

3/15/21

Senator Diane Larson, Vice Chairman Dwyer and Members of the Committee

For the record, my name is Amy Whitney and I am testifying today as a citizen of North Dakota, resident of Grand Forks and as an active parent of a local athletic organization. I am submitting testimony today against HB1298, regardless of any amendments made to the language. HB 1298 will not bring equity and equality to sports programs. Instead, HB1298 will create consequences for all athletes across the state, and result in decreased revenue generating opportunities for sporting event venues and the hospitality industry due to the discriminatory language of the bill.

Sponsors and supporters of HB1298 argue that the bill is intended to preserve and protect the competitive nature of female athletic programs. While this argument has moral and altruistic foundations, this bill creates a problem where one does not exist. Less than 2% of North Dakotans openly identify as LGBTQ+ with an even smaller percentage identifying as transgender. In addition, the governing bodies of high school athletics and most (if not all) club have established policies and regulations to create parity. These associations created these policies and regulations after much study, deliberation with experts and coaches, and consideration of competitiveness, equity and inclusion. Passing HB1298 will mean North Dakota is unable to maintain compliance with these sanctioning bodies and therefore jeopardizing our ability to provide competitive opportunities for local athletes.

HB1298 also focuses on state sponsored, state funded, and state sponsored facilities. Most, if not all, sports programs in ND are dependent on facilities connected to some nature of state appropriations, whether through rented or leased time for not just competitions but daily practice. Not having access to these facilities means sports programs will essentially be eliminated due to lack of access to appropriate facilities. Changes to the bill language focused on sponsorship and competition is irrelevant if programs cannot practice and/or they cannot compete against programs who will choose to not come to North Dakota because of this

potential law. Communities that sponsor athletic events, both youth and college level, will face increased challenges to secure national or regional tournaments due to this bill. This lack of ability to host, sponsor and/or compete means lost revenue for the sports facilities as well as the hotels and restaurants who serve these families when they travel for tournaments, games and competitions. In addition, National governing bodies such as USA sports programs, the NCAA, and more will reconsider North Dakota for national tournaments as we do not promote inclusivity.

As a parent, a volunteer for a sports program, and as a resident of North Dakota, I ask this committee to oppose this bill and vote 'Do Not Pass' for HB1298, whether amended or not. This bill is not about creating equity for female athletes. HB1298 creates policy that is unnecessary and creates a law for a problem that does not exist in North Dakota. Instead, if passed, this bill negatively impacts all North Dakota athletes which is unfortunate considering how important sports are for young people all across our state as well as the businesses and organizations supporting them.