



**HB 1145**

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Chair Klemin and members of the committee: my name is Christopher Scott, and I am the current Policy, Advocacy and Research Director for the North Dakota Student Association. I am here to express the NDSA's opposition to HB 1145.

The North Dakota Student Association (NDSA) is a student organization established in 1969 that is dedicated to ensuring that students have a voice in policy that affects Higher Education. The NDSA consists of delegates from each of the 11 public institutions that meet monthly to engage students in Higher Education policy in North Dakota. Our mission is to empower students, foster collaboration between students across campuses in the North Dakota University System, and to advocate on issues of higher education in support of access, affordability, quality, and the student experience.

During the November General Assembly meeting, the NDSA passed NDSA-01-2425, a resolution which outlines the NDSA's legislative priorities for the 69<sup>th</sup> legislative session. A couple of the priorities outlined in this resolution are protecting the rights and safety of all NDUS students and preserving academic freedom at NDUS institutions. This bill comes into direct conflict with the rights of the NDUS students to practice any religion. If the 10 commandments are placed in every classroom at each higher education institutions, this could alienate many minorities that attend NDUS institutions, including the approximately 5,000 international students that come to North Dakota for a cheap quality education.

Many of these groups may not have same beliefs as Christians and may become offended at these signs, and become isolated from the institutions, making it harder retain these students.

In addition, if we include the beliefs of one religion into our classrooms, we discriminate against other religions, of which many of these international students, and North Dakota students practice, such as Hinduism, Buddhism, and Islam.

HB 1145 directly conflicts with the establishment clause of the 1<sup>st</sup> Amendment. According to [Cornell Law School](#), the establishment clause prohibits the government from making any law respecting an establishment of religion. In addition, this clause prohibits the government from establishing an official religion and favoring one religion over another. From the premise of the establishment clause, the argument could be made that HB 1145 is unconstitutional. Additionally, HB 1145 provides no allocation for these displayed if passed, which would undoubtedly cost institutions millions of dollars.

In the past, there have been similar bills that have been proposed across the country like HB 1145 that were later ruled unconstitutional by the United States Supreme Court. In *Stone v. Graham*, the United States Supreme Court ruled that Kentucky state statute requiring schools to post a copy of the 10 commandments and violated the establishment clause of the 1<sup>st</sup> Amendment. In *Engel v. Vitale*, ruled that even though the prayer that the state of New York required to be recited, and that prayer was nondenominational, it was still a violation of the students' religious freedom and of the establishment clause.

From a personal perspective, I have been a Christian for many years, and value the 10 commandments. For me personally, I find the 10 commandments to be the foundation of my moral code and values, taking care of your neighbor and treating others with respect. However, I personally feel that putting the 10 commandments into all NDUS classrooms would be forcing our religion and our religious beliefs on others, potentially making it harder for us Christians to spread the word to non-Christians. For this reason, I personally cannot support HB 1145, and on behalf of the NDSA, I ask for the committee for a DO NOT PASS recommendation on this bill.