

Honorable Members of the Senate Judiciary Committee,

My name is Brooklyn Anderson, and I stand in opposition of Resolution 3013. I am speaking to you today as a North Dakota citizen, a neighbor, and a lesbian. I exist before you as a human being whose right to live my life as the rest of you do has been diminished to nothing more than “governmental entitlement”.

There are many people who will not understand the true lived experiences of LGBTQ individuals like myself. I urge you today to drop your defenses for a couple of minutes and consider my opposition. If this resolution is to pass, I must be dealt the consequences of your choices, not you. Please consider that disconnect as you take in my words on this subject.

The text of this resolution relies on a claimed unconstitutionality of the US Supreme Court decision in Obergefell vs. Hodges (2015). However, this decision does not violate the Constitution of this country, nor does it cause any harm to you and me. It is claimed that due process and the 14th Amendment do not include homosexuals and our right to marry, but by definition, I don't see how this is true. The Equal Protection Clause states that the government must have a valid reason to treat similarly-situated individuals differently, meaning individuals who are alike in all relevant ways. I am a human, a Christian, an American, just as you are. You did not believe there was a single thing different about me until I told you I was gay. Even if this fact is not enough, the Equal Protection Clause also states that the government must have rational basis in cases such as with removing substantive rights, as this resolution defines sexual orientation to be. It's the same basis that upholds interracial marriage in Loving vs. Virginia, bans the use of racial quotas for state universities in Regents of the University of California vs. Bakke, that state legislative districts must be comprised of equal populations to protect democracy in Reynolds vs. Sims, and the landmark case that banned racial segregation in schools in Brown vs. the Board of Education, to name just a few. Plenty of decisions you would never consider overturning rely on the same principles as Obergefell vs. Hodges, there is a clear double standard. I see no plausible reason that I should not be able to have the benefits of marriage with a partner, and no plausible reason is stated in the whereas clauses of this legislation on why this is necessary for the safety and the betterment of North Dakota or the United States for that matter.

You say that I still have the right to be in a relationship, and that marriage is but a title, however there are a myriad of things I would never have the ability to do. Only 7% of US adults living with their partner are unmarried. This is clearly not the life most want to live. It's not the life any married person here would like to be living. You are missing your rational basis, and for that reason alone this resolution should not pass. It remains unanswered, so simply, I ask: Why? Why does it mean so much to you to take away my

ability to stand equal to you? Why are you so committed to governmentally oblige that I be less deserving than you of an ability to do something every heterosexual person can do, like marry the person they love more than anything else? When, at the end of the day, it has no impact on you, why do you care so deeply? Consider this question as you cast your vote. It's not saving a single person or making a single thing better to pass this. It does not harm the Constitution or the judicial process of this nation to say no to the wrongful discrimination of our fellow humans.