



---

Great Public Schools

Great Public Service

---

**Testimony Before the House Judiciary Committee  
HB 1145  
January 14, 2024**

Chair Klemin and members of the Committee. For the record, my name is Nick Archuleta, and I am the president of North Dakota United. My testimony today is in opposition to HB 1145, and I strongly urge the House Judiciary Committee to render a ***Do Not Pass*** recommendation for this piece of legislation.

Chair Klemin and members of the Committee, Passing HB 1145, which calls for the posting of the 10 Commandments in every K-12 and college classroom, is problematic for many reasons:

1. In 1980, the Supreme Court ruled in *Stone v. Graham* that the posting of the 10 Commandments is a violation of the First Amendment. Inasmuch as every member of the ND State Legislature has taken an oath to uphold and defend the Constitution of the United States, as well as North Dakota's Constitution, passing HB 1145 would cause legislators to violate their oath.
2. In November of 2024, U.S. District Judge John W. deGravelles blocked a law in Louisiana that mandated that the 10 Commandments must be posted in that state's schools. As reported in Education Week,

*"The judge noted that both laws required such displays on the wall of every public-school classroom, contained a "context statement" purporting to explain the historical tradition for such displays, dictated the size of the document, and allowed for private funds to pay the costs.*

*"Subsequent [Supreme Court] cases do not undermine the application of Stone to this case; they strengthen it, particularly in their emphasis of the heightened First Amendment concerns in the public-school setting given the impressionability of young students and the fact that they are captive audiences," deGravelles said in his 177-page opinion on Nov. 12 in [Roake v. Brumley](#)."*

3. Posting the 10 Commandments clearly serves only a religious purpose. Not everyone who attends a ND public school or university shares the same religion. By posting the Commandments, the state is endorsing a particular religious tradition while ignoring any number of others.
4. Should HB 1145 become law, it will almost certainly be litigated at no small expense to the state, and the state will lose.

For these reasons, Chair Klemin, and members of the Committee, I urge a ***Do Not Pass*** recommendation for HB 1145.