

Madam Chair Larson, Committee members;

For the Record, I am Representative Bill Tveit, District 33, Hazen:

District 33 includes all of Mercer, all of Oliver and the best parts of McLean and Morton Counties. It is here where farmers and ranchers labor to put food on your table while miners and power plant workers mine and convert coal into fertilizers, electricity, liquid gas and other useful products for your comfort.

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 prior to 2015, a mere 10 years ago.

I trust you have each thoroughly read and studied the content of the Resolution, therefore I will refrain from reading HCR 3013.

Committee, based on the fact you were born and you exist, you are well aware:

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

You can not have a country without children;

You cannot perpetuate a country without a next generation;

Based on the Laws of Nature, ***** It's just that simple.

Madam Chair, with that said, I would like to walk you through a short historical documentation in the history of the definition of Marriage; Beginning just a little over 6,000 years ago!

Utilizing one of the oldest books, the bible as a historic document;
and if you wish, a Judeo-Christian record:
in Genesis 2: 22 & 24 NIV.

(the 6th day of creation, approx 6,025 years ago)

22 God made a woman from the rib—— and he brought her to the man.” 24 That is why a man leaves his father and mother and is united to his wife, and they become one flesh****

Genesis 4: 1-2 KJV

1 And Adam knew Eve his wife; and she conceived, and bare Cain,

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 Blackstone's *Commentaries on the Laws of England*.

published by the Clarendon Press at Oxford between 1765 and 1769,

258 years ago.

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 Nature's 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 amendment's final ratification - Dec 15, 1791; 234 years ago). The **Tenth Amendment**:

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

The Constitution of North Dakota ARTICLE XI, GENERAL PROVISIONS - SECTION 28: in 1889 (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 (again in 1889, 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.

10 years ago, in 2015, two of the Supreme Court Justices who ruled in the majority for *Obergefell v Hodges*, had previously 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”.

(Please allow me to read page 1 lines 17 – 23 of HCR 3013)

WHEREAS, the judicial branch of government is authorized to interpret the law but it does not have the authority to legislate from the bench to enact policy decisions, as legislative powers are properly vested in the legislative branch of government; and

WHEREAS, *Obergefell v. Hodges* relies on the dangerous fiction of treating the due process clause as a font of substantive rights, a doctrine which strays from the full meaning of the United States Constitution and exalts judges at the expense of the people from whom they derive their authority;

Justice Thomas and Justice Alito wrote in 2020 wrote:

(just 5 years ago) **“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 a-textual constitutional rights and its ungenerous interpretation of the Free Exercise Claus, leaving those with religious objections in the lurch”.**

Madam Chair, committee members: this historical documentation should clearly prove and establish that a marriage union - has never been, - is not, - and never should be, - that of a couple of the same sex. Utah’s House recently passed a similar Resolution & several other states are considering the same.

I do not claim to be a scholar, however, in preparation for this introduction, I did a brief research of our native tribes, other nations and cultures throughout the history of the world. In most cases, a form of marriage was acknowledged and practiced and referred to as "Marriage". In every case, there was no indication of same-sex marriage, but only that of a "marriage" of a male and a female as has been documented here.

If same sex couples desire a collaborate union of sort for a legal bonding, they must call it anything but "marriage".

In bringing HCR 3013 before this assembly, my only regret is, that I or no other person called for, or insisted on the Supreme Courts reconsideration of their erroneous action back in 2015.

Chair Larson, it is past time for North Dakota Citizens to speak their displeasure with this Supreme Court decision and call for a restoration of the definition of marriage as "only of the legal union between a man and a woman", As stated in NDCC 14-03-01.

Please follow this age old historical documentation on marriage.

I urge a DO PASS: I will stand for questions.