

House Judiciary Committee
Senate Bill 2360 – **DO NOT PASS**

Andrew Alexis Varvel

North Dakota State Capitol

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Pioneer Room

2:30PM

Chairman Klemin, Madame Vice Chairman Karls,
and Members of the House Judiciary Committee:

My name is Andrew Alexis Varvel. I live in Bismarck.

I oppose Senate Bill 2360.

This written testimony is addressed to the First Engrossment of Senate Bill 2360, Version 23.072.05000. I am pointing this out because, based on my experience with its sister piece of legislation House Bill 1205, it is more than likely that the version of SB 2360 that people will be talking about during oral testimony may be different in key respects from the version of the bill that is before us now.

“There she lusted after her lovers, whose genitals were like those of donkeys and whose emission was like that of horses.”

This is the Word of God, according to the Prophet Ezekiel.
(Ezekiel 23:20, New International Version)

“You also took the fine jewelry I gave you, the jewelry made of my gold and silver, and you made for yourself male idols and engaged in prostitution with them.”

Ezekiel 16:17, New International Version

“My beloved thrust his hand through the latch-opening; my heart began to pound for him.

Song of Songs 5:4, New International Version

This is a beautiful and highly poetic way of saying, “Tab A goes into Slot B.”

According to the Book of Genesis, the two daughters of Lot got their father drunk and tricked him into impregnating them. (Genesis 19:30-38) I think this was raucous commentary about contemporary religious stories in Mesopotamia about Ishtar (a major sex cult of antiquity) getting her uncle Enki drunk, as well as a commentary about the prevalence of premarital temple prostitution in Moab and Ammon.

Now, I suppose that with enough research from psychiatrists from the University of California and neuroscientists from the University of Cambridge, perhaps they will be able to show that reading the Holy Bible causes harm to the mental health of children.

I went to Hobby Lobby. I'll tell you what I saw. Bibles! Bibles for sale, right in front of the checkout line where any child would be able to access them. And it's not just Hobby Lobby. This bill would affect every bookstore in the state. Yet, there are clearly winners from this legislation. Once I complained about Senate Bill 2360 on Facebook, Facebook flooded my account with advertisements for out-of-state bookstores.

Most librarians and booksellers don't read every book they sell. They don't have the time. This legislation would require some kind of rating system, which in turn would require either a large staff of censors to rate each book according to the standards set by SB 2360 – or reliance on artificial intelligence to tell us what books we can read.

According to the literary standards set out in Senate Bill 2360, the Holy Bible would be banned. So would *To Kill A Mockingbird*. So would George Orwell's *1984*. This goes far beyond the enforcement of community standards. This goes far beyond the Miller test.

Senate Bill 2360 puts these literary classics into the same category as classics of video pornography such as *Debbie Does Dallas*. And to my chagrin, I discovered that no library in North Dakota has that video in stock. If there is demand from adult patrons to borrow video pornography from public libraries, what exactly would be wrong with having them in stock? I could buy a DVD of *Debbie Does Dallas* on Amazon right now!

And if I want to borrow *The Joy of Sex* by Alex Comfort from a public library, why not?

I doubt that Senate Bill 2360 can be salvaged. If local control and enforcement of community standards under the Miller test is what proponents of this legislation have in mind, this legislation would need to get hoghoused in order to accomplish that.

Concerning its sister legislation House Bill 1205, I have already suggested the idea of allowing patrons to circulate a petition. With enough signatures on the petition, the book deemed objectionable would be put onto a referendum ballot for the entity that pays the bills for a public library. The best way to ascertain whether a book adheres to community standards is for the community to vote on whether to keep the book or not.

You might be surprised by what your neighbors would say on a secret ballot.

I think the Bible may have something to say about undue prudishness which is so conservative in its paganism that not even the Bible can rise up to its moral standards:

“When David returned home to bless his household, Michal daughter of Saul came out to meet him and said, “How the king of Israel has distinguished himself today, going around half-naked in full view of the slave girls of his servants as any vulgar fellow would! David said to Michal, “It was before the LORD, who chose me rather than your father or anyone from his house when he appointed me ruler over the LORD's people Israel – I will celebrate before the LORD. I will become even more undignified than this, and I will be humiliated in my own eyes. But by these slave girls you spoke of, I will be held in honor.” And Michal daughter of Saul had no children to the day of her death.”

2 Samuel 6:20-23, New International Version

This concludes my written testimony. Please recommend **DO NOT PASS** on SB 2360.