

House Human Services Committee

House Bill 1301 – DO PASS

Andrew Alexis Varvel

Written Testimony

North Dakota State Capitol

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Pioneer Room

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Chairman Weisz and Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck, District 47.

One feature of House Bill 1301 that is especially noteworthy is how it limits North Dakota's future reparations liability. The State of California is currently conducting a desperate search to find victims of its own eugenics policy which sterilized tens of thousands of people, in the hope of being able to pay reparations to them before they die. This was reported in an Associated Press article (“California seeks to help sterilization victims”, A2) in the January 7th edition of the Bismarck Tribune, the very same newspaper which attacked HB 1301 in its editorial space two weeks later.

Talk about cognitive dissonance!

There was a time when sterilization in the name of eugenics was called health care.

Under House Bill 1301, the State of North Dakota would establish a private right of action under 23-52-03 and a public right of action under 23-52-04. The State of North Dakota would not only establish avenues of redress for victims of these sterilization surgeries, but it would also absolve itself from the liability of permitting such a practice. I think these reforms could save our state money in the long run.

I am under no illusions that any law could prevent at least some parents from going out-of-state to sterilize their children. Probably nothing can deter the most fanatical adherents of a recent social trend which equates social status with having a transgender child. Not even ridicule from Bill Maher. Yet, if these bills can prevent even one child from getting sterilized, then they will have achieved their purpose.

Steroid hormones and intimate surgeries may affect outward appearances, but they cannot alter anyone's DNA. Just as there is no way – realistic or not – to turn me into a hallucinogenic mushroom, there is no way to turn me into a woman. And no amount of hormones, surgery, or Barney costumes will ever turn me into a purple dinosaur, no matter how much I may try. Let's not equate being a facsimile of a man with being a man, nor equate being a facsimile of a woman with being a woman.

North Dakota was one of the first states in the Union to decriminalize homosexuality in 1975. Sadly, it seems to have become fashionable for people to vent their spleens at this state, as if it were the worst place in the world, worse than Afghanistan or Russia. Not only are these characterizations unfair, but they are counterproductive.

Child sterilization should not be the kind of topic over which friendships are broken.

To those who are transgender, or think they are transgender – once you reach the age of eighteen, you can still get the hormones and surgery that you say you want, and it will no longer be illegal for a doctor to sterilize you in the name of changing your outward gender. Although I hope you can eventually accept the body you have, rather than the body you wish you had, this legislation respects your adult decisions.

I want North Dakota to be a welcoming place for you. In that spirit, I am pushing for the State of North Dakota to establish a separate prison for trans-gender, trans-species, non-binary, and gender non-specific inmates. If, for whatever reason, you do wind up in prison – as all too many transgender people tend to be in our society – you deserve to be protected from conditions in men's prison.

I recommend a **DO PASS** recommendation from this committee.

Thank you. I am now open for questions.

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