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**Testimony of Landis Larson, ND AFL-CIO President
In Opposition to HB 1256
January 17, 2023**

Chairperson Klemin and members of the House Judiciary Committee:

My name is Landis Larson, President of the North Dakota AFL-CIO. The North Dakota AFL-CIO is the federation of labor unions in North Dakota, representing the interests of all working people in our state.

I am testifying on behalf of the North Dakota AFL-CIO in opposition to House Bill 1256. This bill would create a significant threat to any victim of virtually any harassment or discrimination from making an official complaint for fear of being accused of a major criminal offense.

Enacting this bill would have far-reaching negative consequences for both employees of public institutions as well as the wider public as they interact with those same institutions in their daily lives. This would include everything from the many state institutions housed within the capitol building to every public university, public school, public library, public park, city, county and township service in North Dakota.

The number of “what-if” scenarios that this legislation creates for both the institutions and citizens is considerable. Who gets to determine if an allegation is “false and frivolous”? Who decides when to call the authorities and have the person charged with the class C felony for making the “false and frivolous” accusation? If a worker at a public institution reports discrimination or harassment to their supervisor and their supervisor tells them to talk to HR about it, are they now committing a class B misdemeanor crime if the claim is deemed “false and frivolous”?

We do not need this legislation. We know that already all types of harassment and discrimination are underreported for a very real fear of legal and illegal retaliation by their employer. Creating an additional possible criminal penalty based on the subjective analysis of an unknown entity will create more fear and is not the answer to a problem we currently face as a state.

I recommend a "Do Not Pass" recommendation on House Bill 1256.

Respectfully Submitted,
Landis Larson
North Dakota AFL-CIO President