

2013 HOUSE JUDICIARY

HB 1283

2013 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee
Prairie Room, State Capitol

HB 1283
Job 17516
January 22, 2013

Conference Committee

Kristie Hebler

Explanation or reason for introduction of bill/resolution:

Carrying of a firearm with a concealed weapons permit.

Minutes:

Testimony 1,2

Chairman: Opens.

Rep Koppelman: The only real change to the law is found on the second page; letter J. HB 1283 would allow a concealed weapons holder and have the permission from the Superintendent or Principal and same with Churches, as long as it was approved by Pastor or Church Board.

Rep Hogan: What about the change to the state and federal park section.

Rep Koppelman: Section 1, line 12. It does not change it.

Rep Steiner: Is the approval just verbal or is it necessary to write the permission.

Rep Koppelman: That's understandable, we could do that.

Rep Larson: Bismarck has school resource officers, would it be up to the school or the school board to notify the officers who has the concealed weapons.

Rep Koppelman: School district policy would govern, that is a good idea. District vary also, some schools have armed officers whereas other do not.

Rep Larson: You think we should leave it up to the school board rules rather than putting into law

Rep Koppelman: I have no objection to adding that.

Jay Reinke: Pastor, Concordia Lutheran Church: Supports HB 1283. See testimony 1. By changing this bill it would be that we were not endangering lives but actually protecting life.

David Nerud: I belong to Bethel Evangelical Church in Fargo; there we have a program called gate keepers. There are 3 levels of security inside the church itself. Level 1, no training them just report suspicious activity. Level 2, some military or security experience. Level 3 is the most demanding classification, it is armed security. All levels must pass a background and fingerprint check and an oral evaluation by the Church Board. The Pastor has received credible threats.

Rep Brabandt: Level 3; is the same person all the time or alternate?

David: Rotate about 3 different groups of levels 1, 2, and 3.

Rep Klemin: The current law states no concealed weapons in a church, are you currently breaking the law?

David: Currently I am not at the church, so no not at this moment.

Rep Hogan: Section 3.

Bryan McKown: Supports HB 1283. Resident of Fargo, I live 1 one block from Jefferson Elementary school where my 5 year old boy attend. There is a large fear of the harm one can do to our children. I believe even just passing this bill will send a clear message to those that think they can harm others.

Chairman: Are you saying that an individual that knows there could be more firearms then just his would alter his decision of open firing.

Brian: I believe places that have laws stating firearms are not allowed, are targets.

Andrew Bornemann: I agree with Brian, it was a point I was going to make also. These places are targets for mass destruction. I would like it to go even further to include public gathering in places such as theatres.

Susan Beehler, Mandan resident. Neutral. I would like to state for the record I am not 100 percent opposed. My concern is that if Sandy Hook would not have happened would this bill even be introduced. My father lost his leg because of a firearm at the age of 16. He did not shoot himself and nobody shot him, it was the gun. My father grew up with difficulties with his own father due to this. Then domestic abuse started in my own with my father being abusive. It was always talked about within the family that if there was a gun in the house we would be dead. Domestic abuse is a problem in ND; guns will only contribute to the violence. I think to open this up to a church without any safe guards are big mistake. What I would like is to be wise with your decision and put parameters in there so there is not another tool for victims to be victimized.

Christopher Dodson Neutral, Section J, a few things to consider the existing language uses the word Church and other sections are broader such as places of worship. Last part says principal or governing body of the school that needs to be clearer, public school or non-public school. Please consider you are creating a new area of litigation exposure. At the moment churches and schools don't have any say in the matter; once we say yes or no

we open ourselves to liability. Civil Immunity to that decision, this might even affect things like our premiums.

Chair: Governing body of the school is there different terminology that would better capture that idea.

Christopher: Yes there is, it was discussed in another bill that had to do with sex offenders.

Jon Martinson, ND School Board Association: Oppose. There is not much about HB1283 that we like. This is not going to be a fix all; we need trained and highly skilled school officers at the schools. I don't think a principal alone should make this decision.

Chairman: If this bill were to pass do you have a better suggestion for the decision making process other than the principal?

Jon: That would take a lot of conversation and a lot of thought.

Bev Nielson, ND Counsel of Educational leaders: We are on the page with Jon Martinson. Liability issues are another concern. Schools do not have the funds to up there insurance and take on the liability. This bill is not going to make schools safer. I believe from the states prospective rather than to put that liability on the school boards that it would be helpful to the schools, appropriate money for trained resource officers that are law enforcement people. There is some language that definitely needs to be changed.

Rep Klemin: In Bismarck I understand that there is a cooperative type of arrangement between the school district and the Bismarck Police Department in that are some trained law enforcement officers that who are in some of schools. How are they paid?

Bev Nielson: The school district pays for those people if they have the funds to do it, they are not necessarily full time in the school, they are not in every school or district in the State.

Rep Klemin: What is your thought about allowing the governing body or administrator to hire trained security guards that would be armed?

Bev Nielson: That is what would happen when there is not enough law enforcement in an area to staff schools, and if there would be funding for it.

Rep Larson: I work at the police youth bureau and there are two public high schools and three public middle schools in Bismarck. Currently there are 4 school resource officers which spend 75% of their time in those schools. They are paid one half by the police department and one half by the school district.

Chairman: The liability issue, are you implying that the near passages of this bill will produce greater liability? Liability that will cost money? What did you mean by that?

Bev Nielson: Both. Giving the authority to the schools to make the decision if they should or not, if they don't and something happens it's a liability and if they do and something happens it's a liability. Right now there is no choice so they cannot be held liable.

Chairman: Is that the case in other areas where concealed weapons are currently allowed in public places. Civil immunity added?

Dakota Draper, ND Education Association: Opposes HB 1283, Testimony 2.

Chairman: Blanket approach? Isn't this bill taking precautions?

Dakota: I just think there are other precautionary steps we could be taking. What works in one district might not work in another.

2013 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee
Prairie Room, State Capitol

HB 1283
Job 19161
DATE February 19, 2013

Conference Committee

Carmen Heide

Explanation or reason for introduction of bill/resolution:

Relating to the carrying of a firearm with a concealed weapons permit.

Minutes:

Testimony 1, 2,3

Chairman Kim Koppelman: Opens HB 1283 for committee work. He explained proposed amendment 13.0466.01004. The major changes would be to add another place of worship instead of church. Also remove the principle line 7 page 2. As well as making it an emergency measure. See handout #1 for these proposals.

Rep. Gary Paur: Made a motion to adopt the amendment.

Rep. Roger Brabandt: Second the motion.

Voice vote - carried on amendment #1.

Chairman Kim Koppelman: Explained proposed amendment 13.0466.01003, (#2 attached).

Rep. Diane Larson: Made on motion on proposed amendment #2.

Rep. Karen Karls: Second the motion.

Voice vote - needed to confirm via roll call. 6-7-0. Amendment failed.

Rep. Kathy Hogan: Explained proposed amendment 13.0466.01001 (#3 attached). Some of the proposals are corrections from Legislative Council. This proposed amendment considers class 1 license, reciprocity, as well as taking out schools from this bill. There is a separate bill has the schools and she wanted to make schools and religious institutions separate.

Rep. Kathy Hogan: Made a motion for this amendment.

Rep. Lois Delmore: Second the motion.

Voice vote carried.

Rep. Bill Kretschmar: Would like to have the wording from amendment #3 and amendment #1 put together so it would not be contradicting.

Chairman Kim Koppelman: Resisting the amendment because the problematic language with institutions. The intent of the bill is churches and schools. We can amend one of the other bills a different way. He discussed class one and class two licenses, he favors the reciprocity. There are resource officers in some areas to provide a Police Officer in schools. But in small towns that is not the case and there might be only those with a class two license. He is not sure if we have the Constitutional right to tell a church what kind of a license bearer they can allow to carry in their building.

Rep. Kathy Hogan: She had a request from Law Enforcement if a religious institution decides to have concealed weapons they would like to be informed so if they get a 911 call that there has been a shooting in a church that they would know that there are people who are authorized to carry concealed weapons.

Chairman Kim Koppelman: asked Rep. Hogan if she was interested in splitting her amendment or if she wanted it to be voted on as one?

Rep. Kathy Hogan: She will split it out.

Chairman Kim Koppelman: He asked if she was willing to vote on reciprocity and notification to law enforcement first?

Rep. Kathy Hogan: Yes.

Rep. Kathy Hogan: Withdrew her motion.

Rep. Lois Delmore: Withdrew her second to the motion.

Rep. Kathy Hogan: Made a motion to add page 2 line 4 and add on page 2 line 7 and 8.

Rep. Lois Delmore: Second.

Discussion was held on the proposed amendment changes.

Voice vote - carried.

Rep. Kathy Hogan: Made a motion to page 2 line 3 after valid insert class 1.

Rep. Andy Maragos: Second the motion.

Voice vote - needed to confirm via roll call. 9-4-1

Rep. Kathy Hogan: Made a motion that references to school be removed. This bill will be for houses of worship.

Rep. Andy Maragos: Second the motion.

Voice vote - carried.

Rep. Andy Maragos: Made a motion for do pass as amended.

Rep. Diane Larson: Second the motion.

Do Pass as Amended 11-2-1

Rep. Diane Larson: Will carry the bill.

February 19, 2013

2/20/13
COMC

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1283

Page 1, line 2, after "permit" insert "; and to declare an emergency"

Page 2, line 3, after "valid" insert "class 1"

Page 2, line 3, remove the second "a"

Page 2, line 4, replace "valid license issued by another state" with "who has reciprocity under section 62.1-04-03.1"

Page 2, line 4, replace "person" with "individual"

Page 2, line 5, after "church" insert "building or other place of worship"

Page 2, line 6, after the first "church" insert "building or other place of worship"

Page 2, line 6, after the second "church" insert "or other place of worship"

Page 2, line 7, remove "or is in a school and has the approval to carry by the principal or the"

Page 2, line 8, replace "governing body of the school" with "or other place of worship. If a church or other place of worship authorizes an individual to carry a concealed weapon, local law enforcement must be informed of the name of the authorized individual"

Page 2, after line 19, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Date: 2-19-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1283

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.0466.01004

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Paur Seconded By Rep. Brabandt

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman			Rep. Lois Delmore		
Vice Chairman Lawrence Klemin			Rep. Ben Hanson		
Rep. Randy Boehning			Rep. Kathy Hogan		
Rep. Roger Brabandt					
Rep. Karen Karls					
Rep. William Kretschmar					
Rep. Diane Larson					
Rep. Andrew Maragos					
Rep. Gary Paur					
Rep. Vicky Steiner					
Rep. Nathan Toman					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*Voice vote - Carried -
Proposed amendment - Rep. K. Koppelman
Feb 13, 2013
Hand out 1*

Date: 2-19-13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1283

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.0466.01003

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Larson Seconded By Rep. Karls

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman	/		Rep. Lois Delmore		/
Vice Chairman Lawrence Klemin			Rep. Ben Hanson		/
Rep. Randy Boehning	/		Rep. Kathy Hogan		/
Rep. Roger Brabandt	/				
Rep. Karen Karls	/				
Rep. William Kretschmar		/			
Rep. Diane Larson	/				
Rep. Andrew Maragos		/			
Rep. Gary Paur	/				
Rep. Vicky Steiner		/			
Rep. Nathan Toman		/			

Total (Yes) 6 No 7

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*Voice vote - needed to confirm
via roll call*

Date: 2-19-13
Roll Call Vote #: 3

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB1283

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.0466.01001

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Hogan Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman			Rep. Lois Delmore		
Vice Chairman Lawrence Klemin			Rep. Ben Hanson		
Rep. Randy Boehning			Rep. Kathy Hogan		
Rep. Roger Brabandt					
Rep. Karen Karls					
Rep. William Kretschmar					
Rep. Diane Larson					
Rep. Andrew Maragos					
Rep. Gary Paur					
Rep. Vicky Steiner					
Rep. Nathan Toman					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

voice vote - carried

Date: 2-19-13
 Roll Call Vote #: 4

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 1238**

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Hogan Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman		/	Rep. Lois Delmore	/	
Vice Chairman Lawrence Klemin			Rep. Ben Hanson	/	
Rep. Randy Boehning	/		Rep. Kathy Hogan	/	
Rep. Roger Brabandt		/			
Rep. Karen Karls		/			
Rep. William Kretschmar	/				
Rep. Diane Larson	/				
Rep. Andrew Maragos	/				
Rep. Gary Paur		/			
Rep. Vicky Steiner	/				
Rep. Nathan Toman	/				

Total (Yes) 9 No 4

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*Voice Vote - needed to confirm
 via roll call*

*Page 2 Line 3 after Valed insert
 class 1*

Date: 2-19-13
Roll Call Vote #: 5

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1288

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Hogan Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman			Rep. Lois Delmore		
Vice Chairman Lawrence Klemin			Rep. Ben Hanson		
Rep. Randy Boehning			Rep. Kathy Hogan		
Rep. Roger Brabandt					
Rep. Karen Karls					
Rep. William Kretschmar					
Rep. Diane Larson					
Rep. Andrew Maragos					
Rep. Gary Paur					
Rep. Vicky Steiner					
Rep. Nathan Toman					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*Voices vote - Carried
References to schools be removed*

Date: 2-19-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB1283

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Maragos Seconded By Rep. Larson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman	/		Rep. Lois Delmore		/
Vice Chairman Lawrence Klemin			Rep. Ben Hanson	/	
Rep. Randy Boehning	/		Rep. Kathy Hogan	/	
Rep. Roger Brabandt	/				
Rep. Karen Karls	/				
Rep. William Kretschmar		/			
Rep. Diane Larson	/				
Rep. Andrew Maragos	/				
Rep. Gary Paur	/				
Rep. Vicky Steiner	/				
Rep. Nathan Toman	/				

Total (Yes) 11 No 2

Absent 1

Floor Assignment Rep. Larson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1283: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1283 was placed on the Sixth order on the calendar.

Page 1, line 2, after "permit" insert "; and to declare an emergency"

Page 2, line 3, after "valid" insert "class 1"

Page 2, line 3, remove the second "a"

Page 2, line 4, replace "valid license issued by another state" with "who has reciprocity under section 62.1-04-03.1"

Page 2, line 4, replace "person" with "individual"

Page 2, line 5, after "church" insert "building or other place of worship"

Page 2, line 6, after the first "church" insert "or other place of worship"

Page 2, line 6, after the second "church" insert "or other place of worship"

Page 2, line 7, remove "or is in a school and has the approval to carry by the principal or the"

Page 2, line 8, replace "governing body of the school" with "or other place of worship. If a church or other place of worship authorizes an individual to carry a concealed weapon, local law enforcement must be informed of the name of the authorized individual"

Page 2, after line 19, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

2013 SENATE JUDICIARY

HB 1283

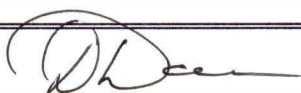
2013 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

HB1283
3/19/2013
Job #20160

Conference Committee

Committee Clerk Signature



Minutes:

Attached testimony

Relating to the carrying of a firearm with a concealed weapons permit and to declare an emergency

Senator David Hogue - Chairman

Representative K. Koppelman - District 13 - Introduces the bill and explains there were similar bills and the House amended them to deal with different subjects. He said this bill initially dealt with churches and schools, as it stands now it just deals with churches. He said he became aware of a situation where a pastor had some death threats. He relates our churches here are gun free zones. He says if the leadership of the church allows it then they should not be prohibited by our law from doing so. He explains an amendment that was put on in the House to change it to a Class 1 concealed weapons permit that he doesn't agree with. He thinks any concealed weapons permit should do. He recommends that it be amended back to the way it was. Senator Sitte asks about the requirement to let law enforcement know someone is carrying a gun. Rep. Koppelman explains seeing the wisdom in that. Senator Nelson asks him where the churches stand on this issue. Rep. Koppelman replies he did not survey them but a couple of them were in to testify in support.

John Boustead - Pastor - See written testimony. (1)

Opposition

Susan Beehler - Resident of Mandan, ND - See written testimony. (2)

Neutral - none

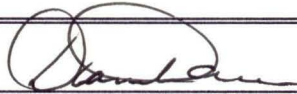
2013 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

HB1283
3/25/2013
Job #20442

Conference Committee

Committee Clerk Signature



Minutes:

Vote

Senator David Hogue - Chairman

Committee work

Senator Grabinger moves a do not pass
Senator Nelson seconded

Discussion

Committee discusses that this deals with churches. They say law enforcement is concerned because in a shooting it may be difficult to know who the shooter is and who is brandishing the weapon legally. The committee is divided on how to vote and each expresses their views.

Vote - 4 yes, 3 no

Motion passes

Senator Lyson will carry

Date: 3-25-13
 Roll Call Vote #: 1

**2013 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1283**

Senate JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By S. Grabinger Seconded By S. Nelson

Senators	Yes	No	Senator	Yes	No
Chairman David Hogue	X		Senator Carolyn Nelson	X	
Vice Chairman Margaret Sitte		X	Senator John Grabinger	X	
Senator Stanley Lyson	X				
Senator Spencer Berry		X			
Senator Kelly Armstrong		X			

Total (Yes) 4 No 3

Absent _____

Floor Assignment S. Lyson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1283, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1283 was placed on the Fourteenth order on the calendar.

2013 TESTIMONY

HB 1283

/

Support for HB 1283 – House Judiciary Committee Mtg., Jan. 22, 2013

I. Regarding the Presumption of the Proposed Statute.

- First, in comparison with present statute, this bill assumes a more clearly constitutional posture regarding the right to bear arms in our country. Whereas the current statute presumes that concealed weapons in public gatherings are necessarily dangerous, the proposed statute presumes that Americans have the right to bear arms and to respond with arms in order to protect oneself and one's neighbor in churches and schools.
- It presumes that groups of individuals have the right to determine for themselves how best to offer protection for themselves and others.

II. Regarding Churches, there is no contradiction between the effort of a church to minister mercy in Jesus' name, and a congregation's desire to allow persons in its assembly to carry a concealed weapon.

- In its ministry of Word and Sacrament, the Church is serving the neighbor by administering the forgiveness of sins to the guilty conscience in Jesus' name.
- In the instance of allowing concealed weapons, a congregation is taking steps to protect the physical life of those gathered in her midst.
- That fact that some churches or denominations might not want to allow concealed weapons does not mean that others churches ought not be allowed to do so.

III. Regarding schools, there are certain guidelines that can be adopted (Harrold, Texas)

- The handgun is never locked; It is always on one's person.
- The use of frangible ammunition. Such ammunition does not ricochet, and does not penetrate hard surfaces.
- The use of pistols (not revolvers), so that ammunition is not chambered.
- A holstered gun is more likely to be stolen than a hidden one.
- Parents have a right to ask for all the protection that can be afforded their children.
- "Gun free zones" simply do not work.

IV. Regarding the misuse of language by which this issue is often discussed.

- It is not "violence" to allow the use of a concealed weapon. Rather, it is a policy that is put in place in order to prevent violence.
- It is not "fear" to allow concealed weapons.
- It is, in fact, an assertion of "trust" to allow schools and churches to make this decision for themselves.

V. Regarding the facts

- It is difficult to demonstrate instances where concealed weapons are the result accidental death or injury.
- It is easy to demonstrate, in instance after instance, where the presence of a concealed weapon protected innocent life and stopped death and injury.

Pastor L. Jay Reinke
Concordia Lutheran Church
1805 Main St.
Williston, ND 58801
701-572-9021 (Church) / 701-570-3536 (Cell)



**TESTIMONY OF DAKOTA DRAPER,
NORTH DAKOTA EDUCATION ASSOCIATION
HB 1283
January 22, 2013**

Chairman Koppelman and members of the House Judiciary Committee:

My name is Dakota Draper and I'm here representing North Dakota Education Association (NDEA). I stand in opposition to HB 1283 as it relates to public schools.

As educators we are committed to doing all that we can to help ensure the safety of America's students and the people who work in schools. Despite the recent tragedies we've seen around the country, which our Association has grieved deeply along with all Americans, NDEA believes that schools are still relatively safe places.

To be clear about our position, it is important to acknowledge that NDEA does not position itself against public schools taking steps to protect themselves. Our members believe that if local school districts feel the need to take extra precautions to protect students, a comprehensive, common sense approach should be developed with all education stakeholders taking part in the conversation. Such an approach could include: state funding to upgrade school security systems; a professional, such as a school resource officer, made available on school grounds; or training for both educators and students on how to spot potential mental health needs, bullying or high-risk behaviors.

Finally, NDEA would also be in favor of allowing communities to decide what type of approach is needed in a given school setting. Simply allowing individuals to enter school premises with a concealed weapon will do nothing to proactively prevent gun violence in North Dakota schools.

Thank you for the opportunity to address this important topic on the behalf of the members of NDEA. I am available for any questions from the committee.

2-19-13

1

13.0466.01004
Title.

Prepared by the Legislative Council staff for
Representative K. Koppelman
February 13, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1283

Page 1, line 2, after "permit" insert "; and to declare an emergency"

Page 2, line 5, after "church" insert "building or other place of worship"

Page 2, line 6, after the first "church" insert "or the other place of worship"

Page 2, line 6, after the second "church" insert "or the other place of worship"

Page 2, line 7, after "church" insert "or the other place of worship."

Page 2, line 7, remove "the principal or"

Page 2, after line 19, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

2-19-13

2

13.0466.01003
Title.

Prepared by the Legislative Council staff for
Representative K. Koppelman
February 13, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1283

Page 2, line 16, after "3." insert "The primary religious leader and governing body of a church or place of worship, and any related entity, and the principal and the governing body of a school, and any related entity, including a school district, is not liable in a cause of action brought against the leader, principal, governing body, or other entity arising out of the use or misuse of a firearm by an individual allowed to carry a firearm or arising out of not allowing an individual to carry a firearm.

4."

Renumber accordingly

2-19-13

3

13.0466.01001
Title.

Prepared by the Legislative Council staff for
Representative Hogan
February 1, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1283

Page 1, line 14, remove "officer"

Page 1, line 14, overstrike the semicolon

Page 1, line 14, after "members" insert "officer."

Page 1, line 16, overstrike the semicolon

Page 1, line 17, after "~~competitors~~" insert an underscored period

Page 1, line 18, remove "event"

Page 1, line 18, overstrike the semicolon

Page 1, line 18, after "and" insert "event."

Page 1, line 19, remove "show"

Page 1, line 19, overstrike the semicolon

Page 1, line 19, after "participants" insert "show."

Page 1, line 21, remove "event"

Page 1, line 21, overstrike the semicolon

Page 1, line 21, after "~~firearms~~" insert "event."

Page 1, line 22, overstrike the semicolon

Page 1, line 23, after "~~instructors~~" insert an underscored period

Page 1, line 24, remove "class"

Page 1, line 24, overstrike the semicolon

Page 1, line 24, after "~~private~~" insert "class."

Page 2, line 1, remove the overstrike over the overstruck period

Page 2, line 1, remove the semicolon

Page 2, line 2, replace the underscored semicolon with an underscored period

Page 2, line 3, after "valid" insert "class 1"

Page 2, line 3, remove the second "a"

Page 2, line 4, replace "valid license issued by another state" with "who has reciprocity under section 62.1-04-03"

Page 2, line 4, replace "person" with "individual"

Page 2, line 4, remove "dangerous"

Page 2, line 5, replace "weapon" with "firearm"

Page 2, line 5, after "concealed" insert "may carry a concealed weapon in a religious institution"

Page 2, line 5, remove "is in a church and"

Page 2, line 5, after the second "the" insert "written"

Page 2, line 5, remove "to carry in"

Page 2, line 6, replace "the church by" with "of"

Page 2, line 6, remove "of the church"

Page 2, replace lines 7 and 8 with "that particular religious institution. If a religious institution authorizes an individual to carry a concealed weapon, local law enforcement must be informed of the name of the authorized individual."

Renumber accordingly

I am Pastor John Boustead

I support HB 1283

Today, if this bill would not pass, a church will not be able to defend itself if it is targeted.

We can all agree that we are living in a day when danger, through lack of moral restraint, has reached its highest plateau most any of us have ever witnessed.

While Bismarck and other larger communities do have security services available, we also recognize that is not the case with our smaller Class B-sized communities. The small communities do not have the same security services available to offer protection in dangerous situations.

HB 1283 will allow class conceal carry permit holders, who have also gained proficiency training from peace officer standards, to offer this vital protection.

In summary, we should allow the churches the right to legally protect themselves should this ever become an issue.

I respectfully ask you to please pass HB 1283.

HB1283

Good morning Senator Hogue and members of the committee. For the record my name is Susan Beehler a Mandan resident, mother of 5 and one grandbaby.

I am opposed to HB1283. Although this bill states governing body it also says "or" and I object to one individual being allowed to decide if this could happen in their church. This subjects one individual to possibly abuse of their authority and thus abuse another, Abusers use many forms of violence in order to control their victims, a gun would be an ultimate tool to control.

Threats and attacks <http://www.bjs.gov/content/pub/pdf/ipvus.pdf>

On average since 2001, for nonfatal intimate partner violence —

- about one-third of female and male victims reported that they were physically attacked.
- approximately two-thirds of female and male victims stated that they were threatened with attack.

Institutional practices can actual promote and perpetuate domestic violence. At the recent American Issues a pastor brought up a well-known church member murdered his wife. Churches are not immune to violence. My abuser was a member of a church board. As legislators you are entrusted to make laws to ensure the safety of all our community not to just freely allow opportunities with 1283 to possibly open the door for where abuse or violence could occur. Safeguards must be in place so a possible abuse of power could not be allowed to be armed with this bill.

If I am reading this correctly Section 3 already allows any political subdivision to enact an ordinance which could allow a church to authorize an individual to carry a dangerous weapon in a church.

The discussion needs to be given more time and more voices to the decision of allowing or not allowing weapons in a church. Local political subdivisions could introduce an ordinance if this is what the local voter's desire, the state does not need to rush to pass this legislation, and local communities could do this couldn't they? but if you pass this local communities could not restrict it. Keep it local.

Susan Beehler 701 220-2297 suzybbuzz@gmail.com

Federal Law → *Peace Officer*