

Senate Judiciary Committee

House Bill 1489

Andrew Alexis Varvel

Written Testimony

North Dakota State Capitol

Monday

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Peace Garden Room

2:30PM

Madame Chairman Larson and Members of the Committee:

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

I am registering this written testimony on House Bill 1249 as NEUTRAL because, while I care about this legislation, I am agnostic about what key terms mean.

I think the chance of some form of this legislation not passing is somewhere less than zero. I think most members of this committee regard keeping cross dressing men out of women's sports to be a no brainer. This includes men who have endured a harsh medical regimen which assures them that drugs and surgery will turn them into women. The question then becomes how best to proceed.

I am also appalled by the effect that Lia Thomas is having on women's swimming.

The question is what we should do about it.

The key question is what language can get us to where we want to go.

If the "coed" or "mixed" category could be interpreted to mean a sports league for transgender and nonbinary youth, I think I could support it. If.

There is something hideous about Alana McLaughlin, a veteran of special forces while still an intact man, beating up Celine Provost in MMA fighting. We should be able to understand Lia Thomas's demoralizing effect on women's swimming.

If we had a policy which could satisfy old fashioned feminists while also allowing transgender and nonbinary individuals to play sports in their own league, Lia Thomas could compete in a division other than one for men or one for women.

This is already happening for marathons. Marathons in Chicago, Boston, New York, London, Tokyo, and now Miami are taking this course.

<https://www.miamiherald.com/sports/article271631887.html>

Although I could have done without the National Hockey League's rhetorical pieties on Twitter, the NHL is providing a good example by sponsoring a sports league for transgender and nonbinary youth.

<https://www.foxnews.com/sports/nhl-showcases-transgender-nonbinary-hockey-tournament-responds-criticism-twitter>

Permitting nonbinary divisions would be an effective way to defend sports for biological women while providing athletic opportunities for transgender and nonbinary youth. North Dakota would not look like a sore thumb by doing this.

I think the following language would greatly improve this bill:

Page 1, after line 14, insert:

4. "Coed" means including both males and females, and may apply to an athletic team or sport intended for people who identify as a gender not corresponding to their biological sex.

Renumber accordingly

If there is even better language to accomplish the same goal, that would be great.

Permitting nonbinary divisions in sport would make it difficult for people such as Lia Thomas to claim that they are getting discriminated against. If the National Collegiate Athletic Association decides to sue North Dakota, let's make sure our state is in the strongest position possible to collect court costs from the NCAA.

One major reason why I am testifying here is to defend the legislative intent behind HB 1254, which would criminalize a form of child abuse consisting of chemically and surgically sterilizing children in the name of transgender ideology.

It is precisely because I oppose systemic child abuse by a sterilization industry which profits from the misery of children that I oppose any legislation which would compound that misery through punitive red tape against them.

Although I am a non-attorney with only a lay person's perspective on the legal system, it seems to me that legislative intent is important. To defend the legislative intent behind HB 1254, we must not only avoid increasing the misery of transgender individuals, but also to maintain the appearance of avoiding it.

If any legislation appears to be designed to turn the life of a transgender individual into a living hell, of course I will oppose it. And I hope you will too.

House Bill 1489 would be strongest if it achieves its goal in a manner which respects the rights of both traditional women and gender nonconformists.

Biological women have every right to object to the presence of biological men in their bathrooms, locker rooms, and sports. Not every women objects, but many women do. Let's provide a social space for transgender and nonbinary people too. This might not be a perfect solution, but it should be workable.

So, please give this bill a DO PASS so long as it either (a) gets amended as I am recommending or (b) if this bill's sponsors express the view that "coed" can include a nonbinary division for collegiate sports.

Thank you.