

Representative Bill Tveit
House District 33
Testimony for HB 1144 69th NDLA

Chairman Beard, Vice Chair Lemm, 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 a unique pleasure to appear before you and 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 73-19, 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, Chairman Beard, 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.

Important, for everyone 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 of 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)

The fourth change is in sub-section 5, page 2, line 3, subsection a. or guidelines, whether implicit or explicit, was added for clarification.

The fifth change was: page 2, line 8 thru 10, 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 11 thru 17, adding section 7: gives guidance for the Attorney General, when receiving a complaint is received and a violation appears to have occurred.

Sub-sections 7, 8, & 9 were added with amendment .03001 for further clarification, penalty assessment, direction for enforcement and implication of final disposition of a violation.

Subsection 10, also part of .03001 amendment in House Human Services Committee, gives guidelines for plumbing and building plans or modifications of restrooms.

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 or a violation does take place.

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

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

Following me will be co-sponsor Representative Frelich with proposed amendments that I have reviewed and indorse. I would ask that you discuss and adapt those amendments.

I will stand for questions:

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