



HB 1273

January 30th

Carter Gill, North Dakota Student Association

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Chair Longmuir and Members of the Committee: My name is Carter Gill and I am Vice President of Governmental Affairs for the North Dakota Student Association. I am here today in opposition of HB 1273.

The North Dakota Student Association is dedicated to ensuring that students have a voice at the table in policy that affects higher education. We consist of delegates from each of the 11 public North Dakota University System (NDUS) institutions, meeting monthly to engage students in discussions about North Dakota higher education policy. Since 1969, our mission has been to empower students, create collaboration between the student bodies of the North Dakota public universities, and to provide a student perspective on higher education policy.

In October of last year, the NDSA passed [NDSA-01-2425](#) which lays out the organization's legislative priorities for this biennium. One of our priorities this year is to protect the rights and safety of NDUS students. The implementation of HB 1273 would void any current and future policies, orders, and ordinances that target hate crime ordinances. Last week, our organization approved [NDSA-22-2425](#), which states our opposition to HB 1273. One of our organization's reasons for opposing this bill is that in the same rationale this legislature voted down the expansion of sports gambling in the state: a removal of a law prohibiting an action or behavior is permission from the state to do engage in that behavior.

A priority of the NDSA is to ensure the safety of our students, especially our most vulnerable student populations, which hate crime ordinances protect the most. One of the concerns brought up by one of our delegates was that hate crime ordinances aren't a limitation on free speech but function rather as an addition to crimes as a motive, in a similar respect that we assign the

severity of motive to crimes; the level of premeditation and planning to murder the same way attacking someone verbally or physically based on characteristics outside of the victim's control.

Multiple NDUS institutions have implemented student codes of conduct and institutional policies which include dissuasions of creations of hostile environments, encompassing harassment towards specific racial identities, religions, and other marginalized groups.¹ A concern of the NDSA is that this bill would void these policies, which would weather away protections for NDUS students by their institution and the NDUS. However, regardless of whether this bill would affect the SBHE or NDUS or not, the fact that the state would rescind these laws, policies, and ordinances can be seen by vulnerable populations as a sign that they may not be welcome in the state.

All these points considered, on behalf of the NDSA I ask that this committee gives HB 1273 a DO NOT PASS recommendation.

¹ The institutions that I found to have these, that is not a comprehensive list, are VCSU, UND, DSU, and NDSU.