

**2017 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1190**

# 2017 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau –A Room, State Capitol

HB 1190  
1/26/2017  
27429

- ☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature

*Kathleen Davis*

### Explanation or reason for introduction of bill/resolution:

Relating to carrying concealed weapons at public gatherings

### Minutes:

Attachments #1-#2

**Chairman Porter:** Called the committee to order on HB 1190. The Clerk called the roll.

**Rep. Rick Becker:** This bill allows the heads of the 3 branches of government, the chief justice, the chairman of legislative management, and superintendent of highway patrol to make a determination, of who, and I don't mean necessarily individuals, but as far as category, circumstances, etc, who may be carrying in a public building. An example here at the Capital. This bill gives the heads of the branches that capability to determine for themselves, what is best. Example, the superintendent of the highway patrol may say, I think public employees should carry, or elected officials should carry because they are at a higher risk for an attack. It gives them the ability to make the determination for what is best in public facilities. Questions?

2:42

**Rep. Keiser:** Is there a problem now this is now addressing or is this a concept?

**Rep. Becker:** I wouldn't say there's a problem because we haven't had a shooting, there's a concern that has been expressed to me by elected officials, by legislators, various people. The example of protests, heightens concerns, specific individuals receiving threats on their life.

**Rep. Roers Jones:** Would the authorization be for the Chief Justice to decide for the judicial branch and chairman of the legislative management to decide for members of the legislative branch, or if it would be more like a panel, where they all make decisions?

**Rep. Becker:** The intent is for the head of each branch, limited to people within that branch.

**Rep. Devlin:** Why did you use the head of the highway patrol instead of the governor as the head of the executive branch?

**Rep. Becker:** The head of the highway patrol is in charge of all security and makes determinations for exactly what is occurring with regard to anything security wise. That person seemed to be the logical choice. If the committee feels differently, that's an easy amendment.

**Rep. Devlin:** In my opinion, the superintendent serves at the pleasure of the governor. The governor would be the ultimate person for the executive branch, but I stand to be corrected.

**Chairman Porter:** Questions? Last session the Supreme Court was looking off Capital site. If they were to be hired private security, they would not have the ability to be armed because of the current law. The highway patrol provides their security today. Presently today private security guards that are hired or contracted through the ND Highway Patrol, cannot carry weapons inside public buildings. There are some issues with the current law and privatization, contract employees that are being used by the highway patrol.

6:33

**Jordan Mason,** director, National Association for Gun Rights, speaking on behalf of a member organization of 15,000 members in ND. I'm here to testify support of HB 1190 and encourage a Do Pass on this legislation.

7:13

**Jory Stevenson:** presented Attachment #1 in support of HB 1190.

**Chairman Porter:** Thank you for serving our county and the citizens of ND.

**Rep. Lefor:** Thank you for your service. You make clear convincing arguments. How would this bill help you in what can be done to assist you with what you're talking about?

14:10

**Jory Stevenson:** In all honesty, I believe it's a good start. Obviously some amendments could be made to add to cover down on the ND Army National Guard. There's a lot of stipulations and regulations on the military side that fall into place with this. But as representatives, I feel you can trump that stuff by putting guidance in there. I also feel in the past 12 years or so, our administration has bred leaders to not necessarily make decisions, especially on hairy ones like this. In my circumstances I have provided testimony. The same testimony I have provided in my memo for my chain of command, and I believe a decision won't be made, just for the sole fact they believe their career might be on the line if something bad should happen.

**Rep. Lefor:** If we were to amend this to Army National Guard that would help with what you're seeking?

**Jory Stevenson:** Correct.



15:29

**Chairman Porter** For clarification. Some of the facilities you're talking about are leased by the federal government not the state government. I do know that Pres. Trump, Monday issued an executive order that also clarified the ability of soldiers to carry their service weapons while at work in recruiting stations and other positions. I know that was partial accomplished. I don't have a problem adding the adjutant general inside of this bill. Further testimony? Support? Opposition?

17:22

**Marie Hoff, Bismarck:** I have full respect for the constitution of the USA. I would remind you that the constitution guarantees us other rights besides the 2<sup>nd</sup> Amendment. Some of those include life, liberty and the pursuit of happiness. I'm at the point with the pervasiveness of guns in society, I'm afraid to go outdoors, being very literal here. You just don't know how people are going to respond to you. There are a lot of people in our society who have different kinds of problems, maybe anger. I don't see the need for a gun bill like this given the perverseness of firearms in our society. I understand there's 192 million guns in circulation in the US. Where's the problem here with people having access to guns. The center for disease control says in 2016, there were 33,736 gun deaths., Close to 11,00 were homicides, and the CDC says 21,000 were suicides which is very sad. I worked in mental health. I've also been a teacher and I was never frightened in the classroom. With suicide, people have to work up a certain amount of adrenaline to get up the courage to do this act/ With a firearm, it's much more likely to be fatal, than say they're contemplating some other form of suicide because other forms of suicide or their own adrenaline dissipates a bit and they don't go through with the act or someone else is capable of rescuing them, particularly with teenagers. When you have a teenager on the phone threatening to kill themselves, you have 6 seconds to talk that kid down to not pull the trigger. Suicide is an important factor and part of this is easy access to guns. Guns are everywhere. Little kids are killing each other or in some cases their own parents. When the member of Parliament was murdered in Great Britain because of the control on firearms in that country. Almost 34k in the US, you add that up over a decade, that's a quarter of a million people. To me it's almost a pandemic. In the last 10 years if we had 333k people killed by terrorist, where would we be? Somehow in the USA, it seems when there's violence, we up the ante, and go with more violence instead of finding other ways to have solutions to our problems. 135 police were also killed in 2016 because of access to guns. In 2015 5292 people were killed by terrorists in Afghanistan. I'm being flippant when I say I'd be safer living in Afghanistan than the USA where almost 34k people are killed by guns. Where is my personal safety? Limitations have to be set. There's no common sense here. It increases the likelihood of innocent people, police people, or anyone being killed for no reason at all because some person is unhappy. I really believe it's important to have strict controls on who can have a gun, and that people should be trained to handle guns.

**Chairman Porter:** I encourage to testify again on the next bill. Your testimony is more on the next bill. Further testimony in opposition?

26:20



**Susan Beehler, Mandan:** With this bill, I wasn't sure if only those 4 people could carry a gun. I am a mother of 5, grandmother of 3, I'm a small business owner, member of Pride of Dakota, I love the state of ND. One of those things I've encountered is I was part of the program through the Department of Commerce. Now if our legislative, or whoever, I don't know if that includes the departments, if that legislative management would only grant guns to legislators or staff in the building here, or if that includes staff outside the building. I was in the meeting and the person conducting, looked at me and said, "I think all feminists should be shot." and he looked right at me. Also as a member of the public, when we enter this building, there's a real intimidation factor. I did report this and I was retaliated against. I was terminated from the program. Do I take it further and be retaliated against further? He went on to say he's from MN and stops in SD because they have no limitations on ammunition and can buy as much as he wants so he can take care of business. This was right after saying he felt all feminists be shot. I took it as a threat. These are people not trained in security and not trained beyond just concealed weapon carry. I don't think it's a good idea in a public setting because of the diversity in communities, and there are mishaps with negligent discharge. Safety of the public should be paramount. Nothing in this bill that says they need training, administrative rules, that insures public safety, it's just carrying a gun, which does not insure public safety.

**Chairman Porter** further testimony in opposition?

**Lt. Tom Iverson:** safety and education officer with ND Highway Patrol, presented Attachment #2

**Rep. Heinert:** How would you handle other property owned or lease by the state outside the Capital building?

**Lt. Tom Iverson:** That is a concern knowing the large amount of property that is owned or leased in the state. Our intent would be to limit the scope where we have a presence such as the state capital where we would be the only building or grounds where we currently have a presence.

**Rep. Mitskog:** Clarification. Your suggesting just highway patrol would carry? Be armed?

**Lt. Tom Iverson:** That would be our approach. It would be open to discussion as to what individuals would be authorized to carry a concealed weapon. As of right now, we'd limit that to our employees that receive the training.

**Rep. Mitskog:** The issue of the private security? Address that?

**Lt. Tom Iverson:** They are employees of the highway patrol. Many are retired law enforcement, definitely possessing the skills and training. We would simply give them additional training to brush up on their skills.

**Rep. Mitskog:** So you're carrying a weapon now and I appreciate the security you offer to all of us in the Capital. Outside the governors' office, I have not taken note if they're carrying a weapon. Can you clarify, can everyone in the highway patrol carry a weapon?

**Lt. Tom Iverson:** Yes a number of us in this building. Officers in a brown uniform are sworn officers. A number of us down at the headquarters office below this office here. We have capital security staff, Sargent Johnson and 2 other troopers that are sworn the same as myself. We carry the same issued weapon, receive same amount of training. On top of that we have security staff in a civilian role, in white shirts, they do not carry a side arm. With the legislative session we felt it prudent increase security efforts here and to hire on temporary staff you see staffing the magnetometers or metal detectors at the doors. Those are retired law enforcement officers; they are not armed. A possibility does exist giving them arms especially given the fact they are retired law enforcement officers even regardless of this bill. At this point not deemed necessary.

**Rep. Mock:** The highway patrol primarily has a presence at the capital but not at most other buildings or properties owned or leased by the state. Is the HP responsible for the security at properties owned or leased by the state even though they don't have an ongoing presence?

**Lt. Tom Iverson:** It's a bit of a grey area. As far as offsite security, no we would have the responsibility providing security. However, we would have jurisdiction to go to that area and provide security on a case by case basis or an investigation that may happen.

**Rep. Mock:** So you do have jurisdiction over all state properties?

**Chairman Porter:** Does the bank of ND run into the same issue with private contract security on state property that happens at the Capital?

40:44

**Lt. Tom Iverson:** I'm not aware of their level of security at the Bank of ND, or if they have armed officers.

**Chairman Porter:** To clarify Rep. Mock's question. So the parking lot of the Bank of ND is state owned. If there's a fender bender on that property that's over \$1000 and requires an investigation and report, does the ND highway patrol or city of Bismarck police do that?

**Lt. Tom Iverson:** ND Highway patrol would have jurisdiction but the Bismarck PD has been covering those. On these Capital grounds, in the parking lot, no different than the Bank of ND parking lot, the HP does cover those.

**Chairman Porter:** In the area ITD is, privately owned building, lease by the state of ND, if there's vandalism to the building, is that investigated by Highway patrol or Bismarck PD?

**Lt. Tom Iverson:** Yes, by highway patrol.

**Rep. Keiser:** All of the political subdivisions entered a joint powers agreement which sets out, the first responder has authority to take action.

**Chairman Porter:** Questions? Closed the hearing.



# 2017 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau -A Room, State Capitol

HB 1190  
2/9/2017  
28084

- ☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature

*Kathleen Davis*

### Explanation or reason for introduction of bill/resolution:

Relating to carrying concealed weapons at public gatherings

### Minutes:

Attachment 1

**Chairman Porter:** Called the committee to order on HB 1190. This is an amendment (Attachment #1) to the component inside of the conceal carry weapons inside of a public gathering. The amendment replaces the head of the highway patrol with the governor since the bill is representing each branch of the government in their ability to protect their own members. The other component of course you list the Supreme Court. They have plans in their master plan to move off site into a different building. Then the highway patrol has an issue with their private security force who are able to carry weapons because their retired law enforcement and contract employees, but they can't because of the way the current law reads. This fixes that and addresses those concerns.

**Rep. Ruby:** Were we going to add in adjunct general with thought of recruiters in their home stations?

**Chairman Porter:** The adjunct general answers to the governor as the head of the executive branch, so that will be the adjunct general going to his boss just as it is the highway patrol going to his boss for those specifics on who carries.

**Rep. Ruby:** I move we adopt this amendment for HB 1190.

**Rep. Roers Jones:** Second

**Chairman Porter:** We have a motion from Rep. Ruby and a second from Rep. Roers Jones. Discussion? Voice vote carries.

**Rep. Heinert:** I move a Do Pass as Amended.

**Rep. Ruby:** Second

Chairman Porter: Motion from Rep. Heinert, second from Rep. Ruby for a Do Pass as Amended to HB 1190. Discussion? Roll call vote:

Yes 12 No 0 Absent 2 Rep. Heinert is carrier.



17.0638.01001  
Title.02000

2/9/17 *df*  
Adopted by the Energy and Natural Resources  
Committee

February 9, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1190

Page 1, line 6, remove "chairman of the"

Page 1, line 7, replace "legislative management, or superintendent of the highway patrol" with  
"governor, speaker of the house, or president pro tempore of the senate."

Renumber accordingly

Date: 2-9-17

Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1190

House Energy & Natural Resources Committee

☐ Subcommittee

Amendment LC# or  
Description:

17.0638.01001 02000

Recommendation

- ☒ Adopt Amendment  
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar

Other Actions

☐ Reconsider

☐

Motion Made By Rep Ruby Seconded By Rep Roers Jones

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter			Rep. Lefor		
Vice Chairman Damschen			Rep. Marschall		
Rep. Anderson			Rep. Roers Jones		
Rep. Bosch			Rep. Ruby		
Rep. Devlin			Rep. Seibel		
Rep. Heinert					
Rep. Keiser			Rep. Mitskog		
			Rep. Mock		

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor  
Assignment \_\_\_\_\_

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

Lines 6-7 replaces the head of the highway patrol with the Governor

Date: 2-9-17

Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1190

House Energy & Natural Resources Committee

☐ Subcommittee

Amendment LC# or  
Description: \_\_\_\_\_

Recommendation

- ☐ Adopt Amendment  
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☒ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar

Other Actions

☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Heinert Seconded By Rep Ruby

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter	✓		Rep. Lefor	✓	
Vice Chairman Damschen	✓		Rep. Marschall	✓	
Rep. Anderson	✓		Rep. Roers Jones	✓	
Rep. Bosch	✓		Rep. Ruby	✓	
Rep. Devlin	✓		Rep. Seibel	✓	
Rep. Heinert	✓				
Rep. Keiser			Rep. Mitskog	✓	
			Rep. Mock		

Total (Yes) 12 No 0

Absent 2

Floor  
Assignment Rep. Heinert

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



**REPORT OF STANDING COMMITTEE**

**HB 1190: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1190 was placed  
on the Sixth order on the calendar.

Page 1, line 6, remove "chairman of the"

Page 1, line 7, replace "legislative management, or superintendent of the highway patrol"  
with "governor, speaker of the house, or president pro tempore of the senate,"

Renumber accordingly

**2017 SENATE JUDICIARY**

**HB 1190**

# 2017 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Fort Lincoln Room, State Capitol

HB 1190  
3/14/2017  
29139

☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to carrying concealed weapons at public gatherings.

**Minutes:** **Testimony attached #**

1

**Chairman Armstrong** called the committee to order on HB 1190. All committee members were present.

**Rick Becker, North Dakota State Representative District 7**, testified in support of the bill. No written testimony.

"This bill gives discretion to four individuals to determine who is allowed to carry a gun at public gatherings. The four that are allowed are the Governor, Chief Justice, the Speaker of the House, and the President Pro Tempore of the Senate. They would be able to override the prohibition of weapons being carried on property owned or leased by the state."

**Chairman Armstrong (2:25):** "Under the way it's written, if three of the four say no but one says yes, I am allowed to carry on a government owned or leased building?"

**Representative Becker:** "Yes."

**Chairman Armstrong:** "Do these people have to inform highway patrol, who actually provide the security of the building?"

**Representative Becker:** "No. The intent of the bill was that there would be an understanding that these leaders of the three branches of government would understand that their purview would be limited to their branch of government."

**Ben Koppelman, North Dakota State Representative District 16**, testified in support of the bill. No written testimony. He briefly said he is in support for this bill.

**Tom Iverson, Lieutenant of North Dakota Highway Patrol (5:10 – 6:30)**, testified in neutrality of the bill, (see attachment 1)



**Chairman Armstrong (6:25):** "We were talking about buildings not like the capital where they own or lease where you're not allowed to do security, do you remember that?"

**Lieutenant Iverson:** "Yes."

**Chairman Armstrong:** "Can you expand on that?"

**Lieutenant Iverson:** "Currently the North Dakota Highway Patrol is in charge of security up at the state capital building. There are a multitude of other state buildings across the state that we do not have security in. I guess technically we could have the authority to do such a thing, but that would be a huge undertaking."

**Chairman Armstrong (7:10):** "Do you have the authority to do that but you just don't do that?"

**Lieutenant Iverson:** "Correct."

**Senator Nelson:** "Just a question to whomever: owned and leased by the state, that could be all the colleges, or any building that we even have an office in?"

**Chairman Armstrong:** "Correct."

**Todd Anderson, Office of Management and Budget,** testified in neutrality of the bill. No written testimony.

"We just have some concerns with the language of the bill. Primarily the lack of criteria that is specified for the decisions that would be made by the designated people in the bill. It's sort of related to a constitutional question that needs to be asked. There's a complete lack of criteria in the language of the bill that would guide their decisions. That's a concern for risk management since our duty is to protect the state."

**Chairman Armstrong** closed the hearing on HB 1190.

No motions were made.

# 2017 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Fort Lincoln Room, State Capitol

HB 1190 Committee Work  
3/20/2017  
29450

☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to carrying concealed weapons at public gatherings.

**Minutes:**

**No written testimony**

**Chairman Armstrong** began the discussion on HB 1190. All committee members were present.

**Senator Nelson** motioned Do Not Pass. **Senator Larson** seconded.

**Senator Myrdal:** "I think the original intent of this bill was so lawmakers could carry concealed weapons in the building and has been amended over time. I do not support this bill anymore."

A Roll Call Vote was taken. Yea: 6 Nay: 0 Absent: 0.  
The motion carried.

**Senator Osland** carried the bill.

**Chairman Armstrong** ended the discussion on HB 1190.

**2017 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1190**

Senate Judiciary Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Senator Nelson Seconded By Senator Larson

Senators	Yes	No	Senators	Yes	No
Chairman Armstrong	X		Senator Nelson	X	
Vice-Chair Larson	X				
Senator Luick	X				
Senator Myrdal	X				
Senator Osland	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Osland

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



**REPORT OF STANDING COMMITTEE**

**HB 1190, as engrossed: Judiciary Committee (Sen. Armstrong, Chairman)** recommends  
**DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed HB 1190 was placed on the Fourteenth order on the calendar.

**2017 TESTIMONY**

**HB 1190**

1-26-17  
HB 1190  
#1

Good Morning Ladies and Gentlemen,

My name is Jory Stevenson, I have come before you today to provide some testimony that may help you in your decision making process for all of the gun legislation you will see today. I would like to tell you a little bit about myself and my experiences here in North Dakota and around the world throughout my life that may help educate or enlighten everyone on the importance of your duty as representatives to uphold and preserve our second amendment freedoms.

I am a 6<sup>th</sup> generation North Dakotan, my great, great, great, great grandfather Donald Stevenson was one of the first cattle ranchers to settle in North Dakota in 1872. He also served in the ND House of Representatives and was inducted into the ND Cowboy Hall of Fame in 2007.

I was born in raised in Devils Lake, ND and graduated high school there in 2001. For the past sixteen years I have served full-time in the North Dakota Army National Guard. I have deployed to Iraq and Kosovo as well have performed flood duty in Fargo/Valley City area in 2009 and then flood duty in Minot in 2011. I tell you these things because I can honestly say that just like everyone in this room I love this State and this Country and would do anything to preserve its freedom and prosperity.

I deployed to Iraq in 2005 with Co A 164 EN BN based out of Minot, ND. I was a combat engineer team leader and our job in Iraq was to find IEDs, or improved explosive devices. During our 15 month deployment our company found approximately 470 roadside bombs, and some found us. While on deployment I was issued an M16 for personal defense against the enemy which I used several times.

I deployed to Kosovo in 2009 with the 231<sup>st</sup> Maneuver Task Force based out of Valley City, ND. I was a maneuver squad leader and our job in Kosovo was to provide peacekeeping operations. While on deployment I was issued an M4 for personal defense against any potential threat we may face. On January 24, 2010 while out on patrol we encountered a large group of individuals threatening to riot if coalition forces did not intervene. My four soldiers and I were two hours from any form of back-up. Luckily with the aid of my interpreter we were able to talk down the crowd and find a peaceful solution.

On April 13<sup>th</sup> 2016 while I was at home on my lunchbreak my fiancé's good friend was being assaulted by her boyfriend. I was able to de-escalate the situation by pulling my home defense shotgun on the man and telling him to leave my property.

On July 16<sup>th</sup> 2015 in Chattanooga, TN a terrorist opened fire on a US Navy Reserve recruiting center. Four Marines died on the spot and a sailor died two days later from his injuries. I have read from several new sources that Minot, ND is potentially on ISIS hit list due to the Air Force Base and its nuclear capability.

I currently live in Minot, ND and am a recruiter for the NDARNG. Since that shooting our organization has ensured our office is locked at all times and have a security camera to monitor who is at our door. Every day when before I step into my office or our government provided vehicles I remove my concealed carry pistol and leave it in my truck as per regulation I am not allowed to carry a personal firearm in either.

On December 5<sup>th</sup> 2016 I submitted a memorandum to my chain of command requesting to conceal carry a privately owned firearm while on official duty per DoD Directive 5210.56 dated November 18<sup>th</sup> 2016. I



have not heard back either way if this will be approved or denied. I currently have concealed weapons permits in the state of North Dakota and Utah.

I find it quite ironic that our government has entrusted me to lead soldiers into combat and in peacekeeping operations. I have been entrusted to help save homes and people across the state from natural disaster. I have been entrusted with the safeguard of over 100 million dollars' worth of government equipment in my career to include a weapons vault with a large arsenal of weapons yet we are hesitant to entrust me to carry my privately owned firearm into my place of work and transportation. I have a 21 year old female that I supervise in my office that may be the same age as some of your daughters. I shudder every time I think of the fact that if and when we were to ever be attacked in Minot, ND I would not be able to properly protect my soldiers and fellow North Dakotans.

In 1963 our US Senate formed a committee on the constitutional rights of military personnel. In their summary report which I have here with me, the very first sentence states: "No persons should be more entitled to protection of their constitutional rights than the servicemen engaged in protecting the sovereignty of the United States."

I ask all of you; why then is my second amendment rights any different in this regard? I am by no means a constitutional scholar or educated in constitutional law but as with all military I swore an oath to uphold the constitution. My second amendment is very clear to me, the Supreme Court has made it very clear it is my individual right to keep and bear arms. The founding fathers in the federalist papers have made it very clear on the intent of the second amendment. Our founders even discussed not putting the bill of rights in the constitution because as free men those rights were inherently ours.

Ladies and Gentlemen whether you are a Democrat or Republican our freedoms are not political but instead personal. This past election I believe was a turning point for in the aspect that our state and country want less government and more freedoms. In closing, I thank you all for service to this great state in helping guide us into the future and may God continue to bless North Dakota and the United States.

HB 1190  
1-26-17  
#2

**House Bill 1190**  
**Energy and Natural Resources Committee**  
**Representative Todd Porter, Chairman**  
**January 26, 2017**

Mr. Chairman and members of the Energy and Natural Resources Committee, my name is Lieutenant Tom Iverson, safety and education officer for the North Dakota Highway Patrol. I am here to provide neutral testimony regarding House Bill 1190.

House Bill 1190 allows the chief justice of the supreme court, chairman of the legislative management, or superintendent of the highway patrol to authorize certain individuals to carry a concealed weapon on property owned or leased by the state.

If passed, our agency would establish appropriate policy and guidelines. Due to training and potential risk management issues of authorizing other individuals to carry a concealed weapon in the State Capitol, we anticipate the requests being limited to NDHP employees specific to the State Capitol. Although we would appreciate the ability to arm our staff if needed, we anticipate the need to limit the scope to NDHP employees.

This concludes my testimony. I'd be happy to answer any questions.

1  
2-9-17  
HB 1190

February 9, 2017

PROPOSED AMENDMENTS TO HB 1190

Page 1, line 6-7, after “court,” replace “chairman of the legislative management, or superintendent of the highway patrol” with “governor, speaker of the house, or president pro tempore of the senate,”

**SECTION 1.** A new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code is created and enacted as follows:

An individual authorized by the chief justice of the supreme court, ~~chairman of the legislative management, or superintendent of the highway patrol~~ governor, speaker of the house, or president pro tempore of the senate, to carry a concealed weapon on property owned or leased by the state.



①

**House Bill 1190**  
**Senate Judiciary Committee**  
**Senator Kelly M. Armstrong, Chairman**  
**March 14, 2017**

Mr. Chairman and members of the Senate Judiciary Committee, my name is Lieutenant Tom Iverson, safety and education officer for the North Dakota Highway Patrol. I am here to provide testimony regarding House Bill 1190.

House Bill 1190 allows the chief justice of the supreme court, governor, speaker of the house, or president pro tempore of the senate to authorize certain individuals to carry a concealed weapon on property owned or leased by the state.

If passed, the following concerns and/or questions will surface:

- Will there be an application process, and will each authorizing entity have its own set of guidelines?
- Will each applicant complete a background check?
- Will each applicant need to pass a certain level of training or proficiency test?
- Will there be identification cards issued to authorized individuals?
- How will security or law enforcement verify the individual is authorized?
- Are there risk management concerns or liabilities incurred by the authorizing entity?
- What are the fiscal impacts (background checks, training, application process, etc.)?
- If approved, is there a process to revoke the authorized individual?

Based off the questions presented, the highway patrol has a few concerns that will need to be worked through.

This concludes my testimony. I'd be happy to answer any questions.

/