

North Dakota needs to be known as a state that honors free speech. HB 1333 has an intent of protecting community members from unwanted exposure to lewd material - a concept that does have a place in our communities. However, including "male and female impersonators" in this legislation is too broad of a stroke to accomplish this goal. If this bill had been enacted during the 1600's, Shakespeare's plays (all actors being males at that time) would have been impermissible. If a community wanted to have a live re-enactment of the movie Mrs. Doubtfire (rated PG-13), Robin William's character may be disallowed from the stage, if a high school student was in attendance. Having fun with gender expression is a part of many performances that have nothing obscene about them. Obscenity laws should be specified by identifiable behaviors. "Prurient interests" is not easily defined. Conversely, "topless" and "stripper" performances are easily defined behaviors, and I would support that portion of the bill. Impersonations are not in that category.

When it comes to exposure to performance material, parents should be able to make these decisions in a way that is in line with their values, as well as the developmental level of their children. This is why rated R movies can be observed by youth when accompanied by an adult. I am not in favor of forbidding a mature 17-year-old from watching a show that involves exploration of gender norms. If there is a problem somewhere in the state with inappropriate performances, defining the problem as "impersonation" is too much of an infringement on our freedom of speech. Please vote **Do Not Pass**, given our value for freedom.