

Representative Bill Tveit
House District 33
Testimony for HB 1144

Intro to HB 1144 69th NDLA

Chairman Ruby, Vice Chair Frellich, Committee Members:

For the record, I am Representative Bill Tveit, District 33, Hazen; District 33 is the heart of Coal Country where my constituents work tirelessly to keep your lights and your HVAC fully energized 24/7. District 33 consists of all of Mercer, all of Oliver and the best parts of McLean and Morton Counties in Western North Dakota.

Mr Chairman, it is always a unique pleasure to return and appear before your committee.

If the content of HB 1144 looks familiar, it should. This content passed into Law during the 68th Legislative Session as HB 1522 passed the House 64-22, the Senate 40-6 and was signed into law, effective immediately by the Governor, May 8th 2023.

Mr Chairman, members, unfortunately, HB 1522 was passed with no penalty or repercussion for non-compliance, (NO TEETH!)

As early as May 9, 2023 Just one day after HB 1522 became law, a school District Superintendent in eastern North Dakota met with his board announcing that he did not agree with the law and he would not comply, and the new law may even be in violation with federal law, or words to that effect.

Chairman Ruby, this administrator has in excess of 11,000 students under his guidance. Thats 11,000 kids he is teaching: if you dont like a law, you dont have to obey it, you choose. Thus you have before you, HB 1144.

What is important to comprehend and adhere to today, is: HB 1522 already established the law as written in Section 15.1-06-21 of the North Dakota Century Code. That is current law and we are not here to debate that issue today.

What is important and why we are all gathered here is to create a way to enforce current law and instill penalties for defiance and/or disobedience, there of:

The first change we are suggesting to Section 15.1- 06-21 of the North Dakota Century Code is on page 1, line 7 and 8; Restroom use Enforcement -Penalty. (TEETH ADDED)

The second change is page 1, lines 10 and 11; striking the words that requires or prohibits any and adding or guidelines, whether implicit or explicit, requiring or prohibiting an

The third change is adding page 1, section 4, lines 17 thru 20. This change was brought about by another school district that thought they could get around the law, simply by removing the labels from the restroom and shower rooms. (TEETH ADDED)

Forth, in section 5, page 2, line 1, subsection a. or guidelines, whether implicit or explicit, was added for clarification.

The fifth change was: page 2, line 6 thru 11, adding section 6: Spelling out as to who is responsible to enforce the law, the attorney general, in 2023 when the violation was pursued, the agencies simply passed the buck with no one willing to look into the situation.

Change 6 was page 2, lines 12 thru 14, adding section 7: gives guidance for the Attorney General when a violation does occur.

The final change is found on page 2, lines 15 and 16, adding section 8.: this addresses the penalty when a violation has been found.

Mr Chairman, Committee, as you can now see and understand, the need for HB 1144 is essential for upholding the law that overwhelmingly was passed in 2023, the law that was openly and defiantly disobeyed in 2023 and 2024. HB 1144 is essential to create Teeth for enforcement, for responsibility, for guidance, and for penalties, when defiance does take place.

I would ask that you as a committee consider striking the word may and insert shall on page 2, line 6 and again on page 2, line 12, and possibly on page 2, line 15.

Our kids are important, protect their innocence, their safety is our greatest concern, allowing them to learn in a safe environment.

Lets come together and give HB 1144 your full support with an overwhelming DO PASS recommendation.

I will stand for questions