

Representative Bill Tveit
House District 33

Testimony for HCR Introduction to HCR 3013 House Judiciary Committee 17 February 2025

Chairman Klemin, Vice Chairs Karls and Vetter, fellow committee members:

For the record, I am Representative Bill Tveit, District 33, Hazen; District 33 is a huge cattle and grain production area and the heart of Coal Country. My constituents work tirelessly to put food and meat on your tables and/or 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. The District offers world-class walleye fishing, hunting and recreation, encompassing much of Lake Sakakawegas South Shore and both sides of the majestic Missouri River from Riverdale to Wilton, then unto Mandan on the west shore. *****

HCR 3013 urges the United States Supreme Court to reconsider its actions and restore marriage to a union between one man and one woman, as it always was before 2015, a mere 10 years ago.

This is a crucial step in taking back our country, our culture, and our communities.

You cannot conceive or birth children, except for the coming together of a male and a female.

You can't have a country without children, you cannot perpetuate a country without the next generation and you can't raise strong children without moms and dads. It's just that simple.

Mr. Chairman, with that said, I would like to walk you through a short history of the definition of Marriage, just a little over 6,000 years of history.

Genesis 2:20-25 NIV. (the 6th day of creation, approx 6,025 years ago)

20 So the man gave names to all the livestock, the birds in the sky and all the wild animals. But for Adam[a] no suitable helper was found. 21 So the Lord God caused the man to fall into a deep sleep; and while he was sleeping, he took one of the mans ribs[b] and then closed up the place with flesh.22 Then the Lord God made a woman from the rib[c] he had taken out of the man, and he brought her to the man. 23 The man said, This is now bone of my bones and flesh of my flesh; she shall be called woman, for she was taken out of man. 24 That is why a man leaves his father and mother and is united to his wife, and they become one flesh. 25 Adam and his wife were both naked, and they felt no shame.

Genesis 4: 1-2 KJV

1 And Adam knew Eve his wife; and she conceived, and bare Cain, and said, I have gotten a man from the Lord. 2 And she again bare his brother Abel.

Marriage has been recognized as a covenant and an institution in Common Law between one man and one woman since Blackstones Commentaries on the Laws of England. The Commentaries are an influential 18th century treatise on the common law of England by Sir William Blackstone, originally published by the Clarendon Press at Oxford between 1765 and 1769.

The United States Constitution is based on English Common Law.

Though neither the US Constitution nor the Bill of Rights refer to marriage, the basis of the laws of our country were clearly defined in the:

Declaration of Independence, In Congress, July 4, 1776. (spelling and punctuation reflect the original text 249 years ago)

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal. Station to which the Laws of Nature and of Natures God entitle them a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

The Bill of Rights:

(the 1st 17 amendments final ratification - Dec 15, 1791; 234 years ago)

Tenth Amendment

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

The Constitution of North Dakota ARTICLE XI, GENERAL PROVISIONS - SECTION 28:

(136 years ago)

Marriage consists only of the legal union between a man and a woman. No other domestic union, however denominated, may be recognized as a marriage or given the same or substantially equivalent legal effect.

North Dakota Century Code, Chapter 14-03 Marriage Contract (136 years ago)

14-03-01. What constitutes marriage Spouse defined

Marriage is a personal relation arising out of a civil contract between one man and one woman to which the consent of the parties is essential. The marriage relation may be entered into, maintained, annulled, or dissolved only as provided by law. A spouse refers only to a person of the opposite sex who is a husband or a wife.

The United States Supreme Court should not waive or overrule constitutional amendments in the state constitutions for light or transient reasons, nor should the Supreme Court rely on fraudulent arguments to advance their rulings.

Further, two of the Supreme Court Justices who ruled in the majority for Obergefell v Hodges had officiated same-sex weddings. They were Justice Kagan and Justice Ginsburg. Justice Kagan also actively promoted/supported LGBT rights while Dean of Harvard Law School. Those actions alone should have forced them to recuse themselves from the case. Such recusal would have led to a 4-3 decision against Obergefell and thus against same-sex marriage.

Justice Thomas and Justice Alito wrote in 2020 wrote: Due to Obergefell, those with sincerely held religious beliefs concerning marriage will find it increasingly difficult to participate in society without running afoul of Obergefell and its effect on other anti-discrimination laws.

They went on to say: It would be one thing if recognition for same-sex marriage had been debated and adopted through the democratic process, with people deciding not to provide statutory protection for religious liberty under state law, they explained. But it is quite another when the court forces that choice upon society through its creation of atextual constitutional rights and its ungenerous interpretation of the Free Exercise Claus, leaving those with religious objections in the lurch.

Mr. Chairman, Committee, it is past time for North Dakota Citizens to speak their displeasure with this Supreme Courts decision, and call for a restoration of the definition of marriage as only the legal union between a man and a woman.

I ask for a DO PASS recommendation and I will stand for any questions.