



Good afternoon senators and representatives of the Education and Cultural Affairs Committee,

My name is Heather Perkinson and I am a librarian with 30 years of experience in libraries and schools. I am also submitting this testimony as past-president of the Maine Association of School Libraries, which includes school library personnel from every corner of this state.

I urge you to vote Ought Not to Pass on LD 1395 which proposes regulations on school library databases to solve a problem that does not actually exist. School libraries already carefully select databases based on the developmental needs of their students and do not purchase products which are inappropriate for their students. The database publishing companies—which include such well-known and respected organizations as ABC-Clío, Britannica, Ebsco, Gale, Infobase, and Proquest—already ensure that the content of their databases is appropriate for the age level each product is sold for and abide by federal and state laws. Furthermore, every non-profit school in Maine is [eligible](#) to receive E-Rate funding from the federal government but only if they abide by the requirements of the [Child Internet Protection Act](#), known by the acronym CIPA. CIPA and the FCC already require that schools prevent students from accessing obscene material by putting in place protection measures that block or filter such materials.

The portion of this legislation that proposes to eliminate the exception to obscenity law that applies to noncommercial distribution or exhibition by public schools for purely educational purposes contradicts established judicial decisions based on the First Amendment which define obscenity. I am concerned about the chilling effect this would have in our school communities. Who gets to decide what is obscene? I fear that it would quickly become a politicized metric that would censor ideas and identities, targeting topics that get at the very heart of what the First Amendment enshrines.

As for the elements of this proposed legislation that refer to providing education to prevent children from being victims of sexual predation or human trafficking, the Commissioner of Education is already tasked with guiding schools to do that, according to the [duties of the Commissioner outlined in Maine's statute](#) (see Title 20-A: EDUCATION, Part 1: GENERAL PROVISIONS, Chapter 3: DEPARTMENT OF EDUCATION, Subchapter 2: COMMISSIONER, §254, number 18).

I oppose this legislation because it is unnecessary and risks becoming a vehicle for political censorship. Libraries and the resources we provide in schools are not a threat to our children!

There certainly are many other threats to them that you could be legislating against; but school libraries are not what our children or their parents need to fear.

Heather Perkinson, M.L.I.S., M.Ed., MASL Past-President
Brunswick Resident

Heather Perkinson
Maine Association of School Libraries
LD 1395

Good afternoon senators and representatives of the Education and Cultural Affairs Committee,

My name is Heather Perkinson and I am a librarian with 30 years of experience in libraries and schools. I am also submitting this testimony as past-president of the Maine Association of School Libraries, which includes school library personnel from every corner of this state.

I urge you to vote Ought Not to Pass on LD 1395 which proposes regulations on school library databases to solve a problem that does not actually exist. School libraries already carefully select databases based on the developmental needs of their students and do not purchase products which are inappropriate for their students. The database publishing companies—which include such well-known and respected organizations as ABC-Clío, Britannica, Ebsco, Gale, Infobase, and Proquest—already ensure that the content of their databases is appropriate for the age level each product is sold for and abide by federal and state laws. Furthermore, every non-profit school in Maine is eligible to receive E-Rate funding from the federal government but only if they abide by the requirements of the Child Internet Protection Act, known by the acronym CIPA. CIPA and the FCC already require that schools prevent students from accessing obscene material by putting in place protection measures that block or filter such materials.

The portion of this legislation that proposes to eliminate the exception to obscenity law that applies to noncommercial distribution or exhibition by public schools for purely educational purposes contradicts established judicial decisions based on the First Amendment which define obscenity. I am concerned about the chilling effect this would have in our school communities. Who gets to decide what is obscene? I fear that it would quickly become a politicized metric that would censor ideas and identities, targeting topics that get at the very heart of what the First Amendment enshrines.

As for the elements of this proposed legislation that refer to providing education to prevent children from being victims of sexual predation or human trafficking, the Commissioner of Education is already tasked with guiding schools to do that, according to the duties of the Commissioner outlined in Maine's statute (see Title 20-A: EDUCATION, Part 1: GENERAL PROVISIONS, Chapter 3: DEPARTMENT OF EDUCATION, Subchapter 2: COMMISSIONER, §254, number 18).

I oppose this legislation because it is unnecessary and risks becoming a vehicle for political censorship. Libraries and the resources we provide in schools are not a threat to our children! There certainly are many other threats to them that you could be legislating against; but school libraries are not what our children or their parents need to fear.

Heather Perkinson, M.L.I.S., M.Ed., MASL Past-President
Brunswick Resident