

TESTIMONY OPPOSING SB 2121

Chairman Ruby and Committee members. Thank you for allowing my testimony today opposing SB 2121. My name is Craig Argabright, and I am a resident of Minot, ND.

I would like to remind the committee members of Representative Mary Johnson's very eloquent floor speech in favor of HB 1272. In paraphrasing Representative Johnson's floor speech, she enlightened the legislative body of the ever-increasing Federal Government overreach and the State of ND's need to assert its sovereignty. Just as Representative Johnson highlighted federal overreach, the ND State Legislature as well as the ND executive branch must also be cognizant to their own overreach to the independence of the individual citizens of North Dakota.

This overreach by the ND Legislature was openly portrayed by Senator Bekkedahl in his floor speech in the ND Senate chambers where he supported and sponsored this bill. During Senator Bekkedahl's speech, he alluded that the ND Legislature's thought process and reasoning is far superior to that of the individual citizens of ND. In that, during his speech, Senator Bekkedahl referred to the ND Legislature as parents and referred to the ND individual citizens as adolescents needing the guidance and authority of the ND Legislature in making decisions. Not only does that analogy portray arrogance and overreach, but it is also insulting to each individual citizen of ND.

Continuing on with regards to ND Legislative overreach, a mandatory seat belt law was initially overturned by the citizens of ND in a referendum indicating that the citizens of ND did not want such a law. ND citizens apparently did not want LEO to have the authority to arbitrarily stop vehicles primarily for a seat belt infraction as eventually ND citizens accepted a law requiring safety belts. **However, and more importantly, the authority was granted to LEO only as a secondary offense.**

Several sessions of the legislature have tried to pass legislation changing the secondary offense to a primary offense and such attempts have failed. Now again another attempt to change the law to a primary offense is being proposed. When will the ND legislature realize that the voters of ND have spoken and quit this encroachment to the individual liberty of the ND citizens as well as cease the thought process of the ND Legislature as a lecturing parent to an adolescent teenager?

ND does appear to be a somewhat hypocritical in its attempt to have a mandatory seat belt law with the thought process that seat belts save lives. I am not disagreeing with those facts and statistics. However, what I do find hypocritical is that helmets have been proven to save lives for motorcyclists, but ND does not have any type of mandatory helmet law. A person is far more likely to incur a more severe injury in any type of motorcycle mishap than a person involved in a vehicle accident without safety restraints.

In closing I would like to again reiterate that SB 2121 is just as overreaching to the individual liberty of the citizens of ND in its evolution much in the same manner as the federal government has been encroaching to the sovereignty of the State of ND. I ask the committee to be as cognizant to the individual rights of the citizens of ND as the ND Legislature is to the federal overreach on individual state's rights. I ask the committee to bring this bill to the floor with a "do not pass."

Thank you,

Craig Argabright
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