring a violation to their offices are inconsistent with the current requirements for all other crimes; two, how the Bill is currently written would prohibit a state's attorney from ethically prosecuting any perpetrator of this crime as the state's attorney themself would become a witness to the case initially.

First, state's attorneys do not initiate investigations for crimes on their own. Citizens report any violations of law to local law enforcement who then investigate the allegations, and if they believe a crime has occurred, they will then forward the information to the state's attorney for review of possible charges. This is how the current law for this offense is written. This Bill, however, circumvents law enforcements' investigation of the offense and brings it straight to the state's attorney for issuing a factual opinion on the legitimacy of the claim and potentially issuing a letter to the library and state treasurer for punitive sanctions if the offense isn't remedied.

This is not only inconsistent with state law, but it brings up the second biggest issue with this Bill which is that a prosecutor who notifies the public library or state agency of any violation will have then made a factual determination that a violation occurred. If the state's attorney did that, they would become a fact witness in the case and would be prohibited under their Rules of Professional Conduct from subsequently prosecuting any offender as they cannot prosecute a case they are a witness in. With that, every small county in North Dakota (i.e. most of them) would have to engage and hire a neighboring prosecutor to prosecute any violations so they themselves could testify that they issued the initial opinion that there was a violation. As this is an unfunded mandate, this obviously puts a huge burden on not only all of the state's attorneys' offices, but especially those who only have one attorney in their office.

In summary, the process that SB 2307 puts in place sounds something like a Monty Python skit or Jim Carey movie:

Mr. Byers: Your honor, I call myself, the investigator, to the stand.

The Judge: Very well.

Mr Byers: Did you, sir, investigate the library and find that obscene materials were in a place easily accessible to minors?

Mr, Byers: (answering himself) Yes, I did. Minors could sure find them without any trouble. (Mr. Byers leaves the stand)

Mr. Byers: Your honor, I now call myself as an expert witness in the case.

The Judge: Very unusual, but let's see where this goes. (Mr. Byers returns to the stand)

Mr. Byers: Sir, given your vast expertise in obscenity, did you assess whether these materials meet the definition of obscene materials under contemporary North Dakota standards?

Mr. Byers: (answering himself) Yes, I did. They were totally perverted.

Mr. Byers: Sir, how much are you being paid for your expert testimony?

Mr. Byers: (answering himself) Not a dime. The state legislature determined I should be an investigator, expert witness, and prosecutor for no extra pay. (Mr. Byers gets back off the stand)

Mr. Byers: Your honor, I want the Court to take judicial notice that I sent notice to the public library of this expert's determination, and they failed to remedy the situation. I then notified the state treasurer, who had no choice but to suspend all funding for the library. So unless you intend to send the librarian to jail, we've already taken care of the sentencing aspect.

The Judge: Well, well. Thank you for taking care of my job as well.

Senate Bill 2307 requires the State's Attorney to wear too many hats. Keeping the current law in place makes more sense as it allows a complaint to be made to law enforcement, investigated by law enforcement, and then prosecuted by the state's attorney. As pertains to your role in approving the funding required by this bill, it is an unfunded mandate, placing numerous additional duties on the State's Attorney with no funding provided to them.

On behalf of the North Dakota State's Attorneys' Association, I strongly urge you to issue a do not pass on this Bill as currently written.

Jonathan Byers
Lobbyist #1425
North Dakota State's Attorneys Association

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2307
4/11/2025

A BILL for an Act to create and enact a new subsection to section 12.1-27.1-01 and two new sections to chapter 12.1-27.1 of the North Dakota Century Code, relating to the definition of a public library, required safety policies and technology protection measures, and the state's attorney's review of public libraries, school districts, and state agencies for compliance with statutes protecting minors from explicit sexual material; to amend and reenact subsection 5 of section 12.1-27.1-01, subsection 2 of section 12.1-27.1-03.1, and sections 12.1-27.1-03.5 and 12.1-27.1-11 of the North Dakota Century Code, relating to obscenity control; to provide for a report to the legislative management; and to provide a penalty.

9:01 a.m. Chairman Vigesaa opened the meeting.

Members present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Discussion Topics:

- Committee Action

9:11 a.m. Representative Kempenich moved to adopt amendment LC #25.0552.06002, #44880 previous testimony from 4/10/2025.

9:11 a.m. Representative Brandenburg seconded the motion.

9:16 a.m. Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	Y
Representative Bert Anderson	N
Representative Mike Berg	N
Representative Glenn Bosch	N
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	N
Representative Scott Louser	N
Representative Bob Martinson	N
Representative Lisa Meier	N
Representative Alisa Mitskog	N
Representative David Monson	Y
Representative Eric J. Murphy	N
Representative Mike Nathe	N
Representative Jon O. Nelson	N

Representative Emily O'Brien	N
Representative Brandy L. Pyle	N
Representative David Richter	N
Representative Mark Sanford	N
Representative Gregory Stemen	N
Representative Steve Swiontek	N
Representative Scott Wagner	N

9:16 a.m. Motion failed 4-19-0.

9:17 a.m. Representative Murphy moved Do Not Pass.

9:17 a.m. Representative Hanson seconded the motion.

9:18 a.m. Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	N
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

9:18 a.m. Motion passed 22-1-0.

9:18 a.m. Representative Murphy will carry the bill.

9:19 a.m. Chairman Vigesaa closed the meeting.

Krystal Eberle, Committee Clerk

REPORT OF STANDING COMMITTEE
REENGROSSED SB 2307 (25.0552.06000)

Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (22 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). Reengrossed SB 2307 was placed on the Fourteenth order on the calendar.